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PROCEEDINGS AND DEBATES

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SECOND SESSION OF THE SIXTY-SIXTH CONGRESS

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Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-SIXTH CONGRESS
SECOND SESSION.

SENATE.

MONDAY, *March 15, 1920.*

(*Legislative day of Thursday, March 11, 1920.*)

The Senate met in open executive session at 12 o'clock noon, on the expiration of the recess.

SENATOR FROM ALABAMA.

Mr. UNDERWOOD. Mr. President, as in legislative session, I send to the desk the credentials of the Hon. BRAXTON BRAGG COMER, of Alabama, who has been appointed to fill the vacancy caused by the death of the late Senator BANKHEAD. I wish to say that I have submitted these credentials to the Senator from Vermont [Mr. DILLINGHAM], the chairman of the Committee on Privileges and Elections, and that he assures me they are in proper form. I ask that Mr. COMER may now take the oath of office.

The PRESIDENT pro tempore. The Secretary will read the credentials.

The credentials were read and ordered to be filed, as follows:

STATE OF ALABAMA,
Executive Department.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Alabama, I, Thomas E. Kilby, the governor of the said State, do hereby appoint BRAXTON BRAGG COMER a Senator from the said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of Hon. JOHN H. BANKHEAD, is filled by election, as provided by law.

Witness his excellency our governor, Thomas E. Kilby, and our seal hereto affixed at the capitol, in the city of Montgomery, this 5th day of March, in the year of our Lord 1920.

THOS. E. KILBY, *Governor.*

By the governor:
[SEAL.] WM. P. COBB, *Secretary of State.*

The PRESIDENT pro tempore. The Senator appointed will present himself at the desk to take the oath.

Mr. COMER, escorted by Mr. UNDERWOOD, advanced to the Vice President's desk, and the oath prescribed by law having been administered to him by the President pro tempore, he took his seat in the Senate.

CALLING OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gerry	Lenroot	Sheppard
Beckham	Gore	Lodge	Sherman
Borah	Gronna	McCormick	Smith, Ga.
Brandegee	Hale	McKellar	Smith, Md.
Calder	Harding	McLean	Smoot
Capper	Harris	McNary	Spencer
Chamberlain	Harrison	Moses	Sterling
Colt	Henderson	New	Sutherland
Comer	Hitchcock	Norris	Townsend
Culberson	Johnson, S. Dak.	Nugent	Trammell
Cummins	Jones, N. Mex.	Overman	Underwood
Curtis	Jones, Wash.	Phelan	Wadsworth
Dial	Kellogg	Phipps	Warren
Dillingham	Kendrick	Pittman	Watson
Edge	Kenyon	Poindexter	Williams
Elkins	Keyes	Pomerene	Wolcott
Fletcher	King	Ransdell	
France	Kirby	Reed	
Frelinghuysen	Knox	Robinson	

Mr. DIAL. I wish to state that my colleague [Mr. SMITH of South Carolina] is detained from the Senate on account of illness in his family. I ask that this announcement may stand for the day.

Mr. ASHURST. My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

Mr. RANSDELL. I wish to announce that my colleague [Mr. GAY] is detained from the Senate by illness.

Mr. CURTIS. I have been requested to announce that the Senator from Delaware [Mr. BALL] and the Senator from Vermont [Mr. PAGE] are absent on account of illness.

Mr. GERRY. The Senator from Colorado [Mr. THOMAS] and the senior Senator from Virginia [Mr. SWANSON] are detained by illness in their families.

The junior Senator from Virginia [Mr. GLASS], the Senator from Tennessee [Mr. SHIELDS], the Senator from North Carolina [Mr. SIMMONS], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WALSH] are absent on official business.

The PRESIDENT pro tempore. Seventy-three Senators have answered to their names. There is a quorum present.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the act (S. 3037) to authorize the Secretary of War to transfer certain surplus motor-propelled vehicles and motor equipment and road-making material to various services and departments of the Government, and for the use of the States.

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

The PRESIDENT pro tempore. The pending question is upon the substitute offered by the Senator from New Jersey [Mr. FRELINGHUYSEN] to the substitute offered by the Senator from Massachusetts [Mr. LODGE].

Mr. BECKHAM. Out of order I should like to introduce a bill.

The PRESIDENT pro tempore. The Chair is of the opinion that pending the execution of the unanimous-consent agreement, nothing else is in order.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry. I direct the attention of the Chair to the unanimous-consent agreement which was entered into on Saturday with a view of asking for the interpretation which the Chair puts upon it. Has the Chair the agreement before him?

The PRESIDENT pro tempore. The Chair has carefully studied the agreement.

Mr. BRANDEGEE. Very well. I ask the Chair what construction he places upon that part of the agreement which provides that without further debate to-day we shall vote?

The PRESIDENT pro tempore. The Chair understands that all amendments to the proposed reservation must be disposed of during the calendar day. The Chair is inclined to think that the reservation itself, as originally reported or as it may be amended, may be voted upon after the expiration of the calendar day.

Mr. BRANDEGEE. I agree with the Chair about that, but my suggestion was that the agreement states "that on the calendar day of Monday, March 15, 1920, the Senate will proceed to vote, without further debate, upon any amendment that may be pending or that may be offered to reported reservation No. 2." My impression is that the provision "without further debate" was in the original consent agreement tendered by the Senator from Massachusetts when he proposed that at not later than 3 o'clock to-day without debate the Senate should vote, and that in the confusion of the modification of the agreement thereafter, when we added that every Senator should have at least five minutes upon amendments to the reservation, the Secretary neglected to strike out the limitation without debate. I think it is inconsistent with the provision that we shall have 15 minutes upon each reservation and 5 minutes upon amendments thereto.

The PRESIDENT pro tempore. There may be some confusion or uncertainty in the language of the agreement, but the Chair intends to hold that there may be debate during the calendar day according to the last clause of the unanimous-consent agreement.

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Mr. BRANDEGEE. I think the Chair is correct about that. As I understand it, upon all amendments to the modification of reservation No. 2 no Senator can speak more than once or more than five minutes. Is that correct?

The PRESIDENT pro tempore. The Chair does not intend to follow literally rulings that have been heretofore made with respect to an agreement of this character. He does not intend to depart from them in spirit, but in view of the situation, which is that certain substitutes have been offered for the original reservation, the Chair intends to hold that a Senator in speaking upon a substitute may be permitted to speak for 20 minutes.

Mr. BRANDEGEE. By "a substitute" I suppose the Chair means any amendment to the modification which has been proposed by the Senator from Massachusetts?

The PRESIDENT pro tempore. Any substitute is technically an amendment, but——

Mr. BRANDEGEE. All substitutes are amendments, but all amendments are not substitutes.

The PRESIDENT pro tempore. The interpretation of the agreement which the Chair intends to apply, unless he is overruled by the Senate, is this: The Senator from New Jersey [Mr. FRELINGHUYSEN] is speaking upon his amendment. The Chair did rule that he might speak under the unanimous-consent agreement for 20 minutes, upon the assumption that he is devoting 15 minutes of that time to the original resolution.

Mr. BRANDEGEE. Then, the Senator from New Jersey will have exhausted all of his time?

The PRESIDENT pro tempore. Then, if thereafter another amendment be proposed, that particular Senator would be limited to five minutes upon that amendment.

Mr. BRANDEGEE. Then, a Senator will be able to apportion his time in one speech so that he can use 20 minutes upon a substitute and the reservation combined, so to speak?

The PRESIDENT pro tempore. The Chair has not given that particular matter any thought.

Mr. BRANDEGEE. I thought that was what the Chair stated in relation to the substitute proposed by the Senator from New Jersey.

The PRESIDENT pro tempore. The Senator from Connecticut will remember that the agreement provides that a Senator shall speak but once and not more than 20 minutes.

Mr. BRANDEGEE. Yes; but once upon each amendment. My inquiry is a practical one, because it is important for a Senator, in arranging his remarks in advance, to know whether he has 5 minutes or 20 minutes. In other words, the modification proposed by the Senator from Massachusetts and amendments to it are so blended and intertwined—I believe that is the technical word—that it is very difficult to confine one's whole 15 minutes in a speech simply to the modification proposed by the Senator from Massachusetts and then take 5 minutes and confine one's remarks strictly to the amendment proposed to the modification.

The PRESIDENT pro tempore. The Chair desires to construe the rule liberally for the purpose of debate, but is not prepared to go to the length suggested by the Senator from Connecticut.

Mr. BRANDEGEE. Then we shall have to feel it out in practice.

Mr. LODGE. Mr. President, as to voting on the reservation itself, it seems to me the unanimous-consent agreement is clear. It says "immediately thereafter"; that is, if we proceed until midnight and then conclude the substitutes and amendments, the vote comes "immediately thereafter" on the reservation and the matter could not go over.

The PRESIDENT pro tempore. The Chair understands that if the amendments are disposed of by the end of the calendar day, then there must be an immediate vote upon the reservation as amended or as originally reported. The question is upon the amendment proposed by the Senator from New Jersey [Mr. FRELINGHUYSEN] in the nature of a substitute for the reservation proposed by the Senator from Massachusetts [Mr. LODGE] as modified.

Mr. FRELINGHUYSEN. Mr. President, there has been some suggestion made in view of the amendment offered to the modification reservation proposed by the Senator from Massachusetts [Mr. LODGE] that I withdraw my amendment. In view of the fact, however, that the amendment or substitute offered by me clearly states what I believe to be the position of those who earnestly feel that no obligation should be imposed upon this country to protect the territorial integrity and political independence of other nations, and that my reservation clearly expresses that idea, I do not feel at the present time, in view of the further fact that no debate has yet been had upon the Lodge reservation, that I should withdraw my amendment. I do not intend to take the full limit of 20 minutes which, under the ruling of the Chair, has been allotted to me. I simply wish to express briefly, in from 5 to 10 minutes, my position in regard to the substitute which I have offered.

Last week I stated that the question before us was plain and simple. Will or will not the United States undertake to preserve the territorial integrity and political independence of other nations?

It is now evident that that is not the only question. There is one equally important, one which directly affects the reputation, in fact, the very self-respect, of the Senate. This body is charged with the duty of stating whether we do or do not agree to the treaty proposed. We are but the agents, the servants, of the people. Does it require argument on my part to demonstrate that it is our duty to state our position in language so clear that it can not be misunderstood, and not in language which will mean one thing to one man and the very opposite to another, or in language which will permit two Senators holding directly opposite opinions to vote the same way?

For nearly a century and a half we have stood aloof from Europe. We have followed the advice of the immortal Washington. We have avoided entangling alliances. It is now argued that the advice of Washington is antediluvian. It is proposed that we join in a world federation, the boundaries of which we should view with the respect that we have shown those of our own States, that we should accord them like protection, and that to insure such protection we should give them that which has not been given to our own States, an unconditional written guaranty.

Opposed to such views are those who point to our remarkable growth and prosperity, extending over a century; to the fact that we are not skilled in the diplomacy of the Old World; that if we obligate ourselves as proposed we will not only have to take part in every dispute throughout the world but may find it difficult, if not impossible, to refuse to join a nation which if we were unfettered by any promises we would oppose rather than protect.

Are we willing to guarantee the territorial integrity and political independence of other nations? Before giving an answer we must decide what the effects are to our self-respect.

We know that the attention of the country is riveted upon us. There is no use of our blinking the fact that money has been spent in the process of our delay and our inability to dispose of the treaty. The people have tolerated delay, but they are in no mood to stand equivocation. They can not brook a trimmer, a man or body of men who try to carry water on both shoulders, who try to blow hot and cold.

We owe it to our country, to our people, and the other parties to the treaty to state either that we, the United States, will or will not guarantee the territorial integrity and political independence of other nations. As honest men we must use language that the American people can understand. We will be false to ourselves and false to our constituents if we employ phrases that they do not understand; phrases which will require a court or tribunal, or, perchance, the council of the league, to decide whether we have or have not given a guaranty.

If the Senate should vote its conclusion as to article 10 in language which is susceptible of two constructions, one that we have given a guaranty and the other that we have not, then I say, and I am sure the people will say, that the Senate is the home of the trimmers.

About a week ago a reservation known as the Watson-Simmons reservation was submitted. We were assured that it changed not the substance but merely the form of what is known as the Lodge reservation. It required but little discussion to surround it with some doubt. During the discussion the President wrote the Senator from Nebraska [Mr. HITCHCOCK] and made clear that our military and naval forces could not be employed under article 10 unless Congress so decreed; that the reservation was in effect a mere act of supererogation.

Notwithstanding his letter another compromise reservation was prepared, and on Friday last it was stated with emphasis that it changed only the form and not the substance of the original Lodge reservation. Time will not permit me to discuss it at length, but if we say that the United States undertakes to preserve the territorial integrity and political independence of India by its military forces, if Congress so decrees, wherein does such a declaration, in so far as it applies to our military forces, differ from one in which it is implied that the United States assumes full obligation to preserve the territorial integrity and political independence of India by its military forces if Congress so decrees?

Hair splitters might find a difference, but rail splitters never. If the famous "rail splitter" should propose to negative any obligation to preserve the territorial integrity and political independence of India, no one here would so dishonor his reputation as to suggest that he would use language equivocal

in meaning. He said what he meant, and he meant what he said. So also should we. I venture to say that there are many lawyers in the Senate who were they retained to settle the point would argue that the proposed compromise would not destroy the obligation under article 10. Who will say that the legal lights who have advised that the compromise reservation leaves no obligation would not argue the contrary if retained for that purpose?

In its issue following the publication of the reservation the New York Times, a paper which has strongly urged ratification of the obligation imposed by article 10, editorially proclaimed the reservation as acceptable and one to which no reasonable friend of the treaty could object. Why? Because, forsooth, in its opinion, the substance of article 10 was not affected, as the reservation was merely declaratory of our constitutional practices; that the reservation amounted to nothing more than to take the President's word for "a mere act of supererogation." And, no doubt, he would so describe it to other nations should it be adopted here and if the treaty were afterwards ratified. Fearing that the reservation might mean one thing to one Senator and the direct opposite to another I have proposed a substitute, which I will read:

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country.

The United States assumes no obligation to interfere in controversies between nations or to employ its military or its naval forces or its resources for any purpose under any article of the treaty.

I do not think that anyone can misunderstand that proposed reservation. Those who favor it proclaim not only to the Senate but to the country and the Nation that the United States should not, and shall not, obligate itself to preserve the territorial integrity and political independence of other States. Do not those who oppose it proclaim that the United States should and shall obligate itself at least to some extent?

If my reservation is rejected, will not the world have the right to believe that we favor some obligation? If my reservation is rejected, I warn you that, whatever may be our attitude as to article 10, it must be stated in language which will admit of no doubt, because, should our meaning be doubtful, it will be resolved in favor of an obligation, if the record shows that we were offered an opportunity to repudiate one and refused so to do.

We all know that the record will be read to ascertain our meaning. Therefore those who oppose an obligation, before voting against a plain statement that the United States assumes none, should consider that fact. If you so vote, it will become your imperative duty to make whatever reservation to article 10 which may be accepted so clear that the reference to your vote on the reservation proposed by me will not be necessary to ascertain your meaning. The original Lodge reservation was debated throughout the country. Its meaning is understood. Why is it abandoned? Is it not the hope to speak equivocally to catch the unthoughtful?

The compromise reservation which was so loudly praised on Friday last is even now the subject of amendment. If it was perfection when proposed, why the change? Who will now vouch for its perfection? Perhaps debate will show that its meaning is clear. Of its meaning I am not sure. Of the meaning of the original Lodge reservation I am sure. Of the meaning of the reservation which I have proposed I am likewise sure. It is a flat denial of any obligation on the part of the United States to preserve the territorial integrity and political independence of other nations. Those who oppose such an obligation, and who are not afraid to vote in accordance with their convictions will, I am sure, favor such a reservation.

Mr. KNOX. Mr. President, whatever may be the fate of the amendment proposed by the Senator from New Jersey [Mr. FRELINGHUYSEN], I, not only as one of his associates in this body but as an American citizen, desire to express my thanks for his manly courage in presenting this issue just as it is.

The American people are not going to be deceived by any shell game of politics, any proposition of "Now you see it and now you do not see it." We are here to decide whether the United States shall assume the obligation to protect the territorial integrity and political independence of other members of the league, or whether it shall not; and the only honest way to express an issue of that kind is in plain English that the ordinary man upon the street can read and understand. All of the camouflage of language, all of the twisting of words, which, as Kipling said of phrases, is only an art of knaves to deceive fools, can not deceive the American people.

What the American people want to know is, Are their sons and their fathers and their husbands to be drafted and drawn into foreign wars, and are they to be taxed for their maintenance, or are they not? If they are, we must assume this obligation; and if we assume the obligation, that is the logical result. If we are not, we ought to have the frankness and the manhood to say so.

There may be some who can not differentiate between the things that are important and the things that they understand; but I think in this case the American people thoroughly understand this issue, and credit is due to the distinguished Senator from New Jersey for presenting it so frankly and so plainly that, as he said the other day, they who run may read and understand.

Mr. BRANDEGEE. Mr. President, I desire to be heard briefly on this amendment.

Entirely irrespective of the prospects of success which this substitute of the Senator from New Jersey may stand, it seems to me that each Senator certainly must have in his own mind, whether he has been able to express it clearly to his colleagues and to the public or not, a clear conception of what he wants to accomplish in this matter. If a Senator does not want to assume this obligation to protect the territorial integrity and political independence of other countries, it can not be so that he is confused, if he is old enough and fit to have gotten to the United States Senate, by a declaration that he declines to assume such obligation. So that the intent and purport of the substitute proposed by the Senator from New Jersey is clear, and it is just that—the United States assumes no obligation.

Now, everybody can understand that, both at home and abroad. If that is what we want to do, we should vote for the substitute of the Senator from New Jersey. But look at it: On the other hand, the trouble with voting this down is that if we decline to say that we do not accept any obligation, what is the situation? Why, the Senate will be on record as having declined to repudiate the obligation which the treaty places upon us. What is the inference? The inference is that we accept some kind of an obligation to protect the political independence and territorial integrity of all the members of the league.

Is that the kind of a position we want to get into? If that is not true, then the advocates of the modification as proposed by the Senator from Massachusetts must say that that modification just as effectually repudiates the obligation as does the substitute proposed by the Senator from New Jersey, but it takes ten times more words to do it in.

There can be no doubt that if they mean the same thing, the proposal of the Senator from Massachusetts is much more involved and complicated, because without in the first line of it repudiating the obligation, it specifies a whole lot of different means which we decline to use in carrying the obligation into effect if it exists, and then in terms, away down toward the latter part, by the interpolation suggested by the Senator from Idaho and agreed to by the Senator from Wisconsin and the Senator from Massachusetts it proceeds to except; it proceeds to state that we will not enter into controversies between other nations in relation to the very two subjects as to which the treaty places the obligation upon us; that is, in relation to the political independence and territorial integrity of other countries. So that as it stands now, the modification proposed by the Senator from Massachusetts to the original Lodge reservation, adopted by the Senate heretofore, weaves in and weaves out, through a tangled skein of rehearsals and exceptions, to the same result attained by the Senator from New Jersey in his proposal; and I agree entirely with the remarks of the Senator from Pennsylvania [Mr. KNOX], that if we are not to bind this country to maintain the territorial integrity and political independence of all members of the league the American voters would rather have us say so in plain, blunt, Anglo-Saxon, Yankee language than to vote for a declaration which can only be the source of international confusion and conflict, and probably the basis for charges of treachery against us, when the members of the league who think they have something to rely upon discover that they have been deceived and are relying upon a broken reed.

Mr. SMITH of Georgia. Mr. President, it is to be expected that those Senators who desire the defeat of the treaty should play first upon one side, to show those who are opposed to reservations that the reservations are too strong, and then upon the other side, to show those who want very strong reservations that the reservations are not strong enough, and they have done it with great ability. Indeed, we may certainly pay the 14 or 16 men who are opposed to ratification the tribute of having shown a skill, an ingenuity, and a force that is remarkable.

I am in favor of ratifying the treaty. I am in favor of yielding some of my own views to have the reservations in a shape where other Senators will accept them. If I were the only person who had to vote for ratification, I would vote for the substitute of the Senator from New Jersey; but, unfortunately, I am not.

If we wish to ratify the treaty, we must make some concessions. I could not vote to ratify if it carried the obligation to send our boys, our soldiers, and our Navy into the wars of the world. I could not look the mothers and the daughters and the sweethearts of this country in the face if I had placed upon those dear to them an obligation that would carry them into the wars of the world. That is the part that most concerns me. Without relieving article 10 of that obligation I would not move, I would not vote, to ratify it. But as it is, believing that the substitute offered by the Senator from Massachusetts [Mr. LODGE] will receive more votes, if adopted, when we come to vote upon ratification, than the substitute of the Senator from New Jersey [Mr. FRELINGHUYSEN], I shall vote against the substitute of the Senator from New Jersey, although it is not objectionable to me personally. If I can carry the one great principle into the substitute that our boys are not to be pledged to the wars of the world, I am willing to take a reservation which I hope will gather votes and lead toward ratification.

Mr. FRELINGHUYSEN. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from New Jersey?

Mr. SMITH of Georgia. I yield.

Mr. FRELINGHUYSEN. I should like to ask the Senator whether he is in favor of assuming the obligation of protecting the territorial integrity and political independence of members of this league or not?

Mr. SMITH of Georgia. I have answered the Senator. Personally I would prefer to assume no obligation, but I regard it as most important that this treaty should be ratified. I would not, to ratify it, assume the obligation to send our boys into the wars of the world; but, barring that, I would yield my own wishes to obtain ratification.

Mr. FRELINGHUYSEN. The Senator will admit——

The PRESIDENT pro tempore. Does the Senator yield?

Mr. SMITH of Georgia. I yield for a question. If the Senator wishes to make a speech, I am through.

Mr. FRELINGHUYSEN. I will frame it as a question.

Mr. SMITH of Georgia. All right.

Mr. FRELINGHUYSEN. Does the Senator admit that my reservation removes the obligation?

Mr. SMITH of Georgia. Every obligation, as I understand.

Mr. FRELINGHUYSEN. Then why does he not vote for it?

Mr. SMITH of Georgia. I have told you. If the Senator can not understand it, I might say I am unfortunate in expression; but I do not think so. I think it is the Senator's misfortune, not mine, for I have stated positively that, while I would prefer it with no obligation, I deem it so important that this treaty should now be ratified, and that during the next 12 months, through the treaty, we should have concluded our peace with Germany and have a voice in the league on matters that pertain to our interests in Europe, I am willing to vote for the treaty with a reservation not as strong as I would prefer the reservation to be. I think the Senator ought to understand me.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from New Jersey [Mr. FRELINGHUYSEN], in the nature of a substitute for the reservation proposed by the Senator from Massachusetts [Mr. LODGE], as modified. On this question the Senator from New Jersey asks for the yeas and nays.

The yeas and nays were ordered.

Mr. GORE. Mr. President, I have been requested to present to the Senate the reservation which I send to the desk. I ask that it be printed and lie on the table. It substantially reflects my own views.

The PRESIDENT pro tempore. It will be printed and lie on the table.

Mr. GORE's proposed additional reservation is as follows:

The United States does not, under any article or provision of this treaty or covenant, assume any obligation whatsoever to respect or preserve the existing political status or state of dependency of Armenia, Albania, Dutch East Indies, Egypt, Ireland, Korea, Manchuria, Mongolia, Montenegro, Palestine, Shantung, Syria, nor any colony or dependency of any other nation or Government which colony or dependency was annexed or acquired in any manner except by free and voluntary act or vote of a majority of the inhabitants thereof or their duly elected representatives, and now or hereafter held in involuntary subjection by the military or naval or other forces of an alien nation or power.

The PRESIDENT pro tempore. The Secretary will call the roll.

Mr. LENROOT. Mr. President——

The Secretary proceeded to call the roll, and Mr. ASHURST answered in the negative.

Mr. LENROOT. We are making some progress. I am glad to find this morning that the phraseology——

Mr. PITTMAN. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator from Nevada will state his point of order.

Mr. PITTMAN. The roll call had been begun, and the Senator from Arizona had answered "nay."

Mr. LODGE. The Senator from Wisconsin was trying to secure recognition before the name of the Senator from Arizona was called.

Mr. POMERENE. I distinctly heard the Senator from Wisconsin address the Chair before the response was made.

The PRESIDENT pro tempore. The point of order is overruled. The Senator from Wisconsin has the floor.

Mr. LENROOT. Mr. President, last week we were told by those opposing the Lodge substitute that the language of the original Lodge reservation was sacred; that there must be no change whatever in its phraseology. To-day, in addition to the Senator from New Jersey, we find two other eminent Senators who then took that position who now announce that they will vote for the amendment of the Senator from New Jersey. So they have abandoned their position that there must be no change in phraseology.

Then, in addition, I am glad to have this morning the admission of the Senator from Connecticut [Mr. BRANDEGEE] that the substitute reservation, after all, does relieve the United States of any obligation under article 10 exactly as he says does the substitute of the Senator from New Jersey. But I do want to call the attention of the Senator from New Jersey and these other gentlemen to the fact that the substitute of the Senator from New Jersey relieves the United States not only of any obligation under the provisions of article 10, but relieves the United States of all obligation. It relieves the United States of the obligation to impose the economic boycott for a violation of the provisions of articles 12, 13, and 15 of the treaty, which throughout this entire debate it has been admitted was a proper provision to remain in the treaty for a nation going to war without submitting its dispute either to arbitration or to inquiry.

So, Mr. President, the pending substitute is not limited to article 10, but does vitally affect and remove one of the obligations under article 16, which throughout this long controversy it has been admitted it is proper that the United States should assume.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the substitute proposed by the Senator from New Jersey [Mr. FRELINGHUYSEN].

Mr. McCORMICK. Let it be read.

The Assistant Secretary read as follows:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country.

The United States assumes no obligation to interfere in controversies between nations or to employ its military or its naval forces or its resources for any purpose under any article of the treaty.

The Assistant Secretary proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. BALL]. He is absent on account of illness, I understand. I am informed that he would vote as I would vote on this matter, and I shall therefore vote. I vote "nay."

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is absent on account of illness in his family, and I have promised to pair with him during the day. I am sure, however, that on this question he would vote as I would vote, and therefore I feel at liberty to vote. I vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Arizona [Mr. SMITH]. I ask that this announcement stand for the day. I vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence I transfer that pair to the junior Senator from Michigan [Mr. NEWBERRY]. I ask that this announcement may stand for the day. I vote "yea."

Mr. KELLOGG (when Mr. NELSON's name was called). The senior Senator from Minnesota [Mr. NELSON] is necessarily absent. He is paired with the senior Senator from South Carolina [Mr. SMITH]. If present and not paired, the senior Senator from Minnesota would vote "nay."

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). The senior Senator from South Carolina [Mr. SMITH] is paired with the senior Senator from Minnesota [Mr. NELSON]. If the senior Senator from South Carolina were here, he would vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the Senator from Kentucky [Mr. STANLEY], and I vote "nay."

The roll call was concluded.

Mr. EDGE (after having voted in the negative). May I inquire if the junior Senator from Oklahoma [Mr. OWEN] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. EDGE. I have a general pair with that Senator, and in his absence I withdraw my vote.

Mr. ASHURST. My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

Mr. CURTIS. I wish to announce that the Senator from North Dakota [Mr. MCCUMBER] is paired with the Senator from Colorado [Mr. THOMAS].

The Senator from North Dakota [Mr. MCCUMBER] is necessarily detained from the Senate.

The result was announced—yeas 17, nays 59, as follows:

YEAS—17.

Borah	Gore	Norris	Sutherland
Brandegee	Gronna	Poindexter	Wadsworth
Fernald	Knox	Reed	
France	McCormick	Sherman	
Frelinghuysen	Moses	Shields	

NAYS—59.

Ashurst	Glass	Kirby	Sheppard
Beckham	Hale	Lenroot	Simmons
Calder	Harding	Lodge	Smith, Ga.
Capper	Harris	McKellar	Smith, Md.
Chamberlain	Harrison	McLean	Smoot
Colt	Henderson	McNary	Sterling
Comer	Hitchcock	Myers	Townsend
Culberson	Johnson, S. Dak.	New	Trammell
Cummins	Jones, N. Mex.	Nugent	Underwood
Curtis	Jones, Wash.	Overman	Walsh, Mont.
Dial	Kellogg	Phelan	Warren
Dillingham	Kendrick	Phipps	Watson
Elkins	Kenyon	Pittman	Williams
Fletcher	Keyes	Pomerene	Wolcott
Gerry	King	Robinson	

NOT VOTING—20.

Ball	La Follette	Page	Spencer
Edge	McCumber	Penrose	Stanley
Fall	Nelson	Ransdell	Swanson
Gay	Newberry	Smith, Ariz.	Thomas
Johnson, Calif.	Owen	Smith, S. C.	Walsh, Mass.

So Mr. FRELINGHUYSEN's substitute for Mr. LODGE's substitute, as modified, was rejected.

The PRESIDENT pro tempore. The question now is upon the substitute proposed by the Senator from Massachusetts.

Mr. KIRBY. Mr. President, I desire to offer as a substitute for the pending amendment what I send to the desk.

The PRESIDENT pro tempore. The Secretary will read the proposed substitute.

The ASSISTANT SECRETARY. In lieu of the words proposed to be inserted by the Senator from Massachusetts, insert:

The United States assumes no obligation to employ its military or naval forces or the economic boycott to preserve the territorial integrity or political independence of any other country under the provisions of article 10, or to employ the military or naval forces of the United States under any other article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war, shall, by act or joint resolution, so provide. Nothing herein shall be deemed to impair the obligation in article 16 concerning the economic boycott.

Mr. KIRBY. Article 10 of the treaty reads as follows:

The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression or in case of any threat or danger of such aggression the council shall advise upon the means by which this obligation shall be fulfilled.

It was understood when this provision was written that the United States agreed thereby to guarantee the political independence and territorial integrity of all members of the league, and that its armed forces, its Army and its Navy, might be used to carry out this agreement and enforce the guaranty. There has been proposed a reservation by the Senator from Massachusetts [Mr. LODGE], of the Foreign Relations Committee, that limits and restricts the obligation of article 10 to some extent, an interpretative reservation, if you please, and to that I have offered as a substitute the reservation just read. This reservation was proposed by a bipartisan conference, as I understand it, with which I had nothing to do in fact, but some Members on the Democratic side and some Members on the Republican side got together and agreed on this form of reservation.

Mr. LENROOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Wisconsin?

Mr. KIRBY. Certainly.

Mr. LENROOT. The Senator does not wish to make a misstatement?

Mr. KIRBY. No.

Mr. LENROOT. That is not true.

Mr. KIRBY. They did not agree on this?

Mr. LENROOT. They did not.

Mr. KIRBY. Then I have been mistaken about it. The Democratic members of the conference understood that there was an agreement.

Mr. SIMMONS. Mr. President——

Mr. KIRBY. I yield to the Senator from North Carolina.

Mr. SIMMONS. The Senator from Wisconsin is right in his statement. The members of the bipartisan conference did not agree upon this subject, but they thought they were right upon the eve of an agreement upon this substitute when the conferences were discontinued at the instance of the chairman of the conference.

Mr. KIRBY. The statement may be considered modified in accordance with the statements made by the Senator from Wisconsin [Mr. LENROOT] and the Senator from North Carolina [Mr. SIMMONS], but the Democratic members of this bipartisan conference proposed this as the basis of agreement, as I understand it. After that was proposed the conference broke up without any agreement.

The war has been over more than a year. The Senate has been trying to ratify the treaty or dispose of it for more than eight months, and it has not yet succeeded. After the failure of the bipartisan conferees to get together in an agreement that would be effective, then 40 Democratic Senators on this side of the aisle signed an agreement proposing to the Senators on the other side, who were opposed to ratification without reservation, to support this reservation, and the names of those Senators, as I get them, are Ashurst, Beckham, Chamberlain, Culberson, Dial, Fletcher, Gay, Gerry, Glass, Harris, Harrison, Henderson, Hitchcock, Johnson of South Dakota, Jones of New Mexico, Kendrick, King, Kirby, McKellar, Myers, Nugent, Overman, Owen, Phelan, Pittman, Pomerene, Ransdell, Robinson, Sheppard, Simmons, Smith of Arizona, Smith of Maryland, Smith of South Carolina, Stanley, Swanson, Trammell, Underwood, Walsh of Montana, Wolcott, and the fortieth was the late lamented Senator Bankhead, who is with us no more.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. WATSON in the chair). Does the Senator from Arkansas yield to the Senator from Missouri?

Mr. KIRBY. I yield.

Mr. REED. The Senator has stated that these 40 Democrats agreed to support the substitute which he is discussing. Did they also agree to support the treaty with the other reservations that had been accepted or which they knew would be accepted, including the one which the Senator states they signed an agreement to support?

Mr. KIRBY. The written understanding did not extend to anything but the reservation to this particular article, but it was made with a view to compromising and settling the whole matter and ratifying the treaty, and necessarily it implied an agreement to support all of the other reservations as adopted.

Mr. REED. Does the Senator understand that the attitude of those 40 Senators was that they were willing to accept the substitute which he is now discussing and then support the treaty with that substitute and the reservations which had been theretofore adopted to other articles? Is that his understanding?

Mr. KIRBY. That was my understanding, but there was no agreement upon that point; but certainly 40 Senators would not stand up here and propose an agreement on this particular article, the only one upon which the Senate had not been able to get together, just for the fun of the thing.

Mr. WOLCOTT and Mr. JOHNSON of South Dakota addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, to whom?

Mr. KIRBY. I yield first to the Senator from Delaware.

Mr. WOLCOTT. The proposition made by the 40 Senators was an alternative proposition. It was to support either of two suggested substitutes to reservation No. 2, which is the so-called article 10 reservation. One of those alternative substitutes was that which the Senator from Arkansas has just offered and the other alternative substitute was what is known as the Taft reservation. Has the Senator from Arkansas in his possession the proposal submitted by these 40 Senators, reduced to writing?

Mr. KIRBY. It was reduced to writing and I got the list of names of the Senators from the Senator in whose possession the agreement was placed.

Mr. WOLCOTT. Has the Senator in his possession the exact language of the proposed agreement?

Mr. KIRBY. The exact language is printed in the substitute I have offered here.

Mr. KING. The terms of the agreement?

Mr. KIRBY. No; I have not the terms of the agreement. It is not on this paper. This contains merely the reservations proposed to be voted for.

Mr. REED. I suggest that the Senator get the record.

Mr. KIRBY. I yield now to the Senator from South Dakota.

Mr. JOHNSON of South Dakota. Mr. President, I merely desire to say that I think there must be some mistake so far as my name is concerned on that list. I have heard several times that I signed that list or agreed to it, but I did not. I have tried to act entirely independently on this matter all the way through. I attended the last caucus some months ago, but I attended that caucus with the distinct understanding that I would not cast my vote in the caucus and would not be bound by the caucus. In the matter to which the Senator from Arkansas refers I think there must be some mistake, because that matter came to my office, and I told the party bringing it that I would not sign it. I desired to make this correction so far as I am concerned.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Utah?

Mr. KIRBY. I yield.

Mr. KING. I am afraid there may be some misapprehension as to the statement just made by the Senator from South Dakota [Mr. JOHNSON]. The implication seemed to be that there was a caucus for the purpose of binding or which proposed to bind Democrats with respect to the treaty. I wish to state that there was no caucus. There was a conference of some of the Democratic Senators for the purpose of considering the treaty, but there was no proposition to bind anyone, nor was the question even suggested that anyone should be bound by the conference. All friends of the treaty were welcome, whether Democrats or not.

Mr. JOHNSON of South Dakota. I did not say it was a caucus or council for the purpose of binding anyone. I simply said that I was invited to attend a caucus for the purpose of discussing this matter, and that I attended the meeting with the distinct understanding that I did not propose to be bound by any caucus, and I have not been bound by the views of anyone so far except my own. I attended the caucus with that understanding and for that purpose. I never said, and I do not think the Senator from Utah can show that I said, there was a caucus for that purpose.

Mr. KIRBY. Well, Mr. President——

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from North Carolina?

Mr. KIRBY. I understand I have only five minutes, and other Senators have used that up already. However, I yield.

The PRESIDING OFFICER. The Senator from Arkansas will permit the Chair to correct him. The Senator was recognized, as the present occupant of the chair understands, for 20 minutes, 15 minutes on the original proposition and 5 minutes on the proposed substitute, but that exhausts his time.

Mr. KIRBY. I did not so understand it. I am glad to know that. I yield to the Senator from North Carolina.

Mr. SIMMONS. I simply wish to say to the Senator from Arkansas that it is necessary, I think, to state the circumstances under which that proposition was offered at the time.

Mr. KIRBY. I was intending to do that, but the Senator may state it, if he likes.

Mr. SIMMONS. I think it is necessary to an understanding of that proposition.

Mr. KIRBY. The Senator will state it as he understands it, then.

Mr. SIMMONS. That proposition was made shortly after the bipartisan conference had started its meetings. It was understood that in that conference there had been a tentative agreement upon all the other reservations embraced in the resolution of ratification except that as to the Monroe doctrine and that as to article 10, but as to those two there were still differences among the members of the bipartisan conference which had not been reconciled. It was for the purpose of showing the other side of the Chamber our attitude with reference to this particular reservation, around which all the differences that then existed centered. I think the agreement the Senator has read was only intended to apply to article 10.

Mr. KIRBY. That is all.

Mr. SIMMONS. But I think it was understood that if the other agreements which had been reached in the bipartisan conferences were carried out and article 10 was amended by the adoption of either of the two substitutes referred to in the agreement, then we would probably all vote for the ratification of the treaty.

Mr. KIRBY. My own view of the agreement was that there was an understanding among the Senators about such as stated by the Senator from North Carolina [Mr. SIMMONS]. There seemed to be under the circumstances a possibility that the treaty might be ratified if the Senate could get together on a reservation to article 10. It seemed to be further understood that there must be, or necessarily would be, some kind of a reservation that must be agreed to, because for six or eight months we had fought the matter out and had not been able to ratify the treaty without some reservations.

It was only the purpose of the Senators in signing this agreement to show a disposition to compromise and get the treaty out of the way, to leave the treaty valid and effective for all purposes, as much so as could be done, but that it might be settled and disposed of. They agreed further in this writing that in case this first substitute as proposed by me was not consented to in a compromise by the other side and could not be adopted in the Senate the alternative proposition was the following reservation:

> The United States declines to assume any legal or binding obligation to preserve the territorial integrity or political independence of any other country under the provisions of article 10 or to employ the military or naval forces of the United States under any article of the treaty for any purpose; but the Congress, which under the Constitution has the sole power in the premises, will consider and decide what moral obligation, if any, under the circumstances of any particular case, when it arises, should move the United States in the interest of world peace and justice to take action therein, and will provide accordingly.

The people of the world are interested in this matter we are discussing here to-day. They have been interested since hostilities ceased more than a year ago. The people of the United States are vitally interested in the final disposition of the peace treaty and in knowing what the United States will do. Our representatives have agreed to the treaty as drawn, to the treaty as presented here, as all that ought to have been or was expected to be in the treaty could not be included. Our great President was there, and he insisted as one of the 14 points, the basis of settlement, that the freedom of the seas must be guaranteed in the settlement of this Great War. When he got to the conference he found that it could not be done. He insisted that secret treaties must be discouraged, and that they should not be respected or carried out in future; but when our representatives got to the peace conference they found that there had been a secret treaty between England, France, and Japan, and that that secret treaty had been performed and carried out so far as Japan was concerned, so that it was determined that it must be carried out and recognized in the provisions of the treaty in its relation to Shantung, and that was done.

This was the best treaty and settlement that could be effected, as we understand. Now, we are trying to fight it out; trying to settle what is the best that the United States Senate can do in the way of advising and consenting to this treaty.

Forty Democrats have agreed on this side by way of compromise to support the first reservation or the second reservation, both of which have been read. I wish to say here and now that there is not 15 cents difference between the last reservation as proposed by the Senator from Massachusets [Mr. LODGE] and the reservation as proposed by the representatives of the Democratic side on the bipartisan conference and the last reservation which I have read. There is not 15 cents difference in their practical application and meaning so far as carrying them out and executing them under the provisions of the peace treaty are concerned.

Mr. SMITH of Georgia. If the Senator will allow me, I desire to say that I would have added my name to the Senators whom he mentions, making 41 for the first reservation which he has just presented; but I objected to the alternative reservation of President Taft because I did not feel sure it relieved us of the moral obligation at all.

Mr. KIRBY. That is the condition which actually exists in the Senate. Forty Democratic Senators have agreed to support the reservation which I have proposed as a substitute. There would have been 41 under the circumstances just related by the Senator from Georgia [Mr. SMITH]. On the other side, we know how many Senators over there have agreed to vote for the ratification of the treaty. We know what they have in mind and what they have expressed upon the floor as to the terms of the reservation which they are now insisting shall be included. That is the condition.

It seems to me that under those circumstances we ought to be able to get 64 Senators who will agree to the ratification of the treaty. Why, then, can it not be done? As I have said, in practical application and effect there is not 15 cents difference between the three reservations as proposed here. That is my judgment about the matter, after looking into it very carefully. It seems, then, to me that the treaty ought to be ratified under the circumstances. The war has been fought and won; the armistice has been signed; hostilities have ceased. The

treaty with the covenant for the League of Nations is proposed here in the United States Senate. It embodies the greatest dream for the establishment of permanent peace since the Master came into the world, heralded by the angel chorus of "Peace on earth, good will to men." The greatest statesmen of the world met in Paris and fashioned this agreement and have thought it was not hopeless of substantial fulfillment. Our own representative and the representatives of all the other nations who were our associates and allies in the Great War have signed the treaty and it has been ratified by those nations in accordance with the agreement of their representatives.

Our own representative has brought it to us and said, "This is the best that I could do; this is the best that could be done." Now, the treaty is in the Senate, and I think the time has fully come, under the conditions existing, when we ought to be able to say, "This is the best that can be done toward advising and consenting to this treaty of peace."

If 40 Senators will agree to it on this side, then I believe Senators on the other side should do so. I am not questioning that a Senator on the Republican side of the aisle has not as much authority to represent the people of his own State and the people of the United States as has a Democratic Senator on this side of the aisle; nor questioning that he is charged with a like responsibility for his action here. I hope we can get together on this matter; I hope this reservation as proposed by me may be voted on and may be adopted. If it can not be adopted, then it seems to me, as there is no great difference in practical application between the three propositions, we ought to get together and ratify the treaty without further delay.

Mr. KELLOGG. Mr. President, I am not sure that I understood the Senator from Arkansas correctly, but what I did understand was that the reservation which he has offered to be voted on at this time is the one that was before the bipartisan conference?

Mr. KIRBY. Yes; I so understand.

Mr. KELLOGG. The Senator is mistaken as to that. The reservation which he now offers is not the one which was submitted for discussion to the bipartisan conference. I call the Senator's attention to the fact that in the reservation submitted for discussion before the bipartisan conference the following words were included:

or to interfere in controversies between nations, whether members of the league or not—

Those words, which are manifestly very important, are not in the reservation proposed by the Senator from Arkansas.

Furthermore, the first part of the reservation has been transposed. I know the Senator from Nebraska [Mr. HITCHCOCK] said the next day or two when he published it in the newspapers that the reservation which he published was the one before the bipartisan conference. In that he also was mistaken. I will read the one which was before that conference.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Carolina?

Mr. KELLOGG. I only wish to take five minutes, but I will yield to the Senator from North Carolina.

Mr. SIMMONS. Mr. President, I think the Senator from Wisconsin is in some confusion in connection with the matter that was discussed in the bipartisan conference as to the position of the minority members of that conference. The words which he now quotes were in the Lodge reservation, and the rock upon which we split in the bipartisan conference was the proposition made by the minority members of that body to eliminate the words which the Senator has just read—"or to interfere in controversies between nations, whether members of the league or not."

When that proposition was made I understood that the Senator from Minnesota [Mr. KELLOGG] and the Senator from Wisconsin [Mr. LENROOT] were inclined to favor the elimination of those words, but the Senator from Massachusetts [Mr. LODGE] would not agree to their elimination, and a controversy arose among those three Republican Senators. As the result of that controversy they went out and held a conference. We did not come to an agreement as to the elimination of those words, but I thought—and I think it was the impression of all—that we would probably be able to come to an agreement at the next meeting. However, another meeting was never held.

Mr. KELLOGG. Mr. President, the point I wish to make is that the reservation proposed for discussion was not the one now offered. It is true that we did discuss the subject of eliminating those words, but they were in the reservation proposed for discussion, and the Republican members of the conference withdrew to discuss that question when we adjourned for the evening.

The Senator is entirely mistaken, I think, when he says that the Senator from Wisconsin and myself favored it. We did not express any opinion of it; we went in to discuss it with the other members of the conference. There has been a transposition in another place in the reservation. I present the reservation that was before the bipartisan conference and ask to have it printed in the RECORD as a part of my remarks at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

The United States assumes no obligation to preserve by its military or naval forces or by the economic boycott the territorial integrity or political independence of any other country, or to interfere in controversies between nations, whether members of the league or not, under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war, shall, by act or joint resolution, so provide.

Nothing herein shall be deemed to impair the obligation of article 16 concerning the economic boycott.

Mr. KING. Will the Senator yield for a moment?

Mr. KELLOGG. Yes.

Mr. KING. Has that been offered heretofore or printed?

Mr. KELLOGG. No; and it is not offered now. I simply asked to have it printed in the RECORD. It is the only copy I have.

Mr. KING. Does the Senator intend to offer it as a substitute?

Mr. KELLOGG. I do not.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute, proposed by the Senator from Arkansas, to the amendment as modified proposed by the Senator from Massachusetts to reservation No. 2.

Mr. REED. I ask for the yeas and nays.

Mr. LENROOT. Mr. President, my attention was diverted, and I should like to ask the Senator from Minnesota whether he called to the attention of the Senate the fact that there is another change from the bipartisan conference proposition in addition to the one relating to controversies between nations? The proposal before the bipartisan conference assumed "no obligation to preserve," while as now offered it reads "no obligation to employ." I think that any fair construction of the reservation now offered leaves the full obligation upon the part of Congress to do whatever is necessary to preserve the territorial integrity and political independence of every other member against external aggression.

Mr. SIMMONS. Mr. President, I wish to ask the Senator from Wisconsin if it is not a fact that, while we did not come to a positive agreement, there was a tentative understanding between us that the word "employ" should be substituted for the word "preserve" at that point, and the word "preserve" transposed to another part of the reservation?

Mr. LENROOT. No; quite to the contrary, the proposition came to us as it now reads; but it was tentatively agreed, as the original memorandum sent to the desk by the Senator from Minnesota shows, that certain words were to be transposed so that it should read "No obligation to preserve by" the use of the means set forth.

Mr. SIMMONS. The Senator will not dispute the fact that when we were considering this reservation as embodied in the statement sent to the desk by the Senator from Minnesota the proposition was made by members of the minority at that conference to insert the word "employ" in the place of the word "preserve"?

Mr. LENROOT. That was the original proposal of the Democratic members.

Mr. SIMMONS. Yes.

Mr. LENROOT. And, then, finally, after much discussion, the Senator from Minnesota had typewritten copies made of the proposition as we understood the Democratic members were willing to present it, and there, as is indicated, the language was transposed so as to read that there should be no obligation to "preserve" by use of the means named.

Mr. SIMMONS. I wish to ask the Senator if he and the Senator from Minnesota did not in a tentative way agree to that transposition?

Mr. LENROOT. Back "to preserve" but not "to employ"—certainly not.

Mr. SIMMONS. I understood them to agree to the transposition striking out the word "preserve," where it first appears, and inserting "employ," and then placing the word "preserve" immediately before the clause that relates to territorial integrity.

Mr. LENROOT. That is where the Democratic members of the conference wished to have it.

Mr. SIMMONS. Yes.

Mr. LENROOT. But I should like to ask the Senator from North Carolina what, in his judgment, is the difference in the obligation by the transposition of those words?

Mr. SIMMONS. I had an idea that there was a very considerable difference.

Mr. LENROOT. I thought so. Did not the Senator think that it left the obligation complete upon Congress as he desired to have the reservation read?

Mr. SIMMONS. The Senator from North Carolina will state frankly that he did believe that it left the obligation, but it provided that the obligation should not be enforced by certain means and instrumentalities except with the consent of Congress.

Mr. LENROOT. But the obligation would rest upon Congress.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute proposed by the Senator from Arkansas.

Mr. KIRBY called for the yeas and nays, which were ordered, and the Secretary proceeded to call the roll.

Mr. EDGE (when his name was called). I have a general pair with the junior Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay." I will permit this announcement to stand for the day.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. BALL], who is absent on account of illness. Being unable to get a transfer, I shall have to withhold my vote. If at liberty to vote, I should vote "yea."

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent on account of illness in his family, and I have agreed to pair with him for the day. I find, however, that I can transfer that pair to the Senator from California [Mr. JOHNSON], and I do so and will vote. I vote "nay." I will allow this announcement with reference to the pair and its transfer to stand for the day.

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). Making the same announcement as before with reference to the absence of my colleague [Mr. SMITH of South Carolina], I desire to state that if he were present he would vote "yea."

Mr. WILLIAMS (when his name was called). The senior Senator from Pennsylvania [Mr. PENROSE], with whom I have a pair, is absent and ill. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and vote "nay."

The roll call was concluded.

Mr. FLETCHER. I transfer my pair with the Senator from Delaware [Mr. BALL] to the Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. BRANDEGEE. I desire to announce that the Senator from New Mexico [Mr. FALL] is absent on official business of the Senate. If he were present he would vote "nay."

The result was announced—yeas 31, nays 45, as follows:

YEAS—31.

Ashurst	Henderson	Myers	Simmons
Beckham	Hitchcock	Nugent	Smith, Ga.
Chamberlain	Johnson, S. Dak.	Overman	Smith, Md.
Dial	Jones, N. Mex.	Phelan	Stanley
Fletcher	Kendrick	Pittman	Trammell
Gerry	King	Pomerene	Walsh, Mont.
Glass	Kirby	Ransdell	Wolcott
Harris	McKellar	Sheppard	

NAYS—45.

Borah	Frelinghuysen	Lodge	Smoot
Brandegee	Gore	McCormick	Spencer
Calder	Gronna	McLean	Sterling
Capper	Hale	McNary	Sutherland
Colt	Harding	Moses	Townsend
Cummins	Harrison	New	Wadsworth
Curtis	Jones, Wash.	Norris	Warren
Dillingham	Kellogg	Phipps	Watson
Edge	Kenyon	Poindexter	Williams
Elkins	Keyes	Reed	
Fernald	La Follette	Sherman	
France	Lenroot	Shields	

NOT VOTING—20.

Ball	Johnson, Calif.	Owen	Smith, S. C.
Comer	Knox	Page	Swanson
Culberson	McCumber	Penrose	Thomas
Fall	Nelson	Robinson	Underwood
Gay	Newberry	Smith, Ariz.	Walsh, Mass.

So Mr. KIRBY's amendment, in the nature of a substitute, to Mr. LODGE's amendment as modified to reservation No. 2 was rejected.

Mr. KIRBY. Mr. President, I now offer as a substitute the second proposal of compromise, with the assent and agreement of 40 Democratic Senators. This is the reservation that ex-President Taft has insisted would take care of and preserve the interests of the United States, and the same 40 Senators agreed to vote for and support it by way of a compromise.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. As a substitute for reservation No. 2, it is proposed to insert the following:

The United States declines to assume any legal or binding obligation to preserve the territorial integrity or political independence of any other country under the provisions of article 10 or to employ the military or naval forces of the United States under any article of the treaty for any purpose; but the Congress, which under the Constitution has the sole power in the premises, will consider and decide what moral obligation, if any, under the circumstances of any particular case, when it arises, should move the United States in the interest of world peace and justice to take action therein and will provide accordingly.

Mr. KIRBY. Mr. President, it occurs to me that under the provisions of this treaty and this amendment there is no way of enforcing the guaranty to preserve the political independence and territorial integrity of the other nations of the world except, in the last analysis, by employing our military force, our Army and our Navy, or the economic boycott, as provided in the treaty. This amendment, proposed as a substitute, provides that such forces can not be employed under any circumstances or conditions except with the consent of Congress first obtained. Then, in its practical application and effect, what difference does it make? In one case we say that the United States agrees to preserve the political independence and territorial integrity of these nations, which can not be done except by employing our military and economic power. If this reservation is adopted, we say we agree to do it with the armed forces, the Navy and the Army, and with the economic boycott, only when Congress shall provide therefor, and not otherwise.

It seems to me that it would provide certainly a sufficient protection for us. That would furnish protection against sending our armies across the sea to enforce conditions and to take care of disputes that might not otherwise concern us, but for this agreement in article 10. It would be left to Congress in the last analysis where it was left in the first instance, because no power exists in this country to declare war or to bind us to prosecute war unless Congress shall do it under the provisions of the Constitution.

Mr. WILLIAMS. Mr. President, when a man gives a promissory note to pay $100 in 30 days after date, everybody knows that that promissory note can not be enforced except through the instrumentality of the courts; but if the man were to give the promissory note, saying "Thirty days after date I promise to pay A. B. $100, but it is distinctly understood that the obligation of this note can not be enforced except through the operation of the courts," I imagine that nobody would like to take the note. The reference in the note to the instrumentality of collection would be at once unnecessary forthwith and discreditable to the promissor.

This reservation reminds me of just that sort of a transaction. Everybody knows that the constitutional instrumentalities of the country must be invoked in order to carry out the obligation assumed under article 10; but to put into the body of the article the recital of all the instrumentalities necessary to be invoked is just like the promissory-note case that I have supposed.

Mr. LENROOT. Mr. President, I should like to ask the Senator from Arkansas whether, under his construction of this reservation, there would be any moral obligation upon the United States or Congress remaining to preserve the territorial integrity of political independence of the other members of the league?

Mr. KIRBY. My understanding is that by this reservation Congress retains the right to determine whether or not there is any obligation at all to do it. It reserves the right to determine not only the obligation to preserve the political independence and territorial integrity, but the necessity for so doing, and the means to be used therefor.

Mr. LENROOT. Then, I should like to ask the Senator whether he has any doubt but that article 10 does impose a moral obligation?

Mr. KIRBY. Article 10 is a plain agreement to guarantee the political independence and territorial integrity of these other nations, and we would be bound at least to insist that the Congress would send our armies across the sea to carry out that agreement, if there is no reservation provided here.

Mr. LENROOT. Would not any Congress be compelled to construe the obligation the same as the Senator from Arkansas now construes it?

Mr. KIRBY. Without a reservation, it would seem that there is no other construction for Congress to place upon it.

Mr. LENROOT. With the reservation?

Mr. KIRBY. Without the reservation.

Mr. LENROOT. But with the reservation?

Mr. KIRBY. No. Under this proposal Congress has a right to determine whether there is an obligation or not, and also whether there is necessity for employing the armed forces to enforce it.

Mr. LENROOT. If the Senator says there is an obligation, would not any Congress be compelled to come to the same conclusion?

Mr. KIRBY. There would be an obligation if there were no reservation to article 10 as proposed in the treaty.

Mr. LENROOT. The Senator says that under the reservation Congress simply determines whether there is an obligation under article 10.

Mr. KIRBY. Yes. This leaves it to the power of Congress to determine that question.

Mr. LENROOT. If there is an obligation under article 10, it remains upon Congress.

Mr. KIRBY. Yes; but this leaves to the particular Congress, after the trouble arises, the right to say whether there is an obligation, and what means shall be employed for carrying it out.

Mr. LENROOT. Does the Senator believe that any Congress would be less intelligent than he when he admits there is an obligation?

Mr. KIRBY. I do not know what future Congresses will develop, but I hope they will be fully as intelligent as the present one.

Mr. LENROOT. Then, of course, there would be the obligation, would there not?

Mr. KIRBY. There would be the question of determining whether there was an obligation under the reservation as proposed. We say to the people over there: "We do not guarantee unreservedly to protect your interests; we do not guarantee unreservedly to send our Army and our Navy over there; but in a case that may develop we leave it to our Congress to determine whether we are bound to do this thing; and, if we are, to carry it out in its own proper way."

Mr. LENROOT. The Senator admits that we are bound?

Mr. KIRBY. We would be without a reservation, unquestionably.

Mr. LENROOT. And Congress would be compelled to come to the same conclusion, would it not?

Mr. KIRBY. I do not know what Congress might do, but I do not think under this reservation as proposed that it would. It has the right to determine not only the obligation but the necessity for carrying it out.

Mr. FLETCHER. I call the Senator's attention to the fact that the language is:

> But the Congress * * * will consider and decide what moral obligation, if any, under the circumstances of any particular case.

So that each case would stand on its own merit, and Congress would decide it when each case arose.

Mr. KIRBY. It would have the right to decide it.

The PRESIDENT pro tempore. The question is on the substitute proposed by the Senator from Arkansas [Mr. KIRBY].

Mr. KIRBY. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. EDGE (when his name was called). With the same announcement as to the transfer of my pair, I vote "nay."

Mr. FLETCHER (when his name was called). Making the same announcement as to my pair and its transfer as before, I vote "yea."

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). Making the same announcement as before, as to the absence of the senior Senator from South Carolina [Mr. SMITH], I will state that if he were present and not paired he would vote "yea."

Mr. WILLIAMS (when his name was called). The Senator from Texas [Mr. CULBERSON], to whom I transferred my pair before, is now in the Chamber. I therefore withhold my vote. If I were at liberty to vote, I would vote "nay."

The roll call was concluded.

Mr. FERNALD. I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from Massachusetts [Mr. WALSH] and vote "nay."

Mr. KELLOGG. The senior Senator from Minnesota [Mr. NELSON] is detained from the Senate on account of illness. He is paired with the Senator from South Carolina [Mr. SMITH].

Mr. JONES of Washington. Making the same announcement as to my pair and its transfer, I vote "nay."

Mr. ASHURST. I desire to announce that my colleague, the Senator from Arizona [Mr. SMITH], is absent on business of the Senate.

The result was announced—yeas 30, nays 46, as follows:

YEAS—30.

Ashurst	Harris	Nugent	Smith, Md.
Beckham	Henderson	Overman	Stanley
Chamberlain	Hitchcock	Phelan	Trammell
Culberson	Jones, N. Mex.	Pittman	Underwood
Dial	Kendrick	Pomerene	Walsh, Mont.
Fletcher	King	Ransdell	Wolcott
Gerry	Kirby	Sheppard	
Glass	Myers	Simmons	

NAYS—46.

Borah	Frelinghuysen	Lenroot	Sherman
Brandegee	Gore	Lodge	Shields
Calder	Gronna	McCormick	Smoot
Capper	Hale	McKellar	Spencer
Colt	Harding	McLean	Sterling
Cummins	Harrison	McNary	Sutherland
Curtis	Jones, Wash.	Moses	Townsend
Dillingham	Kellogg	New	Wadsworth
Edge	Kenyon	Norris	Warren
Elkins	Keyes	Phipps	Watson
Fernald	Knox	Poindexter	
France	La Follette	Reed	

NOT VOTING—20.

Ball	Johnson, S. Dak.	Page	Smith, S. C.
Comer	McCumber	Penrose	Swanson
Fall	Nelson	Robinson	Thomas
Gay	Newberry	Smith, Ariz.	Walsh, Mass.
Johnson, Calif.	Owen	Smith, Ga.	Williams

So Mr. KIRBY'S substitute for Mr. LODGE'S substitute for the reservation reported by the Committee on Foreign Relations was rejected.

Mr. KING. Mr. President, I offer a substitute for the pending reservation.

The PRESIDENT pro tempore. The Secretary will report the substitute.

The proposed substitute was read, as follows:

> The United States understands that by article 10 the United States undertakes separately to respect the territorial integrity and existing political independence of each other member of the league; but that article 10 does not impose upon the United States the separate, sole, and singular duty to preserve the territorial integrity and existing political independence of every member of the league as against the external aggression of the other powers; but only that in case of such aggression or threat of the same, the council will advise upon the means for preserving the territorial integrity and existing political independence of the member against which such aggression is exerted, and will recommend to members of the league the measures which it may deem proper and necessary to protect the covenants of the league, and that the United States may consider such recommendations and take such action as Congress may in its discretion deem appropriate in such case.

The PRESIDENT pro tempore. The question is on agreeing to the substitute offered by the Senator from Utah [Mr. KING].

The substitute was rejected.

Mr. SIMMONS. Mr. President, I propose a substitute for the pending reservation.

The PRESIDENT pro tempore. The Secretary will read the proposed substitute.

The substitute proposed by Mr. SIMMONS was read, as follows:

> The United States agrees to use its friendly offices, when requested so to do under the provisions of article 10, in assisting to procure a just and peaceful settlement of territorial or political controversies between nations, or to protect any member of the league from external aggression; but it does not assume any obligation to use its military or naval forces, or its financial or economic resources for the purpose of intervention in the controversies or conflicts between nations, or to protect the territorial integrity or political independence of any nation under the provisions of article 10, unless in any particular case the Congress, in the exercise of full liberty of action and in the light of full information as to the national justice and human rights involved, shall by act or joint resolution so provide. Nothing herein shall be deemed to impair the obligations of the United States under article 16.

The PRESIDENT pro tempore. The question is on agreeing to the subsitute proposed by the Senator from North Carolina.

Mr. SIMMONS. Mr. President, I do not wish to enter into any discussion with reference to this proposed substitute. It must be evident that there is a determination upon the part of the majority membership of this body to defeat any substitute or any amendment to the original reservation offered by the Senator from Massachusetts.

I suppose this reservation will suffer the fate of the Taft reservation so-called and of the so-called minority conference committee reservation. But it differs from either of those and in some particulars it differs from any other substitute that has been offered. Yet, I believe that this substitute is drawn along proper and sane lines, and in saying that I wish to say that it was not originally drawn by myself.

I do not see how Senators on the other side of the Chamber, I do not see how any Senator in this body, could object to the United States agreeing affirmatively that it will, when requested to do so under article 10 of the treaty, exert its friendly offices to the end of securing a peaceful adjustment of a controversy coming under the application of the article. So I

do not think there can be any objection to the first paragraph of the reservation.

With reference to the second paragraph, the controversy that has sprung up between this side of the Chamber and the other side of the Chamber relates very largely to that phrase in the Lodge reservation which declares that the United States assumes no obligation to interfere in controversies between other nations. This reservation meets that proposition with the positive statement that we do not assume any obligation to use our Army or our Navy, the economic boycott, or any of our economic or financial resources for the purpose of interfering in controversies between other nations. That question is met to that extent, that we may not interfere under this reservation in any controversy between two nations, members of the league, or in any controversy between nations by the use of our Army or Navy, our financial and economic resources, or by the application of the boycott.

It seems to me that is a reasonable way in which to meet this controversy, leaving interference in such controversies only to the friendly offices of this Government, to the exertion of its diplomatic resources in order to bring about peace and an adjustment of these difficulties.

Then it proceeds with the broad declaration that the United States assumes no obligation whatever to preserve the territorial integrity or the political independence of any other country by the use of its Army, its Navy, its financial or economic resources or by the application of the boycott. Every fundamental objection that has been urged by Senators on the other side to this article of the treaty is met in this reservation, and every interest which they said would be jeopardized by its enactment has been met in this reservation. I can not see why men who want the treaty to be ratified, even with proper, as they claim, safeguards for the United States, can not agree upon this reservation.

You gentlemen on that side have said that this article of the treaty leaves unguarded the interests of the United States. Your main and fundamental objection to it was that we would have to send our boys to fight the battles of the world. Under this proposed reservation this particular obligation is eliminated.

Then you said there were other controversies in addition to this that must grow out of the question of preserving the territorial integrity and political independence, which you wished protected. You did not wish the United States to intercede by the use of its Army, by the use of the boycott, by the use of its financial resources, by the use of its economic resources. You did not wish it to interfere with any sort of controversy between other nations. The reservation which I have offered here meets that objection, and says that just as in other cases, of questions of territorial integrity and political independence or any other sort of case and situation that may arise in connection with the quarrels and disputes of other countries, that the United States assumes no obligation in that case, as well as in the case of territorial questions, no obligation to use its Army, Navy, or other instrumentalities of force and coercion.

I do not know whether any reservation could be presented here that changes even so much as by a word the Lodge reservation, in the situation which now exists, could receive the votes of the mild reservationists upon the other side. I do not exactly understand the situation on that side. I understand there are 12 or 14 Senators on that side of the Chamber who are not willing to vote for the treaty under any circumstances or conditions. For the past eight months upon the floor of the Senate and everywhere else where they could exert influence, these Senators have sought to bring about the total defeat of the treaty, without reference to modifications, without reference to changes. Openly and aboveboard they have declared that they did not approve of one single proposition in it and that they would not stand for it, it making no difference to them whether it should be changed or unchanged. We have been led to believe that there are Senators on the other side of the Chamber, and that they are in the majority, overwhelmingly in the majority, who are exceedingly solicitous about the ratification of the treaty, who believe that the interests of the United States require that it should be ratified, who believe that the interests of the world require that it should be ratified, who believe that it touches the humanities of the world, and that those humanities appeal to us that it shall be ratified. And yet, Mr. President, those Senators representing the majority on the other side seem to be bound by some sort of arrangement over there by which they are unable to vote for even a satisfactory change in an article of this treaty to which they have objection, unless they can get the consent of the 15 irreconcilables.

Of course, we can not get a two-thirds vote for the treaty, it goes without saying, if the majority on the other side who believe in the treaty and who want it ratified as we want it ratified are so bound to the minority on that side that they can vote for nothing which the minority does not approve, because every man of common sense in this body and in the country knows that the minority on that side will not approve of any change that affects in the slightest the substance of this reservation or of the other reservations that are in controversy.

Mr. WARREN. Mr. President, may I ask the Senator a question?

Mr. SIMMONS. Certainly.

Mr. WARREN. Can the Senator give us any assurance that the treaty, with the proposition which he is advocating, will finally receive the approbation of the Executive?

Mr. SIMMONS. I can not give the Senator any assurance as to the attitude of the Executive of this country with reference to this treaty—but I do say that, in my judgment—and I would not have said that much about the other two reservations we have just voted upon—if the reservation which I have offered shall be adopted it will receive the approval of the Chief Executive of this country.

Mr. WARREN. May I ask the Senator a further question? Does the Senator expect that it will be supported with any unanimity on his side of the Chamber?

Mr. SIMMONS. I expect that this proposed reservation will receive at least 41 votes on this side of the Chamber. Now, Senators on that side of the Chamber who want to see the treaty ratified, who in their heart of hearts believe that it ought to be ratified—and I know the majority of you do—I invite you to join with us. You have 30 votes on that side of Senators who believe in the treaty as much as I believe in it, and I know it; of men who believe that it is in the interest of this country that the treaty should be ratified; of men who believe that it is in the interests of the world that the treaty should be ratified; and now I ask you 30 gentlemen to join us, and if you 30 Senators will joint us I am quite sure we can get enough votes over here to put this reservation over; and if this reservation goes over, I am quite sure that the treaty will be ratified by the Senate.

Mr. BRANDEGEE. Mr. President, I am quite sure that the 30 Republicans to whom the Senator from North Carolina has made his seductive appeal will put their heads right in the noose.

Mr. SHIELDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Tennessee?

Mr. BRANDEGEE. Certainly.

Mr. SHIELDS. I ask the Senator from North Carolina if, in the spirit of his substitute and the spirit of his address in support of it, he will accept an amendment on line 11, after the words "article 10," to insert the words "or any other article of the treaty"? That certainly carries out the spirit of the substitute and of the argument which the Senator from North Carolina made in support of it.

Mr. SIMMONS. Will the Senator withhold that a moment? I will give him an answer in a very few moments.

Mr. SHIELDS. Certainly.

Mr. BRANDEGEE. Mr. President, I can well imagine that the President of the United States might be perfectly satisfied to accept the proposition which has been presented by the Senator from North Carolina [Mr. SIMMONS], because the President of the United States has written to the Senator from Nebraska [Mr. HITCHCOCK] stating that he would not accept any proposition which did not contain the obligation to preserve the territorial integrity and political independence of the other members of the league as prescribed in article 10. Therefore the compromise tendered by the Senator from North Carolina will undoubtedly be quite acceptable to the President, because under the proposition of the Senator from North Carolina the obligation of article 10 in the treaty is not repudiated by the reservation. There it stands in the treaty, that we, as a member of the league, undertake to preserve the territorial integrity and political independence of every member of the league as against external aggression. In this proposal the Senator from North Carolina does not repudiate that obligation. Let me read it:

The United States agrees to use its friendly offices, when requested so to do under the provisions of article 10—

Under the provisions of article 10—

in assisting to procure a just and peaceful settlement of territorial or political controversies between nations, or to protect any member of the league from external aggression—

It assumes that obligation—

but it does not assume any obligation to use its military or naval forces, or its financial or economic resources, for the purpose of intervention in the controversies or conflicts between nations—

That simply states what means it does not propose to use in carrying out the obligation which is imposed by the treaty and not denied by the reservation—

but it does not assume any obligation to use its military or naval forces, or its financial or economic resources, for the purpose of intervention in the controversies or conflicts between nations or to protect the territorial integrity or political independence of any nation under the provisions of article 10, unless in any particular case the Congress, in the exercise of full liberty of action and in the light of full information as to the national justice and human rights involved, shall by act or joint resolution so provide.

Mr. President, of course, without any reservation at all, Congress can at any time in the future, in the light of the situation, assume any attitude it wants to and any obligation it wants to in order to simply go ahead and do something. If this treaty should be defeated, the Congress would not, if a new war should break out, assume any obligation under article 10, because the treaty would not be in operation; but it could make any agreement it desired with the other nations and act with them, just as we did in the German war, without any treaty whatever.

However, what I want to emphasize is that this proposal is skillfully and ingeniously drafted to abstain from repudiating the obligation which has been imposed upon us under the treaty by article 10. If we ratify the treaty, there it stands in the treaty. All we do under this ingenious and deftly prepared set of words is to tender our friendly offices in case of future trouble and to say that we will not use our Army and Navy and our financial resources in intervening in controversies or conflicts between nations; but the obligation rests upon us, accepted by the ratification of the treaty, to preserve the territorial integrity and political independence of every member of the league. In other words, this is an adroit subterfuge which accepts the obligation in the treaty by not denying it, and, of course, it would be greedily and happily accepted by the President of the United States, and the whole contention over article 10 which has been made here for 15 months would be abandoned by the Senate.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment in the nature of a substitute offered by the Senator from North Carolina [Mr. SIMMONS] to the amendment as modified in the nature of a substitute offered by the Senator from Massachusetts [Mr. LODGE] to reservation No. 2.

Mr. LENROOT. Mr. President, I should like to ask the Senator from North Carolina whether in his construction of his proposed substitute there is any difference in the obligations reserved under his proposal and the Lodge modification except the obligation to use our good offices?

Mr. SIMMONS. Yes; I think there is a difference.

Mr. LENROOT. What other obligation remains under the Senator's reservation?

Mr. SIMMONS. I do not think that part of the reservation which relates to controversies between other nations is at all like the Lodge reservation.

Mr. LENROOT. No; but may I ask the Senator what obligation under article 10 will remain if his substitute is adopted?

Mr. SIMMONS. I think if the substitute is adopted its practical effect would be that the United States would assume no obligation either with respect to the preservation of territorial integrity or as to political independence of other nations except when Congress acts, and in that part of it there would not be any material difference between my substitute and the Lodge reservation.

Mr. LENROOT. Then, Mr. President, taking the construction of the Senator from North Carolina, we have this situation, that in his view there is no difference between the Lodge reservation and his in substance, but that 41 Democrats will vote for his reservation.

Mr. SIMMONS. Oh, Mr. President, the Senator from Wisconsin misrepresents me.

Mr. LENROOT. I did not intend to do so.

Mr. SIMMONS. The Senator was talking about only one part of the reservation. The Senator was eliminating the first part of the reservation. I think the Lodge reservation eliminates the first part of my reservation.

Mr. LENROOT. In regard to using our good offices?

Mr. SIMMONS. Yes.

Mr. LENROOT. Then, that is the only difference?

Mr. SIMMONS. That is the substantial difference—as to the obligation to preserve the territorial integrity and political independence of other nations.

Mr. LENROOT. Are we, then, to understand that the President of the United States, in the opinion of the Senator from North Carolina, would exchange ratifications of the treaty if his substitute is adopted when the only distinction between the two is the obligation to use our good offices in one case and not in the other?

Mr. SIMMONS. Oh, the Senator does not state my first qualification. My first qualification as to the difference between my substitute and the Lodge reservation was with reference to the use of the words "intervention in the controversies or conflicts between nations."

Mr. LENROOT. Under article 10.

Mr. SIMMONS. The Lodge reservation does not permit our interference in controversies between other nations under any circumstances whatever without consent of Congress. My reservation provides that we shall not use our Army or Navy or economic resources to interfere with those controversies without consent of Congress. The Lodge reservation excludes all kinds of interference, while mine excludes the use of certain agencies except with consent of Congress.

Mr. LENROOT. Then, as I now understand the Senator from North Carolina, the obligation to preserve territorial integrity is left intact, except that we do not agree to use certain means for the purpose of protecting it? Is that correct?

Mr. SIMMONS. I did not follow the Senator in all of his statement, but the reservation provides that we do not assume any obligation to protect the territorial integrity, and so forth, by the use of our Army, and so on, unless Congress so provides. It makes the same provision with reference to controversies between nations. The Lodge reservation does not make that same condition to the obligation with reference to controversies between nations as to that imposed with reference to territory and independence.

Mr. LENROOT. Oh, but it does. The Lodge reservation provides that we shall not interfere in controversies between nations unless the Congress shall so provide.

Mr. SIMMONS. But my proposed substitute says we shall not interfere in them by the use of our Army and Navy without the action of Congress. The Lodge reservation says we shall not interfere with them at all. There is a very substantial difference.

Mr. BRANDEGEE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Connecticut?

Mr. LENROOT. If I have any time left, I yield.

Mr. BRANDEGEE. Will the Senator allow me to ask the Senator from North Carolina a question in his time?

Mr. LENROOT. Very well. I wish, however, only to use my five minutes, Mr. President.

Mr. BRANDEGEE. I wish to ask the Senator from North Carolina whether he claims his reservation repudiates the obligation contained in the treaty to preserve the political independence and territorial integrity of the other members of the league?

Mr. SIMMONS. Repudiates it?

Mr. BRANDEGEE. Yes; the obligation, not the means of enforcing the obligation. Does the Senator claim that it repudiates the obligation?

Mr. SIMMONS. The Senator means the proposition submitted by me?

Mr. BRANDEGEE. Yes.

Mr. SIMMONS. It repudiates it to the extent that we are not to use or employ our Army and Navy.

Mr. BRANDEGEE. That is simply a statement of what means we are not to use in enforcing the obligation. Does it repudiate the obligation?

Mr. SIMMONS. It says that the United States shall not be under any obligation——

Mr. BRANDEGEE. To use its military forces.

Mr. SIMMONS. To use its Army and Navy.

Mr. BRANDEGEE. Does it say that we shall not be under any obligation to protect the integrity, politically or otherwise, of members of the league?

The PRESIDENT pro tempore. The Senator from Connecticut has spoken once.

Mr. SIMMONS. It says that we shall not be under any obligation to do so by the use of certain instrumentalities.

Mr. BRANDEGEE. But it leaves the obligation otherwise intact?

Mr. SIMMONS. It leaves the obligation in part intact.

The PRESIDENT pro tempore. The Senator from North Carolina has spoken once upon the question.

Mr. BRANDEGEE. Mr. President, we are speaking in the time of the Senator from Wisconsin.

Mr. McCORMICK. Mr. President, it is with some amusement that I have listened to this discussion to-day, recalling that only three or four days since I was rebuked for suggesting that, like medieval theologians, we were debating how many angels might dance on the point of a needle. This is a metaphysical and legalistic discussion, in my humble judgment, which makes the Senate of the United States ridiculous before the people of this

country. Let us have done with it, and vote the reservation up or down.

SEVERAL SENATORS. Vote!

The PRESIDENT pro tempore. The question is on the amendment in the nature of a substitute offered by the Senator from North Carolina to the amendment as modified in the nature of a substitute offered by the Senator from Massachusetts to reservation No. 2.

Mr. SHIELDS. Mr. President, I have offered an amendment to the substitute of the Senator from North Carolina. I ask the Senator from North Carolina whether he will accept it?

Mr. SIMMONS. I will accept it if the Senator will add to it the words "except article 16." I am afraid that the language which the Senator wishes to inject into the amendment might possibly interfere with the free exercise of our obligations under article 16.

Mr. SHIELDS. I would not accept that condition; on the contrary, I should like to have it expressed that we are not bound by article 16.

Mr. SIMMONS. I think that was the purpose of the Senator's amendment.

Mr. SHIELDS. I should certainly like it to have that effect. I offer the amendment.

Mr. SIMMONS. If the Senator will pardon me, I would accept that amendment, provided, as I have said, the Senator would make it clear that it is not intended to nullify article 16. Article 16 of the treaty is one upon which I thought we were all substantially agreed, and that nobody wished to weaken it, and certainly nobody wished to nullify it. I am very much afraid that that would be the effect of the Senator's amendment.

Mr. SHIELDS. I do not accept the condition. I ask that the amendment be stated.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. After the numeral "10," where it occurs the second time in the proposed reservation, Mr. SHIELDS proposes to add the words "or any other article of the treaty," so as to read:

The United States agrees to use its friendly offices, when requested so to do under the provisions of article 10, in assisting to procure a just and peaceful settlement of territorial or political controversies between nations, or to protect any member of the league from external aggression; but it does not assume any obligation to use its military or naval forces or its financial or economic resources for the purpose of intervention in the controversies or conflicts between nations, or to protect the territorial integrity or political independence of any nation under the provisions of article 10 or any other article of the treaty, unless in any particular case the Congress, in the exercise of full liberty of action and in the light of full information as to the national justice and human rights involved, shall by act or joint resolution so provide.

The PRESIDENT pro tempore. The question is upon the amendment of the Senator from Tennessee [Mr. SHIELDS] to the substitute offered by the Senator from North Carolina [Mr. SIMMONS].

Mr. REED and Mr. SMOOT called for the yeas and nays, and they were ordered.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Utah will state it.

Mr. KING. Is the vote being taken now upon the reservation offered by the Senator from North Carolina or upon the amendment thereto offered by the Senator from Tennessee?

The PRESIDENT pro tempore. The vote is being taken on the amendment proposed by the Senator from Tennessee to the substitute offered by the Senator from North Carolina. The Secretary will proceed with the roll call.

The Reading Clerk proceeded to call the roll.

Mr. JONES of Washington (when his name was called). Again announcing my pair and its transfer, I vote "nay."

Mr. KELLOGG (when Mr. NELSON's name was called). My colleague [Mr. NELSON] is paired with the Senator from South Carolina [Mr. SMITH].

Mr. OVERMAN (when his name was called). In the absence of my pair, the Senator from Wyoming [Mr. WARREN], and not being able to obtain a transfer, I withhold my vote.

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). Making the same announcement with reference to my colleague, the senior Senator from South Carolina [Mr. SMITH], I desire to state that if present he would vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness. I am therefore not at liberty to vote and withhold my vote.

The roll call was concluded.

Mr. FLETCHER. I have a general pair with the Senator from Delaware [Mr. BALL], who is absent. Being unable to obtain a transfer, I withhold my vote.

Mr. CURTIS. I have been requested to announce that the Senator from North Dakota [Mr. MCCUMBER] is paired with the Senator from Colorado [Mr. THOMAS].

The result was announced—yeas 22, nays 55, as follows:

YEAS—22.

Borah	Gronna	Norris	Sutherland
Brandegee	Kenyon	Poindexter	Townsend
Cummins	Knox	Reed	Wadsworth
France	La Follette	Sherman	Walsh, Mass.
Frelinghuysen	McCormick	Shields	
Gore	Moses	Smoot	

NAYS—55.

Ashurst	Hale	Lenroot	Ransdell
Beckham	Harding	Lodge	Robinson
Calder	Harris	McKellar	Sheppard
Capper	Harrison	McLean	Simmons
Chamberlain	Henderson	McNary	Smith, Ga.
Colt	Hitchcock	Myers	Smith, Md.
Culberson	Johnson, S. Dak.	New	Spencer
Curtis	Jones, N. Mex.	Nugent	Sterling
Dial	Jones, Wash.	Owen	Trammell
Dillingham	Kellogg	Page	Underwood
Edge	Kendrick	Phelan	Walsh, Mont.
Elkins	Keyes	Phipps	Watson
Gerry	King	Pittman	Wolcott
Glass	Kirby	Pomerene	

NOT VOTING—19.

Ball	Gay	Overman	Swanson
Comer	Johnson, Calif.	Penrose	Thomas
Fall	McCumber	Smith, Ariz.	Warren
Fernald	Nelson	Smith, S. C.	Williams
Fletcher	Newberry	Stanley	

So Mr. SHIELDS's amendment to Mr. SIMMONS's substitute was rejected.

The PRESIDENT pro tempore. The question now is upon the substitute offered by the Senator from North Carolina [Mr. SIMMONS].

Mr. BORAH. I call for the yeas and nays.

Mr. WALSH of Montana. I ask that the substitute may be stated.

The PRESIDENT pro tempore. The proposed substitute will be stated.

The ASSISTANT SECRETARY. As a substitute for the amendment proposed by the Senator from Massachusetts [Mr. LODGE] the following is offered:

2. The United States agrees to use its friendly offices, when requested so to do, under the provisions of article 10, in assisting to procure a just and peaceful settlement of territorial or political controversies between nations, or to protect any member of the league from external aggression; but it does not assume any obligation to use its military or naval forces or its financial or economic resources for the purpose of intervention in the controversies or conflicts between nations, or to protect the territorial integrity or political independence of any nation under the provisions of article 10, unless in any particular case the Congress, in the exercise of full liberty of action and in the light of full information as to the national justice and human rights involved, shall by act or joint resolution so provide.

The PRESIDENT pro tempore. The Senator from Idaho requests the yeas and nays upon the substitute. Is the request seconded?

The yeas and nays were ordered.

Mr. REED. Mr. President, I desire to offer an amendment which I think will clarify this reservation. I move to insert after the words "The United States" the following: "does not assume any obligation under article 10, but will," and to strike out the words "agrees to," so that it will read:

The United States does not assume any obligation under article 10, but will use its friendly offices, when requested so to do, under the provisions of article 10, in assisting to prccure a just and peaceful settlement of territorial or political controversies between nations. It assumes no obligation to protect any member of the league from external aggression, or to use its military or naval forces or its financial or economic resources with reference to intervention in controversies or conflicts of nations.

Mr. President, in view of the several changes I have had to make hastily while reading the amendment, I offer the matter which I send to the desk as a substitute for the amendment of the Senator from North Carolina.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Missouri.

The ASSISTANT SECRETARY. As a substitute for the substitute offered by the Senator from North Carolina the following is proposed:

The United States does not assume any obligation under article 10, but will use its friendly offices, when requested so to do, under the provisions of article 10, in assisting to procure a just and peaceful settlement of territorial or political controversies between nations.

Mr. REED. I desire to offer it just to the point read, and let it stand at that. I offer it as a substitute.

The PRESIDENT pro tempore. The question is upon the amendment offered by the Senator from Missouri as a substitute for the amendment of the Senator from North Carolina.

Mr. REED. Mr. President, I want to say that the substitute as now offered presents the case exactly as the Senator from North Carolina [Mr. SIMMONS] presented it. He assured us in a very interesting speech that about all that was left was the obligation to use our good offices. I am quite willing that we should do that. Therefore I have offered this substitute in order to make perfectly clear, in legislative form, what the Senator from North Carolina proposed in his speech. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. OVERMAN (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. WARREN], I withhold my vote.

Mr. WILLIAMS (when his name was called). I am not at liberty to vote, because I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness. I withhold my vote.

The roll call was concluded.

Mr. ASHURST. I desire to announce that my colleague, the Senator from Arizona [Mr. SMITH], is absent on business of the Senate.

Mr. FLETCHER. Making the same announcement as to the absence of my pair as before and being unable to get a transfer, I withhold my vote.

Mr. JONES of Washington. Again announcing my pair and its transfer, I vote "nay."

Mr. THOMAS. I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], and in his absence I withhold my vote.

The result was announced—yeas 18, nays 60, as follows:

YEAS—18.

Borah	Gore	McCormick	Sherman
Brandegee	Gronna	Moses	Shields
Fernald	Kenyon	Norris	Walsh, Mass.
France	Knox	Poindexter	
Frelinghuysen	La Follette	Reed	

NAYS—60.

Ashurst	Glass	Lenroot	Robinson
Beckham	Hale	Lodge	Sheppard
Calder	Harding	McKellar	Simmons
Capper	Harris	McLean	Smith, Md.
Chamberlain	Harrison	McNary	Smoot
Colt	Henderson	Myers	Spencer
Comer	Hitchcock	New	Sterling
Culberson	Johnson, S. Dak.	Nugent	Sutherland
Cummins	Jones, N. Mex.	Owen	Townsend
Curtis	Jones, Wash.	Page	Trammell
Dial	Kellogg	Phelan	Underwood
Dillingham	Kendrick	Phipps	Wadsworth
Edge	Keyes	Pittman	Walsh, Mont.
Elkins	King	Pomerene	Watson
Gerry	Kirby	Ransdell	Wolcott

NOT VOTING—18.

Ball	McCumber	Smith, Ariz.	Thomas
Fall	Nelson	Smith, Ga.	Warren
Fletcher	Newberry	Smith, S. C.	Williams
Gay	Overman	Stanley	
Johnson, Calif.	Penrose	Swanson	

So Mr. REED'S substitute for Mr. SIMMONS'S substitute was rejected.

The PRESIDENT pro tempore. The question is upon the amendment by way of a substitute offered by the Senator from North Carolina [Mr. SIMMONS].

Mr. BORAH. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). On account of my pair, I must withhold my vote. If I were privileged to vote, I should vote "yea."

Mr. JONES of Washington (when his name was called). Again announcing my pair and its transfer, I vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the Senator from Louisiana [Mr. GAY]. In his absence I transfer that pair to the junior Senator from Michigan [Mr. NEWBERRY] and vote "nay."

Mr. OVERMAN (when his name was called). I transfer my pair from the senior Senator from Wyoming [Mr. WARREN] to the Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. THOMAS (when his name was called). I desire to make the same announcement regarding my pair as before. On account of the absence of my pair, I withhold my vote.

Mr. WILLIAMS (when his name was called). I am not at liberty to vote, because the senior Senator from Pennsylvania [Mr. PENROSE], with whom I have a pair, is absent on account of illness. I therefore withhold my vote.

The roll call was concluded.

Mr. ASHURST. I wish to state that my colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

The result was announced—yeas 27, nays 51, as follows:

YEAS—27.

Ashurst	Henderson	Overman	Smith, Ga.
Beckham	Jones, N. Mex.	Owen	Smith, Md.
Chamberlain	Kendrick	Phelan	Stanley
Comer	King	Pomerene	Trammell
Culberson	Kirby	Robinson	Walsh, Mont.
Gerry	Myers	Sheppard	Wolcott
Gore	Nugent	Simmons	

NAYS—51.

Borah	Frelinghuysen	Lenroot	Reed
Brandegee	Gronna	Lodge	Sherman
Calder	Hale	McCormick	Shields
Capper	Harding	McKellar	Smoot
Colt	Harris	McLean	Spencer
Cummins	Harrison	McNary	Sterling
Curtis	Johnson, S. Dak.	Moses	Sutherland
Dial	Jones, Wash.	New	Townsend
Dillingham	Kellogg	Norris	Underwood
Edge	Kenyon	Page	Wadsworth
Elkins	Keyes	Phipps	Walsh, Mass.
Fernald	Knox	Pittman	Watson
France	La Follette	Poindexter	

NOT VOTING—18.

Ball	Hitchcock	Penrose	Thomas
Fall	Johnson, Calif.	Ransdell	Warren
Fletcher	McCumber	Smith, Ariz.	Williams
Gay	Nelson	Smith, S. C.	
Glass	Newberry	Swanson	

So Mr. SIMMONS'S substitute was rejected.

The PRESIDENT pro tempore. The question now is upon the substitute proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. WALSH of Montana. I move to strike from the substitute offered by the Senator from Massachusetts the following words found in lines 6 and 7 of the printed copy thereof, namely, "including all controversies relating to territorial integrity or political independence." This is, to my mind, simply absurd tautology, and I must confess some surprise that such a master of English as the Senator from Massachusetts should have the thought of marring the reservation tendered by him by the introduction of this language. The original draft read:

> The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination, or to interfere in any way in controversies between nations.

The reservation provided that the United States would not interfere in controversies between nations, and there is no limitation on the controversies at all—all the controversies; any controversy. It certainly does not improve the situation to add "including all controversies relating to territorial integrity or political independence." We ought to have some pride at least in the form of the proposed substitute.

Mr. LODGE. I think it is plain enough to be understood.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Montana.

Mr. WALSH of Montana. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. LODGE. May I ask the Secretary to state it?

The PRESIDENT pro tempore. The proposed amendment will be stated.

The ASSISTANT SECRETARY. The Senator from Montana [Mr. WALSH] proposes to strike from the substitute offered by the Senator from Massachusetts the words "including all controversies relating to territorial integrity or political independence," and the comma.

The Reading Clerk proceeded to call the roll.

Mr. JONES of Washington (when his name was called). Again announcing my pair and its transfer, I vote "nay."

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

Mr. THOMAS (when his name was called). I make the same announcement regarding the absence of my pair and withhold my vote.

Mr. WILLIAMS (when his name was called). I am not at liberty to vote, owing to the absence of my pair. If I were at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. FLETCHER. Announcing my pair as before and being unable to secure a transfer, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. RANSDELL. I wish to announce the absence of my colleague [Mr. GAY] on account of illness. I ask that this announcement may stand for the day.

Mr. CURTIS. I have been requested to announce that the Senator from Wyoming [Mr. WARREN] is paired with the Senator from North Carolina [Mr. OVERMAN].

The result was announced—yeas 35, nays 45, as follows:

YEAS—35.

Ashurst	Harrison	Myers	Simmons
Beckham	Henderson	Nugent	Smith, Ga.
Chamberlain	Hitchcock	Owen	Smith, Md.
Comer	Johnson, S. Dak.	Phelan	Stanley
Culberson	Jones, N. Mex.	Pittman	Trammell
Dial	Kendrick	Pomerene	Underwood
Gerry	King	Ransdell	Walsh, Mont.
Glass	Kirby	Robinson	Wolcott
Harris	McKellar	Sheppard	

NAYS—45.

Borah	Frelinghuysen	Lodge	Shields
Brandegee	Gore	McCormick	Smoot
Calder	Gronna	McLean	Spencer
Capper	Hale	McNary	Sterling
Colt	Harding	Moses	Sutherland
Cummins	Jones, Wash.	New	Townsend
Curtis	Kellogg	Norris	Wadsworth
Dillingham	Kenyon	Page	Walsh, Mass.
Edge	Keyes	Phipps	Watson
Elkins	Knox	Poindexter	
Fernald	La Follette	Reed	
France	Lenroot	Sherman	

NOT VOTING—16.

Ball	Johnson, Calif.	Overman	Swanson
Fall	McCumber	Penrose	Thomas
Fletcher	Nelson	Smith, Ariz.	Warren
Gay	Newberry	Smith, S. C.	Williams

So the amendment of Mr. WALSH of Montana to Mr. LODGE's substitute was rejected.

Mr. WALSH of Montana. Mr. President, in the course of some remarks made on the 6th day of last November by the distinguished junior Senator from the State of Pennsylvania [Mr. KNOX], he declared that a policy ought to be announced, expressed in the following language:

If a situation should arise in which any power should, directly or indirectly, menace the freedom and peace of Europe, the United States would regard such situation with grave concern as a menace to its own freedom and peace, and would consult with other powers affected, with a view to concerted action for the removal of such menace.

The Senator on that occasion asserted that—

declared or not, the above is the approved policy of America.

It seems to me this is the most opportune time and the present the most appropriate occasion for the declaration of that policy thus declared to be the policy of the United States. Accordingly, I offer the following amendment to be added to the substitute tendered by the Senator from Massachusetts.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The ASSISTANT SECRETARY. Add, at the end of the proposed substitute offered by the Senator from Massachusetts [Mr. LODGE], the following words:

Any act or threat of external aggression involving the territorial integrity or political independence of any nation, whether a member of the league or not, which, in the judgment of the United States, menaces or threatens the peace of the world, will be a matter of grave concern to the United States, and assurance is hereby given that the United States will seek to cooperate, entirely within the powers conferred by the Constitution, with the other members of the league to the end that such menace or threat to the peace of the world be removed.

Mr. BORAH. Mr. President, do I understand that the Senator from Montana has offered this as an expression of the view expressed by the Senator from Pennsylvania on the 6th of last November?

Mr. WALSH of Montana. The Senator from Montana endeavored to paraphrase the extract from the speech of the Senator from Pennsylvania which he read.

Mr. BORAH. The Senator is not as successful at paraphrasing as he is at tautology.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Montana.

Mr. LODGE. Mr. President, before voting on it I should like to see the substance of the resolution of the Senator from Pennsylvania of which this is a paraphrase.

Mr. WALSH of Montana. I shall be glad to furnish the Senator with the RECORD.

Mr. LODGE. I shall be glad to see it.

Mr. WALSH of Montana. The Senator will find it at page 8000.

[The CONGRESSIONAL RECORD was handed to Mr. LODGE.]

Mr. LODGE. The resolution offered by the Senator from Pennsylvania reads:

Resolved, That the Senate of the United States unreservedly advises and consents to the ratification of this treaty in so far as it provides for the creation of a status of peace between the United States and Germany.

I did not observe that in the Senator's paraphrase.

Mr. WALSH of Montana. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Montana?

Mr. LODGE. I yield.

Mr. WALSH of Montana. I wish to inform the Senator from Massachusetts that I did not assert that it was a paraphrase of any resolution offered by the Senator from Pennsylvania. I declared that, in the course of a speech delivered, he had made this declaration.

Mr. LODGE. It is a paraphrase of his speech. I thought it was intended to be a paraphrase of the resolution to which the speech related.

Mr. WALSH of Montana. I will read to the Senator the extract from the speech to which I referred and which he will find in the RECORD before him. The Senator from Pennsylvania on that occasion said we should declare the following policy:

If a situation should arise in which any power should, directly or indirectly, menace the freedom and peace of Europe, the United States would regard such situation with grave concern as a menace to its own freedom and peace, and would consult with other powers affected, with a view to concerted action for the removal of such menace.

Mr. LODGE. That is what the Senator's amendment covers?

Mr. WALSH of Montana. Yes; that is what it covers.

Mr. LODGE. It is not, then, a paraphrase; it is a quotation.

Mr. WALSH of Montana. I quoted the Senator's language and endeavored to put it in the form of an amendment to the pending substitute.

Mr. BRANDEGEE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Connecticut?

Mr. LODGE. Yes; I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, I have not before me the RECORD from which the Senator from Massachusetts has quoted. I assume, however, the reference was based upon section 5 of Senate resolution 76, which was reported favorably by the Senator from Pennsylvania [Mr. KNOX] from the Committee on Foreign Relations on June 12, 1919. I will say that as the resolution was reported section 5 was stricken out by the committee, but section 5, which the Senator from Pennsylvania embodied in the resolution and which I indorsed in several speeches made in the Senate from time to time as the proper attitude for this Government to assume under the circumstances and which was all that our allies or associates in the recent war ought to expect from us, in view of our peculiar situation, reads as follows:

5. That, finally, it shall be the declared policy of our Government, in order to meet fully and fairly our obligations to ourselves and to the world, that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern as a menace to its own peace and freedom, will consult with other powers affected with a view to devising means for the removal of such menace, and will, the necessity arising in the future, carry out the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

I said before, Mr. President, that I thought that was a proper, dignified, and almost necessary attitude for us to take in order to show the world that we were not trying to shirk any obligation to maintain peace in the world. I am ready to vote for it at any proper time. Whether it would be wise to attach it to this reservation to the treaty, I have not had time to consider, but, as at present advised, I see no objection to it.

It ought to be done anyway. The treaty may not be ratified by the Senate; ratifications may not be exchanged by the powers if it is ratified, and I am still in favor of the declaration, which I think would satisfy France even if they did not get the Franco-English treaty.

Before concluding I wish to state that the paraphrase, or whatever it may be called, offered by the Senator from Montana [Mr. WALSH] refers to our cooperating with the other members of the league. To that extent I would object to it, because we may not be a member of the league, but, with the declaration proposed by the Senator from Pennsylvania, we stand on our own basis.

Mr. LODGE. That is an entirely independent resolution.

Mr. BRANDEGEE. It sets forth an American policy just as the Monroe doctrine does.

Mr. LODGE. It sets forth an American policy, but here it is put in as an amendment to a reservation.

Mr. KNOX. Mr. President, perhaps as the author of the suggestion proposed by the Senator from Montana, I may be able to throw some light upon its genesis, upon its purpose, and upon what I regard as might possibly have been its value in concluding the great World War.

My proposition of an American policy was first suggested before the President of the United States went abroad for the purpose of negotiating the pending treaty of peace. It was suggested in connection with the resolution which I offered on the 3d day of December, 1918, which resolution I ask the indulgence of the Senate to read. It is brief, and a reading of it is essential to a complete understanding of the proposition for which I then and subsequently and now contend. The resolution reads as follows:

Senate resolution 361.

Mr. KNOX submitted the following resolution, which was referred to the Committee on Foreign Relations:

"Whereas the United States of America entered the war with Germany and Austria-Hungary in order to vindicate the ancient rights of navigation as established under international law and in order to remove forever the German menace to our peace; and

"Whereas the splendid effort of the American people and the valor of our soldiers and sailors during a year and a half, when added to the enormous sacrifices, the steadfast fortitude, and the noble courage displayed by our allies during more than four years, have made possible the attainment of those aims, now best expressed as restitution, reparation, and guaranties against the German menace; and

"Whereas the surrender of Germany and Austria-Hungary to the terms of the armistice has attained a great part and has rendered enforceable the remainder of those aims; and

"Whereas conferences are about to take place with the purpose to complete, to perfect, and to guarantee the attainment of the war aims aforesaid and thus to pass to the state of formal peace: Therefore be it

"*Resolved*, That the purposes of the United States of America in those conferences should be confined to the aforesaid aims and matters germane thereto.

"Second. That for the safeguarding of those aims the first essential is a definite understanding that, the same necessity arising in the future, there shall be the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

"Third"—

And to this paragraph I desire to direct particular attention—

"Third. That any project for any general League of Nations or for any sweeping change in the ancient laws of the sea as hitherto recognized as international law and violated by the Teutonic powers should be postponed for separate consideration, not alone by the victorious belligerents but by all the nations if and when at some future time general conferences on those subjects might be deemed useful.

"*Further resolved*, That immediately upon compliance with the terms of the armistice and the guaranteed attainment of the war aims as aforesaid the Army and Navy of the United States should be withdrawn from foreign territories and waters except in so far as their retention might be temporarily necessary to establish the status contemplated by the armistice; and, further, that the extraordinary powers conferred upon the President for the prosecution of the war should be withdrawn and the country restored to a normal condition of peace with the greatest possible celerity consistent with the national interest."

Mr. President, nothing can be more obvious than that this suggested policy or this doctrine, as I characterized it in the address I made in support of my proposed resolution; nothing can be more obvious than that the suggestion of tacking this policy onto a League of Nations was foreign to the mind of the person who originated it. The proposed policy was to be a substitute for the League of Nations. The whole purpose of the resolution, Mr. President, was that the warring belligerents should come to an immediate peace. The theory upon which it was projected was that the termination of the state of belligerency was a matter for the warriors who had fought out the issues upon the field, and the question as to bringing the nations together into cooperation for the avoidance of future wars was one that appealed to a different type of mind, and should be postponed until the passions of war had quieted.

To-day, if we could wipe out the proposed League of Nations from the treaty, I would gladly support the declaration of such a policy. I think that the United States would without such a declaration, as it did in the past, go to the relief of civilization whenever seriously attacked, and it has always appeared to me, Mr. President, that this attempt to bind the United States by signatures, seals, covenants, protocols, and understandings in writing after the magnificent record that it has made in the last three years, seems like asking a man who has sold all he has and given it to the poor to give bond to be charitable for the future.

Mr. WALSH of Montana. Mr. President——

The PRESIDENT pro tempore. May the Chair suggest to the Senator from Montana that he has already spoken once upon this amendment and that the unanimous-consent agreement contemplates that a Senator shall speak but once.

The question is on agreeing to the amendment offered by the Senator from Montana to the amendment as modified in the nature of a substitute proposed by the Senator from Massachusetts to reservation No. 2.

Mr. WALSH of Montana. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LENROOT. Mr. President, I should like to ask the Senator from Montana, if this amendment is adopted, whether he and his associates will vote for the reservation as amended or will vote to ratify the treaty with the reservation added?

Mr. WALSH of Montana. Mr. President, I do not feel called upon to signify in advance what I propose to do with respect to something in the future. I do not propose to announce now what I shall do with reference to the resolution of ratification at some future time, but I will say to the Senator, so far as that is concerned, that I will vote for this reservation if it is amended.

Mr. LENROOT. Mr. President, if amendments are to be offered here to make ratification more difficult, instead of to expedite it, however meritorious an amendment might be if offered for the purpose of aiding ratification, I do not think it ought to be accepted unless we can have some assurance that the acceptance of the amendment will aid in securing a ratification of the treaty.

Mr. WALSH of Montana. Mr. President, I desire to ask the Senator from Wisconsin a question. The Senator from Wisconsin knows that I am very sincerely desirous of having this treaty ratified, and very sincerely desirous of putting these reservations in such shape that it will be ratified; but I inquire of him whether it is not necessary to count on some additional votes from this side as well as from the other side?

Mr. LENROOT. The purpose of my inquiry of the Senator was to ascertain what we could count upon over there if that were done. The Senator does not say, and I assume that he can not do so.

Mr. WALSH of Montana. I want to try to help the Senator to get them, but I can not promise any votes to him.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). Again announcing my pair, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. JONES of Washington (when his name was called). Again announcing my pair and its transfer, I vote "nay."

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

Mr. THOMAS (when his name was called). I desire to make the same announcement regarding my pair, and withhold my vote.

The roll call was concluded.

Mr. OVERMAN. I inquire if the Senator from Wyoming [Mr. WARREN] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. OVERMAN. Having a pair with the Senator from Wyoming, I withhold my vote.

The result was announced—yeas 34, nays 44, as follows:

YEAS—34.

Ashurst	Harrison	Myers	Simmons
Beckham	Henderson	Nugent	Smith, Md.
Chamberlain	Hitchcock	Owen	Stanley
Comer	Johnson, S. Dak.	Phelan	Trammell
Culberson	Jones, N. Mex.	Pittman	Underwood
Dial	Kendrick	Pomerene	Walsh, Mont.
Gerry	King	Ransdell	Wolcott
Glass	Kirby	Robinson	
Harris	McKellar	Sheppard	

NAYS—44.

Borah	France	La Follette	Reed
Brandegee	Frelinghuysen	Lenroot	Sherman
Calder	Gore	Lodge	Shields
Capper	Gronna	McCormick	Smoot
Colt	Hale	McLean	Spencer
Cummins	Harding	McNary	Sterling
Curtis	Jones, Wash.	Moses	Sutherland
Dillingham	Kellogg	New	Townsend
Edge	Kenyon	Norris	Wadsworth
Elkins	Keyes	Page	Walsh, Mass.
Fernald	Knox	Phipps	Watson

NOT VOTING—18.

Ball	McCumber	Poindexter	Thomas
Fall	Nelson	Smith, Ariz.	Warren
Fletcher	Newberry	Smith, Ga.	Williams
Gay	Overman	Smith, S. C.	
Johnson, Calif.	Penrose	Swanson	

So the amendment of Mr. WALSH of Montana to Mr. LODGE'S amendment, as modified, to reservation No. 2 was rejected.

Mr. KING. Mr. President, I offer as a substitute for the pending reservation the matter which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Utah will be stated.

The ASSISTANT SECRETARY. As a substitute for the amendment proposed by the Senator from Massachusetts, the following is offered:

2. That the advice mentioned in article 10 of the covenant of the league which the council may give to the member nations as to the employment of their naval and military forces is merely advice, which each member nation is free to accept or reject according to the conscience and judgment of its then existing government; and in the United States this advice can only be accepted by action of the Congress at the time in being, Congress alone, under the Constitution of the United States, having the power to declare war.

Mr. LODGE. Mr. President, if that is offered as an amendment to my modification, I can only say that it seems to me a needless thing and to produce nothing but confusion. If the Senator wants to have that added as another reservation, it

can be done separately, but I hope it will not be put upon this one.

Mr. KING. I do not offer it as an amendment. I offer it as a substitute.

Mr. LODGE. Oh, as a substitute for my whole modification?

Mr. KING. For the reservation which the Senator from Massachusetts offers.

Mr. LODGE. Very well.

Mr. KING. And I commend it unreservedly to the Senators upon the other side of the aisle.

Mr. LODGE. Of course, that is impossible. It absolutely destroys all value either in my first reservation or in the modified form.

Mr. BRANDEGEE. Mr. President, it is also an attempt to amend the treaty for the other powers, because it defines their duties.

Mr. LODGE. It has numerous sides to it.

Mr. KING. I call for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). Making the same announcement as to my pair as before, I withhold my vote. If privileged to vote, I would vote "yea."

Mr. JONES of Washington (when his name was called). Making the same announcement as before regarding my pair and its transfer, I vote "nay."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness. Having been unable to secure a transfer of my pair, I withhold my vote.

The roll call was concluded.

Mr. ASHURST. I desire to announce that my colleague, the Senator from Arizona [Mr. SMITH] is absent on business of the Senate.

The result was announced—yeas 31, nays 47, as follows:

YEAS—31.

Ashurst	Henderson	Myers	Sheppard
Beckham	Hitchcock	Nugent	Simmons
Chamberlain	Johnson, S. Dak.	Owen	Smith, Md.
Dial	Jones, N. Mex.	Phelan	Stanley
Gerry	Kendrick	Pittman	Underwood
Glass	King	Pomerene	Walsh, Mont.
Harris	Kirby	Ransdell	Wolcott
Harrison	McKellar	Robinson	

NAYS—47.

Borah	Frelinghuysen	Lodge	Shields
Brandegee	Gore	McCormick	Smith, Ga.
Calder	Gronna	McLean	Smoot
Capper	Hale	McNary	Spencer
Colt	Harding	Moses	Sterling
Cummins	Jones, Wash.	New	Sutherland
Curtis	Kellogg	Norris	Townsend
Dillingham	Kenyon	Page	Trammell
Edge	Keyes	Phipps	Wadsworth
Elkins	Knox	Poindexter	Walsh, Mass.
Fernald	La Follette	Reed	Watson
France	Lenroot	Sherman	

NOT VOTING—18.

Ball	Gay	Overman	Thomas
Comer	Johnson, Calif.	Penrose	Warren
Culberson	McCumber	Smith, Ariz.	Williams
Fall	Nelson	Smith, S. C.	
Fletcher	Newberry	Swanson	

So Mr. KING's substitute was rejected.

The PRESIDENT pro tempore. The question now is upon the amendment in the nature of a substitute proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FRANCE. I offer the following amendment.

The PRESIDENT pro tempore. The Secretary will read the amendment offered by the Senator from Maryland.

The READING CLERK. At the close of the proposed reservation add:

It is understood that the United States does not in any sense or particular abandon or modify its doctrine that an obligation rests upon every advanced nation which has colonies, protectorates or dependencies to hold all such in wardship only as a trust and to adopt adequate measures for the elevation, education, training, and preparation of their peoples for self-determination and ultimate full participation as equals in the society of nations, and it is further understood that under no circumstances will the United States interfere to preserve the territorial integrity of any imperial country in any controversy growing out of the ambitions of a subject nation or colony to gain its independence, and it is further understood that the loaning by any external power of financial assistance to such subject nation or colony seeking its independence shall not be considered an act of external aggression, for the United States looks forward to the time when all of the ancient nations, such as Ireland, India, and Egypt, may attain that liberation and right of self-determination which they may desire.

The PRESIDENT pro tempore. The question is upon the amendment offered by the Senator from Maryland [Mr. FRANCE].

The amendment was rejected.

The PRESIDENT pro tempore. The question now is upon the amendment in the nature of a substitute offered by the Senator from Massachusetts [Mr. LODGE]. The yeas and nays have been ordered, and the Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). I make the same announcement as to my pair, and will have to withhold my vote, being unable to get a transfer.

Mr. JONES of Washington (when his name was called). Again announcing my pair and its transfer, I vote "yea."

Mr. MOSES (when his name was called). Announcing once more my pair with the junior Senator from Louisiana [Mr. GAY] and its transfer to the junior Senator from Michigan [Mr. NEWBERRY], I vote "yea."

Mr. OVERMAN (when his name was called). Again announcing my pair with the Senator from Wyoming [Mr. WARREN], who is absent on official business, I withhold my vote.

Mr. THOMAS (when his name was called). I again announce the absence of my pair. Therefore I can not vote. If I were at liberty to vote upon this amendment, I would vote "nay."

Mr. WILLIAMS (when his name was called). If I were at liberty to vote upon this amendment, I would vote "nay." I am, however, paired with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent from the city on account of illness, and I am not at liberty to vote.

The roll call was concluded.

Mr. ASHURST. I desire to announce the absence of my colleague, the Senator from Arizona [Mr. SMITH] on business of the Senate.

The result was announced—yeas 56, nays 24, as follows:

YEAS—56.

Ashurst	Gerry	Lenroot	Pomerene
Borah	Gore	Lodge	Reed
Brandegee	Gronna	McCormick	Sherman
Calder	Hale	McLean	Shields
Capper	Harding	McNary	Smith, Ga.
Colt	Henderson	Moses	Smoot
Cummins	Jones, N. Mex.	Myers	Spencer
Curtis	Jones, Wash.	New	Sterling
Dillingham	Kellogg	Nugent	Sutherland
Edge	Kendrick	Page	Townsend
Elkins	Kenyon	Phelan	Wadsworth
Fernald	Keyes	Phipps	Walsh, Mass.
France	Knox	Pittman	Watson
Frelinghuysen	La Follette	Poindexter	Wolcott

NAYS—24.

Beckham	Harris	McKellar	Simmons
Chamberlain	Harrison	Norris	Smith, Md.
Comer	Hitchcock	Owen	Stanley
Culberson	Johnson, S. Dak.	Ransdell	Trammell
Dial	King	Robinson	Underwood
Glass	Kirby	Sheppard	Walsh, Mont.

NOT VOTING—16.

Ball	Johnson, Calif.	Overman	Swanson
Fall	McCumber	Penrose	Thomas
Fletcher	Nelson	Smith, Ariz.	Warren
Gay	Newberry	Smith, S. C.	Williams

So Mr. LODGE's amendment in the nature of a substitute for reservation No. 2 was agreed to.

Mr. REED subsequently said:

Mr. President, I desire to put in the RECORD an explanation. When the vote was taken on the substitute for the original Lodge reservation I voted for it, understanding that the original Lodge reservation had been withdrawn and that I had no option except to vote for that substitute. I therefore supported it. I was engaged in writing at the moment and did not know the exact form of the motion. Had I understood that an opportunity would be offered to vote against the substitute and then to support it if it was accepted, I should have voted otherwise than I did. My position was that I preferred the original Lodge reservation to the substitute.

The PRESIDENT pro tempore. The question now is upon reservation No. 2, reported from the Committee on Foreign Relations, as amended by the substitute just adopted.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). Making the same announcement as to my pair as before, I withhold my vote, being unable to secure a transfer.

Mr. JONES of Washington (when his name was called). Again announcing my pair and its transfer, I vote "yea."

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague is absent on the business of the Senate.

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). I make the same announcement as before with reference to my colleague and his pair. If he were present and were not paired, on this question he would vote "nay."

Mr. MOSES (when his name was called). Announcing once more my pair with the junior Senator from Louisiana [Mr. GAY] and its transfer to the junior Senator from Michigan [Mr. NEWBERRY], I vote "yea."

Mr. THOMAS (when his name was called). I make the same announcement regarding my pair as before. If I were at liberty to vote upon this question, I would vote "nay."

Mr. WILLIAMS (when his name was called). I am not at liberty to vote, for the reason stated upon a preceding roll call. If I were at liberty to vote, I would vote "nay."

The roll call was concluded.

The result was announced—yeas 56, nays 26, as follows:

YEAS—56.

Ashurst	Gerry	Lodge	Pomerene
Borah	Gore	McCormick	Reed
Brandegee	Gronna	McLean	Sherman
Calder	Hale	McNary	Shields
Capper	Harding	Moses	Smith, Ga.
Colt	Henderson	Myers	Smoot
Cummins	Jones, Wash.	New	Spencer
Curtis	Kellogg	Norris	Sterling
Dillingham	Kendrick	Nugent	Sutherland
Edge	Kenyon	Page	Townsend
Elkins	Keyes	Phelan	Wadsworth
Fernald	Knox	Phipps	Walsh, Mass.
France	La Follette	Pittman	Warren
Frelinghuysen	Lenroot	Poindexter	Watson

NAYS—26.

Beckham	Harrison	Overman	Stanley
Chamberlain	Hitchcock	Owen	Trammell
Comer	Johnson, S. Dak.	Ransdell	Underwood
Culberson	Jones, N. Mex.	Robinson	Walsh, Mont.
Dial	King	Sheppard	Wolcott
Glass	Kirby	Simmons	
Harris	McKellar	Smith, Md.	

NOT VOTING—14.

Ball	Johnson, Calif.	Penrose	Thomas
Fall	McCumber	Smith, Ariz.	Williams
Fletcher	Nelson	Smith, S. C.	
Gay	Newberry	Swanson	

Reported reservation No. 2, as amended, was agreed to, as follows:

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination, or to interfere in any way in controversies between nations, including all controversies relating to territorial integrity or political independence, whether members of the league or not under the provisions of article 10 or to employ the military or naval forces of the United States under any article of the treaty for any purpose unless in any particular case the Congress which under the Constitution has the sole power to declare war or authorize the employment of the military or naval forces of the United States shall in the exercise of full liberty of action by act or joint resolution so provide.

Mr. LODGE. Mr. President, that completes the reservations reported from the Committee on Foreign Relations.

Mr. OWEN. Mr. President, I desire to offer the following interpretative reservation in regard to Egypt:

The United States understands the protectorate referred to in section 6 of the treaty to have been merely a war measure to preserve the integrity and independence of Egypt during the war.

Mr. President, article 147 of the peace treaty provides:

Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914. * * *

It is clear that the ratification of the treaty by the United States without reservation as to this article compelling Germany to recognize the protectorate would seem to mean the unqualified recognition by the United States of this so-called protectorate. The question is then what is this protectorate so recognized?

Without an interpretative definition of the word "protectorate" the ratification of article 147 would seem to mean that the United States would be assenting to the giving Great Britain a recognition as to Egypt for Great Britain to use as the British foreign office may desire. The United States should know what it is doing in ratifying the provision recognizing the protectorate. Would the recognition of this protectorate mean that the United States had become an accomplice to the destruction of self-determination of Egypt and to turning Egypt over to Great Britain? Or would it merely be a recognition of a war measure which was defined at the time it was proclaimed?

This reservation which I have offered gives the definition of the protectorate which was given by Great Britain at the time the protectorate was proclaimed. This reservation speaks only of the past, without attempting to bind Great Britain to any particular course in the future, or to determine the future status of Egypt. It leaves the United States free, while ratifying article 147 of section 6, to determine later what attitude it may take, if any, with respect to the status of Egypt. That the so-called protectorate at the time it was proclaimed was announced by the British Government as merely a war measure to preserve the integrity and independence of Egypt is evidenced by documents on file at the State Department, and by the assurances given by King George V to the late Sultan of Egypt, as well as by pledges of British officials to Egyptian officials at the time.

In a statement filed with the United States Department of State by the British Government on December 18, 1914, when this so-called protectorate was proclaimed, the British Government gave as a reason that Turkey had attacked Egypt, and that it was necessary for Great Britain to assume the protection of Egypt during the war. The statement so filed by the British Government with the State Department reads:

In view of the state of war initiated by Turkey against Egypt His Majesty's Government consider that the suzerainty of Turkey over Egypt is terminated, and they have advised His Majesty to place Egypt under his protection and to order the adoption of all measures necessary for the safety of the inhabitants, the defense of the country, and the protection of the many and various important interests existing there. Official notifications to this effect have been issued in London and Cairo. * * *

On December 18, 1914, King George V of England, in order to assure the Egyptian people that the protectorate was merely to preserve the integrity and independence of Egypt, said in a telegram to the late Sultan of Egypt, which was published in the London Times of December 21, 1914, as follows:

On the occasion, when Your Highness enters upon your high office, I desire to convey to Your Highness the expression of my most sincere friendship and the assurance of my unfailing support in safeguarding the integrity of Egypt and in securing her future well-being and prosperity.

Your Highness has been called upon to undertake the responsibilities of your high office at a grave crisis in the national life of Egypt, and I feel convinced that you will be able, with the cooperation of your ministers and the protection of Great Britain, to successfully overcome all the influences which are seeking to destroy the independence of Egypt and the wealth, liberty, and happiness of the people.

(Signed) GEORGE R. AND I.

To this the Sultan of Egypt replied:

I present to Your Majesty the expression of my deepest gratitude for the feelings of friendship with which you see fit to honor me, and for the assurance of your valuable support in safeguarding the integrity and independence of Egypt.

Rushdi Pasha, who was prime minister of Egypt at the time, stated that he only accepted this protectorate upon the solemn assurances by British officials that it was merely for the period of the war to protect Egypt during the war. (CONGRESSIONAL RECORD, Oct. 30, 1919, at p. 7727.)

This so-called protectorate was qualifiedly recognized by the State Department, but the protectorate so recognized by the State Department was the temporary war-control protectorate defined by the British Government in the statement set out above, filed with the State Department. This is made clear in a letter to me from Secretary of State Lansing dated December 16, 1919. I had written Secretary Lansing, asking for a definition of the protectorate over Egypt, which was recognized. In his reply Secretary Lansing speaks of the "so-called protectorate," and says:

The effect of this Government's qualified recognition of April, 1919, was to acknowledge with the reservation set forth at that time only such control of Egyptian affairs as had been set forth in the notice of the British Government transmitted to the State Department on December 18, 1914, a copy of which is inclosed.

The notice referred to is quoted above and shows that the control of Egyptian affairs, so recognized by the State Department, was a war measure to protect the integrity and independence of Egypt during the war. In his letter to me Secretary Lansing further says:

It is assumed that it is the purpose of Great Britain to carry out the assurances given by King George the Fifth of England to the late Sultan of Egypt, as published in the London Times of December 21, 1914.

These assurances, as we have seen, were of the integrity and independence of Egypt. So that this recognition of the State Department was only of a limited war-time control of Egyptian affairs by Great Britain, owing to the fact that Turkey had attacked Egypt.

It can not be fairly contended, as some British officials do contend, that this recognition approved a permanent occupation of Egypt by Great Britain. On the contrary, it only qualifiedly approved a war-time measure of control, entirely different from the right of permanent occupation of Egypt that Great Britain now claims.

The word "protectorate," says the London Times, is a mysterious word. It can be made to mean anything. The ratification of article 147 without defining our understanding of the meaning of the word "protectorate" would apparently bind the United States to recognize any course of action Great Britain might take with respect to Egypt. The interpretative reservation which I present, if adopted, would show clearly what it is that the United States is approving, which is only that limited war-time control to which Secretary Lansing referred. Without this definition, the United States would appear to be lending its prestige to underwrite Great Britain's future course regarding Egypt, no matter what that course might be.

This matter has been put up to the United States by article 147 of the treaty, and the question is, Shall we approve this protectorate without knowing what it means and without expressing our understanding of what it means, or shall we give our understanding of the meaning of the word, based upon the statement of the British Government at the time it was proclaimed, the statement of King George V of England, and the pledges to the Egyptian officials by British officials?

In adopting this interpretative reservation, the United States would be attending strictly to its own business, for surely Great Britain can not ask the United States to approve blindly in advance anything that Great Britain might do in the future with respect to Egypt, or to approve a "protectorate" without the United States defining what it understands the word "protectorate" to mean.

Some Senators insist that the action of the Secretary of State is sufficient, but I think it would be better to have the Senate make a similar statement in language equally clear.

The letter of Secretary Lansing is as follows:

DEPARTMENT OF STATE,
Washington, December 16, 1919.

Hon. ROBERT L. OWEN,
United States Senate.

SIR: I have the honor to acknowledge the receipt of your letter of November 29 last, in which you inquire as to the effect of this Government's recognition of the so-called protectorate proclaimed by Great Britain over Egypt on December 18, 1914.

In reply I beg to state that the department does not understand that Egypt was, prior to the British proclamation of December 18, 1914, in possession of full independent sovereign rights.

The effect of this Government's qualified recognition of April, 1919, was to acknowledge with the reservation set forth at that time only such control of Egyptian affairs as had been set forth in the notice of the British Government transmitted to the department on December 18, 1914, a copy of which is inclosed.

It is assumed that it is the purpose of Great Britain to carry out the assurances given by King George the Fifth of England to the late Sultan of Egypt, as published in the London Times of December 21, 1914.

I have the honor to be, sir,
Your obedient servant, ROBERT LANSING.

(Inclosure: As indicated.)

The inclosure is a letter from Cecil Spring-Rice, the ambassador of the British Empire to the United States, dated December 18, 1914, which is as follows:

(No. 434.)

BRITISH EMBASSY,
Washington, December 18, 1914.

SIR: I have the honor, under instructions from my Government, to communicate to you, sir, for your information, the accompanying copy of a telegram stating that His Majesty's Government consider that the suzerainty of Turkey over Egypt is terminated and that they have advised the King to place Egypt under his protection.

I have the honor to be, with the highest consideration, sir,
Your most obedient humble servant,
CECIL SPRING RICE.

The Hon. W. J. BRYAN,
Secretary of State, etc.

You should communicate the following to Government to which you are accredited:

"In view of the state of war initiated by Turkey against Egypt, His Majesty's Government consider that the suzerainty of Turkey over Egypt is terminated, and they have advised His Majesty to place Egypt under his protection and to order the adoption of all measures necessary for the safety of the inhabitants, the defense of the country, and the protection of the many and various important interests existing there. Official notifications to this effect have been issued in London and Cairo. The unprovoked nature of the Turkish aggression has prevented any discussion of this matter with the powers beforehand, but His Majesty's Government have no intentions of impairing foreign interests and wish to act in harmony with the powers in making those changes affecting their interests which are rendered unavoidable by the aggression of Turkey.

"Meanwhile the Egyptian Government will arrange for the issue of a khedival decree providing that the consular and other foreign courts shall continue to exercise in Egypt their accustomed jurisdiction to the extent to which the arrangements which will have to be made by the military authorities for the maintenance of public order are not inconsistent therewith.

You should add that His Majesty's Government have appointed a high commissioner for Egypt, who will also be the minister of foreign affairs in the Egyptian Government, and His Majesty's Government would therefore ask that the Government to which you are accredited will be so good as to instruct their representative in Cairo to address all his official communications in future to the high commissioner as minister for foreign affairs."

The PRESIDENT pro tempore. The question is on agreeing to the reservation proposed by the Senator from Oklahoma [Mr. OWEN].

Mr. OWEN. I ask for the yeas and nays on the reservation.

Mr. STERLING. Mr. President, I confess that I can not sympathize with the reservation offered by the Senator from Oklahoma in regard to Egypt.

In the first place, there is nothing, I think, in the provision of the treaty, article 147, that binds in any way the United States. It is a recognition on the part of Germany alone and by the express terms of the treaty of the protectorate of England over Egypt. I have heard some discussion in this Chamber in regard to England and her policy in Egypt, and I confess also that I have not had much sympathy with the position taken by some Senators. My belief is that England has saved Egypt again and again from bankruptcy, if not from actual anarchy. I do not know what would have transpired at different times since the occupation in 1882 of Egypt by Great Britain if it had not been for Great Britain's counsel and the financial and governmental advisers which she has furnished Egypt from time to time. I wish to call attention briefly to a little history in regard to England's course in Egypt.

The first six years of the British occupation were an unceasing struggle against bankruptcy, for it was not until 1888 that the annual deficit was replaced by financial equilibrium. This happy result was in some measure due to Sir Evelyn Baring's courage and success in facing the powers in 1885 with a demand for permission to raise a new loan of nine millions sterling to pay off the Alexandria war indemnities, to wipe out the deficits of four preceding years, and to provide a million pounds for new works of irrigation. This extra million, skillfully spent, saved the irrigation system, the agricultural crops, the Government taxes, and the finances of Egypt. Since those struggling days, when the finance ministry had difficulty in providing the monthly pay of Government officials, an annual surplus has been gained, taxation relieved by £2,000,000 a year, revenue increased from £9,000,000 (in 1883) to more than £16,000,000 (in 1907), and Egyptian credit raised to a level little below that of the richest European powers.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Ohio?

Mr. STERLING. I do.

Mr. POMERENE. Let me ask the Senator from what authority he is reading?

Mr. STERLING. I read from the Cambridge Modern History and the subject is entitled "Egypt." The author is F. M. Sandwith.

Mr. OWEN. Will the Senator tell who wrote it?

Mr. STERLING. Yes, sir; I will tell the Senator who wrote it.

Mr. OWEN. The Senator will find that it was an English authority who wrote it.

Mr. STERLING. It was written by F. M. Sandwith, M. D., University of Durham, former professor of medicine, Egyptian School of Medicine. That is the authority.

Mr. REED. The Senator has quoted figures showing that the revenue of Egypt has been largely increased?

Mr. STERLING. Yes, sir.

Mr. REED. To whom was that revenue paid?

Mr. STERLING. The revenue derived was used in paying the expenses of the Government and in agriculture, in irrigation, and in various improvements.

Mr. REED. The revenue was paid to the British Government, was it not?

Mr. STERLING. I think not; I think it was not paid to the British Government; but whether it was handled by British officials or not, it was used for the improvement of Egypt and in these various enterprises. Let me read further.

Mr. OWEN. I will advise the Senator that a large part of it was consumed by tax eaters sent from London down to Cairo.

Mr. STERLING. That is an assumption upon the part of the Senator from Oklahoma.

Mr. OWEN. No; that is not an assumption; that is a matter of fact.

Mr. STERLING. Let me read as to the facts again:

This extra million skillfully spent saved the irrigation system, the agricultural crops, the Government taxes, and the finances of Egypt.

That is what the author states.

Mr. OWEN. Will the Senator permit me to interrupt him?

Mr. STERLING. Yes.

Mr. OWEN. I will say that that is merely the old Tory argument justifying the government and the management of other peoples without their consent.

Mr. STERLING. But I wonder, considering the situation in Egypt with reference to the state of civilization there and with reference to the education of the people, whether English rule, so far as England has ruled, has not been for the advancement and for the uplift of the Egyptian people.

Mr. President, in 1897, 88 per cent of the male population of Egypt could not read or write, and at that same time 99.5 per cent of the female population of Egypt could neither read nor write. Ten million of the people of Egypt are Mohammedans, only about 700,000 are Copts, belonging to the original Egyptian race.

Mr. McCORMICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Illinois?

Mr. STERLING. I yield to the Senator.

Mr. McCORMICK. Let me suggest to the Senator that granting, as I readily grant, all the material benefits which have flowed from English administration in Egypt, it is a sad commentary on the government which has existed until this time that there should have been no diminution of illiteracy from the day of occupation until 1897, the year for which the Senator adduces the figures, and until the present——

Mr. STERLING. I do not agree with the assumption of the Senator that there has been no diminution of illiteracy. I think there has been.

Mr. McCORMICK. Will the Senator, then, repeat the figures?

Mr. STERLING. I am giving the figures showing the illiteracy in 1897.

There was 88 per cent of illiteracy on the part of the male population and 99.5 per cent of illiteracy on the part of the female population. The British occupation began really about 1882.

Mr. OWEN. Will the Senator state what the illiteracy there is now?

Mr. STERLING. I can not state now.

Mr. OWEN. The Senator will discover that they have not been educating those people, but have been keeping them in ignorance, and collecting the taxes from them because of their ignorance and helplessness.

Mr. STERLING. I should be glad to have the Senator furnish the authorities and statistics showing that Great Britain has been keeping the people of Egypt in ignorance. I do not believe it can be shown.

Mr. OWEN. They have been exercising the governing powers there, and they have not educated them. They have not adequately used for the education of the Egyptian people the taxes obtained from the labor of the Egyptian people.

Mr. STERLING. That is the Senator's assertion——

Mr. OWEN. The Senator can not contradict it successfully.

Mr. STERLING. But I can not agree with the assertion. It is so different from the policy of Great Britain wherever she has governed that I can not credit the statement that she has willfully kept the people of any country in ignorance.

Mr. OWEN. Oh, well, Mr. President, the rule of Great Britain over the American Colonies was not very satisfactory in 1776 to the people of this country. Our forefathers had to revolt because of their unsatisfactory and tyrannical management.

Mr. STERLING. Was it because of any policy in regard to education that they revolted?

Mr. OWEN. It is simply imperial human nature repeating itself in Egypt, just as Great Britain undertook to exert an unfair power and unfair taxation over this country, without representation, against which our forefathers revolted.

Mr. STERLING. Mr. President, I did not expect to be drawn into any argument concerning colonial government; but I challenge the Senator from Oklahoma to show any Government that has been more successful in all the world and in all time than Great Britain has been in the government of her colonial possessions.

Mr. OWEN. I admire the British people, but do not admire the imperial element in charge of their foreign office. I think the Senator fails to realize that there is such a thing as human liberty which is deeply desired by all men, as a natural right.

Mr. STERLING. Yes; I know that.

Mr. OWEN. And the Egyptians have a right to liberty. When the Turkish suzereinty ceased, the Egyptian sovereignty was legally complete.

Mr. STERLING. I recognize the fact, too, that there is a certain time in the progress of civilization when a people are fit for self-government or free institutions, and not before.

Mr. OWEN. Oh, that is the language of toryism from the foundation of the world.

Mr. STERLING. Nevertheless, whether toryism or liberalism, it is true.

Now, let me read a little further, Mr. President.

Mr. REED. Mr. President, will the Senator yield for a question?

Mr. STERLING. I yield to the Senator from Missouri.

Mr. REED. The Senator stated that the policy of keeping a race in ignorance was denied by England's conduct in all of her colonies. I think that is the meaning of his words, not the words themselves. I will ask the Senator what about the education of the people of India? England has been in practical control of that country for a long time. What is the degree of illiteracy there?

Mr. STERLING. I can not tell the Senator what the degree of illiteracy in India is, but I believe as fast as England could reasonably educate or provide means for education under the particular government of India she has done so.

Mr. REED. I shall be glad to furnish the figures to the Senator in a few moments.

Mr. STERLING. Very well. I will proceed.

Our limits forbid an enumeration of the various benefits which have accrued to Egypt during British rule, but a few of them may be briefly set down. Next to finance, the success of which is due to Lord Cromer himself, the two departments in which British officials have achieved great renown are those of irrigation and the army, for in both the necessary control has been intrusted to experts and there has been no international interference. The British engineers, when summoned from India, found themselves obliged to grapple with chaos resulting from half a century's want of technical skill and administrative morality.

And I think it was from that, as much as from a want of finance, that she suffered—the want of administrative morality.

Canals were cleared and extended, drainage of the land introduced, and the great barrage below Cairo utilized. This dam, though built by forced labor, had cost the Government nearly £2,000,000, and, owing to faulty foundations, had remained practically useless until Sir Colin Scott-Moncreiff rendered it capable of doing excellent service. When the British engineers had been at work for 10 years the cotton crop and sugar crop were both trebled and the country, which had been entirely roadless, was being gradually covered with a series of light railways and agricultural roads.

Talk about education, Mr. President, and what has been done in the matter of school or technical education! Here are the material things that were being done by Great Britain that were of themselves of the greatest educational value to that people.

Mr. REED. Mr. President——

Mr. STERLING. I yield to the Senator from Missouri.

Mr. REED. The Senator is speaking about roads having been built and offering that as a proof that these people are free, prosperous, and happy. I want to ask him if Pharaoh did not build roads for the Egyptians with the slave labor of his people many thousands of years ago?

Mr. STERLING. Oh, yes; but that was not done by Great Britain by slave labor.

More good has already accrued to Egypt by the expenditure there of three and a half millions than by the hundred millions of Ismail Pasha's debt. Work is now in progress to add to its usefulness by heightening the existing dam, which will more than double the storage capacity of the reservoir—

And so forth.

Now, Mr. President, there is another reason why I think we should not, by means of a reservation of this kind, advise Great Britain as to what she should do in regard to a protectorate over Egypt. Lord Milner, lately in charge, has now recommended the withdrawal of a protectorate over Egypt, or is about to recommend it. I hold in my hand a paper containing a dispatch dated Cairo, March 13, only day before yesterday, which reads in part as follows:

With the day approaching for Lord Milner's mission to leave here for the return to London, and after the mission has gathered a mass of evidence regarding Egypt's government, her wishes, and needs, the correspondent here is able to give an authoritative outline of the new Egyptian home-rule measure which Lord Milner will press Parliament to enact.

Lord Milner, it was authoritatively said, will recommend that the protectorate over Egypt be abolished, and that she be accorded a full measure of autonomy, with certain ministries, such as education, agriculture, and interior, to be handled entirely by Egyptians, while England will retain control of finances and the Suez Canal. Also the British will maintain a naval base at Alexandria and keep territorial forces in training there.

Mr. President, this is what Lord Milner will recommend. Let me call attention to another item or two in this same article; and it may be that, although Lord Milner does recommend it, the British Government, taking everything into consideration, may possibly say that for the present, and under existing conditions, the protectorate would better not be withdrawn.

Mr. OWEN. Mr. President, I will advise the Senator that the Egyptian people absolutely refuse to recognize Milner's authority there, and only recently the representatives who were

elected to the legislature of Egypt met and declared their own independence. The Egyptian people are practically unanimous with regard to it; and the idea of Great Britain's foreign office "according" to Egypt the rights of sovereignty which the people of Egypt already possess is not tenable.

Mr. STERLING. She can withdraw the protectorate, I suppose.

Mr. OWEN. She can abolish her pretense of a protectorate, yes; but she does not "accord" to them anything. The Egyptians have under international law the sovereignty in their own hands now.

Mr. STERLING. Does the Senator from Oklahoma think that Egypt should have the management of Egypt's finances in her own hands, considering the history of the past and how she has fared?

Mr. OWEN. Absolutely. I will answer the Senator, moreover, that nobody else has any right whatever to take the money raised by the Egyptians for the finances of Egypt and use it for the purpose of filling the pockets of favorites from London.

Mr. STERLING. As I stated a while ago, I think Great Britain has saved Egypt from bankruptcy more than once by her financial advice; and let me say to the Senator from Oklahoma that I think the financial advisers of Great Britain have been welcomed by Egypt in the past, and there is nothing here to indicate that such financial advisers will not be welcomed now.

Mr. OWEN. If the Senator would take his information from Egyptian sources instead of taking it from Cambridge sources, he would be much better advised as to the true conditions in Egypt.

Mr. STERLING. I have seen some matters that purport to be from Egyptian sources. I will say to the Senator that I have read Mr. Folk's pamphlet through. Much of it is made up of the assurances that England, through her prime minister or administrators in Egypt, has given from time to time that she would withdraw from Egypt, or that she did not desire to continue in control.

Mr. OWEN. Oh, the British foreign office has been giving assurances continuously and regularly, assuring the world of pious purposes, but it does perform the solemn pledge to withdraw.

Mr. STERLING. I am not disputing the quotations that are given by Mr. Folk in his pamphlet in regard to what has been said.

Mr. OWEN. They are quotations from the official documents.

Mr. STERLING. But I believe every assurance was given in the utmost good faith and with the intent upon the part of Great Britain to withdraw; but events have come crowding thick and fast upon one another, so that the time has not come when she could withdraw with safety to the people of Egypt themselves and the interests of civilization.

Mr. OWEN. I will say to the Senator that ambitions to govern other people without their consent have been coming thick and fast upon one another.

Mr. STERLING. Great Britain never wanted to get into Egypt. Circumstances forced her to do so.

Mr. OWEN. Unhappily the foreign office never wanted to get out, notwithstanding the solemn official pledges to get out.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Senators must first address the Chair and secure permission to interrupt.

Mr. REED and Mr. McCORMICK addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator from South Dakota yield?

Mr. STERLING. I yield to the Senator from Missouri.

Mr. REED. The Senator has just stated that Great Britain never wanted to get into Egypt. Does he not recall the circumstance that between dark and daylight Lord Beaconsfield secretly closed the deal which gave England control of the Suez Canal and thus put England into Egypt?

Mr. STERLING. I remember something about that, Mr. President.

Mr. REED. She has been there even since, has she not?

Mr. STERLING. Great Britain and France were watching each other for some years in regard to the control in Egypt. Great Britain was more interested in the Suez Canal than all the other nations of the world combined. In the year 1907 alone British ships to the number of 2,651 went through the Suez Canal. The nation that had the next greatest number of ships was Germany, and she sent through in that year 580 ships; so you can see Great Britain's interest in the Suez Canal.

Mr. REED and Mr. OWEN addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from South Dakota yield, and, if so, to whom?

Mr. STERLING. I yield to the Senator from Missouri, if he has not yet finished.

Mr. REED. Mr. President, the Senator speaks of British interests. Does he not know that it was French genius that built the canal, when England had not lifted her hands, and does he not know that France had the canal constructed because of her great interests, that while it was done through Egyptian engineering, it was French genius and French money?

Mr. STERLING. It was rather through the engineering genius of De Lesseps that it was constructed than the fact that it would affect or benefit France more than any other country. It must have been obvious from the beginning that financially, and as an outlet to the Orient, it would benefit Great Britain more than any other country in the world and because she was the greatest commercial country in the world, with her colonies in India and Africa besides.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Oklahoma?

Mr. STERLING. I yield to the Senator.

Mr. OWEN. I wanted to remind the Senator that this remarkably great interest of Great Britain in the Suez Canal was because the Tory British foreign office was carrying on the same kind of an overlordship over 300,000,000 people in India and governing them without their consent, and gathering the taxes of that land without their consent, so that the policies in Egypt and India hang well together.

Mr. STERLING. She has not governed them to their disadvantage, I will say to the Senator from Oklahoma.

Mr. OWEN. That is the same old Tory argument. It is not a question of governing them to their advantage, but governing them at all against their consent. The Egyptian people are entitled to liberty and should not be enslaved by a Tory foreign office against their consent. The United States ought not to underwrite the slavery of the Egyptians.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Idaho?

Mr. STERLING. I yield.

Mr. BORAH. This is all very interesting, but I dislike very much to hear this criticism of our ally in the league.

Mr. STERLING. Mr. President, if I may proceed to read just one or two words more from this article. It touches the question whether, all in all, it may be considered the desirable thing for England to relinquish her protectorate now:

> An actual Egyptian government, with Egyptians holding the offices, would dissipate the peculiar fears of the people and silence the agitators, in so far as their chief argument is concerned.
>
> * * * * * * *
>
> Although the future of Egypt seems encouraging, the present is fraught with danger, and the interim between now and eventual Egyptian self-government might even see Bolshevism unless stern measures of a temporary nature are taken. Fear is expressed here that the new social movement now afoot in Egypt is transcending the nationalist agitation against England.

In view of these statements, Mr. President, the question is whether, in order to prevent the spread of Bolshevism and consequent anarchy throughout Egypt, it might not be well for England for yet a little while, until conditions are settled and stabilized, to retain her protectorate over Egypt. I continue reading:

> Even a superficial observer can see that the seeds of southern Europe's unrest have a fertile field here, where the people are famous in history for their turbulent spirit. To-day they have a real economic and an imagined political grievance.

I think that it is largely in view of their imagined rather than real political grievances that they are seeking the withdrawal of the British protectorate at this time.

Mr. President, I do not believe, in the light of the history of Great Britain's rule in Egypt or considering the conditions under which she declared her protectorate in 1914, after the breaking out of the war, or as conditions now exist, that we here, by way of reservation to this treaty, should seem to advise England in regard to that protectorate.

Mr. McCORMICK. Mr. President, there is another authority who might be consulted while the debate turns upon Egyptian right to liberty. In the third verse of the seventh chapter of Matthew it is written:

> Why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?

It is true that the net result of British Government in Egypt has been the material development of the country to the neglect of the education of the people and their political advantage. But, Mr. President, if we are not to guarantee the government of Egypt, it is hardly a matter for our intervention. It would become us to inquire if in some measure we have not been re-

sponsible for a like neglect of some dark people with whose welfare we are charged under the Constitution of the United States. My friend the Senator from Oklahoma [Mr. OWEN] speaks of the imposition or the withdrawal of the protectorate in Egypt as an assumption of right on the part of the British, a right which does not exist. I can not quarrel with him on that ground; but while we discuss the course of the British Government in that regard, I think we might inquire of our own conscience if we have done all that duty requires of us in regard to some 10,000,000 people living under the Constitution of the Union.

It is written in the Constitution of the Republic that no citizen shall be disfranchised by reason of his color; it is written that if there be any general disfranchisement there shall be a diminution of the representation of the States effecting the disfranchisement. But these provisions of the Constitution are as dead as the liberty of Egypt. But putting aside the question of political rights, consider that the country, North and South, during the last year has witnessed disgraceful mob murders. There have been fourscore lynchings in the Union during the 12 months last passed.

My own State of Illinois has been the scene of violence on as great a scale as that in any other State in the Union during the last year.

As we sit in judgment upon others, so let us judge of our own duty. It does not become us to speak only of the dereliction of other people. If this Senate is to consider resolves upon the state of the people of Egypt, let it make ready to resolve against mob murder and lynching in America.

RECESS.

Mr. LODGE. Mr. President, it is evident that we can not hope to get a vote to-night on the reservation that has just been offered. There are one or two other Senators who desire to be heard upon it. Therefore I move that the Senate, in open executive session, take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate, in open executive session, took a recess until to-morrow, Tuesday, March 16, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 15, 1920.*

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore (Mr. WALSH).

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God of hosts, lest we forget, impress indelibly upon our minds and write it in our hearts the horrors of war and its aftermath which bring grief, sorrow, and unmitigated evil to the world; and grant that our historians may write in lurid pictures its horrid effects for future generations.

Teach us, we beseech Thee, the wisdom and joy of peace, the glory of living together in brotherly love; after the similitude of the Prince of Peace. Amen.

The Journal of the proceedings of Saturday, March 13, 1920, was read and approved.

DEATH OF JAMES CLARK.

Mr. SEARS. Mr. Speaker, I ask unanimous consent to proceed out of order for not to exceed five minutes.

The SPEAKER pro tempore. The gentleman from Florida asks unanimous consent to proceed out of order for not to exceed five minutes. Is there objection?

Mr. DOWELL. Mr. Speaker, on what subject?

Mr. SEARS. I do not think the gentleman will object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SEARS. Mr. Speaker, if the Members of the House have been taught anything during the past three years, it has been the uncertainty of life. Many times we have noticed the flag at half-mast, and, in fact, it has been rather unusual not to see the flag at half-mast. A great many of the boys have lost their lives, and sorrow has been brought to the Members of the House.

It is with feelings of deep regret that I announce to the Members of this House that this morning Uncle Jimmie Clark, who for 15 years has faithfully served this House both under Republican and Democratic administrations, has passed to the great beyond. There was never a more efficient servant of the people, a man absolutely loyal to his friends, and who took a deep interest in carrying out the trust imposed upon him. As a recognition of that, only recently the Members of this House, regardless of party, unanimously placed him on the permanent roll. He was kind, extremely courteous, and polite, a fact which will be verified by the Members of the House and by the wives of those Members who are married.

Uncle Jimmie was born on October 9, 1850, in Barker County, Ala., and was a brother of our beloved colleague, Hon. FRANK CLARK, of Florida. I am glad that, so far as I am concerned, Uncle Jimmie knew what I thought of him while he was living.

The funeral will take place Wednesday at 11 o'clock a. m. at Lee's undertaking establishment, 322 Pennsylvania Avenue NW., and I am sure the Members of this House will join with me in the deep regret of which these few words are an inadequate expression.

DEATH OF MRS. TIMBERLAKE.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to proceed for one minute out of order.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to proceed for one minute out of order. Is there objection?

There was no objection.

Mr. MILLER. Mr. Speaker, I ask for indefinite leave of absence for our colleague, Hon. CHARLES B. TIMBERLAKE, of Colorado. Mrs. Timberlake, a woman of exceptional ability and beauty of character and charm of life, passed into the great beyond on yesterday. Our colleague left this morning on the sad journey to his home at Sterling, Colo., with the remains of his beloved life partner.

I ask for indefinite leave of absence for Mr. TIMBERLAKE and for leave of absence until Thursday for our colleague, Mr. VAILE, who accompanied Mr. TIMBERLAKE as far as the city of Chicago.

The SPEAKER pro tempore. Without objection, indefinite leave of absence will be granted to the gentleman from Colorado, Mr. TIMBERLAKE, and leave of absence until Thursday to the gentleman from Colorado, Mr. VAILE. Is there objection?

There was no objection.

RATIFICATION OF WOMAN'S SUFFRAGE AMENDMENT BY WEST VIRGINIA.

The SPEAKER pro tempore laid before the House a communication from the governor of the State of West Virginia announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States extending the right of suffrage to women.

ORDER OF BUSINESS.

The SPEAKER pro tempore. In the absence of a motion to go into the Committee of the Whole House on the state of the Union for the further consideration of the military reorganization bill, the Calendar for Unanimous Consent will be called.

AQUEDUCT BRIDGE.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 10328) to amend an act approved May 18, 1916, entitled "An act to provide for the removal of what is known as the Aqueduct Bridge, across the Potomac River, and for the construction of a bridge in place thereof."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent that the bill be passed without prejudice.

The SPEAKER pro tempore. Is there objection to passing the bill without prejudice?

There was no objection.

PRINT PAPER.

Mr. HARRISON. Mr. Speaker, I move to discharge the Committee on Interstate and Foreign Commerce from the consideration of House resolution 489.

The SPEAKER pro tempore. The gentleman from Virginia makes a privileged motion, which the Clerk will report.

The Clerk read as follows:

Mr. HARRISON moves to discharge the Committee on Interstate and Foreign Commerce from further consideration of House resolution 489.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 489.

Resolved, That the Secretary of Commerce is hereby requested to furnish to the House of Representatives such information as he may have in regard to the supply, distribution, and consumption of print paper in the United States; such information as he may have in regard to any shortage in the supply of such print paper and the classes of newspapers or periodicals that have been affected by such shortage; whether any class of newspapers have secured by contract or otherwise any undue preference or advantage over other classes of newspapers in the supply of print paper; and such information as he may have in regard to the issuance of any regulations governing the distribution and consumption of said print paper.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Mr. Speaker, a parliamentary inquiry. Is this motion in order at this time, when we are calling the Calendar for Unanimous Consent?

The SPEAKER pro tempore. The gentleman makes it as a privileged motion.

Mr. MANN of Illinois. What is the motion?

The SPEAKER pro tempore. The motion is to discharge the committee.

Mr. HARRISON. I move the adoption of the resolution which has just been read.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Virginia to discharge the Committee on Interstate and Foreign Commerce from the further consideration of the resolution and to pass the resolution.

Mr. MADDEN. I should like to save the question whether it is a privileged motion or not.

The SPEAKER pro tempore. Does the gentleman make the point of order?

Mr. MADDEN. Yes.

Mr. HARRISON. It calls for information from one of the departments.

Mr. ANTHONY. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. ANTHONY. To speak to the question of privilege. I understand the resolution has been pending in the Interstate and Foreign Commerce Committee for more than seven days without action by the committee, and therefore privileged.

Mr. MADDEN. It is only a question whether the contents of the resolution are of a privileged character. I think the resolution asks for an opinion from the head of a department.

Mr. HARRISON. No, sir.

Mr. MADDEN. I have not examined it, but that is what I judge from hearing it read.

Mr. HARRISON. It merely calls for information.

Mr. MANN of Illinois. Mr. Speaker, I shall not make a point of order, but the resolution says:

> Whether any class of newspapers have secured by contract or otherwise any undue preference or advantage over other classes of newspapers in the supply of print paper.

If that is not a matter of opinion, I do not know what opinion means.

Mr. HARRISON. If there are facts in the possession of the department showing that certain classes of newspapers have gotten undue preference, that is the information we want. That is not an opinion on the part of the Secretary of Commerce, but whether he has the facts.

Mr. MANN of Illinois. It is a matter of opinion whether they have been given undue preference. May I ask the gentleman a question?

Mr. HARRISON. Yes.

Mr. MANN of Illinois. Is there any information asked for in this resolution which is not now common knowledge?

Mr. HARRISON. I think there is.

Mr. MANN of Illinois. I do not know what it is, everybody knows that there is a shortage of print paper. There is a resolution, I think, pending in some committee of the House, introduced in the Senate by Senator UNDERWOOD, containing some proposition with reference to dealing with Canada with the hope of alleviating the present conditions concerning print paper.

Mr. ANTHONY. Will the gentleman from Illinois yield?

Mr. MANN of Illinois. Yes.

Mr. ANTHONY. I was going to state that the Underwood resolution deals solely with negotiations with Canada relative to the admission of print paper and pulp wood. If I may go further, I will say that it seems that the Department of Justice has been sleeping on its job in reference to compromising the suit by the Government against the International Paper Co. which controls the big end of the paper supply, wherein that company agreed to release a certain portion of its output. It is thought that it has failed to do so, at any rate the small consumer can not get any print paper. Now, the gentleman's resolution asks practically for that information.

Mr. MANN of Illinois. It asks, practically, that the Secretary of Commerce, who knows nothing about the matter, shall make an investigation as to whether anyone has been given undue preference. I do not think myself any Secretary of Commerce that we have had is qualified to pass on that question—with all due respect to the ability of the Secretary of Commerce.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. CLARK of Missouri. The language the gentleman read simply requires the Secretary of Commerce to state whether or not special favors were granted any particular newspaper. If it is true, then the documents themselves, the contracts, are facts, and it is not asking for an opinion.

Mr. MANN of Illinois. It is asking for an opinion as to whether undue preference has been given. Everyone that knows anything knows that print paper is not sold at the same price; that large contracts are entered into by the year or a series of years at different prices. Now, whether that is an undue preference I do not think is for the Secretary of Commerce, who knows paper when he sees it but knows nothing about the subject matter, to determine. Whoever in his department investigates it knows nothing about it—whether it is undue preference or not. I shall not object myself to passing the resolution. I think we ought to do something if we can, on the basis of what we know now.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. BLANTON. I think the gentleman from Kansas is not quite correct when he says that smaller newspapers are not able to get print paper. Some are not able to get it at all because of the shortage, but many are able to get it; but the trouble lies in the fact that they have to pay such enormous, exorbitant prices for it that they are not able financially to buy in large quantities or to buy it at all and make a living in the business. It is this combination on prices of print paper that has put it up beyond the reach of most of the small newspapers.

Mr. MANN of Illinois. The gentleman is mistaken; it is the shortage of print paper. The International Paper Co., that being the largest company, and several other large companies have annual contracts with large newspapers that use a great quantity of paper. Those contracts used to extend over several years; I do not know what they now provide. The small newspapers buy their paper from the jobbers and wholesalers, and the shortage of paper has unduly put up the price to the small publishers, no doubt about that.

Mr. BLANTON. Under the very compromise mentioned by the gentleman from Kansas, this corporation has refused to turn out paper which it could turn out or turn loose if it wanted to, but which it has held from sale because its contracts did not require it to turn it loose to parties not having contracts.

Mr. MANN of Illinois. How does the gentleman know what the contract covers? There is no doubt that the International Paper Co. has contracts to cover all their output. There is a shortage of paper, and this resolution asks the opinion of the Secretary of Commerce whether there is an undue preference given to newspapers. That will delay any action by the Government, and will do nothing else.

The SPEAKER pro tempore. Does the gentleman from Illinois make the point of order?

Mr. MADDEN. I would like to reserve the point of order long enough to make a short statement. I have a letter which came into my possession Saturday from a meeting of the newspaper publishers held in the city of Chicago last week, at which a large number of publishers were present. They had under consideration the question of print-paper shortage. They were trying to devise ways and means by which the newspapers of the country could get such newsprint paper as they required. They all recognize the shortage of paper and the difficulties that surround the situation. It was the consensus of opinion that where people were able to contract for paper within the limit, the manufacturers' supply of paper can be bought at a uniform price of 4 to 4½ cents per pound. But it was also the unanimous opinion, based on facts in the case, that the trouble with the small paper owner is that instead of being able to buy from the manufacturer he is compelled to buy from the broker, and the broker has been charging exorbitant, excessive, and unjust prices. There was a tendency, I may safely say, on the part of all the newspaper owners in question, for there were large and small papers, representing all of the elements of the newspaper business in the country there, to do everything within their power to help obtain for the small papers such paper as they might require at a reasonable price. However, how are you going to stop a commission man or a broker from acting as an intermediary through which the small paper, not having ability to take in a large supply, has to get its supply? There is no way in the world, unless you can organize some arrangement through the Government to buy the paper and make a distribution of it. I do not know whether it is wise to organize a Government agency to buy paper for distribution to newspaper owners in the United States, and I do not know whether the newspaper owners themselves would be willing that that should be done. Just as soon as you find people in any line of effort who are unable to go into the market and offer to contract and buy under the contract, who are compelled by circumstances in the case to buy through any agency they can, buying from hand to mouth, they

are going to have to pay more for their supplies than anybody else would.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BARKLEY. Do I understand the gentleman to say that he does or does not favor the organization of some agency in the Government to assist in the purchase of paper?

Mr. MADDEN. I do not know whether that is a wise thing to do. I am saying that it may be, although I am not sure about it.

Mr. BARKLEY. I was conferring last week with members of the Federal Trade Commission who have gone into this paper situation, and some of them expressed the opinion that that was the only practical solution of the matter for the small newspaper that was unable to buy in carload quantities.

Mr. MADDEN. Of course, a man must not expect to be able to go into the market through a broker and obtain paper at the same price as the man who buys by the hundreds of thousands of dollars' worth under contract.

Mr. BARKLEY. Some of these large paper dealers are selling to their contractors at 4½ cents a pound, while the small paper man has to pay 10 and 11 cents a pound for the same thing.

Mr. MADDEN. That is what I say; and that is because he has to buy through a broker.

Mr. BARKLEY. Yes.

Mr. MADDEN. And the only reason that he has to go to a broker is because he has not capital enough to make large contracts.

Mr. ANTHONY. Mr. Speaker, if the gentleman will yield, I think the gentleman is in error in that statement. I personally know of hundreds of newspapers that have ample capital with which to buy paper, but they can not buy it. The International Paper Co. will not sell to them, refusing to do so point-blank.

Mr. MADDEN. Of course, I do not know anything about that.

Mr. ANTHONY. They have the money to buy the paper the same as the big papers, but the big papers are favored by contracts which take practically all of the production.

Mr. MADDEN. I am not making the statement, but I am merely reporting what came to me from this meeting.

Mr. ANTHONY. The situation is this: Is it fair that the International Paper Co. shall sell to the New York Times and the Chicago Tribune all of their paper at 5 cents a pound, which is the price recently fixed in the last few days, and yet that a man in Judge HARRISON's district who wants to get 10 or 11 carloads must pay 10 cents a pound for it?

Mr. HARRISON. Twelve and thirteen cents a pound for it.

Mr. MADDEN. The International Paper Co. does not sell any paper to the Chicago Tribune. The Chicago Tribune owns its own paper factory.

Mr. BARKLEY. And the New York Times also has its own paper factory.

Mr. MADDEN. I do not believe the International Paper Co. has any dealings whatever with the Chicago Tribune. In fact, the Chicago Tribune is not only making its supply, but, I believe, it is selling paper to other people who want it.

Mr. ANTHONY. Of course, I mean papers of that class.

Mr. SEARS. Mr. Speaker, the gentleman from Illinois has referred repeatedly to small papers. I know of several large daily papers who can not get paper even at 9½ cents a pound, and they say that unless some relief is given they will have to shut down. In this connection, if the gentleman will permit, the present occupant of the chair, the gentleman from Massachusetts [Mr. WALSH], has repeatedly, as the gentleman knows, called attention of the House to the extravagant waste of paper in the Government service. I received the following letter a few days since, portions of which I desire to call to the attention of the House:

MARCH 10, 1920.

Congressman JOE SEARS,
Washington, D. C.

MY DEAR SIR: I am going to ask your assistance in remedying what seems to me a gross evil on the part of the United States Government. It may be out of your jurisdiction, but I would appreciate whatever you can do to assist us in the line that I am going to suggest.

I refer to the communications which are being sent out by the Government covering various matters, which find their way into the waste-basket. There are certainly thousands of dollars in clerk hire and thousands of dollars in bond and news print being wasted weekly.

I have before me Circular No. 668, Department of the Interior, General Land Office, Washington, "Regulations for the Sale of Abandoned Military Reservation at Batton Island."

Now, Mr. SEARS, there is a little note which accompanies this which reads as follows: "Please give this circular what publicity you can as a news item without expense to the United States."

Patriotism is beginning to cease as a virtue and become a burden. During the war the newspapers submitted to all manner of unreasonable requests in the name of patriotism, while other classes of industry became rich upon the cost-plus system. It is time that the Government realized the necessity of paying for the space they request of newspapers. To me it is an insult to ask us to sell their "war equipment" and their "legal subdivisions" through our advertising space as "news items."

Assuring you, my dear sir, that I will appreciate whatever action is taken in this, I am,

——— ———.

I will say frankly that I think the gentleman from Massachusetts [Mr. WALSH] was correct many times, and that bulletins are sent out not only in duplicate but in triplicate. I receive three or four bulletins sometimes from the same department.

Mr. MADDEN. We all do.

Mr. SEARS. Of course, that should be corrected; but leaving that aside, the newspapers of this country should have and must have relief.

Mr. MADDEN. I agree to that.

Mr. SEARS. Or they are going out of business.

Mr. MADDEN. But I do not think we are going to get very far with relief through any conversation we have on the floor of this House. I do not believe the resolution offered by the gentleman from Virginia [Mr. HARRISON] will reach the point at all, and I am not sure that anything we can do will reach it; but if there is anything to be done that will reach it, I am for that thing.

The SPEAKER pro tempore. Does the genfleman insist upon his point of order?

Mr. MADDEN. I withdraw the point of order.

The SPEAKER pro tempore. The question is on the passage of the resolution and to discharge the committee.

Mr. HARRISON. Mr. Speaker, I desire to be heard on the resolution for a few minutes.

The SPEAKER pro tempore. Does the gentleman move to discharge the committee and pass the resolution?

Mr. HARRISON. Yes.

The SPEAKER pro tempore. That motion is debatable, and the gentleman is recognized.

Mr. HARRISON. Mr. Speaker, I ask the Clerk to read this editorial from the Daily News-Record, a very enterprising paper published in the Shenandoah Valley of Virginia at Harrisonburg, Va.

The Clerk read as follows:

[From the Daily News-Record, Thursday, Mar. 4, 1920.]

THE NEWS-PRINT SITUATION.

No such condition has ever confronted the publishers of the country as confronts them now—a condition that should not be allowed to exist. They are being "held up" and robbed by the paper companies who control the news-print paper supply.

The fact that publishers have contracts for a supply of news print—at rates which are extortionate compared with prewar prices, but still less than half what is now demanded by these brigands for paper in the open market—does not protect them from the "hold up," except in a very limited degree. Many publishers have contracts for their supply at 4½ cents to 5 cents per pound; the open-market price is 10¾ cents. The paper companies ignore their contracts, saying they can not get cars in which to ship the contract paper, but in the same breath they offer to ship paper at the open-market price. We are in receipt of a letter from a prominent newspaper man who is in public life, from which we quote some extracts:

"The truth is that the American paper companies—at least many of them—are operated by a set of brigands, the last one of whom should be in the penitentiary. For example, notwithstanding my paper has a contract with ——— Paper Co. for a certain supply of news print, the company is failing to keep its contract, giving as an excuse inability to secure cars. In the same breath they offer to let me have a car of paper at the open-market price of 10¾ cents. What I want to know is, if they can get a car to send me open-market paper, why can't they get a car to send me contract paper? The simple answer is they want to steal the $2,000 excess from me—and are going to do it."

We concur most heartily with his conclusion that "the question will never be settled right until some of these fellows are put in the penitentiary."

The small dailies and weeklies that have to submit to being held up by these highwaymen can not understand why it is that the Congress can not, and does not take some action to protect them from such outrageous profiteering; at no time during the active prosecution of the war were prices of news print more than half as high as now.

The power of Congress to give relief from these unbearable conditions can not be questioned; it has exercised that power in such a number of instances that the apparent apathy now to correct a condition that all agree is a public scandal is unexplainable.

Mr. HARRISON. I now ask to be read the following letter I received from the Hon. George B. Keezell, a gentleman thoroughly posted on the newspaper situation, and whose ability is recognized throughout Virginia.

The Clerk read as follows:

THE DAILY NEWS-RECORD,
Harrisonburg, Va., February 27, 1920.

Hon. THOMAS W. HARRISON.

DEAR SIR: I am inclosing you a clipping from the Baltimore Sun of to-day.

The newsprint situation has gotten to the point when it is little if any short of a public scandal that publishers are held up and required to pay the outrageous prices they are charged for newsprint. Those who were not under contract with the manufacturers or their representatives are having to pay 10 cents for paper, which has been furnished at 4½ since January 1 and it is now proposed to charge 5 cents for, to those who had been contract purchasers.

In other words, if we had been been purchasing from the International or some other concern under a yearly contract at 3½ or 4

cents, and that contract expired on January 1, the manufacturers would renew it for the first three months of the new year at 4½ cents, and each three months after at some price. If we had been regular customers but not under contract they would charge us anywhere from 8¾ to 10 cents at the factory, if they would furnish it at all. The result of this is to practically confiscate the property of these publishers who have to pay such a price.

It does seem that there should be some legal remedy for such outrageous discriminations and some relief for these publishers who are charged such outrageous profits. If 5 cents per pound pays a reasonable profit—and if it did not, manufacturers would not furnish the paper—what justification can there be for charging another consumer double that price?

No reasonable publisher wants the products of the manufacturer at less than a reasonable profit. He is willing to pay cash for what he gets on delivery. His business is at least a quasi-public business, one that was used by the Government in its war propaganda to the very fullest extent, and without the aid of which the bond issues could never have been floated. It does seem that a condition has been reached when there should be some governmental action to protect against the conscienceless profiteer.

Very truly, GEO. B. KEEZELL.

Mr. HARRISON. It may be, as asserted, that big newspapers have obtained some precedence by reason of the fact that they give large contracts, but from these letters and from the facts shown here there has been a gross discrimination against the smaller newspapers of this country. They are virtually being driven out of business, and I do not know of any greater calamity that could befall this country than for the local newspapers in our country communities to be driven out of business. They serve a great purpose. I recall in Virginia history a boast by a Virginia governor in colonial times, Sir William Berkeley, who said he thanked God that there was not a free school and there was not a newspaper published in this land and he hoped there would not be one in a hundred years. It was such a condition as that which made such governors possible. To-day America leads the world in public-school facilities and in the number and character of her newspapers. America has more newspapers, many times told, than all the rest of the world together. The local country newspaper, daily or weekly, fills a more important place in the life of America than the great American dailies. The country paper was one of the great sufferers of war conditions. It contributed its columns to patriotic activities and kept the great heart of America aglow to the great purposes of the war. It is a shame if we allow a band of unpatriotic profiteers to drive the country paper to the wall.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. GREEN of Iowa. I agree with the gentleman as to the importance of this subject, but the gentleman is aware of the fact that the Federal Trade Commission has already been investigating this subject, and that we have had hearings before the Committee on Ways and Means?

Mr. HARRISON. All I am after here is to get some sort of action on the part of the House. These commissions are going to do nothing unless this House gets busy on this subject, and a large number of these newspapers are being put out of business.

Mr. GREEN of Iowa. If the gentleman will yield further, if this company is furnishing paper only where it has contracts, and that takes all of its supply, it can not be compelled to do anything else. If on the other hand it is arbitrarily refusing to sell to the country newspapers, it ought to be prosecuted by the Department of Justice.

Mr. HARRISON. I will read the gentleman a statement here from a newspaper publisher who is in public life and knows what he is talking about. He says:

The truth is that the American paper companies, or at least many of them, are operated by a set of brigands, the last one of whom should be in the penitentiary. For example, notwithstanding my paper has a contract with ——— Paper Co. for a certain supply of newsprint, the company is failing to keep its contract, giving as an excuse inability to secure cars. In the same breath they offered to let me have a car of paper at the open-market price of 10¾ cents. What I want to know is, if they can get a car to send me open-market paper why can not they get a car to send me contract paper?

Mr. GREEN of Iowa. That is a case for the Department of Justice.

Mr. HARRISON. He says:

The simple answer is, they want to steal the $2,000 excess from me and are going to do it.

I think there ought to be some power in this body that could put a stop to such a business as that. [Applause.]

Mr. MADDEN. This resolution will not do it.

Mr. HARRISON. Mr. Speaker, all I aim here to do is to call attention of this body to the situation in this country.

Mr. HULL of Tennessee. Will the gentleman yield?

Mr. HARRISON. I will.

Mr. HULL of Tennessee. In connection with the gentleman's proposal I wish to call attention to the fact that some weeks ago I introduced a bill and also have a motion entered before my committee to suspend the present tariff of 12 per cent on the importation of print paper, in view of the fact that on April 1 the Canadian price is going to 5 cents a pound. Under the present law print paper comes in free of this 12 per cent duty unless the price rises to as much as 5 cents. Now, the American Newspaper Publishers' Association, as I understand, takes the view that the spot market—and that is the market that many of our smaller newspapers buy on—the spot market is fixed more or less by the import price from Scandinavia, where during recent weeks a substantial amount of print paper is coming from, and the spot price they say is fixed more or less by this import price plus the 12 per cent tariff. Now, my proposal was simply to suspend it for a couple of years by raising the import price to 8 or 10 cents a pound.

Mr. HARRISON. The point I make is, why these various legislative propositions can not be gotten before this House in order to give the necessary relief. That is all I have in view in bringing this matter to the attention of the House.

Mr. BARKLEY. Will the gentleman yield for a question?

Mr. HARRISON. Yes.

Mr. BARKLEY. The gentleman's resolution asks the Secretary of Commerce for this information. I do not know what steps the Department of Commerce have taken to gather the information which he seeks, but I desire to call his attention to this fact. The Federal Trade Commission has all these facts before it, and they have had quite a lot to do with the matter of print paper during the last few years. I wonder if the gentleman will be as well satisfied if the resolution were amended so as to call on the Federal Trade Commission for this information other than the Secretary of Commerce?

Mr. MADDEN. You can not call on the Federal Trade Commission by resolution of the House. You have to do that through the President of the United States.

Mr. BARKLEY. I am fearful this resolution will not get the real information, because the Secretary of Commerce has not dealt with it.

Mr. HARRISON. I want action on the part of this House on the several legislative propositions pending in committee. I can not think we have to see a great bulwark of American liberties booted out of existence by a lot of profiteers and answer their appeals by acknowledging our helplessness.

Mr. MANN of Illinois. I would like to have the gentleman yield me some time.

Mr. HARRISON. How much time?

Mr. MANN of Illinois. Well, say, 10 minutes.

Mr. HARRISON. I do.

Mr. MANN of Illinois. Mr. Speaker, the situation concerning print paper in the United States to-day is very deplorable, to say the least. Whether it can be remedied by a more equitable distribution of paper I do not undertake to say. Newsprint paper is made out of what is known as ground pulp wood. Ground pulp wood is made out of spruce wood, in the main, with some balsam fir used with the mixture. Up until the time, or shortly before the time, the special committee made an investigation on this subject a few years ago there was plenty of print paper in the United States for all consumption and at a very low price.

But the spruce wood is very limited in area in the eastern portion of the United States. It does not do very much good to have large quantities of spruce wood on the Pacific coast or up in Alaska, because freight rates become almost prohibitive. The great supply of spruce wood on this continent is in Canada, just to the north of us. Immense forests of spruce wood are there, and the paper mills supplying the newsprint paper for the United States are located principally in Maine, New York, Wisconsin, and Canada. Up to a few years ago we had a tariff on print paper of $6 a ton. At the time the Payne tariff law was passed there was quite a controversy here as to what the tariff should be. A special committee was appointed by the House, which recommended a tariff of $2 a ton. That recommendation was not followed in the Payne tariff law. When the Underwood tariff law was passed, it took off the duty entirely on print paper of a value of less than $2.50 a hundred. The result of all this has been that the paper manufacturers, on the one hand, have been afraid to establish new manufacturing plants in the United States, because their supply of pulp wood would have to come from Canada, and they were afraid they could not compete on even terms in the manufacture of newsprint paper in the United States without any tariff at all. For a time after the passage and before the passage of the Underwood tariff law large companies acquired great areas of pulp wood alone in Canada, partly with the view of supplying their mills in the United States and partly with the view of establishing newsprint paper manufacturing establishments. But no one knew what the Canadian Government might do. It might at any time, if it chose, either put an export duty on

pulp wood or an export duty on print paper, or an embargo on either one.

And the great companies—and there are a number of very large companies, of which the International Paper Co. is the largest—engaged in the manufacture of print paper. Because of these uncertainties, and because up until a recent period the manufacture of print paper was not especially profitable, there had been practically no new plants erected. The increase in print paper has been negligible, even since the time the special committee made its report, with the exception that at the large plant at International Falls in Minnesota there has been but little increase in the productive capacity in the manufacture of print paper, but the consumption in the last few years, and especially in the last year, has increased enormously. No one can look at any newspaper, metropolitan or rural, without seeing the increase in the quantity of advertising matter. That has increased the demand for print paper, and with the increase in the demand for print paper and lack of increase in the supply of print paper it has been inevitable, first, that the price should rise, and, second, that those who did not have annual contracts would apparently at first get the worst of it. I do not know whether there is any way of so permanently settling our relations with Canada with reference to pulp wood and newsprint paper that we shall either give to the paper manufacturers a certainty under which they can establish new plants in the United States or else new plants in Canada. It does not make so much difference to us whether print paper is manufactured in Canada or here, but there is a necessity of these men being given an idea that if they establish these plants either in Canada or the United States they will not be interfered with adversely by subsequent legislation or orders in council.

Mr. BARKLEY. Will the gentleman yield?

Mr. MANN of Illinois. I will.

Mr. BARKLEY. I was informed last Saturday by the chairman of the Federal Trade Commission that the print-paper production in February was 5 per cent larger than in January; in January it was 5 per cent larger than in December; and in December 5 per cent larger than in November. Is the gentleman advised as to whether that is a normal increase in the production or whether it is larger than the average?

Mr. MANN of Illinois. I do not know. That is simply the plants running full time, or something of that sort. These plants usually run 24 hours in a day.

Mr. BARKLEY. That would figure in a year about 400 per cent.

Mr. MANN of Illinois. But the capacity of the plants has been materially increased.

Mr. SNELL. If the gentleman will permit, I think I can answer the question in regard to the increase of the newsprint paper. A large number of manila-paper mills, which have never manufactured newsprint paper to any great extent before, have gone into the manufacture of newsprint paper on account of the excessive cost.

Mr. MANN of Illinois. And the same plants that can manufacture newsprint paper can manufacture wall paper, and frequently they change from one to the other. They can manufacture print paper or wall paper. It may be that wall paper will be manufactured next summer when it is being largely consumed.

Mr. BARKLEY. And is it not true that a large number of the board plants have been turned over to the manufacture of paper?

Mr. ROMJUE. I understand from the discussion that the supply of spruce wood now is limited.

Mr. MANN of Illinois. There is a large quantity of it, but still it is limited.

Mr. ROMJUE. Do you not think, with the shortage of spruce wood in the East, that that on the western coast could be utilized? Is not the failure due to that as much as to the Underwood tariff?

Mr. MANN of Illinois. There is a large quantity of spruce wood grown in the East. I am not charging the Underwood tariff law with the responsibility. But the uncertainty in these different laws have kept these people from putting up new plants.

The SPEAKER pro tempore. The time of the gentleman has expired. The question is on the resolution of the gentleman from Virginia [Mr. HARRISON].

The gentleman from Texas [Mr. BLANTON] is recognized for two minutes.

Mr. CLARK of Missouri. Mr. Speaker, before the gentleman from Texas begins I ask that the gentleman from Virginia [Mr. HARRISON] yield two minutes more to the gentleman from Illinois [Mr. MANN], because I want to ask him a question.

The SPEAKER pro tempore. Does the gentleman from Virginia yield to the gentleman from Illinois two minutes more?

Mr. HARRISON. Yes.

Mr. CLARK of Missouri. I take it for granted that the gentleman from Illinois knows more about this print-paper business than any other living man.

Mr. MANN of Illinois. I do not admit that.

Mr. CLARK of Missouri. It is well enough not to be too bashful. The gentleman made a thorough investigation of it once. Now, I want to ask if the gentleman has any idea in his head as to how to relieve the bad situation in which these papers are now placed?

Mr. MANN of Illinois. I doubt if there is any method of relieving it temporarily or immediately, but I think if we could, through international relations with Canada, satisfy the men who are in a position to go into the business and who have the money to put into the business that they could have suitable relations between this country and Canada with reference to the manufacture and bringing in of print paper, so that they would put up new mills in Canada, where the print paper can be most cheaply manufactured by the side of the pulp wood, which they now have under lease or ownership, there would be a plentiful increase of print paper. But whether they will do it anyhow by reason of the high price of print paper I do not know. Of course, if the International Paper Co., or the Berlin Mills, or any other concern, believed that the present price of print paper would stay where it is now, they would all start to build mills.

Mr. MADDEN. And then, of course, the price would go down.

Mr. CONNALLY. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. CONNALLY. Why is it that they have not erected mills out on the Pacific coast, where the gentleman says the spruce wood is so plentiful?

Mr. MANN of Illinois. Because the freight charges between the Atlantic coast and the Pacific coast and midway between would amount to a great deal more than the cost of the pulp wood, to begin with.

Mr. CONNALLY. I do not mean the pulp wood. I mean the paper.

Mr. MANN of Illinois. Well, the freight charges on the paper are very high.

Mr. JUUL. Mr. Speaker, will the gentleman yield there?

Mr. MANN of Illinois. Yes.

Mr. JUUL. I would like to ask the gentleman from Illinois if it is not possible, by resolution of this House, that the Governments of the United States and Great Britain or Canada could establish treaty relations that would assure for a period of 15 years at least that the conditions should remain stable?

Mr. MANN of Illinois. I should think that that might be possible in some way.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. GREEN of Iowa. I will say to the gentleman that there is a large plant now being erected on the Pacific coast. Of course, it takes a long time to erect these paper plants. Some time ago—I can not say just when it was—negotiations were commenced with our Forestry Department to establish a large paper plant on the shores of Alaska, the southern part of it, where spruce wood is plentiful, and where deep-water vessels can come in, and where also they can get the fresh water that is necessary for the manufacture of pulp and paper; but the stumpage charge was thought to be prohibitive by the company that desired to establish the plant.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. MANN of Illinois. The freight charge would be prohibitive. Mr. Speaker, I ask for another minute.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. GREEN of Iowa. I do not see how the freight charge would be high, because it would all come around by water.

Mr. MANN of Illinois. The freight charge would be excessively high. The cargoes would have to be exclusively composed of that product.

Mr. REAVIS. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. REAVIS. I wanted to make a statement in response to the suggestion of the gentleman from Kentucky [Mr. BARKLEY] and say that I interested myself in the matter of pulp-wood paper recently, and took it up with the Federal Trade Commission, and they advised me that last year the production of print paper increased 6 per cent and the consumption of it increased 38 per cent.

Mr. BARKLEY. I had reference to the monthly increase.

Mr. HULL of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. HARRISON. I yield to the gentleman another minute.

Mr. HULL of Tennessee. The gentleman left the impression, on my mind at least, that the failure of the American mills to develop the industry in this country was due to the lack of adequate tariff protection. I wanted to inquire of the gentleman if another contributing factor was not the fact that the American mills could not know in advance whether they would be allowed to bring over the pulp?

Mr. MANN of Illinois. I precisely stated that. The gentleman listened to only a portion of my remarks. I did not lay it on the tariff. That was one of the uncertainties, that they did not know, and do not know now, whether Canada at any time will lay an export duty on pulp and print paper or put an embargo on print paper and pulp wood, or either one.

Mr. HULL of Tennessee. The American Newspaper Publishers' Association, through some of their officials, represent that since the import prices had gone to 5 cents a pound, in view of all the circumstances, it would reduce the import value $24 a ton by suspending the 12 per cent tariff rate, which operates when the import price reaches 5 cents a pound, by extending it for a year or two. What is the gentleman's judgment in that respect?

Mr. MANN of Illinois. My recollection is—and the gentleman can tell me whether it is correct or not—that the present tariff is nothing when paper is less than $2.50 a hundred.

Mr. HULL of Tennessee. Less than 5 cents a pound. It has been raised.

Mr. MANN of Illinois. That is another contributing cause to the fact that they will not build paper plants. If they had kept it at 2½ cents a pound probably the paper in Canada would not have gone much above that. That is why we put the provision in. What the temporary effect is I do not know, but every temporary expedient that is used will only add to the uncertainties in the minds of the manufacturers.

Mr. HULL of Tennessee. I think the gentleman will recall that when it was raised to 5 cents the import price had either gone up or was about to go up.

Mr. MANN of Illinois. It was raised in my absence. I will say to the gentleman that I drew that provision in the Underwood tariff law myself.

Mr. CONNALLY. Mr. Speaker, will the gentleman yield again?

Mr. MANN of Illinois. I will if I have the time.

Mr. CONNALLY. The gentleman from Illinois says that the only remedy——

Mr. MANN of Illinois. I did not say "remedy." I do not know that there is any——

Mr. CONNALLY. Would be the hope of taking it up with Canada and entering into some arrangement. I will say that there is now pending before the House Committee on Foreign Affairs a resolution that has also passed the Senate.

Mr. MANN of Illinois. That is the Underwood resolution touching that very matter, and if that could be gotten before the House it might solve the problem.

Mr. CONNALLY. I have not read the Underwood resolution. I only noticed it in the newspapers. I hoped some committee would take action on it.

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

Mr. HARRISON. Mr. Speaker, I yield to the gentleman from Illinois [Mr. CANNON] two minutes.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for two minutes.

Mr. CANNON. Mr. Speaker, I do not know much about the technical features of this print-paper proposition. I had the misfortune to be Speaker of this House in 1908 when there came a demand from the publishers, which demand was organized and pushed. Such a demand is very formidable when the metropolitan papers are organized. That demand was that I should recognize somebody to move to suspend the rules on a Monday to put print paper on the free list. It being on the eve of a presidential election the Ways and Means Committee had postponed the consideration of that bill until the next session, when the election would be over, and there was no way to get at it except to bulldoze me, and I refused to be bulldozed. Then a resolution was introduced to create a committee to investigate. I appointed that committee, and my colleague [Mr. MANN] was chairman of it. It made a very thorough investigation covering the whole ground. Now, under the present conditions, with the great increase in the use of print paper, hell is to pay and there is no pitch hot. I do not know what the remedy is to be. If there comes a matter of legislation I am going to follow my colleague from Illinois [Mr. MANN], because I agree with the gentleman from Missouri [Mr. CLARK], the former Speaker of this House, who has paid Mr. MANN the tribute of saying that he knows more about this matter than all of us. [Applause.]

Mr. HARRISON. I yield to the gentleman from Texas [Mr. BLANTON] two minutes.

Mr. BLANTON. Mr. Speaker, I think the gentleman from Illinois [Mr. MANN] was mistaken when he said a few moments ago that wall paper had not yet become hard to get and had not gotten out of reach. The wall-paper dealers of my district report that it is absolutely impossible to get wall paper at this time; that when they do get it it comes in from five to six months late.

I have last Friday's Fort Worth Star-Telegram, on the front page of which it says that the spot price now for print paper is 11 cents, and that the next order will probably cost 12 cents a pound; that it is absolutely impossible for a small weekly paper to pay 12 cents a pound and publish a newspaper at any profit whatever; and that unless something is done soon to relieve the situation it is going to put every single small newspaper in the country out of business. There are over 50 weekly papers published in my district.

Mr. REAVIS. Will the gentleman yield?

Mr. BLANTON. I have not much time, but I yield to the gentleman from Nebraska.

Mr. REAVIS. The Post Office Department notified me that 1,300 newspapers have suspended in five months because they could not afford to continue.

Mr. BLANTON. Yes; and they are suspending every week. These papers mean everything to their home communities. I take all of these papers from my district. I get better acquainted with all my people through these local weekly newspapers which I get each week than in any other way. I find out what my people are doing, what they are thinking about, what they feel, and what they want. I say these papers are a great benefit to their communities. Some of them haul me over the coals once in a while, and are going to continue to do it. Gentlemen need not think I am trying to curry favor with them by asking for their prompt relief, because I am not, but I want to see even the ones that are against me continue to exist. I want to see them continue to thrive and live. They have a right to do so, but they are going to be put out of business unless the price of print paper is reduced. Why this inaction? Why does it take an hour to pass this resolution?

Why has not the Underwood resolution been passed by this House? It is not going to solve the whole problem, but it will be productive of some good, as far as it goes. It is calculated to be of some benefit. And we should leave no stone unturned in our effort to force some relief, and do it quickly. The steering committee should take hold of the matter and have this Underwood resolution brought before the House speedily and passed.

On February 18, 1920, I introduced H. R. 12611 to limit the number of pages in newspapers entitled to transmission through the mails, and the passage of such a resolution would grant some relief immediately. I hope that the Committee on the Post Office and Post Roads, to which this bill was referred, will promptly report the same favorably. It does not need a hearing, as its merit and necessity are patent on its face. We must take some steps at once to save our rural newspapers.

Mr. DOWELL. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I yield to the gentleman, though I have very little time.

Mr. DOWELL. Under the statements that have been made, does not the gentleman think the Department of Justice should take a hand?

Mr. BLANTON. The Department of Justice is getting busy, but we ought to get busy, too. The Fort Worth Star-Telegram, to which I referred, says that it has suspended three editions in an effort to try to relieve the situation.

Mr. DOWELL. Has the gentleman any evidence that the Department of Justice is getting busy in this matter?

Mr. BLANTON. Well, some evidence. If the gentleman will ask the gentleman from Kansas [Mr. ANTHONY], he can tell of some effort on the part of the Department of Justice. But it ought to do more and force some relief.

Mr. DOWELL. It certainly has been very quiet about it, if it has taken any hand whatever.

Mr. BLANTON. But we can not relieve ourselves of responsibility by stating that the Department of Justice is not doing its full duty. We have a duty to perform ourselves. If we can remedy this situation, let us act and not put off the matter until all the country newspapers are out of existence. [Applause.]

Mr. HARRISON. I yield five minutes to the gentleman from Ohio [Mr. DAVEY].

Mr. DAVEY. Mr. Speaker and gentlemen of the House, it seems to me that in this matter we face a condition and not a theory. There are certain outstanding facts in this newspaper situation. One is that the price of print paper varies greatly. There are some newspapers that can buy their print paper for 4½ cents a pound, others for 5 cents, others for 5½ cents, and the price ranges up.

Here are two or three other facts: A publisher is told that he can not have his full needs on a contract basis. His contract desires are cut down, but he is informed very politely that perhaps by going to a certain broker he can get the paper he wants. Going to this broker, he is advised that he can have a certain amount of paper at a greatly increased price—9, 10, or 11 cents.

The fact stares us in the face that there is injustice in the situation. I do not know whether this resolution will get the results we want, but it seems to me that something ought to be done by this House to arrive at the facts and equip us with the information on which to act.

Very evidently the screws are put on certain publishers. For instance, if a newspaper complains about the treatment it receives and attacks the so-called news-print trust, then that newspaper finds it almost impossible to buy its supplies. As an evidence of that, I will merely refer to the situation of the president of the Newspaper Publishers' Association, who does business in Birmingham, Ala. I do not know the gentleman. I simply have heard the facts in the case in a general way. I have understood that that man has been penalized and punished as far as possible because he attacked the so-called news-print trust. The facts in the case are clear that the prices vary.

Papers of the same size pay different prices. Very evidently there has been a great increase in the demand, and we have nothing to blame for that except our enormous prosperity. It appears on the surface that the news-print manufacturers have taken unjust advantage of the situation. I understand there is a shortage of about 10 per cent perhaps, and prices have been boosted way beyond reason, way beyond the normal increase in the cost of the production. It seems to me that the times now demand that something be done by this House. We can not gain a thing; we can not justify ourselves for our failure by simply saying that some one else ought to get busy.

Mr. MADDEN. Will the gentleman yield?

Mr. DAVEY. I will.

Mr. MADDEN. Does the gentleman contend that this resolution will do any good?

Mr. DAVEY. I have just said that I am not sure whether this is the method or not. If this does not amount to anything, may I suggest to the gentleman from Illinois that he propose a suitable substitute?

Mr. DOWELL. Will the gentleman yield?

Mr. DAVEY. I will.

Mr. DOWELL. In addition to the passage of this resolution, does not the gentleman believe that the passage of a resolution directing the Department of Justice to proceed against the Newspaper Trust that he has referred to controlling the print-paper output, would be a proper thing?

Mr. DAVEY. I understand the Department of Justice is moving.

Mr. DOWELL. Would not a resolution of that character stimulate the movement of the Department of Justice?

Mr. DAVEY. I doubt it. May I suggest to the gentleman that here in this city of Washington the best little game that I know of is "buck passing," seeking to place the responsibility on some one else?

Mr. HARRISON. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, I think I know a little something about the paper business, having been in it all my life up to four or five years ago, and I feel this way: This resolution will not get us anywhere and is a waste of time considering it. In the first place, the reason for this great shortage of paper at this time is that for the last five or six years there has been practically no new production of paper in this country. The reason for that is that up to the time of the war there was no money in the paper business under existing conditions, and the manufacturers would not increase production as they had done in former years, and therefore were not ready for this increased demand.

Mr. DAVEY. Will the gentleman yield?

Mr. SNELL. I will yield to the gentleman.

Mr. DAVEY. Will the gentleman explain the reason for the wide variation in price to the various publishers?

Mr. SNELL. That is easy to explain for the reason that there is such a shortage there is no spot print paper at the present time. What little there is comes from the paper mills that do not manufacture newsprint as a regular product, and what little they have they can get most any price they ask at the time. Most of the manufacturers of newsprint paper are under long-time contracts to the big papers, and the price they are paying depends upon the time the contract was made. If it was made some time ago, it is cheaper; if made lately, much higher. Many large papers made contracts two or four years ago, but as soon as those contracts expire they will have to pay more. If conditions had not been so bad and so uncertain for newsprint manufacturers prior to the war, they would have gone on and expanded business and been ready to take care of these extra demands. But from the fact that they were not making money they did not expand, and then when this increased consumption came on they were not in a condition to take care of it, and they will not be, for it takes two or three years to build a paper mill. You can not start one overnight. When they build a new mill by that time perhaps the shortage of newsprint paper will have passed away. On account of the uncertain conditions of raw material and our trade relations with Canada they do not dare to put millions of dollars of money into new paper mills at this time. That is one reason for the shortage. You give them some stable legislation along this line and they will manufacture your paper all right.

Mr. DAVEY. Does the gentleman realize that the newsprint manufacturers of the country have the publishers by the throat?

Mr. SNELL. I think perhaps they have at the present time. But does the gentleman realize that the publishers had the manufacturers by the throat for years before this happened? Mills did not make a single dollar up to the time the war broke out, and now they are getting their innings. But you can not legislate more newsprint mills into the country. I do not know what the Underwood resolution provides, but you have got to have some stable relations between this country and Canada, because the raw material is over there. Until we get some stable relations and the people in the business know what they can figure on, they will not build any more paper mills.

Mr. LAZARO. Will the gentleman yield?

Mr. SNELL. I will.

Mr. LAZARO. Does not Canada prohibit the exportation of newsprint paper?

Mr. SNELL. No; but they have certain restrictions on the exportation of pulp wood. These conditions must be stabilized before people can afford to build mills.

Mr. LAZARO. Does not the Underwood resolution provide for a commission for that purpose?

Mr. SNELL. I do not know what the Underwood resolution provides.

Mr. LAZARO. From what I see in the press it is a very meritorious resolution.

Mr. SNELL. If it seeks to establish definite relations with Canada, I should think it would be.

Mr. GARD. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. GARD. The gentleman said that they had not built any paper mills and were not building any.

Mr. SNELL. Not now and none for the last five years.

Mr. GARD. There is a newsprint plant being built at Chillicothe, Ohio, costing a million dollars.

Mr. SNELL. Any newsprint plant at Chillicothe will never be a very important factor in the news world on account of the natural conditions that exist in that part of the country. Furthermore, a million dollars will not build a very large paper mill under present conditions. Certainly not enough to affect the market.

Mr. DAVEY. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. DAVEY. Does the gentleman realize that perhaps if the supply were greatly increased it may be, and probably is, in the power of a newsprint manufacturer to curtail the product?

Mr. SNELL. That might be so, but how are you going to increase it unless you build paper mills, and it takes a year to build a paper machine of the kind you have nowadays, and would take two or three years to materially increase the paper supply of the country? I think something should be done to increase the supply, but this resolution does not even start in that direction, and it is mere folly to spend time discussing it.

Mr. FAIRFIELD. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. FAIRFIELD. I have received a great deal of correspondence from the various papers in my district, and some of them are urging that Congress pass a law restricting the size of metro-

politan papers or limiting the amount of print paper that they use. I am not urging that.

Mr. SNELL. You might get something in that way, but the great trouble is that the consumption is more than the production, and you can not legislate new production overnight. This resolution does not get you anywhere.

Mr. FAIRFIELD. Of course, that would reduce the consumption.

Mr. HARRISON. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. CLEARY].

Mr. CLEARY. Mr. Speaker, I can not say very much in two minutes or five minutes. The secretary of the New York Board of Trade and Transportation wrote me a letter some time ago asking me to see what could be done to have a commission appointed to work with the Canadian authorities to increase the depth of water between Lake Champlain and the St. Lawrence River. I think the gentleman who just took his seat [Mr. SNELL] is familiar with that, and I am very familiar with it, because for more than 25 years I was vice president of the Lake Champlain Transportation Co. and we carried nearly all of that pulp wood from the St. Lawrence down to Fort Edward and on to where it was shipped to the gentleman's district. The State of New York has made a barge canal which goes from Fort Edward, where is situated the great mill of the International Paper Co.; but from Lake Champlain beyond there is a little 12-mile canal called the Chambly Canal, which runs parallel with the rapids of the Richelieu River, and then from there to the junction of the St. Lawrence are about 45 miles of rather shallow water, comparatively, about 7 feet. If the State of New York—and Vermont would be interested also—and Canada would get together and increase that waterway from Rouse Point, or from St. Johns, at least, in Canada, down through the Chambly Canal and then into the St. Lawrence they would carry this pulp stuff up for about half what it costs now. We used to get $2 a cord for it from away down near Quebec up into Fort Edward, and it seems to me that it is proper to call attention to this at this time.

Mr. JUUL. Mr. Speaker, will the gentleman yield?

Mr. CLEARY. Yes.

Mr. JUUL. The small freight rate of $2 a cord does not account for some publishers paying 4½ cents and others 10 and 11 cents a pound.

Mr. CLEARY. I am not going into that phase of the question. I am simply telling you that anything that goes into the matter of reducing the cost of transportation goes into the matter of reducing the cost of the stuff itself, because that is one of the main charges. I think it would be well for everyone to understand that it would be a mighty good thing for Canada and this country to increase the depth of water between Lake Champlain and the St. Lawrence River, for by doing so you could get very much cheaper rates on paper, lumber, and other materials between the United States and Canada.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. HARRISON. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. Mr. Speaker, I do not want to bore the House. One of the difficulties which, I think, I did not really bring out is this: A very large proportion—probably most—of the pulp wood that has been brought into the United States has come from privately owned land. People who own the land cut the wood in the wintertime, and it is then gathered up by the manufacturers and sent into the United States. The great bulk of the spruce land in Canada, however, is what is known as Crown land—owned by the Provinces. The Provinces lease this Crown land, and a very large proportion, if not the larger proportion, of the Crown spruce lands in Canada have been leased. Much of that land has been leased by American paper manufacturers, and at the time much of it was leased free export was allowed from Canada to the United States. However, it is leased with the right of the government of the Provinces to make what are known as orders in council regulating the control of the land; and, as I understand it, in recent years they have forbidden the export of this pulp wood from these leased lands to the United States. In other words, they have put into effect an order in council requiring the pulp wood to be manufactured in the Province.

Mr. LAZARO. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. LAZARO. If that is the case, why not pass the Underwood resolution? Would not that bring about a permanent situation?

Mr. MANN of Illinois. I discussed that resolution before.

Mr. HARRISON. Mr. Speaker, I yield three minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker, some time back—I think it was a couple of years ago, in 1917 or 1918—the Government instituted proceedings against seven or eight of the large paper manufacturers of the United States. These paper manufacturers finally agreed in some way that they would commit the matter to the Federal Trade Commission for the purpose of arbitration and determining a fair price for paper. That matter was submitted to the commission. They went into the question of pulp manufacture and paper manufacture down to the finest detail, and finally fixed a price at $3.10 a hundred on white print paper; but in that agreement to submit the question there was a provision that they might have the right of appeal from the decision of the trade commission to the United States Circuit Court of Appeals in the State of New York. When the commission fixed the price at $3.10 a hundred the paper manufacturers interested immediately appealed to the circuit court of appeals in New York, and, after reviewing the decision of the commission, the court raised the price of $3.10 to $3.90 per hundred.

At the rate of $3.10 per hundred the paper manufacturers were allowed a profit of $10 a ton, which is sufficient profit for the manufacturer of white print paper, but in the contract that they entered into as an adjustment of this arbitration they provided that the vendee might waive his rights under the arbitration contract and agree to an increase if he should see fit to do so, and as a result of that provision in the contract at the end of every six-month and every three-month period these paper mills who were parties to it have increased the price from $3.90 to $4.50, and now have made another increase of $4.50 to $5 to their regular contractors.

Now, the difficulty with the small paper weekly or small daily is that they can not get contracts with these large paper mills at $4.50 or $5. They are compelled to buy paper from the jobber or the commissioner or the broker who gets it in the market wherever he can get paper, and he buys it up and sells it to the small dealer, the small newspaper, daily or weekly, at whatever price he may ask for it, and by reason of their inability to make contracts with the large paper mills they are compelled to buy from these brokers and jobbers at whatever price they can get.

Mr. DAVEY. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. DAVEY. Does the gentleman realize that if the newspaper should happen to offend a particular manufacturer from which he happens to buy this source of supply is entirely cut off?

Mr. BARKLEY. I understand that is true.

Mr. SNELL. Will the gentleman yield in reference to the contract question? In normal times when the small paper could buy all the paper it needed they would not make any contracts at the paper mills, would they? Answer that question.

Mr. BARKLEY. I am not in the paper business, but I presume——

Mr. SNELL. That makes a difference.

Mr. BARKLEY. But that does not justify us in refusing to bring a remedy to relieve them from a temporary situation now so that they can continue publication.

Mr. SNELL. I am willing to do that, but I want to be fair with the mills.

Mr. BARKLEY. The whole trouble may not be with the mills. As I indicated, perhaps the mills are not able to supply everybody by reason of the fact they have contracted for nearly all they can make; but it is a striking thing to me that the jobbers and commission merchants can get an extra supply and then charge what they please to these papers. They must get it from the manufacturers. I hope the Committee on Foreign Affairs will report out the resolution and let us take some action on it. It may not bring the necessary relief, but it will at least enable our Government to open negotiations with Canada to relieve this distressing situation. It is undoubtedly necessary for the Government to take some effective steps to supply print paper to those who are being ground between the manufacturer and the speculator. If it is necessary, to establish some Government agency to distribute this paper to small papers, or, if necessary, to empower such agency to fix a reasonable price.

Mr. HARRISON. I yield three minutes to the gentleman from Kansas [Mr. ANTHONY].

Mr. ANTHONY. Mr. Speaker, this emergency in the newsprint situation has been brought about primarily by the hoggishness of the big publishers of the country. It is true, as the gentleman from Illinois stated, that they have contracts for reasonable prices with the big paper mills. It has now been fixed at 5 cents a pound for the next year, but with this inordinate demand for advertising space big newspapers like the Chicago Tribune and New York Times have gone out in the market and have bulled the price up until it is 9, 10, and 12 cents, away

beyond the reach of the small consumer, even if he had the money to pay for it. Now, this House should take action along two lines. First, the Committee on Foreign Affairs should report out the Underwood resolution and the House should pass it. Then we should open up the gate from Canada for a further supply of pulp and paper and tell Canada if she does not remove her unfair restrictions on pulp and paper coming into the United States that we will shut the door on our coal and other necessaries that Canada now receives from us in unrestricted supply.

Mr. O'CONNOR. And Canada needs our coal.

Mr. ANTHONY. And many other things which they need and buy from us. [Applause.] Next, we should empower the Federal Trade Commission to allocate the print paper now being produced in this country to the newspapers and magazines, both large and small, on an impartial basis, say that which was officially fixed during the war. [Applause.] Next, we should also, if they do not themselves take action, rigidly limit the size of these enormous Sunday newspapers and these great weekly advertising publications to a reasonable size as a requisite to their admission to second-class mail privileges. If this Congress will take action now on these lines, it will bring relief to the small publishers of the country. [Applause.]

Mr. SNELL. Will the gentleman yield at that point?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HARRISON. Mr. Speaker, I yield two minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY. Mr. Speaker and gentlemen of the House, as a member of the Committee on Foreign Affairs, before which the Underwood resolution is pending, I have been taking considerable interest in the print-paper situation for some time. Recently the Dominion of Canada, or some of the Provinces of Canada, placed an embargo on the shipment of newsprint paper from certain mills in Canada to the United States. The cause of the placing of the embargo by the Dominion of Canada, or by some of the provincial governments, was that the Dominion Government had undertaken to ration print paper in the Dominion. Some of the Canadian mills had already sold their paper to consumers in the United States and therefore refused to sell some of the little western papers of Canada a part of their products, and the Dominion put an embargo on the shipment from those mills to the United States; but the State Department, through the consul general at Ottawa, was able to secure a cancellation of the embargo. The chief trouble about the matter is not the temporary embargo on print paper, as suggested by the gentleman from Illinois, but lies in the fact that the Dominion Government and provincial governments had placed embargoes on the shipment of pulp wood, not print paper, but pulp wood from Canada to the United States to be here manufactured into print paper. That embargo was placed on what is known as pulp wood off Crown lands. The object of the Underwood resolution is to appoint a commission to take up with the Dominion Government and the provincial governments a plan of removing those restrictions and providing for a more comprehensive method of handling the matter in the future. As suggested by the gentleman from New York [Mr. SNELL] we can not legislate any more print paper into existence now. There is an actual shortage at the present time and a resolution will not increase the present supply, but what Congress ought to do is to look beyond the present time and to the future and adopt the Underwood resolution, which is now before the Committee on Foreign Affairs, so that in the future we may have some practical source of print paper through the years to come. We have got to take Canada into consideration in dealing with the trouble. I am very anxious that Congress shall do everything possible to relieve the situation.

The small newspapers throughout the country have suffered acutely through the shortage and high price of print paper. Many of the large papers either own their own mills or are able to buy in such quantities as to almost monopolize the market.

The SPEAKER pro tempore. The time of the gentleman has expired. The question is upon the motion to discharge the committee——

Mr. HARRISON. I yield one minute to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, I had the honor of serving with the distinguished gentleman from Illinois [Mr. MANN] on the committee that investigated this whole situation in reference to pulp wood and print paper.

The investigation was most thorough. It occupied about two years of our time. We started in as partisans and wound up by making a unanimous report and recommendation. The gentleman from Illinois [Mr. MANN] gave it as much disinterested, sincere, patriotic consideration as anybody could give, whatever party he might belong to. [Applause.] But you must remember that newsprint paper is made out of ground wood pulp, and that is produced cheaply by water power, and can not be produced cheaply in any other way. Canada has the water power and has the pulp wood, and so far as the Province of Ontario is concerned the Hydro Electric Commission produces water power and sells it at cost, at about $9 or $10 per horsepower per annum. Norway makes its wood pulp cheaper than any country on earth, because it has the cheapest water power on earth and has also great supplies of spruce timber. We are never going to have newsprint paper in this country as cheap as it can be produced in Canada and Norway, as we do not have either the abundant supply of spruce timber or the abundant supply of water power that is or can be sold as cheaply as it is now supplied in those countries. What we ought to do is to immediately suspend or repeal all tariff duties on newsprint paper, so that it may be shipped here and sold in competition with the Paper Trust from any and all foreign countries.

Mr. HARRISON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to discharge the Committee on Interstate and Foreign Commerce and pass the resolution.

The resolution was agreed to.

UNANIMOUS-CONSENT CALENDAR—REFERENCE OF CERTAIN INDIAN CLAIMS TO COURT OF CLAIMS.

The next business on the Calendar for Unanimous Consent was the bill (S. 157) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains, to submit to the Court of Claims certain claims growing out of treaties and otherwise.

The SPEAKER pro tempore. Is there objection to the consideration of this bill at the present time?

Mr. MONDELL. Reserving the right to object, it strikes me that this bill is far-reaching in its provisions. It not only authorizes the filing of claims and bringing of suits before the Court of Clams, based on certain treaties, some 75 years old, made some 75 years ago, but, in addition to that, it authorizes the bringing of suit and the filing of claims against the United States by Indians with whom the United States has never had any treaty and never sustained treaty relation with. It strikes me this is going pretty far afield. We all realize that the Government is pretty nearly helpless before the Court of Claims in attempting to defend against claims 75 years old, relative to which the Government is not likely to have any very definite information and in connection with the trial of which the evidence will be very largely ex parte. The Government has some little protection if the claim is based on some alleged treaty right. But if, on the other hand, any Indian can wander into the Court of Claims, an Indian who never has had a treaty relation with the United States, and file a suit the Court of Claims is likely to have an innumerable number of suits before it based on claims of any sort or kind, and it occurs to me the Government would be pretty nearly defenseless in cases of that kind. I do not recall any case in which in authorizing the bringing of suits before the Court of Claims by Indians we have gone quite as far as this bill does.

Mr. SNYDER. Mr. Speaker, I beg to say that this is only one of hundreds of claims of this character which are being pressed before the Committee on Indian Affairs. It has been many times before the committee, and recently a very careful investigation was made and hearings held on this particular matter, and the committee feels that these Indians are justly entitled to their day in court, in view of the fact that years ago arrangements and agreements were made whereby they turned over to the Government certain large tracts of land, with an agreement that certain amounts of money should be paid for the same and portions of it allotted to them, which has not been carried out. And, while the chairman of the committee is loath to let any of these matters get to the Court of Claims, in view of the possibility of adjustments which will call for a large amount of money to be paid out of the Treasury of the United States, he feels in this case that it is justifiable and hopes that there will be no objection to the bill. And he wants to assure the House that no claim of this character will come in until it has had the careful consideration and the approval of the committee. And I wish to say further that the gentleman from Pennsylvania [Mr. KELLY], my colleague, has made a careful study of this case and is better qualified than am I to present it, in view of the fact that I have been extremely busy on other matters pertaining to Indian Affairs; and I will ask him to take up the discussion of the matter.

Mr. MONDELL. Mr. Speaker, the gentleman refers to the alleged fact that some of these Indians surrendered some land

to the Government or some particular citizens with a certain understanding and a certain agreement which was never carried out. If that is true, it must have been done under a treaty, under a binding agreement of some sort; and it would not seem, in that state of affairs, to be necessary to authorize Indians who have no treaty relationship to the Government to bring claims, as this bill authorizes.

Now, we are all familiar—particularly folks who come from the West—with the tales that are told relative to claims against the Government, not only by red men but by white men. And they are found sometimes to be exceedingly extravagant when investigated. The Government is well-nigh defenseless against claims that may be set up for alleged damages and losses 75 or 80 years ago in an unsettled country, a new country, far from the seat of government. We should be very careful about authorizing people to go before the Court of Claims with claims of that sort. My opinion is that if we pass a bill of this kind, we really in justice ought to allow every American citizen who has any claim or fancies he has any claim against the Government to go before the Court of Claims and present it. If you go as far as this bill goes, then, it seems to me, there is no place at which to stop short of opening the doors of the Court of Claims to every citizen who imagines that he has any sort or kind of claim against the Government.

Mr. LONGWORTH. As a matter of fact, in such matters as this, are not the real persons who get the benefit the lawyers rather than the Indians?

Mr. MONDELL. As an illustration, I am very familiar with the difficulties of claims of this sort, relative to which the Indians are interested. They sometimes have spoken to me. But the men who are really urging the thing, although they are men who do not appear before the committee—they wisely keep in the background—are, in the main, attorneys who expect to get very considerable fees.

Mr. SNYDER. I would like to corroborate the gentleman's statement there right now by saying that in the past seven days the Indian Affairs Committee have been holding extensive hearings on the Minnesota-Chippewa proposition, and nearly everyone interested seems to be an attorney for some set of those Indians. When it is all finished, if anybody is to be benefited by it, it will be those fellows, and not particularly the Indians, in the judgment of the chairman of the committee. But, notwithstanding that, there must be some point or place where some of these matters can be wound up, although the attorneys get something out of it.

Mr. MONDELL. The probability is that we have been doing all sorts and kinds of things for these men for 50 years.

I do not know how many of their children we have educated, and continuously we have been aiding them in one way and another. I am quite sure that their children have been and are probably educated down to this time at the public expense. None of these payments on behalf of the Government, none of these things that have been done in a helpful way for these Indians, is an offset to any claims that may be set up. If the gentleman will allow me, when the Indian appropriation bill was before the House some little time ago, his committee suggested the propriety of not charging certain expenditures against certain Indians on the ground that it was utterly impossible for them to meet the payments, and at that time I suggested that if there was no other reason for doing that, there was a very good reason to be found in the fact that ultimately every Indian, everywhere on earth, has a claim against the Government, and it would be well to have somewhere a record of what the Government has done for the Indian, as well as to allow the presentation of claims that the Indians may assume to have against the Government.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LONGWORTH. Under the circumstances, if the gentleman desires to be relieved of the responsibility of objecting to this bill, I will relieve him of it for the time being. I would like to know a little bit more about this bill and this class of bills, of which the chairman of the Committee on Indian Affairs [Mr. SNYDER] says there are hundreds pending.

Mr. SNYDER. If the gentleman will withhold his objection for a moment, I would be glad to make this statement: The reason we are beginning to let some of these bills out is this, that during the period of the war and for some months previous to that the Committee on Indian Affairs considered no bills whatever of this character, and for nearly three years no consideration has been given to any bills desiring to carry claims to the Court of Claims. Necessarily now we have had to start doing business along that line, and we are only dealing with those which seem to be the most meritorious. This bill was under some discussion, I think, two weeks ago, and certain information was asked for, which we have compiled and put in this record, which clearly shows that there is some justice in this claim, in my judgment.

Mr. BLAND of Indiana. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Is there objection?

Mr. BLAND of Indiana. I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Indiana reserves the right to object.

Mr. LONGWORTH. To save time, Mr. Speaker——

Mr. MANN of Illinois. Before the gentleman from Ohio objects, is there any desire by this bill to shut off the Government from claiming credit if this matter is submitted to the Court of Claims for money paid to these Indians or for money expended for their benefit? The bill does that?

Mr. KELLY of Pennsylvania. The bill provides for set-offs.

Mr. DEMPSEY. That is on lines 16 to 20 on page 2.

Mr. KELLY of Pennsylvania. We provide that—

> The court shall also consider and determine any legal or equitable expenses, set-offs, or counterclaims which the United States may have against any of said tribes, bands, or individual Indians.

Mr. MANN of Illinois. That does not at all give the Government credit for gratuities. That which you give a man is no defense and no set-off.

Mr. BLAND of Indiana. It should not be.

Mr. KELLY of Pennsylvania. The Court of Claims has settled that question.

Mr. MANN of Illinois. The gentleman from Indiana [Mr. BLAND] says it should not be. It has been the invariable practice, when Congress provides for the settlement of these claims or for the submission of them, to provide that any money that has been paid to the Indians for gratuities or expended for their benefit shall constitute a set-off.

Mr. KELLY of Pennsylvania. The gentleman from Illinois knows that it has been the rule of the Court of Claims that every dollar of gratuity is considered as a set-off.

Mr. MANN of Illinois. I do not think the gentleman is correct. I do not remember of a bill that has been passed that did not contain that provision. I do not see how the Court of Claims could say that a gratuity was a set-off.

Mr. KELLY of Pennsylvania. The Court of Claims has decided that a gratuity shall be considered as a set-off.

Mr. MANN of Illinois. Then it will do no harm to put it in the bill.

Mr. BLAND of Indiana. For educational purposes?

Mr. MANN of Illinois. For any purpose.

Mr. DEMPSEY rose.

Mr. BLAND of Indiana. I reserve the right to object. Mr. Speaker, if the gentleman will yield——

The SPEAKER pro tempore. Does the gentleman yield?

Mr. MONDELL. Yes.

Mr. DEMPSEY. I thought the gentleman from Pennsylvania [Mr. KELLY] had the floor.

Mr. BLAND of Indiana. The bill provides, does it not, that where there is a treaty the Indian can go into the Court of Claims, and it also provides that where there is no treaty right he can go into the Court of Claims? Under existing law, can he not go into court if there is a treaty right existing?

Mr. KELLY of Pennsylvania. I would like to answer that question, so as to get before the House some of the salient facts in this case. The Committee on Indian Affairs takes the attitude of the gentleman from Wyoming [Mr. MONDELL] against indiscriminately allowing these bills to come before the House. But after hearings and investigations on this bill we decided that it was such an unusual case that justice required that these Indians should have their day in court.

West of the Cascade Mountains, in the State of Washington, there were 71 tribes or bands of Indians residing on lands on which they had the right of ownership and occupation. Gov. Stevens was made a commissioner to make treaties with those Indians, and he went out and in five years' time made a number of treaties by which the Indians ceded 1,800 acres of land each to the United States Government in return for the promise on the part of the commissioner that they would be given homes for themselves. They reserved only enough land under these treaties to furnish 7 acres apiece, which everybody knows is not sufficient land on which to establish a farm home. Later on enough land to make 59 acres apiece was set aside by Executive orders for these Indians, but the Indian Bureau will not allot on that reservation until the timber has been cut. There is some valuable timber there. The result is that Indians, who had little parcels of ground used for growing potatoes, etc., were thrown off their lands by white settlers, and their improvements were taken and their homes occupied, and they have not a single inch of ground that they can call their own.

Where Gov. Stevens was able to get in contact with these tribes, he made treaties with them, but a number of the tribes in the interior could not be reached, and now the gentleman from Wyoming [Mr. MONDELL] indicates that they have no claim on the Government. They have a greater claim than have the tribes with whom the treaties were made, because the white settlers went on their lands and took their lands from them without any right whatever, and with no agreement of restitution or compensation, and they were despoiled of their lands and their heritage.

Now, the claim is urged that because no treaty was made with them they have not even the right to a day in court. I feel certain that this House will recognize that all these tribes should have a chance to present their claims before the Court of Claims.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. LONGWORTH. I have no objection to the bill remaining on the calendar, but for the time being I shall object to its consideration.

Mr. SNYDER. I ask unanimous consent that the bill retain its position on the calendar.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill be passed without prejudice and retain its position on the calendar. Is there objection?

Mr. GARD. Mr. Speaker, I think it ought to go to the foot of the calendar.

Mr. SNYDER. All right.

The SPEAKER pro tempore. Does the gentleman modify his request and ask that the bill go to the foot of the calendar?

Mr. SNYDER. Yes; I modify my request.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

There was no objection.

KLAMATH INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5163) authorizing the Klamath Tribe of Indians to submit claims to the Court of Claims.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Reserving the right to object, I should like to inquire whether there is any difference in the public necessity for the passage of this bill H. R. 5163 and S. 157, to which objection has just been made? I notice that the terms of the two bills are very similar, if not identical. This bill seems to confer an extreme limit of authority to present claims of whatsoever nature which these bands of Indians may have against the United States. My position is similar to that of gentlemen who have spoken, and I would like to be enlightened as to the particular merits of this bill.

Mr. SINNOTT. I am not familiar with all the details of the other bill, but there is this distinction which I gather from the discussion on the floor: In this bill the Government may set off any gratuities granted to these Indians. I am informed by the Indian Service that these gratuities amount to something like $225,000 since 1882.

Mr. GARD. The other bill provided for the set-off of legal or equitable claims of the United States.

Mr. SINNOTT. But not gratuities. Gratuities are specifically mentioned in this bill. I should like to explain this bill. I think the gentleman will see the difference between it and the other bill. I am not commenting upon the merits of the other bill, but this is the situation: In 1864 the Government entered into a treaty with these Klamath Indians whereby they ceded some 12,800,000 acres to the Government and retained for themselves 2,279,000 acres. When that treaty was made there was no interpreter present who understood the Indian language and the English language. There was an Indian who understood what we on the coast know as the Chinook jargon, and a white man who understood the Chinook jargon. I am somewhat familiar with the Chinook jargon myself. It is an artificial language built up out of the necessities of trade with the Hudson Bay Co. and the other fur traders. That Chinook jargon has a very limited vocabulary, a few hundred words. It is a very rigid inflexible language. There is no way of translating all the language in the treaty, as it was written in the Chinook jargon.

This reservation was first surveyed in 1871. That survey was admitted by the department to have been erroneous, because the surveyor instead of following the topographical features of the country described in the treaty followed the lines of the Government survey.

Then, in 1896 a commission was appointed to ascertain the boundaries as described in the treaty. The commission went out there and absolutely ignored some of the calls in the treaty.

For instance, I call this map to the attention of the gentleman. Here is the present boundary of the reservation, this black line on the map. The full red line is the boundary as determined by the commissioners to follow the description in the treaty. Here is the line as claimed by the Indians. The Indians claim that this area here was omitted. Now, the treaty calls for the northwestern boundary corner as a point east of the upper lake. The commission determined that the northwestern boundary corner was west of what they determined to be the upper lake, to wit, the Klamath marsh. The Indians claim that a point up here near Mount Ballawiske is the northwestern boundary corner of the reservation. That northwestern boundary corner is east of a lake situated over here on the map. The Indians say that that is the point agreed upon in the treaty council to be the northwestern corner of the reservation.

They are supported by testimony taken not by any attorneys interested in this matter but by Government officials as far back as 1887, and that testimony is supported and borne out by the testimony of Mr. J. P. Lee, a well-known man in that county who was elected assessor for several terms. It is his testimony that the Indians and white settlers always claimed that this was the northwestern boundary corner mentioned in the treaty. The Indians are also supported by the affidavit of R. P. Erhart, who was secretary of state of Oregon for several years. His affidavit was made away back in 1887.

That is the testimony as to the northern boundary. Now, as to the southern boundary, here is the way the commission ran it. You will see that it follows the line of the Government survey. The Government surveys were not referred to in the treaty at all. The Indians claim it should run here over to a point of rocks. Now, the boundary commission put the point of rocks 3 miles north of where the Indians claim it should be. The Indians contend that the boundary lines were run on the southern boundary and on the northern boundary for these reasons: There were a number of white settlers up on the northern boundary, also on the southern boundary. Besides that a certain road company was given a road grant by the State of Washington, and their road grant ran over onto the Indian reservation as claimed by the Indians.

Now, as to the southern boundary. I am making no charges against anyone; I can only repeat what the Indians told me. Had that line been run, as the Indians claimed it should have been run, to this point of the rocks and to the point of rocks where R. P. Erhart, who was present when the treaty was made, said was the proper location of the southwest boundary, certain white settlers would have lost land very fertile and very valuable.

Mr. GARD. Will the gentleman yield?

Mr. SINNOTT. I will.

Mr. GARD. I understand it is the claim of the gentleman that these boundaries were inaccurately surveyed for some reason or other.

Mr. SINNOTT. They were inaccurately surveyed and also one call in the treaty was absolutely ignored by the boundary commission.

Mr. GARD. The boundaries could not be changed by legislation, but the gentleman wants this claim and all sorts of claims of these Indians sent to the Court of Claims.

Mr. SINNOTT. Not all sorts of claims; these Indians have been making this claim for years.

Mr. GARD. It is not possible to correct the boundaries so as to satisfy these Indians if they have a case of merit without conferring upon them the right to sue in the Court of Claims. That seems to be the whole contention.

Mr. SINNOTT. The greater part of this land in controversy has been patented and this land down here to the south has been patented. The Indians were paid for the land lying between this red line and here, and they were paid 86.36 cents an acre for the land that is to-day worth, some of it at least, $70 an acre. It contains some of the finest pine timber in the United States. All they will get under this bill will be about 86 cents an acre, the value of the land at the time, less the gratuities that were given to the Indians.

Mr. GARD. How many cases are there? The gentleman said it was a matter of record.

Mr. SINNOTT. I said the affidavits were a matter of record. There will be only one case. The three tribes were mentioned because that is the description of the Indians in the treaty of 1864.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN of Illinois. Mr. Speaker, reserving the right to object, does the gentleman from Oregon think it is necessary, in order to submit the matters involved to the Court of Claims, to include the term "equitable" in reference to the claim?

Mr. SINNOTT. I think it is better to do that. I do not know how strict the court will be if you confine it strictly to their legal rights.

Mr. MANN of Illinois. Here is the question involved: Here was a treaty, and under that treaty a survey was made. The Indians claim that the survey was erroneous. The Government admitted that the survey was erroneous. Congress provided for the appointment of a commission. A commission was appointed and they made the determination that some 600,000 acres of land were not included in the survey which should have been included in the survey under the treaty. Then the Government appointed an agent and paid the Indians for those 600,000 acres of land. The Indians claim that the commission was also in error in fixing what should be the boundaries of the land taken from them, and that there are 400,000 acres in addition to the 600,000 that they are entitled to be paid for. They further claim that when the agent settled for the 600,000 acres it was not a settlement in full for all the claim, but only for the 600,000 acres found by the commission to be due them, and the understanding was that the other 400,000 acres were to be settled for later. Have I stated the facts correctly?

Mr. SINNOTT. The gentleman has stated them correctly.

Mr. MANN of Illinois. Now, here is the question. If this was a settlement of all matters in dispute, then if left to a court of law that would be an estoppel and the Indians would have no legal claim after the settlement. If this was not a settlement in full, but only a settlement in part, it would not bar the Indians from prosecuting their claims as a lawful claim.

I am rather averse myself to have the Government make a settlement of a disputed claim, if the settlement is made in full of a disputed claim, then for us to overturn it and give the parties the right to come in and claim the balance. I have no objection, if the facts in this case will show that the claim that was settled was only for a part of their claim and was not intended as a settlement in full, to permit them to sue for the balance. The gentleman's bill, drafted, I suppose, by the attorney representing the Indians——

Mr. SINNOTT. No; there is no attorney that I know of in connection with this matter.

Mr. MANN of Illinois. These bills are usually drafted as a matter of form, and I think it is a bad form to say that we will permit a suit on equitable claims. Nobody knows what that means, and also to say that the settlement shall not be an estoppel if it was intended to be an estoppel.

Mr. SINNOTT. It will be the contention of the Indians, if the court finds that this is the upper lake, that that was not the upper lake that they had in mind. They had in mind as the upper lake a lake up here, and that might call for the assistance of the equitable side of the court to go into that matter.

Mr. MANN of Illinois. What the Indians had in mind is one thing. If both parties had in mind the upper lake which the gentleman refers to, then plainly the Indians are entitled to be recompensed. But I do not quite understand why after nearly 60 years, if the Government intended one thing and some dreamer among the Indians now thinks his forefathers intended another thing, we should permit that to go to the Court of Claims where the Government has no possible way of defending its position. All the Government has is writing, while the Indians have their imagination.

Mr. SINNOTT. Their claim in this regard is a matter of record, as far back as 1887, and most of the affidavits that are set forth in the report were taken at that time by the officials of the Government.

Mr. MANN of Illinois. The gentleman from Oregon and the Indians contend that the treaty actually referred to what he calls the upper lake.

Mr. SINNOTT. Yes.

Mr. MANN of Illinois. And if that be the case and the Court of Claims should find that, then they have a legal claim?

Mr. SINNOTT. Yes.

Mr. MANN of Illinois. That is not an equitable claim.

Mr. SINNOTT. That would be a legal claim.

Mr. MANN of Illinois. But if the court should find with the Indians' imagination that the upper lake was intended, that might give them an equitable claim that they are not entitled to.

Mr. SINNOTT. If the Indians contend that that is the lake they had in mind and the courts find the treaty does not embrace that, then they would have to resort to the equity side of the court to present their claim.

Mr. MANN of Illinois. But if the court finds that the treaty does not refer to the upper lake, the Indians have no claim, and why should we allow the Indians now to sue for land on the basis that it was included in the treaty which the court finds was not included in the treaty, and base the whole thing on some testimony of some aged Indian, with the Government having no possible defense except the writing itself?

Mr. SINNOTT. There was absolutely no way of defining or showing the meaning without mentioning the name of this mountain in the language that they have to use. I know the language and it is utterly impossible to say "upper" unless you translate the term they have for God—Sahale—which might mean upper, in the sense of up in the sky.

Mr. MANN of Illinois. It is clear to me that if the contention of the Indians is correct, and the gentleman is inclined to think it is, that the treaty itself refers to the upper like, and there are a number of circumstances that could be pointed out that would help sustain that point, it would be somewhat analogous to a case where an Indian should come in now and say he owned the Capitol Building a hundred and twenty-five years ago and was never paid for it, and claims pay for it regardless of treaty arrangements, regardless of anything else. Does the gentleman think we ought to say that we are going to pay him for that at the present value of the Capitol grounds?

Mr. SINNOTT. No; I think not; but that is hardly as strong a case as this.

Mr. MANN of Illinois. It is not quite so strong, but still it is somewhat on all fours with the proposition.

Mr. SUMMERS of Washington. Mr. Speaker, if the gentleman will permit, is not this the situation? The treaty referred to the upper lake, and there are two upper lakes.

Mr. SINNOTT. Oh, there are several lakes.

Mr. SUMMERS of Washington. There was one that the Indians recognized as the upper lake and one that the white people recognized as the upper lake.

Mr. MANN of Illinois. Oh, no. We were talking about what the gentleman calls the upper lake. I know where it is and he knows where it is.

Mr. SUMMERS of Washington. Am I correct? Are there two so-called upper lakes?

Mr. SINNOTT. No; there are not. This Klamath marsh is what the commissioners took to be the upper lake and that is not known as the upper lake.

Mr. MANN of Illinois. The survey does not conform with the treaty in any way. An examination of the treaty and the survey shows that it does not conform with the treaty, so it becomes a matter of construction. If the court puts a construction one way, that gives the Indians a legal right; if it puts it the other way, that does not give the Indians any right; and I do not believe we ought to leave it open and simply say, "Heads you win, tails I lose," so that the Indians will win in any event. Would not the gentleman be willing to strike out the words wherever they occur, "legal and equitable," if we submit the claim of the Indians to the court?

Mr. SINNOTT. I am afraid that would cut them out entirely from any showing of the original commissioners' misunderstanding of what the Indians had in mind when they referred to this upper lake.

Mr. MANN of Illinois. There is no way of telling what an Indian had in his mind 60 years ago.

Mr. SINNOTT. We have the affidavits of a number of white men, and they are all very reputable.

Mr. MANN of Illinois. They are all in the same wording.

Mr. SINNOTT. Those are the later ones, the ones made in 1911, but those back in 1887 do not show any similarity at all.

Mr. MANN of Illinois. They all tend to show that a mistake was made.

Mr. SINNOTT. They all show that the northwestern corner was at the mountain called Bal-la-wisk-se.

Mr. MANN of Illinois. If we have made a settlement after there was a dispute which was intended to be in full and have paid the Indians half a million dollars or more as a full settlement, that ought to bar them. If it was not a full settlement, it ought not to bar them, but the gentleman's bill removes the bar in either case.

Mr. SINNOTT. The settlement is very ambiguous. It does not say a full settlement.

Mr. MANN of Illinois. I understand it is not settled as to whether it is a full settlement. Perhaps it was not. The Indians say it was not. I suppose the Indian Office will say that it was—I do not know—but if it was a full settlement, that ought to dispose of it. Let the court determine whether it was a full settlement or not.

Mr. SINNOTT. In the settlement they merely ceded to the Government the lands lying between the boundary as found by

the commission and the present boundary line of the reservation.

Mr. MANN of Illinois. I understand.

Mr. SINNOTT. And that is what it purports to be.

Mr. REED of West Virginia. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. SINNOTT. Yes.

Mr. REED of West Virginia. As I understand, the title is now vested in citizens of the United States?

Mr. SINNOTT. Yes; to much of the disputed land.

Mr. REED of West Virginia. The settlement can only be made in the way of damages or pay for this original land?

Mr. SINNOTT. Yes.

Mr. REED of West Virginia. Would that be a fund the Government would put to the credit of this tribe of Indians?

Mr. SINNOTT. Oh, yes; it would go——

Mr. REED of West Virginia. To the tribal funds?

Mr. SINNOTT. Yes; to the tribal funds.

Mr. REED of West Virginia. And not to the individual Indians?

Mr. SINNOTT. Not to the individual Indians.

Mr. REED of West Virginia. Have they a fund now paid out of other settlements?

Mr. SINNOTT. Yes.

Mr. REED of West Virginia. That is used for their benefit in the usual way?

Mr. SINNOTT. In the usual way.

Mr. REED of West Virginia. I thank the gentleman.

Mr. SINNOTT. That is a tribal fund.

The SPEAKER pro tempore. Is there objection?

Mr. MANN of Illinois. Mr. Speaker, reserving the right to object, I will say to the gentleman, as far as I am concerned, I may change my mind later, but I would not be willing to have this bill come up unless the gentleman is willing to strike out this estoppel business and the equitable-claim business.

Mr. SINNOTT. What line is that?

Mr. MANN of Illinois. Well, in line 9, page 2, strike out "determine all legal and equitable claims," and leave it "determine all claims." Same in lines 13 and 14. Then I come now to lines 15 and 16, and I would strike out "and any payment which has been made upon any claim so submitted shall not be treated as an estoppel, but may be pleaded as an offset in such suits or actions." If this is an estoppel I think it ought to remain an estoppel, and if it is not an estoppel I do not think it needs to be in here that you permit Indians to make their claims that have been determined by the construction of a treaty.

Mr. SINNOTT. Well, I will concede that if the gentleman insists upon it.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Mr. Speaker, in view of the fact that this matter in the bill should be rewritten, in view of the matter presented by the gentleman from Illinois——

Mr. MANN of Illinois. It is easy enough to cover the matters I have presented by amendment.

The SPEAKER pro tempore. The gentleman from Ohio objects, and the bill is stricken from the calendar.

Mr. SINNOTT. Mr. Speaker I ask unanimous consent that the bill may be allowed to retain its place on the calendar.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. I object. I have no objection to its going to the foot of the calendar.

The SPEAKER pro tempore. The gentleman asks unanimous consent that this bill may go to the foot of the calendar. Is there objection? [After a pause.] The Chair hears none.

CIVIL GOVERNMENT FOR PORTO RICO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11769) to amend an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I understand the gentleman from Porto Rico desires to make a brief statement in regard to the bill. I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Wyoming reserves the right to object, and the Chair recognizes the gentleman from Porto Rico.

Mr. DAVILA. Mr. Speaker, the purpose of the bill under consideration is to amend section 3 and paragraph 19 of section 2 of our organic law. There are some doubts in Porto Rico in regard to the construction of this paragraph, and in view of the hardships that have been brought about and may occur in the future as a result of the interpretation given by the legal advisers of the governor to a part of this paragraph it is necessary to remove these doubts by legislation, expressing in clear language the intention of this Congress and the purpose of the law. The paragraph referred to, as it was originally passed by the House, reads as follows:

> That no public money or property shall ever be appropriated, applied, donated, used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution or association, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary as such. Contracting of polygamous or plural marriages hereafter is prohibited.

In the Senate an amendment was adopted, preceding the last sentence as follows:

> Or for charitable, industrial, educational, or benevolent purposes, to any person, corporation, or community not under the absolute control of Porto Rico.

This provision is omitted in the present bill so that the paragraph will read as originally prepared and adopted by the House.

The construction of this particular provision first arose for consideration in 1918, when the island of Porto Rico was suffering the consequences of a great calamity.

On the morning of October 11, 1918, a little after 10 o'clock a very severe earthquake occurred on the westerly side of the island of Porto Rico. It was followed by a tidal wave which broke upon the shore, drowning many persons and destroying many natives' huts. According to the official figures, 116 persons lost their lives, and the property lost amounted in value to about $4,000,000. This earthquake was followed by many aftershocks, several being of rather high intensity.

Considerable property was destroyed and a great number of persons, horrified by the shocks, left their dwellings and ran along the streets, many of them seeking refuge in the hills. The panic was serious and it was increased by the aftershocks that occurred so frequently that they believed a fatal disaster was going to surprise them any minute. This created confusions and excitements which contributed largely to the number of dead and injured. The conditions brought about by this earthquake, the number of people homeless and in distress, induced our legislators to advise the governor to call the insular legislature to an extraordinary session for the purpose of appropriating some money to assist the people so seriously damaged by the shocks. But the governor of Porto Rico, advised by the attorney general of the island, held that our legislature had no power under the organic law enacted by Congress on March 2, 1917, to appropriate money for this purpose. Based on this opinion, our governor addressed a communication to the Bureau of Insular Affairs, recommending that special authority be granted by Congress to the Legislature of Porto Rico to extend relief and assistance in any form and in any manner to those destitute persons who had been rendered homeless or were in needy circumstances as a result of the earthquake, notwithstanding the provisions of paragraph 19 of section 2 of our organic law. This communication was sent to the Bureau of Insular Affairs without our consultation, and when we were aware of the constructions given by the executive to the provision of our fundamental law, we cabled to the Committee on Insular Affairs and to the War Department explaining our views and asserting that in our opinion Congress never had the intention to deprive the people of Porto Rico of the right of helping our citizens in a case of distress.

Following the advice of the Secretary of War, the Committee on Insular Affairs favorably reported a resolution which was passed by this House on November 11, 1918, granting special authority to the insular legislature to extend relief and assistance to those persons who had been rendered helpless and were in want, and to those municipalities in the island which were in urgent need of aid for assistance as a direct result of the earthquake. At that time I was in the island, and on my return to Washington I appeared before the Committee on Pacific Islands and Porto Rico and was opposed to the approval of the resolution passed by the House. Later the Secretary of War withdrew his recommendation and the resolution was not again considered.

We were opposed to the suggestions made by our executive to the Bureau of Insular Affairs and through the Bureau of Insular Affairs to Congress, first, because we think that section 2 of paragraph 19 of our organic law does not take from the Legislature of Porto Rico the right to assist our citizens in a case of extraordinary emergency, and, second, because if it is necessary that special authority be given to the insular legislature for the assistance of our people every time a calamity occurs in the island, no practical results will be obtained, as it is almost impossible to secure immediate legislation from Congress, and in

all cases of emergency which require rapid action the delay may be fatal and destructive of the purpose of the legislation asked for.

The provision which we propose to strike out from the bill was again under consideration when the Legislature of Porto Rico passed an act providing for a scholarship commission for the education of 12 young men in the United States in courses of agriculture and mechanic arts and appropriating the necessary sum of money to accomplish the purpose of the law. The attorney general and the auditor of Porto Rico both declared this law unconstitutional, holding that the appropriation was prohibited by the provision above referred to. So, in accordance with this construction, we had no power to appropriate money for the purpose of educating our boys in the United States. We need in Porto Rico men with knowledge of agriculture and mechanic arts, familiarized with the methods prevailing in the United States. There is no question about the advantage of this education for our people, and this purpose may be accomplished only if the present bill becomes a law.

The proposed amendment omits only the part of the paragraph which, in the opinion of the attorney general, forbids our legislature to appropriate money for charitable or educational purposes in cases like the earthquake and the education of our boys in United States colleges. The paragraph as it will read if amended is a sufficient guard against the passage of laws for sectarian or religious purposes.

The other provision of the bill as reported provides for an amendment to section 3 of the organic act, which provides that—

> No public indebtedness of Porto Rico, or of any subdivision or municipality thereof, shall be authorized or allowed in excess of 7 per cent of the aggregate tax valuation of its property.

The proposed amendment increases the limitation from 7 to 10 per cent, so that we may be able to dispose of a greater amount of money for the construction of public roads, public buildings, for irrigation purposes, for harbor improvements, and other improvements.

Mr. MANN of Illinois. Will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. DAVILA. I do.

Mr. MANN of Illinois. As I understand the gentleman, this bill removes the present limitation on the appropriation of money by the Legislature of Porto Rico on the one hand and it increases the amount of bonds that they may issue on the other hand?

Mr. DAVILA. It increases the amount of bonds they may issue.

Mr. MANN of Illinois. It allows them to issue more bonds and to appropriate more money?

Mr. DAVILA. Oh, certainly. That is my opinion of the construction. Under this provision, of course, we will be authorized to use it for our public necessities.

Mr. GARRETT. Will the gentleman yield?

Mr. DAVILA. I am very glad to do so.

Mr. GARRETT. The statement of the gentleman from Illinois is not quite accurate——

Mr. MANN of Illinois. Absolutely accurate.

Mr. GARRETT. No; it changes the purpose for which the appropriation may be made.

Mr. MANN of Illinois. Oh, it changes the purposes and it authorizes them to appropriate money for purposes for which they can not now appropriate and authorizes them to issue bonds on the other hand that they can not now issue.

Mr. GARRETT. It authorizes an increase in bonds. The question of whether——

Mr. MANN of Illinois. I did not go into the question of whether I am not opposed to the bill, I will say to the gentleman. I state the facts absolutely correctly, only I put them together, which nobody else had.

Mr. GARRETT. Well, with all deference, the gentleman has not stated the facts quite accurately in regard to the appropriation. There is a question——

Mr. MANN of Illinois. Does not this bill authorize an appropriation of money for which the legislatures can now make no appropriation?

Mr. GARRETT. No; that is a question as to which there is grave doubt, and it has not been construed by any court.

Mr. MANN of Illinois. The Delegate says it has been.

Mr. GARRETT. Not construed by a court——

Mr. MANN of Illinois. Construed by the Attorney General. It is very plain. It authorizes an appropriation where it can not now be made. I do not speak of the earthquake matter, because it strikes out that part of the law which forbids an appropriation for such purposes. Now, will the gentleman deny that it permits an appropriation which can not now be made?

Mr. GARRETT. No; it is very doubtful whether the appropriation that is provided in this bill could not be made under the original law.

Mr. MANN of Illinois. This bill does not authorize any appropriation to be made.

Mr. GARRETT. It strikes out language.

Mr. MANN of Illinois. It forbids the ban on appropriations, and yet the gentleman from Tennessee, as I understood him, said that removing the ban would not permit the appropriation to be made.

Mr. GARRETT. And yet it is doubtful if what is called a ban is really a ban.

Mr. MANN of Illinois. The gentleman has in mind the ban in one case. I am not talking about that. That is in the past. You can not make an appropriation that will cover that case now. This removes the ban in the future, and permits, as I understand, an appropriation to be made which can not be made under the present law.

Mr. GARRETT. That has never been decided.

Mr. MANN of Illinois. It has been decided. The law decided it.

Mr. GARRETT. I beg the gentleman's pardon. Because the Legislature of Porto Rico has never made an appropriation under it.

Mr. MANN of Illinois. It does not need an appropriation to say the legislature can not make an appropriation for charitable, industrial, educational, or benevolent purposes to any person, corporation, or community not under the absolute control of Porto Rico. That was the ban. They could not make an appropriation for that purpose; and yet, if this bill passes, they can. And yet the gentleman from Tennessee insists——

Mr. DAVILA. I think there is a mistake in this matter. There are two provisions in this bill.

Mr. MANN of Illinois. I know. I know what both of them are. One increases the power to raise money and the other to appropriate money.

Mr. FAIRFIELD. Mr. Speaker, the real purpose, after all, is to grant them a larger measure of self-government, as I understand it. They found themselves unable to do some things that a self-governing people feel they ought to have the right to do. Now, whether the court has passed upon that or not, the effect of it was that the legislature was really estopped from making the appropriation by the legal authority that controlled the situation in the island, and therefore that appropriation was not secured. So I think the gentleman from Illinois [Mr. MANN] has stated very clearly the essential facts in the case. You do want the ability to appropriate more money when necessary and you do want the ability to increase the bonded indebtedness by 3 per cent. Is that right?

The SPEAKER pro tempore. Is there objection?

Mr. McKEOWN. Reserving the right to object, I want to ask if any provision was made as to the price of these bonds? I notice this act provides that the bonds shall not be taxed, and I want to know from the Delegate if there is any provision safeguarding the amount at which these bonds can be sold? Because if there is no limitation, with the present taxation in the United States parties can buy these bonds at much less than par and escape taxation, a thing that occurred in the Indian Territory when permitted to issue bonds. Nobody dreamed that under the mere permission from Congress it would be afterwards claimed that these bonds were not subject to taxation, and yet large banking concerns bought all the bonds and have stated that it was held by the Congress that they were not subject to taxation.

Mr. MANN of Illinois. That was not a change in the law. That was the original law. Porto Rican bonds are very high on the market, I will say to the gentleman. I do not think anybody will be likely to get away with it without being known. They have the same exceptional privileges that are given to municipal bonds and State bonds in the United States and farm-loan bands.

Mr. McKEOWN. I notice that provision is granted for the sale of those bonds. Does the gentleman think there should be a restriction on the sale of them by saying that they shall not be less than a certain amount?

Mr. MANN of Illinois. I do not know whether there is a restriction in the organic act or not.

Mr. McKEOWN. I am informed that there is not. I understand in the original act there is no limitation as to what these bonds may be sold for.

Mr. MANN of Illinois. I do not know. I know they sell very high on the market.

Mr. McKEOWN. I would like to suggest to the gentleman if he would not put a provision in here——

Mr. MANN of Illinois. I think they would sell higher than any rate the gentleman would dare name. It might have only a tendency to reduce their value.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GARRETT. Reserving the right to object, the bonds of the Porto Rican government, as I understand it, have a very high value. I do not know about the bonds of the municipal governments in Porto Rico. I think they had considerable trouble in the city of San Juan in selling some municipal bonds recently, but that does not affect this.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 11769) to amend an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917.

Be it enacted, etc., That paragraph 19 of section 2 of the act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917, is hereby amended to read as follows:

"That no public money or property shall ever be appropriated, applied, donated, used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, sectarian institution, or association, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary as such. Contracting of polygamous or plural marriages hereafter is prohibited."

SEC. 2. That section 3 of said act to provide a civil government for Porto Rico is hereby amended to read as follows:

"SEC. 3. That no export duties shall be levied or collected on exports from Porto Rico, but taxes and assessments on property, internal revenue, and license fees, and royalties for franchises, privileges, and concessions may be imposed for the purposes of the insular and municipal governments, respectively, as may be provided and defined by the Legislature of Porto Rico; and, when necessary to anticipate taxes and revenues, bonds and other obligations may be issued by Porto Rico or any municipal government therein as may be provided by law, and to protect the public credit: *Provided, however*, That no public indebtedness of Porto Rico or of any subdivision or municipality thereof shall be authorized or allowed in excess of 10 per cent of the aggregate tax valuation of its property, and all bonds issued by the government of Porto Rico, or by its authority, shall be exempt from taxation by the Government of the United States or by the government of Porto Rico or of any political or municipal subdivision thereof, or by any State, or by any county, municipality, or other municipal subdivision of any State or Territory of the United States, or by the District of Columbia. In computing the indebtedness of the people of Porto Rico bonds issued by the people of Porto Rico secured by an equivalent amount of bonds of municipal corporations or school boards of Porto Rico shall not be counted."

Mr. McKEOWN. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McKEOWN: Page 3, line 2, after the word "Columbia," strike out the period and insert ": *Provided*, No bonds issued hereunder shall be sold for less than par."

Mr. McKEOWN. Mr. Speaker and gentlemen, I do not know what the future will bring about, and I do not want to place an unnecessary restriction on the sale of these bonds. But you are permitting different municipalities and different subdivisions to issue bonds, and it occurs to me that there should be some safeguard, and if we are to give them the high privilege of being nontaxable in the territory or in the United States or in any subdivision of the United States, some kind of protection ought to be thrown around these securities so that no person shall obtain them unless within some reasonable amount of their value. And I think that where you give securities such a high privilege, even higher than the fifth Liberty loan bonds of the United States, we ought to put some restrictions as to the amount they shall bring.

Mr. GARRETT. Will the gentleman yield?

Mr. McKEOWN. I yield to the gentleman from Tennessee.

Mr. GARRETT. Is the gentleman familiar with the history of the marketing of Porto Rico bonds?

Mr. McKEOWN. I understand they bring a high rate, but I am not familiar with the procedure.

Mr. GARRETT. I will say to the gentleman there never has been a Porto Rico bond; that is, of the government of Porto Rico, sold at less than par. They have authority under the present organic act, the Jones Act, as it is commonly called, to issue up to 7 per cent. Such bonds as they have issued under that have been sold above par or at par. No bond issue, either under the Foraker Act or under the Jones Act, has ever been sold at less than par, and I do not think any ever will be, at least, within any reasonable time. But it is interfering with the possibility of their local self-government by putting this limitation on there.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes, sir.

Mr. MANN of Illinois. While our Government does not usually sell bonds below par, I suppose for fear of public sentiment, the gentleman knows, I take it, that frequently it is more profitable to sell bonds at a trifle below par at a lower rate of interest than it is to sell bonds at or above par at a higher rate of interest?

Mr. McKEOWN. Yes; that is true.

Mr. MANN of Illinois. Because ordinarily while we have sold Government bonds at four and a quarter, usually the interest is in even terms or in one-half, as 4 or 4½, or 5 or 5½. It frequently occurs that corporations have found it more profitable to sell bonds at a slight discount and cut off half of 1 per cent on the interest than to sell bonds at par with a half per cent added and running over a long series of years. Probably that will never be done in Porto Rico.

Mr. McKEOWN. The gentleman will also recall that in many instances in public contracts for municipal improvements the taxpayer rarely gets over 50 per cent of his bonds, due to the price at which they are sold and the contract price at which the contract is made.

Mr. MANN of Illinois. I am aware of this, and I presume that that is what the gentleman refers to. My State, for instance, issues bonds against local improvements. Those bonds are turned over to the contractor, probably, in many cases, and there is no way in which the contractor can get more than 100 per cent. There is no way they can be paid except out of the payment of the special assessments for the special benefits derived from the local improvements, and in many cases they do not pay out in full, and we know they will not pay out in full. The rate of interest is fixed and the bonds have to be turned over at par. But we would get along much better if that were not the case.

Mr. McKEOWN. The gentleman would want to safeguard against these municipalities of Porto Rico issuing their bonds and some concern coming in and obtaining them at a very much less value, in view of the fact that they are not taxable. That is the objection I have.

Mr. MANN of Illinois. That is like the other municipal bonds in the United States. I was offered yesterday municipal bonds of the State of Illinois at 5½, which is an extremely high rate. Lots of them sell at 4½ per cent.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Oklahoma [Mr. McKEOWN].

Mr. DAVILA. Mr. Speaker, does not the gentleman think that that will interfere with the rights of the people of Porto Rico?

Mr. McKEOWN. No; I do not think so. We were granting in this act special privileges on these bonds, going even further than we did in the case of our last Liberty bond issue. I thought there ought to be some protection thrown around these bonds. It just occurred to me that certain people of the United States would go over and buy these bonds at less than par, and thus escape taxation granted under this bill, and it occurred to me that that ought not to be permitted. If those same people bought the fifth Liberty bond issue, they would have to pay taxes.

Mr. DAVILA. We have had that discretion heretofore. We have been very careful in the use of our money, and when we borrow that money we take care to sell our bonds at par value; so that to impose this limitation by the Congress of the United States is to go back and deprive the people of Porto Rico of the rights that they have now, without any reason which may justify this action by Congress. Are we to be charged with an abuse in the past of the rights granted to the people of Porto Rico? We have been very careful, as I say, in the disbursement of our money, and therefore why go back and deprive the people of Porto Rico of the rights granted to them? We people of Porto Rico are very jealous of our rights, and we will not be satisfied with any legislation that will deprive the island of a right that we have at present.

Mr. McKEOWN. Have any rules and regulations been promulgated as to the manner in which the bonds are to be sold?

Mr. DAVILA. I think so. As I understand, the Bureau of Insular Affairs have made regulations in accordance to law about the sale of these bonds.

Mr. PARRISH. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. PARRISH. Does not the gentleman from Oklahoma believe that the fixing of the price at which the bonds shall sell, without fixing the rate of interest that they shall draw, will probably result only in interfering with their local self-government, and not be productive of the end that he intends to accomplish?

Mr. McKEOWN. The purpose of my amendment was simply to put some restriction on, and keep people from this country from going down and getting Porto Rico bonds in order to avoid taxation.

Mr. McFADDEN. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. McFADDEN. Does the gentleman think it necessary to exempt these bonds from taxation in order to make them salable?

Mr. McKEOWN. I do not know as to that. The bill has the approval of the committee, and I do not care to be interfering with that part of it.

Mr. KITCHIN. Mr. Speaker, as I understand the gentleman's amendment, these bonds are not to be sold at less than par. I can not see any objection to that. Certainly, there is no reflection on the people of Porto Rico or elsewhere by inserting an amendment providing that the bonds shall not be sold for less than par.

Every bond authorization that we have passed in Congress in the last 50 years has contained that provision. It goes as a matter of course, but out of an abundance of caution we have always inserted a provision that bonds the sale of which is authorized by the Congress of the United States shall not be sold for less than par. That is the usual provision. We had that provision in all the acts of Congress passed during the war authorizing the sale of bonds. I do not believe there can be any objection to it. It may not be necessary, but there is no harm in it, and it is no reflection on the people of Porto Rico.

Mr. DAVILA. I do not think it is any reflection upon the people of Porto Rico, but I really think that it is a restriction which will deprive the people of Porto Rico of a right which they have. It seems to me that is a matter which can be cared for by the Legislature of Porto Rico. I did not say it was a reflection; but I say it is a restriction.

Mr. KITCHIN. There is a restriction in this bill under which you are not permitted to levy taxes upon exports from Porto Rico. That is a restriction, but I should not think anybody in Porto Rico would object to it.

Mr. GARRETT. This is merely an amendment to the Jones Act, raising the amount of bonds that may be issued from 7 per cent of the taxable value to 10 per cent. There was nothing in the original Jones Act which provided that those bonds should be sold at par, and this is merely a matter of increasing the amount.

Mr. KITCHIN. I was under the impression that the gentleman from Porto Rico [Mr. DAVILA] rather took exception to the remarks of the gentleman from Oklahoma [Mr. McKEOWN], who offered the amendment, and I was explaining that it is the usual provision that is inserted in all of our bond laws. When a State bond is issued it is the usual custom to put in the law a provision that the bonds shall not be sold for less than par. In my State when we issue county bonds and city bonds we always provide, and the law requires us to provide, that they shall not be sold for less than par.

Mr. DAVILA. I do not think it is a reflection upon the people of Porto Rico, but I honestly think that it is not wise to impose this restriction, because it deprives the people of Porto Rico of a right that they have at present. That is the only reason.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Oklahoma [Mr. McKEOWN].

The question being taken, the amendment was rejected.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

EXTENSION OF PERMIT PRIVILEGE TO FIRST-CLASS MAIL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8062) to extend the permit privilege to first-class mail.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LONGWORTH. Reserving the right to object, I should like to hear the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Postmaster General, under such rules and regulations as he shall prescribe, may extend the permit privilege to include first-class mail.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter in the mails, it shall be lawful to accept for transmission in the mails, without postage stamps affixed, any first-class matter, provided the postage has been fully prepaid thereon at the rate required by law."

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, I do not pretend to be thoroughly informed with regard to these matters, but it has occurred to me to be a little bit dangerous to allow privileges of this sort. I suppose the matter has been carefully considered.

Mr. RAMSEYER. It has been considered by a subcommittee of the Committee on the Post Office and Post Roads, which went into it thoroughly. The subcommittee reported this bill unanimously to the full committee, and the Committee on the Post Office and Post Roads unanimously reported the bill to the House.

Mr. MONDELL. Of course, it is an experiment.

Mr. RAMSEYER. No.

Mr. MONDELL. This privilege is granted with regard to other classes of mail?

Mr. RAMSEYER. Third-class mail.

Mr. MONDELL. That is quite a different matter from granting the privilege in the case of first-class mail. It seems to me there is very much more danger of fraud than there would be in the case of third-class mail.

Mr. RAMSEYER. Of course, the Post Office Department contemplates establishing different regulations and rules for the handling of first-class matter. For third-class matter the only thing that has to be stamped or printed in the upper right-hand corner of the envelope is, "One cent paid, permit No. so-and-so," and the name of the post office granting the permit. On first-class matter the Post Office Department intends to require the mailer to use a stamp or die showing in addition the hour and date of the mailing, so that first-class mail will come into the post office differently designated altogether from the third-class mail.

Mr. SNYDER. Reserving the right to object, I should like to ask the gentleman what is the necessity for this new rule?

Mr. RAMSEYER. There has been a demand on the part of large mailers to have the permit privilege for first-class mail the same as they have it for third-class mail. The Post Office Department recommends it because it will expedite the handling of the mail. It will do away with the labor of facing the letters, with the canceling of stamps, and with a part of the labor of distribution, because these large mailers will bring these letters to the post office properly routed.

Mr. SNYDER. In the interest of efficiency in the carrying of the first-class mail of this country in the way it appears to me it should be carried, I do not think this is a good thing, and therefore I object to the consideration of the bill.

The SPEAKER pro tempore. Objection is made. The bill will be stricken from the calendar and the Clerk will report the next bill.

Mr. RANDALL of California. Will the gentleman withhold his objection?

Mr. SNYDER. I withhold it for a moment; but there are difficulties enough now in the carrying of the mails. It is almost impossible to carry them now.

Mr. MANN of Illinois. This will help out in that.

Mr. SNYDER. I doubt that very much.

Mr. HARDY of Colorado. Will the gentleman yield?

Mr. SNYDER. Certainly, I yield.

Mr. HARDY of Colorado. It ought to be made plain, in the first place, that this will not be used for anybody who does not want to use it for himself. If you have mail on which you want to use this privilege you can use it for your mail, not that of anybody else.

Mr. SNYDER. I do not see any great difficulty about putting a sufficient amount of stamps on first-class mail.

Mr. HARDY of Colorado. Let me tell the gentleman something: Last year there were carried in the mails 600,000,000 pieces of third-class mail under the permit system. That saved the Post Office a great deal of time and a great deal of labor, and the cost of printing and distributing 600,000,000 postage stamps, which cost that was saved amounted to at least $30,000. The efficiency comes about on both sides; the man who mails ten or twenty thousand letters saves the time in handling them and the post office——

Mr. MADDEN. Mr. Speaker, I demand the regular order.

Mr. SNYDER. If I can not get the information I desire I shall have to object. I can not see why there is any more difficulty or any more trouble——

The SPEAKER pro tempore. Objection is heard, and the bill will be stricken from the calendar.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the bill go to the foot of the calendar.

Mr. SNYDER. Mr. Speaker, I would withdraw my objection if some one could show the advantage to the man who desires to use the mail and the Post Office Department in receiving it in that way.

Mr. MADDEN. I desire to say for the information of the gentleman——

Mr. SNYDER. I will reserve the right to object.

Mr. MADDEN. The adoption of this system will reduce the expense materially in conducting post-office work. It will expedite the dispatch of the mail. It will facilitate the business of a great many people throughout the United States. The Government will take no chances whatever of any loss. It is a new departure in respect to first-class mail, but it is a systematic and scientific departure and intended not only to reduce the expense of operating the Post Office Department, but also intended to expedite the movement of the mails and do something for the business people of the country. The gentleman from New York can not have given any study to this question, and the Committee on the Post Office and Post Roads has given material study to it. The Post Office Department has had experience in handling third-class mail under the same system, and while once they abrogated the system, they later on, after careful study, changed their minds. To-day under no circumstances would they go back to the policy as to third-class mail.

My judgment, based on a study of the question, is that the thing to do, if you expect to help to inaugurate economy in the Post Office Department, is to institute some such system as is comprised under this bill, and which will be conducted under rigid regulations prepared and enforced by those in authority in the Post Office Department, and there is absolutely no chance to lose money, not a chance on earth. Here we are offering something that is going to be of advantage to the service, and yet gentlemen who have given no study to the question whatever have made up their minds that they know more about it than those who have studied it.

Mr. SNYDER. If the gentleman from Illinois pleases, it does not require a great deal of study on the part of any gentleman to understand something about the difficulties that we are suffering from to-day in trying to distribute the mail of this country, and I think any man on the floor has a right to at least be reasonably convinced that a radical proposition like this is going to be of benefit to the public or the department.

Mr. MADDEN. I agree with the gentleman, and I hope the gentleman is convinced.

Mr. SNYDER. Mr. Speaker, since I have got some information upon it, I withdraw the objection.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

A bill (H. R. 8062) to extend the permit privilege to include first-class mail.

Be it enacted, etc., That the Postmaster General, under such rules and regulations as he shall prescribe, may extend the permit privilege to include first-class mail.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter in the mails, it shall be lawful to accept for transmission in the mails, without postage stamps affixed, any first-class matter, provided the postage has been fully prepaid thereon at the rate required by law."

Mr. MANN of Illinois. Mr. Speaker, I believe this bill is an exceedingly wise measure which it would have been profitable to enact a long time ago. It reminds me that some years ago the Post Office Department and the Committee on the Post Office and Post Roads brought in a provision authorizing this sort of a thing to be done for third-class mail. They entered on the experiment in the Post Office Department.

I do not now remember whether there was a change of administration in the Post Office Department or in any branch of the service where this was taken care of or not, but the next year the Post Office Committee brought in a bill, or it was put on an appropriation bill, repealing the law, and I was berated severely because I insisted on striking it out on a point of order. I then knew, and I am glad that the Post Office Committee knows now, that this is in the interest of efficiency and economy on the part of the Government, as well as the expedition of the mails.

We have saved enormously by granting the permit privilege to third-class mail, and there is no difference between third-class mail and first-class mail, except one is sealed ordinarily and the other is not, and the difference in postage.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time and passed.

RELIEF OF EUROPEAN POPULATIONS.

Mr. FORDNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12954) providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food.

The Clerk read the bill as follows:

A bill (H. R. 12954) providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food.

Be it enacted, etc., That, for the participation of the Government of the United States in the furnishing of foodstuffs to populations in Europe and countries contiguous thereto suffering for the want of food, the United States Grain Corporation is hereby authorized, with the approval of the Secretary of the Treasury, to sell or dispose of flour now in its possession, not to exceed 5,000,000 barrels, for cash or on credit at such prices and on such terms or conditions as may be necessary to carry out the purposes of this act and to relieve populations in the countries of Europe or countries contiguous thereto suffering for the want of food: *Provided*, That an audited, itemized report of the receipts and expenditures of the United States Grain Corporation for the purposes authorized by this act shall be submitted to Congress not later than the first Monday in December, 1920.

The SPEAKER pro tempore. Is a second demanded?

Mr. JOHNSON of Washington. Mr. Speaker, I demand a second.

Mr. MADDEN. I demand a second.

The SPEAKER pro tempore. Is the gentleman from Washington opposed to the bill?

Mr. JOHNSON of Washington. I am, unless I get some information on it.

The SPEAKER pro tempore. Is the gentleman from Illinois opposed to the bill?

Mr. MADDEN. I am not opposed to it.

The SPEAKER pro tempore. The gentleman from Washington demands a second.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 20 minutes and the gentleman from Washington is recognized for 20 minutes.

Mr. FORDNEY. Mr. Speaker, this matter originally was called to the attention of the Ways and Means Committee by Secretary Glass, and an appropriation of $150,000,000 for the purchase of food supplies was requested, such supplies to be sold or otherwise disposed of chiefly to the people of Poland and Austria and of Armenia, where the alarming food shortage is causing the most distress.

The Secretary of the Treasury outlined the situation quite clearly in a communication to the committee several weeks ago. Mr. GLASS also appeared before the committee and made an appeal for action. I will give a portion of his communication:

MY DEAR CONGRESSMAN: With reference to my letter of December 18 to you, calling your attention to the desperate situation in certain portions of Europe where urgent relief is required and requesting an opportunity to lay before your committee further information and proposals for legislation which will enable this Government to assist in alleviating that situation, I have the honor to submit herewith a summary of the many reports and dispatches from various reliable sources as to the situation in those parts of Europe where relief is so urgently necessary, namely, Poland, Austria, and Armenia. I also have the honor to submit a proposed legislative authorization which, in my opinion, would enable this country to give the assistance which is imperatively required.

POLAND.

According to the best information obtainable, the minimum grain requirement necessary to carry Poland until the next harvest, and which can not be filled anywhere but in the United States, is 300,000 tons. This deficiency is due to a partial failure of the wheat crop and to a lack of fuel for thrashing. Poland is at present living under a hand-to-mouth régime, which can be remedied only by a steady flow of imports from the only available surplus stocks of food, namely, those in the United States. The potato crop, which is the staple food of the poorer classes, has been destroyed by frosts to the extent of 50 per cent in many districts, as it is impossible properly to care for potatoes in transit, due to delays in transportation. Poland has been unable to procure clothing since the beginning of the war, and the result is that during the past five years practically all clothing has been worn out and has not yet been replaced. The food situation in Poland is so serious that the European Children's Relief Fund has felt obliged to loan Poland small quantities of flour from the stocks intended for child feeding. The assistance to the children of Poland rendered through this fund, which feeds 1,300,000 children daily, is claimed by its administrators there to have been a powerful means of averting revolutions up to this time, and the failure of the Polish Government to properly ration its adult population has already caused demonstrations by the Reds in Warsaw. The cost of supplying the 300,000-ton grain minimum would be approximately $50,000,000. It is possible that a portion of this requirement may be met through private charity, and that the British Government may be able to supply some tonnage for the transportation of this grain from the United States. In so far as this outside aid is received, the assistance to be furnished by the United States would be diminished.

AUSTRIA.

In Austria the acute misery and suffering are probably greater than in Poland. Two-tenths only of the present Austrian State are self-supporting in food, and the remaining eight-tenths, even before the war, produced food to supply themselves for six months of the year at most, and were dependent for the remaining six months upon importations. Consequently, the situation to-day, especially in Vienna, has become exceedingly grave, due to a shortage of coal and food. There is every indication that unless some relief is afforded immediately the population can not withstand the strain of conditions that are already well-nigh intolerable. Coal and food rations for domestic consumption have been reduced below a safety minimum, and it is only a question of days before existing stocks will be exhausted, when even the present reduced rations will become impossible unless new supplies are obtained. Already the forests in the neighborhood of Vienna are being cut down for the fuel, as are also many of the wooden dwellings.

* * * * * * *

What the effect of a general social breakdown in Austria would be can, of course, only be conjectured. That it would be confined to Austria, however, seems highly improbable, and if it spread to Germany, Poland, and possibly of all Europe, the result would be no less than a general disintegration of political cohesion in western Europe. Such an event would be fraught with the most serious consequences for the United States, and would certainly leave in its wake severe suffering and thousands of deaths among the poorer classes of the people.

The British Government has definitely proposed to join to the extent of its ability with the United States Government in furnishing relief to Austria. The British Government has explained, however, that with the present depreciation in its exchange it could not supply dollars for the purchase of food in the United States, but it can no doubt supply the requisite tonnage and some relief supplies obtainable in the United Kingdom. The total estimated requirements for Austrian relief are $100,000,000, but the British participation should reduce the amount of relief to be supplied from the United States to Austria to about $70,000,000.

As any relief undertaking, so far as concerns the United States, would be primarily a question of supplying food, and as it is advisable that the purchases of food for Europe should be handled and coordinated in such a manner as not to increase the prices of food in the United States, I am recommending in the proposed legislation that the United States Grain Corporation be empowered to purchase, sell, and deliver food and relief supplies for Europe up to the amount of $150,000,000, and that for the supplies so furnished credit may be extended by the Grain Corporation. If this amount proves insufficient to meet the minimum requirements, the Treasury will again submit the matter to Congress for such action as it may deem expedient.

If you desire further information than that contained herein, Assistant Secretary Davis and Mr. Hoover, who are most conversant with this situation, will be glad to appear before your committee on the 10th instant, at 10.30 a. m.

ARMENIA.

Although the population of Armenia is small, the situation there is desperate, and the winter season will see many deaths unless adequate food, medical supplies, and clothing are received from outside sources. It has been estimated that a bare minimum program of 7,500 tons of flour, together with other necessities, amounting in all to $500,000 monthly, will be required to meet the situation, and if deliveries are not maintained after the severe winter weather sets in orphanages will close and great numbers of deaths will result. At present there are 700,000 destitute people being kept alive by this program and partial aid is being furnished to many others.

As there are private charitable funds available for Armenia, it is probable that the amount of relief which the United States Government would be called upon to furnish to Armenia would not exceed $1,000,000.

In addition to the three above-mentioned countries or territories where the requirements are most urgent, it may be necessary to furnish some supplies to other sections of Europe (outside the boundaries of Germany) where the situation is not now so desperate but where food supplies will be required to carry them through until the next harvest. It is estimated that $25,000,000 would suffice for this purpose.

In this summary of conditions no attempt has been made to cover all the ground or even touch on all the aspects of the situation in the countries mentioned. Data in the form of consular dispatches and telegrams from various official and unofficial American representatives abroad exist in abundance to substantiate the foregoing summary of the dire need of the people of these countries for immediate relief.

In conclusion I may say that while it is impossible now to estimate definitely just what will be required, I am of the opinion, from the information so far obtainable, that a minimum of $125,000,000 and a maximum of $200,000,000 would suffice to supply the portion of relief to be assumed by this Government, provided Congress should grant the necessary authorization to participate in alleviating this serious and desperate situation.

Cordially, yours,

CARTER GLASS,
Secretary of the Treasury,

I desire to present a few extracts from statements before the Committee on Ways and Means in regard to the distressing conditions in Europe. I also want to call attention to certain portions of communications furnished the committee by the Department of State:

[Statements made by the Hon. Carter Glass, Secretary of the Treasury, Jan. 29, 1920.]

I might supplement what I have written with the statement, in a word, that those who have come to my office to depict conditions in central Europe in this afflicted region have literally horrified me with their recitals. They tell me that men, women, and children—especially children—are dying by thousands. One gentleman who has recently returned from this afflicted district told me that within two squares, traveling in an automobile, he counted 27 dead bodies lying in the street, unburied. * * * He said that the children who survive are growing up in a state of deformity, with their bones awry, their bellies distended, and a pitiful sight to behold. In fact, it just shocks the human conception to listen to the recital of the horrors of it.

* * * * * * *

He said that those that survive, in many important towns, are too weak to bury those that die, and the atmosphere itself was literally a stench, a provocative and a creator of pestilence. I simply can not describe the imminent need of this relief and can not too strongly urge upon the committee the necessity of prompt action in the matter.

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[Statement of Secretary Baker, part 3 of hearings on relief of European populations, page 119, Jan. 15, 1920.]

AUSTRIA.

Secretary BAKER. I will read this in relation to the death rate of children in the hospitals. [Reading:]

"Death rate of children, March, 1919, 96 per cent; April, 78 per cent; May, 56 per cent; June, 35 per cent. In June, 920 children were received, of whom 347 died. For 800 children there came daily 60 to 80 liters of sour milk, mixed with a preparation of white of egg. There is no special children's food; also sugar is lacking, saccharin, malt preparations, cod liver oil, etc. Weights of children are as follows: Nine months old, 3.8 kilograms (8½ pounds); 17 months old, 7.30 kilograms (15½ pounds).

"A telegram from the Hungarian Red Cross states that in the State's babies' dispensary at Budapest, which has a capacity for 18,000 babies, 812 babies died in January out of 1,000; February, 966 out of 1,000; March, 785 out of 1,000; April, 577; May, 567; June, 635. These figures illustrate the emergency and the horror perhaps better than anything else could. The figures are accurate."

There is a good deal more discussion of the same kind. This report, when I first saw it, was accompanied by photographs of undernourished children, which were indescribably distressing. June is the last month for which I have been able to get any data.

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[Extracts from testimony of Mr. Hoover before the Committee on Ways and Means regarding conditions in Austria.]

The Austrian situation is the worst in Europe. There is a population of 7,000,000 people, embracing Vienna with over 2,000,000, including many refugees. This State has an agricultural capacity of about three months' food out of a year. Under the political arrangements made, the agricultural area tributary to old German Austria was, of course, separated off into Greater Serbia and Czechoslovakia. Vienna now stands as a population based upon an empire, with the empire cut off. Vienna was the financial and economic center of a very large area, and contained a largely centralized government, with a great mass of civil employees. Thus the functions of the city are largely destroyed, and we have here a large idle population of some 2,000,000 or more, together with some other smaller towns in the same situation. These can never be supported on that area except by a very intensive industrial development requiring years.

That is the situation with regard to her own agricultural resources. She has some minor industry, and if she had some primary financing of raw materials she could recover some exports and cover some of her necessities. It is possible that with investment of capital in new productive enterprise and with a preservation of the economic functions of Vienna as an economic center, the population could survive. This is not in any sense an immediate prospect. The immediate problem is that the city of Vienna and one or two minor cities, like Innsbruck, Gratz, etc., are totally out of food supplies. I doubt whether there is a food supply in sight for 30 days. That situation is of the most pressing order. I do not see any possibility of its solution outside of food on credit, and I would not want to place the security of that credit at a high point. The Austrians have offered anything they possess, including the national gallery. I, myself, said that I would not personally be associated with any attempt to empty the national gallery as against the population starving for food. It seemed to me that was a form of pawnbroking that our Government would not care to go into. But it at least illustrates the desperation of the population and their willingness to give anything they have to supply themselves with food. I do not know of any situation in the world to-day where the population is suffering as acutely as they are in those particular cities.

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[Communications from Department of State with reference to Poland:]

[Paraphrase of cablegram—Excerpt.]

PARIS, *November 11, 1919—10 p. m.*

There is no question about it; the Polish situation is desperate. Various nationalities are telling so many hard-luck stories that one more or less makes little difference, and Gibson realizes that by constant reiterating the people here and in Washington have come more or less to accept the situation as it is, and all its horrors have been lost sight of. I am convinced, personally, that the political life of Poland is in serious danger, and I think if you will discuss the situation with Hoover you will find he is in complete agreement. It is difficult to see how they can get through the winter. The army is actually without shoes and overcoats, with the temperature below zero, as you know. Coal obtains in Poland, but due to the shortage of cars they are not able to transport it to the cities. It is no uncommon sight to see people fall down on the street, overcome with cold or hunger.

POLK,
American Mission.

—

[Cable No. 335—Paraphrase.]

NOVEMBER 10, 1919—11 A. M.

Reference is made to the department's circular telegram of September 27, 6 p. m., 1919. It is stated that a detailed report from the foreign office shows a general rise in living expenses in Poland from 1914 to September of 1,179 per cent. No increase in the price of rent is shown. Food has increased to the amount of 1,875 per cent; fuel by over 2,000 per cent; clothing by 1,200 per cent; light by 635 per cent. No figures have been received regarding telegraphs. For the maintenance of a family of four, with one servant, a monthly budget of about 3,000 marks is estimated, as against a prewar estimate of 233 marks a month, and to meet this amount an average workman only earns from 300 to 1,200 marks monthly. Furthermore, the exchange stood at normal before the war, a ruble equaling 50 cents, a mark 23.82, whereas latest figures quote Polish marks at 2.38. A complete report will be sent by dispatch.

GIBSON,
American Minister.

According to a large amount of evidence submitted to the Committee on Ways and Means, probably the most distressing

conditions in all Europe are to be found in Austria, and the sad plight of the Austrian people is due, in part, at least, to the severe provisions of the peace treaty, which seem to have effectively accomplished the breaking up of the old Austro-Hungarian Empire.

The old Empire had a population of some 52,000,000. Austria of to-day has a population of about 6,400,000. Hungary, in the grain district of the old Empire, is now severed from Austria. Czechoslovakia, with a large share of the old Empire's resources and 13,000,000 inhabitants, has been taken away. Certain portions of the old Empire have been ceded to Serbia, Poland, and Roumania. Of the former powerful Empire, we find Austria of to-day without a seaport or shipping; with no manufacturing of consequence; and with little or no coal. Austria of to-day can supply grain sufficient to care for a portion of its population but for a few months of a year, and to add to its troubles, Austria's currency has depreciated to a point of almost worthlessness and is practically unable to barter for food supplies.

The real distress is in Vienna, the former proud capital of the Austro-Hungarian Empire. Many of the inhabitants of Vienna were employed in the various activities of the highly centralized Government of the old Empire. Vienna also was a financial and trading center and was the center of learning of an area even greater than the old Empire itself. The activities upon which the people of the city of Vienna lived have been taken away, and Vienna of to-day appears on the verge of starvation. As Mr. Hoover stated before the committee:

> Vienna now stands as a population based upon an empire, with the empire cut off.

If we are to credit the representations of the Treasury Department; if we are to place any reliance upon what the Department of State has transmitted as authoritative communications; if we are to have any faith at all in the veracity of the reports of Mr. Hoover and the American Red Cross, we must believe that literally millions of people in Europe are facing starvation, and we must further believe that the only hope of these destitute millions is relief from America, such as is contemplated in the pending legislation.

While, as a general rule, I am opposed to extending the foreign obligations of the United States and burdening the taxpayers at home incident thereto, I fail to see how any man can blind himself to the earnest appeal for aid from across the seas. We must not confuse this legislation with certain newspaper reports of alleged activities of foreign countries to secure funds in America which eventually would be used in building rival navies, merchant ships, and industries. The appeal from Austria, Poland, Armenia, and other countries is not for the building of industries to furnish employment nor for ships; it is not particularly an appeal for money, clothing, or fuel; it is an appeal for food to avert starvation. If we are to credit the vast amount of information, furnished the Committee on Ways and Means through official channels, we must believe that the lives of large populations of unfortunate people depend upon the passage of this legislation. I most sincerely hope the bill before the House will be speedily enacted. Delay will result in suffering beyond description. The responsibility is upon us. We must act quickly.

This is a plea for humanity. It is possible that prompt relief will avoid chaotic conditions that might prove more costly to America later on, but that possibility is not the issue at this time. The real argument is the present suffering of vast populations in the stricken portions of Europe. No stronger appeal could be made than an accurate description of existing conditions, if words could be found to express the true situation.

It was said also by the Secretary of the Treasury and by others who appeared before the committee that Great Britain, France, and Italy had agreed to aid in furnishing transportation for these supplies and to contribute as far as they are able toward the purchase of supplies, breadstuffs, milk, oil, sugar, beans, and so forth. The kinds of food most essential to infants, children, and invalids are almost wholly lacking. There are no fats of any kind, and children are starving for the want of milk. The death rate among mothers and babies has reached an alarming figure. My sympathies have gone out to those poor people, whether friend or foe. As far as the war responsibility is concerned, all must admit that the children are blameless, and upon the innocent seems to be falling the greatest hardships and suffering incident to the world's most destructive war. When we know that our little children at home and our families have plenty to eat and plenty to wear, that they enjoy the comforts of life, and at the same time know that across the sea thousands of infants and thousands of mothers are facing starvation, it appeals to the sympathy in any man's heart. It did to mine. I would give up gladly a share of my food, if that would do any good, to those who are starving over there.

Later on Mr. Barnes, president of the United States Grain Corporation, came before the Committee on Rules and made the statement that that corporation has on hand 5,000,000 barrels of low-grade flour, which has been in storage for some five months, some, I believe, secured about the 1st of July, 1919. It is a grade of flour our people do not care to use. The corporation has been offering it at $10.75 per barrel, but our people do not buy it. They want a better grade of flour and are willing to pay more for it.

The Ways and Means Committee reconsidered the matter and by a unanimous report, at the request of the Grain Corporation, has presented the bill now under consideration authorizing the Grain Corporation to sell that flour for cash or on credit or to otherwise dispose of it to those suffering populations of Europe. Mr. Barnes stated that under existing law he felt they had the power to dispose of this flour without further authorization of Congress, but that if Congress gave its sanction it would enable them to call on Great Britain, France, and Italy to cooperate in furnishing transportation and other supplies to go with this flour to feed those starving people over there.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. SNYDER. The gentleman stated in his opening remarks that the committee had been asked to appropriate $150,000,000 for this or a similar purpose?

Mr. FORDNEY. Yes.

Mr. SNYDER. Are we to understand that this $50,000,000 it is now proposed to appropriate to buy the 5,000,000 barrels of flour is the final word on the $150,000,000 proposition?

Mr. FORDNEY. I understand so, yes; but in addition to that let me say to the gentleman that one point I had overlooked is this: The Food Administrator has worked out a plan by which people living in this country who have friends in Europe—and Mr. Hoover stated that there were 3,000,000 families of foreigners in this country who have friends living in the stricken countries—can go to banks in this country and purchase an order for supplies over there and pay for it and send the order over there and that that order would be honored. In that way they are now receiving a very large sum of money from people in this country who have friends in Europe, all of which alleviates the task this Government in part is called upon to perform.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GALLAGHER. Is this quality of flour fit for food?

Mr. FORDNEY. Yes. Mr. Barnes stated that it was wholesome flour, but it was of a low grade. It would sustain life and has as much, if not more, nourishment than the flour of a better grade, but it is a grade of flour that our people are not accustomed to using. I really think it is whole wheat flour and is the product of soft wheat.

Mr. SNYDER. Mr. Speaker, will the gentleman yield further?

Mr. FORDNEY. Yes.

Mr. SNYDER. It has been pretty well advertised throughout the country that the Grain Corporation made a profit in their transactions of some $50,000,000?

Mr. FORDNEY. Yes.

Mr. SNYDER. These 5,000,000 barrels of flour, which are questionable so far as use in this country are concerned, embody, then, the entire asset that the Grain Corporation has in the way of profit?

Mr. FORDNEY. In the way of profit; yes.

Mr. SNYDER. Then if that flour is sold in this way, the Grain Corporation would still have a questionable asset of some $50,000,000 or whatever it gets for this flour?

Mr. FORDNEY. They have on hand the actual capital and they have on hand a little better than $50,000,000 of profit, as I understand it, in cash and in flour, mostly, I presume, in the very flour it is now proposed to use for relief purposes. It is expected to sell this flour for cash or such security as they can obtain, most of which they think will finally be paid.

Mr. SNYDER. With all due respect to Mr. Hoover, if the gentleman found himself as a business man at the end of a period of so many years, after doing the amount of business that the Grain Corporation has done, with a profit of $50,000,000 tied up in an asset of this kind, would he consider it really efficient business management.

Mr. FORDNEY. Whether it is a good proposition or not, I am willing to vote right now to grant $50,000,000 with which to buy food for people who are starving.

Mr. SNYDER. I agree with the gentleman on that fully.

Mr. FORDNEY. I agree that the security is not the best in the world.

Mr. SNYDER. It is not a question of security. What I am trying to get before this House is that this profit that we have heard so much about is tied up at the present time in 5,000,000 barrels of flour that can not be sold in this country.

Mr. FORDNEY. Yes; that is right.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MILLER. I am interested in knowing what individual or what commission manufactured 5,000,000 barrels of unsaleable flour and where that flour is now?

Mr. FORDNEY. I understand, sir, that it was manufactured at the suggestion of the Grain Corporation; I know of no other authority, except, perhaps, the Food Administration; but the Grain Corporation purchased the flour and have it in their possession now. I think they owned the wheat and had it converted into low-grade flour for the purpose of export.

Mr. MILLER. Can the gentleman give us information as to where this 5,000,000 barrels of flour is now stored?

Mr. FORDNEY. Well, it is in various storehouses, I believe, in charge of the Grain Corporation. I do not know the locations, but it is in the charge of the Grain Corporation.

Mr. MILLER. And the gentleman understands it was Mr. Barnes who had this unsaleable flour manufactured?

Mr. FORDNEY. He is the man at the head of the Grain Corporation, and it was the Grain Corporation that had the flour manufactured.

Mr. HUTCHINSON. Will the gentleman yield?

Mr. FORDNEY. I must not take up too much time, as I have agreed to yield to others.

Mr. HUTCHINSON. Under the law the Grain Corporation have the authority to sell it now. Can the gentleman explain why they want this law?

Mr. FORDNEY. They state they have the authority now to sell it, but if that authority is coupled with this specific authorization of Congress, they then can go to the English, the French, and the Italian people and say, "Our Government has authorized the sale of flour to feed these starving people and we want you to furnish the balance of the foodstuffs."

Mr. HUTCHINSON. Or, in other words, they want the indorsement of the Congress to sell this flour that is not fit for use?

Mr. FORDNEY. Well, I do not know whether it is fit for use; but I have no more time, as I have promised to yield to others. I have agreed to yield 10 minutes, and I believe I have now used 11 minutes over my time. Now, if the gentleman will yield a few minutes to the gentleman from Wyoming [Mr. MONDELL] out of his 20 minutes——

Mr. RAMSEYER. Will the gentleman yield? Probably he can get more time. The gentleman's committee first considered the proposition to extend a credit of $150,000,000 for this very purpose.

Mr. FORDNEY. We reported a bill authorizing the expenditure of $50,000,000, but $150,000,000 was requested by the Treasury Department.

Mr. RAMSEYER. What I was going to ask was, Has the committee found that $50,000,000 will do the work of saving these women and children in these distressed countries?

Mr. FORDNEY. No; the gentleman should understand that if we had authorized by passing a bill for $50,000,000 it could have been used to purchase flour and other food supplies. Now, we propose to furnish 5,000,000 barrels of flour now in the Grain Corporation's possession.

Mr. RAMSEYER. All right, now——

Mr. FORDNEY. Now, that $50,000,000 was to buy all kinds of food to send over there.

Mr. RAMSEYER. Does the committee find that this 5,000,000 barrels of flour, together with other foods from countries that are going to furnish food, is going to tide these distressed people over until the next harvest?

Mr. FORDNEY. Until the next crop, we think.

Mr. RAMSEYER. That is what I wanted to know.

Mr. KITCHIN. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. KITCHIN. I want to ask the chairman if it was understood that I would have 20 minutes and that the gentleman from Michigan would have 20 minutes?

Mr. FORDNEY. Why, the gentleman from Washington says that he controls the other 40 minutes.

Mr. KITCHIN. Is the gentleman opposed to it?

Mr. JOHNSON of Washington. I was so recognized by the Chair.

Mr. KITCHIN. Is the gentleman opposed to the bill?

Mr. JOHNSON of Washington. I am opposed to the bill and have been heretofore, but it may be that I will be overcome by these pathetic appeals.

Mr. KITCHIN. Mr. Speaker, I do not think it is fair that all the time should be controlled on that side and cut this side out. I want 10 minutes to talk on this bill myself, and the gentleman from Illinois [Mr. HENRY T. RAINEY] wants 10 minutes.

The SPEAKER pro tempore. Well, the Chair asked the gentleman from Washington if he was opposed to the bill, and he said he was at present, and therefore he demanded a second and is entitled to control the time in opposition to the bill.

Mr. KITCHIN. But I understood he qualified his opposition.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina have—how much time?

Mr. KITCHIN. Well, the gentleman from Illinois [Mr. HENRY T. RAINEY] wants 10 minutes.

Mr. MONDELL. The gentleman from Washington can yield time.

Mr. GREEN of Iowa. We ought not to confine debate on this bill to 40 minutes, anyway.

Mr. JOHNSON of Washington. I have promised 10 minutes——

Mr. GREEN of Iowa. I ask unanimous consent that the gentleman from North Carolina have 20 minutes in addition to the time provided for by the rule, to be controlled by him.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that the gentleman from North Carolina be permitted to control 20 minutes in addition to the time controlled by the gentleman from Michigan [Mr. FORDNEY] and the gentleman from Washington [Mr. JOHNSON]. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Speaker and gentlemen, I presume that the position of nearly all of the Members of this House is exactly the same as mine—they dislike to vote for this bill and yet regret to oppose anything that is so clearly placed on the ground of great humanitarianism. No one can read this report without distress almost to tears when one reads that in the Austrian hospitals out of every 1,000 babies for a period 960 died of inanition, starvation, and neglect. Reading that phase of it, everyone feels, as the gentleman from Michigan [Mr. FORDNEY] has said, that he would contribute one-half of what he possesses to afford them help. And yet I am bold enough to say that we can not by either gift of flour or money end the starvation of the children to any appreciable extent. This is but the second of numerous steps; and, once started, probably we can not stop. Not very long ago, when we were asked to contribute $100,000,000 for the starving peoples of Europe, we were told that that sum not only would relieve distress but end Bolshevism. It did neither.

Now, my friends, this particular proposition has been so jockeyed that instead of its being a $150,000,000 proposition, as first called for, and then later a $50,000,000 proposition, it is now a wheat-trade proposition, a low grade of wheat, which was made into so-called war-bread flour, and was made under regulations and directions of our Food Corporation, and made in such quantities that when the armistice was signed the mills were simply swamped with mixed flour. It could have been sold in the United States at a fair price, but what would the sale have done? Why, it would have lowered the price of white flour, and thus lowered the profits of the great milling corporations. So the United States Grain Corporation took it, paid for it, and played its part in continuing the 12-cent loaf of bread in the United States. And now it is going to Europe. Well, good riddance, and perhaps it is just as well that the inside of the deal be not aired or exposed.

Now, then, we have no guarantee just what countries will get it. A dozen of them are all crying for it, but would rather have American dollars. Armenia, Poland, and Austria, we were just told, are to get it. The resolution does not say so. I can see the scramble, and I can hear the further appeals—all just as sad as this one.

It is a matter of fact that in Austria before the collapse of that Government the city of Vienna commandeered the flour that was in the country places, sent military agents out in the country to get it, and the country millers hid the flour and refused to give it up. A new Government prevails in Austria now, and one of its principal local duties is to send agents out to those country millers and imprison them, kill them if necessary, and to seize that wheat, which is used up, not by the starving people, but by able-bodied men who will not work as long as they can get the wheat.

Mr. MILLER. Will the gentleman yield for a question?

Mr. JOHNSON of Washington. Yes.

Mr. MILLER. Is it not true, also, that of the previous $100,000,000 we appropriated, a very substantial portion of it went to Poland, and immediately thereafter the Polish Army

took the offensive, and is still fighting upon the very material we sent them?

Mr. JOHNSON of Washington. That is bound to happen. That will happen with this wheat, or much of it. The army must have food first. They will feed those armies on our wheat or our money, or whatever we give them, and they will not stop fighting, and few of the starving babies will be fed. This is a hard and cold proposition. This $50,000,000 loan, as you have called it, is not the last, by any means. What is more, that when property has no value, when life is unsafe, when money is worthless, the army offers a refuge, and that is where men go rather than to the fields.

Mr. GREEN of Iowa. Where does the gentleman get his facts with reference to the conditions in Austria?

Mr. JOHNSON of Washington. I have them abundantly from an Austrian-born American citizen himself, who went over there after the war and found his father, a country miller, in the condition described, and while my informant did not know all the political conditions in Austria, he knew all about the flour situation. You will not cease hearing about Austria for years to come.

Mr. GREEN of Iowa. We had competent witnesses before us, gentlemen who had been over there, and their evidence was all to the contrary.

Mr. JOHNSON of Washington. I have no doubt you can get witnesses in plenty. I admit the distress, the starvation, the appalling conditions. Here are pathetic, desperate appeals from twelve or fifteen countries, and I will make the venture that as long as a certain proportion of the men in all those countries can find sustenance through begging it of their authorities they will not get down to the work of tilling the soil and relieving the distress of their own people.

I want to take time to say that the Polish Government has set up a legation here, with a minister plenipotentiary and an envoy extraordinary, two officials——

The SPEAKER pro tempore. The gentleman has consumed five minutes.

Mr. JOHNSON of Washington. I will use two minutes more. They have established a legation at 2640 Sixteenth Street, purchased from Mrs. Henderson for $200,000. I understand, however, no cash was paid, and that it is a 6 per cent guarantee plan. Poland also purchased a consulate in New York at 40 East Fortieth Street, but the officers do not like it apparently, for it is idle, and they have purchased another one on Third Avenue—a five-story building. And I read in the Washington Post of March 10, a few days ago, this social item:

> The minister from Poland, Prince Lubomirski, has gone to Newport, R. I., to lease a house for the summer quarters of the legation.

That shows the stretch between prince and pauper. The prince, the Polish minister, wealthy in his own right, is doing, no doubt, what he can with his money and by his efforts for the people of Poland, but he will be comfortable at Newport. We are distressed here with these stories of starvation. We will send the flour. It will feed a few. Starvation will continue; war will continue. In my opinion, men will flock into the armies in all of the little countries. So-called Bolshevist forces will fight Bolshevist forces sooner or later. It is the way of all revolutions. Distress and death for years. Slowly will the soil be tilled, and it will be years before we hear the end of these appeals, which should, in my opinion, be met with responses from private purses and not from the Public Treasury. [Applause.]

Mr. KITCHIN. Mr. Speaker, I yield four minutes to the gentleman from Iowa [Mr. GREEN].

Mr. FORDNEY. And I yield one minute to the gentleman, making five.

The SPEAKER pro tempore. The gentleman from North Carolina yields four minutes to the gentleman from Iowa and the gentleman from Michigan yields one minute. The gentleman from Iowa is recognized for five minutes.

Mr. GREEN of Iowa. Mr. Speaker, this is a case where people are starving and suffering beyond all description, and are simply asking for the crumbs that fall from the rich man's table. We have on hand 5,000,000 barrels of dark but wholesome flour that the people of this country will not buy or use, and the bakers of this country will not buy or use; but that flour is wholesome, and it is good food, and it will give relief to anyone who needs something upon which to live.

Gentlemen talk about conditions in Austria, and intimate that they are not serious or are the fault of the Austrian people themselves. If we are to believe our own people who are over there undertaking to give private aid, the conditions there simply beggar description. It is impossible to picture the horrors that are plain to the sight of anybody that walks down the streets of Vienna, notwithstanding all that is being done by private individuals to relieve the distress.

Mr. JOHNSON of Washington. Does the gentleman contend that in endeavoring to make more than 5,000,000 people live in what is left of Austria, where less than 1,000,000 can live, that conditions will get better with $50,000,000 worth of wheat?

Mr. GREEN of Iowa. The gentleman can discuss that. I am not discussing now what mistakes may have been made in the peace treaty. I care nothing about that for the present. What I desire is that the people who are now enduring this agony, while we live in comfort and comparative luxury, shall have their wants relieved to the extent of the profits the Grain Corporation has made. So far as Poland is concerned, I do not want to assist her army in getting beyond her boundaries, and the purpose in drafting this bill was to make clear that the intent was that the flour should not be used in that way. The bill states that the purpose is to relieve those who are suffering for the want of food.

Mr. McKEOWN. Will the gentleman yield? Did you make any provision against this food falling into the hands of profiteers in the countries that are distressed?

Mr. GREEN of Iowa. The Grain Corporation has agents over there ready to distribute this flour, and it is expected that England will furnish the transportation. The organization which the Grain Corporation already has will be used to distribute it.

The only reason why Congress should take any action is in order that England may be called upon to redeem its promise to transport the food to Europe. The Grain Corporation has the authority to sell it, as it claims, and will sell it, so Mr. Barnes says, and he is at the head of it, not Mr. Hoover.

Mr. NEWTON of Minnesota. Mr. Speaker, will the gentleman yield for a question?

Mr. GREEN of Iowa. Yes.

Mr. NEWTON of Minnesota. Do I understand the gentleman to say that none of this flour will go to Poland?

Mr. GREEN of Iowa. No. It is impossible to restrict its distribution in that kind of a way. It is expected that Poland will get much of it, but it is not intended it should be used for the support of its army.

Mr. NEWTON of Minnesota. I should hope that the committee would not want to have the country of Poland kept out of the benefits of this distribution.

Mr. GREEN of Iowa. No. There is starvation in Poland. Typhus rages there. People are dying by the thousands in Poland, although the condition in Poland is not as bad as it is in Vienna and Armenia.

My time is limited, but I want to say one thing further, that so far as the Committee on Ways and Means is concerned, and I think I represent them in this respect, this is the last time. We hope, and so far as I am concerned I pray, this aid will be sufficient to tide them over until the next harvest and put an end to the frightful agonies they are undergoing at this time. Whether it will or not I can not say, but it will go to the extent that 5,000,000 barrels of flour will relieve hunger. But this is positively the last time. We have got to draw the line somewhere, and the Committee on Ways and Means considers it ought to be drawn here.

Now, why should we not give this small amount of relief, and let them have the profits that accrued through the workings of the Grain Corporation? Let them have, as I said, these crumbs that fall from the rich man's table. Let them know that America has some heart for their agony at this time. Let us keep the reputation of being a people with souls and feelings for those who are enduring this awful suffering. [Applause.]

Mr. FORDNEY. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MADDEN] four minutes.

Mr. JOHNSON of Washington. And I yield him three minutes.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for seven minutes.

AMERICA'S CONTRIBUTION TO THE FOOD RELIEF OF EUROPE.

Mr. MADDEN. Mr. Speaker, in common with others who have given consideration to the conditions abroad, I concede the hardships which the people of war-stricken Europe have been obliged to undergo, and no charitably inclined person can fail to sympathize with the condition of these unfortunate people.

To the extent that it is possible, every person should contribute of his private means to the relief of the suffering people of these unfortunate lands. Such relief as can be afforded through private contributions should be granted to the people in sections of Europe who are unable to provide such necessary food supply as will enable them to pass through the period within which the crops of the coming season are being cultivated; and my information is that large sums are being daily contributed for this purpose by the charitably inclined people

of the United States, which in the aggregate amount to something like $100,000,000 a year.

The United States authorized the expenditure of $100,000,000 last summer out of its Treasury for this purpose, and, while it is said that the expenditure was not a gift and that securities were taken for the food supplied, I think it will not be denied that no part of the $100,000,000 will ever be returned to the Treasury, notwithstanding the fact that securities amounting to $88,000,000 are said to have been taken in payment for the food furnished; so that it may be safely said this $100,000,000 was a gift.

Some time since requests were made upon the Congress to donate an additional $150,000,000, and it was urged that immediate action was necessary to save the lives of the starving people abroad, but upon mature consideration those charged with the responsibility of enacting the legislation were obliged to conclude that in the present state of the National Treasury no justification could be found for such action. Later on it was stated by those who professed to have knowledge that the United States Grain Corporation had made $50,000,000 on the sale of food products abroad during the war, and that it would be within the bounds of reason that food amounting to that sum should be donated to those from whom the profit on previous sales had been made. But it must not be forgotten that in the estimate of revenues for the coming fiscal year is included the sum of $500,000,000 to be received from the Grain Corporation, and the ability of the United States to meet its obligations is to the extent of that amount dependent upon the receipt of this sum, so that it can not well be said that we are but returning profits previously made from the sale of goods abroad to those from whom such profit was made.

Any contribution made through act of Congress must come out of the Federal Treasury, and the question arises, What authority has the Congress to take the money which belongs to the whole people and donate it to charity, no matter how meritorious the case may be? My contention is that there is no authority either in the Constitution or the laws of the United States authorizing the Congress to take the funds of the people out of the Treasury for any purpose except the legitimate purposes required in the conduct of the Government, and I am unwilling, as one Member of the House, to vote to place this additional charge on the people of the United States in the form of new taxation.

It is unnecessary for me to repeat statements which I have frequently made to the effect that the finances of the country were never in such a deplorable condition as now, and now, more than ever before, it is necessary that every person in responsible place should devote himself whole-heartedly to the work of rehabilitating and stabilizing the country's finances. With a deficit of $3,000,000,000 facing us and estimated expenses for the coming fiscal year of $6,000,000,000 and revenues not to exceed $5,300,000,000, it will be seen how impossible it is to enter upon new obligations, to say nothing of drawing upon the Treasury for funds to meet the needs of other peoples. Our first obligation is to our own people, and they should receive first consideration. Living costs are away beyond the reach of the ordinary person. Every unnecessary dollar taken from the Treasury adds to the increased cost of living. Demands are being made on every hand for increased compensation to enable our people to meet the excessive living costs. These demands are neither unjust nor unreasonable under the circumstances, but everybody knows that if granted it will but add to the living cost. The thing that should concern us most is to bring conditions back to normal and thus enable those who toil to buy the necessities of life at reasonable prices. The people throughout the country are demanding relief from the excessive burdens of taxation, and those in the administrative branch of the Government are insisting upon extravagant expenditures. Both can not be granted. The duty of the Congress is to, as far as possible, reduce the expenses of the Government without doing injustice to any necessary activity, and until the people of the Nation all realize the necessity and importance of cooperating to the extent of insistence on economy of expenditure extravagant waste is likely to go on, but this extravagant waste should not include contributions from the Public Treasury to people in other nations for whose welfare we are in no wise responsible.

We have already loaned to the European nations $10,000,000,000, on which they are not paying the interest, and our people are obliged to sell abroad without assurance of definite payment, and I am not far from the mark, I think, when I say that American banks are carrying up to $12,000,000,000 of European paper received in payment for goods sold, much of which is not being paid when due, and hence it is more important than ever before that we should trim our sails to enable us to weather any storm that may arise. Nobody believes that the Government should make any further advances to Europe to help in its rehabilitation, and few people who have given the matter careful study will insist that the Treasury should be drawn upon to feed the people of Europe.

We have made many sacrifices as a people; we were proud to help in the Great War that has just closed; we are proud of these sacrifices, but now that the war is over we should look to our own needs and endeavor to husband our resources for the benefit of our own people. The willingness with which our boys went into the war and the bravery and valor which they displayed, the sacrifices they made, all prove that we were not unwilling to do our share to preserve the integrity of the world and preserve the life and prosperity of the people, but there must be a time when our obligations should cease. My judgment is that that time has come, and henceforth our efforts should be directed to a program having for its purpose the creation of conditions in this country which will enable all to feel that they are to be given every facility in the future to proceed on life's journey without unnecessary burdens, with every incentive to success through individual effort, with the assurance that no dollar of the people's money will be expended for any purpose not intended to promote the welfare and the happiness of our own people.

In a statement recently made by the Secretary of the Treasury, published in the press, Mr. Houston said:

> People lost sight of the many ways in which we have been assisting Europe since the armistice. In addition to Government loans, we have furnished them $700,000,000 worth of surplus Army supplies, $100,000,000 for food relief, probably $400,000,000 in private loans to foreign bankers, and a considerable amount of accrued interest on the Government loans, so that the total probably would read $4,000,000,000. In addition Europe has been selling securities here.

Mr. Houston said that all reports from Europe indicate that "reconstruction was going on while we were talking about it," citing the rebuilding of French railroads and bridges as a notable example of what has been accomplished.

It therefore seems to me, if Europe is able to enter upon the work of reconstruction to the extent indicated by Mr. Houston, that Europe can well afford to provide for the wants of its own people. Charity is not calculated to encourage people to begin the work of reconstruction, and production is the one thing necessary to the rehabilitation of the world. Just as long as the United States is willing to contribute, just so long are the people to whom contributions are made likely to feel that work on their part is unnecessary. What we need most of all is more production and less extravagance. If the world will begin to see that and act upon it, conditions will soon right themselves; but for the United States to be considered the only instrumentality through which the peoples of all nations must be supplied with the means of livelihood is a great mistake, and we, as the responsible agents of the American people, should not lend ourselves to the execution of the plan.

It is said that the Grain Corporation has 5,000,000 barrels of flour on hand which the people of the United States will not buy, being of a class which they are not accustomed to use, and the Grain Corporation wishes to sell such flour abroad.

The Grain Corporation was organized by act of Congress to regulate the price of wheat and flour during the war, and under the authority granted bought and sold grain and flour, not only in the United States but sold the same throughout the world. It has the same authority now that it has had from the beginning, and there is no restriction on its right to sell the flour which it has on hand, and there is no reason why it should not sell it to the people of Europe if they wish to buy it; and if its sale abroad will aid in relieving the distress among the people there I am heartily in favor of the Grain Corporation making such disposition of it; but while Mr. Barnes, head of the Grain Corporation, asserts that he has ample authority to make the sale, he still insists on further legislation upon the subject. Why the legislation is insisted upon I am unable to understand, unless it be to give those who have exploited themselves in the public press still greater opportunity for exploitation at public expense. This should not only be avoided but prevented by a refusal to enact further legislation upon any subject that will enable any man to advertise his own greatness by using the funds of the Treasury of the United States for that purpose.

Of course, as I have previously said, there is no doubt but that suffering has existed and still exists; but that this suffering will continue to exist if people are encouraged to remain in a state of idleness there can be no doubt, and so, in my judgment, the time has come when everybody everywhere should be given to understand that America as a Nation is not to be drawn upon for funds to meet their needs which must be raised by the imposition of unjust and unnecessary burdens through tax upon the backs of our own people.

From an article written by Vernon Kellogg in the February number of Everybody's Magazine, it appears that the United States has never been considered at all in connection with the relief granted to the peoples of Europe. This article is the story of Hoover. Mr. Kellogg is a professor in Stanford University. He has been a close associate of Mr. Hoover in his European work. He says, among other things:

It was a great day for the children of Warsaw. It was a great day for their parents, too, and for all the people and for the Polish Government. But it was especially the great day of the children. The man whose name they all knew as well as their own, but whose face they had never seen and whose voice they had never heard, had come to Warsaw. And they were all to see him and he was to see them. He had not announced his coming, which was a strange and upsetting thing for the Government and military and city officials, whose business it is to arrange all the grand receptions and the brilliant parades for visiting guests to whom the Government and all the people wish to do honor. And there was no man in the world to whom the Poles could wish to do more honor than to this uncrowned simple American citizen, whose name was for them the synonym of savior.

So that Mr. Hoover seems to be recognized as the only instrumentality through which the people of Europe were saved. The Treasury of the United States and its Government and its people seem to have been lost sight of in the presence of Mr. Hoover, the savior of Europe.

Mr. Kellogg goes on to say:

For what was their new freedom worth if they could not be alive to enjoy it? And their being alive was to them all plainly due to the heart and brain and energy and achievement of this extraordinary American, who sat always somewhere far away in Paris and pulled the strings that moved the diplomats and the money and the ships and the men who helped him manage the details and converted all of the activities of these men and all of these things into food for Warsaw and for all Poland. It was food that the people of Warsaw and all Poland simply had to have to keep alive, and it was food that they simply could not get for themselves. They all knew that. The name of another great American spelled freedom for them; the name Herbert Hoover spelled life to them.

Now, here we are, on the authority of Mr. Kellogg, told that Mr. Hoover pulled the strings while he sat in Paris that moved the diplomats, the money, the ships, and the men who helped him to manage the details and he converted all the activities of these men and things into food for starving Europe. They all knew they could not get the food without Hoover, and that they could not live to enjoy freedom without Hoover; that life without him was impossible. Mr. Kellogg tells us that the name of another great American spelled freedom for the people of Europe. I wonder who this great American is whose name Mr. Kellogg studiously refrains from mentioning? Can it be that this man of mystery, whose name is not worthy of mention, is a myth, or is he a real living entity? If so, why was not his name mentioned? Is it possible that he was so modest that he would not permit the use of his name? If he had performed such wonderful feats as to grant freedom to the people of Europe, why is it that his name is not to be mentioned beside that of Hoover, which spelled life to those to whom freedom had been granted by this great man of mystery?

Mr. Kellogg says:

So it was no wonder that the high officials of the Polish Government and capital city were in a state of great excitement when the news did come, not from Mr. Hoover, but from the railway officials who were managing his train, that he was really moving swiftly on from Prague to Warsaw.

Here we have, on the word of Mr. Kellogg, the information that the public officials of the Polish Government were in a state of great excitement when the news came that Mr. Hoover was on his way. Mind you, this word, according to Mr. Kellogg, did not come from Mr. Hoover himself, it came from the railway officials who were managing his train. Managing his train. It can not be that Mr. Hoover was traveling on a train and that it was found necessary to have railway officials manage it, for Mr. Hoover was on a mission of charity, was he not? Can it be possible that this man of destiny who gave life to those who had received their freedom through some mysterious great American had a train at his disposal, and that it was being managed by railway officials and that those officials, because of Mr. Hoover's modesty, were obliged to send word in advance of his coming to the Polish people? I can not believe it; for the starving people of Europe were being supplied with food from funds furnished out of the American Treasury, and surely those who were in charge of the distribution of this fund would not enter upon the extravagance necessary to supply a train to carry an individual and make it necessary for such train to be managed by a corps of railroad officials. Oh, no; that can not be; Mr. Kellogg must be mistaken.

And Mr. Kellogg says:

And now he was preparing to return to his own country and his own children to take up again the course of his life as a simple American citizen at home. But before going he must see that the people of Bohemia, Serbia, and Poland, and all the rest were being fed.

And so he traveled in an unostentatious way without advance notice of his coming on a special train managed by a corps of railroad officials.

Mr. Kellogg says:

And when those of us who went to Poland for him in January, 1919, to find out the exact condition and the actual food needs of the 25,000,000 free people there, made our report to him, a single unpremeditated sentence in this report seemed most to catch his eyes and hold his attention. It did more; it wetted his eyes and led to a special concentration of his efforts on behalf of the suffering children. This sentence was, "We see very few children playing in the streets of Warsaw." Why were they not playing? The answer was simple and sufficient; the children of Warsaw were not strong enough to play in the streets. They could not run; many could not walk; some could not even stand up. They simply could not play.

We have it on the word of Mr. Kellogg that out of the report made by those who visited the different sections of Europe for the purpose of ascertaining the conditions among the people, the one simple, unpremeditated sentence which attracted Mr. Hoover's eye was, "We see very few children playing in the streets of Warsaw." And this was the sentence out of the whole report that attracted the eye of Mr. Hoover. It did more than attract his eye; it wetted his eyes and led to a special concentration of his efforts. Mr. Kellogg informs us that Mr. Hoover, from the reading of this unpremeditated sentence, concluded that the children were not playing in the streets of Warsaw because they were not strong enough to play; that they could not run; that they could not walk and that many could not even stand; that they simply could not play. Wonderful mind with great powers of discernment. No wonder he has the ability to see into the future and to be talked about as a candidate for the Presidency, but I am sure that Mr. Hoover has not exploited his own candidacy, for are we not told by Mr. Kellogg that he was too modest to notify the people of Warsaw of his coming and that the notice they received came from the managers of his private train? May it not be that his managers are quite as industrious in the case of his presidential candidacy as they were in seeing to it that the people of Warsaw knew of the coming of their savior?

But he arrived at Warsaw, and the people hailed him as the savior, and they decided to show him the children of Warsaw could now walk, and 70,000 of the boys and girls were summoned hastily from the schools. And so it seems they were attending school. And these children were assembled on the old race track of Warsaw and marched from midafternoon to dark in happy, never-ending files past the grandstand where sat their savior, surrounded by the heads of government and the notables of Warsaw. They marched and they cheered and they waved their little tin cups. And all this was done in orderly fashion, when suddenly from the grass an astonished rabbit leaped out and started down the track, and then 5,000 of these children broke from the ranks and dashed madly after him, shouting and laughing. And they caught him and brought him in triumph as a gift to their guest. But they were astonished to see as they gave him their gift that this great, strong man did just what you or I or any other human sort of human being could not have helped doing under like circumstances. They saw him cry. And they would not have understood it if he had tried to explain to them that he cried because they had proved to him that they could run and play. So he did not try. But the children of Warsaw had no need to be sorry for him, for he cried because he was glad.

And here we have the story of a simple, great American, the savior of the people of Europe and their children, who in the coming generations are to applaud him as their savior, for are we not told by Mr. Kellogg, his close associate in all his war activities, that notwithstanding the freedom granted to these people by the other nameless great American that had it not been for Mr. Hoover, their savior, the freedom granted to them would have been of no avail?

It is astonishing to witness the activity of men who wish to keep in the public eye for legislation which will impose burdens upon the American Treasury for the relief of Europe, while no word is heard from them in the interest of the people of the great Nation whose generosity has enabled them to exploit themselves as the saviors of mankind.

I am for the bill, but I am not for political manipulation in the expenditure of the public money. [Applause.]

Mr. JOHNSON of Washington and Mr. FORDNEY had leave to revise and extend their remarks.

Mr. KITCHIN. Mr. Speaker, I yield eight minutes to the gentleman from Illinois [Mr. HENRY T. RAINEY].

Mr. HENRY T. RAINEY. Mr. Speaker, I am unable to understand the reason for the attacks on Mr. Hoover in this connection. This flour is to be distributed by the Grain Corporation, and they have an organization capable of properly distrib-

uting it for the purpose stated in this bill, which is to relieve the populations in the countries of Europe or contiguous thereto suffering for the want of food, upon such credit as they are able to establish and for the best possible prices, taking into consideration, of course, the prices that starving and bankrupt people can pay.

I am unable to understand insinuations that 5,000,000 barrels of wheat can be used as a club to compel some one on the other side to do what they do not want to do. The evidence shows that Austria as at present constituted is the ward of the civilized world. There are 7,000,000 people there clustered about the great city of Vienna, one of the world's greatest cities, without coal lands, without oil fields, without developed water power, without lands upon which they can raise bread grains, without factories, without raw materials. This will not be the last the world will hear from Austria. Under these circumstances and this array of facts anybody can see that the Austrian problem is with us to stay.

The evidence before our committee shows that just a short time ago a representative of the Treasury Department, traveling in an automobile three blocks through the streets of Vienna, counted 47 dead bodies on the street—men, women, and children—dead from starvation. Why should any man in this House hesitate in the vote he expects to cast on this proposition? In the month of March of last year out of every 1,000 babies in the hospitals of Budapest 965 died. In the month of April the record was almost the same. In the month of June over one-half of every thousand of the babies in the hospitals of Budapest died. I do not know what the situation there is at the present time, but if the records of a year ago have been excelled, then every baby is dead in the hospitals of Budapest.

It has been insisted here that we have accepted worthless securities for the $100,000,000 we have heretofore expended for the relief of the populations of Europe. As a matter of fact, we made this appropriation of $100,000,000, the gentlemen on the Republican side are talking about, for the purpose of investing it in food and giving it to our allies, and all the gentlemen who are complaining to-day voted for that appropriation. As a result, we have got back in good securities over $80,000,000, and so we have not been as generous as gentlemen try to make themselves believe we have been in this matter. This flour we are talking about to-day has not cost us a cent. We raised the price of wheat in order to stimulate production, and we did stimulate production, and then we added to the price of the wheat when we sold it to our allies, enough to make $50,000,000. That $50,000,000 is invested in, not unsalable flour, as gentlemen on that side say, but that $50,000,000 is invested in flour made of winter wheat which is the most nutritious flour that can possibly be made. It is salable in a large section of the United States. Most people prefer the white flour, flour that you are getting now made out of the hard wheat of the Northwest, and largely mixed with starch. It does not contain as much protein as this flour contains. It does not contain as much food value as this flour contains; but the people of the United States prefer bread as white as it can be made. That is not the kind of bread that this flour will make. We offered these prices to the producers of wheat in the winter-wheat belt of the United States, and we were compelled to buy the winter wheat they produced in order to keep good faith with the farmers of this country. The winter wheat has been manufactured into flour and these 5,000,000 barrels are a part of that flour.

If the war had continued we would be consuming this 5,000,000 barrels of winter-wheat flour ourselves in all probability, sending the whiter flour, the flour more adapted to the taste of Americans, abroad to our Army.

It has been intimated that some of this flour may reach the Polish army fighting on the frontier of Russia. None of it will go there distributed through this Grain Corporation, but so far as I am concerned I do not care if it does go there. The 224,000 Polish soldiers, leaving bloody tracks in the snows of the Russian border, are fighting the battles of civilization. They are holding back the Bolshevik army of 500,000 men in the line and 200,000 men in the reserve, the greatest army in the world to-day. [Applause.]

This gallant army of Poland is to-day battling for the civilization of the world. It is the only force of any consequence which stands between the army of Bolshevik Russia and the left bank of the Rhine. So far as I am concerned, I would like to see them supported in the fight they are making. The fight they are making is our fight. Bolshevik Russia has declared war on us and war on our institutions of government. They have declared war on the civilized Governments of all the world, a war to be conducted by insidious propaganda, by appeals to the discontented, by being instrumental in producing strikes, and by all the methods through which opposition can be developed to orderly government on this continent and in all the world. They propose also to extend by force of arms their boundaries. With their troops inspired by the prospect of loot ever dangled before their eyes, controlled also by the fatalism of the East, in which they had their origin, this great army have conquered opposing armies on every frontier, always meeting and overcoming forces superior in numbers. They have announced that Poland, bleeding Poland, bleeding now as she never has before in all her history, is her next victim; and with smug complacence the gentlemen on the other side of this Chamber, who are in control now of legislation look on while unaided a little army of Poles fight our battles.

This measure is a Democratic measure, as every measure connected with this war has been Democratic. The evidence which supports it has been assembled by departments of the Government controlled by Democrats. The distribution of this relief will be made by the great Grain Corporation, conceived and organized by Democrats. Since Republicans came into the control of the House at the beginning of the present session there is absolutely no reconstruction legislation to their credit. Over 60 committees have been investigating the expenditures made during the war, and in the hope of finding campaign material investiagting everything else the Democrats accomplished during the nearly eight years of their control of all branches of this Government. Republican leaders have not been looking after the interests of the 110,000,000 people who live in continental United States, but have been looking with anxiety toward the elections this fall, and have been attempting to find somewhere evidence of corruption in the Democratic administration of affairs. Their efforts have met so far with miserable failure, and they propose now to adjourn this House without even submitting a measure of reconstruction during the period of their control. This bill was reported out unanimously by the Ways and Means Committee, providing for substantially the relief it now contemplates, a month and a half ago. It was killed by a Republican Rules Committee of the House of Representatives. But when the Rules Committee killed this relief bill they killed something else. Thousands of babies have died as a result of their action in Budapest, in Hungary, in Poland, in Austria, and in Armenia; and it is safe to estimate that in the last month and a half, for lack of this relief, 70,000 men, women, and children have died miserably in Armenia and in the stricken nations of Europe. This, however, is part of the Republican achievements of the present Congress.

I am tired of the injection from the other side into these debates of politics at every state of the proceedings, and the time has come for Democrats to place the blame for the present condition of the country and the world where it belongs. The sacrifices we have made, the enormous sums of money we have expended have apparently been expended in vain; we are not yet at peace with the world. In long rows under the soil of northern France our dead lie buried, and their sacrifices have been in vain. On the other side of this House they prefer to play politics with these matters. If the peace treaty, which has been held up for purely partisan purposes, had been signed and the reconstruction of the world had commenced, the unfortunate conditions which prevail now would not exist. After the German revolution of two days ago, ex-President Taft, who is bigger than his party and who rises always above his party, declared that the failure of the peace treaty was responsible for the German monarchical movement which seems now to have overthrown a republican form of Government in Germany, and he very properly charges present conditions there to the failure of the peace treaty, and the failure of the peace treaty is due to solid Republican opposition in the other branch of the Congress.

I do not expect many to vote against this meritorious measure of relief, but I want to call attention to the fact that its passage to-day is made possible not by Republican leaders, but its passage is made possible in spite of them. Its passage is not made possible by the Republican Rules Committee of the House, but it will pass the House in spite of the committee. The passage of this measure of relief is made possible by a Democratic rule which you have not had the courage to overthrow. It is one of the rules we adopted when we destroyed Cannonism in the House, and this bill comes up now with limited debate under the Democratic regulation which permits a suspension of the rules. We therefore get it up in spite of the Republican organization. We provide this measure of relief for the starving thousands who are yet alive, not on account of anything you have done on that side of the House but in spite of everything you have done.

We have heard from partisans on the other side denunciations of Hoover ad nauseam, and we hear these denunciations again to-day, although Mr. Hoover has absolutely nothing to do with

this distribution and this distribution is not to be made by his organization. He stands for it and advocates it, of course, as he has stood for and advocated every great measure of relief since we entered this war. He has displayed constructive ability in everything he has undertaken not equaled in the history of this Government by any Republican statesman I can think of at the present time. Food did win the war. I know something of the splendid system of food control and food distribution and the stimulation of the production of food products for which Mr. Hoover is responsible, and I know Mr. Hoover himself. He towers high to-day on the horizon of the nations. We produced no general in this war who comes out with the honors that are Hoover's and with achievements to his credit as great as those Mr. Hoover's friends can claim for him. With all his great qualities, with all his tremendous, almost unbelievable, achievements, he is a modest, retiring American gentleman of the old school, and I personally know that he has refused to permit his friends on this floor to make replies to the slanderous attacks so often launched against him from the Republican side. I do not propose to sit quiet longer while these misrepresentations continue.

This is a little thing we are doing for the world, and I do not sympathize with gentlemen on the Republican side who insist that it will be the last thing we will do for civilization. Looking at the question from a viewpoint purely materialistic, we can not refuse this aid and we will not be able to refuse future demands on us, for the reason that if we expect to produce in our mines, on our farms, and in our factories to the fullest capacity, or to any reasonable capacity, we must sell abroad, and if the world lapses into barbarism there will be no consuming populations able to take our surplus, and without this outlet we can expect in the near future more trouble within our own boundaries than complacent gentlemen on the other side of the House are able to see. I am not in sympathy with the statement that we fought this war and made these sacrifices for Europe alone, and I am tired of listening to that argument on this floor. This was our war, and we fought for our own institutions. We fought on account of the American dead, victims of German barbarous submarine warfare, who lie beneath the waves of the murmuring seas; we fought to make the world a decent place to live in; we fought to preserve the basic principles upon which modern civilization and modern States stand; and any other view of the matter is a view too narrow for Democrats to accept.

I do not expect that the securities we will be able to get for this flour will be gilt-edged securities. I do not expect that bankrupt and starving nations will be able to pay very much in cash, but whatever we get out of them is still profits. This flour, as a matter of abstract right, is not ours. It has been paid for by our allies, and it has never cost us a cent, and whatever we get for it of value I hope to see turned back again at some future time when the necessity for it comes into channels which will save the lives of starving men, women, and children in the unhappy sections of central Europe.

Mr. JOHNSON of Washington. I yield to the gentleman from Pennsylvania [Mr. McFADDEN].

Mr. McFADDEN. Mr. Speaker and gentlemen, I can not make much of an argument in favor of this bill in one minute, but I want to say that I am heartily in favor of the passage of the bill. The distribution of the profits from the Grain Corporation to the suffering people in Europe is simply humane and takes no money from the Public Treasury.

I ask the right to extend my remarks in the RECORD, and in doing so I want to place in the RECORD some statements which I made before the Rules Committee the other day when this matter was under consideration.

The SPEAKER pro tempore. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. McFADDEN. The statements which I made before the Rules Committee last week are here appended, as follows:

STATEMENT OF HON. LOUIS T. M'FADDEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA.

Mr. McFADDEN. Mr. Chairman and gentlemen of the committee, my appearance here is to present the favorable evidence of the American Bankers' Association as regards this bill you have under consideration this morning, known as H. R. 12193, a bill for the purpose of appropriating, through the United States Grain Corporation, $50,000,000 worth of the profits that corporation has made and for the distribution of this fund in the grief-stricken sections of Central Europe.

I want to present to you a cablegram, which I would like you to read, from Mr. Fred I. Kent to Mr. John McHugh, chairman of committee on commerce and marine, of American Bankers' Association, under date of February 20, 1920. Mr. Kent is in Europe at the present time, and I would ask the members of this committee to give particular attention to this cablegram:

CABLEGRAM FROM MR. FRED I. KENT TO MR. JOHN M'HUGH.

"PARIS, *February 26, 1920.*

"During the past seven months since I have been in Europe I have given a part of my time to studying conditions from the standpoint of the interests of American commerce and the people in my capacity as member of the committee on commerce and marine of the American Bankers' Association. My work has brought me into close relationship with representatives of many Governments as well as those of the banking and industrial world. While I am thoroughly convinced that Europe for her own good should borrow as little from America as is possible and provide herself with essentials for reconstruction and for existence during the early period of reconstruction, yet I firmly believe that the $50,000,000 credit now being asked of Congress for the countries of Central Europe should be granted immediately by special order. The situation is so pressing that every day's delay is dangerous, and the late spring, before the new crop is available, may be the crucial period that will determine the immediate future of all Europe.

"The British Government has already agreed to advance half of any amount that the United States will provide up to a total for Great Britain of 10,000,000 sterling advance, and France and Italy are studying the proposition. The Governments of the neutral countries of Europe have in several instances already signified their desire to consider taking part in extending help, provided the United States will do so, and there is good reason to believe that practically all may come in. Prompt and favorable action by Congress will therefore release a large fund that should go far toward enabling the reconstruction of industry, which will make it possible for the countries aided to help themselves. Should all of the nations interested join in the plan, it is intended that a proper proportion of raw materials and food will be purchased, and the mistake of feeding people without giving them something to enable them to earn their living at the same time will not be made.

"The funds advanced by each nation will be expended for goods and service furnished by its own nationals. It would seem a great pity for our country, which has done so much, to risk losing the results of their past action by failing to meet the needs of the present hour. American interests in this movement through American trade and American need for peace throughout the world are just as great as those of the European nations which are ready to take part upon American initiative, even though their economic position has been seriously disorganized.

"The food in Austria to-day, together with all supplies which it has been possible to purchase that are arriving, will feed the people to about March 15. Certain food supplies that are available, if shipped immediately from their present locations, can reach Austria in time, provided Congress acts immediately. Knowing the country (America) from ocean to ocean, I am certain that the hearts of the people are right, and that they would rise to meet any human emergency that they felt required their help, regardless of their personal interests. But in the present emergency there is not time to wage a campaign of education, and it would seem necessary, therefore, for America to accept the statement of their European representatives of to-day, governmental and commercial, for various associations and personal, who are familiar with the situation and who unanimously agree that the loan should be made. On the strength of such representation, I believe Congress should be asked to abandon everything else for the hour necessary to pass this appropriation immediately. The real need is now—to-morrow may be too late."

Mr. Kent adds he believes it is important that this matter should be given the widest possible publicity.

Following presentation by the commerce and marine committee, the administrative committee of the American Bankers' Association passed a resolution January 23 urging upon Congress the appropriating of necessary sums from available funds to be used, under proper supervision, for the purchase of food, on credit, for hungry peoples in Central Europe, outside of Germany, and in Armenia.

I also wish to present the following resolution, which was adopted January 13, 1920, by the executive committee of the committee on commerce and marine of the American Bankers' Association:

"*Be it resolved by the executive committee of the committee on commerce and marine of the American Bankers' Association,* That the attention of the administrative committee of the association be called to the food emergency in countries of Central Europe, outside of Germany, and in Armenia: And be it further

"*Resolved,* That in view of this emergency, the administrative committee of the American Bankers' Association be requested to consider the advisability of immediately urging upon Congress the appropriation from funds available for the purpose of necessary sums to be used by the United States Grain Corporation, or other suitable designated agency, for the purchase and transportation to the countries of Central Europe, outside of Germany, and in Armenia, where famine is imminent, of food supplies and other necessaries of life; such supplies and necessaries to be sold on credit to the governments of said countries, the United States Grain Corporation, or other suitable designated agency, also being authorized so to regulate the distribution of such supplies and necessaries as most effectively to provide for the prompt and sufficient relief of the population in need."

Also the following resolution adopted January 23, 1920, by the administrative committee of the American Bankers' Association:

"*Resolved,* That the administrative committee of the American Bankers' Association, after considering resolutions on the subject presented to it by the executive committee of the committee of the commerce and marine committee of the association, recommends to Congress the appropriation from funds available for the purpose, of necessary sums to be used by the United States Grain Corporation, or other suitable designated agency, for the purchase and transportation to the countries of Central Europe, outside of Germany, and to Armenia, where famine is imminent, of food supplies and other necessaries of life, such supplies and necessaries to be sold on credit, properly safeguarded, to the governments of said countries, the United States Grain Corporation, or other suitable designated agency, also being authorized so to regulate the distribution of such supplies and necessaries as most effectively to provide for the prompt and sufficient relief of the population in need: And be it further

"*Resolved,* That the foregoing resolutions be transmitted to the congressional committee, or committees, before which the matter of such appropriation has come, or may properly come."

Mr. FESS. Tell us, please, what the American Bankers' Association is?

Mr. McFADDEN. The American Bankers' Association is the national association in the United States of the bankers; it has a total membership of about 30,000 banking institutions.

Mr. RODENBERG. National banks?

Mr. McFADDEN. National and State banks all over the United States.

The CHAIRMAN. These bankers are in the money-loaning business; how much money are they loaning?

Mr. MCFADDEN. The bankers of this country have performed an heroic task during the war.

The CHAIRMAN. I am asking has this Bankers' Association undertaken any plan to loan money to enable these people to get on their feet?

Mr. MCFADDEN. The American Bankers' Association, as an association, is making almost daily recommendations for the relief of this situation in Europe and individual and groups of bankers are loaning money. In regard to this $50,000,000 loan, I am heartily in favor of using this money made by the Grain Corporation in their business and which represents the profit of the business they have handled, a large portion of which our own people have paid.

Mr. FESS. Have you looked into this charge against the Grain Corporation that was made two or three days ago at Spokane?

Mr. MCFADDEN. I have not; I had not heard of it until you mentioned it this morning.

Mr. FESS. It is in the CONGRESSIONAL RECORD, the findings of the grand jury. I do not think that should interfere with anything that should be done legitimately.

Mr. MCFADDEN. My argument is that the Grain Corporation made this profit, which they should never have made, and no better use can be made of it now than to help these people in central Europe.

The CHAIRMAN. These resolutions of the American Bankers' Association, how were they adopted?

Mr. MCFADDEN. At a meeting of the administrative committee of the American Bankers' Association and a meeting of the executive committee, and this cablegram from Mr. Kent was sent to the committee and handed over to me to present to this committee.

Mr. FESS. Do you have any knowledge of obligations by Europe to the bankers of this country?

Mr. MCFADDEN. There is a list published recently by the Treasury Department in which they attempted to show that.

Mr. FESS. Is it large?

Mr. MCFADDEN. Somewhere between three and five billion dollars.

The CHAIRMAN. Europe owes American bankers from three to five billion dollars?

Mr. MCFADDEN. Yes, sir. Bankers and investors.

The CHAIRMAN. Could it be that the bankers are interested in putting Europe in condition to repay this loan rather than have them hampered by their home charities?

Mr. MCFADDEN. I think the bankers are looking at it from a purely American standpoint. We should help Europe help itself; we can not expect central Europe to repay us for a long time; they have got to be maintained, got to have food and clothing; it is most imperative that they should have help in order to eventually help themselves.

Mr. FESS. You have been a Member of Congress and a member of congressional committees for a long time; do you think we ought to enter on a policy of this kind?

Mr. MCFADDEN. I think in this instance that we should do this. I do not want to say anything about the distribution, because I do not know whether the Grain Corporation is the proper institution for this to be distributed through or not.

Mr. FESS. That is not what I want. What I am after is, are we to set out now on a policy of taking care of suffering Europe; if so, when will it end?

Mr. MCFADDEN. That is a pretty hard question. I think, however, there is a certain obligation now to do this much, inasmuch as we have entered in and are so affected that the good effect of what we have done in the past may be destroyed by neglect at this crucial moment, with relief needed now that will rehabilitate these people. It seems to me that in order to save the situation, which seems to be a desperate one from the information I have gotten from Mr. Kent and other sources, it seems to me crucial at this time.

Mr. RODENBERG. Approximately how many people in that district over there?

Mr. MCFADDEN. Practically the whole of Poland and all these central European countries. There is all kinds of disease prevalent, and my understanding is that all children under five years of age have died.

Mr. FESS. Did you notice Hamilton Fish's statement the other day, in which he stated that this was altruistic folly? Is he a man whose judgment can be taken in matters of this kind?

Mr. MCFADDEN. I could not say.

Mr. RODENBERG. He says this proposition is altruistic folly?

Mr. FESS. Yes, sir.

Mr. MCFADDEN. My judgment is that this matter is imperative to the future best interests of this country in a commercial way, if you must put it on that basis, to serve our selfish interests. Very rapidly England, France, and other countries are absorbing and getting into the best trade channels of that part of Europe, and as a result the United States is going to get left out in the cold.

The CHAIRMAN. Mr. MCFADDEN, it strikes me that if this idea could be entertained at all it must be on the presumption that it is a charity that is immediately demanded, and if it appears that all this is propaganda growing out of the necessity of the American bankers who have made up loans to help get Europe——

Mr. MCFADDEN. I think the American Bankers' Association look at this from purely an American standpoint—that of giving relief to the suffering people of central Europe, and with the hope that when they recover they will pay back the loan and entertain good will toward America.

Mr. JOHNSON of Washington. I yield to the gentleman from New York [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Speaker, it is peculiarly fitting that the United States of America should extend the right hand of fellowship to the new Republic of Poland and extend to the suffering people of that country the most generous sympathy and aid.

Before the United States was a republic, Polish valor and Polish aspiration for freedom were woven into the very fiber of our country's struggles for national life, and the achievements of Kosciusko, Pulaski, and their Polish brothers for the cause of freedom in America are written on the brightest pages of American history.

On every battle field of America, in every war that our country has ever fought, the sons of Poland have been in the foremost lines of the fighting, and everywhere in the world where liberty has fought against oppression and tyranny the Pole has fought and died in the sacred cause which has been his ideal for centuries past.

In no country in the world has freedom had more ardent adherents, and in no country has there been a more persistent, unswerving devotion to the principles of pure democracy than in Poland; and, although ground under the heels of three autocracies for centuries, her people never lost sight of her ideals. Exiled from their homes, they carried into strange lands their hopes of an ultimate regeneration of their national life. In the prisons and mines of Siberia they kept alive their unconquerable courage.

When the Great War came it found their sons forced to fight against their brothers; but everywhere in the world where a Pole could join the armies of democracy and fight for the same principles for which Kosciusko and Pulaski laid down their lives he did.

Poland was the battle ground of the East in the Great War. Overrun by both the German and Russian armies, the signing of the armistice found this devoted land desolate beyond all description. Its fields laid waste, its cities ravaged, and its people reduced to abject poverty and want, Paderewski was forced to state: "No children under 10 are left alive in the war zone, and there are no classes left in Poland. There is now only one class—the poor."

But in spite of these untold sufferings, in spite of want and hunger and suffering, this heroic race, strong in moral fiber beyond belief, remained steadfast in their belief in democracy; and out of the chaos of the frightful cataclysm in which the land had been plunged the Poles refused to be lured into the fantastic vagaries of Bolshevism or the bloody radicalism that has engulfed Russia, and we have seen the new Republic of Poland emerge from the conflict a constitutional Republic, founded on the solid rock of liberty and equality and dedicated to the same great principles enunciated by the fathers of our own Republic.

Poland's success or failure will mean the triumph or defeat of constitutional democracy in Europe in the next century.

With Poland a prosperous and successful Republic, where all men can live with equal opportunity and equal liberty, the possibility of a reaction to autocracy will be forever eliminated and the bewildering fogs of social disorder will fade away in the bright sunlight of freedom in this land that has waited so long, suffered so much, and fought so valiantly for all that American hearts hold dear in human aspiration.

Let us then help Poland without stint. Let us do our utmost for this, our sister Republic, and other lands and other races striving to cast off the fetters of tyranny and the yoke of the oppressor will know that Columbia is always ready to aid the cause of righteous freedom and give of her abundant treasure to those who need her help.

The armies and people of Poland are standing between civilization and barbarism. They are fighting for our preservation. They are suffering for want of food. They are enduring untold agonies of mind and body, and it is but a small thing for us to send to them these 5,000,000 barrels of flour. May God grant that it may to some extent alleviate their sufferings.

Mr. JOHNSON of Washington. I yield four minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker and Members of the House, the bill now before us is not the bill that was reported by the Ways and Means Committee which was before the Rules Committee. That bill carried a further extension of Government credit, which already reaches $10,000,000,000, upon which not a cent has yet been paid. This bill does not place any obligation upon the Treasury, but is simply to dispose of a quantity of flour held now by the Grain Corporation which can not be disposed of in this country, according to the statement of Mr. Barnes, and the bill is the result of his testimony before the Rules Committee. He said not a word about feeding Europe, but to save the flour from spoiling. Very few people will object to the sale of what we now have in possession, stated to be 5,000,000 barrels, because he stated distinctly that if it is not sold it will spoil when the warm weather comes. He also stated that he had the authority to sell it now, and he also asserts he will sell it, whether authorized or not.

From the beginning I have resisted the further extension of Government credits to Europe as a most dangerous step, already conceded by this country. I shall persist in my resistance. Europe's situation will not be restored so long as she can look to us for credit. We have got to the point where certainly we must stop that procedure, not only for Europe's sake but for the security of our own Nation. There is not a responsible thinker in America who does not agree with that proposition. The Reserve Board has sounded the warning. This Congress senses

the danger. The one solution for Europe is to be compelled to go to work. She will not do so while she can depend upon other countries to provide for her. Whether they are suffering there or not is not questioned. But the extension of Government loans is not the proper method for us. The proper method by which that suffering can be relieved by this country is not governmental. It is by the altruism displayed by our united charities, where our gifts can be administered as in the various war agencies which poured into Europe our gratuities. Anyone who can not see the difference between contributing his own available reserves to be distributed by the Red Cross or other charitable institutions to salvage Europe's suffering people and voting out of the Treasury of the United States money that is not ours to distribute simply can not see the difference between a gift of my own money and a gift of the people's money that we hold in trust. I will join any group of citizens to give to assist Europe, but I can not vote out of the Treasury the people's money, which is not mine to give.

We have been told in the statements of Mr. Ribot, of France, a most distinguished thinker and statesman, that we must pay our portion of the war debt, and Mr. Stearnes, of France, also demands it. George Clemenceau wanted an early session of the league to internationalize the war debt.

We are told that we will not only be called upon to cancel our $10,000,000,000 that Europe owes us, but we will be called upon to make further contributions in order to make up our share of our obligation when they have internationalized the war debt. This comes from no less a figure than Keynes, the British treasury's representative at the peace conference and the deputy of the chancellor of the exchequer on the supreme economic council in Paris. That is the problem now before us. I now say to you, gentlemen of this House, we must take the position now whether we propose to enter upon a policy to feed Europe's poor. If so, then let it be done with our eyes open to the fact that it will be only the beginning, for the suffering will continue. Is it safe to allow our feelings to overcome our judgment? We can not legislate under sob speeches. We must think with our brains rather than with our emotions when we are planning a permanent policy of international significance for the future. We must realize that if we stay out of the vortex into which Europe is plunged, where her paper currency is expressed in high prices and demoralized exchanges, then we must not go on extending our credit to countries that have no hesitancy in making requests in the belief that we owe it to them as a part of our debt and ask without limit because they believe we will grant it. They can afford to ask it because they argue that they should not have to pay it until we have contributed what they claim is our share of the war debt.

Keynes, the British spokesman, declares that cancellation of Europe's debt "would be an act of generosity for which Europe can fairly ask, provided that Europe is making an honorable attempt in other directions not to continue war," and so forth. He further says "if Europe is going to repay the $10,000,000,000 worth of financial assistance which she has had from the United States with compound interest at 5 per cent, then the matter takes on quite a different complexion. If America's advances are to be regarded in this light, her relative financial sacrifices are very light, indeed."

Let those who are moved by the proponents of further Government credit read carefully the seventh chapter of "Economic Consequences of the Peace," by this British author, and then decide their duty in the premises.

In regard to assisting suffering Europe and contiguous countries, no people ever displayed greater altruism than our people. They are doing it now. Millions of dollars are being sent every month. That is most commendable, and will be, as it should be, continued. But this is no ground for demanding of this Congress continuance of Government loans to Europe.

Mr. JOHNSON of Washington. This bill says it is to be distributed to various countries. It has been stated here that there are three countries—Armenia, Poland, and Austria. The fact is that this $50,000,000 will probably be just a drop in the bucket, and that there will be at least 15 countries that will be making demands upon us.

Mr. FESS. Certainly, there will be further demands, and the attitude of men in the House stimulates hope for indefinite demands upon the Government. If we extend further Government credit to Europe, there will be another demand that we increase it, and it will come within four months. The same argument to which we now listen we will be compelled to listen again. I am willing to vote to give authority to the Grain Corporation to dispose of the flour it now has in its possession which Mr. Barnes claims will spoil and which he says he has already authority to sell, but would prefer that the Government give him the moral support. I see no real reason for not granting him this support if he wishes us to do so. I confess I do not understand why the price of flour is rising with such surplus on hand. However, I am in favor of selling to Europe for cash or on credit the flour of which we are possessed and which Mr. Barnes declares he can not sell here in America. But I warn you that Europe will demand from this Congress a further extension of Government credit upon the basis of our duty to further share in the war debt, and we must respect that warning. I am through with it, so far as my influence will go.

We have taken many steps to assist Europe. February 4 the Treasury Department made the following statement on the international financial situation:

The international financial situation is one of great importance. * * * Since armistice the United States has advanced to Governments of Allies, as of close of business October 31, 1919, sum of $2,329,257,138.55, and there remained on that date an unexpended balance of $593,628,111.45 from total loans of $10,000,000,000 authorized under Liberty loan acts. Treasury asked and obtained power for War Finance Corporation to make advances up to amount of $1,000,000,000 for nonwar purposes, and War Finance Corporation is prepared to make such advances. By act approved September 17, 1919, Federal Reserve Board is authorized to permit, until January 1, 1921, national banks to invest to limited extent in stock of American corporations principally engaged in such phases of international or foreign financial operations as may be necessary to facilitate exports. Secretary of War is authorized to sell surplus Army stores on credit. United States Wheat Director is authorized to sell wheat to Europe on credit. The power which at present exists in the Government or governmental agencies to assist in meeting Europe's financial needs is therefore considerable. * * * The Treasury is considering with representatives of Governments of the Allies the funding of the demand obligations which United States holds into long-time obligations, and at same time the funding during the reconstruction period, or, say, for a period of two or three years, of the interest on the obligations of foreign Governments acquired by United States under Liberty loan acts. The Treasury believes that the need of Europe for financial assistance, very great and very real though it is, has been much exaggerated both here and abroad. * * *

This shows that the present resolution is unnecessary.

The European situation is not so bad as published. I submit the following from the Chronicle:

NEED FOR LOAN TO EUROPE CLAIMED TO BE EXAGGERATED.

Stating that "the need for American loans to Europe has been tremendously exaggerated in this country, judging from the actual course of European trade in recent months," the "American Exporter," in its issue of January 19, says:

"For months alarmists have reiterated the statement that only huge loans from us would save Europe from disaster, restore her trade and industry, and permit her to continue importing American merchandise.

"Here are some of the facts which refute pessimistic predictions frequently made in recent months:

"In the 11 months ended November 30 our exports to markets other than Europe increased in value over the same period a year ago by 19 per cent, but our exports to Europe increased in value by 36 per cent.

"For the single month of November, the latest figures available, the gain to markets other than Europe was 11 per cent over last year, but the gain to Europe was no less than 64 per cent.

"Our exports to the allied nations in the 11 months ended November were not only greater in value than last year but were far greater than the entire year's exports to all the world for any year prior to the war.

"When the armistice was signed our trade with the Allies was so one-sided that Great Britain's purchases from us were eighteen times as much as her sales to us, those to France eighteen times, and those of Italy over fifty times as much.

"Now Great Britain is only buying from us five times as much as she sells us, France slightly less than four times as much, and Italy the same. This reduction is due not a falling off in our exports, for the exports to these countries have increased, but to a very marked increase in the importations from Europe, made possible by the recovery of trade and industry abroad.

"Another significant fact is that from the time we entered the war until December 1 we have actually loaned to Great Britain, France, Belgium, and Italy, through Government advances or publicly marketed loans, more than enough to offset the collective adverse trade balance against them for the same period.

"This is shown by the following table:

United States trade with and loans to Great Britain, France, Belgium, and Italy, Apr. 1, 1917, to Nov. 30, 1919.

Exports from United States	$9,768,071,839
Imports by United States	881,479,599
Excess of exports	8,886,592,240
Loans by United States	9,656,521,649
Excess of loans and imports over exports	769,929,409

Twenty-nine per cent of the exports to the United States are now taken by Great Britain and 41 per cent of our exports are now taken by the British Empire. The condition of Great Britain is, therefore, the most important single influence upon our export trade.

Perhaps the most significant illustration of the strength of Great Britain's present position is the fact that in December, 1919, she was exporting goods to the value of 68 per cent of her imports, while during the calendar year 1919 Great Britain exported goods at the rate of 59 per cent of her imports, only 40 per cent in 1918, 56 per cent in 1915, 75 per cent in 1914, and 82 per cent in 1913, which was also the average for the three years before the war.

Great Britain's exports per capita in 1919 amount to $101.51, exceeding by $38.87, or more than 62 per cent, her per capita exports in 1913;

but what is even more remarkable, they exceeded by over 41 per cent those of the United States, which, as calculated from our 11 month's trade, amount to $72,48.

For some time past alarmists freely predicted that the unfavorable situation with respect to foreign exchange would cause a drastic reduction of Great Britain's imports.

Despite these predictions British imports in December, 1919, were 10 per cent greater than the previous high record for the year. Moreover, during the year 1919 the greatest increase in Great Britain's imports took place during just those months when the price of the dollar in Great Britain showed the greatest relative increase.

Furthermore, although the price of the dollar in Great Britain rose 34 per cent from January, 1919, to December, 1919, the wholesale price of commodities in Great Britain rose 59 per cent in the same period. In other words, at no time during the year 1919 was the increase of the cost of the dollar in Great Britain as great as the increase of the wholesale price of British goods.

The American Exchange Bank sets out the fundamental economic situation of Europe as follows:

Until recently we have known little or nothing about the true condition of affairs in Europe. The explanation of our ignorance is simple. In the first place, we were led to hasty conclusions by the emotional reports of early observers inspired by the visual evidence of destruction and the sentimental appeals of the afflicted people. In the second place, sufficient time had not elapsed for a definite expression of the saving factors in the situation. The destruction was magnified a hundred times by observers who stood in a tea cup and visioned the rim as the horizon of all Europe. Anybody who stands on the battle fields of the Great War can not but be impressed with the destruction visible on every side, but the battle fields of the war comprise only a very limited area—millions and millions of acres and many towns never saw a soldier other than those they sent to the war. A good walker could cover the entire battle area of Belgium in half a day. The French field was more extensive, but relatively was hardly more important than that of Belgium. At first we believed that Belgium had been wiped off the map, and later we believed that practically all of northern France had suffered the same fate. We know now that the problem of the physical restoration of Europe is comparatively unimportant—that the destruction of tools and machinery wrought by the war has been greatly exaggerated.

What we do not appreciate fully as yet is the almost complete destruction of the economic morale of the people of some of the afflicted countries, particularly France, and the economic disorganization that resulted from the peace. Germany's morale has been affected even more than that of France, but strangely enough the impairment of economic morale in Germany is due to despair, while that in France is due to hope. In other words, Germany has ceased to function economically because the German mind has despaired at the task of building a new economic organization to replace that scrapped at Versailles, while the French until recently seemed content to sit on the front-door step and wait until the Germans served dinner, even refusing the Germans the use of the confiscated utensils which lay rusting in the back yard, which is to say that the French people expected the German indemnity to usher in the millennium and so ceased to exert themselves.

But the hope of the French poilu that he would be able to live in the future on the fruits of German industry was not the only imponderable that tended to destroy morale. The worker, the munition maker, and man behind the lines in France, in England, and even in this country let down the minute the armistice was signed and they have been "soldiering" ever since. Humanly considered, it is possible to feel a lot of sympathy for this attitude, especially in those who underwent severe physical and mental suffering on account of the war; but economically considered, it is impossible to escape the danger it implies, not only to those who assume the attitude but to the rest of the world as well. Economic considerations must govern—if the world would eat, it must work—and this applies to those who were victorious in the war as well as to those who were not, to those who bore a large part in it as well as to those who bore a small part.

If proof were needed that disinclination to work is the main deterrent to economic recovery in Europe, it could be found at its own door—in Belgium and in Czechoslovakia and to some extent in Italy. Belgium is "coming back" with tremendous strides, because the Belgians are willing to work and are working. Belgium has not only restored her former industries to a comparatively high state of production but she has developed new industries. For example, her exports of shoes in October, 1919, showed an increase of 300 per cent (in volume, not in currency) over those of the same month in 1913. Wrought wood products showed an increase almost as great, and there were numerous other increases in goods for which the raw materials were at hand. Her textile industry is almost fully restored, her iron and steel industry less so, but that is also being brought to normal. Belgium's explanation of her recovery is that her workers were not demoralized during the war by a fictitious prosperity in the form of increased money wages and are content with their present comparatively high pay.

While our people will continue to give of their substance we must of necessity guard against unwise policies.

The following dispatch from Paris, February 28, is suggestive:

PARIS, *February 28.*

The United States is spending nearly $8,000,000 a month in food relief work in central Europe and is making constant efforts for the relief of children there, officials of the children's relief fund, with offices in Paris, report. The work is being carried on with the combined aid of the American Relief Warehouses and the Children's Relief Fund of the American Relief Administration.

Food warehouses have been established in Warsaw, Vienna, Hamburg, Prague, Budapest, and Danzig. Persons in the United States desiring to aid families in central Europe may go to their home banks and purchase food drafts for $10, $25, or $50 and forward the drafts to the American Food Warehouse nearest the families they wish to help. A package containing flour, condensed milk, bacon, beans, and other fatty food will be sent to the family indicated by the sender of the draft.

The cost of the operation is reduced to a minimum through the service of local committees. Supervision in each district is placed in the hands of three or four American workers. All profits are devoted to the children's relief fund.

A conservative estimate places at more than 3,000,000 the number of children receiving food and who will receive clothing as soon as conditions permit.

Gratitude for this relief work has been expressed by President Seitz, of Austria; Premier Skulski, of Poland; Premier Huszar, of Hungary; and President T. G. Masaryk, of Czechoslovakia.

We must not heed the fantastic proposal of Sir George Paish to issue $35,000,000,000 international bonds and underwrite them. Nor can we hearken to Keynes in his proposals. We must also guard ourselves on the following proposal given out in London February 28:

POWERS TO BE URGED TO FORM EXCHANGE BANK—FINANCIERS WILL PROPOSE INTERNATIONAL INSTITUTION UNDER LEAGUE OF NATIONS—CREDIT TO BE UNLIMITED—SUGGESTION WILL BE TAKEN UP AT FINANCIAL CONFERENCE NEXT MONTH.

LONDON, *February 28.*

It is now known that proposals will be made to the League of Nations financial conference, the meeting of which has been postponed until next month, for the formation of an international exchange bank backed up by the principal countries of the world. Walter Leaf, chairman of the London County and Westminster Bank, in his inaugural address as president of the Institute of Bankers, said:

"You are aware of the memorandum which was placed before the Government asking for an international conference on the whole question of exchange and the measures by which the present deadlock in the commerce of the world can best be overcome. You have seen that the chancellor of the exchequer has given the unqualified support of the Government to that conference.

"The conference now has been called by the League of Nations. When it meets I expect that a proposal will be put before it—a proposal emanating from distinguished bankers in neutral countries and one which will be well worth a good deal of thinking over beforehand in order that, if the time comes, our representatives in that conference may be able to come to it with the advantage of previous reflection, for it is a serious proposition.

"The main idea is that an international exchange bank should be established with unlimited capital, backed, that is, by the credit of all the Governments taking part. This bank would receive from each country a pledge of gold or approved securities, against which it could issue certificates—obligations or notes, if you like—on a gold basis, in which all international transactions would be carried out. This new currency would be essentially a money of account only. Its obligations would be ultimately convertible into gold and meanwhile would be simply a medium of barter, convertible in each country at the office of a central bank into the currency of that country.

"The immediate needs of the different countries' credits would be met by a fiduciary issue of obligations to the certain multiple of gold and securities which that country had deposited, proper regard being had to the evidence which that country could give of good will and ability to redeem this fiduciary issue within a reasonable time limit."

Mr. Speaker, in our vote on this bill let us make it known that we are not continuing the policy of European loans. That policy must be ended.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FESS. I ask unanimous consent to extend my remarks in the RECORD.

Mr. BLANTON. Reserving the right to object, and I shall not, I want to suggest that the gentleman's speech is rather hard-boiled.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Speaker, in behalf of the starving people in Austria and Armenia, and the starving babies in Budapest, I want to thank the steering committee of the House for being willing to permit the House to consider this bill even under a suspension of the rules. [Applause.] I do not think there is a man here who is so lacking in humanity or who has the courage to vote against this bill. I am going to see that we have a record vote on it so that every man can vote according to his judgment and his conscience. But I can not understand why action has not been taken earlier. A month and a half ago the Committee on Ways and Means unanimously reported out a bill granting this same relief, only it was expressed in dollars—$50,000,000—while this bill, according to Mr. Barnes and according to other testimony, appropriates flour worth $53,000,000, or $3,000,000 more than the original bill.

Mr. FESS. This bill does not appropriate any money.

Mr. KITCHIN. This flour is worth $10.60 a barrel, so 5,000,000 barrels is $53,000,000, or $3,000,000 more than the bill which the Rules Committee refused to permit the House to consider.

Mr. FESS. What portion of this bill appropriates any money?

Mr. KITCHIN. Which bill?

Mr. FESS. This bill that we are now considering.

Mr. KITCHIN. It authorizes the Grain Corporation to sell or dispose of, for cash or credit, 5,000,000 barrels of flour worth $53,000,000. It simply appropriates the flour instead of the money; that is all. In the other bill we appropriated the money to buy the flour and then sell the flour.

Mr. FESS. The flour does not come out of the Treasury.

Mr. KITCHIN. You can not tweedledum or tweedledee out of this proposition to-day, because you know that the public sentiment of this country is absolutely unanimous to grant this relief; and the only relief that Austria and Armenia can get

throughout the world is from America. [Applause.] Yet the steering committee and the Rules Committee refused even to permit this House to consider or vote upon a bill that did not give quite so much, reported unanimously by the Committee on Ways and Means a month and a half ago.

Whatever number of deaths have occurred since January 31, when we unanimously reported this bill out of the Committee on Ways and Means, must be charged to the steering committee of this House. I understand from circulars sent to me and private letters I have received that over 30,000 people in Austria alone have absolutely perished from starvation since we reported out the bill. If the House and the Senate had passed that bill on January 31, when our committee unanimously reported it, then 30,000 people in Austria alone would have been saved, and, taking in Armenia and the children in Budapest, there must have been at least 50,000 people whose deaths must be charged to the steering committee of this House. [Applause.]

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Not now. If the steering committee had permitted the House to vote on this measure a month and a half ago, when it was unanimously reported from the Committee on Ways and Means, there would have been nothing in the world for Mr. Barnes to do except to order by cable from wheat or flour in Europe the 5,000,000 barrels of flour to Vienna, Budapest, and Armenia, and he would have replaced it with the 5,000,000 barrels of flour he has on hand, and the horrible catastrophe of thousands of men, women, and children dying from hunger would have been prevented. Why did the steering committee oppose it a month and a half ago? Every man on the steering committee, every man on the Rules Committee, is in favor of this bill now—they dare not vote against it—is in favor of granting $50,000,000 or $53,000,000 worth of flour for the relief of the identical people for whom we reported the bill a month and a half ago. Why did you of the steering committee oppose it then?

The Republicans of this House did not oppose it. The Republicans of this House, four-fifths of them, favored the bill then. Every Republican on the Ways and Means Committee favored the bill then, but the power in the House—the steering committee—opposed it. Six members of the steering committee opposed it. The Rules Committee did not oppose it. There is not a man on the Rules Committee who would not have been glad to report the rule giving the House a chance to consider it, but the Rules Committee has no more say so than the man in the moon about what legislation shall pass here or what rules shall be reported out. [Applause on the Democratic side.] Dr. FESS, of the Rules Committee, favored it; Mr. SNELL, of the Rules Committee, favored it——

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Mr. CAMPBELL of Kansas, chairman of the Rules Committee, favored it——

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Oh, I am not going to let you gentlemen impeach your humanity by denying it. [Laughter and applause.] I am going to do more credit to the gentlemen than they dare to themselves. I know you did not oppose it. You favor it now and are going to vote for it, every one of you.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Not now. The steering committee said to the Rules Committee, "Don't you report a rule on that bill; let them die. We Americans are not responsible for the deaths of the people in Austria; they are 4,000 miles away from us! We are not responsible for the death of the babies in Budapest; they are not our babies; they are not kin to us, and they are 4,000 miles away from us! We do not care how many of the fleeing, persecuted Armenians perish from hunger; they are not our people; they do not belong to our family; they are no kin to us; they are 4,000 miles away from us; let them die!" That was and has been the position of the steering committee, while at least four-fifths of the Republican Members and four-fifths of the Democrats in the House—more, I believe, every man in the House on both sides, except members of the steering committee, favored consideration and passage of the bill then. This steering committee hoped to defeat any relief measure by a manipulation of its power in the House, while not a single member of it would have had the courage to vote against it on this floor if the House had been given the opportunity to vote on it, or has the courage to-day to vote against it, when the vote is taken. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. FORDNEY. Mr. Speaker, I believe I have a few minutes remaining.

The SPEAKER pro tempore. The gentleman from Michigan has a few minutes remaining.

Mr. FORDNEY. Mr. Speaker, there should be, and I hope there will be, no politics in this matter. I want to read one paragraph from a letter which I received from a nurse who is now over in Poland doing relief work. It is dated at Kovel, Poland, January 17, 1920:

But there is not enough food. America is sending supplies, but there are still millions of children and adults that are hungry. When in the most severe winter I see these children in rags and barefooted on the street it makes my heart ache. You may have difficulty in believing me; I know that if I were in America I would wonder how children could go around barefooted in the dismal cold and snow—but nevertheless it is a fact.

We found a house in Chelm where the father and mother had died of typhoid fever. There were four children left, 10, 7, 5, and 2 years old. When we came to the youngest, 2 years old, who was in the brick stove and only stuck its head out occasionally, it was without a stitch of clothes. Two of the children were lying in a bed on which there were no coverings; all they had was a little straw. The oldest child, clothed in a piece of rag, told us they didn't have anything to eat for two days, but before that once in a while some people had brought them something. They were waiting for God to help them.

No doubt the numerous communications and telegrams I have received have caused me to show an unusual interest in this legislation; no doubt the many reports of distress and suffering have touched my innermost sense of compassion and pity. Let me call attention to one typical letter. The author claims to speak from first-hand evidence—that of an eyewitness:

WASHINGTON, D. C., *March 12, 1920.*

Hon. J. W. FORDNEY,
Chairman Ways and Means Committee,
Sixty-sixth Congress, Washington, D. C.

MY DEAR SIR: I have come back from a searching study of conditions in Poland, and as a citizen I ask you, the chairman of the Ways and Means Committee, to lay before the men of the Congress of our country facts which plead for the lives of millions of men, women, and children who look to America for the chance to live, with the hope and faith a dying man looks to God for mercy.

The people of Poland are not merely cold, they are freezing; they are not hungry, they are starving. The graveyards are crowded, and still the offensive of winter and want continues, the death rate is skyrocketing; child mortality is rapidly approaching the terrible figure of 50 per cent.

I saw a nation of homeless people, shivering in rags, waiting in long lines everywhere, begging on the streets for a crumb of bread, and their pinched, bloodless faces, their blue lips, their wasted, bent bodies, and feeble voices said, "We are dying."

It is biting cold, and only the very, very few, the rich, have coal or wood or any kind of fuel. Food, fats, oils, milk, sugar, bread, all of these are scarce; little, almost nothing, for the poor, and in Poland the poor are the nine hundred and ninety-nine in every thousand.

I have seen countless women, young and old, their shivering bodies scantily covered by a few thin rags, old newspapers used as linings, shoeless, stockingless, without underwear.

Hunger faints are epidemic; disease is rampant—disease which mercifully shortens the horror; disintegration is the right word to describe it, because death comes in Poland only in the name of disease.

The war literally crucified the child life of Poland. In the 60,000 square miles of war zone the Polish peasants were driven into Russia before the retreating Russian Army; the homeless, fatherless, motherless children were forced to remain in that horrible strip of hell during the Von Hindenburg drives. These children, abandoned to the horrors and tortures of war, lived in dugouts and trenches, in deserted barns, and even in the open. They ate the refuse left by the armies. When this was scarce they ate anything available, grass and roots, even dirt. A million of these children are being mobilized in the barracks built by the Russians and Prussians during the war. This is the greatest reclamation service in history. I saw many of these children, their hair matted, tousled, and dirty; their skin gray and grimy and so tightly drawn over their skulls that one would think a smile would cause it to break. Their little bodies wasted until one could put a pencil in the spaces between the ribs; their stomachs fallen and distended, starvation stomachs; the muscles undernourished and weakened. The childhood in these little victims of the war was almost dead; their eyes stared with hurt. An effort was made to awaken the youth in them; toys were brought from Paris. That you may understand the horror of this tragedy I write you that these children had forgotten how to play. When these million children go to bed in Poland to-night and, in their hunger and cold, pray to God for food and warmth, they are appealing to you.

Poland is bending, breaking, and falling, and this is the Poland that gave to the United States in her hour of supreme trial Kosciusko and Pulaski; Kosciusko, whom the Congress of the United States voted a citizen for his services to American freedom. We remembered Lafayette and paid our debt to France. Shall we forget Kosciusko? Can we stand deaf and unmoved to the help cries of millions of men, women, and children who are in this very hour waiting for help or death?

I have another communication here from a young lady who went to Poland as a Young Women's Christian Association worker. It is quite in harmony with other evidence presented to the committee:

I went to Poland as a representative of the Young Women's Christian Association in June, 1919, and remained there until January 22, 1920.

The association had trained Polish-American girls to do relief work in Poland. I went to see what sort of work they could best do in a country that was in need of all sorts of relief work. To do this I visited German Poland and Austrian Poland, or Galicia, and the devastated district as far east as Minsk, which was then in the hands of the Bolsheviki.

There are now 30 of these Polish-American girls doing relief work for children in all parts of Poland. They are working as volunteers. I wish you could see, as I have seen, the little, thin, pinched faces of those children, with crooked legs from rickets, with bad eyes, and all

sorts of deformities, from lack of nourishment. The death rate is as high as 50 per cent in some districts.

Among the laboring families there are almost no children of 4 or 5 years of age. They all have died from lack of nourishment. I wish you could see the children who are in desperate need of hospital care with tuberculosis, typhus, smallpox, and have the hospitals refuse to take these children because they have no food. I wish you could see the thin faces of the children in the many orphanages which have been established, as day by day their amount of food is decreased because they are getting to the end of the food which has been given them by America.

One can never forget the cries of one of those patient mothers—for Poland has been taught patience for 140 years by the Germans, the Austrians, and the Russians—when a bread line is told there is no more bread, and she is fairly forced to shriek, "No work! No food! My children are starving!"

I wish you could have seen a weaver from Luch when she told me that her factory had closed down. You know, perhaps, that Luch is called the Manchester of Poland. It is a very imposing city, with its numerous smokestacks, which, alas, now are smokeless.

Last summer, through the kindness of America, the Poles secured six and a quarter million dollars' worth of cotton and were overjoyed to start part of the textile factories in Luch. They were striving desperately to be able to export something by spring to show the world that they wanted to become a self-supporting nation.

Poland will break unless they are given relief not later than the 1st of April. They will not become Bolsheviks. That small Polish Army, poorly equipped, poorly clothed, and poorly fed, is desperately fighting Bolshevism for the nation, but they will break because the nation can not face dire need forever.

A few weeks after we came to Poland an archbishop stopped us on the street because we were Americans and thanked us for the food from America. We never visited an institution but that they showed what they had received from America. They are depending upon America as their best friend.

You have started a splendid piece of work in Poland. This is just finishing it. Do lend them the $50,000,000 and complete a good job.

LOIS DOWNS.

Gentlemen, I do not feel as others do about Poland. Poland stands in the gap between the world and anarchy and Bolshevism in Russia. I am willing to aid them to keep back that great army of Bolshevists that would overrun the world if we would only permit it.

Mr. JUUL. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. JUUL. I want to remind the gentleman who is now occupying the floor that in more than 12 conversations and in a letter written to me over a month ago he stated that he was for this measure and would do everything in his power to bring about what we are trying to bring about here.

Mr. FORDNEY. Oh, yes; I believe I would be more generous than the average man. I am sympathetic; I know that these conditions appeal to me. I never would feel happy to know that I could sit down with my wife and children with plenty to eat while my neighbors were starving. I could not live happily under such circumstances. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. FORDNEY. I would ask the gentleman from North Carolina not to ask for the yeas and nays—let this be unanimous.

Mr. KITCHIN. Oh, yes; I think the world ought to know how humanitarian this House is. We all ought to vote unanimously for this.

Mr. JOHNSON of Washington. Mr. Speaker, I yield the remainder of my time to the gentleman from Wyoming [Mr. MONDELL].

The SPEAKER pro tempore. The gentleman from Wyoming is recognized for five minutes.

Mr. MONDELL. Mr. Speaker, America has been generous to Europe as no people have ever been generous in all the tide of time. We sent 2,000,000 of our boys across the seas, and many thousands of them gave up their lives in the contest. We spent $26,000,000,000 of our treasure to fight Europe's fight, for that contest, while it was the contest of civilization, was primarily Europe's contest. We have loaned Europe ten billions of our good money and so far not a penny has been returned, even of interest. Several billions of credits have been advanced by private individuals, on at least a portion of which the interest is not being regularly paid. There is not a household in the land that has not poured out its means for the relief first of Belgium and France and later Armenia, the Balkan States, Austria, and Poland and all the regions thereabout, and this private relief is still flowing millions a month. But there comes a time when Congress must question whether under the oath of its Members it can in time of peace continue to vote the money of the people in tens and hundreds of millions to relieve distress even under the terrible conditions existing in some parts of Europe. If the gentleman from North Carolina [Mr. KITCHIN] feels as he talks, he ought to introduce a bill, not for $50,000,000 worth of flour, but for at least half a billion of money, because this relief will not avert starvation in Russia; it will not appease the hunger and heal and bind the wounds of all the world; it will not begin to do that. If the gentleman from North Carolina thinks we ought to do that, that we are under obligations to do that, that as Members of Congress we are warranted in voting public money to do that, then this grant should be multiplied by 10 and the gentleman should propose it.

I call upon the gentleman, if he thinks we are responsible for all the suffering everywhere in the world and that we have warrant to appropriate the money of the American people to alleviate it, to bring in a bill and attempt to secure its passage providing not for this measure of relief but for ten times this measure of relief, for it will take ten times as much or more to fully relieve all the hunger and suffering, privation, and distress that has come upon the world in the wake of the Great War.

Mr. Speaker, we have been abundantly generous, and I was one of those who have thought, so far as cash contribution of the people's money by the Congress to Europe was concerned, that we had about reached a time when it was questionable whether the American people desired us to do so. It is very doubtful if we have constitutional authority to do so. But here is an opportunity to grant out of our abundance of foodstuffs, and we propose to do so to the extent of $50,000,000 worth of good, palatable flour. We are all for it, of course, and I am surprised in the granting of this aid the gentleman from North Carolina [Mr. KITCHIN] should have attempted to inject the question of politics, should have attempted in connection with this generous act to have suggested that we should have done more and done it long ago.

There is still much suffering in Europe, and will be after this aid is given. If the gentleman thinks we are bound to relieve it all, if we are under obligations, out of the Treasury of the United States, to feed everyone everywhere who may be hungry, to relieve all who are in distress and heal everyone everywhere who may be sick, I insist that the gentleman should back up his opinion and insist, after this bill is passed, that further relief shall be granted in sums sufficient to supply and relieve and heal all the world.

Mr. KITCHIN. Will the gentleman permit just a question?

The SPEAKER pro tempore. The time of the gentleman has expired; all time has expired. The question is on suspending the rules and passing the bill.

The question was taken.

The SPEAKER pro tempore. In the judgment of the Chair——

Mr. KITCHIN. Mr. Speaker, let us have the yeas and nays.

The SPEAKER pro tempore. The gentleman from North Carolina demands the yeas and nays. Evidently a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 285, nays 12, answered "present" 2, not voting 128, as follows:

YEAS—285.

Ackerman	Copley	Graham, Ill.	Linthicum
Almon	Crago	Green, Iowa	Little
Anderson	Crisp	Greene, Mass.	Longworth
Andrews, Nebr.	Crowther	Greene, Vt.	Luce
Anthony	Currie, Mich.	Griffin	Luhring
Ashbrook	Dale	Hadley	McArthur
Aswell	Dallinger	Hardy, Tex.	McClintic
Ayres	Davey	Harreld	McCulloch
Babka	Davis, Tenn.	Harrison	McFadden
Baer	Dempsey	Hawley	McKenzie
Barbour	Dent	Hernandez	McKeown
Barkley	Dickinson, Mo.	Hersey	McKiniry
Bee	Dickinson, Iowa	Hickey	McKinley
Bell	Dominick	Hicks	McLane
Benham	Donovan	Hoch	McLaughlin, Mich.
Black	Doughton	Holland	McLaughlin, Nebr.
Bland, Ind.	Dowell	Houghton	McPherson
Bland, Mo.	Drane	Hull, Iowa	MacCrate
Bland, Va.	Dunbar	Hull, Tenn.	MacGregor
Blanton	Dupré	Humphreys	Madden
Boies	Eagan	Hutchinson	Magee
Bowers	Eagle	Igoe	Major
Box	Echols	Jacoway	Mann, Ill.
Brand	Elliott	James	Mansfield
Briggs	Elston	Jefferis	Martin
Britten	Emerson	Johnson, S. Dak.	Mays
Brooks, Ill.	Esch	Jones, Pa.	Mead
Brooks, Pa.	Evans, Mont.	Jones, Tex.	Miller
Browne	Evans, Nebr.	Juul	Minahan, N. J.
Browning	Fairfield	Kahn	Monahan, Wis.
Butler	Fess	Kearns	Mondell
Byrnes, S. C.	Fisher	Keller	Montague
Byrns, Tenn.	Flood	Kelly, Pa.	Moon
Campbell, Pa.	Fordney	Kendall	Mooney
Candler	Foster	Kiess	Moore, Ohio
Cannon	Frear	Kincheloe	Moore, Va.
Cantrill	Freeman	King	Moores, Ind.
Caraway	French	Kinkaid	Morgan
Carss	Fuller, Ill.	Kitchin	Mott
Casey	Gallagher	Kleczka	Mudd
Clark, Mo.	Gandy	Knutson	Murphy
Classon	Ganly	Lanham	Nelson, Mo.
Cleary	Gard	Lankford	Nelson, Wis.
Coady	Garland	Larsen	Newton, Minn.
Cole	Garrett	Layton	Newton, Mo.
Collier	Godwin, N. C.	Lazaro	Nicholls, S. C.
Connally	Good	Lee, Ga.	Nolan
Cooper	Goodykoontz	Lehlbach	O'Connor

Ogden	Reavis	Small	Venable
Oldfield	Reed, W. Va.	Smith, N. Y.	Vinson
Oliver	Rhodes	Smithwick	Voigt
Olney	Ricketts	Snell	Walsh
Overstreet	Robinson, N. C.	Snyder	Wason
Padgett	Robsion, Ky.	Steagall	Watkins
Park	Rodenberg	Stedman	Webster
Parker	Rogers	Steenerson	Welling
Parrish	Romjue	Stephens, Ohio	Welty
Pell	Rose	Stevenson	Whaley
Peters	Rouse	Stiness	Wheeler
Phelan	Rubey	Stoll	White, Kans.
Platt	Sanders, Ind.	Strong, Kans.	White, Me.
Pou	Sanders, La.	Summers, Wash.	Wilson, La.
Purnell	Sanders, N. Y.	Sweet	Wilson, Pa.
Quin	Sanford	Swope	Wingo
Radcliffe	Scott	Tague	Wood, Ind.
Rainey, H. T.	Sears	Taylor, Ark.	Wright
Rainey, J. W.	Sells	Tillman	Yates
Raker	Sherwood	Tilson	Young, N. Dak.
Ramsey	Shreve	Tincher	Young, Tex.
Ramseyer	Sims	Tinkham	
Randall, Calif.	Sinclair	Treadway	
Randall, Wis.	Sinnott	Upshaw	

NAYS—12.

Bankhead	Garner	Kraus	Stephens, Miss.
Blackmon	Johnson, Ky.	Rayburn	Thomas
Buchanan	Johnson, Miss.	Sisson	Wilson, Ill.

ANSWERED "PRESENT"—2.

Johnson, Wash. Williams

NOT VOTING—128.

Andrews, Md.	Ferris	Kennedy, R. I.	Rucker
Bacharach	Fields	Kettner	Sabath
Begg	Focht	Kreider	Schall
Benson	Fuller, Mass.	Lampert	Scully
Booher	Gallivan	Langley	Siegel
Brinson	Glynn	Lea, Calif.	Slemp
Brumbaugh	Goldfogle	Lesher	Smith, Idaho
Burdick	Goodall	Lonergan	Smith, Ill.
Burke	Goodwin, Ark.	Lufkin	Smith, Mich.
Burroughs	Gould	McAndrews	Steele
Caldwell	Graham, Pa.	McDuffie	Strong, Pa.
Campbell, Kans.	Griest	McGlennon	Sullivan
Carew	Hamill	Maher	Sumners, Tex.
Carter	Hamilton	Mann, S. C.	Taylor, Colo.
Chindblom	Hardy, Colo.	Mapes	Taylor, Tenn.
Christopherson	Hastings	Mason	Temple
Clark, Fla.	Haugen	Merritt	Thompson
Costello	Hayden	Michener	Timberlake
Cramton	Hays	Morin	Towner
Cullen	Heflin	Neely	Vaile
Curry, Calif.	Hersman	Nichols, Mich.	Vare
Darrow	Hill	O'Connell	Vestal
Davis, Minn.	Hoey	Osborne	Volstead
Denison	Howard	Paige	Walters
Dewalt	Huddleston	Porter	Ward
Dooling	Hudspeth	Rainey, Ala.	Watson
Doremus	Hulings	Reber	Weaver
Dunn	Husted	Reed, N. Y.	Winslow
Dyer	Ireland	Riddick	Wise
Edmonds	Johnston, N. Y.	Riordan	Woods, Va.
Ellsworth	Kelley, Mich.	Rowan	Woodyard
Evans, Nev.	Kennedy, Iowa	Rowe	Zihlman

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. OSBORNE with Mr. HAYDEN.
Mr. PAIGE with Mr. O'CONNELL.
Mr. WALTERS with Mr. HASTINGS.
Mr. LUFKIN with Mr. HOWARD.
Mr. MICHENER with Mr. SABATH.
Mr. FOCHT with Mr. SUMNERS of Texas.
Mr. CHRISTOPHERSON with Mr. LONERGAN.
Mr. LANGLEY with Mr. CLARK of Florida.
Mr. CHINDBLOM with Mr. WOODS of Virginia.
Mr. WINSLOW with Mr. HUDSPETH.
Mr. GOODALL with Mr. EVANS of Nevada.
Mr. EDMONDS with Mr. CARTER.
Mr. STRONG of Pennsylvania with Mr. STEELE.
Mr. WATSON with Mr. FERRIS.
Mr. BEGG with Mr. GALLIVAN.
Mr. SIEGEL with Mr. GOLDFOGLE.
Mr. BACHARACH with Mr. WISE.
Mr. GRAHAM of Pennsylvania with Mr. DEWALT.
Mr. GOULD with Mr. CALDWELL.
Mr. KELLEY of Michigan with Mr. HENRY T. RAINEY.
Mr. KREIDER with Mr. BRINSON.
Mr. PORTER with Mr. GOODWIN of Arkansas.
Mr. ROWE with Mr. MCDUFFIE.
Mr. HAMILTON with Mr. MAHER.
Mr. BURROUGHS with Mr. SULLIVAN.
Mr. HULINGS with Mr. BENSON.
Mr. DENISON with Mr. RUCKER.
Mr. GLYNN with Mr. LESHER.
Mr. BURKE with Mr. MANN of South Carolina.
Mr. FULLER of Massachusetts with Mr. SCULLY.
Mr. CAMPBELL of Kansas with Mr. TAYLOR of Colorado.
Mr. TOWNER with Mr. SISSON.
Mr. COSTELLO with Mr. JONES of Texas.
Mr. MERRITT with Mr. BRUMBAUGH.
Mr. GRIEST with Mr. HUDDLESTON.
Mr. DUNN with Mr. RIORDAN.
Mr. TIMBERLAKE with Mr. LEE of Georgia.
Mr. DARROW with Mr. HEFLIN.
Mr. KENNEDY of Iowa with Mr. HERSMAN.
Mr. MORIN with Mr. CULLEN.
Mr. LAMPERT with Mr. BOOHER.
Mr. SMITH of Idaho with Mr. RAINEY of Alabama.
Mr. MAPES with Mr. DOREMUS.
Mr. ZIHLMAN with Mr. HOEY.
Mr. KENNEDY of Rhode Island with Mr. FIELDS.
Mr. IRELAND with Mr. CAREW.
Mr. DAVIS of Minnesota with Mr. ROWAN.
Mr. WOODYARD with Mr. NEELY.
Mr. SMITH of Michigan with Mr. JOHNSTON of New York.
Mr. VARE with Mr. DOOLING.
Mr. TEMPLE with Mr. MCGLENNON.
Mr. SLEMP with Mr. KETTNER.
Mr. ELLSWORTH with Mr. HAMILL.
Mr. SMITH of Illinois with Mr. WEAVER.
Mr. THOMPSON with Mr. MCANDREWS.

The result of the vote was announced as above recorded.

EXAMINATION AND REPORT ON IMPERIAL VALLEY, ETC., IN CALIFORNIA.

Mr. KINKAID. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 12537, with amendments, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Nebraska moves to suspend the rules and pass the bill, with amendments, which the Clerk will report.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry. Is the bill now being read with the amendments incorporated in the reading or separately?

The SPEAKER pro tempore. The Chair understood that the unanimous-consent request was to read the bill as amended and supposes that the bill will be read as amended, according to the motion offered. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12537) to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley in California.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to have an examination made of the Imperial Valley in the State of California, with a view of determining the area, location, and general character of the public and privately owned unirrigated lands in said valley which can be irrigated at a reasonable cost, and the character, extent, and cost of an irrigation system, or of the modification, improvement, enlargement, and extension of the present system, adequate and dependable for the irrigation of the present irrigated area in the said valley, and of the public and privately owned lands in said valley and adjacent thereto not now under irrigation, which can be irrigated at a reasonable cost from known sources of water supply, by diversion of water from the Colorado River at Laguna Dam.

SEC. 2. That the said Secretary shall report to Congress not later than the 6th day of December, 1920, the result of his examination, together with his recommendation as to the feasibility, necessity, and advisability of the undertaking, or the participation by the United States in a plan of irrigation development with a view of placing under irrigation the remaining unirrigated public and privately owned lands in said valley and adjacent thereto, in connection with the modification, improvement, enlargement, and extension of the present irrigation systems of the said valley.

SEC. 3. That the said Secretary shall report in detail as to the character and estimated cost of the plan or plans on which he may report, and if the said plan or plans shall include storage, the location, character, and cost of said storage, and the effect on the irrigation development of other sections or localities of the storage recommended and the use of the stored water in the Imperial Valley and adjacent lands.

SEC. 4. That the said Secretary shall also report as to the extent, if any, to which, in his opinion, the United States should contribute to the cost of carrying out the plan or plans which he may propose; the approximate proportion of the total cost that should be borne by the various irrigation districts or associations or other public or private agencies now organized or which may be organized; and the manner in which their contribution should be made; also to what extent and in what manner the United States should control, operate, or supervise the carrying out of the plan proposed, and what assurances he has been able to secure as to the approval of, participation in, and contribution to the plan or plans proposed by the various contributing agencies.

SEC. 5. That, for the purpose of enabling the Secretary of the Interior to pay not to exceed one-half of the cost of the examination and report herein provided for, there is hereby authorized to be appropriated the sum of $20,000: *Provided*, That no expenditure shall be made or obligation incurred hereunder by the Secretary of the Interior until provision shall have been made for the payment of at least one-half the cost of the examination and report herein provided for by associations and agencies interested in the irrigation of the lands of the Imperial Valley.

Mr. MONDELL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. The gentleman from Wyoming demands a second. The Chair desires to ask the gentleman from Nebraska if the bill as read by the Clerk includes the amendments?

Mr. KINKAID. Includes the amendments of the committee.

The SPEAKER pro tempore. The gentleman from Wyoming demands a second.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

Mr. BLANTON. Will the gentleman from Nebraska yield?

Mr. KINKAID. And that a second may be considered as ordered.

The SPEAKER pro tempore. Is there objection to the requests of the gentleman from Nebraska. [After a pause.] The Chair hears none. The gentleman from Nebraska is recognized for 20 minutes and the gentleman from Wyoming is entitled to be recognized for 20 minutes.

Mr. BLANTON. Will the gentleman from Nebraska yield for a question?

Mr. KINKAID. I yield to the gentleman from Texas for a question.

Mr. BLANTON. What is the great urgency for the immediate consideration of this bill?

Mr. KINKAID. I am just about to advise the House of the exigencies existing for the speedy enactment of the bill.

Mr. BLANTON. Has it anything to do with the soldier-bonus matter? Because if it will further that legislation along I am for it.

Mr. KINKAID. It may have later. This is a preliminary step looking to legislation for relief in general of the difficulties with which the Imperial Valley water users now contend in securing a water supply.

Mr. BLANTON. It may have something to do with the soldiers' bonus?

Mr. KINKAID. It is contemplated it will more or less.

Mr. BLANTON. The question I desire to ask——

Mr. KINKAID. I must decline to yield further.

Mr. BLANTON. I make the point of order that the gentleman from Nebraska admits that this bill may have something to do with the soldier-bonus matter, and I was under the impression that to expedite such legislation and to make it possible for a proper relief bill to be agreed upon and framed by one committee that all such bills were forced——

Mr. MANN of Illinois. I make the point of order, Mr. Speaker, that that is not a point of order.

Mr. BLANTON (continuing). To go to the Ways and Means Committee by a resolution of this House.

The SPEAKER pro tempore. The Chair overrules the point of order of the gentleman from Texas and sustains the point of order of the gentleman from Illinois.

Mr. KINKAID. Mr. Speaker and gentlemen of the House, a very great exigency exists for the legislation in contemplation. This bill provides only for a preliminary step to be taken to secure information upon which to frame a bill for needed relief of water users and for the reclamation of public lands. The Committee on Irrigation has considered two bills already and has given extended hearings, which bills look to the permanent relief of the water users in the great Imperial Valley of California from the obstacles with which they contend in securing an adequate water supply, but deemed it prudent to take the preliminary step provided by the pending bill.

At the present time the water used is being conveyed from the Colorado River in the United States, in the State of California, south across the international boundary line into the Republic of Mexico, because when the project was first developed that was the less expensive mode, and the water is carried in an old river bed, the bed of the Alamo River, in the Republic of Mexico, for 40 miles in a direct line or 60 miles as the river meanders, in the Republic of Mexico, thence north again into California and into the Imperial Valley.

By carrying this water into Mexico the legal control of the water is lost and you will grant also the physical control of the water is lost to the American water users. Imperial Valley water users have thus been furnishing water to the people in old Mexico, the water users there, for nothing at all. At the same time they have been obliged to build levees in Mexico to protect themselves in the Imperial Valley in California from inundation in case a flood occurs, and they have had to carry expensive material across the line, timbers and metals and various kinds of equipments, and extortionate duties have been imposed upon such materials by the Mexican Republic. They have even been required to pay high duties for conveying their horses, mules, wagons, and dirt-handling machinery across the Mexican line when making levee repairs.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. McKEOWN. Is there not a company that controls this water in the Republic of Mexico, and has not this been a source of considerable correspondence between the United States and the Republic of Mexico over the water rights?

Mr. KINKAID. Not for many years. There has been no difficulty about that, I will say to the gentleman. This legislation does not contemplate raising any issue or difficulty whatever with Mexico concerning the water. Mr. Speaker, an acute condition is caused by the precarious situation of the intake, the hitch-up of the canal, whereby water is taken from the Colorado River in the United States, in California. The place at which they get the water is opposite the Yuma, Ariz., irrigation project, developed by the Government, and they are required during the season, when the water is low, in order to get the water raised high enough to take it out of the river into the canal, to place a temporary dam in the river, called a weir. Now, this dam is all the time a menace to the Yuma, Ariz., project, and it has imperiled the Arizona project to such an extent that injunction proceedings have been commenced by the Yuma water users, which is pending and has been in court for some time; but by the forbearance on the part of the Yuma project people the injunction suit has not been pressed to a final decision, upon the promises made continually by the Imperial Valley water users that before another season would come they would provide means that would enable them to dispense with the necessity of putting in this temporary dam. The Imperial irrigation district has had to take out the temporary dam each season when the exigency for its use has passed, because its existence would endanger the Yuma project and the water would rise, and if a flood would come with the dam remaining the Yuma project, which has cost millions of money for its development, would be cut to pieces by the flood, and the expensive Laguna Dam, built by the Government, might be destroyed.

Mr. HUMPHREYS. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes; I yield.

Mr. HUMPHREYS. Is it not contemplated that the survey will develop the fact that it is possible to construct a ditch all in American territory?

Mr. KINKAID. That is it, sir. I was just getting to it. Now, it is contemplated that an all-American canal will relieve the situation, so far as carrying the water through the Republic of Mexico is concerned, and that the intake or place of diversion of the river will be changed from the place where it now is—where it endangers the Yuma, Ariz., project so greatly—will be changed to the Laguna Dam, which is 17 miles up the Colorado River, and the diversion will be made at the Yuma Dam and carried thence south to near the international boundary line, thence along the international boundary line on the California side until the proper place is reached to convey the water north into the valley. Thus the exigencies would be met.

Gentlemen, this is one of the greatest irrigation propositions in the world. There is the foundation there for the greatest amount of production of any irrigation proposition, far greater than any other in the United States, and probably the greatest irrigation proposition in the world. There can be the most gardening carried on and the largest amount of truck raised early in the season of any place in the United States.

The people there are not a people who want to depend on the Government for any financial aid. They will pay back to the Government every dollar which the Government may expend, if it shall expend any.

This bill provides for a preliminary step necessary to ascertain what the proper better solution will be, both for the present irrigators, those enterprising and energetic pioneers who have gone in there and developed 430,000 acres already and are now devoting it to the growing of crops. It will determine what will be the best for them and the best mode for developing the remaining Government land.

There is under private ownership about 500,000 acres, and there will be, say, 600,000 acres, mostly owned by the Government; about 300,000 acres have not yet been filed upon, so here is an opportunity for ex-service men to be provided for; and there is about 150,000 acres which have been entered but no patents issued. It is contemplated that the Government develop these undeveloped public lands; and it is desirable that the undertaking be joint for the reclamation of the Government lands and the better secured water supply for lands now in private ownership. The purpose is to find the best solution for a permanent and adequate water supply, well secured from any danger whatever, for the whole of the Imperial Valley, which would contain about 1,100,000 acres all told.

The present courageous and industrious home builders went into this valley and started the development there, and carried it up to a certain point, at a time when most people regarded it as impossible to accomplish anything worth while. They have carried it along until now they have met with this perilous condition which I have described to you, and they can not proceed further without legislation.

The question is what legislation is the most appropriate and will be the most satisfactory and the most conducive to the welfare of the settlers and of the public generally. They have been willing all the time to do their part. The Imperial Valley district has had one survey made of nearly all the area. It cost the Government $15,000 and the district paid $30,000 of the $45,000 expended. The Laguna Water Co. also made an extended survey at its own expense exclusively. This shows how ready they all are to help themselves. This bill provides that the water users shall furnish and expend at least one-half the money that it costs to make this survey. A very great exigency exists and there is a great necessity for the solution of the difficulties with which these people contend, who are deserving of exceptional credit for the wonders they have accomplished in developing the Imperial Valley and reclaiming it to successful farming as far as they have gone. It will be the greatest return in public good which can be conceived of, by the development of any irrigation proposition, when a substantial solution shall be made. We are now by this bill taking steps to ascertain what the legislation shall be.

Mr. STEVENSON. What are the principal products of the Imperial Valley?

Mr. KINKAID. They raise everything that you can raise in a latitude where you can grow crops all the year round. They irrigate all the year round.

Mr. STEVENSON. I have seen some of the finest cotton I ever saw raised there.

Mr. KINKAID. The highest-priced cotton that is raised in the world is raised there, and the yield is very large.

Mr. SHERWOOD. What is the present status of the bill?

Mr. KINKAID. This bill will take the preliminary steps.

Mr. SHERWOOD. Is it on the calendar?

Mr. KINKAID. Oh, yes; unanimously reported, and up for consideration under supension of the rules. Mr. Speaker, I hope the bill will pass. [Applause.]

I reserve the balance of my time for other members of our committee.

Mr. MONDELL. Mr. Speaker, I yield 15 minutes of my time to the gentleman from Utah [Mr. WELLING], a member of the committee.

Mr. WELLING. I yield five minutes to the gentleman from Missouri [Mr. BLAND].

Mr. BLAND of Missouri. Mr. Speaker, not by reason of personal or local interest, but from the standpoint of national interest and welfare, I am convinced that the work provided for in the bill under consideration should be carried out effectively and expeditiously. My regret is that the bill is not more comprehensive and far-reaching. It is, however, a preliminary step in the right direction.

Nestling between ranges of mountains and below sea level, at the extreme south part of California, adjoining the Republic of Mexico, lies the Imperial Valley.

Less than two decades ago it was a barren desert of blistering, sweltering heat, and through which the most venturesome and hardiest hesitated to pass—a pitiless, useless waste—and to-day it is all that its name implies. It is the Imperial Valley, richer and more fertile than any like area in all the world. It has been a magic transformation from a barren desert to a valley of fruition and happy realization. Countless beautiful farms or ranches, as they are called there, with their homes surrounded by orange, grapefruit, lemon, apricot, pear, and date trees, beautify the landscape. The most beautiful flowers, under the 12 months of sunshine, grow in profusion and reckless abandon, and the atmosphere is redolent with their odors or perfume.

I know whereof I speak, as it was my good fortune, in April of 1919, to spend some time in the valley and to drive through it in its entirety. I was then impressed with the responsibility, the duty, yes, the obligation, resting upon the Federal Government, to take necessary action, promptly and comprehensively, to the end that the future of the valley may be assured and safeguarded for all time to come.

The gentleman from Nebraska [Mr. KINKAID], the chairman of the committee having in charge the bill, has outlined the general condition relating to the water supply of the valley and the vast interest of the Federal Government in the lands yet unpatented, and which can be made into acreage of immense value, and that, too, without the uncertainty of experimentation. The experimental period in the Imperial Valley has long since passed. The hardy, courageous, and brave men and women who pioneered there in the "winning of the desert" solved the problem, and their knowledge, hard won as it was, belongs to them and to those who followed after them.

Mr. Speaker, the gentleman from South Carolina [Mr. STEVENSON] asked the gentleman from Nebraska [Mr. KINKAID] what are the principal products of the valley; and answer could be very briefly and correctly made by the simple statement, almost all of the products known to the farm in any latitude. The farmers there produce and mow from 6 to 8 and 10 crops of alfalfa. The growing season covers all the year with the exception of five or six weeks, and the average production of hay is from 6 to 12 tons. The dwarf Milo maize, which is used in the place of corn, yields an average of 1 ton of the grain to the acre, while there are frequent yields of 1½ to 2 tons; and I learned that the standing stalks are used for ensilage. Of wheat the yield runs from 35 to 45 bushels to the acre. The hard varieties of wheat are usually produced. The valley has become celebrated for the quality of its cotton, both short staple and long staple being produced. Barley is one of the large products of the valley, and the yield under average conditions is between 50 and 55 bushels to the acre.

As I stated, I had the good fortune to go through the valley from one end to the other, and while there, knowing that the question might become a very important one for the consideration of the Congress, I investigated the difficulties which confronted the people of the valley relative to the supply of water which they obtain from the Colorado River. The water supply at present is carried from the Colorado River in the old bed of the Alamo River, through the Republic of Mexico, and delivered to the distribution works near Calexico, at the southern end of the Imperial Valley, and thence throughout the valley through the systems of 13 mutual water companies, of which the landowners are the stockholders.

During July and August the people of the valley are troubled with a relative shortage of water, the volume then obtainable being less than is secured during the other months of the year. The Mexican inhabitants, who have access to the water before it reaches the distribution works, which I have mentioned, waste the water with the greatest indifference and absence of conservation; in fact, they exercise no care whatever, and as I say, when the water is needed most in the valley, the supply is shortened by reason of the waste by the inhabitants of Mexico, as the latter secure the water at nominal rates, while the farmers and producers, who are located in the valley, are, of course, compelled to pay the regular rates or charges therefor.

An additional difficulty beyond that resulting from the waste of the water by the inhabitants of Mexico, and the lack of physical and legal control thereof by this Government, exists, and grows out of the fact that when the water in the Colorado River is low it becomes necessary to construct a weir dam, for temporary use, and which constitutes a serious menace to irrigation projects in the Yuma Valley, Ariz.; in fact, so serious that some time ago injunction proceedings were instituted by Yuma water users, and this suit is now pending, and if determined favorably to the Arizona projects, and the injunction enforced, would constitute a serious and destructive disaster to the Imperial Valley. To the credit of the Yuma water users, they have exercised a most generous forbearance, and have postponed pressing the litigation to a final conclusion. The situation which I mention carries a double threat. By reason of the construction of the temporary or weir dam each season, at the expense of the irrigation company supplying water to the Imperial Valley, and which construction is necessary, in order that during periods of low water the elevation thereof may be raised high enough to carry the water into irrigation channels for the Imperial Valley, an extraordinary expense results, particularly in view of the fact that the temporary dam must also each season be removed. The other threatening feature of the condition is that in the event of a flood in the Colorado River, before the removal of the temporary dam, disastrous overflow would occur to the infinite damage of the Yuma Valley irrigation territory.

By the construction of the all-American canal, at a cost of from $30,000,000 to $40,000,000, the water from the Colorado River would be carried entirely through American territory, the threatening condition both to the Yuma Valley and the Imperial Valley entirely removed, and the supply of water for both the Yuma Valley and the Imperial Valley would be safeguarded for all time, as the control thereof, both physical and legal, would be vested and retained entirely in the hands of our Government.

Mr. BARBOUR. Will the gentleman yield?

Mr. BLAND of Missouri. Certainly.

Mr. BARBOUR. Is it not a fact that under the present system the Mexican people get their water going through the canal and pay nothing to maintain the irrigation system?

Mr. BLAND of Missouri. That is true; and during the months of July and August the people of the valley need water badly for the various crops, and can not secure it in the volume desired.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. BLAND of Missouri. Yes; I yield.

Mr. HUMPHREYS. I want to call attention to the fact that there is nothing in this bill which commits the Government to the expenditure of any $30,000,000. This is simply to authorize a survey to ascertain how much it will cost, and as to what proportion the Government should contribute.

Mr. BLAND of Missouri. Yes; the gentleman is correct. I am simply addressing myself to the proposition that the survey is important and necessary to the development of this vast expanse of territory, because in order to determine whether the survey and examination should be made, as provided in the bill, there should be considered the benefits which will accrue, not only to the valley but to the country, by adding thereto a territory which will probably contribute to our present production in value annually a hundred millions of dollars, and thus contribute to our national wealth during all of the years to follow.

Around the valley there extends mesa land, a higher elevation than the valley proper, and which can not now be reached by the present irrigation project, but which will be brought under irrigation when the water is carried through American territory by an all-American canal; and there are certain portions of the valley, also, which will be reached by the irrigation system. The improvement, when completed, would open up, as the chairman of the committee has said, between 500,000 and 600,000 acres of additional land, just as rich and productive, when irrigated, as the land of the lower parts of the valley.

Mr. LITTLE. And Government land?

Mr. BLAND of Missouri. Probably three hundred or three hundred and fifty thousand acres of Government land, which has not been filed upon. The value of that land would range from $150 to $200 per acre and would largely exceed the entire cost of an all-American canal. Irrigated and improved land in the Imperial Valley sells for from $200 to $300 per acre, and it will readily be seen how much the Government will profit by such an improvement, even if it bore the entire cost thereof; but this is not intended, as the people of the valley and the owners of the land will assume and discharge their full share or proportion of the cost of the improvement.

I have only spoken of the production in the valley from the land itself, but there are vast numbers of hogs, herds of cattle, and flocks of sheep. The total production of the valley even now under irrigation exceeded in value $50,000,000 in 1918. The population in 1910 was, in round numbers, 13,000, and in 1919 exceeded 60,000. The value of the productions in 1910 were $5,000,000, and in 1919, as I have stated, exceeded $50,000,000. These results tell their own story and magnify the dreams of those who 18 years ago conceived this wonderful improvement and the reclamation of an arid waste which to-day embraces wonderful farms, beautiful modern cities, and a happy, aggressive, progressive, energetic, prosperous people who enjoy a production of farm products not only unsurpassed but unequaled anywhere.

Mr. LITTLE. There is also wonderful fruit raised there.

Mr. BLAND of Missouri. Yes; of every tropical variety, and in the greatest abundance, and yet the production in that respect is still in its infancy. Killing frosts are unknown, and every condition is favorable to the production of all fruits of tropical variety and vegetables of every character.

Let it be remembered, too, that the production of the valley, whether cereal, fruit, or vegetable, is available for the earliest market everywhere and therefore easily finds ready sale and meets an imperative demand.

In addition to the reasons I have given there is another very important one. Many plans have been suggested having in view the recognition by the Government of the magnificent and patriotic services of those gallant Americans who returned to civil life after the victorious conclusion of the World War. The hundreds of thousands of acres of Government land which will be reclaimed in the Imperial Valley by the construction of the canal can be used for the purpose of soldier settlement, and the soldiers of the war can be given preferential status and become the beneficiaries when the land will have been reclaimed and opened for filing. No more economical plan has been proposed, and none which will prove so beneficial and profitable, not only to the soldiers but to the country, and if there were no other reasons for the speedy completion of this great improvement, and there are other important reasons, this alone would be sufficient to warrant the Government in prosecuting to completion the construction of the canal.

I feel sure that the bill will pass, and will welcome the day when this much-needed, most profitable, and most deserved improvement, the building of an all-American canal through all-American territory for an American people, will have been completed and thus reward the years of effort exerted in season and out of season by the Hon. WILLIAM KETTNER, the able and distinguished Representative from the eleventh California district, in which is located the Imperial Valley. [Applause.]

Mr. WELLING. Mr. Speaker, I yield four minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker and gentleman of the committee, I am strong for this legislation. Imperial Valley is considered to be the richest spot on earth. From the land cultivated and the amount of crops obtained therefrom there is no place in the world that excels its production. There are in the neighborhood of 1,000,000 acres, much of it, about 500,000 acres, in private ownership, and possibly two-fifths of the privately owned land has not been sufficiently irrigated. Then there is in the neighborhood of 500,000 acres of public land. There is in addition to this about 400,000 or 500,000 acres that has not been designated that will be brought in under cultivation that is now in the Salton Dead Sea that before the Colorado River broke over was desert land and not irrigated. The project will involve the proper handling of the questions of evaporations as regards the Salton Sea. This land was submerged by the breaking over of the Colorado River.

In addition to the crops mentioned, you should not overlook the canteloupe, the dates, the oranges, the lemons, the barley, wheat, and so forth—go down there at this time of year and you will see them heading their wheat and barley. Crops of alfalfa for this year have already been cut. It is the same way with tomatoes; in fact, everything that the human family needs, almost, grows in this valley 12 months out of the year. Not only, as the gentleman stated, do they have seven crops, but they cut as high as 12 crops of alfalfa per year, and everything in proportion. To do this it must require water. Except the land surrounding the edge it is the deepest soil that has been discovered in any place. It has been filling in there for thousands of years. We have no rain there, except once in two or three years it sprinkles a little overnight or for a day. This proposition will involve very little expense to the Government, not over $25,000.

Mr. MADDEN. Will the gentleman yield?

Mr. RAKER. Yes.

Mr. MADDEN. Does the gentleman mean to say that they raise crops of alfalfa every 30 days?

Mr. RAKER. They can raise it in 18 days; but the ordinary crop they raise now is a crop that can be produced in 30 days at 2 tons or more per acre.

Mr. REED of West Virginia. How much would this make available?

Mr. RAKER. About 300,000 acres of public land.

Mr. REED of West Virginia. Does the gentleman say that would bring the enormous price he mentioned?

Mr. RAKER. Yes; and it would, in addition, provide water sufficient for irrigation of the land in private ownership that is not sufficiently supplied with water now. This is a meritorious project, and should have the Government's assistance. Every dollar expended will come back, and the Government will not lose but will be the gainer in the end. There is another thing that I want to call to the attention of the committee.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Yes.

Mr. McKEOWN. I want to ask the gentleman if this measure makes provision to take care of the evaporation?

Mr. RAKER. It will.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. WELLING. Mr. Speaker, I yield two minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS. Mr. Speaker, I merely want to express the hope that this bill will become a law. The purpose is ultimately to have this all-American canal. Where the waters of the Colorado River are taken out to irrigate the Imperial Valley is below the international boundary, and about 12 or 14 years ago, during a period of flood, the Colorado River broke through and destroyed the control works and threatened to overflow the valley. There is no drainage there. There is no way to get the water out of the valley after it once gets in except by evaporation. It creates the Salton Sea, as it is called. We undertook to check the flood when the Colorado River broke through, but the Mexican Government would not permit us to do it. It would not permit any American concern to do it, so it became necessary to give the contract to a Mexican firm, mere dummies, to give them a rake-off—if gentlemen understand what that means—in order to let an American corporation go in and actually do the work. The Mexican Government charged a tariff on the mules taken in, on the hay, on everything. The railroad company was requested by President Roosevelt to do the work because great destruction was threatened to this

valley as well as to the railroad. A very distinguished engineer from this country, Maj. Ockerson, was sent down there to superintend the work; and I might mention in passing that this Government did not keep the faith the President plighted, for it never did pay back the million dollars it cost the railroad. Unless this work is done and this all-American canal is constructed we will be dependent upon the whims of Mexico to permit us to go into Mexico and get the water to irrigate the valley, and another occasion similar to the one I have just mentioned may occur any time. This is a sore spot on an already irritated if not inflamed border, and the sooner this all-American canal is finished the better it will be for the peace of the land. There can be no question that there is a Federal interest involved, and this bill ought to pass.

Mr. WELLING. Mr. Speaker, I yield two minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Speaker, I think gentlemen ought to understand what this Government has done. This Government ran an injunction on them that prevents them from keeping up their dam. They got along all right, but there is a standing injunction that makes it impossible for them to maintain a dam. The Government did that for them. When they wanted to sell bonds to build a bigger dam, this Government, through the loan board, put out a statement that their credit was not good, so that they could not sell their bonds. I just wanted you to realize how kind the Government had been to them. The Mexicans now help the thing along a little. The water has to go around through Mexico, and the Mexicans take as much as they want to and do not help any on the project. This is the most remarkable success ever achieved in the world, and it has been done by people who went down there and built it up, with everybody on earth and everything in nature fighting them. They want you now to go down and look it over, and see whether you will not help them to redeem 300,000 acres of yours and put them on the market.

Mr. WELLING. Mr. Speaker, the Committee on Irrigation of Arid Lands has had exhaustive hearings with reference to the solution of the problem of irrigation in the Imperial Valley. It is conceded by everybody who understands the problem that the eventual solution of that question will cost in the neighborhood of from forty to fifty million dollars. Bills have been introduced by my friend Mr. KETTNER, representing this great valley here in Congress, looking to that solution. It was proposed not that the Government should advance this money but that it should secure the bonds of the people of the Imperial Valley who propose to build the water system. The committee felt, and I trust that that will be the judgment of the House, that it was not a proper time for the Government to loan its credit to these excellent people for the purpose of building this project, especially in view of the fact that surveys that have thus far been made for the all-American canal are not considered complete or adequate.

This bill provides simply for the continuing of those surveys, half the cost to be paid by the Government of the United States and one-half by the people of the Imperial Valley, and when they are completed that the Secretary of the Interior shall recommend to Congress what ought to be done in cooperation with the people of Imperial Valley to complete the project.

The growth of irrigation in Imperial Valley is one of the remarkable romances of the conquest of the desert. It has grown from worthless desert to the most productive spot on earth within the memory of men still in their prime and still active in solving this most interesting problem. The water used is diverted from the lower Colorado River by means of a temporary dam, which must be removed each year to protect the entire project and also the Yuma project in Arizona during high water.

This annual expense amounts to more than $150,000, and besides is maintaining a constant menace which is intolerable and must eventually be corrected.

The solution to the problem involves a new outlet connecting the canals of Imperial Valley with the Government-owned Laguna Dam, now furnishing water to the Yuma project in Arizona.

Intimately associated with this proposed diversion at Laguna Dam is the construction of the all-American Canal upon the California side of the international boundary line.

The building of the canal will provide water for the irrigation of an additional 500,000 acres of public and desert land now owned chiefly by the United States. These lands are as good or better than lands now in the Imperial irrigation district.

I want the House to realize that this great project can not be fully constructed without providing for storage upon the upper watersheds of the Colorado River in Utah and Colorado.

This bill directs the Secretary of the Interior to investigate and report upon such storage projects. It is a comprehensive program which will eventually redeem more than a million acres of land, not only in California but also in Utah and Colorado, where the flood waters of the Colorado River originate.

The SPEAKER pro tempore. The time of the gentleman from Utah has expired.

Mr. KINKAID. Mr. Speaker, I yield three minutes to the gentleman from California [Mr. BARBOUR].

Mr. BARBOUR. Mr. Speaker, the purpose of this resolution is simply to appropriate a sum not to exceed $20,000 for an investigation. The people of the Imperial Valley are to pay one-half of the cost of this investigation, and if the total cost comes to more than $40,000, they are to pay any amount required for the same in addition to this $20,000. It has been stated here that the Imperial Valley is perhaps the most fertile irrigated section in the world. Twenty years ago the Imperial Valley was a desert. It was pointed out to tourists on the transcontinental trains as the great Colorado desert, where nothing would live except rattlesnakes, horned toads, centipedes, and scorpions. A few pioneers went in there and at their own expense and by their own efforts brought water into that section and made of it one of the most fertile areas in the United States, if not in the entire world. The present irrigation system has been described. The water is taken from the Colorado River on the American side, carried through Mexico and back into the Imperial Valley in California. The necessity of bringing the water through Mexico has placed the people of the Imperial Valley at the mercy of the Mexicans. Mexico gets one-half of the water as it goes through that country and pays absolutely nothing for it. The Mexicans pay nothing toward maintaining the irrigation system. The entire expense is borne by the people of Imperial Valley. The Mexican Government is now planning to place under irriagtion large tracts of land south of the national boundary, and this will take more water from the Colorado River and from this irrigation system. The result is that the people of the Imperial Valley must have relief, and they have planned to get relief by building an all-American canal—a canal entirely on American territory—so that they will no longer be at the mercy of the Mexican Government and the Mexican people. The purpose of this resolution is simply to appropriate money to make the necessary investigation and to enter into the necessary business arrangements with the irrigation districts already existing there, and to determine what part of the expense shall be paid by the Federal Government to bring its lands under irrigation, and what part shall be paid by the people of the Imperial Valley. The question has been asked here if this contemplates soldier legislation. I want to say to the gentleman from Texas and to the Members of the House that this resolution does contemplate legislation for the benefit of the soldiers of the late war. This resolution and the proposed legislation for the improvement of the Imperial Valley irrigation system and the reclaiming of the public lands of that section have been approved by the American Legion and other organizations of returned service men in many parts of the United States. They are strongly in favor of the proposed plan.

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. Mr. Speaker, it is impossible in five minutes to tell the wonderful and romantic story of the Imperial Valley. A few years ago some hardy pioneers went into that wonderful valley with its forbidding arid areas below sea level and with a vision worthy of a seer they diverted the waters of the Colorado River, and by their untiring efforts in the face of countless difficulties developed about 400,000 acres of perhaps the most productive land on the face of the earth. They are in the midst of very great perplexities. It will be impossible permanently to maintain their present diversion dam. There is only one possible point of permanent diversion and that is controlled by the Government at the Laguna Dam. This fact and the further fact that there is an international question to be solved makes it necessary for the Federal Government to interest itself in the final solution of the irrigation reclamation of this region. There are about 200,000 acres of public-owned land in the valley which can be irrigated.

It is proposed by the legislation before us to have an investigation to determine how large an area can be irrigated and the way in which it can be best irrigated, and who should bear the cost of the work, how much of it, if any, the Federal Government should pay. In that connection there will be a question as to what shall be done with the 200,000 acres of public land. If the Government participates in the undertaking, which it may or may not do, in a way the matter involves a question of opportunities for our soldiers of the Great War. If the Government concludes to participate in the work, there will be

opportunity to give the ex-service men a preference on the farms carved from the public lands.

The work is one that should be speedily undertaken, at least the examination should be speedily undertaken, and it is hoped that after the examination that is proposed it will be possible to carry out the complete development of that area and secure its complete reclamation without any very great burden or obligation being placed upon the Federal Government. The region is rich enough to secure the major portion at least of the funds that may be needed.

The SPEAKER pro tempore. The question is upon the motion of the gentleman from Nebraska to suspend the rules and pass the bill.

The question was taken; and in the opinion of the Speaker two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence were granted as follows:

To Mr. LONERGAN, indefinitely, on account of the grippe.

To Mr. SMITH of Illinois, for 10 days, on account of death of intimate business associate.

To Mr. BACHARACH, for 3 days, on account of illness in family.

To Mr. WELTY, for 10 days, on account of important business.

EXTENSION OF REMARKS.

Mr. HEFLIN. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from Alabama rise?

Mr. HEFLIN. To ask unanimous consent to extend my remarks in the RECORD by making a kind of review of the measures I have supported since I have been a Member of the House.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD by reviewing the measures he has supported during his career in the House. Is there objection? [After a pause.] The Chair hears none.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the Imperial Valley bill.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent to extend his remarks on the bill just passed. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. NEWTON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD two letters which I have received on the high cost of living.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to extend his remarks by inserting two letters which he has received on the high cost of living. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, every one of us has received numerous letters on that subject, and I object.

Mr. HERNANDEZ. Mr. Speaker, I ask unanimous consent to extend my remarks on the Imperial Valley bill.

The SPEAKER pro tempore. The gentleman from New Mexico asks unanimous consent to extend his remarks on the Imperial Valley bill. Is there objection? [After a pause.] The Chair hears none.

Mr. BLAND of Missouri. Mr. Speaker, I make a similar request.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. BLAND] makes a similar request. Is there objection? [After a pause.] The Chair hears none.

Mr. WELLING. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the same bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. RANDALL of California. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H. R. 8062, which was passed this afternoon, and on the Post Office appropriation bill.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks on the bill H. R. 8062, and also on the Post Office appropriation bill. Is there objection? [After a pause.] The Chair hears none.

Mr. KLECZKA. Mr. Speaker, I ask unanimous consent to extend my remarks on the relief bill passed this afternoon.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to extend his remarks on the relief bill passed this afternoon. Is there objection?

Mr. GARD. Reserving the right to object, on what bill?

Mr. KLECZKA. On the relief bill passed by the House this afternoon.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, may I remind the gentlemen that the House convenes to-morrow at 11 o'clock.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker pro tempore signed the same:

H. R. 9023. An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 27 minutes p. m.) the House, under the rule heretofore adopted, adjourned until Tuesday, March 16, 1920, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting draft of requested legislation for the relief of employees of the public works office of the Great Lakes Naval Station, for losses of personal property by fire; to the Committee on Claims.

2. A letter from the Secretary of the Navy, transmitting draft of requested legislation to provide for the relief of certain officers of the Naval Reserve Force, and for other purposes; to the Committee on Naval Affairs.

3. A letter from the Secretary of the Treasury, transmitting communication from the Acting Secretary of State, requesting that the unexpended balance as of June 30, 1920, of the sum transferred from the appropriation for the War Trade Board to the War Trade Board section of the Department of State for the fiscal year 1920 be reappropriated and made available during the fiscal year 1921 (H. Doc. No. 688); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LUCE, from the Committee on the Library, to which was referred the joint resolution of the Senate (S. J. Res. 167) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, reported the same without amendment, accompanied by a report (No. 742), which said joint resolution and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KAHN: A bill (H. R. 13072) to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897, relating to burial in national cemeteries; to the Committee on Military Affairs.

By Mr. ROGERS: A bill (H. R. 13073) to protect the public against fraud by prohibiting the manufacture, sale, or transportation in interstate commerce of misbranded or misrepresented articles, to regulate the traffic therein, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Iowa: A bill (H. R. 13074) imposing an excise tax to be paid by corporations making stock dividends; to the Committee on Ways and Means.

By Mr. LONGWORTH: Resolution (H. Res. 494) to amend section 2 of Rule XXI of the House of Representatives; to the Committee on Rules.

By Mr. FESS: Resolution (H. Res. 495) giving the Committee on Education authority to investigate the Federal Board for Vocational Education; to the Committee on Rules.

By Mr. KAHN: Joint resolution (H. J. Res. 313) authorizing the Secretary of War to expend certain moneys for completion of Liberty Theater at Camp Knox, Ky.; to the Committee on Military Affairs.

By Mr. LITTLE: Joint resolution (H. J. Res. 314) expressing the views of the Congress of the United States on justice to the Armenian people; to the Committee on Foreign Affairs.

Also, a joint resolution (H. J. Res. 315) instructing the Attorney General to institute proceedings against certain corporations restraining them from distributing surplus war profits; to the Committee on Rules.

By Mr. LUFKIN: Memorial of the Legislature of the Commonwealth of Massachusetts favoring amendment to the Constitution of the United States giving Congress power to regulate the hours of work; to the Committee on the Judiciary.

Also, memorial of the Legislature of the Commonwealth of Massachusetts favoring an early increase of the Federal grant for the soldiers' homes in Massachusetts and other States; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Commonwealth of Massachusetts relative to the maintaining of transportation through Cape Cod Canal; to the Committee on Railways and Canals.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 13075) granting an increase of pension to Anna E. Thomas; to the Committee on Invalid Pensions.

By Mr. BENHAM: A bill (H. R. 13076) granting an increase of pension to John H. Hopewell; to the Committee on Pensions.

By Mr. CANDLER: A bill (H. R. 13077) granting an increase of pension to Thomas B. McClane; to the Committee on Invalid Pensions.

By Mr. HAYS: A bill (H. R. 13078) granting an increase of pension to Peter J. Shindler; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 13079) granting an increase of pension to William A. McClarty; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 13080) to correct the military record of James M. Winston; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 13081) granting an increase of pension to Louisa Patrick; to the Committee on Invalid Pensions.

By Mr. McPHERSON: A bill (H. R. 13082) for the relief of James W. Taylor; to the Committee on Claims.

By Mr. MAHER: A bill (H. R. 13083) for the relief of Mary Dwyer; to the Committee on War Claims.

By Mr. PURNELL: A bill (H. R. 13084) granting an increase of pension to Lewis Lanum; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 13085) granting an increase of pension to Frank L. Johnson; to the Committee on Pensions.

By Mr. ROMJUE: A bill (H. R. 13086) granting a pension to Anna E. Headland; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 13087) granting a pension to Ida Stanley; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2307. By the SPEAKER (by request): Petition of the Military Order of the Loyal Legion of the United States, urging equal laws for all and the repeal of the laws on the statutes that favor any class; to the Committee on the Judiciary.

2308. By Mr. DARROW: Petition of City Council of Philadelphia, favoring the restoration of the pneumatic mail tube service; to the Committee on the Post Office and Post Roads.

2309. By Mr. HERNANDEZ: Petition of citizens of the Sandia, Zia, San Felip, and San Domingo Indians, of Sandoval County, N. Mex., regarding the government of said Indians; to the Committee on Indian Affairs.

2310. By Mr. JAMES: Petition of Women's Welfare Club, of Marquette, Mich., favoring the passage of the Towner bill, House bill 10925, national aid for care of babies, etc.; to the Committee on Interstate and Foreign Commerce.

2311. By Mr. LINTHICUM: Petition of Dr. Guy L. Hunner, of Baltimore, Md., favoring the Sterling-Lehlbach bill; to the Committee on Reform in the Civil Service.

2312. Also, petition of Miss Elizabeth L. Bryan, president of the Y. W. C. A. of Goucher College, Baltimore, Md., favoring relief of the starving people of Europe; to the Committee on Foreign Affairs.

2313. Also, petition of the Real Estate Board of Baltimore, Md., favoring the repeal of the Lever law, relative to Government control of the fuel supply; to the Committee on Interstate and Foreign Commerce.

2314. By Mr. MAHER: Petition of the Philip P. Grey Post, No. 309, Veterans of Foreign Wars of the United States, urging the Wadsworth bill for universal military training; to the Committee on Military Affairs.

2315. By Mr. SNYDER: Petition of various Polish societies in the thirty-third New York district protesting against the deprivation of foreign-language publications of the use of second-class mail rates; to the Committee on the Post Office and Post Roads.

2316. Also, petition of Arthur Moran Post, American Legion, of Camden, N. Y., with reference to bonus for members, the Air Service, and the military policy of Congress; to the Committee on Military Affairs.

2317. By Mr. TILLMAN: Petition of citizens of Rogers, Benton County, Ark., urging the passage of the Senate bill 3259 and House bill 10925; to the Committee on Interstate and Foreign Commerce.

2318. By Mr. YOUNG of North Dakota: Petition of citizens of Ellendale, N. Dak., protesting against the Dillingham bill; to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, *March 16, 1920.*

(Legislative day of Thursday, March 11, 1920.)

The Senate met in open executive session at 12 o'clock noon, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Borah	Hale	McLean	Simmons
Brandegee	Harding	McNary	Smith, Ga.
Calder	Harris	Moses	Smith, Md.
Capper	Harrison	New	Smoot
Chamberlain	Henderson	Norris	Spencer
Colt	Hitchcock	Nugent	Sterling
Comer	Johnson, S. Dak.	Overman	Sutherland
Culberson	Jones, N. Mex.	Page	Thomas
Cummins	Jones, Wash.	Phelan	Townsend
Curtis	Kellogg	Phipps	Trammell
Dial	Kendrick	Pittman	Underwood
Dillingham	Kenyon	Poindexter	Wadsworth
Edge	Keyes	Pomerene	Walsh, Mass.
Fernald	Kirby	Ransdell	Warren
Frelinghuysen	Knox	Reed	Watson
Gerry	Lenroot	Robinson	Williams
Glass	Lodge	Sheppard	Wolcott
Gore	McCormick	Sherman	
Gronna	McKellar	Shields	

Mr. DIAL. I desire to announce that my colleague [Mr. SMITH of South Carolina] is detained by illness in his family.

Mr. GERRY. The senior Senator from Virginia [Mr. SWANSON] is detained by illness in his family.

The Senator from Louisiana [Mr. GAY] is absent on account of illness.

The Senator from Arizona [Mr. ASHURST], the Senator from Oklahoma [Mr. OWEN], the Senator from Kentucky [Mr. BECKHAM], the Senator from Florida [Mr. FLETCHER], and the Senator from Montana [Mr. WALSH] are absent on official business.

The PRESIDENT pro tempore. Seventy-four Senators have answered to their names. There is a quorum present.

CASH ADVANCES TO FOREIGN COUNTRIES (S. DOC. NO. 255).

The PRESIDENT pro tempore. As in legislative session, the Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, in response to resolution of the 4th ultimo, certain information concerning cash advances made by the Secretary of the Treasury to foreign Governments under the acts of April 24, 1917, September 24, 1917, April 8, 1918, and July 9, 1918.

Mr. SMITH of Georgia. I ask that the communication and accompanying papers be printed, also printed in the RECORD, and referred to the Committee on Finance.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

THE SECRETARY OF THE TREASURY,
Washington, March 13, 1920.

SIR: Pursuant to Senate resolution 291, requesting information concerning cash advances made by the Secretary of the Treasury to foreign Governments under the acts of April 24, 1917, September 24, 1917, April 8, 1918, and July 9, 1918, I have the honor to submit the following:

To and including November, 1918, the dates for the collection of interest from foreign Governments were May 15 and November 15. In the spring of 1919 the respective Governments were informed that it would be convenient for the Treasury to receive interest on April 15 and October 15 on approximately two-thirds of their respective obligations and on May 15 and November 15 on the remaining approximately one-third.

The following is an itemized statement showing the amount of interest heretofore paid by each of the foreign Governments on advances made to it by the United States Treasury:

Belgium	$10,907,281.55
Cuba	645,890.42
Czechoslovakia Republic	304,178.09
France	126,910,635.58
Great Britain	232,312,740.77
Italy	57,598,852.62
Liberia	161.10
Roumania	263,313.74
Russia	3,495,686.72
Serbia	636,059.14
Total	433,074,799.73

NOTE.—The amounts so paid represent, except in the case of Russia, the full amount of interest due up to April 15, 1919, or May 15, 1919, as the case may be. The amount paid on Russian obligations represents the interest up to November 15, 1917, in full, together with a partial payment of $1,865,925.08 on account of the interest which became due May 15, 1918, and a partial payment of $300,000 on account of the interest which became due November 15, 1918. The amount paid by the Government of Cuba includes $251,369.87, being the full amount of the interest accrued for the period from April 15, 1919, and May 15, 1919, up to October 15, 1919, and November 15, 1919, the last interest days. The amount paid by the French Government includes interest amounting to $1,810,441.50 paid to July 31, 1919, on an obligation dated January 28, 1919. The amount paid by the British Government includes $1,200,333.86 interest accrued after May 15, 1919, on $64,164,007.99 principal subsequently repaid by the British Government in connection with the adjustment of accounts. The amount paid by Roumania includes a partial payment of $154,409.63 on account of interest accrued to October 15, 1919.

The interest accrued to October 15, 1919, and November 15, 1919, as the case may be (the last interest dates), and remaining unpaid on advances made to foreign Governments by the Treasury, is as follows:

Belgium	$8,370,581.51
Czechoslovakia Republic	1,169,953.42
France	65,858,101.62
Great Britain	105,503,126.38
Italy	39,228,303.92
Liberia	331.24
Roumania	385,316.39
Russia	15,051,977.40
Serbia	672,423.02
Total	236,240,114.90

NOTE.—The Secretary of the Treasury holds a special fund of $1,808,506, which is equal to the unpaid balance of the interest which became due on Russian obligations on May 15, 1918. It is believed that ultimately this can be applied in discharge of said balance. A similar fund of $335,095.07 is held, which it is believed will be applicable upon the unpaid balance of the interest which became due November 15, 1918, on Russian obligations.

If no change is made in the interest dates above mentioned or in the distribution as now contemplated of obligations as between the April and May interest dates, the total interest which will have accrued on interest dates falling within the fiscal year 1920, on advances made to foreign Governments by the Treasury up to March 10, 1920, will be as follows:

Belgium	$16,822,678.09
Cuba	500,686.81
Czechoslovakia	2,515,004.72
France	139,904,272.14
Great Britain	211,828,890.64
Greece	144,808.74
Italy	79,595,569.73
Liberia	969.76
Roumania	1,163,359.90
Russia	9,399,365.55
Serbia	1,340,606.98
Total	463,215,613.06

Of said sum of $463,215,613.06, there has been paid during the fiscal year 1920 the sum of $3,416,554.86 as above stated.

The obligations are in the form of certificates of indebtedness to the United States, and are expressed to be payable as to principal and interest without deduction for taxes of the debtor Government in gold coin of the United States of the present standard of weight and fineness at the Subtreasury of the United States in New York or at the Treasury of the United States in Washington. Certain of the obligations, at the option of the holder, are payable in the money of the debtor country, some at a fixed rate expressed in the obligation, and others at the buying rate for cable transfers of the currency of the debtor country in the New York market at noon on the day of demand, as determined by the Federal Reserve Bank of New York.

The certificates of indebtedness are signed in the names of the respective debtor Governments by representatives of such Governments designated to the Treasury by the Department of State as being authorized to sign the same in the name and on behalf of the respective Governments. The earlier certificates were payable at fixed dates of maturity, all of which are now passed, so that such certificates are now held as demand obligations. The earlier certificates bore interest at various rates of interest from 3 per cent per annum upwards. The certificates of indebtedness subsequently taken were expressed to be payable on demand, and bore interest at the rate of 5 per cent. By arrangement with the respective Governments, substantially all the obligations have since May 15, 1918, borne interest at the rate of 5 per cent. The certificates contain a provision that they are receivable in payment for bonds of the debtor Government or else a provision for conversion into such bonds in conformity with the provisions of the various Liberty bond acts in effect at the respective dates of the certificates of indebtedness. The second Liberty bond act as amended and supplemented provides that the rate or rates of interest borne by the long-time obligations for which the short-time obligations may be exchanged by the Secretary of the Treasury shall be not less than the rate borne by the short-time obligations so converted into such long-time obligations. In view of the fact that the short-time obligations all now bear interest at the rate of 5 per cent, the long-time obligations for which they may be exchanged must, unless the rate of the short-time obligations is changed, also bear interest at the rate of 5 per cent per annum.

Inclosed is a skeleton copy of an obligation received under the fourth Liberty bond act. All the obligations are of the same general character, although there are among them differences, as above set out. The present uniformity of the interest rate and the provision of the Liberty bond acts relative to the interest to be borne by long-time obligations taken in exchange for short-time obligations render such differences immaterial.

Respectfully,

D. F. HOUSTON.

The PRESIDENT OF THE SENATE,
Washington, D. C.

CERTIFICATE OF INDEBTEDNESS.

$ (Amount in figures).

The Government of (name of foreign Government) for value received promises to pay to the United States of America, or assigns, the sum of (number of dollars in words) on demand, with interest from date hereof at the rate of (rate per cent) per cent per annum. Such principal sum and the interest thereon will be paid without deduction for any (name of foreign Government) taxes, present or future, in gold coin of the United States of America of the present standard of weight and fineness at the Subtreasury of the United States, in New York, or at the option of the holder at the Treasury of the United States, in Washington.

This certificate will be converted by the Government of (name of foreign Government), if requested by the Secretary of the Treasury of the United States of America, at par with an adjustment of accrued interest into an equal par amount of (rate per cent) per cent convertible gold bonds of the Government of (name of foreign Government), conforming to the provisions of acts of Congress of the United States, known, respectively, as Second Liberty bond act, Third Liberty bond act, and Fourth Liberty bond act. If bonds of the United States issued under authority of said act shall be converted into other bonds of the United States bearing a higher rate of interest than 4¼ per cent per annum, a proportionate part of the obligations of the Government of (name of foreign Government) of this series acquired by the United States under authority of said acts shall, at the request of said Secretary of the Treasury, be converted into obligations of said Government of (name of foreign Government), bearing interest at a rate exceeding that previously borne by this obligation by the same amount as the interest rate of the bonds of the United States issued upon such conversion exceeds the interest rate of (rate of this obligation) per cent, but not less than the highest rate of interest borne by such bonds of the United States.

(Signature of representative of foreign Government.)
For the Government of (name of foreign Government).

Dated the —— day of ———.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 8062. An act to extend the permit privilege to include first-class mail;

H. R. 11769. An act to amend an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917;

H. R. 12537. An act to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley in California; and

H. R. 12954. An act providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 9023) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. LODGE. As in legislative session I present resolutions of the General Court of Massachusetts favoring an early increase of the Federal grant for the soldiers' home in Massachusetts and in other States. I ask that the resolutions be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1920.

Resolutions favoring an early increase of the Federal grant for the soldiers' home in Massachusetts and in other States.

Whereas the present expense of maintenance of the soldiers' home in Massachusetts is largely borne by the Commonwealth of Massachusetts, with some assistance by the Federal Government; and

Whereas under present circumstances the whole expense of repairs, improvements, and new construction falls on the Commonwealth; and

Whereas with constantly increasing costs the Federal grant of $100 a year for each inmate is becoming more and more inadequate, the maintenance expense amounting to more than $400 a year for each inmate; and

Whereas it does not seem proper that the Commonwealth should carry the whole burden of this rapid increase in expenditures: Therefore be it

Resolved, That, in the opinfon of the general court, that the Federal grant for the soldiers' home in this State and for similar homes in other States should be increased to a rate more nearly in proportion to the amount expended by the Federal Government to maintain an inmate in the soldiers' homes managed by Federal authority; and be it further

Resolved, That copies of these resolutions be sent by the secretary of the Commonwealth to the President of the United States, to the presiding officers of both branches of Congress, and to the Senators and Representatives in Congress from this Commonwealth.

In the house of representatives, adopted February 20, 1920.
In senate adopted, in concurrence, February 26, 1920.
A true copy. Attest:

ALBERT P. LANGTRY,
Secretary of the Commonwealth.

Mr. LODGE. I also present resolutions of the General Court of Massachusetts favoring the adoption of an amendment to the Constitution giving Congress power to regulate the hours of labor. I ask that the resolutions be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the resolutions were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1920.

Resolutions in favor of an amendment of the Constitution of the United States giving Congress power to regulate the hours of labor.

Resolved, That the General Court of Massachusetts hereby records its belief that the public interest will be better served and the hardships of human life ameliorated by the national regulation of the hours of labor by Congress, and respectfully petitions the Congress of the United States to propose an amendment to the Constitution giving it the power to regulate the hours of labor and to make the same uniform throughout the United States; and be it further

Resolved, That copies of these resolutions be sent by the secretary of the Commonwealth to the presiding officers of both branches of Congress and to each of the Senators and Representatives in Congress from Massachusetts.

In house of representatives, adopted, February 20, 1920.
In senate, adopted, in concurrence, February 26, 1920.
A true copy.
Attest:

ALBERT T. LANGLEY,
Secretary of the Commonwealth.

Mr. LODGE presented a petition of sundry citizens of Boston, Mass., praying for the enactment of legislation providing for the parole of certain Federal prisoners, which was referred to the Committee on the Judiciary.

Mr. PAGE presented a memorial of Division V, Ladies' Auxiliary, Ancient Order of Hibernians, of Rutland, Vt., remonstrating against the ratification of the proposed League of Nations, which was ordered to lie on the table.

He also presented a petition of sundry employees of the Immigration Service, of Newport, Vt., praying for the enactment of legislation providing for compensation to employees of the Immigration Service in excess of eight hours a day, which was referred to the Committee on Appropriations.

Mr. CAPPER presented memorials of sundry citizens of Labette County, and of Rosehill and Fellsburg, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. TOWNSEND presented a petition of sundry Spanish-American War veterans, of Grand Rapids, Mich., praying for the enactment of legislation granting pensions to the survivors of the War with Spain, etc., which was referred to the Committee on Pensions.

He also presented a petition of Charles A. Learned Post, No. 1, American Legion, of Detroit, Mich., praying for the enactment of legislation providing that the south half of the Government property known as the Michigan State Rifle Range, located on Mack Avenue, Detroit, Mich., be used for military purposes other than that of a target range, which was referred to the Committee on Military Affairs.

He also presented a memorial of Richard M. Jopling Post, No. 44, American Legion, of Marquette, Mich., remonstrating against the so-called "bond-a-month" plan of bonus for ex-service men, which was referred to the Committee on Military Affairs.

He also presented a petition of Dewey Post, No. 60, Grand Army of the Republic, Department of Michigan, of Leslie, Mich., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented a petition of Lucinda Hinsdale Stone Chapter, Daughters of the American Revolution, of Kalamazoo, Mich., praying for the enactment of legislation providing for the education of non-English-speaking aliens, which was referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented petitions of Albert J. Stonge Post, American Legion, of Iron River; of Richard M. Joplin Post, No. 44, American Legion, of Marquette; of Lee Anderson Post, American Legion, of Orion; of Fitzgerald Nelson Post, No. 139, American Legion, of Howard City; of William Regan Post, No. 127, of Marine City; of Cecil Plumb Post, No. 169, American Legion, of Bloomingdale; of A. B. Dickie Post, American Legion, of East Jordan; and of St. Joseph Post, No. 163, American Legion, of St. Joseph, all in the State of Michigan, praying for the enactment of legislation providing a bonus for ex-service men, which were referred to the Committee on Military Affairs.

He also (for Mr. NEWBERRY) presented a petition of sundry citizens of Grand Rapids, Mich., praying for the enactment of legislation to pension veterans of the Spanish-American War, which was referred to the Committee on Pensions.

He also (for Mr. NEWBERRY) presented a memorial of sundry citizens of Amboy Township, Hillsdale County, Mich., remonstrating against compulsory military training, which was ordered to lie on the table.

He also (for Mr. NEWBERRY) presented a petition of the Board of Commerce of Bay City, Mich., praying for the enactment of legislation to increase the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. WADSWORTH, from the Committee on Claims, to which was referred the bill (S. 1353) for the relief of the McClintic-Marshall Construction Co., reported it without amendment and submitted a report (No. 472) thereon.

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 3662) for the relief of Th. Brovig, as owner of the bark *Bennestvet* (Rept. No. 473);

A bill (S. 3663) for the relief of Gaetano Davide Olivari fu Fortunato, as managing owner of the Italian bark *Doris* (Rept. No. 474);

A bill (S. 3664) for the relief of the Link-Belt Co., of Philadelphia, Pa. (Rept. No. 475);

A bill (S. 3883) for the relief of the King Coal Co., of San Francisco, Calif. (Rept. No. 476);

A bill (S. 3941) for the relief of the owners of the dredge *Maryland* (Rept. No. 477);

A bill (H. R. 1266) for the relief of Mrs. Mamie Duffer, of Shannon, Miss. (Rept. 478); and

A bill (H. R. 8645) for the relief of Lawrence Bendich and Anthony Vezich (Rept. No. 479).

Mr. JONES of New Mexico, from the Committee on Public Lands, to which was referred the bill (S. 3867) authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Santa Fe County, and the town of Silver City, N. Mex., reported it with amendments and submitted a report (No. 480) thereon.

Mr. REED, from the Committee on Standards, Weights, and Measures, to which was referred the joint resolution (H. J. Res. 299) extending the term of the National Screw Thread Commission for a period of two years from March 21, 1920, reported it without amendment.

BILLS INTRODUCED.

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 4076) to amend section 4404 of the Revised Statutes of the United States as amended by the act approved July 2, 1918, providing that the supervising inspectors of the Steamboat-Inspection Service be included under the classified civil service; to the Committee on Commerce.

By Mr. PHIPPS:

A bill (S. 4077) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916; to the Committee on Post Offices and Post Roads.

By Mr. SMOOT:

A bill (S. 4078) granting an increase of pension to Jane M. Cowan (with accompanying papers); to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 4079) to correct the naval record of Poul Albert Jensen; to the Committee on Naval Affairs.

A bill (S. 4080) granting an increase of pension to Henry H. Hurd; to the Committee on Pensions.

By Mr. FRANCE:

A bill (S. 4081) for the relief of certain estates; to the Committee on Claims.

By Mr. BECKHAM:

A bill (S. 4082) to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897; to the Committee on the Judiciary.

ZINC ORE.

Mr. GORE. As in legislative session I give notice of an amendment intended to be proposed to the bill (H. R. 6238) to provide revenue for the Government and to establish and maintain the production of zinc ore and manufactures thereof in the United States. I will state that this is substantially Senate bill 3334, introduced by the senior Senator from Kansas [Mr. CURTIS]. I move that the proposed amendment be printed and referred to the Committee on Finance.

The motion was agreed to.

COAL-TAR PRODUCTS.

Mr. KEYES submitted four amendments intended to be proposed by him to the bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes," which were ordered to lie on the table and be printed.

REPORT ON BOLSHEVISM.

Mr. WADSWORTH. A committee of the Union League Club of New York City, charged with the duty of making a study of Bolshevism, has made a very interesting report, a copy of which I hold in my hand. I present it and ask that it be referred to the Committee on Printing, with the suggestion that they give consideration to it, with a view to having it printed as a Senate document.

The PRESIDENT pro tempore. The report will be referred to the Committee on Printing.

REV. EUGENE BELL (S. DOC. NO. 254).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate:

Referring to a report made by the Secretary of State on August 28, 1919, which was transmitted to the Senate on August 29, 1919, in response to a resolution adopted on July 18, 1919, requesting copies, if not incompatible with the public interest, of the records in the case, and all papers in the possession of the Department of State connected with the case of the Rev. Eugene Bell, an American citizen, at that time residing in Korea, charged with involuntary homicide, I transmit a copy of a comment on the report by the Government General of Korea, which was brought informally to the attention of the Department of State, with the explanation that it should not be regarded as an official memorandum but as an observation which the Government General of Korea desired to make and which the Japanese Government consented to convey. It is observed therein that the South Manchuria Railway, which is charged with the operation of the Korea Railway, is not a Government institution, but an independent corporation, and that any claim against that company for damages can be of no concern to the Government General of Korea, still less to the judicial branch of government.

WOODROW WILSON.

Inclosure: As above.

THE WHITE HOUSE,
Washington, March 16, 1920.

LABORERS IN CUSTOMS SERVICE.

Mr. SMOOT. As in legislative session I report back favorably from the Committee on Finance, with an amendment, the bill (H. R. 11309) to authorize the Secretary of the Treasury to fix compensation of certain laborers in the Customs Service. On account of the existing serious situation affecting the temporary employees in the Customs Service, I ask unanimous consent for the present consideration of the bill.

Mr. LODGE. I shall make no objection provided it leads to no debate.

Mr. KING. Let the bill be read.

The Assistant Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was, after the word "hour," at the end of line 8, to insert a comma and "and credit for amounts paid since July 1, 1919, in excess of the rate of $2.50 per day shall be allowed in the accounts of customs officers," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to fix the compensation of temporary laborers in the Customs Service as he may think advisable, at a rate not exceeding the local rates prevailing in the various ports and districts for the same classes of labor: *Provided*, That it shall not exceed in any event 80 cents per hour, and credit for amounts paid since July 1, 1919, in excess of the rate of $2.50 per day shall be allowed in the accounts of customs officers.

SEC. 2. That this act shall expire December 31, 1920.

SEC. 3. That all acts and parts of acts inconsistent herewith are herewith suspended while this act remains in force.

Mr. KING. I wish to ask for some explanation about that. It is retroactive, I understand.

Mr. SMOOT. If I may be allowed just one word of explanation, I will state that under the law the amount paid to these laborers can not exceed $2.50 per day and not more than $70 per month. Before a decision of the comptroller which limited the pay of temporary employees to 31¼ cents per hour, laborers were being employed at the various ports at the current rate of wages, provided a sum in excess of $70 was not paid to any one laborer within one month. The comptroller has so construed the law that the laborers can only be paid 31¼ cents per hour, but in no case more than $70 per month, or that $2.50 per day means 31¼ cents per hour. That construction has placed matters in such shape that it is absolutely impossible to get temporary employees in the customs service. Up to the time the comptroller rendered this decision they had been paying temporary laborers the current rate of wage, but in no case more than $70 per month. Under this holding of the comptroller customs officers who have employed labor at a higher rate than 31¼ cents per hour may be liable, under their bonds, for the amounts so paid out. The committee thought it altogether unjust to levy this liability upon such officers, who were acting in entire good faith.

Mr. KING. Does this increase the appropriation which has heretofore been made?

Mr. SMOOT. Not at all. The money has already been paid out by customs officers, but under the ruling of the comptroller they are held responsible for the amount of money paid over 31¼ cents an hour.

Mr. KING. Is there any limitation upon the number of employees who are placed in these various customs offices?

Mr. SMOOT. They are limited in the legislation already passed, where provision is made for their payment, I will say to the Senator, and this bill even provides a limitation on the provisions of this bill.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. LODGE. I ask for the regular order.

The PRESIDENT pro tempore. The regular order is the reservation proposed by the Senator from Oklahoma [Mr. OWEN]. The question is on agreeing to the reservation.

Mr. BORAH. Mr. President, I do not want to detain the Senate, but I desire a yea and nay vote on the reservation.

The PRESIDENT pro tempore. The Secretary will read the proposed reservation.

Mr. CHAMBERLAIN. If it will not inconvenience the Senator from Massachusetts, I hope we may pass over the reservation for the present. The Senator from Oklahoma is not here, and I am sure he desires to be present when the proposed reservation is considered.

Mr. LODGE. I do not see how we can very well pass over the reservation. It is the pending reservation, and as yet there is nothing behind it.

Mr. CHAMBERLAIN. I think there will be plenty behind it.

Mr. BORAH. Mr. President, I desire to make a few observations, and, perhaps, by the time I conclude the Senator from Oklahoma will have come in.

The PRESIDENT pro tempore. The Secretary will read the proposed reservation.

The reservation proposed by Mr. OWEN to the resolution of ratification of the German peace treaty was read, as follows:

The United States understands the protectorate referred to in section 6 of the treaty to have been merely a war measure to preserve the integrity and independence of Egypt during the war.

Mr. BORAH. Mr. President, of course, if it were not for the fact that the pending treaty undertakes to cover the protectorate of Great Britain over Egypt, it would not be a matter about which the Senate would occupy itself; but it is in the treaty. It was placed there not merely for the purpose of securing the acknowledgment of Germany to the protectorate declared by Great Britain, but of securing the acknowledgment of all the nations, so that the protectorate would be recognized by all the different powers which should sign the treaty. It therefore, Mr. President, becomes a legitimate subject for consideration under the treaty, and in considering it we can not be charged with seeking to interfere in the affairs of Great Britain or with unduly interfering between Great Britain and her colonies.

Mr. President, I am not going over the history of England in Egypt. It has been completely covered by the Senator from Nebraska [Mr. NORRIS]. I only take a moment to say that it seems to me the United States ought to take the position indicated in this reservation. In the first place, I am inclined to believe that it is the position which most of the people of England take in regard to it. A great many expressions from what might be called the liberal press of England indicate the view which is expressed by this reservation.

I desire to call attention briefly to an article in the Nation, a London publication, of the issue of November 29, under the title "The problem of Egypt":

The Times has made us familiar with the phrase "The Egyptian Peril." In the crude sense of the word there is not and can not be a "peril" to the British Empire in Egypt. The Egyptians are not a fighting race; their flat country does not lend itself to guerrilla warfare; any violent movement in these days of machine guns, poison gas, and aeroplanes would end only in the massacre of the natives who attempted it. The "peril" is rather of the kind that confronts us in Ireland. A whole people stands solidly opposed to us. The very ministers who took office and salaries from our hands are so worked upon by public opinion that they range themselves against us. The masses of the towns and even the stolid fellahin of the villages are to-day, as they never were before, ranged behind the students and the intellectuals who always were against us. The rioting is recurrent, and when the crowds of men have been broken up processions of women confront us with a new problem. In Lord Cromer's day nationalism was a middle-class agitation. To-day organized trade-unions use the weapon of the strike against us. The "peril" means simply that by no resource of policy or coercion do we seem able to restore the normal pacific life of a well-governed British dependency. We fail in our self-imposed task, and a failure in the metropolis of Arabic and Islamic culture, at a moment when we are busy in spreading our rule or our influence over Palestine, Arabia, Mesopotamia, and Persia, is certainly a "peril," for it involves a serious blow to our prestige. If we mean to go on we have to prove over again that we can govern.

The origins of this revival of a militant nationalism so much more determined and unanimous than any of its predecessors are not mysterious when one reviews the facts. The proclamation of a protectorate in December, 1914, was a staggering blow to the hopes of the nationalists. So long as our status in Egypt was legally undefined and unrecognized they clung to the dream that the occupation might one day end. They have their register of our promises to withdraw. There are, they say, no less than 60 official repetitions of that pledge, which, in Mr. Gladstone's famous words, "If one pledge can be more sacred than another," was invested with "especial sanctity." In 1914 we wiped that pledge finally from our consciences, even more decidedly than we had done 10 years before in the Moroccan treaty. In doing this we refrained from any attempt to define the new position of a vassal Egypt. We neither gave nor even promised a constitution. On the contrary, the semiliberal evolution of the representative assembly—a consultative body with a nominated element, which could, however, veto new direct taxes—which Lord Kitchener began in 1913, came to a sudden stop.

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As the "war of liberation" came to its end the Egyptians had to look on while the sheriff of Mecca was raised to the status of an independent King, and his son, the Emir Feisul, actually sat as a plenipotentiary at the peace conference. Even India received a certain place, if not her due place, in the new organization of civilization, and her delegates sit at the Washington conference to-day. The Egyptians had their ears open while we perorated about "the right of self-determination," and they asked why the right accorded to their vastly more primitive kinsmen of Arabia should be denied to them.

In another place it is said:

The lash which Lord Cromer was proud of abolishing came out once more.

That is, at the time of the declaration of the protectorate.

* * * * * * *

In Egypt we added economic exploitation to the inhumanity of servile labor. Nor was this all. Egypt swarmed with our troops. It is not we, but Sir Valentine Chirol, who says that they treated the Egyptians as "niggers." The verdict of the Times that our policy has been "reactionary" and our administration "inefficient" is mild censure for this record.

Further along in the article it is said:

The notion of the victors that they can confine their heady doctrine of nationality to the subjects of the defeated Empires is among the most pathetic delusions of history. We have spent five years in liberating Poles, Czechs, Serbs, Esthonians, and the rest. We have now to face the fact that Irishmen, Egyptians, and Indians are also nations.

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We have here to deal with a nation solid in culture, language, and religion, for even the tiny Coptic minority is ranged to-day with the Moslem mass.

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It is time that we asked ourselves to state honestly why it is that we insist on breaking our promise to withdraw from Egypt or why we refuse to apply "the right of self-determination." That right is not satisfied by conceding some guarded form of consultative assembly. It means, if it means anything, the right of a people to choose under what rule it will live. Even if we elect to say that Egyptians, after a generation of our tuition, are still political minors, have we not laid down the principle that such races may choose the power which is to receive a "mandate" to watch over them? We seem to remember that Mr. Lloyd-George proposed to consult the negroes of German Africa before he transferred them to our rule. To refuse a right to Egyptians which we allow to nomad Arabs and the Cameroon tribes is sorry trifling.

It would seem, Mr. President, to call attention to the fact that in adopting this reservation we are simply putting ourselves in harmony with the thought of a great many people of the English nation; and as it is found in the treaty, we certainly can not be charged with seeking to interfere unnecessarily with the internal affairs of Great Britain. If it were not here, as I say, we would not be discussing it; but, as it is here, as the United States must act upon this treaty, it is entitled to express its views with reference to the different terms of the treaty which seem to place a government over peoples which those peoples do not like. It is not in accordance with the spirit of this country or of this Republic to assist in establishing governments over peoples to which they object, and which can be held over them only by force. Great Britain herself can not take offense at this reservation, and it certainly will be an encouraging thing to the people of Egypt.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. KING. Does not the Senator think that this reservation calls for an expression of the Senate of the United States as to the interpretation which England herself places upon her protectorate or suzerainty, or whatever you wish to denominate it; and why should the United States Senate be called upon to place an interpretation upon the relations between Egypt and Great Britain?

Mr. BORAH. Because Great Britain saw fit to insist on its being placed in a treaty which the United States has to sign. There was no occasion in the world for this section going in this treaty, except the desire of those who had the interests of Great Britain at heart to have the affirmative approval of all the powers which should sign this treaty. Germany was out of the situation. There was no occasion for Germany being called upon to recognize this protectorate. There was no occasion for putting it in the treaty, in my judgment, other than to secure the moral support, at least, of the other nations which should sign the treaty. That is the justification for our expressing our views; and if it were not for that, we would not be justified in taking any part in it.

Mr. KING. Mr. President, if the Senator will still yield——

Mr. BORAH. I yield.

Mr. KING. The Senator knows that Germany for many years has had in view a policy which would give her the control of Asia Minor from Berlin to Bagdad, and, furthermore, that she would claim, by reason of that policy, some sort of interest, directly or indirectly, in Egypt. It is pretty hard to determine the ramifications of the mind of the Emperor of Germany, prior to the war, and his associates; but does the Senator think there was any impropriety in Great Britain requiring of Germany a renunciation of any interest she might claim in Egypt, and a renunciation of the régime of the capitulations in Egypt? And if Great Britain and Germany felt that article 147 was proper, why should we insist upon placing an interpretation upon the relations between Egypt and Great Britain?

Mr. BORAH. Because it was placed in the treaty which we are called upon to execute. In the first place, the Senator would have some difficulty, in my judgment, upon the fact of assigning any reason why it should be here at all, if it was purely a concern between Great Britain and Germany. As a matter of fact, it was not a concern between Great Britain and Germany. Germany was out. She was, to use a slang phrase, "down and out." It was a matter between Egypt and Great Britain, and upon that question Great Britain undoubtedly desired the moral support of all nations which should sign this treaty. Now, in addition to that, it is a matter of supreme importance to us, because, in my judgment, if any difficulty should arise in reference to Egypt—if the Mohammedan people who are taking offense at Great Britain's action in Persia and in Egypt should go to the extent of bringing war upon us—under article 11 we would be compelled to take action in regard to it.

Mr. LODGE. Mr. President, I only desire to say a word.

I voted for this reservation, or a similar one, when it was last before the Senate. I do not believe in interfering at all in the affairs of other countries; but in the case of Shantung and in the case of Egypt we are made participants in those provisions because they are embodied in the treaty. Now, if we are to be made participants in any of these arrangements—and we can not avoid it, because they are part of the treaty—I should like to see the attitude of the United States stated just as we stated it in regard to Shantung, and I wanted it stated in regard to Egypt. The reason I want it is because I desire no mistake about the attitude of the United States, and to take us out rather than to involve us in these foreign difficulties.

In England itself, as the Senator from Idaho has pointed out, there is a very strong feeling that the pledges made for the last quarter of a century and more by Mr. Gladstone and others are still predominant. I saw it stated in the newspapers that Lord Milner, who is one of the ablest men in public life in England, had come out against annexation. That may be a mistake in the press, but there is no doubt that that has been said. All I wish now is that we should make our position perfectly clear, for we ought not to be involved in any of these things, where the fates of other peoples are involved, without the world knowing just where we stand.

Mr. STERLING. Mr. President, in making some opposition on yesterday to this proposed reservation I did so with little thought in my mind other than to counteract, as I believed, some impressions that had been conveyed in regard to the rule of Great Britain in Egypt. I think the impression received from some of the discussions here in the Senate must have been to the effect that England's rule had been misrule from the time she began the occupation of Egypt back in 1882, and I tried in a way to refute that idea, and I cited, as I believed, some very respectable authorities to show that England's rule in Egypt had meant the material advancement and to a great degree the enlightenment of the Egyptian people. I thought English rule in Egypt had been for their material good especially.

Mr. President, the Senator from Idaho [Mr. BORAH] quotes liberally from the Nation, which, he says, expresses the sentiment of at least a part of the English people. I do not doubt that; I think it probably does; but, on the other hand, Mr. President, there is a question, and a grave one, under present conditions, as I tried to show yesterday, whether Great Britain should now, at this very time relinquish her protectorate over Egypt. I quoted from a dispatch sent from Cairo March 13. While I have not the dispatch itself before me, or the newspaper containing it, I refer again to some things in the dispatch, as found in the RECORD, and which I again quote, as follows:

> Although the future of Egypt seems encouraging, the present is fraught with danger, and the interim between now and eventual Egyptian self-government might even see Bolshevism unless stern measures of a temporary nature are taken. Fear is expressed here that the new social movement now afoot in Egypt is transcending the nationalist agitation against England.

Further:

> Even a superficial observer can see that the seeds of southern Europe's unrest have a fertile field here, where the people are famous in history for their turbulent spirit. To-day they have a real economic and an imagined political grievance.

And I can not help but think, Mr. President, that their political grievance is to a large extent imaginary.

Now, as to the political status of Egypt, I want to read a little further. This is from the New York Times' Current History of the European War, volume 12, at page 411:

THE POLITICAL STATUS OF EGYPT.

> The present political status of Egypt is an example of the innate conservatism—in the sense of conservation—which has marked all England's dealings with oriental peoples, and notably with the peoples of India. For while, as a result of Turkey's entry into the war and England's command of the sea, British power was extended over Egypt in December, 1914, Egypt becoming in effect an integral part of the British Empire, England nevertheless conserved all details of the existing administration, except that the title of Khedive hitherto borne by the native ruler was changed to Sultan. As the former Khedive had thrown in his lot with Turkey and the central powers, he was declared deposed, and Hussein Kamil Pasha was put at the head of the Egyptian Government, with the title of Sultan. The present Sultan of Egypt, born in 1854, is the son of Ismail I, who was forced to abdicate under pressure of the British and French Governments in 1879, and is the eighth in descent from Muhammed Ali, appointed governor in 1805, who threw off Turkish domination six years later, though a money tribute was still paid to Turkey.

Now, how is the administration of Egypt carried on, Mr. President, at present? This article tells us:

> The administration of Egypt is carried out by a native ministry acting under the Sultan, but England exercises, through a financial adviser, a decisive influence over the acts of the Egyptian Government.

I showed yesterday, as I thought quite conclusively, Mr. President, the benefits that had been derived by Egypt through the financial administration given by England.

Mr. McCORMICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Illinois?

Mr. STERLING. I yield to the Senator.

Mr. McCORMICK. By whom and upon whose nomination are the ministers appointed?

Mr. STERLING. They are not appointed, all of them, anyhow, by Great Britain. I think they are appointed in pursuance of the Egyptian constitution. I do not think they are appointees of the Crown of Great Britain.

Mr. McCORMICK. Can the Senator tell us specifically by whom they are appointed?

Mr. STERLING. I would not venture to state absolutely.

Mr. McCORMICK. I will give the information to the Senator. They are appointed upon the nomination of the high commissioner and by the Sultan, who, of course, has been appointed by the King.

Mr. STERLING. Very well; that may be true. I am not questioning the Senator from Illinois in that regard.

Mr. McCORMICK. Let me add that in each ministry there is a British adviser to the minister.

Mr. STERLING. Reading further, I should like to have the Senator from Illinois note what I am about to read:

> In July, 1913, certain existing councils were replaced by a new legislative assembly, which includes the ministers, 66 elected members, and 17 members nominated by the Government to represent minorities.

That is not by the Government of Great Britain, I think, but by the Egyptian Government.

Mr. McCORMICK. What are the powers of the assembly?

Mr. STERLING. I can not give you all the powers now. Perhaps the Senator from Illinois can. But according to this article—

> The elected members hold office for six years, one-third being elected every two years, as in the United States Senate. This legislative assembly has a considerable voice in law making and taxation. There are 10,000,000 Mohammedans in Egypt, or 90 per cent of the population; the Copts, 700,000 in number, who are the descendants of the ancient Egyptians, are the next largest element.

So, Mr. President, in view of English rule in Egypt in the past and in view of present conditions and circumstances, I do not think the Senate of the United States wants to be in a position of now advising England as to what she should do in regard to her protectorate over Egypt. I have confidence in the English rule and the good intentions of her statesmen. I believe her ministers have now determined that as soon as practicable, as soon as it is safe for the people of Egypt themselves, they will withdraw the protectorate.

I can not help but think that the Senator from Idaho [Mr. BORAH] is more or less inconsistent in his position in favor of this reservation. He has contended against the principle of interference, and I think, perhaps, a little more vigorously and a little more eloquently than anyone else in the Senate, and yet here he proposes to interfere by advising Great Britain what she shall do with her protectorate over Egypt.

Mr. McCORMICK. Mr. President, does not the reservation, on the contrary, withhold any interference on the part of the United States?

Mr. STERLING. Oh, no.

Mr. McCORMICK. The treaty would join us in an overt act of recognition.

Mr. STERLING. Why should we say anything about the protectorate of England over Egypt?

Mr. McCORMICK. Why should the treaty say anything about it?

Mr. STERLING. It is Germany that recognizes the protectorate of England over Egypt, according to the terms of the treaty, and it was highly desirable, I think, that England should have a provision of that kind in the treaty.

Mr. President, the former Khedive of Egypt, the Khedive in 1914 and after the breaking out of the war, was friendly to the Turkish and to the German cause, and that is the reason why he was replaced and a Khedive who was friendly put in his stead. We may judge, Mr. President, how it was in the interest of the great cause for which we all fought, and in the interest of civilization itself, that Great Britain should at that time assume that power and carry it out.

However, the language of this reservation as framed, I will say to the Senator from Illinois, being uncalled for, it must be meant as advice to England, and for that reason I am opposed to it.

Mr. KELLOGG. Mr. President, it seems to me that the reservation of the Senator from Oklahoma does involve this country in a dispute with Great Britain as to the nature of its protectorate over Egypt, and I do not think that this country ought to take any part in that; I do not think it is any of our business.

As I understand the provisions of the treaty, Germany declares that she recognizes the protectorate proclaimed over

Egypt by Great Britain December 18, 1914. Germany yields certain things and renounces certain things to Great Britain and to Egypt, and that is all, as I recall it. We simply consent to it. Do we wish to object to the renunciation of Germany? Have we any objection to that? I do not care if they drive Germany out of every possession in the world.

Mr. President, there is nothing in this treaty that defines the nature of Great Britain's protectorate, as I read it, and by signing the treaty or consenting to the treaty we do not define the protectorate of Great Britain at all. We simply consent to the renunciation of Germany and her acknowledgment of Great Britain's protectorate as stated in the treaty.

The reservation goes further. It says:

> The United States understands the protectorate referred to in section 6 of the treaty to have been merely a war measure to preserve the integrity and independence of Egypt during the war.

That may be true; it may not be true. That is outside of the question, and I do not think it should be placed in a reservation to the treaty, and for the same reason I objected to our stating the nature of the understanding between Japan and China and guaranteeing that it be carried out. I simply thought in that case that we should take no part in it. I see no objection in this case, however, to our consenting to the renunciation of Germany.

Mr. McCORMICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator yield to the Senator from Illinois?

Mr. KELLOGG. I yield the floor.

Mr. McCORMICK. I wish to ask the Senator a question, inasmuch as he alluded to the provisions under articles 149, and so forth, referring to the capitulation. The reservation does not bear upon the renunciation of the capitulation. It deals only with the protectorate, as the treaty says, proclaimed over Egypt by Great Britain December 18, 1914. There is no reference to the capitulation.

Mr. KELLOGG. That is quite true.

Mr. McCORMICK. If the Senator from Minnesota will turn to the corresponding clause dealing with the Sherifian Government and the protectorate over Morocco, he will note that in both texts there is very clear distinction in the language from that used in relation to Egypt. The one refers to a protectorate existing; the other acknowledges and recognizes the formation of a protectorate, a change in the political status of Egypt in international law. I think that the distinction is worth the attention of so well read a lawyer as the Senator from Minnesota, and one so learned in international law.

Mr. KELLOGG. My answer to the Senator is that, so far as the Egyptian clause is concerned, Germany simply recognizes the protectorate. There is nothing in that which defines what that protectorate is. Here it is proposed that we shall undertake to define it in a reservation, and it seems to me that we are going outside of our duty.

Mr. McCORMICK. Surely the Senator realizes that a protectorate of itself has a status in international law.

Mr. KELLOGG. I recognize that; but I do not think we should undertake in this treaty to define that protectorate or state how long it shall last.

Mr. NORRIS. Mr. President, I am not going over the ground that I went over the other day, because I went over it somewhat in detail. I want to refer, however, to the argument of the Senator from South Dakota [Mr. STERLING] and the argument of the Senator from Minnesota [Mr. KELLOGG].

In the first place, before I do that, I want to call attention to the reservation itself. It seems to me that the mildest of the mild reservationists could have no possible objection to this reservation. It is as harmless as a reservation could be drawn, it seems to me, and mean anything.

Mr. KELLOGG. Mr. President, the Senator forgets that all the reservationists have been put in the same class.

Mr. NORRIS. If that be true, there certainly is no such thing as a mild reservationist, and nobody but a mild reservationist can object to this reservation. Therefore there could be no objection to it.

The reservation does not go as far as I think we ought to go. I have consented to the reservation and not to offer any stronger reason, because it seemed to be desired to propose a reservation that would meet with no opposition; and I confess, Mr. President, that I am surprised that anyone can object to this reservation.

The proposed reservation reads:

> The United States understands the protectorate referred to in section 6 of the treaty to have been merely a war measure to preserve the integrity and independence of Egypt during the war.

That statement is as true as the Holy Bible. That is all that protectorate was. The Senator from South Dakota [Mr. STERLING] goes on to argue how well Egyptians have done under English rule. Bless you, this protectorate was not proclaimed by England until December, 1914. If there was no protectorate, or if England would do what this reservation intimates we think she ought to do, then Egypt would go back to the status which existed prior to the time when England proclaimed the protectorate, excepting that she would not be a part of the Turkish Empire, and all this beautiful condition that the Senator from South Dakota has described would immediately be in full force and effect.

Mr. KING. Will the Senator permit a question?

Mr. NORRIS. Certainly.

Mr. KING. Does not the Senator think the reservation which has been suggested is a recognition of the fact that there is a protectorate, that one has been proclaimed, but seeks to limit its duration or at least to limit the time within which it shall operate, whereas if we have no reservation at all we do not place ourselves upon record as having conceded that there ever was a protectorate?

The mere fact that the treaty says that Germany recognizes the protectorate of Great Britain over Egypt does not commit the United States, or any other signatory to the treaty, to the proposition that there has been or is a protectorate.

It seems to me that the adoption of the reservation is logically against the very position for which the Senator is contending. It puts us in the position of having recognized that there has been and now is a protectorate by Great Britain over Egypt.

Mr. NORRIS. I wish I could take that view of this matter. I wish I could bring myself to the conclusion that the Senator from Utah is right. I have no disposition here or elsewhere, now or at any time, to interfere with the affairs of Europe, but article 147 of the treaty, unless we have some reservation, as I understand it, is a positive recognition of the complete force of that protectorate through all time by the British Government.

Article 147 reads:

> Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914—

And so forth.

If in this treaty we require our enemy to recognize a thing, does it not follow that we recognize it?

Mr. KELLOGG. Will the Senator yield?

Mr. NORRIS. In just a moment. The treaty with Austria, which we have not yet considered, contains the same proposition. There is, in my judgment, no use in putting it into the treaty at all. I do not believe it is at all important to ask Germany to recognize this protectorate, but when we say to our enemy you must recognize so-and-so as being a fact, and then turn in the next breath and say we do not recognize it, we have a contradiction absolutely in terms.

I yield to the Senator from Minnesota.

Mr. KELLOGG. I thought I understood the Senator to say that the protectorate declared by Great Britain on December 18, 1914, was simply to exist during the war.

Mr. NORRIS. I said it was a war measure only.

Mr. KELLOGG. That is all that Germany recognizes.

Mr. NORRIS. No; the treaty makes a permanent thing of it.

Mr. KELLOGG. Where?

Mr. NORRIS. In the article I have just read.

Mr. KELLOGG. Let me read it and see if it does.

Mr. NORRIS. The Senator may read it again, though I just finished reading it.

Mr. KELLOGG (reading):

> Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces—

And so forth. Where is there any declaration that that lasts for all time?

Mr. NORRIS. It follows from its own terms. The Senator laughs at it, and indicates probably, by an expression that can not be gotten into the CONGRESSIONAL RECORD, that anybody ought to know enough to know that; but I plead my ignorance. I admit I have not such a good education. My education was limited. I can only do the best I can.

Mr. KELLOGG. The Senator is mistaken. I made no reflection upon his education.

Mr. NORRIS. But I will submit it to any schoolboy from the eighth grade to the high school, if that construction is not right. I do not believe it requires a college man or a lawyer or a United States Senator to realize that when we say to Germany, "You must recognize this protectorate," we are recognizing it now as an existing condition at this moment, and there is no limit to it.

Mr. KING. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield.

Mr. KING. I understood the Senator to contend—and if I am in error I apologize to the Senator—that the terms of the protectorate itself when it was promulgated by Great Britain fixed the period of limitation and declared that it was only during the period of the war.

Mr. NORRIS. Oh, no; I did not contend that. I have been into it once, but I will go into it again and say why I think that is what it meant.

Mr. KING. The Senator, as I understood him, stated that it was a fact that the protectorate was to extend only during the period of the war.

Mr. NORRIS. No; I said it was a war measure. I was using the language of the reservation. I still contend that it was a war measure and nothing else, and by this treaty we are putting it away beyond what it was supposed to be.

When that protectorate was proclaimed the King of England, at the time he proclaimed it, sent this message to the Khedive of Egypt. Listen to it:

> On the occasion when Your Highness enters upon your high office I desire to convey to Your Highness the expression of my most sincere friendship and the assurance of my unfailing support in safeguarding the integrity of Egypt and in securing her future well-being and prosperity.
>
> Your Highness has been called upon to undertake the responsibilities of your high office at a grave crisis in the national life of Egypt, and I feel convinced that you will be able, with the cooperation of your ministers and the protection of Great Britain, to successfully overcome all the influences which are seeking to destroy the independence of Egypt and the wealth, liberty, and happiness of the people.

Now, Mr. President, that was done after Egypt had declared war against Germany. That was done right after Turkey went into the war. We must remember that within a few days after the war began Egypt declared war against Germany, and she fought from the beginning to the end of that war as our ally. Turkey went into the war in December, I think, 1914, and immediately England proclaimed this protectorate because, as she said in official messages, "Turkey will attack Egypt." That was the most natural thing, and Turkey did so, and England gave the world and the Egyptian people to understand that she put this protectorate over Egypt in order to protect the integrity of Egypt, as stated in the King's message.

Listen to the answer that the Khedive sent to that beautiful message of the King. He said, in reply:

> I present to Your Majesty the expression of my deepest gratitude for the feelings of friendship with which you see fit to honor me, and for the assurance of your valuable support in safeguarding the integrity and independence of Egypt.

That shows what she understood, and it was the only fair understanding. That shows what the world understood when this was done, and that is all that this reservation says and nothing else. There can be no insult to the English Government from this reservation. We are only saying in this reservation what, as a matter of fact, is true, and the whole world knew it and knows it now.

The Senator from South Dakota [Mr. STERLING] says that Egypt did well under the administration of affairs as they were administered in her Government by England. This does not interfere with that. It puts it back on that very plane. This reservation has nothing to do with that. I am contending, however, that that is not a good reason why any nation should proclaim a protectorate over another, simply because that nation says we can govern you better than you can govern yourselves. Remember that Egypt had governed herself for years and years, and since 1840 she was practically independent except for the nominal suzerainty of Turkey, and all that that meant was that she paid Turkey an annual tribute of $3,500,000. She had her own officers, she had her own legislature. England had more influence in the Egyptian Government than Turkey, although nominally Egypt was a part of the Turkish Empire, with that one string of $3,500,000 which attached her to it.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Nebraska yield to the Senator from South Dakota?

Mr. NORRIS. Certainly.

Mr. JOHNSON of South Dakota. I wish to ask the Senator when the United States first had information that England intended to establish a protectorate permanently over Egypt?

Mr. NORRIS. There never has been any other information than what is contained in the treaty. As soon as Turkey went into the war England notified the world of this protectorate that she had. These dispatches that I have read of the King and the answer of the Khedive were published all over the world at the time they were given. The whole world knew it, and no one thought of such a thing as this being a permanent affair.

There is no reason on earth why this article should be in the treaty at all except that England gains by it in her Empire 13,000,000 unwilling people. Do not forget, Mr. President, that those 13,000,000 people were loyal on the side of the Allies from the beginning to the end of the war. One million two hundred thousand Egyptians were in the war on the side of the Allies. When Turkey first went into the war, the first thing she did was to make an attempt to capture the Suez Canal. It was Egypt that prevented it. It was Egyptian soldiers under Allenby who to a great extent made the great victory over Turkey possible, and you will remember that that was the first great landslide down hill of Germany and her allies.

To say now, even if all that the Senator from South Dakota [Mr. STERLING] has said were true, that England can govern Egypt better than Egypt can govern herself, is contrary to what we said we went into the war for, what we said we were fighting the war for, and what every one of the Allies said they were fighting the war for. How would you like it, Mr. President, if England proclaimed a protectorate over the United States and said, "We can govern you better than you can govern yourselves"? Would we argue the question with her as to whether she could govern us better? It may be that there are some people in the United States, and, perhaps, some in the Senate who are so mindful of the interests of Great Britain that they would argue that she could do it; they might say, "She can govern us better than we can govern ourselves; she has had great experience; and we would be better off if we were under the control of the British Government."

But even those people would not for a moment want her to do it; they would say, "We will govern ourselves, even though it is not done quite as well as you might do it; we prefer to do it in our own way, and we will struggle along in our own way."

You might for the same reason go into your neighbor's family and tell him that you can manage his domestic affairs better than he, and perhaps you could; he might be willing to admit it; but he would not let you in just the same. That applies to Egypt.

I deny, however, that Egypt will be better governed by Great Britain; I think I demonstrated that contention a few days ago when I went into details and showed just what had been done there; but I submit, Mr. President, that that is absolutely immaterial. If we concede, to begin with, that Egypt is able to govern herself—and no man for the last 100 years anywhere in the civilized world has questioned it—then there is no reason why we should let any other government reach out and put its hand on Egypt and say, "We will govern you because we can do it better than you can do it."

There might be some reason in this if Egypt had been fighting on the other side, but Egypt fed Allenby's army in addition to supplying it with several hundred thousand soldiers; Egypt fed, to a great extent, the army in Bulgaria; she supplied cotton to Great Britain which Great Britain needed to carry on the war and to make munitions of war; she saved the Suez Canal from capture. After that splendid record shall we say, "Your independence is ended; you shall go under the British flag against your wish and your will"?

All this reservation does is to say that we regard the British protectorate as a war measure only. This reservation has no binding effect, Mr. President, on England; it has nothing to do with the approval of the treaty by anybody but ourselves. England can say, notwithstanding this reservation, "We regard this protectorate as a permanent and continuous thing." The reservation has no legal effect. The only effect it can possibly have is a moral one. I think we but carry out the policy held from the beginning by the forefathers of our Government when we say, "We will not consent; you can go on and do this if you want to, so far as this reservation is concerned; but we do not give our consent; we construe the protectorate to mean a war measure only, as England did at the time she issued the mandate."

I can not conceive of putting article 147 into the treaty for any other reason than with the idea of getting the remainder of the world, when approving the treaty, to approve this addition to the British Empire. Should we do so, I think we should be unfair toward one of our own allies, whose loyalty was never questioned; whose sacrifices were great, indeed; who lost more men in the war than we did; whose soldiers have died all through Palestine, all through Mesopotamia; and, as one British writer said, who was on the Gallipoli Peninsula, that disastrous campaign for England, the Egyptians died there like flies. We owe it to them, Mr. President, at least to go far enough to say that we consider that protectorate to have been a war measure, and not to give our consent to article 147 of the treaty without

making some reservation of the kind proposed by the pending reservation.

Mr. ROBINSON. Mr. President, in the form in which the reservation is presented I do not find it objectionable, nor can I agree with Senators who have declared that the adoption of the reservation by the Senate would be an unwarranted interference with the affairs of Great Britain. This reservation is purely explanatory of the understanding of the United States in agreeing to article 147 as a part of the great treaty of peace which has been presented to the Senate, under which article—

> Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914.

There can be no impropriety, in my opinion, in the United States, in assenting to this article, giving expression to its understanding as to the meaning of the article, in view of the history of the British occupation in Egypt and the history of the British protectorate over Egypt.

In 1882 a British Army occupied Egypt. Sir Beauchamp Seymour made the following declaration:

> I, admiral, commanding the British Fleet, think it opportune to confirm without delay once more to Your Highness that the Government of Great Britain has no intention of making the conquest of Egypt. * * * It has for its sole object to protect Your Highness and the Egyptian people against rebels.

That declaration has been substantially reaffirmed from 1882 until the present by almost every British statesman who has spoken with reference to the relations between Great Britain and Egypt. I will not consume the time of the Senate by repeating in detail the declaration made by Mr. Gladstone in 1882, nor that of Lord Granville, Lord Cromer, Mr. Balfour, Mr. Asquith, and other prominent British statesmen, all at various times representing themselves as speaking with authority. Every declaration was to the effect that the British occupation of Egypt was temporary and solely for the protection of the existing Egyptian Government against rebels; and, indeed, the record justifies the conclusion that there was also the purpose to enforce the collection of certain debts.

When Egypt took her stand with the Allies, Turkey, which was exercising a nominal supervision over Egypt, made war against Egypt; and the King of Great Britain declared a protectorate, the protectorate referred to in article 147, on behalf of the British Government over Egypt. The sole purpose expressed by the King of Great Britain was the protection of Egypt against her enemy.

The United States recognized that protectorate, and the understanding of the United States, as expressed by representatives of the State Department, is to the effect that it was a righteous and necessary measure, and that it was not intended as a renunciation of the policy theretofore declared by Great Britain during its occupancy of Egypt, namely, to exercise mere temporary control.

Great Britain in this treaty has presented for the indorsement of the United States a contract with Germany which, as stated by the Senator from Idaho [Mr. BORAH], really affects most vitally the people of Egypt. The United States is asked to give its approval to this contract, and, in giving that approval, there is no impropriety and no injustice to Great Britain in this Government making plain what is its understanding of the contract. The necessity and propriety for this reservation are both justified and emphasized by the course of recent diplomatic history. The British Embassy in Washington on December 2, 1919, said:

> Great Britain has carefully avoided destroying the sovereignty of Egypt.

Mr. Balfour, who throughout his long and illustrious career as an authority of the British Government, has repeatedly declared that the British occupation of Egypt was merely temporary and for the benefit of the Egyptian people. He is quoted as saying in the House of Commons, on December 18, 1918:

> British supremacy exists; British supremacy is going to be maintained; and let nobody, either in Egypt or out of Egypt, make any mistake upon that cardinal principle of His Majesty's Government.

In view of these conflicting declarations as to the policy of the British Government toward Egypt, it is both proper and just that the United States, in agreeing to this article of the treaty, should express its understanding as to the meaning of it. I do not want to estop my Government hereafter from saying it is not in sympathy with the policy of permanent British control of Egypt, should such a policy be advanced by Great Britain.

If Senators concede the accuracy of the history to which I have referred, if they recognize that it is true that the present British protectorate was established by King George on December 18, 1914, for the sole purpose of protecting Egypt against her enemies, then what can be the objection to the United States in indorsing this contract between Germany and Great Britain—a contract which Germany was coerced to sign—declaring that our understanding of the protectorate is that it is temporary.

The pending reservation does not fix the political status of Egypt; it does not assume to declare the future duty of Great Britain toward Egypt; it merely explains our understanding of this provision of the treaty; and if this reservation correctly interprets that provision of the treaty, then it does not lie in our mouth to say that we ought to agree to an arrangement by which Egypt may have the alleged benefits of permanent British control.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER (Mr. CALDER in the chair). Does the Senator from Arkansas yield to the Senator from Connecticut?

Mr. ROBINSON. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I feel about the continued British occupation of Egypt very much as the Senator does, and I do not think they are justified in staying there after the promises they have made; but what I want to ask the Senator is this: The Senator states that this reservation simply expresses our understanding that England will retire from Egypt.

Mr. ROBINSON. No; the Senator is inaccurate in that statement.

Mr. BRANDEGEE. Will the Senator correct me, then?

Mr. ROBINSON. Yes; I shall be glad to do so. This reservation simply expresses the understanding of the United States that the protectorate referred to in article 147, namely, the protectorate declared by King George on December 18, 1914, was a temporary measure to preserve the integrity and independence of Egypt during the war. That reservation, as I understand it, expresses truly the historical facts.

Mr. BRANDEGEE. I am not denying that.

Mr. ROBINSON. If the Senator pleases, it does not commit this Government to a policy of compelling Great Britain to evacuate Egypt.

Mr. BRANDEGEE. No.

Mr. ROBINSON. It merely expresses the understanding of the United States that the protectorate was of the nature expressed in the reservation, namely, to preserve the independence of Egypt.

Mr. OWEN. Mr. President——

Mr. BRANDEGEE. Would the Senator be kind enough to permit me to proceed a moment longer, or does he wish to interrupt now?

Mr. OWEN. I should like to interrupt now, if the Senator pleases.

Mr. BRANDEGEE. Very well.

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Oklahoma?

Mr. ROBINSON. I yield, with pleasure.

Mr. OWEN. I merely wanted to point out that the reservation did not deal with the future, it only interpreted what had occurred.

Mr. BRANDEGEE. Now that I am in possession of a more correct interpretation of what the reservation proposes, I want to come to the point which I think is equally applicable to either interpretation, and that is this:

In view of the fact that we have not yet determined upon the form of the so-called preamble, which is to provide something like this—that this resolution of ratification is upon condition that these reservations are made a part of the understanding and that the other powers have to agree to our understanding about it, either by active assent or by an assumed assent arising from the fact that they do not object to it—then does it not, in the opinion of the Senator, make it something more in effect than merely our understanding?

Mr. ROBINSON. I do not think so.

Mr. BRANDEGEE. In other words, is it not going to result, if the ratification is to take place, that England has to agree to do what we say our understanding is?

Mr. ROBINSON. England undoubtedly, if she accepts the exchange of ratifications, will have to agree that that is our understanding of article 147.

Mr. BRANDEGEE. The object of my inquiry is this: As a practical thing, will it not create a situation where we say that we will not ratify the treaty and enter the league unless Great Britain does agree that she will act according to our understanding?

Mr. ROBINSON. No.

Mr. BRANDEGEE. That is what I wanted information upon.

Mr. ROBINSON. I will make it perfectly clear to the Senator, if I have not already done so. With the exception of the single declaration from Mr. Balfour, delivered in the House of Commons, and which I read a few moments ago, delivered on November 18, 1919, and a similar statement by Lord Curzon,

there is absolutely nothing in the announced policy of the British Government to indicate that she has reversed her declarations made when the protectorate was established and now seeks to annex Egypt to Great Britain. This reservation, I repeat and reaffirm, does not control or seek to control the future policy or the action of Great Britain. It can not do that. It merely puts the United States on record as having said that "in agreeing to this treaty we do not recognize your control in Egypt as a permanent control. We recognize it as merely temporary."

Mr. BRANDEGEE. I know; but is it not designed to notify Great Britain, in effect, that we hold her to carrying out the proclamation she made during the war?

Mr. ROBINSON. No; it is designed to notify Great Britain that when she asks us to indorse her contract respecting Egypt, in indorsing that contract we place this construction on it, and our liability under that contract is limited by the construction which we make. That is as clear a statement of my understanding of the meaning of it as I can make.

I have not the slightest doubt that Great Britain desires the United States to adopt this article unqualifiedly, and I have not the slightest doubt, as other Senators have suggested, that she had a purpose in having the article incorporated; but that this reservation would prevent an exchange of ratifications I do not think is serious likelihood. I do not think any such result could possibly occur, for the reason that the reservation, as I have already stated, is consistent with the true historical facts.

Mr. BRANDEGEE. But, of course, the Senator intends it to have a very persuasive influence upon the action of Great Britain in relation to Egypt, does he not?

Mr. ROBINSON. The only purpose I have in supporting the reservation is to refrain from committing my Government to a policy of permanent British control in Egypt and to continue the policy that this Government has heretofore pursued with respect to the subject. Great Britain, in so far as I am concerned, and so far, I think, as this reservation is concerned, will determine her own policy as to the future of Egypt; but the United States Government will not be estopped from taking the position which she has heretofore occupied, that the protectorate involved in this article is a temporary one.

I do not care to go into that feature of the subject which was raised by the Senator from South Dakota [Mr. STERLING], namely, that the best interests of the Egyptian people require a permanent British control of Egypt. I recall, however, that since 1882 Great Britain levied a tax of 8 per cent on coal imported by Egypt, the evident purpose being to prevent the establishment of manufactories there. I also recall that she levied an excise duty of 8 per cent on manufactured cotton goods, the object being to suppress manufacturing in Egypt, and that object was accomplished.

I rest this case, in so far as I am concerned, solely on the ground that the United States ought not at this time to commit itself to the policy of permanent British control in Egypt; that there is neither necessity nor justification for doing so; and that the facts relating to British control in Egypt justify the reservation presented by the Senator from Oklahoma.

Mr. SHIELDS. Mr. President, I believe that it is the intention of Great Britain to retain permanent control over Egypt. In the history of the British Empire the instances are rare, if any, wherever the British Empire got control of a country that it released that control. It has been said by a prominent Englishman in Parliament during this treaty controversy that Great Britain has always obtained some territory, some subjects, and some commercial advantages out of every war that has ever occurred and every treaty that has been made in the world; and history will prove the truth of his statement. It takes occasion in all instances to strengthen its power and to extend its dominions, and in my opinion it will never leave Egypt until forced to do so.

Whether it is best for the Egyptians for the English to be there is not a question, in my opinion, for the United States. I do not care to discuss that; but as to the views of the English on the subject, I wish to read what a prominent Englishman connected with this treaty has said.

The Earl of Curzon, when the treaty was presented to the House of Lords, said:

> But it is permissible, perhaps, to point out in a sentence that Great Britain has gained in the war all and, indeed, much more than all, she set out to win. Our navy remains at the end of the war intact and unassailed. The principle of freedom of the seas, which is the basis of our national existence, stands unimpaired and unimpugned. The British protectorate of Egypt is provided for in one of the clauses of this treaty. We are demobilizing our forces, but we can not lay down our arms; we can not disband them altogether. We must still be able to fight for what we have won, and be sure that it is not taken from us after we have won it.

That is as clear and as positive a declaration as possible of Great Britain's permanent occupation of Egypt. In other words, it has got it recognized and guaranteed by this treaty. That, I think, is the view of Great Britain, and not that it is merely a temporary affair there.

Mr. President, I firmly believe in the doctrine of the fathers that the United States should not interfere in the affairs of foreign countries; that we should have no entangling alliances with foreign Governments; that we should remain free, sovereign, and independent, as in the past, ready and willing to do the just, the righteous, and the generous thing whenever occasion requires; and I believe the American people can be trusted to do that without being bound in bonds, or without subjecting itself to the orders of a supergovernment or the dictation of any power or number of powers on earth, and I believe it should be free to do so.

Upon that principle I have supported reservations. I have advanced that view in the few remarks I have made to the Senate, and I stand by it. I think the reservation now proposed is a departure from that doctrine. I do not think we ought to interfere in the political relations of Egypt and England.

I do not think we ought to in any way, directly or indirectly, involve ourselves in them, as possibly in good faith we would be required to furnish our Army or our Navy to support the independence of Egypt or the protectorate of the British Government. For that reason I think this reservation is inconsistent with the settled policy of our country.

But if this reservation is to be included, Mr. President, in the resolution of ratification of this treaty, I have one in mind that I think also ought to be included. We have comparatively few Egyptians or citizens of Egyptian descent in the United States. We have no treaty with Egypt; we have very few relations of any kind with her people, comparatively speaking, that we should interest ourselves to the extent of involving our Government, directly or indirectly, in its affairs. We have not any sentimental reason for doing so.

But there is a country which Great Britain has cruelly oppressed and which it has held in chains of slavery for 700 years, notwithstanding its continued brave struggles for liberty and self-government during all that time. It is a country entitled to self-government as much as Canada or Australia or New Zealand or India. I mean, as every Senator here knows, Ireland.

We have here in the United States 20,000,000 people of Irish descent, with a love for the land of their fathers which is imperishable and a deep interest in those they have left behind them. Ireland is suffering under the government of a foreign people. It has within the last less than a half century lost one-half of its population. Its commerce, manufactures, and agriculture have been destroyed by discriminating laws passed by the Parliament of Great Britain, and its inhabitants have been reduced to pauperism and forced to seek refuge and homes in other countries.

Ireland is struggling for self-government; it is struggling for recognition as a free and independent government. It is the superior in every respect of many that we are recognizing in this treaty. Would any man compare Ireland with Haiti, or Liberia, or Hedjaz? The Irish people are as enlightened, civilized, and capable of self-government as any of those of the members of the proposed league.

All the members of the league are recognized as independent nations, on an equality with all other nations. Why not Ireland?

Mr. President, if the reservation of the Senator from Oklahoma is to be adopted, let us go further and do something for the country of the forefathers of 20,000,000 of the best people in our land who are descendants of emigrants from Ireland. They are good citizens, they are law-abiding people, they are patriotic, they have come to the front every time the United States Government was in danger. They are always quick to respond to the call of arms, and no better soldiers ever lived. The Irish have given greater glory to the English arms than the English themselves.

They have furnished the greatest generals and the bravest troops in the wars of England for a century. They have fought bravely and patriotically in every war in which America has been engaged. They are to be found in the forefront in all the trades, professions, and other avocations in America.

Ireland has the right to be free and to govern her own people. It has a right to take its place as a free and independent member of the family of nations, and her people will never cease their brave struggle until this right is accorded them.

I stand by the American doctrine of noninterference and nonentangling alliances, a doctrine so fixed and consistently adhered to for 140 years that it has been engrafted upon the fundamental laws of this country, and the President and the Senate

have no right to violate it without first submitting the question to the people of the United States. But if this reservation in favor of Egypt is to be adopted, we ought also to adopt one in favor of Ireland, and I now offer this amendment:

The United States further understands that in fulfillment and execution of the great principles of self-determination of peoples and equality of all Governments said to pervade and underlie the covenant of the League of Nations, Great Britain will forthwith recognize the existence and political independence of the Republic of Ireland, and agree that it shall become a member of the League of Nations with equal representation, accorded to all other sovereign and independent Governments.

Mr. President, I think this is necessary in order to clarify our relations with Great Britain and Ireland under this treaty. I agree with the Senator from Arkansas that it might be necessary to pass the Egyptian reservation to make clear our relations with the Egyptian protectorate. This reservation is necessary in order to show that under article 10 and article 11 of this treaty we do not commit ourselves to maintain the British sovereignty over Ireland. It is as necessary in one case as in another. We should make our position clear and explicit and solemnly declare that we do not commit ourselves, by the obligations of the covenant, to the permanent control of Great Britain over the Irish people. Without some declaration upon this subject the obligation is there. I can not see how any Senator favoring the reservation in favor of the Egyptian people can fail to favor this one in favor of Ireland.

I send my amendment to the desk.

Mr. OWEN. I make the point of order that the reservation is not germane to the subject-matter.

Mr. REED. Mr. President, there is no such point of order known to Senate procedure.

Mr. SHIELDS. I had hoped the Senator from Oklahoma would be impressed with the justice of the reservation, and accept it. But certainly there is no such point of order known to the rules or practice of the Senate.

Mr. OWEN. The Senator, of course, is merely indulging a little humor, because the obvious effect of the amendment is to prevent the adoption of the reservation itself.

Mr. SHIELDS. Mr. President, the wrongs of the Irish people are not a subject of humor, but of most serious consideration in any legislative body or in any assembly of American people.

Mr. REED obtained the floor.

Mr. ROBINSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Frelinghuysen	Kirby	Robinson
Beckham	Gerry	Knox	Sheppard
Borah	Glass	La Follette	Sherman
Brandegee	Gore	Lenroot	Shields
Calder	Gronna	Lodge	Smith, Ga.
Capper	Hale	McCormick	Smoot
Chamberlain	Harding	McKellar	Spencer
Colt	Harris	McNary	Sterling
Comer	Harrison	Moses	Sutherland
Culberson	Henderson	New	Thomas
Cummins	Hitchcock	Norris	Townsend
Curtis	Johnson, S. Dak.	Nugent	Trammell
Dial	Jones, N. Mex.	Owen	Underwood
Dillingham	Jones, Wash.	Page	Wadsworth
Edge	Kellogg	Phipps	Walsh, Mass.
Elkins	Kendrick	Poindexter	Walsh, Mont.
Fernald	Kenyon	Pomerene	Warren
Fletcher	Keyes	Ransdell	Watson
France	King	Reed	Wolcott

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Seventy-six Senators have answered to their names. There is a quorum present.

Mr. REED. Mr. President, I want to say a word about the Egyptian question and about the amendment relating to Ireland which the Senator from Tennessee [Mr. SHIELDS] has offered.

We have had occasion, and we are having occasions now, to witness a test of the very principles which it is alleged lie at the foundation of the League of Nations. It is to test them on paper, and yet I apprehend that the majority of the Senate will fear even to vote for a thing that under the League of Nations they pledge this country to fight for. I think they are going to draw back from a mere expression by a resolution of a hope that the doctrine of self-determination is to be recognized. I think they are going to flinch from saying by a mere resolution that liberty of small peoples ought to be recognized, and yet they propose to adopt a covenant here that binds the United States to pour out its blood and treasure to do the thing they will not dare vote for to-day.

We are in a singular situation. The advocates of the treaty declare that its chief purpose is to protect small nations, but on every occasion when they are asked to protect any people, even by a resolution or a vote, they declare that it is none of our business. Let us look at this a little bit.

When you set up the League of Nations you admit that you are doing it for the purpose of protecting the different peoples of the world. That is what you say its object is, but the moment you are asked to pass a resolution declaring that Ireland ought to be free or that Egypt ought to have her chains broken you say it is none of your business. That is the very business of the League of Nations, if it has any business at all. The President has so declared time and again. He has said that that is the real purpose of this instrument.

What a singular thing for Senators to sit in their seats and refuse in a resolution to specify the things that ought to be done on the ground that it is none of our business, and yet they are setting up a world government to make it our business.

The man who stands where the Senator from Tennessee [Mr. SHIELDS] stands, declaring that the United States ought to have no League of Nations, that it ought to stay at home, that it ought to observe the old principles of our Government and remain free from entangling alliances, to observe the doctrine of neutrality, stands upon solid and safe ground; but the man who says that we ought to go abroad and that we ought to democratize the world, that we ought to protect the small peoples, that we ought to insist upon the right of self-determination, that we ought to set up a supersovereignty in this world to govern all the world can not possibly stand before the bar of common sense and declare that it is none of our business what happens to Egypt or what happens to Ireland, because the very purpose of the instrument that he proposes to foist upon the American people makes all these questions the business of the league of which we are to be a constituent part if, unfortunately, we are ever dragged into it.

Why, you repudiate your own doctrines and your own purposes before the instrument is formed. You may think the American people will not find it out, but they will. Think of the spectacle a Senator is going to cut on the platform when the question is asked, "Why did you not vote for self-determination on the part of Ireland?" Answer, "Because that was none of our business." "Then, why did you vote to set up a government that proposes to control and rule the world and protect small peoples and surrender our sovereignty to that government to bring about those ends?" What is the answer to be? The answer will stick in the throat of the man who tries to make it.

What is the purpose of this League of Nations except to do the very thing this reservation calls for? The President said, speaking of the terms of peace:

Impartial justice in every item of settlement, no matter whose interest is crossed, and not only impartial justice, but also the satisfaction of the several peoples whose fortunes are to be dealt with.

And yet the Senator from Minnesota [Mr. KELLOGG] this morning, and the Senator from South Dakota [Mr. STERLING] yesterday, and again this morning, in substance declared that this was none of our business and, although we are making the very settlement the President outlined, that we have not any right to say that impartial justice shall be done to mankind.

What is the ground the proleaguers occupy, anyway? Are they in favor of carrying out this great world scheme and bringing equity and justice to all the councils of the world, or are they in favor of a league of nations that is not to do that thing? If so, why do they want the League of Nations? The purpose was declared by the President in the language I have just given.

But in addition to that, the President made some other statements. On July 4, 1918, he said:

There can be but one issue. The settlement must be final. There can be no compromise; no half-way decision is conceivable. These are the things for which the associated people of the world are fighting, and which must be conceded them before there can be peace or the settlement of every question, whether of territory or sovereignty or economic arrangement or of political relationship upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any nation or people which may desire a different settlement for the sake of their own influence or mastery.

Those who have followed the President, those who are following him now in his League of Nations, stand upon that principle that there must be a complete settlement of every question, whether of territory or of sovereignty, and that that settlement must be "upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon a basis of the material interest or advantage of any nation or people which may desire a different settlement for the sake of their own influence or mastery."

And now we have presented a reservation which proposes that we will, in a very cowardly, half-hearted sort of way, insist upon that doctrine as to Egypt. We do not say, as we would say if we were brave enough to stand on the President's declaration, "The United States insists, as a part of the settlement of

peace, that the 13,000,000 people of Egypt shall be granted full sovereignty."

I repeat, for I can not say it too often, that the men who tell us we are setting up a government here to compose the differences of the world and to bring justice to all nations, and who proposes in the covenant to back it by the blood of our sons, are afraid to back it by a resolution passed in the Senate. They are afraid to say here by a simple resolution that we express the hope that the thing will be done which you bind us by the League of Nations to spend our blood and treasure to accomplish.

When the future historian seeks to write the story of phariseeism, he will be obliged to pay some attention to the most dignified legislative body on earth. I challenge you league men to answer why you are not willing to say by a paper resolution that the very thing shall be done that the President said was the soul of the settlement and which he has repeatedly declared is the essence of the league.

Again the President said:

A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike.

I could continue to read similar excerpts from the President's statement, but what I have said is enough. Now, let us lay this doctrine down beside the case of Egypt and the case of Ireland. I shall not repeat the history of England's entrance into Egypt nor, indeed, the pledges Great Britain has frequently made that she proposes to get out of Egypt; that all her occupation means is a temporary occupation. I simply make the statement I have made on this floor before, that the history of the British Empire does not show a single instance where Great Britain has for any considerable period of time occupied the territory of a weak people when she has ever withdrawn.

I think I once quoted in the Senate a statement from a great speech delivered in this body touching our contest over the Northwest Territory. The orator, a Senator—and I have not been able to find the speech, but I think it was by John A. Dix—in language much more eloquent than I am able to quote in substance said this in describing the methods of British advance and the march of her empire: A shipwrecked sailor, wet and starving, is thrown upon an unknown coast and begs for a meal of victuals and for a night's lodging. The next day he requests permission to build a hut and plow a field. The next the hut has become a fortress and the furrow a trench, over which floats the flag of Great Britain forever.

That is an apt and an exact illustration of Great Britain's methods. She entered India for the purpose of trade; she holds the people by the force of arms. The horrors of the dominance of Warren Hastings have been forever recorded in a wonderful speech by a British statesman. She has extended her dominion by force of arms from year to year and from decade to decade until to-day she holds in thraldom 387,000,000 people, 92 per cent of whom, after more than a century of British rule, can neither read nor write any language of earth. Yet the Senator from South Dakota [Mr. STERLING] told us the other day that Great Britain was careful of educational matters. March out a hundred of these subjects of Great Britain, born to their thraldom and wearing the chains that eat into their flesh, and only eight out of the hundred can write a word or read a line. That is none of our business if we stay out of the league, perhaps, but, if we are going in, let us go in to redeem its principles and not to repudiate them before going in. The Senator from South Dakota, I think, is called a mild reservationist by his friends and a mild nullifier by his critics, but he wants to go in. He wants to go in for what purpose? To liberate people, to help democratize the world, or to rivet the chains of despots and forge the gyves of empire? Now, when it is proposed that England shall redeem her pledges to Egypt, the Senator protests that is none of our business; and yet he is for the League of Nations because it is going to liberate small peoples and democratize the world. But he is afraid to say on a piece of paper what he will ask the boys of America to die to carry into effect.

The Senator from South Dakota is not a coward; on the other hand, he is a very brave man and a very fine gentleman and a very good Senator; but the trouble is in going forward in the interest of the League of Nations he has overlooked its obligations; and the moment he is confronted by an obligation his Americanism rises up and protests and says, "We do not want to involve America in that trouble." Surely he does not want to make an exception for Great Britain merely because she is powerful; surely he will apply the same rule to her that he would apply to any other country; and yet, although Great Britain stands pledged to Egypt by the solemn words of her statesmen—and I propose to put some of them into the RECORD, without reading, if I may have permission to do so—that Egypt will not be enslaved but liberated and given her full sovereignty, he fears to put in a reservation declaring that the United States expects Great Britain to do the very thing she is pledged to do. Why should there be any hesitation about this?

I want to call attention again to the forceful quotation which the Senator from Tennessee put into the RECORD while many of you were absent who are now present with reference to Egypt. The quotation was from Lord Curzon, who, I think, is one of the most potential forces in the British Government to-day:

But it is permissible, perhaps, to point out in a sentence, that Great Britain has gained in this war all, and, indeed, much more than all, she set out to win. Our navy remains at the end of the war intact and unassailed. The principle of freedom of the seas, which is the basis of our national existence—

That is, British freedom of the seas—

stands unimpaired and unimpugned. The British protectorate of Egypt is provided for in one of the clauses of this treaty—

Yet the Senator from South Dakota and other Senators opposing this reservation would have us believe that that protectorate is a mere form; that it is not intended to mean anything—

The British protectorate of Egypt is provided for in one of the clauses of this treaty. We are demobilizing our forces, but we can not lay down our arms; we can not disband them altogether. We must still be able to fight for what we have won, and be sure that it is not taken from us after we have won it.

What is he talking about? The only specific thing he has mentioned is Egypt; and they propose to keep it by force of arms. Mr. President, why are they going to keep it? Why does Great Britain keep anything?

Here are some additional statements of great Englishmen equally as good. In the House of Commons, Lieut. Col. Hilder said:

The outstanding feature of the peace treaty is that it puts the British Empire at the highest point that it has ever reached as regards territory and world influence. Largely by force of circumstances and the leading part which our navy and army took in either breaking down or destroying the enemy we have been left with far greater territory and power than at any other period of our race's history.

Mr. Bottomley said in the House of Commons:

May I compliment the prime minister on the great acumen he showed when he secured Britain as the mandatory of the ex-German colonies, because I believe that before we get on very far with the ex-German colonies the League of Nations will come to an untimely end, as every experiment of that kind has done. The same thing was tried in ancient Greece and failed, and what happened then will happen now. No power will enforce their verdict. It is possible that when we have spent a lot of money and had a few little wars we shall come out with the German ex-colonies to our credit. At present we owe America £1,000,000,000. Let her take over some of the obligations of Russia to ourselves. Let us see some sincerity in those high principles embodied so freely on the other side of the water.

England has a colonial policy, and she has back of that colonial policy a great scheme and general plan of government. She embarked upon world conquest something like 200 years ago, perhaps longer ago than that. She extended her dominions everywhere. Then came the Revolutionary War, when she lost the territory that now comprises the United States; but she retained Canada. Then, Mr. President, under Lord Beaconsfield, she again readopted the policy of imperialism, and it was Lord Beaconsfield who started in to acquire Egypt.

French capital and French genius had built the Suez Canal, when Beaconsfield conceived the idea of acquiring control of that canal. In the secrecy of the British cabinet it was plotted and with the celerity of lightning it was executed. The control of the majority of the stock in that canal could be acquired, and by telegram or cable England bought the control of the majority of the stock in the Suez Canal, taking it away from Egypt and placing it where it had not been, for formerly it was in the hands of an ally of France, and then Great Britain took it over. That was the beginning of British aggression in Egypt. From that day to this there has been a steady advance.

Now, we find written into this treaty a clause providing for what is nothing more nor less than the acknowledgment of the superior power of Great Britain over Egypt. That is what the language is there for, and that is what Lord Curzon says it is there for.

Listen to the President:

The heart and center of this treaty is that it sets at liberty people all over Europe and in Asia who have hitherto been enslaved by powers which were not their rightful sovereigns and masters. So long as wrongs like that exist in the world, you can not bring permanent peace to the world. I go further than that: So long as wrongs of that sort exist, you ought not to bring permanent peace to the world, because those wrongs ought to be righted and enslaved peoples ought to be free to right them. For my part, I will not take any part in composing difficulties that ought not to be composed, and a difficulty between an enslaved people and its autocratic rulers ought not to be composed. We in America have stood from the day of our birth for the emancipation of people throughout the world who were living unwillingly under Governments which were not of their own choice.

How that fits Egypt!

The thing which we have held more sacred than any other is that all just government rests upon the consent of the governed, and all over the world that principle has been disregarded—that principle has been flouted by the strong, and only the weak have suffered. The heart and center of this treaty is the principle—adopted not only in this treaty but put into effect also in the treaty with Austria, in the treaty with Hungary, in the treaty with Bulgaria, in the treay with Turkey—that every great territory in the world belongs to the people who are living on it, and that it is not the privilege of any authority anywhere—certainly not the privilege of the peace conference at Paris—to impose upon those peoples any government which they accept unwillingly, and not of their own choice.

That was uttered as late as September 19, 1919, at San Diego, Calif.; and yet, Mr. President, we now hesitate and we find opposition in the Senate to a mere expression on the part of the United States of the opinion that Great Britain will redeem her pledge and will relax her grip upon the throats of 13,000,000 people.

Why does Great Britain want Egypt? I asked that question a while ago. Let me answer it: For the same reason that she wants other territories; and why? To extend her trade and her commerce; to have an advantage in the business of the world. That is why Germany started a race with Great Britain, in order to acquire control also of dominions which she could exploit. That is why France started into the race, that she might acquire peoples she could exploit. It is exactly the same principle which inspired the Roman emperors to send their legions upon people who had never done them any harm, in order that they might bring them into subjection and collect tribute and extend trade.

Let us not now shut our eyes to a great fact which America must confront. We are about to extend American trade. It has been growing for years; but we have ceased to be a mere agricultural country, producing more than we need of grains, and sending them abroad. We have become a great manufacturing country, and if we are to prosper and grow, then we must do everything in reason to extend the area of our trade and to make our empire of foreign commerce one that is sufficient to absorb the surplus production of America. If we do not realize this to-day, we will realize it in the very near future. America's destiny in the future is dependent upon the market abroad for American goods to a very large extent. This is no trifling matter that we are discussing here to-day. It does affect us, and affects us vitally. If we permit the great bulk of the consuming world to come under the control of two or three of our commercial rivals, it is as certain as that day follows night that we will find our markets circumscribed and that our great rivals in the world will be able, if not to shut the doors of these markets in our faces, to compel us to enter at a disadvantage to us and at an advantage to them.

Until recent years the great body of the world was open for trade. It was controlled by individual Governments. Those individual Governments, by their treaties, gave to us guaranties that we would be as well favored in trade and commerce as any other nation. The "most-favored-nation" clause is written in practically every treaty we have made. Now, we find that through the events of the last quarter of a century, and especially through the events that are now transpiring, great areas of the world are being brought under the domination and control of two powers.

Why does Great Britain struggle for this control? It is not out of love for these people. It is not to educate them, for she has not educated them. It is not to Christianize them, for she has not Christianized them. It is not that she may be the bearer of beneficence and of gifts, for she has not so conducted herself. It is to gain trade advantages; and if Great Britain obtains trade advantage, then the United States must obtain trade disadvantages, for you can not advantage one nation without disadvantaging all the others, unless they have the same advantage, and that, of course, is not the purpose, and that has not been the rule.

Bearing that in mind, let me present this question to you from a very practical and selfish standpoint, possibly, and yet a standpoint that every nation must regard if it expects its people to prosper, and its course among the other nations to be successful.

Egypt is an enormous reservoir of wealth. Her production, without any English help, has always been tremendous; and a nation which produces consumes, and by the production of a nation you can measure its consumption. A nation which produces is always a market where other nations can sell, because it produces that which is most advantageous to itself, and purchases that which it can obtain at advantage. So I invite your attention just for a moment, very briefly indeed, to some figures.

A French statesman, M. Goude, in the French Chamber of Deputies, on September 4, 1919, had this to say:

The prime minister himself has vigorously defended the dignity of Egypt. He knows, as we do, that the production of Egypt supports its 16,000,000 inhabitants, including Egyptians and Soudanese; that almost all the landed property belongs to Egyptians; that its farms are cultivated by native-born subjects, to the exclusion of all others; that this country had in 1913 a foreign commerce amounting in value to 12,000,000,000 francs (about $2,400,000,000); that the national budget of Egypt is 800,000,000 francs (about $160,000,000).

This great reservoir of wealth Great Britain takes over, and intends to take over permanently; and the man is simply closing his eyes to every page of British history who expects anything else to be done.

The Senator from Arkansas read, and I want to read again, a brief extract from Rothstein's History of Egypt, which shows how Great Britain is controlling that country for the benefit of Great Britain:

Nevertheless, even under these unfavorable conditions, a cotton-spinning industry was at one time in existence in Egypt and, owing to the proximity of the raw material and the cheapness of labor, contained good promise of future development. Lord Cromer, however, out of regard for the Lancashire cotton lords, placed an excise duty of 8 per cent on all cotton products, and the industry was killed. This is the sole achievement of the British rule in the domain of manufacturing industry. The apology offered for this barbarous act is that since imported cotton goods have to pay a customs duty of 8 per cent as a revenue tax, native cotton goods would have been heavily protected without a corresponding excise duty, and this would sin against the principles of free trade.

Mr. President, that is not the first time Great Britain has pursued that policy. She has pursued it in Ireland, but of that a moment later. I call attention of Senators from the South to the fact that every well-advised man knows now that the purpose of Great Britain in taking control of Egypt is to employ Egypt as a reservoir from which to get her cotton, instead of acquiring it from the United States. She has also, as has been suggested, acquired Mesopotamia, another cotton country, and British statesmen are not taking any time "seeing visions" or "dreaming dreams." They are seizing the habitable world for the purpose of making the British nation independent of us and independent of every other country. So far have they carried this great policy—and it is a great policy from their standpoint—that to-day Great Britain's flag, as was shown by the Senator from Wisconsin [Mr. LA FOLLETTE] in a remarkable speech, floats over one-quarter of the habitable earth, and under her sway are brought one-fourth of all God's creatures.

Bear in mind that she has practically assumed control of all the vast continent of Africa; bear in mind that she has extended her rule and dominion in large parts of Asia, Egypt, Mesopotamia, and these equatorial lands and will grow the cotton with which to run her mills, and she will deprive these people of the power to manufacture and compel the sending of the cotton to her mills. So it is well for gentlemen from the South to awaken to this situation.

If we sit supinely by and give our consent to the dominance of one nation over this enormous portion of the habitable earth, and then agree to guarantee it, we will find some day that her sources of wealth have been extended beyond what we can now conceive, and that our opportunity for trade and commerce will have been correspondingly decreased.

I have said, Mr. President, that the policy of closing the cotton mills of Egypt is not a new British policy, and I now come to discuss the amendment offered by the Senator from Tennessee [Mr. SHIELDS]. He proposes, under the doctrine that the President has inaugurated and which I have just read to you, that Ireland shall be given her liberty, that that people shall be given self-determination, that the thing you have all pretended this League of Nations is for shall be carried out, and that we shall by this reservation begin to allow that nation to prepare for its functioning.

Ireland had factories once, and British penal laws closed them and impoverished the people. Ireland was forbidden to send her goods anywhere except to England, to be there manufactured. The world was deprived of Irish production. England gathered a rich harvest by closing Irish factories and denying to the Irish the opportunity to make a living. This is an old policy which England has inaugurated in Egypt. It is a policy which has been pursued in other parts of her subject domains.

The result of her treatment of the Irish can not be painted by any artist who has ever put brush to canvas, or described by any poet who has been a master of the magic of words, or by any orator who ever spoke from the tribune of humanity to a listening world. In 50 years of time half of her population died of starvation or were compelled to emigrate. Yet England kept her factories closed. The Irish people lay in windrows of dead along the highways, yet England kept her factories closed and her markets embargoed.

The Irish people, decimated by want, driven to desperation by cruelty, have from that day to this protested their right to govern themselves. They had a civilization hundreds of years before

England. While the people of England were going half clad as savages Ireland had universities of learning that attracted students from all the world, and the cross of Christ was held above her churches and her temples when the citizens of England were worshiping Woden images and the gods of the earth.

She was crushed by power. She has been held in subjection by the mastery of arms. We talk about self-determination of people; we quote the language of the President, some with reverence and some almost with awe, and we declare that we are entering this league to democratize the world, and to give to people, great or small, the right of self-determination. Those of you who support this league profess to be doing so upon that doctrine and from that standpoint. Yet, sir, all Ireland is in revolt. I saw upon the screen at a picture show only night before last where the camera had recorded the methods of British rule in Ireland. Along a street thickly packed with people, jeering at their oppressors—for they dared do no more—moved troops of British soldiery, with fixed bayonets. Behind them rumbled the invincible tank, armed with deadly machine guns, ready to mow down those people for protesting the right to govern themselves.

So you find that there is no government in Great Britain but martial law, and that martial law is the logic of the bayonet; it is the argument of the bullet; it is the persuasion of the machine gun; it is the convincing power of prison cells, where rot the patriots of Ireland.

The scaffold is their appeal. Their form of government in Ireland is brute force. Against this oppression there is lifted the universal voice of a wonderful people who ought to be free.

What songs are sweeter than those that have fallen from the poetic pens of Ireland's sons? What women are fairer than Ireland's daughters? What men are braver than Irishmen? What soldiers have written in blood and in heroism the story of gallantry and manhood? What nation has produced greater orators?

What race of men in all the history of the world has stood as have stood the Irish for 700 years, protesting, and still protesting, that in the providence of God and in the course of time they will have their liberty?

Now, let us either be men or let us be something else. Let us tear the mask of hypocrisy from our faces and front this question. If we mean that there shall be self-determination for small people, if we mean that the consent of the governed is necessary to just government, if we propose we shall democratize this world by and through this League of Nations, let those who profess the doctrine vote for this amendment, and then vote for the resolution as amended.

But if you do not mean it, then acquit yourselves like men and say that you refuse to enter into an arrangement upon any false pretenses. Let us either keep out altogether, or let us say boldly, "This is a league of power, a league of force, to which we propose to add the invincible force of the United States. This is a partnership with imperialism. This is a conspiracy with kings and monarchs, to which the United States is to be committed, and in which it is to become an instrument of outrage, wrong, and oppression."

Mr. TOWNSEND. Mr. President, I had not intended to speak upon this amendment, nor, indeed, upon the treaty itself.

For more than a hundred years it was a favorite pastime of orators, at least on the Fourth of July, to twist the British lion's tail. They were inclined always to boast of our great courage and ability to whip the world. Some even now indulge the pleasing thought that we conquered Germany; that we were above all others the cause for winning the war, and now that the war is over we can boast and swagger as we please and abuse the other nations which were engaged as our associates in that war.

Oh, Mr. President, we could not whip the world. We would have had great difficulty in conquering Germany alone, had it not been for the British fleet and the French soldiers. It is time men divested themselves of bullying notions. If anything has been demonstrated during this war, it has been the fact that the civilized nations of the world are dependent upon each other. The war was won and America saved because millions of Englishmen and Frenchmen died in resisting the German onslaught while the United States was getting ready to fight. It illy becomes any American to insult and abuse the nations which helped us and which we may need again.

I think a crime was committed when the opportunity was lost to get a proper working understanding between the nations after the war. I feel that such an understanding could have been had, and that we would have it now had not an egomaniac been in full control of the interests of the United States at the peace conference. But the fact is an agreement satisfactory to no patriotic American was entered into and is known as this league covenant. It contained elements of danger; it involved the United States in troubles, with no possible compensating benefits either to our country or to the peace of the world. The Senate, which is a coordinate branch of the treaty-making power of the Government, was manacled, so far as the President could manacle it, and under difficulties almost insurmountable it has been trying to save from that agreement whatever may prove beneficial. Yet this covenant was agreed to by the President and attached to the treaty of peace.

One of the greatest objections I had to it was that it involved our country in matters in which we had no business to meddle. I favored the maintenance of the Monroe doctrine for our country, and by the same token I objected to our meddling with Old World affairs. And yet now the Senator from Oklahoma [Mr. OWEN] proposes a reservation here that interferes with the policy of Great Britain, and to whatever extent we interfere we bind our country under the treaty. There can be no other object in introducing the reservation than to force England to do what we indirectly say by this provision that she will not do without our declaration.

Suppose that Great Britain, in ratifying this treaty, had said it was her understanding that the United States would keep her word to give independence to the Philippine Islands. I wonder how we would have taken that kind of interference? We would have regarded it as unwarranted and an insult to our country. We would have broken off diplomatic relations with England, and yet we as gratuitously insult England. The provision of the treaty in reference to Egypt, for instance, is a matter which seems to me to have grown properly, and entirely properly, out of the relations between Egypt and Germany, and I think we can well afford to trust Great Britain to do her duty under the circumstances. At least, we can afford to possess our souls in patience for a season before we insult the best and most efficient friend we have among the nations. I repeat that it is an unwarranted interference on our part even to suggest that Great Britain will not do her duty to Egypt.

As to the other matter—the Irish question—brought in here, does anybody think that it is properly involved in the treaty? Does anyone believe it speaks the truth when it says that the United States understands, and so forth? Of course not. I, of course, understand how advocacy of this vain thing may be politically popular, but I insist it is bad and dangerous politics. Senators better in these times play a less dangerous game. It may seem good politics, but every thoughtful man knows it is very poor statesmanship. It has no business here, and I will not vote for it. It will not even fool the Irish, who are always patriotic. I have objected to interfering with the affairs of the Old World and I have insisted upon putting upon this covenant reservations which I thought protected the United States as much as possible under the abnormal and embarrassed conditions which have surrounded it. The President has complicated it, and he now stands with a few of his servile followers as the sole obstacle in the way of treaty ratification. I believe that the treaty has some provisions which may form the foundation for a real workable peace covenant, and I want to preserve them. For that reason I have voted for reservations—mild where such were sufficient, and radical as the needs required. They have not injured the treaty so far as it will be a benefit to the cause of peace. They have protected the interests of the United States and left it free to continue its service to the world. But I shall oppose any attempts on the part of the Senate or on the part of any Senator to engraft reservations or amendments to the treaty which neither make for peace nor international good will but which convict us of unwarranted interference in the affairs of those nations who fought our battles, even as we belatedly fought theirs. I am seeking the means of peace, not inviting by gratuitous insult and unwarranted interference the opposition and ill will of the nations upon which we must depend in time of trouble and to whom we are under binding and lasting obligations.

I can see only one object in introducing this reservation, and that is politics. Possibly Senators think they will get some votes by voting for these propositions, and especially for the last one. They ought not to get them, but they should lose votes by this reckless trifling with our already strained foreign relations. No one sympathizes with Ireland more than I do. I hope some day, and soon, she may be free, but I insist that it is not our business under this treaty to inject this irrelevant matter into it. The treaty is already complicated enough. Possibly the amendments are offered to make the treaty more obnoxious—and God knows it is obnoxious enough already. Perhaps it is done for political reasons; but, whatever the object, I shall have no hesitancy in voting against this and all other similar amendments or reservations.

Mr. PHELAN. Mr. President, unexpectedly this question has been brought before the Senate by the amendment offered by the Senator from Tennessee [Mr. SHIELDS]. The Senator from

Michigan [Mr. TOWNSEND], however, has opened the door to a discussion, because he said if this matter were brought up at another time, before the President had negotiated the treaty, he would feel differently disposed——

Mr. TOWNSEND. No, Mr. President——

Mr. PHELAN. And possibly discuss the question upon its merits.

Mr. TOWNSEND. Mr. President, was the Senator quoting me then?

Mr. PHELAN. I am quoting the Senator not in words but so far as he conveyed the idea to me by his speech.

Mr. TOWNSEND. Mr. President, I was very dull if I conveyed to the Senator the thought that that was our business under any circumstances. I never intimated such a thing as that it was the part of the United States to assist as a Government in establishing a free Ireland or a free Egypt or a free any other nation. I think we have business enough here at home. I would resent it the same as I would resent England's interference with our policy in the Philippine Islands.

Mr. PHELAN. Of course, I could call upon the reporter for the exact words, but I desire to have it from the Senator himself. Did he not intimate that the time had passed, after the President had negotiated the treaty, when this matter should properly be considered by the Senate?

Mr. TOWNSEND. I had not even thought of such a proposition. I was not even considering that proposition; at least I am not conscious of having done so.

Mr. PHELAN. Of course, I will accept the Senator's interpretation of his own speech, but I am convinced that there was an intimation of that kind. When I say the door is opened wide, I will overlook what the Senator has said, but refer to the fact that the Senator from Massachusetts [Mr. LODGE], representing the Committee on Foreign Relations, by a series of amendments has undertaken to change the form of the treaty and embrace matters that were not contemplated by those who had negotiated it.

Since the door is open, I suppose any Senator may propose any reservation, whether or not it affects Egypt or Ireland. We may regard ourselves as sitting here under our constitutional authority to give our consent and advice to the President of the United States, who is charged with the duty of initiating matters of this kind and negotiating treaties, but it has been steadfastly held, I may say, by Senators on both sides of the Chamber, that we would surrender our constitutional rights should we consider ourselves bound exclusively by what has been proposed by the President.

The President has been criticized in certain quarters for not having included the subject of Ireland in his message to Congress communicating the treaty, or in the treaty and covenant themselves. He was petitioned by a large number of citizens representing, they claim, and in fact they do represent, I believe, not less than 20,000,000 Irish or those of Irish descent in the United States. He was well inclined when he went to Paris to give weight to their words and heed to their petitions, but when he arrived there he found, as he found in many other instances, that the work which had been by the fortunes of war carved out for him related only to the countries which, by reason of the war, had been opened to the consideration of the peace conference—that is, enemy territory. The conference confined itself, therefore, to those countries which necessarily excluded Ireland, because Ireland was a part of Great Britain and was regarded with Great Britain as one of the Allies. New States and new governments were to be carved out of enemy territory only.

Mr. KING. Would it interrupt the Senator if I should propound a question?

Mr. PHELAN. I yield to the Senator from Utah.

Mr. KING. I do not know that I understand exactly the position of the Senator, but as I interpret it, it is that we may with propriety, when we are discussing whether we shall ratify the treaty or not, append as a reservation that one of the Provinces of Great Britain or one of her possessions should have the right of self-determination and should have independence and liberty. If that view be correct, then the Senator must take the position, if I understand him, that Great Britain or France or any other signatory power to the treaty could adopt the treaty with reservations, that they ratified the treaty upon the express understanding that the United States liberated Hawaii, the Philippine Islands, Porto Rico immediately, or at the close of the war gave to them independence.

Does the Senator think that if we had a treaty before us that contained reservations by France, Great Britain, and Italy, in which it was stated that they interpreted the treaty that the United States should at the close of the war give independence to each of the Territories I have mentioned—Hawaii, Porto Rico, and the Philippine Islands—we would even permit the treaty to be read? Would we not regard it as an insult and refuse to consider it?

Mr. PHELAN. Mr. President, I desired first to make a historical statement, but I will answer the Senator. The President went to Paris with his 14 points. The Paris conference approved the 14 points, England making the single reservation, not with respect to Egypt or to Ireland, but as to the freedom of the seas. She joined with the other Allies in declaring that, with the exception of the freedom of the seas, she approved the 14 points.

What is the essence of the 14 points? On the 4th of July, 1917, at the tomb of Washington, the President declared that the essence of the 14 points could be epitomized in these words: "The reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind."

The President is very careful in his choice of words, and there was much significance in his saying "the organized opinion of mankind." He went to Paris to see that the opinion of mankind was organized; that it was not a mere sentiment; that it was not the mere expression of an ideal; but that it was something which might be reduced in the deliberations of the conference to concrete form, and that wherever nations asked for self-determination it should be competent for the conference to consider the request. His original draft of article 10 proves this.

At the conference, because Great Britain held Ireland and Egypt in subjection and contemplated the larceny of Persia, and because France had her colonial possessions, and Japan had Formosa and Korea, Great Britain and the other powers did not acquiesce in his draft and gave us something else. When it came to the question of according self-determination to the small countries as contradistinguished from the cases of Poland, Czechoslovakia, and Jugo-Slavia, the political necessities of the powers called a halt; but it can not be said that we are excluded from the consideration of these matters even now, since the Senator from Massachusetts has opened the door.

Suppose, however, the conference did say that Ireland should be given independence; that the Philippines should be given independence; that Hawaii should be given independence; and that Porto Rico should be given independence; it would always be provided those countries asked for independence. Then it would be a matter of judgment whether independence should be granted to-day or to-morrow; and if the conference had acted alike with respect to Great Britain and France and the United States, no exception could be made by this country, and the great purpose of the President would have been attained.

In addressing the plenary council January 25, 1919, President Wilson said:

> We are here to see that every people in the world shall choose its own masters and govern its own destinies, not as we wish but as they wish.
>
> We are to see, in short, that the very foundations of this war are swept away. Those foundations were the private choice of a small coterie of civil rulers and military staffs. Those foundations were aggressions of great powers upon small. Those foundations were the holding together of empires of unwilling subjects by the duress of arms.
>
> And nothing less than the emancipation of the world from these things will accomplish peace.

I do not believe that under the 14 points or under the doctrine enunciated by the President the United States would refuse to consider, in the face of an insistent demand from communities like the Philippines or like Hawaii, the granting of a greater measure of independence; in fact, since I have been in the Senate, within the last four years, the question has been debated whether the Philippines should not be given their independence; and it was refused, not in the face of active opposition, but only because there was no real sentiment in the Philippine Islands for independence, and because their capable statesmen did not consider their people fully prepared for self-government. A commission was recently sent here from the Philippines. While they are seeking nominal independence, they realize that every act of the United States since the acquisition of that territory has been directed to qualifying the people to govern themselves; and they now, in a large measure, do govern themselves in both houses of their legislature and in the commission which is formed by the grace of the statutes of the United States.

Cuba was actually given independence after the conquest by the United States, but I do not think that we would have felt it was an insult had we not given to Cuba her independence and had the conference under such circumstances, as I have stated, suggested to the United States and to Great Britain, Japan, and France: "Grant these people independence, because they seek independence with a burning patriotism; and, furthermore, they are qualified to govern themselves." The suggestion is on the lines of what we have already done; but what of the other powers?

Therefore, when the Senator from Tennessee introduces a resolution stating that it is the understanding of the Senate that Ireland, being qualified to govern herself, should be given self-government, there is nothing offensive, except it be an offense that we have limited our expression to Ireland, though the Senator from Oklahoma includes in a mild reservation Egypt. We might include Korea. The same principle is in-

might be quite competent for this treaty, "with and by the consent of the Senate," to advise that until the people show more capacity for self-government independence should be withheld. That would not be in the interest of the selfish greed of this country or any other country, but in the interest of the people whom we seek to benefit.

The people of Hawaii are going to come to Congress and ask that their measure of independence be curtailed. Why? Because aliens have invaded that country, with the consent and knowledge of the United States, until the native and white population has been overwhelmed, and they will make that request not because they do not love the measure of independence which they enjoy, but because they see a necessity of curtailing their independence in order to preserve their native population and the white population which has gone there to establish western civilization. So each case, for these reasons, sir, must be judged by itself.

There is no question that the policy of the United States has always been to hold out an encouraging hand to nations struggling for independence. That has been a cardinal principle of the United States from its very foundation. It would not claim anything for itself in Revolutionary days which it would not be willing to accord to others. When the question of Grecian independence was brought up we supported Greece; when Kossuth set up a republic carved out of Hungary we supported Kossuth, and, notwithstanding the fact that his government was brutally crushed by Austrian tyranny, we still helped him on his way across the ocean on a warship of the United States and gave him an official reception in the House of Representatives, welcoming him to the land of the free and congratulating him upon his patriotic struggle.

Our record is perfectly clear as a nation. We are not in any sense seeking our own national self-benefit; we are not in any sense an aggressive nation. The countries to which I have referred—Porto Rico, Cuba, and the Philippines—fell into our lap; Hawaii came in on her own motion; but, unlike other countries, the acquisition of territory has never been the purpose of the United States in going to war. Therefore we are in an excellent position in the Senate of the United States, in advising and consenting, if you please, to this treaty, to say at this time that the protectorate which England has forced upon Egypt, that land of ancient renown, shall not result in the permanent acquisition of Egypt. The Egyptians demand their independence, and it would ill become the United States, in the light of our traditional history and our established policy, to stand in the way of Egyptian independence.

I do not know how capable they are for self-government, but I know that the land is exposed in that instance to the wolf. I know the Persian lamb is exposed to the wolf; I know that the Irish lamb has been devoured by the wolf. When, by British corruption, the Irish Parliament in the last century was destroyed and it was called "the act of union," Lord Byron said, "Yes; it was the union of the wolf and its victim." That is the history of the destruction of the Irish Parliament which that gallant people set up and which subsisted for 16 years, developing great statesmen like Curran and Grattan, and restoring Irish industries and prosperity to a happy people.

England dared not to stop it at that time because she was engaged in foreign wars and the Irish were fired by the love of freedom existing in America to the establishment of which they had contributed so much; but as soon as England had withdrawn from her foreign entanglements she did not invade Ireland with her armies, as she is doing to-day, because that is bad international manners; she simply sent a horde of agents under Lord Castlereagh, and, by the use of what in that time was a great sum of money, $5,500,000, the generous bestowal of decorations and baronetcies and earldoms corrupted that parliament, which was a fairly good parliament, although elected under a restricted franchise, and in which the Catholic representatives of that Catholic country were not permitted to sit. But these great men who were developed by that parliament—Grattan and Curran and the others—had a united country behind them. The people of all faiths and all creeds and all conditions supported the Irish Parliament. It was then a united country; and since that time things have gone from bad to worse. England then and now fomented discord. England futilely made promises, and betrayed them; and at the very beginning of this war, it may be recalled, that England promised Ireland home rule, and that John Redmond, the leader of the Irish people, representing the Nationalists in Parliament, who held the balance of power, accepted the tender of home rule for Ireland, and urged the people to enlist in the war, and 160,000 Irishmen, under the exhortations of their own leader, John Redmond, entered the lists of the British Army, to fight for what? Greater power for Great Britain?

The enslavement of peoples overseas in India, and in Egypt, and in Persia? The broadening of the British Empire? The glory and the greatness of "perfidious Albion"? Not at all. They entered the war because they believed that as a result of it, pursuant to an official promise, they would enjoy a measure of home rule, and even that was perfidiously denied them. The best English statesmen, like Asquith, declared that England's conduct was unpardonable, just as in another generation Gladstone had declared that the crimes of England against Ireland had no parallel in the history of Christendom. Then the Irish people rebelled at Easter of 1916, and they gave their lives for what they believed to be their national interests and rights, and they have persistently and without compromise since that time demanded, not a measure of home rule, but their independence.

Why should a people capable of self-government, demonstrated throughout the world, be subjected to English domination, which has been expressed in all the years with so much brutality? Their own man, John Ruskin, said that "The Irish are a witty and an affectionate people, and can not be ruled by the witless and the heartless." There is such a wide margin of difference between these people that Ireland will never accept government from England. She might from the United States, because there is an entente which can not be destroyed between the land of the free and Ireland, struggling for freedom; but she will not accept from England, now, any paltry measure of home rule.

She demands her independence; and I have thought, and have voted with my convictions, that under the League of Nations England, no longer fearsome of aggression from the outside by which Ireland might be used as a base of supplies and operations, would give Ireland her independence if she had an assurance of that kind, and that was the strongest argument that could be made for article 10—that England would not consider herself exposed if the united powers would prevent aggression against her or her overseas possessions. On the other hand, the Irish, under their leaders, take the ground that if the powers committed themselves to prevent aggression under article 10 against Great Britain it would be impossible to get the material assistance of any other country in order to effectuate Irish independence. But England is quite capable, by reason of her superior strength, of holding Ireland in subjection, and it is really immaterial whether she is backed up by the other Allies or not, and hence it was not so much a matter of concern for Ireland as Ireland believed; but Ireland did not desire to see the world and the League of Nations committed to a proposition by which she would be cut off forever, as she thought, from external aid.

Ireland is capable of self-government, and she has already self-determined her self-government. She has made her case in the tribunal of the world; and what has been the answer of England? At a time when self-determination is supposed to be the dominant idea of the League of Nations, in a campaign led by the United States for the freedom of the peoples of the world, many of them enjoying it either now or in immediate prospect—as Poland and Czechoslovakia and Jugo-Slavia, for instance—what is the position of Ireland? That the soldiery of England, seventy or eighty thousand, and a constabulary of 12,000, is holding Ireland in the grip of war when we are told there is no war.

It is rather a melancholy prospect for a league of peace to find that while we are debating it one of the most worthy countries in the world, which has contributed so much to American greatness and prosperity in peace and war, is held in martial rule, and held in martial rule because the people, inspired by the principles of the United States, have risen in rebellion against a heartless and oppressive Government. That is their only fault.

I had the pleasure within the last few weeks of meeting Sir Horace Plunkett. He is a great Irishman, but not a politician. He never took part in Irish political affairs except when he was called to preside at a convention of all Ireland to determine the question of Irish government; and when he proposed that Ireland should have fiscal control over her affairs, which is the very essence of sovereignty, the Government rejected the plan.

Now, he comes forward with some other propositions with which I am not familiar; but he told me that the home-rule bill, proposed but a short time ago, within the last two weeks, by Lloyd-George, the premier of Great Britain, should be laughed out of court; and in a public speech he has since stated that it was absolutely without merit, and that is the empty shell which Great Britain is now presenting to Ireland and which she scornfully rejects. I believe he has a proposal to give Ireland her independent government very much as we have given Cuba her independent government, and that there will be a dim protec-

torate over it, nothing that warranted interference from day to day but only in the event that there was disorder or civil war that there would be intervention. I do not know that that is acceptable to the Irish, but I believe that is the idea of Sir Horace Plunkett. On the other hand, the leader of the Irish, de Valera, stands for independence; but he, according to the press of New York, listened to the Plunkett proposal and hence there is some division in the ranks of those who are leading Ireland on her way to greater freedom. That, however, is a difference between friends; but the Lloyd-George proposal never shall be accepted with the consent of the Irish leaders. Therefore at this moment the fate of Ireland is in the balance, and if the Senate of the United States, pursuant to the traditional policy of this Government, should express sympathy with the struggle of the Irish people for freedom then and in that event Ireland might possibly be able to win from reluctant Britain a concession which would substantially amount to independence, and, winning such a concession, it would be the stepping-stone to full and complete sovereignty some day, sooner or later, just as Cuba has earned it by her exemplary conduct during the last 10 years, showing a real capacity to take care of her own affairs, and she necessarily has a very friendly regard for the United States. She does not resent the operation of the Platt amendment. On the contrary, she regards it as an additional protection; and if England had treated Ireland with the same frankness and accorded her the same independence I am sure that Ireland would have looked upon England in a very different light, and the English fleet would not only be there to protect England but to protect Ireland against external aggression, and England would be the natural market for the enormous production of Ireland, which goes far to feed the British people.

The thing is easy of solution. We are not doing violence to Great Britain when we propose it. The greatest minds in Great Britain to-day, as well as in Ireland, believe that it would be better for both countries if Ireland were free; but there is no question that Ireland will some day be free, for, rely upon it, the lovers of freedom will be free, and no one can question the love of the Irish for freedom. It is not a holiday parade. She has given martyrs in every generation, and she nas had to show her passports throughout the world at every crossroads. She has not been abashed by temporary defeat. She has gone right ahead steadfastly and has never been turned from her purpose; and—

> There never yet was human power
> Which could evade, if unforgiven,
> The patient search and vigil long
> Of him who treasures up a wrong.

Mr. THOMAS. Mr. President, I have sent to the desk and ask to have read an amendment to the amendment now pending.

The PRESIDENT pro tempore. The Secretary will read the amendment to the amendment.

The ASSISTANT SECRETARY. Amend the amendment offered by the Senator from Tennessee [Mr. SHIELDS] to the original proposition offered by the Senator from Oklahoma [Mr. OWEN] by inserting after the words "Great Britain" the words "and Japan respectively"; also, after the word "Ireland," insert the words "and the ancient Kingdom of Korea"; also strike out the word "it" where it occurs in the same line and insert in lieu thereof the word "they"; also strike out the words "a member," following the word "become," and insert in lieu thereof the word "members"; so that the amendment as thus amended will read as follows:

> The United States further understands that, in fulfillment and execution of the great principle of self-determination and equality of all nations pervading and underlying the covenant of the League of Nations, that Great Britain and Japan, respectively, will forthwith recognize the existence and political independence of the republic of Ireland and the ancient kingdom of Korea and agree that they become members of the League of Nations, with equal representation accorded to all other sovereign and independent Governments.

Mr. KENYON. Mr. President, I am as fond of the Irish, I think, as other men in public life. I am fond of them not just as we are entering the campaign or for election purposes, but for their many splendid qualities. But, Mr. President, I think it is about time to quit our demagoguing about Great Britain.

I am sorry this reservation is here. I do not hesitate one moment to vote against it or to denounce it. It is an insult to a friendly nation. It states:

> The United States further understands that in fulfillment and execution of the great principle of self-determination and equality of all nations pervading and underlying the covenant of the League of Nations that Great Britain will forthwith recognize the existence and political independence of the republic of Ireland and agrees that it become a member of the League of Nations, with equal representation accorded to all other sovereign and independent Governments.

We do not understand any such thing. We do not understand that Britain understands any such thing, and it is an insult to the British nation for the United States Senate to pass any such kind of a reservation. It is not the truth.

Let us quit fussing with Britain. These two nations will have to stand together for the civilization of the world. It is true that the history of the British Government in Ireland is a history of wrong. But that has gone by, and the British Government, I believe, is to-day desirous of doing the right and the square thing by Ireland. I hope Ireland may soon become an independent republic.

I wonder what we would think if some one were traveling through the British Empire raising funds for a free and independent Philippines, or a free and independent Porto Rico, or a free and independent Virgin Islands. We would better cast the beam out of our own eye before we try to pluck the mote out of the eye of Britain.

Mr. President, I had an opportunity to see the great British fleet in the war. It was the first line of defense; and as I saw that magnificent fleet of some fifteen hundred fighting vessels I knew that there was the first defense of the American Republic; and when I think of that I grow tired of the constant haranguing of Britain on the floors of Congress.

We had an exhibition of Britain when that old Scotchman, Haig, stood, at a time when the world was trembling, and said, "Our backs are to the wall; Britons, stand and die," and Britain was ready to stand and die for the civilization of the world.

Let us quit fussing about such a nation; let us quit insulting Britain on the floor of the Senate day by day.

You can go back a little ways in history to Manila Bay, and at the time Dewey sailed into that bay the German plans were nearly perfected to go out and conquer the world. When he there commenced to destroy the Spanish fleet the Germans commenced to get in his way, and it was Britain that said to Germany then, "Stand away. We stand with the American Republic." That stopped German desires to start something.

Let us permit Britain to manage her own affairs.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. KENYON. I yield.

Mr. THOMAS. The Senator might go a step further and assert with perfect truth that the British fleet has nearly always been the mainstay of the Monroe doctrine.

Mr. KENYON. That is true.

Mr. PHELAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from California?

Mr. KENYON. No; I do not yield, because I am nearly through, and I want to finish.

In making these remarks I have not intended to say anything unkind of the Irish people. I do not care about any Irish votes that are secured at the expense of maligning a great nation like Britain, and I raise my voice in protest against the continual insulting of the British nation on the floor of the Senate.

Mr. SMITH of Georgia. Mr. President, I had in view to make some remarks along the line of those made by the Senator from Iowa [Mr. KENYON], but I would not have presented the subject nearly so well as he has.

I will supplement what he has said, so far as the first portion of the reservation is concerned. It declares that—

> The United States further understands that in the fulfillment and execution of the great principle of self-determination and equality of Governments pervading and underlying the covenant of the League of Nations Great Britain—

And so forth.

Mr. President, there is nothing of that sort in the covenant. There are no such provisions in the covenant. There is nothing in the covenant that provides self-determination for any people or gives it to any subject race.

Mr. PHELAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from California?

Mr. SMITH of Georgia. Not just now. I wish to proceed a little further with the thought I am presenting.

We have here the original plan of a covenant presented by the President and offered in evidence before the Committee on Foreign Relations. I hold in my hand his original article 10, then article 3. It contained provisions for the relief of subject peoples, all of which were stricken out by the Paris conference before the covenant came to us. Let me read to you the President's idealistic views upon the subject, none of which was accepted by the other four countries in Paris. I read you the original article 10, then article 3:

> The contracting powers unite in guaranteeing to each other political independence and territorial integrity, but it is understood between them that such territorial readjustments, if any, as may in the future become necessary by reason of changes in present racial conditions and aspirations or present social and political relationships, pursuant to the principle of self-determination, and also such territorial readjustments as

may, in the judgment of three-fourths of the delegates be demanded by the welfare and manifest interest of the peoples concerned, may be effected if agreeable to those peoples, and that territorial changes may in equity involve material compensation. The contracting powers accept without reservation the principle that the peace of the world is superior in importance to every question of political jurisdiction or boundary.

That was in the original article 10. But all of the humanitarian portion, all of the idealistic plan of the President by which the league was to bring to the peoples of the world the privileges of self-determination, the great vision he had of freeing the subject peoples of the world when they were capable of self-government and desired it from the domination of power was stricken out before the covenant was completed.

It was, indeed, idealistic. It was, indeed, a lofty purpose of human service. But who could have expected Japan to have agreed to it, who could have expected England or France to have agreed to it but so lofty an idealist as the President himself? Point me to a word left in article 10 carrying these thoughts. They are all gone.

Furthermore, let me call your attention to the address of the President before the plenary council. I take this language from a telegraphic report:

To the plenary council, January 25, 1919—

This is part of the President's speech—

We are here to see that every people in the world shall choose its own masters and govern its own destinies, not as we wish but as they wish.

We are to see, in short, that the very foundations of this war are swept away. Those foundations were the private choice of a small coterie of civil rulers and military staffs. Those foundations were aggressions of great powers upon small. Those foundations were the holding together of empires of unwilling subjects by the duress of force.

And nothing less than the emancipation of the world from these things will accomplish peace.

The President therefore urged that an agreement to use force by members of the league would not accomplish peace. Not an agreement to preserve the territorial boundaries and the political governments of the members would preserve peace, but nothing less than the right of self-determination, freedom to all the subject peoples in the world, would give peace or permanent peace. Freedom to Korea, freedom to India, freedom to Egypt, and freedom to Ireland. That was the President's plan as the only way, for he declared "Nothing less than the emancipation of the world would accomplish peace." I agree with him, and I have no faith, therefore, in the power of force contained in the first of article 10 to preserve peace for the world. But what I wished to do was to point out that I could not truthfully vote for the amendment of the Senator from Tennessee, because I do not find in the covenant anything to justify the claim that this covenant obligates the members of the league to recognize the great principle of self-determination and equality.

The President made it a part of article 10, but the Paris conference cut it all out.

Mr. SHIELDS. Does not the Senator find in the treaty, made in pursuance of the covenant, provisions for plebiscites to allow the Danish Provinces, Danzig, and other countries to determine their future government? Does he not find that the Saar Basin is put under the control of the League of Nations? There is nothing in the covenant about the League of Nations assuming trusteeship for other countries or other nations, but power is given to the council to act upon all matters—in the substance—within its jurisdiction or sphere. They have provided in the treaty, evidently under this general power, that the League of Nations shall hold the Saar Basin in trust for 15 years, and then determine by plebiscite or otherwise whether it shall be turned back to Germany or retained by France or be an independent nation. Here is found the principle of self-determination.

Are not those provisions for self-determination?

I have not said there is any express provision for self-determination in the covenant. I said that was the underlying principle of it, and I got that from the President's construction of it. That is the language of my amendment.

Mr. SMITH of Georgia. The treaty provided for the freedom of certain Provinces that had belonged to Germany, but contained nothing of the kind with reference to other subject peoples. The league covenant omits the provisions contained in the original article 10. It applies simply to Provinces taken from Germany in the German treaty, and I do not find the right of self-determination carried quite as far as the view expressed by the Senator in the proposed amendment, even when Provinces were freed as a result of the war. Shantung was given to Japan, England has taken Mesopotamia, and France Syria.

I repeat, there is nothing in the covenant to justify the claim that the members of the league agreed to give to countries subject to members of the league the right of self-determination, and I can not understand how anyone ever expected that such an agreement would be made.

What I wanted to do was to call attention to the fact that in the original article 3, now article 10, as furnished to the Committee on Foreign Relations, there was such a provision, and the President based his advocacy of article 10—the forceful end of it—upon the further provision giving the right of self-determination to subject peoples, but every line of this portion of the article was stricken, and nothing is left to allow me to say truthfully that I understand that the fulfillment and execution of the great principle of self-determination is carried into this covenant at all. That which was to make the world safe for democracy has not been left in the covenant. I know it is out. The Governments signing the covenant have agreed to nothing of the kind.

I am not in favor of undertaking to interfere in the domestic relations of other countries. I am unwilling for them to interfere with ours. As I voted against any provision in the covenant that allowed any member of the council to touch our domestic problems or to determine which are domestic and which are not, so I will not vote to interfere with the domestic problems of other countries.

For me to support a reservation which declares that I understand the covenant gives any relief to subject peoples is impossible, because I do not so understand the covenant.

My heart has gone out, since I was a boy, to the Irish in their struggles, but I do not understand they will find relief in any provision of the covenant of the League of Nations.

Mr. SHIELDS. Mr. President, the Senator from Georgia [Mr. SMITH] has given his construction of the covenant and treaty, and he has also read the construction given by the President of the United States.

Mr. SMITH of Georgia. That was not his construction. That was his declaration on the 29th of January as to what the covenant ought to be, not what it was.

Mr. SHIELDS. That does not change what I intended to say. The President, of course, went to Paris to carry out his views, and it has been asserted again and again upon the floor of the Senate that he did; that he absolutely dominated the peace conference and wrote his views into the covenant and into the treaty. It is asserted that it is the President's treaty that he brought back here and presented to the United States Senate and insisted that we should ratify it without dotting an "i" or crossing a "t."

The Senator from Georgia has given his view of what is in the covenant and treaty, and the President of the United States has told us what it means. The Senator from Georgia sat here in the Senate with other Senators and was not even allowed to hear anything about what was going on in Paris; we were all absolutely ignorant of it. The President was there and assisted in writing it. Now, who knows what is in it or what it means?

Mr. SMITH of Georgia. After the written instrument was brought here, does the Senator from Tennessee think it so poorly expressed that it is impossible for us to find out what it means?

Mr. SHIELDS. The Senator from Georgia has substantially repeated what the President of the United States said in his great tour through the West expounding this treaty. Nobody can get up here and deny that the President of the United States was there pleading for government by consent of the governed and for the self-determination of peoples. That was the spirit which should have pervaded the whole thing and that is the principle which should be found in it from end to end. That is what the President went to Paris for; and how are you going to say he did not accomplish it?

Mr. SMITH of Georgia. Will the Senator allow me to ask him another question?

Mr. SHIELDS. Certainly.

Mr. SMITH of Georgia. Why did they strike out the provision that the President had on that subject, which I read a little while ago and which has been stricken out?

Mr. SHIELDS. Because, as the President construed it, that is mere surplusage. The great principle is there, according to his exposition of it. I am not going to controvert the President's view of it. I was not there; I did not help to write it.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Missouri?

Mr. SHIELDS. I yield.

Mr. REED. On July 10, 1919, the President said:

The treaty, as a result, is not exactly what we would have written. It is probably not what any one of the national delegations would have written. But results were worked out which on the whole bear test. I think that it will be found that the compromises which were accepted as inevitable nowhere cut to the heart of any principle. The work of the conference squares, as a whole, with the principles agreed upon as the basis of the peace as well as with the practical possibilities of the international situations which had to be faced and dealt with as facts.

Mr. SHIELDS. From what is the Senator reading?

Mr. REED. Mr. President Wilson's speech placed in the RECORD on July 10, 1919.

Mr. SHIELDS. After the treaty had been presented to the Senate?

Mr. REED. Yes.

Mr. SHIELDS. The treaty was presented, I believe, June 28.

Mr. President, all I have to say is that if Senators wish to approve the crimes that have been committed against Ireland, to ridicule the wrongs that people have suffered during the last 800 years, I am not responsible for their action. If a Senator wants to compare the great Irish people, who have done so much for civilization and the enlightenment of the world, to the negroes of the Virgin Islands, it is for him to do it. The glorious history of Ireland and her people needs no defense in this Chamber. It is known and admired of all the world. It speaks for itself.

I hope the amendment proposed by the Senator from Colorado will not prevail. This is a serious proposition. If we are to make any reservations in favor of any people, as I stated in my opening remarks, the Irish are entitled to our consideration as much as the Egyptians. I do not think that Japan has anything to do with this matter. I do not think the Koreans have the same claims upon America as the Irish. I demand that my amendment be treated with the seriousness that the rights and aspirations of the great Irish nation entitle it to, and I shall insist that it be given that consideration in this Chamber.

Mr. THOMAS. Mr. President, I proposed this amendment upon the conviction that if there was any ground at all for the amendment offered by the Senator from Tennessee [Mr. SHIELDS], the same reason existed for the inclusion of Korea, which has received the same treatment, contrary to its own wishes and in opposition to treaty regulations, which forms the foundation of the Senator's amendment.

I fully agree with every word uttered upon the floor by the junior Senator from Iowa [Mr. KENYON] regarding this subject. I am not introducing the amendment for the purpose of casting any aspersion or ridicule upon the Irish people. We know no difference between peoples when the principle of justice is invoked. It has been invoked here by the distinguished Senator from Oklahoma [Mr. OWEN] in the original reservation, and in behalf of a dark-skinned people whose wrongs have appealed very strongly to the Senator's sense of justice, but whose wrongs are, nevertheless, in my judgment, inferior to those of the Koreans.

The reservation offered by the Senator from Oklahoma affecting one people has justified the Senator from Tennessee in offering an amendment to it affecting another people, and I am quite as consistent, and, I think, more just than the Senator from Tennessee in my effort, if this reservation is adopted at all, in proposing to include other people who are equally entitled to the consideration of the Senate of the United States.

Mr. BORAH. Mr. President, may we have the pending amendment reported?

Mr. OWEN. Mr. President——

Mr. LODGE. A request is made that the Thomas amendment may be read.

Mr. OWEN. I join in the request that the Thomas amendment may be read.

The PRESIDENT pro tempore. The amendment offered by the Senator from Colorado will be stated.

The ASSISTANT SECRETARY. It is proposed by the Senator from Colorado [Mr. THOMAS] to amend the amendment offered by the Senator from Tennessee [Mr. SHIELDS] to the original proposition offered by the Senator from Oklahoma [Mr. OWEN] by inserting after the words "Great Britain" the words "and Japan, respectively"; also after the word "Ireland" to insert the words "and the ancient Kingdom of Korea"; also to strike out the word "it" where it occurs in the same line and insert in lieu thereof the word "they"; also to strike out the words "a member," following the word "become," and insert in lieu thereof the word "members," so that the reservation as thus amended would read as follows:

> The United States further understands that, in fulfillment and execution of the great principle of self-determination and equality of all nations pervading and underlying the covenant of the League of Nations, Great Britain and Japan, respectively, will forthwith recognize the existence and political independence of the republic of Ireland and the ancient Kingdom of Korea, and agree that they become members of the League of Nations with equal representation accorded to all other sovereign and independent governments.

Mr. OWEN. Mr. President, the reservation which I have proposed states that "the United States understands the protectorate referred to in section 6 of the treaty to have been merely a war measure to preserve the integrity and independence of Egypt during the war." Such a reservation is justified by the language of the treaty itself, for the treaty directly provides for the recognition of the British protectorate over Egypt by Germany, and we have a right to express our understanding; indeed, it is our duty to express our understanding, because at the time when the protectorate was declared representations were made to the United States with regard to its significance, and if we fail to express our opinion with regard to it, then we are precluded hereafter from objecting if that protectorate be converted to other purposes; at all events, we fail to discharge our duty now and to limit our liability under the treaty by expressing what we have a right to express and a duty to express—a reasonable reservation with regard to our understanding of it. When, however, we come to the proposed amendment, dealing with an entirely different subject, there is no justification whatever for saying that the United States understands that in the fulfillment, execution, and so forth, the Republic of Ireland must be recognized by Great Britain. What right have we to say that from anything in the covenant or anything in the treaty? Is it really true?

Mr. SHIELDS. Mr. President——

Mr. OWEN. I yield to the Senator from Tennessee.

Mr. SHIELDS. Then, the Senator from Oklahoma agrees with the Senator from Georgia that the principle of self-determination and the equality of governments are not recognized by this covenant and treaty?

Mr. OWEN. I shall not be diverted into any side issues; but I say there is nothing in the covenant and there is nothing in the treaty which justifies the statement of fact. The United States does not understand anything about it from anything there is in the league covenant or in the treaty of peace. The United States, of course, has a right under the letter of November 5, 1918, which I so abundantly emphasized on the floor of the Senate, to recognize the great principles that ought to animate those who believe in government by the consent of the governed.

Mr. SHIELDS. The United States will have such an understanding if the treaty-making power, the President and the United States Senate, so declare.

Mr. OWEN. The United States Senate has no right to say in this way that "the United States further understands." What is there in the treaty and what is there in the covenant of the league to justify the statement as a matter of fact? Is it the truth? I pause for a reply from the Senator. [A pause.] I will not subscribe to anything I do not believe to be true, not even to get the Irish vote. I do not think we ought to deal with this matter with levity. The reservation in regard to Egypt was justified, because we are in terms committed under section 6, article 147, of the treaty. We are requiring Germany to recognize this protectorate, and if at the same time we fail to express what the protectorate means, we leave the interpretation put upon it by the British foreign office that it is a matter of permanence.

Mr. President, I make a great distinction between the British people and the British foreign office. The British foreign office has in it men who are trained by a life of diplomatic instruction; men who are nearly all of an imperialistic and Tory tendency. The British people are liberal, and I do not sympathize in any respect with the saying of anything on this floor that would reflect upon the English people or wound their feelings. I desire that the relationship between the United States and the people of Great Britain should be one of amity and friendship. I greatly regret that this amendment should be offered. I can not feel that it was intended to clarify—it certainly has not the effect of clarifying—the reservation, but it has the effect of confusing it. I hope the amendment will be rejected by the Senate.

Mr. BORAH. Mr. President, I ask that the entire amendment, from alpha to omega, may be read, in order that we may know what it is?

The PRESIDENT pro tempore. The Secretary will read the reservation as it would be if all of the amendments which have been proposed to it were adopted.

Mr. SHIELDS. Mr. President, in order that it may appear fully, I wish to perfect the amendment which I originally offered. After the word "self-determination," in the second line, I desire to insert the words "of peoples." Also, where it now reads "equality of all nations," I desire to strike out the word "nations" and to insert "governments." I ask that the amendment be modified in that way.

The PRESIDENT pro tempore. The Secretary will state the reservation proposed by the Senator from Oklahoma [Mr. OWEN], together with the amendment proposed by the Senator from Tennessee [Mr. SHIELDS] and the amendment proposed by the Senator from Colorado [Mr. THOMAS].

The ASSISTANT SECRETARY. Mr. SHIELDS proposes to add, at the end of the reservation offered by Mr. OWEN, the following words:

> The United States further understands that in fulfillment and execution of the great principle of self-determination of peoples and equality of all Governments pervading and underlying the covenant of the

League of Nations Great Britain will forthwith recognize the existence and political independence of the republic of Ireland and agree that it become a member of the League of Nations with equal representation accorded to all other sovereign and independent Governments.

Mr. THOMAS proposes to amend those words in four particulars so that, if amended, it will read:

The United States further understands that in fulfillment and execution of the great principle of self-determination of peoples and equality of all Governments pervading and underlying the covenant of the League of Nations Great Britain and Japan, respectively, will forthwith recognize the existence and political independence of the republic of Ireland and the ancient kingdom of Korea, and agree that they become members of the League of Nations with equal representation accorded to all other sovereign and independent Governments.

So that the reservation, if amended, will read:

The United States understands the protectorate referred to in section 6 of the treaty to have been merely a war measure to preserve the integrity and independence of Egypt during the war.

The United States further understands that in fulfillment and execution of the great principle of self-determination of peoples and equality of all Governments pervading and underlying the covenant of the League of Nations Great Britain and Japan, respectively, will forthwith recognize the existence and political independence of the republic of Ireland and the ancient kingdom of Korea, and agree that they become members of the League of Nations with equal representation accorded to all other sovereign and independent Governments.

Mr. BORAH obtained the floor.

Mr. PHELAN. Mr. President——

Mr. BORAH. Does the Senator wish to interrupt me?

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from California?

Mr. BORAH. I yield for a question.

Mr. PHELAN. The Senator from Tennessee in submitting the amendment just proposed has in view, I believe, the danger of referring to the equality of nations, because it might affect the consideration of our domestic questions by the League of Nations. Am I correct?

Mr. BORAH. I should like, Mr. President——

The PRESIDENT pro tempore. The Senator from Idaho has yielded for a question to be propounded to him and not to the Senator from Tennessee.

Mr. SHIELDS. There will be no discussion on my part.

Mr. BORAH. Very well.

Mr. SHIELDS. I had in mind what is in the covenant and the treaty and the underlying principle and spirit that pervade them.

Mr. PHELAN. Then I understand the Senator is not in any way trying to——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from California for a statement or for a question?

Mr. BORAH. I will yield for a statement in reply to the Senator from Tennessee, and then I hope I may be able to proceed.

Mr. PHELAN. I think it is very important to know exactly what the Senator means. I assume, with his consent, that he changed the phraseology by inserting "Governments" for "nations," in order not to embarrass the reservation with an acknowledgment of "the equality of nations," a principle which was rejected at Paris.

Mr. BORAH. Yes; as all other righteous principles were rejected at Paris.

Mr. President, I rise to say that if the League of Nations had been constructed upon the principles announced by the President before he went to Paris there would be no objection whatever in this Chamber to any one of the propositions now included in this reservation. If you will study the principles announced by the President and which apparently had the support of this country prior to the time they were taken possession of by the diplomats of Europe, you will find that they are in perfect harmony with everything expressed in this reservation. The reason why the Senate can not adopt this proposition is that it is out of touch with the covenant itself; the principle of self-determination and the rights of small nations have been absolutely eliminated from the covenant, and to put them in the covenant is to construct an incongruity. That is the reason why, after having discussed this treaty for 14 months upon the basis upon which the diplomats of Europe built it, we hesitate to come back to the principles upon which the President attempted to build it. How strange, indeed, would any principle of justice, of liberty, of the rights of small nations seem in this gigantic autocracy, built upon sheer power and dependent for its existence upon sheer force. You had just as well look among the handiwork of the Kaisers and Czars for the principles of self-determination as to look for them in this structure, designed and built for the purpose of holding in subjection for all time the countless millions who have now been brought under the rule and sway of four or five great powers.

Who can object to anything that is in this reservation upon the ground of principle? The reason why objection is made to it is because the covenant is constructed upon the theory that 300,000,000 dominant people are to control 900,000,000 subject people; and if it is not maintained upon that theory, it falls to the ground.

Mr. KING. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. KING. Does the Senator think that the statement made by the President before going abroad—which, by the way, I regard as more or less academic and as a statement of a general doctrine—committed the nations of the world and those who accepted that general academic statement to the policy of immediately liberating colonies, dependencies, and dominions, cutting all the bonds that united them to the parent Governments, and setting them up as independent nations? Does the Senator think that that statement meant that the United States was to liberate the Hawaiian Islands, Porto Rico, and the Philippine Islands, and that Great Britain and all other nations that might accept that pronouncement of the President's were afterwards to let Ireland go and Egypt go and Korea go and Morocco go, and other dependencies and territories, controlled by the various nations of the world? I do not understand that that broad statement or generalization of the President required that we or any nation that joined the league or that did not join the league should go out in a Don Quixote style for the purpose of liberating every nation and every people and giving them a government of their own.

Mr. BORAH. When the President announced his principles to the Congress from time to time there was no more active eulogist in the Senate Chamber than the Senator from Utah. They were not academic propositions at that time. They have only become academic propositions since they were transformed into this autocracy, dominated by the five great powers of the world, over 900,000,000 subject peoples. Then they became "academic," and this became the "practical" proposition which is before us.

What is the situation with reference to those principles? The President was very careful, when Germany signified her desire for peace, to transmit to the allied powers a specific statement that peace could only be had upon the basis of his speech upon the 8th of January and the addresses thereafter made upon that subject. The whole world was familiar with that speech and those addresses. They had been discussed in every clime and in every land. There was no place where language was spoken that people had not met together and discussed these new policies. The Allies understood them, and Mr. Lloyd-George and other prominent men of Europe and of England had discussed them, and had time and time again accepted them in public speech; and when the President sent that message to the Allies, the Allies went carefully over those addresses from the 8th of January until the 27th of September, and made but two exceptions in regard to them. They did not intimate that they were academic and impracticable, or that they would not be bound by them. They said, "You eliminate the freedom of the seas and give us an opportunity to construe the question of reparation and we will make peace with Germany upon the principles announced by the President"—not only in his 8th of January speech, which included the 14 points, but in all the speeches which followed, at Mount Vernon and New York, up to the 27th of September. They accepted them, and the President replied upon the basis of their acceptance, and the armistice was had upon the basis announced by the President and accepted by the Allies.

What I say is, Mr. President, as was so well said by Prof. Keynes in his book, that not a single one of those principles was written into this covenant. On the other hand, the five great powers met there and took not only the subject peoples that they already had but they incorporated in their dominions and under their control millions who prior to that time had not been under their domination. There never sat in the history of the world such an imperialistic body as that which convened at Versailles. That is a general statement, but upon that general statement I submit the facts of history.

I want to read—and I trust I shall not be considered disrespectful to the English statesmen when I do so—how one of the great powers got through with the President's policy. This is an article in a recent number of the Saturday Evening Post:

I sat in the House of Commons and heard Lloyd-George declare that the Paris treaty had increased by 800,000 square miles of territory the responsibilities of the British Empire. If one adds to that other countries and territories which in one way or another have come under the British control during and since the war and sums up the total, the result is amazing.

I shall not in the press of time give the entire list. It gives the countries here and gives their area, and the territory of subject peoples who have been brought under the control and

domination of Great Britain as a result of the war, and it amounts to 3,805,000 square miles and from about 35,000,000 to 40,000,000 people. That is larger, sir, than all the States west of the Mississippi River. That is larger than the Louisiana Purchase; larger than the Louisiana Purchase and the original thirteen Colonies.

Mr. THOMAS. Mr. President——

Mr. BORAH. I yield.

Mr. THOMAS. I think it is larger than the entire area of the United States, including Alaska.

Mr. BORAH. I do not think so; but I have not the exact figures for comparison.

Mr. THOMAS. It is certainly larger than the United States, exclusive of Alaska.

Mr. BORAH. Very well. It is too large; it does not make any difference how large it is or how small it is. It was taken in violation of every announced principle upon which the war was fought.

Now, Mr. President, I want to invite your attention to the fact that as to this three million and some hundred thousand square miles, inhabited by thirty-five to forty millions of people, this covenant of the League of Nations provides no method or manner by which they may be heard for their freedom. There is no provision, no machinery, through and by means of which they can ever in a peaceful and lawful way secure their independence, their liberty—no tribunal before which they can, as a matter of right, upon their own initiative, plead their cause. They can only be heard through their masters and adjudged by their masters. Forced under sway and domination, as in the case of Egypt, against their wishes and over broken pledges, they are there beneath the brutal feet of power, and this cruel league is built to hold them there forever.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield.

Mr. POINDEXTER. Would the Senator construe these possessions that he has just been describing as coming within the territorial integrity that is referred to in the covenant of the League of Nations, which we are asked to guarantee?

Mr. BORAH. Precisely so.

Mr. POINDEXTER. So far from according an opportunity for the people of these territories to be heard, it condemns them, on the contrary, to everlasting servitude.

Mr. BORAH. There is no way in the world by which the 900,000,000 of subject people can ever secure their freedom through the covenant of the League of Nations. They may fight their way through as they will, but when they come to fight their way through, if we go into it, Uncle Sam will stand there with his moral support, if not his military power, to see that they remain in subjection, if he lives up to the league.

Mr. POINDEXTER. I should like to suggest, if the Senator will pardon me, that notwithstanding the reservation that has been adopted which provides that we shall not assume that obligation unless Congress shall act, if this league is ratified with that article in the covenant, then the pressure of the league and its combined influence and the international forces back of it will be exerted upon Congress to require it to act in accordance with that article.

Mr. BORAH. Mr. President, if some friend of the league, mild, drastic, or unconditional, wants to test the principle upon which this league is built, let him offer a reservation here to the effect that the principle of self-determination is recognized at all times, and that when one-third of the people of any territory signify their desire for independence and freedom the council of the League of Nations shall provide a manner by which they shall record their votes, and if a majority is in favor of it they shall have their freedom. Write it into this league if any man dares to; put the principles which were announced by your leader and accepted by the great mass of the people throughout the world into this league and it will tumble overnight. Put the principles upon which it was promised to be built in the form of a reservation, and have it adopted by the Senate, and neither Japan nor France nor England would accept it for a single moment. Write in here what we promised the world and then the hideous deformity of the present league will be plain to all. This is an autocracy. There is no democracy in the league. The voice of the people is excluded. The league is not a league of peoples, but a league of diplomats and imperialists.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Oklahoma?

Mr. BORAH. I yield.

Mr. OWEN. I remind the Senator that on various occasions I offered a reservation recognizing as a contract the letter of November, 1918, which preceded the armistice, and upon which the great nations agreed as a condition by which the German people were induced to lay down their arms. I think there ought to be a reservation recognizing that contract and that agreement, and I should support it. I do not recall, however, that the Senator supported it.

Mr. BORAH. The Senator is very much mistaken. I am sure if he will look up the RECORD he will find he is mistaken. And if he will offer it now the Senator from Idaho will support it. Mr. President, if you can build a League of Nations upon the principles announced by the President in his several speeches, including all the principles, it would command the support of many who now oppose it, and the opposition of many who now support it.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield.

Mr. POINDEXTER. As I understand the position of the Senator from Oklahoma he is very much opposed, as is shown by his reservation in regard to Egypt, to the provision of the peace treaty in regard to Egypt.

Mr. OWEN. Mr. President, the Senator's reservation shows no opposition. This reservation is merely an interpretation of what is meant by the representations made to us at the time the treaty was entered into.

Mr. POINDEXTER. But the Senator showed, by offering the reservation, that he believes an interpretation is necessary, and consequently that he is not satisfied with the peace treaty as it stands at present, in so far as it affects Egypt.

Mr. OWEN. In order clearly to limit our liability.

Mr. POINDEXTER. Yes; and yet, as I understand, notwithstanding all that the Senator has said about Egypt and all that he has said about the injustice that will be done to Egypt by the adoption of this peace treaty without his reservation, he expects to support it and has lent his influence here in behalf of it.

Mr. OWEN. Undoubtedly, I shall support the ratification of the peace treaty. I desire the world to have its peace, and the people of the United States to have their peace. I accept the greater advantage of the treaty rather than defeat the treaty and sacrifice the larger for the smaller. I will not vote against the peace treaty merely because I do not approve some of the reservations. I will not vote to leave the war measures still in force.

Mr. BORAH. How is the world going to have its peace? By force; by repression; by dominancy. Now, I want peace. I have always been an advocate, in my humble way, of peace; but there is something which, to my mind, is infinitely greater and more vital than peace, and that is liberty and justice to all people. I would have the utmost contempt for a people who would not place those things ahead of peace. Yes; we will have peace. We will have peace in Egypt, because the dominancy of the English Government will make peace.

We will have peace in India, because they will do as they did a few months ago, when those men arose and asked for the principle of self-determination. They will shoot them down—men, women, and children—and kill as many at one time in India as Germany killed altogether in Belgium, outside of the actual battles fought.

We will have peace, undoubtedly, in Syria, where France is in control, because France is now using her power for the purpose of repressing those people.

Undoubtedly, if the military power of these five great nations holds out, and is strong enough, and the people in the several countries do not rebel against the power, we will have peace, because the military power will make peace. They will do it as the Turk leader once said that he would settle the Armenian question, by leaving no Armenians with whom to deal.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield.

Mr. POINDEXTER. I should like to suggest that we would have had peace—the entire world, in all likelihood, would have had peace, both actual peace and legal peace—more than a year ago, if it had not been for the avowed purpose of the President of the United States to delay peace until, by that delay, he was able to coerce the Senate of the United States into the adoption of the covenant of the League of Nations.

The delay of peace is due to the purpose of the President, carried out by his acts, of so weaving into the peace treaty the covenant of the League of Nations that you could not get peace without the adoption of the covenant of the League of Nations. So he delayed peace from the world for more than a year.

Mr. BORAH. Mr. President, I was speaking of that peace which is to come after the treaty is either ratified or rejected—that is to say, it is by reason of the combination of the five great powers and their military capacity to continue a state of peace.

I have spoken of the increased power of England and the subject peoples over whom she has extended her sway. Now, let us look for a moment at the situation with reference to France; and here let me say, Mr. President, that it is not my business, and certainly not my keen desire, to discuss either the affairs of Great Britain or of France or of Japan upon the Senate floor. If we are permitted to go our way, as we have gone for 150 years, during which time we have been building up our dominancy in civilization, and attend to our own business, the discussion of the English statesmen and the other great men of the world and of other peoples will cease on the floor of the Senate. I have been in the Senate for 12 years, and until the time when this proposition was submitted to us I have never heard any discussion upon the floor of the Senate which could be considered unfriendly to any nation.

In my judgment, when we are relieved from the task which is now imposed upon us, of adding our influence, both moral and material, to holding in subjection countless millions of people, we will cease to discuss their affairs. We will hold ourselves, as the distinguished leader of the party said in New York a few weeks ago, ready to throw our great influence upon the side of justice and upon the side of liberty whenever a particular crisis arises; but we will cease the discussion of other people's business here and turn to our own business. But when and so long as the American people are asked to enter into a covenant which imposes upon them the obligation of holding in subjection millions of people, it is not only the right and the privilege but it is the solemn duty of Senators to call the attention of the people to the facts as they exist. I will respect other peoples; I want the friendship of other peoples; but when I see a hideous scheme to oppress millions, I shall speak in such language that it will be easily understood. I would rather offend than through a false courtesy connive at a great wrong.

England, as I have said, has added these vast possessions to her power. France is now seeking to add possession to her power and bring people under her dominion in Syria. What right has she there? Perhaps a right which satisfies her, but she has no right in Syria which any American principle can recognize. She is there to-night fighting and men are dying because the Syrians want their independence. She is holding them in subjection by force of arms. And that becomes my business, especially in so far as she asks the United States to join in the enterprise. Then it is our business, and men may speak plainly. When wrongs are being perpetrated and weak peoples oppressed I shall not be misled into silence for fear some overwrought and sensitive soul may think I am offensive toward the oppressing nation.

What is the condition of the Koreans and of other subject people covered by this reservation? They are under the domination of Japan. When those Koreans took their way to Versailles they presented the most pathetic petition that it has ever been my misfortune to read to those men gathered there for the purpose of initiating a new era and establishing a new civilization. The moment it was presented Japan, sitting as a member of the council, signified her desire, and they were refused even a hearing. They went back, and those 20,000,000 people are now under the iron heel of Japan. We are asked to join a covenant and a league which will throw our moral influence, if not our military power, on the side of the oppressor and against the oppressed.

Therefore, Mr. President, these are not things where we can be charged with interfering with other peoples' concerns. If the Senators think it is improper to discuss these things here, let them vote with some of us to end this proposition and debate upon these questions will cease. But do not mislead yourself for a moment. The debate upon these questions will not cease in the United States Senate, it will not cease before the people of the United States, so long as this Government is a copartner in the enterprise of holding them in subjection. Just so long as that task is imposed upon us it will be a living and a burning issue in the United States.

Therefore, Mr. President, while I would prefer to see these reservations separated, while I would prefer to see this Egyptian amendment adopted and the others offered separately, I shall support any proposition which has even a color of the principle of self-determination or which seems to offer the smallest assistance to any people who are seeking freedom and striving for their God-given rights.

Mr. WALSH of Massachusetts. Mr. President, the presentation of these motions for reservations in favor of the aspirations of subject peoples before the ratification of the covenant of the League of Nations suggests an inquiry into the reason why these questions are now before us. An opportunity is now offered to consider the general question of how, if at all, the claims and rights of the subject races of the world were considered at the peace conference, and what steps, if any, were taken to promote the peace of the world by preventing the necessity of war between nations and races to relieve injustices, persecutions, and oppression. Such a discussion will enable us to better understand that as long as the League of Nations as set up in this treaty functions similar motions and similar efforts by the friends of subject peoples will be made again and again for the purpose of getting the United States Senate to express its approval of the rights of people struggling for self-government, and also for the purpose of having the American Government advise its representative in the league on these questions.

The Senator from Idaho [Mr. BORAH] has given expression to the thought that these reservations suggest to my mind, namely, that after many months of agitation and discussion of this question in the United States Senate our people have come to the conclusion that there is absolutely no machinery set up in the League of Nations to adjudicate the claims of subject peoples seeking independence. Indeed, we now know more than this; we know that such provisions were deliberately eliminated. This lamentable fact is now established beyond controversy.

Any attempt to establish world peace which fails to recognize certain fundamental principles inherent and inalienable to subject peoples and the denial of which has so frequently been the cause of war can not be considered an honest effort to establish permanent peace in the world, and such an attempt is doomed to certain failure. It is rank hypocrisy to seek the establishment of world peace through a league of the nations of the world without clearly stating and definitely providing for the elimination of every violation among nations and races of the fundamental conceptions of justice; without removing the opportunity to wrong the weak and rob the unfortunate; without providing the means of attaining the legitimate and natural aspirations of every people; without ample provision for the termination of the oppression of one nation or race by another; without the recognition of the fact that the one evil among nations which invariably leads to war in one form or another is the continuation of a state of selfdom and the oppression of one race by another.

To insure peace by the surrender of the principles of honest dealing and common justice between nations large and small and races enlightened and backward is a hopeless task. If crimes of oppression are to continue in the world let us at least prevent them from being justified in the name of peace and protected by a League of Nations.

How important it is in any movement for world peace to provide the methods for hearing and adjudicating by the application of the principles of justice and of liberty, without the necessity of resorting to war, the rights of the peoples and small nations capable of self-government to set up governments of their own choice, may best be appreciated by reference to a few statistics. There are 900,000,000 of subject peoples dominated by the five great powers of the world. These 900,000,000 of subject peoples are controlled, dominated, and governed by 300,000,000 people. Do we believe or do we intend that all these peoples are forever to remain stupid and ignorant of their inalienable rights?

Not only did the great powers of Europe through their representatives at the peace conference refuse to hear the delegations that went to Versailles for the purpose of having the principles embodied in the "14 points" of President Wilson and accepted by the Allies applied to their causes, but indeed they took steps to provide a further and stronger hold upon the subject peoples they already dominated. They also actually added to their control millions who had not been up to that time under their subjection, and they brought under their control and domination additional millions of square miles of the earth's territory. One nation alone, Great Britain, increased its possessions by adding to its territory an area larger than the whole of the United States. It would appear that this peace conference, which we had every reason to believe was to represent a new order in international diplomacy, reiterated the doctrine that the participation in the settlement of national disputes involves the privilege if not the right to slice off for one's own benefit and purposes a portion of the territory of distressed or weaker nations.

I now challenge—for surely after all this debate we have reached some definite conclusion—any Senator upon this floor to point out any section or article of the league covenant which gives any opportunity for subject peoples to obtain a hearing and have their claims for independence determined. I wait for an answer. [Pause.]

Again I challenge any Senator to show me any provision in this league covenant which gives an oppressed people any practical assurance of justice, even if a hearing is granted, in the

strange and improbable event that the oppressing nation should consent to a hearing concerning charges against itself. [Pause.]

Mr. President, we are dealing here with a movement for world peace. Let us see how peace is to be secured when subject people assert their right to independence. There are two methods by which such people can obtain independence. First, by war. But that is old-fashioned. We are to have no more wars. The dawn of eternal peace has come. Subject peoples must never again mention the word "war." But where are the principles of international justice and the impartial tribunals representing the great nations of the earth that are to remove all causes of war? The second method is by peaceful agitation, by organization, by plebiscites, by elections, and by the majority giving notice to the world and to their supergovernments that independence is desired.

If wars are to end, if we are to have no more bloodshed, in God's name why have not the subject peoples of the world been given an opportunity through the league to express their desires and present their reasons for self-government? Mr. President, what have we actually done by the terms of this covenant? The league has closed the door upon them and, most lamentable of all, the world peace promoters at Versailles have by their actions said to these enslaved peoples seeking their political emancipation, "The only way hereafter that you can get your liberty and independence is by war"—and yet one of the chief objects for which the American soldiers so gallantly fought was to end wars. Let us see what is the exact situation in which subject peoples are left by this covenant.

There is, first of all, no provision whatever in the league covenant permitting any subject race to ever petition or of its own volition ask for or obtain a hearing. Mark that. There is no way by which a subject race can ever enter the office of the council or assembly of this league and file in its own name a petition for redress.

The only way, therefore, the case of a subject people can be introduced is by obtaining some member of the league to present its case, if, indeed, it is possible even then to get a hearing. In what will this result? It will result in just what is taking place in the Senate this afternoon. It means that petitions and memorials and resolutions will be filed here asking the United States to take the initiative in espousing the causes of subject peoples by presenting their cases to the council or assembly of the league, as long as the league exists. It means that there will be brought into this Chamber for discussion and for judgment the case of every subject people. It means that the friends of Egypt and the friends of Korea and the friends of Ireland and the friends of the Chinese in Shantung and the friends of the Lithuanians and the friends of the Moroccans and the friends of other subject races will at every session of the United States Senate plead with us to instruct or request our representatives in the league council to champion their cause and seek, if possible, to obtain a hearing for them.

Suppose the United States has taken up the cause of a subject people and its representatives have asked the league council, rather than permit another war between a subject people and their supergovernment, to hear their case. What is the next step? In the first place, for the council to take jurisdiction of the case, unanimous consent is required. Imagine the United States asking the council to take up, for example, the case of Egypt. What do you think Great Britain would say? "I object," and her objection, under the rule requiring unanimous consent, ends the question, and it is removed from deliberation.

Suppose that Great Britain or any other country does not object. Let us see what is the next step. A hearing is held and the question is debated, and the time comes for a vote and the passing of judgment upon the issue by the members of the council. Unanimous consent again is required, and the one interested nation or any friend of that nation can raise its objection and end as far as assistance through the league is concerned the hopes of the aggrieved people for aid or a favorable decision.

But unanimous consent will not even give them a hearing, for the covenant specifically eliminates domestic questions from its jurisdiction, and the league intentionally and deliberately excluded thereby the cases of subject peoples.

Mr. President, the absence of machinery in the covenant to take care of these cases is a rejection of every international principle and ideal for which America has stood in the 140 years of her existence, for she has been the friend, the sympathizer, and the supporter of every subject race of people worthy of self-government seeking to obtain a government of its own choice and of its own kind. It is a betrayal of our protestations solemnly made during the war.

Why are the friends of Egypt, Ireland, and Korea here? Why have they been seeking through all these recent months for America's recognition of their right to self-determination? It is because America, through the inspiring words of her Chief Executive, stirred to hope—yes, stirred to action—every subject race and its sympathizers throughout the world.

We now know, we now understand, after this long discussion, just what was in the minds of the men who originated and framed the language of this covenant. We know that the President of the United States sought to establish a method of hearing these claims. I am not one of those who condemn him because he failed. I am not, however, going to accept without a protest his failure to secure this fundamental necessity to promote peace. But what I do object to is that any public official or any other American should say that the machinery for the purpose is in this league when as a matter of absolute frankness it is not.

The original article 10 which President Wilson presented to the conference at Paris, and which was rejected, contained the principle which would advance and assist in settling and adjudicating the cases of subject people seeking independence.

Article 11, it is true, would appear at first glance to provide for a hearing. It provides that a member of the league may bring to the attention of the council—

> Any circumstance whatever affecting international relations which threatens to disturb the peace of the world.

But may not this mean that when subject peoples seek to stir up sympathy or obtain assistance in another quarter of the world the league may act? Under article 15 all domestic questions are eliminated from consideration by the league and, of course, all questions relating to the attitude of the supergovernment toward a subject people are domestic questions. The league, therefore, may act when subject people seek outside aid, but the cause itself of the subject people is not justiciable, because it is a domestic question.

I desire to emphasize what we now know happened at that peace conference in the consideration of the principle of self-determination and in making it possible for subject peoples to obtain their freedom without going to war.

A partial survey of the world was taken to carry out this principle, but it was confined solely to the territory of the Central Powers. The attitude of our allies was this: These principles and these doctrines relating to the rights of small nations are good to apply to our enemies, but we do not purpose to apply them to ourselves.

We are asked to approve of a covenant which has applied this principle in part to the enemies of the Allies, and which, instead of leaving the door open for future settlement of the issue between subject peoples and their supergovernments, has actually, and, I believe, deliberately, set up article 10 as a barrier by asking us to sanction and approve existing political arrangements and guarantee existing territorial integrity. Without an honest and complete resurvey of all the world, the attempt to establish a status quo is undemocratic and amounts to nothing short of an imperialistic alliance.

Let me ask any Senator if he is certain that, after the league is adopted, if the friends of Egypt appear in this country to start a movement to arouse this country to sympathize with or assist the Egyptians in getting their independence—is he sure that under article 11 it would not be considered a movement which may result in threatening the peace of the world, and that the council may not take jurisdiction and instruct the United States of America—because what in Egypt is a domestic question has become in America an international question likely to affect the peace of the world—that it must exile the agitators and suppress the agitation in America for the independence of Egypt?

I should like to know if, under article 11, it is not possible for the council to ask the suppression of any newspaper that is hereafter published in America which asks for money or for support or for help for a subject people who are striving for their liberty or their independence? I should like to know if, under article 11, the council could not take jurisdiction of the presence in this country of representatives of the Egyptians or the Irish or the Korean peoples raising funds and arousing their friends here to indignation against their treatment by the supergovernment, and whether, under article 11, the council can not instruct the United States of America that the movement may result in war or disturb the friendly relationship between members of the league and therefore should be discontinued?

One of the worst features of the covenant is that under articles 10 and 11 we may be compelled to close our doors to these subject peoples; we may be asked to abandon our sympathy for them. After the delegates at the peace conference resurveyed the part of the world which their enemies occupied, they proceeded to close the door and to ask us, the United States of America, to join with them in preserving and protecting against external

aggression not only the new boundaries set up in the treaty but all the previously existing boundaries and the political relations of nations, no matter how unjustly these boundaries were obtained or how tyrannical the supergovernment.

Talk about compromising on article 10! There can be no compromise. The obligation stated there is direct and specific. Will we accept it? Are we ready and willing to preserve the territorial integrity and present political arrangements of other nations against exterior aggression? I, for one, do not propose to support any reservation that does not clearly and plainly relieve us from this obligation. I am unwilling to have the United States, through article 10, execute a perpetual mortgage upon the resources and lives of our people. Article 10 makes this league a status quo league. Article 10 undertakes to maintain the present conditions of the world, with all its injustices to little nations, by force of arms. Article 10 sounds the death knell for little nations now in bondage so far as the league has potence. Article 10 makes the United States a partner of the nations of the world engaged in the oppression of weaker peoples. Article 10 unites us directly and commits us unequivocally to the work of holding down by force subject people everywhere who are trying to obtain liberty. The moment subject races appear in America or in any other country and ask for aid and support that moment it is likely to be claimed that external aggression has begun and that the obligation of article 10 becomes effective.

Mr. SMITH of Georgia. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. WALSH of Massachusetts. Certainly.

Mr. SMITH of Georgia. The Senator from Massachusetts, of course, recalls the provision attached to article 10 in the President's original draft which required the recognition of subject peoples and the right of self-determination? Was not the heart cut out of article 10 when the conference eliminated that provision of the President's proposal leaving nothing but the iron and the steel?

Mr. WALSH of Massachusetts. Certainly. I have already said that the draft of article 10 which was presented by President Wilson left the door open, provided the machinery, and set up the principle for the settlement of disputes between subject peoples and their supergovernments. The draft which was presented by the President, as I pointed out in my speech of last October, contained language to the effect that "the peace of the world is superior in importance to any question whatever of political jurisdiction or boundary." This was a part of the language which provided for the application of the principle of self-determination. This was one of the phrases that would have prevented a status quo. Why was that language stricken out? It was omitted because the imperialistic powers—Great Britain, France, Japan, and Italy—refused to subscribe to this principle.

Mr. President, I have already said more than I intended, and I have not commented upon the pending reservation or any of the others proposed. In view of our public declarations, in view of the fact that this league, without article 10 eliminated, ends forever the hope of subject races for freedom, there will be motions like those now pending in this Chamber continually made asking this Government to intercede. These questions will be in every election; there will be the Irish issue, the Egyptian issue, the Shantung and the Korean issues. We shall meet them at every turn, because here is the tribunal—not the League of Nations—where the first step must be taken, if, indeed, any effective step can be taken, to present the case of subject peoples to the League of Nations.

Mr. President, I repeat, this league covenant closes the door and denies hearings to subject peoples in such an unmistakable way that this issue and the claims of every subject race will be constantly before the American people to pass upon their merits or demerits. I regret that the reservation before us is presented in such a way that there is not a clear opportunity to go on record for the principle underlying it. If I know anything about America and the spirit of the American people, the Nation is in sympathy with the aspirations of every people capable of self-government seeking to set up governments of their own selection. As I understand the spirit of America, it wishes every people to have the same opportunity and to get the same support and help that the founders of this Republic received in 1776, when they sought their independence.

The sentiment of America is in favor of the aspirations of the Irish, the Egyptians, of every people who are capable of governing themselves. America especially has reason to be interested in the one English-speaking race in the world held in subjection—the one English-speaking race in the world asking for liberty—the Irish race. Of course, the American people sympathize with the aspirations of this race and of every other race in a like situation, and I believe this Senate does also, regardless of what may be its action upon the pending amendment, which involves a question of expediency and procedure as well as one of principle. I am certain that the Senate believes in the principle.

Mr. President, one of the greatest lessons of history is that which shows how many wars have resulted from the efforts of various races of men to rid themselves of the domination of their affairs, political, commercial, and religious, by another people. We now see how this lesson of history was forgotten at Versailles. The failure of the peace conference to correct this evil and make future provision to remove as much as possible the jealousies and contentions existing between different races caused by the attempt of men of one race to govern other races against their will has brought bitter disappointment to the thoughtful people everywhere who entertained the hope that the peace conference would take at least preliminary steps to solve this problem.

How could the drafters of this covenant expect to further their great object of world peace without establishing the foundations of permanent peace by making ample provision for securing and maintaining complete political freedom throughout the world?

Mr. President, is not history a story of progress and advancement of the races of men? God Almighty has never yet produced a generation of men who could represent the perfection of progress and advancement. The assumption that we have reached the pinnacle of civilization and that there are to be no more evolutions of governments or changes in the political or intellectual status of races is absurd. The absence of methods in the league covenant to bring these changes about in an orderly manner, or in any way other than by war, is certain to make this league a failure. We do not know history if we think that even those among these millions who are now ignorant and illiterate are always to remain indifferent or subservient.

This is the most melancholy situation resulting from the war; the most heartless and unjust, and therefore the most certain to react with terrible consequences hereafter. A league that will perpetuate wrong and will not insure justice is tyrannous and unnatural. The spirit of the age is against it. The provisions by which it proposes to curb the aspirations of subject races for liberty are unenforcible. Unless they are abandoned the league itself must soon perish, and the world will be fortunate indeed if its end does not come in a world conflict as bloody and disastrous as that which led to its beginning.

Mr. REED. I present two reservations, which I ask to have printed and lie on the table to be called up hereafter.

The PRESIDENT pro tempore. It will be so ordered.

Mr. LENROOT. I send to the desk a proposed reservation to the pending treaty, which I ask may be printed and lie on the table.

The PRESIDENT pro tempore. It will be so ordered.

HOUSE BILLS REFERRED.

As in legislative session,

H. R. 8062. An act to extend the permit privilege to include first-class mail was read twice by its title and referred to the Committee on Post Offices and Post Roads.

H. R. 11769. An act to amend an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917, was read twice by its title and referred to the Committee on Pacific Islands and Porto Rico and the Virgin Islands.

H. R. 12537. An act to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley in California was read twice by its title and referred to the Committee on Irrigation and Reclamation of Arid Lands.

H. R. 12954. An act providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food was read twice by its title and referred to the Committee on Foreign Relations.

Mr. SMOOT. Did I understand that the House bill providing relief of populations in Europe, and so forth, was referred to the Committee on Foreign Relations?

The PRESIDENT pro tempore. The Chair observed that it was so noted upon the bill, and referred it accordingly. The Chair is not sure, however, as to the proper reference.

Mr. SMOOT. I will simply say that in the other House the bill was considered by the Committee on Ways and Means, but if the Senator from Massachusetts [Mr. LODGE] desires that it shall go to the Foreign Relations Committee, I have no objection.

Mr. LODGE. The bill was reported in the other House by the Committee on Ways and Means, but I can assure the Senator from Utah that I am only too glad to have the Committee on

Finance take jurisdiction of it in the Senate. The Foreign Relations Committee has no desire to have anything referred to it which is not necessary.

The PRESIDENT pro tempore. Without objection, the reference will be changed, and the bill will be referred to the Committee on Finance.

SHIPMENTS OF COAL.

Mr. FRELINGHUYSEN. Mr. President, there is an important question which at the present time should engage the attention of the Senate, and that is the question of the diversion of coal by the authorities here in Washington. Certain legislation has been prepared by the subcommittee of the Interstate Commerce Committee to correct the present conditions. I intend to introduce to-morrow certain bills with reference to the matter, and I should like to have the opportunity to make a brief statement when those bills are presented. Otherwise, I will make the statement to-night.

Mr. LODGE. Will it be equally agreeable to the Senator from New Jersey to make the statement in the morning?

Mr. FRELINGHUYSEN. I shall be very glad to postpone the statement until to-morrow. I yield to the Senator from Massachusetts, who has risen to move a recess.

RECESS.

Mr. LODGE. The Senator from New Jersey yields to me for the purpose of making the motion which I rose to make, he, of course, retaining the floor to-morrow morning. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, March 17, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 16, 1920.*

The House met at 11 o'clock a. m., and was called to order by the Speaker pro tempore (Mr. WALSH).

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, impress upon our minds the fact that creeds, though founded upon supposed truth, are but stepping-stones toward the higher, nobler life; that dogmas are at best but guesses. The Master taught emphatically the immortality of the soul, but he taught little, if anything, about the nature of the life beyond the grave. The emphasis of his precepts was laid upon the life that now is. We are to live to-day that we may be the better prepared for the morrow; this year, that we may be the better prepared for the coming year. Think right, live right, keep to the right, trust in God, and fear no evil. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. DYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a letter from the Secretary of Commerce, which he has asked me to do. It is with reference to a matter that we discussed the other day in connection with the foreign trade.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by inserting a letter from the Secretary of Commerce relative to the foreign trade. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, is that the matter in connection with the bill that the Committee on the Judiciary is considering?

Mr. DYER. It is. I will say to the gentleman from Ohio that the Secretary of Commerce says he was in some respects misquoted as to the letter that he had written. I desire that his letter may go in in order that the mistake may be corrected.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Following is the letter referred to:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, March 11, 1920.

Hon. L. C. DYER,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: My attention has been called to your speech on page 4285 of the CONGRESSIONAL RECORD, 1920, in favor of adopting H. R. 7204. You insert in the RECORD my memorandum of January 27, 1920, but, unfortunately, you omit the heading of this memorandum, which states distinctly that it does not refer to H. R. 7204, but refers specifically to H. R. 5704. The memorandum as incorporated in the hearings on H. R. 7204, page 23, is complete with the title, "Incorporations of Certain Companies Engaged in Foreign Trade—H. R. 5704."

The extension of your remarks in the CONGRESSIONAL RECORD would appear to defeat the very purpose of the testimony which was offered by this department, namely, to make clear that the department is behind H. R. 5704, which provides that 51 per cent of the capital stock of these companies should be held by American citizens, and that it is not in favor of H. R. 7204, which provides that 51 per cent of the voting stock only should be held by American citizens.

It would be appreciated if you would give this correction the same publicity which you have given the original error.

Very truly, yours,

J. W. ALEXANDER,
Secretary of Commerce.

RESIGNATIONS OF OFFICERS IN THE NAVY AND ARMY.

Mr. OLNEY rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Massachusetts rise?

Mr. OLNEY. To ask unanimous consent to address the House for two minutes.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. OLNEY. In part of my time I will ask the Clerk to read the following headlines from the Washington Post.

The SPEAKER pro tempore. Without objection, the Clerk will read as indicated.

The Clerk read as follows:

Navy is facing ruin—Failure of House to act on pay bill causes disintegration—Resignations by wholesale—Only two or three men aboard some of the best destroyers—Commanding officers declare that they are afraid to fire a gun, not knowing what may happen to gear or to raw crews. Economy policy of lower body criticized by the Senate. (By Robert T. Small.)

Mr. OLNEY. I would respectfully bring to the attention of the steering committee the demoralized state of the Army and Navy on account of the fact that neither House has taken any action upon the proposed Wadsworth-Crago pay bill. As I understand now, the Committee on Naval Affairs has taken up the proposition of increases in pay for enlisted men and officers of the Navy, Army, Marine Corps, and Health Service. I understand that in conference it has adopted the Wadsworth bill. I would respectfully urge the steering committee, including the gentleman from Wyoming [Mr. MONDELL], the gentleman from Ohio [Mr. FESS], and others, that speedy action be taken in the near future so that private industry will not from time to time reach out and take from the Army and Navy our best officers, who are resigning daily on account of insufficient salaries.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent to address the House for five minutes. Is there objection?

Mr. GARD. Reserving the right to object, is it in reply to the gentleman from Massachusetts [Mr. OLNEY]?

Mr. MONDELL. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, it is a regrettable fact that great newspapers sometimes lend their columns to the most exaggerated statements, to misleading statements of the facts in regard to public matters. The article in the Washington Post this morning, the headlines of which have been quoted, is not written, I regret to say, with full and accurate knowledge of the facts, and that it is exaggerated in its statements and its tone is indicated by the headlines which have just been read.

The Navy is not disintegrating; it is not facing ruin; it is not going to pieces. All is not lost but honor, notwithstanding this article in the Post. There have not even been resignations by the wholesale, though we have often been told there would be.

Now the situation is this: The House was of the opinion—the House committee and House Members generally who took an interest in the matter—that there was a situation in the Navy that demanded an increase of pay of the warrant and petty officers, of the noncommissioned officers of the Navy. That necessity largely grew out of the fact that those men are highly trained men—mechanics, electricians, and machinists—who can at this time secure employment at high rates of pay in the industries. It seemed, from the testimony of the responsible officials of the Navy, to be necessary to increase the pay of those men in order to keep things going properly in the Navy.

There are many in the House, and I think some in the Senate, who do not believe that just at this time we can increase the pay of all of the officers of the Army and Navy and the Coast Guard and the Public Health Service. Increases of that kind,

carried to their logical conclusion, affecting not only the military branches but the civil branches, involve expenditures of possibly several hundred million dollars per annum. It is a pretty serious question just at this time. We all realize that if the pay of the officers of the Army and Navy was not excessive before the war, it is possibly not adequate at this time, or not as much as these gentlemen ought to get. But the country is full of people who are not now receiving pay, compensation, or income much, if any, in excess of what they received before the war, or at least not in proportion to the increase in the cost of living.

I think that it can be conservatively and truthfully said that two-thirds of the American people are not receiving compensation in excess of that they received before the war in proportion to the increased cost of living. Many are receiving no more than they did before the war. None of the civil employees of the Government whose salaries are above $2,500 have had any increase. A very great many of our people have found it necessary to economize. It would be a very good thing if more would do so. The officers of the Army and Navy, of the Regular Establishment, many of them—most of them, in fact—received more pay during the war than they received before the war because of their increased rank and additional allowances and because of their overseas pay. They have certainly had no real ground of complaint on that score until possibly recently when with demotion their pay may have been decreased.

I think that it is not unreasonable to suggest that the officers of the Army and Navy, secure in their positions, are about the only people under the American flag that know that they will never suffer want whatever happens. I do not think it is unreasonable to suggest to them that they wait a bit, that they be somewhat patient, that they economize also with the great majority of their fellow countrymen until we know where we stand in the matter of revenue, what the state of the Treasury is, and how the national balance sheet is to stand.

Now, those who may be somewhat responsible for the fact there have not been increases in pay all along the line have not only been willing but anxious that the pay of the warrant and the petty officers of the Navy be increased.

The only reason why their pay has not been increased is that the commissioned officers of the Army and Navy, many of them receiving pay running high into the thousands, seem to be insisting that the pay of these petty officers shall not be increased unless their pay is increased; at least that is the attitude of those who plead their cause. It is the attitude of these men—at least of those who urge on their behalf—that makes it difficult to increase the pay of the petty and warrant officers of the Navy. If there could be an understanding that the pay of these petty and warrant officers, the men who are essential to the running of the ships, could be increased without increases all along the line, running into the hundreds of millions of dollars, the matter could be easily settled. But when gentlemen insist that the pay of men as high in rank as colonels, brigadier generals, and admirals shall be increased before or at the same time the pay of the petty officers is increased, so long as gentlemen insist on that, there is some difficulty in having the matter adjusted.

Mr. CRAGO. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. CRAGO. I know the gentleman does not want to make a misstatement along that line. There is no bill which I know of that provides for the increase of the pay of an admiral or a brigadier general.

Mr. MONDELL. It is true that some of the first bills introduced provided for increased pay for officers of as high rank as admiral and colonel. I think even brigadier general. It is true that the bills were finally amended so that they did not apply to the higher ranks, but the demands were just as insistent on the part of generals and admirals as it is on the part of the officers of lower rank.

Mr. CRAGO. Let me say to the gentleman that that is not my experience. The generals and admirals have said "we are not asking for any increase for ourselves; we are willing to get along, but we do ask for an increase of pay for the lower officers and the noncommissioned officers."

Mr. MONDELL. If these gentlemen and their friends will let it be known that they are willing to have the pay of the skilled mechanics, the noncommissioned officers, the workers in the Navy increased whether their pay is increased at the same time or not, the thing can, I think, be accomplished in a very short time.

Mr. Speaker, I do not desire to be placed in the attitude of criticizing the officers of the Army and Navy for desiring more pay or calling attention to the fact that when they are demoted and returned to their prewar status their pay will be no greater than it was before the war.

These gentlemen have a perfect right to do that, and, furthermore, I sympathize with anyone who is having a hard time to get along, who is having to economize. Some of us do not have to listen to the experience of others in order to realize embarrassments of that kind. I do think, however, that one can say without being unfair and without exaggerating that there has been a rather extraordinary, almost unseemly, insistence on the part of some.

Most of the officers of the Regular Establishment of the Army, by reason of their increased rank, overseas pay, extra allowance for quarters, received compensation during the war considerably, and in many cases very largely, in excess of their prewar compensation. Many of these officers have retained this temporary rank and pay until very recently; some are still receiving it. To a lesser extent, perhaps, that has been the condition in the Navy. I suppose people easily acquire the habit of living up to their increased income and no doubt it is difficult to readjust one's self to a former standard.

I do not know just how many men and women there are employed in the civilian branches of the Government who receive more than $2,500, which I believe is about the average second lieutenant's pay and allowances, but I do know that none of these people have received a penny of compensation more than they received before the war. I do not think we can well increase the pay of men in the military branches of the Government receiving as high as $5,000 or $6,000 a year, besides their allowances, without doing something for those in the civilian branches, and I do not pretend to say that there are not strong arguments for doing something for all of them. My contention is that until we know whether we are going to be able to effect very considerable economies, whether or no we are going to be able to keep the expenditures of the Government within the revenues this year, we can not increase salaries and compensation, except where it is absolutely essential in order to keep the Government's business going.

There has been a great deal said about resignations from the Army and Navy. There are always an unusual number of separations from a military establishment at the close of a war of any considerable magnitude, followed by favorable industrial conditions. First, because the war experience in itself inclines some men to leave the service. Second, and more important, in time of industrial expansion and development after a war there is always a demand for men who have proven themselves men of special capacity and ability, and particularly men of experience in handling big jobs and in handling men in large numbers. Large industries have been seeking new men and very naturally they have gone into the military services and have offered compensation to picked men largely in excess of the ordinary compensation of a man in the Military Establishment.

The probability is, however, that there has been a very great deal of exaggeration in this matter of separations from the service. We are now considering the Army reorganization bill, and during its consideration in committee and since there has been much pressure in favor of so framing the measure as to make it possible to retain in the service a very great proportion of the officers now in the service. The same situation exists as regards the Navy. There has been very great insistence that we shall have a commissioned personnel in the Navy large enough to take care of practically all of the officers now in the service. I am not insisting that this number is too large. Some may note the coincidence that the number proposed is approximately sufficient to take care of the present personnel.

From present appearances it will be impossible to keep the appropriations for the Army, Navy, and the Marine Corps below $800,000,000. It is true that that is only about half of the total estimates for these services as presented in the Book of Estimates, but it is eight-tenths of the total sum required to operate all branches of the Government immediately prior to the Great War. We can not now promise that it will be possible to keep appropriations for these purposes as low as $800,000,000, but if we do it will not include anything for increased pay for the commissioned personnel.

If the increases that have been insisted upon are granted, they would increase the total nearly $100,000,000. In connection with this insistence for a higher pay we have heard one time and another suggestions that if the pay were increased we might reduce the numbers, but I do not notice any disposition to do this. On the contrary, in the departments and in the services, there is an insistence, as I have already stated, for a commissioned personnel large enough to supply a place for about all of the men now holding commissions in the services.

May I again suggest that there would be no difficulty whatever in promptly providing some increase in pay for the petty

and warrant officers of the Navy if gentlemen are willing to have that done without insisting upon readjusting the pay of the commissioned officers at this time. If the arguments in favor of the increase of the pay of the officers are as sound and conclusive as they are claimed to be, they will lose nothing of their force by delaying consideration of the matter until we can have an opportunity to survey the whole field, to judge of the probability of some reduction in living costs, and to become informed as to the future conditions and prospects of the National Treasury.

The SPEAKER pro tempore. The time of the gentleman from Wyoming has expired.

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent to speak for two minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MANN of Illinois. Mr. Speaker, I have heard so many times in the House that it was impossible to keep mechanics in the Navy, because they could get so much higher pay outside, that I was a little surprised when recently a case came under my notice of a young man who enlisted in the Navy from my district for the purpose of being a mechanic. He was placed on board one of the ships now in the Pacific. He was given the work of an ordinary deckhand. When he asked why he was not permitted to do a mechanic's work he was told that they had too many mechancs and had no use for him as a mechanic at all, whereupon, I am sorry to say, he deserted.

Mr. MONDELL. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. MONDELL. I have not been altogether persuaded that it was necessary to increase the pay of the petty officers, but the Secretary of the Navy insisted on it, and the pressure has been so great that I have been rather of the opinion that possibly it was necessary to be done.

Mr. MANN of Illinois. I am not expressing any opinion about that, but in view of the fact that I had heard so often that they could not keep mechanics in the Navy on account of the pay that I wondered why they had so many that they could not put this man to work.

Mr. MADDEN. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. MADDEN. I know of a case where a man went into the Army because he wanted to give the Army the benefit of his experience as an electrical engineer. They put him to work washing dishes and did not give him anything else to do. How can they expect to have a man of merit, a man of experience and knowledge, if they do not utilize that experience and knowledge when they get the man?

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Mr. FESS. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution which I send to the desk.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent for the immediate consideration of the resolution which the Clerk will report.

The Clerk read as follows:

House resolution 495.

Resolved, That the Committee on Education is hereby authorized to investigate the Federal Board for Vocational Education, to send for persons and papers, to administer oaths, and to sit during sessions of the House.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, what does the gentleman from Ohio want to do this thing for?

Mr. FESS. The New York Evening Post printed six articles, written by a Mr. Littledale, charging the Federal Board of Vocational Education with lax administration and several other things. The board have made a request that the charges be investigated.

Mr. CLARK of Missouri. Who made the request?

Mr. FESS. A member of the Federal Board for Vocational Education. The Committee on Education took up the matter and decided that an investigation ought to be made by the authority of the House. This man Littledale was brought before the committee and submitted 26 charges, some of them rather serious, others not important, and he has submitted a list of names that he asks the committee to summon. We can not order that unless we have the authority to issue subpœnas and to administer oaths. I think it is really due to the service that the investigation be made.

Mr. SNELL. You want sufficient time to go into this matter carefully and consider it?

Mr. FESS. Yes; to give it consideration, so that we may know whether there is any foundation for the charges or not.

Mr. CLARK of Missouri. Does the gentleman know whether this Mr. Littledale is a citizen of the United States or a visiting brother?

Mr. FESS. The testimony would indicate that he is a visiting brother.

Mr. CLARK of Missouri. He is a citizen of Great Britain, is he not?

Mr. BRAND. This man was born in India and went from there to England. He has been over here about 14 years and has never become an American citizen by due course of law. He is still a British subject.

Mr. CLARK of Missouri. I want to ask the gentleman from Ohio a question. The gentleman is an old, seasoned statesman.

Mr. CALDWELL. Seasoned, but not old.

Mr. CLARK of Missouri. Yes. Does the gentleman think there ought to be an investigation entered into every time some fellow somewhere, foreigner or native citizen, suggests something wrong with something?

Mr. FESS. I do not, but if I were a member of the board I would want it investigated, and the board has written a letter to the Committee on Education requesting the investigation.

The SPEAKER pro tempore. Is there objection to the immediate consideration of the resolution?

Mr. GARD. Further reserving the right to object, the statement of the gentleman from Ohio does not indicate that he thinks many of the objections at all serious.

Mr. FESS I think a good many of them are not serious.

Mr. GARD. Before obtaining the authority of Congress to direct this investigation, would it not be proper to compel this man Littledale at least to make out a prima facie case by the submission of affidavits, and by his own proofs or other proofs? It seems to me that ought to be done before going into the extraordinary business of investigation.

Mr. FESS. Mr. Littledale was before the committee for two and a half hours. His testimony was taken. The committee feel that in justice to the board and the service we ought to call these witnesses that he has demanded that we summon.

Mr. GARD. He was there voluntarily, was he not?

Mr. FESS. Yes; upon my request. I made a request of the New York Evening Post to send this man down here to appear before the committee.

Mr. GARD. Do the witnesses whom he names refuse to come without a congressional summons?

Mr. FESS. We have not made that attempt. We wanted to do this thoroughly if we did it at all, and wanted to be able to bring witnesses here in case they declined to come.

Mr. GARD. I believe there are now something like 70 investigations going on in different branches of the House of Representatives.

Mr. FESS. I think this is the only case where the parties to be investigated are asking for the investigation.

Mr. MADDEN. They ought to be permitted to be investigated if they want to.

Mr. CALDWELL. Mr. Speaker, reserving the right to object, does this Britisher make oath to his statements?

Mr. FESS. No.

Mr. CALDWELL. Did he submit any documentary evidence in support of his charges?

Mr. FESS. Yes; but we could not administer oaths without authority of the House.

Mr. MONDELL. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The gentleman from Wyoming demands the regular order. The regular order is, Is there objection?

Mr. CALDWELL. If I can not get information on this subject I will have to object; but I was trying in my feeble way to get it.

Mr. MONDELL. The gentleman was not asking for information on the subject.

Mr. CALDWELL. I was asking for information on the subject, and I resent the challenge of my veracity by the gentleman from Wyoming. I do not know any reason why he should make any such statement.

The SPEAKER pro tempore. Is there objection?

Mr. CALDWELL. I object.

ARMY REORGANIZATION.

Mr. KAHN. Mr. Speaker, I move that the House now resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army reorganization bill.

Mr. CALDWELL. Mr. Speaker, a point of order. I make the point of order that there is no quorum present.

Mr. KAHN. Mr. Speaker, can I be taken off my feet?

The SPEAKER pro tempore. The Chair will state that the point of no quorum present is in order at any time. The gentleman from New York makes a point of order that there is no quorum present. Undoubtedly no quorum is present.

Mr. KAHN. I move a call of the House.

The SPEAKER pro tempore. The gentleman from California moves a call of the House.

The question being taken, on a division (demanded by Mr. CALDWELL) there were—ayes 47, noes 2.

Accordingly a call of the House was ordered.

The SPEAKER pro tempore. The Sergeant at Arms will notify absentees, the Doorkeeper will close the doors, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Edmonds	Lesher	Rucker
Anderson	Ellsworth	Lonergan	Sabath
Ayres	Fairfield	Longworth	Schall
Bacharach	Ferris	Lufkin	Scully
Baer	Fields	McAndrews	Sisson
Begg	Flood	McArthur	Slemp
Bell	Focht	McDuffie	Smith, Idaho
Bland, Ind.	Fuller, Mass.	McFadden	Smith, Ill.
Blanton	Gallivan	McKinley	Smith, Mich.
Booher	Goldfogle	McLane	Snyder
Brinson	Good	McLaughlin, Mich.	Steenerson
Britten	Goodall	Maher	Stephens, Miss.
Browning	Gould	Mann, S. C.	Stephens, Ohio
Brumbaugh	Graham, Pa.	Mapes	Stiness
Buchanan	Hamill	Mason	Strong, Pa.
Burke	Hamilton	Merritt	Sullivan
Burroughs	Hastings	Michener	Sumners, Tex.
Butler	Hayden	Montague	Sweet
Campbell, Kans.	Hays	Morin	Tague
Cannon	Heflin	Neely	Taylor, Colo.
Cantrill	Hernandez	Nichols, Mich.	Taylor, Tenn.
Carew	Hill	Nolan	Temple
Carss	Howard	O'Connell	Timberlake
Carter	Huddleston	O'Connor	Towner
Chindblom	Hudspeth	Oliver	Vaile
Christopherson	Husted	Osborne	Vare
Clark, Fla.	Ireland	Padgett	Venable
Costello	Johnson, S. Dak.	Paige	Voigt
Cramton	Johnston, N. Y.	Parker	Walters
Crowther	Keller	Pell	Ward
Cullen	Kelley, Mich.	Peters	Watkins
Curry, Calif.	Kelly, Pa.	Phelan	Webster
Darrow	Kennedy, Iowa	Platt	Welling
Davey	Kennedy, R. I.	Porter	Welty
Davis, Minn.	Kettner	Rainey, Ala.	Wilson, Ill.
Davis, Tenn.	King	Rainey, J. W.	Winslow
Denison	Knutson	Reed, N. Y.	Wood, Ind.
Dewalt	Kraus	Reed, W. Va.	Woods, Va.
Dooling	Kreider	Riddick	Zihlman
Doremus	Lampert	Riordan	
Dupré	Langley	Rose	
Eagan	Lea, Calif	Rowan	

The SPEAKER pro tempore. On this call 261 Members have answered to their names, a quorum.

Mr. KAHN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

QUESTION OF PERSONAL PRIVILEGE.

Mr. CALDWELL rose.

The SPEAKER pro tempore. For what purpose does the gentleman from New York rise?

Mr. CALDWELL. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman from New York will state his question of personal privilege.

Mr. CALDWELL. Mr. Speaker, in the House a short time ago I rose and made this statement:

If I can not get information on this subject, I will have to object; but I was trying in my feeble way to get it.

Whereupon the gentleman from Wyoming [Mr. MONDELL] said:

The gentleman was not asking for information on the subject.

He thus impugned my motives. I hand up the transcript of the proceedings to the Chair and ask for a ruling of the Chair upon a question of personal privilege.

The SPEAKER pro tempore. The Chair will state that the statement of the gentleman from Wyoming [Mr. MONDELL] to the effect that the gentleman was not asking for information on the subject, in the view of the Chair, is not an intentional misrepresentation of the statement made by the gentleman from New York [Mr. CALDWELL], and the impression of the Chair is that there is nothing in that statement impugning the gentleman's motives, but the Chair would gladly hear the gentleman from New York.

Mr. CALDWELL. Mr. Speaker, if the Chair will read the statement by the gentleman from New York [Mr. CALDWELL], wherein the gentleman from New York questioned the courtesy of the gentleman from Wyoming, and the failure of the gentleman from Wyoming to retract any statement or disclaim any idea of reflecting upon the gentleman from New York, the Chair will see the motive that was in the mind of the gentleman from Wyoming.

The SPEAKER pro tempore. The gentleman directs the attention of the Chair to what immediately follows?

Mr. CALDWELL. Yes.

The SPEAKER pro tempore. The language of which is:

Mr. CALDWELL. I was asking for information on the subject, and I resent the challenge of my veracity by the gentleman from Wyoming. I do not know any reason why he should make any such statement.

That is immediately followed by the Speaker asking—

Is there objection?

Mr. CALDWELL. Mr. Speaker, the gentleman from Wyoming [Mr. MONDELL] stood on the statement that he had made.

Mr. MANN of Illinois. Mr. Speaker, it is not a question of personal privilege in any case. If the gentleman from Wyoming [Mr. MONDELL] had impugned the motives or the statement of the gentleman from New York [Mr. CALDWELL], it would not have been a question of personal privilege. It would have been a case where the gentleman from New York might have asked that the words of the gentleman from Wyoming be taken down. Not having done that, it is a past incident. I am inclined to think that the gentleman from New York [Mr. CALDWELL] is in error in thinking that he was asking for information about the resolution pending before the House, and I do not say that with a view of impugning the gentleman's motives or his statement.

The SPEAKER pro tempore. The Chair would state, after reading the entire transaction, that it is the view of the Chair that nothing occurred which impugned the motives of the gentleman from New York [Mr. CALDWELL], nor does the Chair think that there is sufficient in the colloquy upon which to base a question of personal privilege.

ARMY REORGANIZATION BILL.

Mr. KAHN. Mr. Speaker, I renew my motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12775, the Army reorganization bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army reorganization bill, with Mr. TILSON in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. When the committee rose on Saturday last the committee was dividing on the amendment offered by the gentleman from Texas [Mr. CONNALLY]. A point of no quorum was made, and the committee rose. The vote now recurs on the motion of the gentleman from Texas.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Texas be again reported for the information of the committee.

The CHAIRMAN. Without objection, the amendment of the gentleman from Texas will be again reported.

There was no objection, and the Clerk read as follows:

Amendment offered by Mr. CONNALLY: Page 34, line 14, after the words "class A," strike out the balance of the line and all of line 15 and insert in lieu thereof the following: "In any case in which an officer is placed in class B by said board, the decision of such board shall not be final until the officer affected is informed of the respects in which he has been found deficient and is afforded an opportunity to be heard and to offer such records and testimony as may be pertinent to the inquiry by the board. After such hearing and findings by such board the officer affected shall have the right of appeal to the Secretary of War under such regulations as may be provided by the Secretary."

Mr. GARRETT. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Tennessee rise?

Mr. GARRETT. To suggest what my recollection of the parliamentary status was. The matter has been voted upon viva voce and also by a standing vote, and the gentleman from California [Mr. KAHN] had demanded tellers. So I respectfully submit that the question is whether tellers shall be ordered.

Mr. KAHN. No; the point of no quorum was made, and I therefore made a motion that the committee rise.

Mr. GARRETT. Here was the situation, as I remember it: I have not the RECORD before me and I may be in error, but the question was put to the committee. There was a viva voce vote, a division was demanded, and the Chair announced ayes so many and noes so many, and thereupon the gentleman from California——

Mr. MANN of Illinois. But the point of no quorum set aside the entire vote.

Mr. CONNALLY. But the lack of a quorum did not develop.

Mr. GARRETT. The question of a quorum was not developed—whether there was or was not a quorum—and a motion was immediately made to rise.

Mr. KAHN. The vote was announced by the Chairman.

Mr. GARRETT. But the absence of a quorum was not determined, Mr. Chairman.

Mr. MANN of Illinois. No; the point of no quorum being made, the committee rose, and the committee could not by that action require that the vote that was taken should be decisive.

Mr. GARRETT. No; I am not insisting that the vote was decisive, but I am insisting that the question is whether we shall have a teller vote.

Mr. MANN of Illinois. I know; but the demand for tellers passed away when the point of no quorum was made and invariably returns to the viva voce vote. A demand for the yeas and nays to-day might not be insisted upon to-morrow.

Mr. GARRETT. I freely concede that if the absence of a quorum had been developed that would be true, but the Chair not having counted we do not know whether there was a quorum or not, and the gentleman from California immediately moved to rise.

Mr. MANN of Illinois. That is true, that the committee by rising could not determine a quorum was here, because it does not require a quorum to rise.

The CHAIRMAN. In the view of the Chair, it makes no difference whatever, because gentlemen will not lose their right to demand either a division or tellers. Therefore, it makes no substantial difference which way the matter is decided.

Mr. CONNALLY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CONNALLY. Is the holding of the Chair that the question now before the committee is as to whether tellers shall be ordered or not?

The CHAIRMAN. The question recurs on the adoption of the amendment.

Mr. CONNALLY. If the Chair pleases, a viva voce vote was announced, then tellers were taken; and would not the question before the committee now be whether we will have tellers or not?

The CHAIRMAN. The point of no quorum having been made, though not determined, and the committee rising without that fact having been determined, the Chair is of the opinion that the vote should be again put.

Mr. CONNALLY. May I inquire of the Chair, Does not the presumption always exist that there is a quorum until it is ascertained that there is not a quorum, and the presumption being that there was a quorum and it not having been determined that there was not a quorum, would not the question now be whether we should have tellers? That was the question before the committee when we rose as to whether or not the demand for tellers would be granted.

The CHAIRMAN. The count on the division showed, though, of course, not conclusive at all, that there was no quorum——

Mr. CALDWELL. Mr. Chairman——

Mr. MANN of Illinois. What difference does it make? It is customary to take the vote over and no rights are lost to any gentleman.

The CHAIRMAN. Gentlemen will have exactly the same right that they had on Saturday.

Mr. CALDWELL. The fact that a quorum does not show on a division of the House does not control as to whether or not there is a quorum present, for many times Members do not vote at all.

The CHAIRMAN. The gentleman is correct.

Mr. CALDWELL. In this particular case, on page 4313 of the CONGRESSIONAL RECORD, it is perfectly plain——

The CHAIRMAN. Does the gentleman contend that the Chair should now hold that the amendment was adopted?

Mr. CALDWELL. No, but——

The CHAIRMAN. What is the next order of business?

Mr. CALDWELL. The next order of business would be whether or not we should have tellers on the question, because when we reached that stage and we had voted on it viva voce and upon a division then the Chair announced there were 39 ayes and 35 noes, thereupon the gentleman from California [Mr. KAHN] and the gentleman from Kentucky [Mr. SWOPE] demanded tellers. Before tellers could be ordered the point of order was made that no quorum was present and immediately the motion was made to rise without determining that point.

The CHAIRMAN. The Chair is clear that the usual practice of the House under such conditions is to go back and take the vote over again. Such a procedure fully protects the rights of everyone.

Mr. SANFORD. Mr. Chairman, I ask for a division of the question. There are two separate propositions included in the amendment and I think we ought to vote upon them separately.

The CHAIRMAN. Will the gentleman indicate where the division should be had?

Mr. SANFORD. The first portion of the amendment provides that an officer placed in class B shall have the right of a hearing and present papers and evidence. The second proposal is that he shall have an appeal from the decision of the board, two distinct proposals, and I think they are divisible.

The CHAIRMAN. Will the gentleman from New York indicate where the amendment may be divided?

Mr. SANFORD. The last sentence in the amendment, I think, is that——

Mr. CALDWELL. You see this brings up exactly the point that we were arguing already. The amendment in its entirety has been voted upon twice and both times was carried, and the motion was on tellers on the whole amendment, and now the gentleman from New York [Mr. SANFORD] seeks to upset the action of the House and divide the question. It is certainly too late to divide the question now. I make the point of order that the request of the gentleman from New York comes too late.

The CHAIRMAN. The Chair will hold that no vote has been had on this amendment. Does the gentleman contend that there has been a vote on this amendment and that it has carried?

Mr. CALDWELL. Twice, according to the RECORD.

The CHAIRMAN. In the opinion of the Chair the gentleman is entirely mistaken. The Chair is unable to divide this amendment. If the gentleman from New York [Mr. SANFORD] will make his request, the Chair will submit it.

Mr. CLARK of Missouri. Did not the vote stand 39 to 35?

The CHAIRMAN. The point of no quorum was thereupon made.

Mr. CLARK of Missouri. It seems to me the duty of the Chair, if the Chair will permit, is to announce that the vote stood 39 to 35, and it therefore carried.

Mr. MANN of Illinois. According to that contention, 25 men in the House could carry an amendment against the point of no quorum.

Mr. CLARK of Missouri. I know; but the point of no quorum was made, and it was not ascertained whether or not there was a quorum, and somebody moved that the committee rise, and the whole thing went up in smoke.

Mr. MANN of Illinois. The gentleman from Missouri will see that if the committee could rise, thereby preventing the Chair from counting a quorum, a small minority of a quorum could agree to an amendment although the point of no quorum was made.

Mr. GARRETT. Will the gentleman yield?

Mr. MANN of Illinois. I was seeking to convince a man who is an able parliamentarian, just like the gentleman from Tennessee [Mr. GARRETT], that his point was wrong.

Mr. GARRETT. The situation in this particular case was somewhat different. There had been a demand for tellers. I do not think it was very important, except as it might apply to the thing the gentleman from New York is seeking now to do. The situation is this——

Mr. MANN of Illinois. The gentleman from New York could demand a division if tellers were ordered. It does not change the status at all. Debate would not be closed even if tellers were ordered.

Mr. GARRETT. Assuming that to be correct, the matter is not of any grave importance. But the situation is that the tellers were demanded. The committee was not precluded in any way, and there was no danger at any time of less than a quorum passing this amendment.

Mr. MANN of Illinois. I have frequently seen the case, and so has the gentleman from Tennessee, where the vote was taken, the demand for the yeas and nays was made, a point of no quorum was made, and the House adjourned, while the gentleman from Missouri was Speaker, and then when the House met it paid no attention to the demand for the yeas and nays, but took the vote over again, viva voce sometimes, with no demand for the yeas and nays being made at all. It has been the invariable practice of the House, and it is for the convenience of the House. No one can possibly lose any right by a technical construction of the proposition.

The CHAIRMAN. The Chair is of the opinion, after a somewhat hasty examination of the precedents and certain citations from Jefferson's Manual, that his first impression was right, and that the question recurs on the amendment offered by the gentleman from Texas [Mr. CONNALLY]. The gentleman from New York has asked for a division of the amendment.

Mr. IGOE. A point of order, Mr. Chairman.

The CHAIRMAN. The Chair is of opinion that the amendment is not divisible.

Mr. SANFORD. Will the Chair hear me on that for a moment? The Chair could not hold that, it seems to me, if he has read the amendment.

The CHAIRMAN. The Chair has read the amendment.

Mr. SANFORD. It provides two specific things. It provides, first, that the aggrieved person shall have a hearing.

The CHAIRMAN. It is a motion to strike out and insert.

Mr. SANFORD. No; it is not a motion to strike out and insert.

The CHAIRMAN. As the Chair reads the opening sentence of the amendment, it says:

After the words "class A," strike out the balance of the line and all of line 15 and insert.

Paragraph 7, Rule XVI, says:

A motion to strike out and insert is indivisible.

The question is on the amendment of the gentleman from Texas [Mr. CONNALLY].

Mr. HULINGS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. HULINGS. I understand the amendment now before the House is the substitute that was offered by the gentleman from Texas to an amendment offered by the gentleman from Kentucky [Mr. SWOPE] and I would ask that the amendment be read.

The CHAIRMAN. The gentleman is not correctly informed. It is not.

Mr. HULINGS. What becomes of the amendment offered by the gentleman from Kentucky?

The CHAIRMAN. It was agreed to.

The question is on agreeing to the amendment of the gentleman from Texas.

Mr. CONNALLY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. CONNALLY. I ask unanimous consent to slightly modify the amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to slightly modify his amendment. Will the gentleman from Texas indicate the modification desired?

Mr. CONNALLY. So that it will read as follows:

At the end of the Swope amendment, strike out the period, insert a colon, and then "*Provided*, That."

And then copy my amendment.

The CHAIRMAN. Without objection, the Clerk will report the amendment with the proposed modification.

Mr. MANN of Illinois. I object.

The CHAIRMAN. The gentleman from Illinois objects. The question recurs on the amendment of the gentleman from Texas [Mr. CONNALLY].

The question was taken, and the Chair announced that he was in doubt.

Mr. CONNALLY. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 64, noes 70.

Mr. CONNALLY. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. CONNALLY and Mr. KAHN took their places as tellers.

The committee again divided; and there were—ayes 92, noes 94.

So the amendment was rejected.

Mr. EVANS of Nebraska, Mr. JONES of Texas, and Mr. CONNALLY rose.

The CHAIRMAN. For what purpose does the gentleman from Texas [Mr. JONES] rise?

Mr. JONES of Texas. I desire to offer an amendment.

The CHAIRMAN. The gentleman from Texas [Mr. JONES] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 35, line 11, after the word "lieutenant," strike out the words "for the remainder of their service" and insert in lieu thereof the following: "until such time as the board shall see fit to reclassify them."

Mr. JONES of Texas. Mr. Chairman, the bill as drafted provides that when the men referred to have been classified by the board they shall remain second lieutenants so long as they are in the service. I can not see any good purpose in giving notice beforehand that a man shall never be entitled to promotion under any circumstances.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. JONES of Texas. Yes.

Mr. MANN of Illinois. The gentleman has not referred to the language in line 9 defining the class of officers stated who are not qualified for further promotion. This class only relates to the class not qualified for further promotion.

Mr. JONES of Texas. Yes. That is what I expected it to apply to; those whom the board found were not qualified for further promotion. It seems to me that if you are going to retain them in the service you ought at least not to say that they shall never be promoted. Just fancy a man being sentenced to remain a "shave tail" all his life!

Now, if it is the purpose of the language provided in this bill to kick the second lieutenants out of the Army, if they come within that classification, then the measure should say so outright. But it seems to me that no good purpose can be served by saying beforehand that they shall never reclassify them. Suppose one of these lieutenants decides to stay in the Army and it later develops that he overcomes his deficiency and qualifies for promotion. What harm can there be in the board reclassifying him?

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. MADDEN. If the gentleman does not change any language except that which he moves to strike out, he will not correct the defect.

Mr. JONES of Texas. This sentence refers to the language before, and says, "The officers so reported shall continue," and so forth.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. KAHN. Does the gentleman know that this language refers entirely to pay clerks of the Army?

Mr. JONES of Texas. Yes; I do.

Mr. KAHN. Who were made second lieutenants under the national-defense act, under the express promise that no effort would be made to get any increased rank?

Mr. JONES of Texas. It was not so nominated in the bond. They were commissioned as second lieutenants. I do not care whether they were pay clerks or on what basis they went into the Quartermaster Corps, can anyone give a sufficient reason for saying that you are going to keep second lieutenants in the Army and say, after they are classified, no matter whether they stay in the service 30 years or not, no board, no matter how much discretion they may possess, will be permitted to reclassify those second lieutenants at any time? I say if it later develops that one of these lieutenants becomes qualified for promotion, that board should promote him.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. GREENE of Vermont. The objection is outlined by the chairman of the committee.

Mr. JONES of Texas. Why do you not kick them out of the Army, then?

Mr. GREENE of Vermont. It has heretofore been found in many cases where it is proposed to change the Army law not advisable to change the status of men in a grade or class that is to lapse under the change, but to let the grade expire with them when they get through. We shall have no further classification like that when these men are out of it.

If the gentleman will permit one word further, I will say we have an analogous situation in this bill in what is called the medical administration corps, where we proposed that men, heretofore noncommissioned officers who have held temporary rank, may be confirmed in that rank to captain, and that is the end of it. They can not be promoted higher.

Mr. JONES of Texas. I hope the gentleman will not proceed to argue analogous cases in my time. The bill does not provide that other officers shall cease when these men shall retire, and it does not place any limitation on the time they shall serve.

It provides that they shall remain second lieutenants, and although the board has classified them, that board is not permitted under the language of the act ever to reconsider its action. Now, I do not know why you should say that the man who enters there should leave all hope behind, or that you should write Ichabod in fatal letters across the brow of the man who was commissioned as a second lieutenant under the act of July 3, 1916.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES of Texas. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. DEMPSEY. These second lieutenants, as I understand, are the men who are not in the fighting forces or are not those who sought to be in the fighting forces?

Mr. JONES of Texas. The gentleman is mistaken. They were assigned as were the others. They are in the Army.

Mr. DEMPSEY. Why do you not say that?

Mr. JONES of Texas. You are going to put upon that board the duty to classify these men, and having classified them as second lieutenants for the remainder of the time they are in the service, they can never hold a higher position. They might serve 20 years, and the same board might be of the opinion that while a particular officer who 20 years before was a second lieutenant was not qualified then for promotion, that that same man was now qualified for promotion. The point I make is, What is the use in saying they shall never be reclassified? The matter is wholly in the hands of the board. I say they should remain second lieutenants until such time as the board may see fit to reclassify them. Why do you want to hamstring and hog-tie the board? Why not give them the same continuing discretion that you give them at the outset?

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. JUUL. The gentleman no doubt remembers his Dante. Does he remember the inscription at the entrance of hell, "Abandon hope, all ye who enter here"?

Mr. JONES of Texas. Yes; that is exactly the effect of the stipulation written into the bill. One of the proudest things in connection with the history of this Republic is the fact that no matter what position a man may occupy, he can look forward to something better in the future. But under the terms and the language in this act which I have sought to strike out he can, no matter if he lives a hundred years, never be raised above the level of a second lieutenant, and you destroy the initiative, you destroy hope for efficient service, you destroy the motive that prompts a man to any line of activity when you say that no matter how efficient he may be or how many years he may serve, he can not only not be promoted, but his superior officers shall have no authority to promote him.

I can not see any reason at all for putting in that kind of language. I have heard the old expression, "Hitch your wagon to a star"; but if a man is compelled to be a second lieutenant all his life how is he ever going to find a star or hope to find one?

Mr. McKEOWN. Are these men of a special class?

Mr. JONES of Texas. They are of a special class. They are the pay clerks who were put in the Army under the act of June 3, 1916, and by the terms of this bill they are continued.

Mr. McKEOWN. Is it the purpose of this bill to end that class?

Mr. JONES of Texas. It is not so provided in the bill.

Mr. McKEOWN. A man would not have any hope of being more than a second lieutenant if he joined now in that class, would he?

Mr. JONES of Texas. If you are going to have them remain in the bill there is no reason why the board shall never find that it has made a mistake. I trust this board is not considered omniscient. Though the board is granted remarkable powers, I suppose it is not believed that it can not make a mistake. But it must classify these men as second lieutenants, and they are forever barred from promotion. I say that is not just. [Applause.]

Mr. KAHN. Mr. Chairman, I imagine that the gentleman from Texas does not understand the situation under which these men were put into the Army as commissioned officers. They were civilians in the employ of the Government up to June 3, 1916. Their employment was rather precarious. They were the personal appointees of the paymasters of the Army, and if a paymaster went out of the Army the clerk who had been with him was liable to go out of the Army if the successor of the paymaster who went out did not reappoint his clerk. The committee of the House felt that that was rather a hard position for those men to occupy. Sometimes they were in the Army, sometimes they were out of the Army, and in order that they should have a permanent status Congress passed this provision of the law of June 3, 1916, that they should all be covered into the commissioned personnel of the Army as second lieutenants. It was distinctly understood that they were not going to seek any higher grade than that of second lieutenant.

Mr. LAYTON. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman from Delaware.

Mr. LAYTON. These men are no longer civilians; and if they are in the Army, why should they not have the fullest opportunity for rising in the Army if you keep them there?

Mr. KAHN. Because they are simply doing certain clerical work that can be done by civilians, but, in order to make their tenure permanent, they were given this commissioned status.

Mr. GREENE of Vermont. Does it not amount to this, that this section of the bill is not a means of inducing any men to come into the Army with the idea that they can not go any further? It is not a means of entrance that anybody will use hereafter. It simply takes care of some men who, under the mistaken philosophy of another law, were given this rank.

Mr. KAHN. Exactly.

Mr. GREENE of Vermont. We are not going to give it to anybody else for that purpose, and the rank will expire when these men cease their service in the Army.

Mr. KAHN. I want to say that when we passed the law, I think, 16 of these pay clerks, by reason of their advanced age, immediately went on the retired list, whereas if we had not given them this rank they would have dropped out of the service entirely without any future.

Mr. JONES of Texas. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. JONES of Texas. Suppose a commanding officer should think one of these second lieutenants so efficient and capable that he wanted to make him a captain in the Quartermaster Corps. He could not do it.

Mr. CRAGO. Yes; he could. He could resign from that position and receive a new appointment.

Mr. KAHN. He could resign from his old status and be appointed into the other.

Mr. McKENZIE. Was not the real purpose of this legislation after all to give these clerks a retired status which they took advantage of?

Mr. KAHN. I always felt that way, and I always opposed the legislation; but the House in its wisdom adopted it, and I simply want to state the circumstances under which it was adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. JONES].

The amendment was rejected.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 34, line 9, after the word "officers," strike out the word "which" and insert "none of which shall be a member of the General Staff and which after due inquiry into the record of their service in the Army."

Mr. NEWTON of Minnesota. Mr. Chairman, this bill provides for a single promotion list, which I favor. It also provides for the elimination and retirement from the service of officers who are supposedly unfit to continue in the service. Those that are considered fit and qualified to remain are to be placed in class A, while those who are found to be unfit and disqualified from remaining in the service are to be placed in class B.

Theoretically this sounds fine. If there is any agency that can accurately determine who the unfit officers are, the scheme will work. The agency provided for in section 24b is a board composed of five general officers. So far as the terms of the bill are concerned, these general officers may be all from the General Staff, or all from the Staff Corps, or all from the line. They may be all from the Cavalry, or all from the Infantry, or all from any other single branch of the service.

In my judgment, it would be most unwise to have that board made up of officers from either the General Staff or the Staff Corps. It is for this reason that in the amendment that I have offered I have provided that no member of this board shall be a member of the General Staff.

Then there is this other objection that occurs to me. If I am any judge of the sentiment of this House, I will say that this House is almost unanimously against promotion by selection. I believe that the Military Affairs Committee share this view. I believe that they recognize the advisability of retiring certain officers and the necessity of amending existing law to accomplish that purpose. I do not believe that they desire to make it possible for favoritism or acquaintance to influence either promotion or retirement, yet we have seen that the original draft of the section provided that the finding by this board should be absolute and final without review. This the House has changed.

So far as this bill is concerned, no restrictions whatever are placed upon the board to guide and direct them in the classifying of officers. So far as the bill is concerned, one officer may be placed in class B because one or more members of the board may not like him personally, while another officer may be placed in class A, regardless of his qualifications otherwise, because one or more officers of the board know and like him personally.

The human equation is bound to enter into any judgment by any board. It should, therefore, be the duty of Congress, by

proper restrictions, to restrict that to the minimum; but this bill places no restriction or qualifications whatsoever upon the right and power of this board to retire any officer from the service.

For this reason, my amendment provides that the board shall make the classification after inquiry into and regard for the officer's service. What better method of ascertaining a man's qualifications is there than the officer's service in the Army? If this amendment is not adopted, the bill will become a law with no standard whatever for the instruction and guidance of this board in deciding who shall go into class A and remain in the service and who shall go into class B and be discharged or retired.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. NEWTON of Minnesota. I yield to the gentleman from Vermont.

Mr. GREENE of Vermont. How would you and I as laymen undertake to write into the law what that standard should be?

Mr. NEWTON of Minnesota. It seems to me that any standard, of course, is necessarily imperfect. An officer can not be really tried out until he has been in combat and undergone that ordeal. The best kind of an examination is only a makeshift.

But an examination is better than no examination. A man's record in the service is something. With this particular provision you permit this general board of officers to rely upon intangible things. The moment you do that there is an advantage to a man who is a personal acquaintance of members of the board. I say that not with any idea of unjustly criticizing the board. But in the very nature of things, if I am on a board of five officers and I know one of the men that comes up for consideration who stands No. 2 on the list and I do not know the man that stands No. 1, and there is one little thing against him—it may be 10 years back—I am, because of personal knowledge arising from acquaintance, going to unconsciously vote in favor of the man who ranks No. 2 and place him above No. 1.

Mr. McKENZIE. I assume that my colleague understands that this is not a section that has to do at all with promotions. The thing the gentleman suggests can not happen. This section is intended to eliminate men and not to promote men.

Mr. NEWTON of Minnesota. It is preliminary to promotion, because they may become eliminated and therefore can not be promoted.

Mr. GREENE of Vermont. May I ask the gentleman a question?

Mr. NEWTON of Minnesota. Yes.

Mr. GREENE of Vermont. What kind of an organization would it be in which men, in order to be certain of the integrity and fairness of any board of fellow officers that might pass on their qualifications, must always keep aloof from that board an acquaintance with its personnel, at the same time never knowing who might be put on the board? Any man in the Army would have to live a hermit life in order not to go up against a board that would not favor anybody.

I have made that statement extravagant but that is what it seems to me the gentleman's good intention comes to, as he expresses it in the language he has chosen.

You have got to find men all of whom are strangers to the candidates and that means no confidence in human nature.

Mr. NEWTON of Minnesota. No; that could not be done. I would so safeguard it that this board, the board of five general officers, might not be all members of the General Staff.

Mr. GREENE of Vermont. The gentleman sees nothing inherently wrong in the General Staff that prevents them from exercising honesty and candor.

Mr. NEWTON of Minnesota. I hope the gentleman from Vermont will not read into my remarks something that I expressly disclaim.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. NEWTON of Minnesota. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. I believe that the great majority of these men will handle the matters fairly, but during the late war there were instances where men of influence, men with acquaintances here in Washington, on the General Staff and otherwise, have been permitted to hold temporary positions and thereby command their seniors in the Regular Establishment because of this acquaintance.

Mr. GREENE of Vermont. I will suggest to the gentleman that the General Staff, like all other sections of the service, is constantly changing in personnel. Limiting it to the General Staff, in the language of the gentleman's amendment, simply means that you limit it at this moment to persons on the General Staff, but you may have some objectionable person on the General Staff, according to his theory, in a few weeks.

Moreover, if the gentleman will pardon me—and I will get him more time, if I can—so far, if there is any particular thing that stands out in the record of the officers high in command in the administration of the Army, it is the fact that even being the son of a general does not help him from being kicked out of West Point when he does not qualify. Time after time I have known that thing to happen. I believe the Army does act on honor. I believe it.

Mr. NEWTON of Minnesota. The gentleman is again touching on something that I expressly disclaim. The gentleman will not deny that there have been gross acts of injustice done in reference to rank during the late war.

Mr. GREENE of Vermont. War is a time of turmoil and intense struggle everywhere.

Mr. NEWTON of Minnesota. That being the case, I want to avoid these injustices in a time of peace.

Mr. GREENE of Vermont. This is a thing to be done in the normal routine of peace and probably would not operate as the gentleman says it has in time of war.

Mr. NEWTON of Minnesota. What objection would the gentleman have to a provision specifying that the five general officers comprising this board should be men of the line and not of the General Staff?

Mr. GREENE of Vermont. How would our soldier friend who is a member of one of the staff corps feel if his case were to be decided by a line officer, a man not in touch with that section of the service?

Mr. NEWTON of Minnesota. I do not believe that a line officer would ever attempt to do anything against a staff officer if he figures on staying in the Army.

Mr. GREENE of Vermont. I think my friend is under a misapprehension; staff officers, as such, have no authority to keep a man in the service or turn him out.

Mr. NEWTON of Minnesota. I want to confine it so that the officers of the General Staff will not have any right to say who shall remain in or go out of the service.

Mr. GREENE of Vermont. The General Staff will be made up of details of men from every branch of the service—from the line, from all the supply corps, and everything else.

Mr. NEWTON of Minnesota. Yes; but men on the board not on the General Staff would not come under the influence of the power of the General Staff here in Washington.

Mr. GREENE of Vermont. What is that?

Mr. NEWTON of Minnesota. A man that comes from the outside would not be in touch with or under the influence of the General Staff.

Mr. GREENE of Vermont. I do not think that makes much difference; the General Staff comes from the outside.

Mr. NEWTON of Minnesota. Yes; and the policy goes on forever.

Mr. GREENE of Vermont. Oh, a temporary change, at that. They are flowing in and flowing out, just as men do to other details of the service in the Army.

Mr. NEWTON of Minnesota. What objection would the gentleman have to the provision for due inquiry into and regard for their service in the Army? You have absolutely nothing prescribing the duties of this board. All you say is that the board shall "arrange it." So far as the bill is concerned they may arrange it in accordance with their whim, their desire, or acquaintance, and not upon a man's service. It seems to me that this Congress should write in there that this arrangement shall be in accordance with a man's service and not in accordance with the whim or the desire or the mere wish of the members of the board.

Mr. GREENE of Vermont. An officer in such a position, or any Government official under his oath of office, is presumed to be carrying out the intent of the law and not merely his whim. You do not write into laws safeguards that no officer administering the law shall ever carry out his whims. You do not write anything like that into a law.

Mr. NEWTON of Minnesota. No; but we ought to put in a positive statement of what in general shall govern them, and not give them unlimited power.

Mr. GREENE of Vermont. The only purpose of that section is expressed in its general terms, because we laymen do not know exactly how to define in particularity what professional and technical qualifications shall be insisted upon. All it provides for is that the men who do answer the technical and professional and efficiency tests shall go into the list for promotion, and those who do not shall go out.

Mr. NEWTON of Minnesota. Does not a man's service in the Army count for anything?

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. The gentleman from Vermont [Mr. GREENE] a moment ago asked a very practical question: What is the matter with the General Staff that they shall not be allowed to do this thing? I want to pay a compliment to the General Staff. Many of them are competent and are fine men, and I do not mean to assail them. The difficulty is this: The business of the General Staff is to come here to Washington and, to be honest, it is civilian work that they do. It is necessary work and important work, and I do not want to decry them. The business of the men in the line is to go out into the mountains and wherever there is a little trouble, and learn to command men and to handle soldiers. A man in the staff does not learn unless he has had the other experience, and they are very naturally a bunch of fellows who, however brilliant, however capable, if they went to war—no doubt they would be in such circumstances—yet are nothing but a bunch of civilians, giving orders to men at arms.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. McKENZIE. Is it not a fact that the General Staff are composed of men who are taken from the line, who have had the kind of service of which the gentleman is proud and of which we are all proud?

Mr. LITTLE. I will answer that. What is the line man? He commands a company here or a battalion there. He does not get around to Washington. He has to do with soldiers all of the time, and when the war begins he is thrown into the firing line. He is the soldier. The General Staff represents the civilians of the Army and the line men represent the fighting men of the Army. A staff man may have been a line man, but not in war. The men who were always getting staff jobs in the Philippines hold them now.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes; but I would rather finish first.

Mr. GREENE of Vermont. What was one of the abuses in the gentleman's time but paper administration work for the line men? Is not that true?

Mr. LITTLE. Yes; and if you will give me a little time I will dispose of that. They have their paper work to do yet. Take the General Staff. They are a few individuals here. It has been so always. It does not make any difference whether you call it the General Staff. It is the fellows who do the work here. Seventy-five years ago that bunch put U. S. Grant out of the Army as incompetent. When the Civil War began and he wrote in after another job, for a chance to be lieutenant, they never even answered his letter. That shows all the sense that they had or ever do have on the real war business.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. No; not now. Some gentleman says that there was no General Staff at that time. There were the men here in Washington who did the civilian work for the Army, and they were the General Staff, whether you call them a general staff or not. The law is being changed, but the bunch of fellows sitting around here bossing the men at a distance who are doing the work kicked Grant out of the Army as an incompetent, and when he applied for a job when the war began they refused to give it to him, and men like Grant and Sheridan and fellows like that had to go out of the Regular Army and go to the governors of the various States and get a job with them or they would not have entered the war at all on either side. That is the kind of fellows who constitute the General Staff. They are red-tape worms.

Mr. NEWTON of Minnesota rose.

Mr. LITTLE. Oh, in just a minute. One of them retired the other day with distinguished everything, I guess, except what you could get by fighting—about the highest job in the Army. He has been 45 years in the Army and he was never under fire in his life, and any man who can stay in the Army for 45 years and keep out of battle has nothing to boast of.

Mr. LAYTON. He was smart, was he not?

Mr. LITTLE. Oh, they are all smart. That is not all; but if you and I sat about there we would pick our friends and favorites, and they do, and so there is a constant roll of dead timber in there, and the active fighting man never gets in there, practically never. That is what is the matter. Do you want your Army run by civilians or by soldiers, by fighting men or by men who get up law here that provides that they shall have distinguished service medals for their great responsibility?

Mr. PELL. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. In a minute. For distinguished service! Gen. March testified the other day that the distinguished service medals could not be given to a private, as they could not have any responsibility. They do not know that the greatest responsibility of the Army is the responsibility of dying for your country, and every private submits to it and mighty few of these fellows down here do. Hanging around the committee all the time, they got through a law which allows them to cover each other with medals like a boys' parade, and they took away the honors already given to brave men in the ranks. Those officers actually think they are worthier of credit sitting at a desk here and buying five saddles for one horse than are the gallant boys who carried rifles at Chateau-Thierry.

They have already demoted the officers who won silver leaves and eagles and stars in Europe and now they want you to authorize them to throw the war soldiers out of their peace Army.

They are useful; some of them are necessary; but, gentlemen, do not come and tell me they are soldiers in the same breath you speak of the heroes of Cantigny. The gentleman has been on the Military Committee long enough——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. I ask to proceed for five minutes additional.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. PELL. Will the gentleman yield?

Mr. LITTLE. In just a minute. The gentleman has been on the committee long enough not to ask such a question, and he ought to know the difference between the staff and a fighting man.

Mr. PELL. Can the gentleman tell who it was who was 45 years in the Army and——

Mr. LITTLE. I could.

Mr. PELL. Will the gentleman do so?

Mr. LITTLE. I would rather not.

Mr. PELL. Will the gentleman yield for one more question?

Mr. LITTLE. The gentleman can find that out in the newspapers.

Mr. DEMPSEY. Will the gentleman allow a question?

Mr. LITTLE. Yes.

Mr. DEMPSEY. Does not the gentleman think——

Mr. LITTLE. I think he is a good man and a valuable man, but he just happened that way.

Mr. PELL. The gentleman did not mean to hurt his feelings.

Mr. DEMPSEY. Does not the gentleman from Kansas think the provisions of sections (a) and (b) as to the way the General Staff shall be organized will in large measure obviate any objection which may have existed in the past? I call his attention specifically to the fact that section (b) provides that those shall be eligible who have fought at the front in France during the late war.

Mr. LITTLE. I asked the committee if they would agree a day or two ago that nobody could be eligible for appointment at the head of the staff or the bureaus except a man who had been in the war, and they said no.

Mr. DEMPSEY. I will read this to the gentleman:

(b) Those officers who since April 6, 1917, have commanded a division or higher tactical units or have demonstrated by actual service in the World War that they are qualified for General Staff duty.

Mr. LITTLE. They are in the service?

Mr. DEMPSEY. Yes. Who have "demonstrated by actual service in the World War."

Mr. LITTLE. What has that got to do with the principle the gentleman from Minnesota was asking about?

Mr. DEMPSEY. I think it would answer the gentleman's objection.

Mr. LITTLE. Actual service——

Mr. DEMPSEY. In the World War.

Mr. LITTLE. Where, in Washington?

Mr. DEMPSEY. I think that means——

Mr. LITTLE. Or putting in most of their time before the Committee on Military Affairs telling them about it?

Mr. DEMPSEY. It is stated here, "who have commanded a division or higher tactical units or have demonstrated by actual service in the World War that they are qualified for General Staff duty"; that is, that they have seen service in the field.

Mr. LITTLE. They do not have that kind of service. A man who commanded at a camp would fill that bill. If they meant battle service they would say so.

Mr. DEMPSEY. I think that is the clear meaning.

Mr. LITTLE. Was there somebody else who wanted to ask me a question?

Mr. CANNON. If the gentleman will allow me—I have been listening to him—are we to understand that we are going to get up a war especially to prepare people for the General Staff? [Laughter.]

Mr. LITTLE. Well, now, that is a very curious question. Let us look at it for a minute. We have had a war. There are thousands of men with experience in it, and I say go and pick among those experienced fighting men, who understand what the

staff do not. When they are dead and gone we will do the best we can. Going to get up another war? What has that got to do with it? We are discussing present conditions.

Mr. GREENE of Vermont. And that is as far as we are looking, apparently.

Mr. LITTLE. The gentleman thinks he is looking ahead, but evidently he does not realize that every fellow in the department who did not go to war, and never will, can arrange for five men to put anybody out of the Army they do not like. That is what they will do. This is the most infamous thing I have ever heard of in an Army bill. The idea of allowing the staff here, civilians of the Army, to pick men out, men who did not get before your committee, and then fire them out of the Army without a hearing or an appeal. Why, great God, gentlemen, can not you see the mere fact that they would offer a suggestion such as that shows it is not the proper thing to allow them the power or comes from a proper source? They demoted the men from Europe and they still hold their higher rank and swell around in the medals they won in Washington. If the committee understood what they are doing they would not have one single thing to do with such a thing. Kill it. It is said amend it, but it would have to be amended so much that there would be nothing left. After all, there is only one way to get rid of a rattlesnake, and that is to kill him. This is a rattlesnake. That is all there is to it. They did such things in Germany. A day ago those fellows seized the capital. You can not go to your constituents and tell them why you allowed civilian soldiers in the department to pick out five men, without any right of trial or appeal, to fire any of the fighting boys out of the Army. That is what they are trying to do. They are beginning to do so. They have their lists ready now—a long list of fighting men. Dead timber? They are the dead timber. The fellows on the staff, they are the ones who ought to get out. Ask them to decide who are the dead timber? If you do this, instead of getting out dead timber you are arranging a forest of dead timber, petrified for all the years. Now, gentlemen, I appeal to you. Are you for Halleck or Grant? Look this question in the face and see what there is to it. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KAHN. Mr. Chairman, I move that all debate on this amendment be closed in five minutes.

The CHAIRMAN. The gentleman from California moves that all debate on this amendment and all amendments thereto be closed in five minutes.

The question was taken, and the motion was agreed to.

Mr. KAHN. Mr. Chairman, I always like to hear the gentleman from Kansas [Mr. LITTLE], but he has gotten things a little mixed. The General Staff of the Army is made up of line officers—fighting men.

The Staff Corps to which he refers, or which he had in mind, is made up of officers who do not go to the front. Now, up to 1901 there was no General Staff. The Staff Corps here in Washington dominated the Army, and then the fighting officers proposed the organization of the General Staff, so that the fighting branch of the Army could have an organization here to formulate plans for the conduct of the Army, plans for training the soldiers, and various other military plans. These officers referred to in this section are General Staff officers—fighting officers—the very kind the gentleman from Kansas [Mr. LITTLE] wants. There is not a Staff Corps officer among them; and I submit that in view of the situation the amendment should be voted down.

Mr. LITTLE. Mr. Chairman, I move to strike out the last 10 words.

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Kansas?

Mr. KAHN. No. How much time have I left, Mr. Chairman?

Mr. LITTLE. He is referring to me.

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Kansas?

Mr. KAHN. I yield to the gentleman.

Mr. LITTLE. The gentleman says the members of the staff are fighting men. I say they are not.

Mr. KAHN. The General Staff, I said.

Mr. LITTLE. I heard you. Two years ago I asked you in the House, when you said that some of the "experts" were fighting men, to give a list of the battles in which they had participated, and you took three days to do it, and about the only fighting man in the bunch was Dan Craig, of our district, who served in the Twentieth Kansas and in Frank Bell's regiment, and had more battles to his credit than all the rest put together. Three brothers went to Manila in the Twentieth Kansas. One was killed at the Rio Tulijuan. A second, Col. Craig, was the first of our officers of high rank to be killed in Europe. Dan came home a brigadier, and was immediately demoted, while Frank Coe, a Kansan, who went to West Point in 1892, and never commanded troops in action in his life, except, possibly, when 29 rounds were fired in France by a battery of his, could demote Col. Ben Kerfoot, a Twentieth Kansan, who commanded a regiment of heavy artillery in the Argonne. Frank Coe, or his kind, now ask you to let them run such men out of the Army.

Mr. KAHN. Mr. Chairman, I ask for a vote.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask that the amendment be again reported and the paragraph read as it will read if amended.

The CHAIRMAN. The Clerk will report the amendment and the paragraph as it would read if amended.

The amendment was again reported, and the paragraph read as it would read if amended.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Minnesota [Mr. NEWTON].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. NEWTON of Minnesota. Division, Mr. Chairman.

The committee divided; and there were—ayes 22, noes 41.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Nebraska [Mr. EVANS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. EVANS of Nebraska offers an amendment as follows: On page 34, on line 15, after the words "Secretary of War," incorporated in the section by the amendment of the gentleman from Kentucky [Mr. SWOPE], insert the following: "in the following manner only: When an officer shall have been placed in class B he shall, within a reasonable time, be notified of such classification, and within 20 days thereafter, if he desires to appeal from such classification, send through the usual channels his notice of appeal. Thereupon the Secretary of War shall convene a reviewing board, consisting of three general officers of equal or higher rank than that of the original board, and no two of whom shall be of the same branch of the service. Such demoted officer shall be given notice of the time and place of hearing the particulars in which he was found deficient, and shall be allowed a reasonable time in which to prepare and present his showing with reference thereto, and there shall be presented on behalf of the original board all facts upon which the finding of said board was based and such additional facts as are material to determine the efficiency or inefficiency of such demoted officer, to all of which such officer shall have full opportunity to answer by proper evidence, and the finding and recommendation of such reviewing board, based only on matters appearing at such hearing, shall be final. A record of the entire hearing, including all proceedings and orders, shall be kept and preserved and such officer shall, on demand, receive a correct and duly authentic copy thereof."

Mr. EVANS of Nebraska. Mr. Chairman and gentlemen of the committee, under the condition that is presented by this section, as it is now amended by the gentleman from Kentucky [Mr. SWOPE], there is no chance to correct the order given to the officers so placed on list B. You will notice under the provisions of the section, without any hearing, without any record, the officer is placed on list B. You will notice also that the amendment of the gentleman from Kentucky in no way preserves the right of review, although in express terms it seems so to do. The only thing that would go to the Secretary of War would be the findings of that board, because no evidence is taken, and if the Army has any officers who are of the rank provided for in this section, who could not make a finding which would warrant the Secretary in approving or placing of the officer on list B, there is something wrong with his gray matter.

Now, then, the officer having been placed on list B, under the amendment I have just presented is notified of the matters in which he is deficient, and the time is fixed and an additional opportunity is created for a hearing before a board, which comes from different branches of the service, and then a hearing is had upon his deficiency and a record is made.

It has been said by those who favor the section in its original condition that the only purpose they have in mind is to remove the deadwood, and that these officers are going to act honestly—their interest in the Army and in its future being the criterion which guides them in this action. But the same rule would blot out every law that we have for the control of civilians. The laws are not made to take care of those who are honest; they are made to take care of those who are dishonest, either in civil transactions or criminal work. And so this provision is put in here to take care of the honest officer; efficient, if you please, against whom some dishonest officer seeks an advantage.

I have, as you will notice, kept review entirely within the Army. I have taken it away from the Secretary of War, because it is urged that the men who are interested in the officer who is going to be demoted, and who is deficient, will, by political influence, secure his retention. In this I have left it with the Army officers. I have also, if you will notice, done this: I have required that the record of that hearing shall be preserved, and that he may be able to get it at any time upon demand. I have personally had a case within my knowledge where they refused to furnish the records.

It has these elements, too, to commend it: The very fact that the first board knows that their action will be reviewed by another board, different from them, will tend to make them more careful in their action, and the fact that a record is preserved will tend to make both boards act carefully and honestly. I think this amendment will cure the difficulties many of us see in the section.

Mr. SWOPE. Mr. Chairman, will the gentleman yield?

Mr. EVANS of Nebraska. Yes.

Mr. SWOPE. Does the gentleman's amendment state who shall convene the appeal board?

Mr. EVANS of Nebraska. Yes. The Secretary of War shall do it. I provide that the Secretary of War shall review the action of the board in the following manner, and then provide for this board of appeals.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. McKENZIE. Mr. Chairman and gentlemen of the committee, I want to say that the members of the Committee on Military Affairs, in writing this section, had nothing "put over on them," as was stated here the other day, but understood perfectly what we were trying to do, and that is to eliminate from the Military Establishment unfit officers. The section as written will do it.

But there seems to be a feeling in the minds of a great many Members of the House that the officer affected ought to have some appeal. The amendment we adopted on Saturday provides for an appeal to the civilian Secretary of War. In my judgment that appeal absolutely destroys the force of the provision by opening the door to political pull and the calling in of powerful friends to save the inefficient officer from dismissal from the service.

The amendment offered by the gentleman from Nebraska [Mr. EVANS] in a way provides for appeal, which, of course, is dear to the heart of every American. We believe in that system. It then calls upon the Secretary of War to name another board as an appeal board to review the proceedings and to find out whether or not the original board had made an error. For that reason I have no serious objection to it.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. JUUL. I want to know if the gentleman from Illinois and any other member of the Committee on Military Affairs would want to go home to their constitituents and in their capacity as lawyers in civil courts would want to try cases under a law which carried a provision in it to the effect that the findings of the court shall not be subject to review? I think it is the most drastic piece of legislation ever written—that a set of men could sit in a chamber somewhere and condemn a man with no other provision or mode of making a living, and kick him out and say he shall have no chance of review.

Mr. McKENZIE. I will say to my colleague from Illinois that for one I am willing to go home and stand before my people and explain why I stood for this provision. This does not provide for a criminal trial. The purpose of this is to get rid of inefficient officers. What right has an inefficient officer to a retrial; in fact, to any claim on the people of the United States?

Mr. JUUL. He ought to have an opportunity of finding out whether he is or not.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. MANN of Illinois. Would my colleague think it desirable, when a Member of Congress goes before his constituents and is defeated, that he should have a chance to appeal to a higher board to determine whether he should be returned or not, there having been only one chance before? You propose to give two. Why not three?

Mr. McKENZIE. I will say to my colleague from Illinois that I have never been deceived by this legislation. I have heard men year after year on this floor denounce and condemn the inefficient officers in our Military Establishment, and they were right, because we have them. This provision provides a way to get rid of them, and when we undertake to do that the same men, I am sorry to say, rise immediately as the champions of the inefficient officer.

Mr. EVANS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. EVANS of Nebraska. Is it not a fact that under the amendment that has just been presented and which we are now considering an Army officer must still review the conduct of the man, and the only thing it does is to guard against an injustice?

Mr. McKENZIE. That is true.

Mr. DOWELL. Mr. Chairman, will the gentleman yield for another question?

Mr. McKENZIE. Yes.

Mr. DOWELL. What would happen if the inefficient officer happened to be a member of this board?

Mr. McKENZIE. Well, that is a question that I can not answer.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The debate is exhausted on this amendment.

Mr. CONNALLY. Mr. Chairman, I desire to offer a substitute to the amendment.

The CHAIRMAN. The gentleman from Texas offers a substitute to the amendment offered by the gentleman from Nebraska [Mr. EVANS], which the Clerk will report.

The Clerk read as follows:

Substitute offered by Mr. CONNALLY for the amendment offered by Mr. EVANS of Nebraska: Page 34, line 15, at the end of the Swope amendment, strike out the period, insert a colon, and the following: "*Provided*, That in any case in which an officer is placed in class B by said board the decision of such board shall not be final until the officer affected is informed in writing of the respect in which he has been found deficient and is afforded an opportunity to be heard and to offer such records and testimony as may be pertinent to the inquiry by the board. After such hearing and findings by such board the officer affected shall have the right of appeal to the Secretary of War under such regulations as may be provided by the Secretary."

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, I will state that my substitute for the amendment of the gentleman from Nebraska [Mr. EVANS] begins at the end of the amendment of the gentleman from Kentucky [Mr. SWOPE] and then reads, "*Provided*, That," and then contains the same language as was contained in my amendment which was offered on Saturday.

I should like to say to the Republican side of the House, as I said on Saturday, that I did not offer my amendment in any spirit of derogation of the amendment offered by the gentleman from Kentucky [Mr. SWOPE]. I have heard a great deal of comment on the Republican side that if I did not draw my amendment so as to swallow the amendment of the gentleman from Kentucky there would be no objection to the adoption of my amendment, and I will say that the members of the committee have assured me that if I would modify it in that way the committee would have no objection to it. I sought to modify my amendment this morning so as to meet the views of the committee, but objection was made. I am not hostile to the amendment of the gentleman from Kentucky. I am willing to accord to him all the credit to which his service in this House and without it entitles him. I regard him as a very efficient Member of the majority side of this House. But, gentlemen, my view of the matter is this: You have got to have a canning board. There is no doubt about that, because if you promote officers according to one list and an officer knows that automatically he is going to be promoted when his number on the list is reached unless there is some agency somewhere either to reward him for his efficiency or punish him for his inefficiency, you will destroy initiative and ambition to make himself proficient in the service. So you have either got to have promotion by selection or you have got to have an elimination board. But in providing an elimination board let us provide one that is consistent with the principles of equity and of fair play and of justice. Why, gentlemen of the majority side of this House, if one of your colored constituents happens to be a messenger in one of the departments, under the civil-service rules he can not be deprived of his job unless he has a hearing, unless he has charges presented against him and is afforded an opportunity to vindicate himself. But under the language of this bill as drawn by the committee an honorable officer in the Army, though he bears upon his body the scars of battle, may be sent from the Army in disgrace because five officers in the War Department may find not that he has committed some act of delinquency, not that he has been guilty of cowardice on the field of battle, not that he has not an honorable and an upright character, but forsooth because they may decide that he is temperamentally unfit to command troops he may be sent from the Army in disgrace.

The trouble with the amendment of the gentleman from Kentucky was that it simply said that the review should be approved by the Secretary of War. My objection is that the officer may be indicted, tried, condemned, and executed before he may have any knowledge whatever of the pendency of the charges.

I am not presenting this matter as a partisan question. My God, gentlemen of the majority, must partisanship come into every question? We should not legislate as partisans. We are legislating for the Army which is to defend all of us if necessity may arise therefor.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY. I ask for two minutes more, please.

Mr. CALDWELL. I ask that the gentleman's time be extended five minutes.

Mr. CONNALLY. I do not think I shall need five minutes.

Mr. BLAND of Indiana. Will the gentleman yield for a question?

Mr. CONNALLY. If gentlemen are to ask me questions, I shall need five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time of the gentleman from Texas be extended five minutes. Is there objection?

Mr. MONDELL. Mr. Chairman, I understood the gentleman wanted two minutes.

Mr. BLAND of Indiana. I ask that the gentleman's time be extended five minutes, so that he may answer a question.

The CHAIRMAN. Does the gentleman from Wyoming reserve the right to object?

Mr. MONDELL. We are making no progress at all on the bill. We are now going back to a paragraph of the bill that was passed over.

Mr. CONNALLY. Oh, no; we are not.

Mr. MONDELL. We are taking up a great deal of time discussing matters that have been discussed already at great length.

The CHAIRMAN. Does the gentleman from Wyoming object? Is there objection to the request that the time of the gentleman be extended five minutes?

There was no objection.

Mr. BLAND of Indiana. In the gentleman's investigations of this subject has he ascertained the fact that in the American Expeditionary Forces a very valuable officer was dismissed from the service after having been twice sent by this board to the insane wards of two hospitals and in each instance found to be mentally sound?

Mr. CONNALLY. I will say to the gentleman from Indiana that I have not discovered that; but I take it from his interrogatory that he must have found such a case as a member of the investigating committee.

Mr. BLAND of Indiana. It is absolutely true.

Mr. CONNALLY. But I will say in reply to the gentleman from Indiana that while that particular case had never been called to my attention, I can cite him to a case in which this board, which they have already established in anticipation of this legislation and is now functioning in the War Department, took action regarding an officer.

I had my attention called to the case of an officer who was stationed at an Army post away out in the West. He did not know that charges had been preferred against him or that his record had been questioned, and the first notice he had was that he was practically out of the service, because he had been placed in class B. He journeyed to the capital at Washington at his own expense, and when he reached Washington and went down before the board he found that it did not have his complete record; that it had absolutely made a blunder; and when he went into the files of the War Department and dug up his real record the board unhesitatingly put him back in class A. But now let us assume that the board had been unwilling to place him back in class A. Under the terms of the bill as written he would have had no recourse and no appeal. The edict of this board written in some secret chamber would have been without appeal. The ukase of these military masters could never have been reviewed. The fiat of this injunction in chambers could never have been dissolved by any authority on the face of God's green earth.

Mr. DEMPSEY. Will the gentleman yield?

Mr. CONNALLY. I yield to the gentleman.

Mr. DEMPSEY. The gentleman's personal experience has been, so far as he has had any experience, that this board is reasonable and does reopen these hearings and give justice to the men who appeal to them?

Mr. CONNALLY. I only know of one case, and in that case it did. But the gentleman from New York forgets the point. I shall never vote to place such unlimited authority over the record, the service, the honor, and fortunes of any citizen of my country in any board without review. Such power should not be vested in any military board or civil tribunal. Such despotic and autocratic power should have no place anywhere in a Republic and shall never be set up by my vote.

Mr. MANN of Illinois. Mr. Chairman, I do not know very much about the inefficients in the Army, though I have no doubt there are some. The gentleman from Texas [Mr. CONNALLY] just now stated that if you had some friend who occupied a subordinate position in one of the departments, he could not be dismissed without a hearing and a trial. What is the result? None of them are dismissed. The heads of the departments have recommended for years that some legislation be enacted by which they could get rid of the inefficients and the aged who have become unserviceable.

Mr. CALDWELL. Will the gentleman yield?

Mr. MANN of Illinois. In just a moment I will. We formerly carried a provision in the legislative appropriation bill forbidding the use of any of the money to pay the salaries of people who were not efficient.

No one was ever dismissed under that provision of the law, but every year the heads of the departments asked for some way to get rid of these inefficients. Now I yield to the gentleman from New York.

Mr. CALDWELL. Does the gentleman feel that if the civil-service law carried a retirement provision on a percentage basis, as this bill does, would that make any difference?

Mr. MANN of Illinois. That would not get rid of them, but it would help. But the difficulty is that you can not get the head of a department ordinarily, or the head of a bureau ordinarily, to prefer charges against anyone if he has got to go into the trial of a lawsuit. He prefers to leave the man undisturbed. He does not want to become involved in that kind of a controversy. That is human nature, and whatever legislation you may pass you have always got to remember what human nature will do.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. MANN of Illinois. No; I can not yield. I voted for the Swope amendment for the purpose of giving the Secretary of War power to correct unintentional errors. I do not know that I am specially opposed to the pending amendment, but I do know that whenever you provide that a board of officers, in order to recommend the discharge of a man in the Army for inefficiency have got to be prepared to go into a trial or a lawsuit—and that it what this means—you will not get them to make a recommendation unless the case is so bald that the fellow will not answer.

Mr. LITTLE. Will the gentleman yield?

Mr. MANN of Illinois. No. I answer the gentleman the way he generally answers requests to yield. I do not propose to ask for an extension of time. I think we ought to have a method of getting rid of inefficiency in the civil service, which we have not got, and much more to get rid of inefficiency in the Army, which we have not now and which we will not have if this amendment is agreed to. [Applause.]

Mr. KAHN. Mr. Chairman, I move to close all debate on this amendment. I want to say that as far as I am concerned I have no objection to the amendment of the gentleman from Texas.

Mr. BLAND of Indiana. I want five minutes, but if the chairman of the committee accepts the amendment I do not care to be heard.

Mr. KAHN. The chairman can not accept an amendment, but I state my position on the matter. Mr. Chairman, I move that all debate on this amendment and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from California moves that all debate on this amendment and all amendments thereto be now closed.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question now is on the substitute offered by the gentleman from Texas [Mr. CONNALLY].

The question was taken, and the substitute was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken, and the amendment as amended by the substitute was agreed to.

Mr. KAHN. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 37, line 11——

Mr. BANKHEAD. A point of order, Mr. Chairman. I have an amendment to section 24 which I wish to offer.

Mr. KAHN. Then, Mr. Chairman, I will withhold my amendment. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KAHN. There is a motion pending offered by the gentleman from Kansas [Mr. LITTLE] to strike out all of the paragraph on classification of officers. I think, perhaps, we ought to vote first on that.

The CHAIRMAN. The Chair is informed that that motion is not pending. It was offered to be voted on at the proper time.

Mr. KAHN. I understood that all amendments to this section have been submitted.

Mr. GRIFFIN. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GRIFFIN. I would like to say, Mr. Chairman, to the gentleman from California that the amendment of the gentleman from Kansas was only to strike out a part of section 24b.

Mr. LITTLE. That is correct.

Mr. GRIFFIN. Through an error of the Clerk he read it as if it was the entire section. This morning I asked unanimous consent to have it corrected, and the RECORD was corrected accordingly.

Mr. KAHN. Very well; at the proper time I shall ask for a vote on the proposition.

Mr. GRIFFIN. May I also say that my interest in the matter is because I have an amendment to strike out the entire section.

Mr. BANKHEAD. Mr. Chairman, I offer an amendment, which I send to the desk.

The CHAIRMAN. The Chair was not present this morning when the arrangement was made, but he is informed that it would be proper first to vote on the amendment of the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, I ask for two minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LITTLE. Mr. Chairman, when this bill came up I moved to amend by putting this amendment on the first section in order to get it before the House. When we got it started again, I moved to strike out the first two lines. There has been some misunderstanding about it, and I really intended to make a motion to strike it all out. The gentleman from New York [Mr. GRIFFIN] will offer that amendment. I ask unanimous consent to withdraw my amendment to strike out the first few lines.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. GRIFFIN. Now, Mr. Chairman, I have an amendment at the desk that I ask to have read.

The Clerk read as follows:

Page 34, after line 5, strike out the entire section.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. CALDWELL. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. Do I understand from the reading of the amendment that the gentleman proposes to strike out the whole section or only down to and including line 13, page 35?

Mr. GRIFFIN. That is the idea.

Mr. CALDWELL. It was not so reported.

The CHAIRMAN. The Clerk reported the amendment as given to him in writing. Does the gentleman from New York desire to modify his amendment?

Mr. GRIFFIN. Yes; I ask that it be so modified.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 34, after line 5, strike out all of section 24b from line 6, on page 34, down to and including line 13 on page 35.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. KAHN. Mr. Chairman, reserving the right to object, we have spent a great deal of time on this section, and I hope the gentleman will be able to conclude his remarks in five minutes.

The CHAIRMAN. Does the gentleman from California object?

Mr. KAHN. Can not the gentleman from New York try to finish his remarks in five minutes, and if he asks for a further extension possibly we can allow it.

The CHAIRMAN. Does the gentleman from California object?

Mr. KAHN. I object.

Mr. GRIFFIN. Mr. Chairman and gentlemen, I wish to pay my compliments to the committee in charge of this bill not only for their achievement but for the courteous and tolerant spirit which they have displayed in its progress on this floor. At the same time I hope it will be understood that anything said in the heat of debate is not in any manner to be considered as in derogation of their honesty of purpose. In regard to this particular section of the bill, the most that I would dare avow is that the committee has been most egregiously deceived by specious reasoning. When I said the other day that this section of the bill creates a star chamber I was deeply in earnest and believe its powers and methods of procedure will justify the appellation.

The section provides for the appointment of a board of five general officers who are to arrange all officers into two classes. In class A they are to put all officers who, in their opinion—I emphasize the words "in their opinion"—should be retained in the service. In class B all officers who should not be retained. It provides that their opinion, however reached, shall not be subject to review. This is a departure from the slightly more liberal provision of the Wadsworth bill (sec. 44). All the officers in class B shall then be subject to the scrutiny of a board of three officers to be convened to determine whether their service has been honest and faithful. If the finding is in the negative, the officers shall be discharged from the Army. If, however, they find that the officer's service has been honest and faithful, what then? Why, he is to be discharged also! The only distinction between the sheep and the goats being that if the officer's service has been under 10 years he will get one year's pay. If over 10 years, he is retired on a miserable pittance. In other words, the man whose service for 9 years and 364 days has been honest and faithful meets the same fate and is treated with as little consideration as the man whose service has not been honest and faithful—except that in the case of the honest and faithful servant he receives one year's pay. But all his service, all his sacrifices, all his dreams of ambition in his chosen profession are shattered by the ipse dixit of five general officers!

In order to remedy its harshness an amendment has been proposed to permit the findings of the Board of General Officers to be reviewed. But by whom? By the Secretary of War, who will probably name the General Board and who will inevitably strain a point to sustain their finding. Another amendment proposes that before the decision of the board becomes final the officer placed in class B shall be afforded an opportunity to be heard, and from its findings shall have the opportunity to appeal to the Secretary of War "under such regulations as may be provided by the Secretary." Under this what is to prevent the Secretary of War from prescribing unreasonable and exacting regulations impossible of fulfillment? You can not cure this section by anything short of complete elimination, and that is the purpose of my amendment. I propose that the whole section be stricken out.

First. Because there is no occasion for it. There is ample machinery under the law as it stands to eliminate the unfit without putting this drastic, autocratic power into the hands of a purely caste court.

Second. Because under it an officer may be stripped of honors and emoluments, and even the right of citizenship, upon hearsay and opinion evidence.

I shall not read, but shall append to my remarks, a letter published in the Army and Navy Register of February 21, 1920. It criticizes the section of the Wadsworth bill devoted to this star-chamber court, but its comments are even applicable in greater degree to this offensive section of the Kahn bill. The writer, evidently an Army officer, gives extracts from Army orders and forms issued by The Adjutant General giving instructions as to how the "efficiency reports" are to be made. For instance, in Form No. 429, A. G. O., there is the following instruction:

A copy of any unfavorable entry of opinion (in 19 specified questions) will not be furnished the officer.

In other words, the opinion of a biased, unfair, and vindictive commanding officer will pass along in darkness through military subterranean channels from commanding officer to lineal superiors without opportunity being given to the subordinate officer affected to defend his name or his reputation. When the dark stream of biased opinion finally reaches the ultimate bouncing board the Lord only knows how much its pollution may be further augmented. This practice is in vogue to-day, and still the little clique of the high and mightiest are not content. They want their methods to receive the sanction of Congress. They want the santification of the law for the erection of a court to punish officers for the crime of not having the favorable opinion of some crabbed martinet.

What chance would Gen. Grant have had if such methods were in vogue in his time?

A few years before the Civil War Gen. Grant was chopping wood on a farm outside of St. Louis, carting it into the town and peddling it. He had been a captain in the United States Army. When the war began he was found in Springfield, Ill., seeking an opportunity to render service to his country. Tied up with red tape, blocked by technical objections, thrust aside and elbowed by newer, younger men, his efforts were in vain. An application of his, years afterwards, was found curled up in one of the files of the War Department—an application to Gen. McClellan to give him a command. It remains to the everlasting honor of a civilian governor of the State of Illinois to give to Grant the first opportunity that he had to show his phenomenal ability. And we may congratulate ourselves that that governor is represented in this House to-day by a son, also one time gov-

ernor of that great State, our genial friend and colleague [Mr. YATES].

After Fort Henry and Fort Donelson, Grant, although he had succeeded in winning a great victory, stood before the country in a worse plight than if he had been defeated, because of the attitude of those at Washington who sought to deprive him of the honors he had won on the field of battle. Gen. Halleck recommended, if you please, that the major generalship should be given, not to Grant, the victor, but to one of his subordinates. Gen. Halleck was one of those men who think they can figure out a man's efficiency and his competency according to certain psychological methods, much as we find men trying to do to-day—by efficiency charts and card-index systems. That is the sort of work that can be expected of this proposed board in analyzing the temperamental efficiency of an officer.

Now, let us pause and determine where are we at in construing this section? One gentleman says it is to eliminate, to get rid of, all officers who are inefficient. Answering him, I say that there are adequate facilities in the Army Regulations and in the Articles of War as they stand to-day to get rid of an inefficient officer.

But another member of the committee is not content with that definition—as to the purport of the section. What does he say? The gentleman from Vermont [Mr. GREENE] says:

> What we want to reach here is that type of old-time or young-time officer who is manifestly by temperament and disposition and various other more or less nebulous things that go to make up his personality unfit to be in command of troops and unfit to articulate himself with the military organization.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GRIFFIN. Those vague, nebulous things! Very pretty, gentlemen. We are asked, then, to establish what is tantamount to a court to pass upon the vague and nebulous peculiarities which may enter into a man's disposition. What are the consequences? What is the result of a determination of that sort?

You do not send the officer to prison, you do not put stripes upon him, but you put upon him a brand harder by far to bear than that of any brand of infamy imposed by a criminal court, for you put upon him the stamp of not being a gentleman and a soldier. You shatter and destroy all of his ambitions, you thrust him out an outcast, and that, too, in times of peace!

I am willing to go as far as any man in permitting military authority to have its way in the selection of officers in time of war, when great issues are at stake, when we can not have that delicate concern for the exact rules of justice. But now we are in the piping times of peace, and why do you want now to establish a court to determine temperamental inefficiency? The thing is absurb, un-American. I do not care so much; I am not fearful of what may happen in the case of a few poor officers who are not socially up to the scale, against whom the word has been passed along that they do not dance or that their wives are not admitted to the social intercourse of the post.

Nor am I concerned so much about the fate of the other officers who will have to suffer "elimination" because of the arrogant and autocratic power you intend to put into the hands of your "high court for the trial of temperamental shortcomings." They will have at least lived out their lives without hypocrisy or sycophancy. Their fate will at least be testimony before their Maker that they have not truckled for favor.

But what about the terrorism which this bouncing board, with its unlimited powers, is likely to inspire in the minds of the younger men in the Army? What kind of fighting men do you expect to make out of moral cowards? And yet if an officer yields to the temptation to become obsequious in order to curry the favor of his commanding officer, does he not become a moral coward? I warn you, gentlemen, you are treading on dangerous ground. You are establishing a procedure which will come back to plague us a hundredfold. You are undermining the character and independence of the officers in our Army. It is the honor and the traditions of this magnificent body of men which you are about to destroy to gratify the fad-madness of a few martinets craving for more power.

[From the Army and Navy Register, Feb. 21, 1920.]

HUMILIATION AS A FACTOR IN ARMY EFFICIENCY REPORTS.

To the Editor:

"Her spirit could not brook the humiliation of endeavoring the refutation of the calumnies urged against her."

Who will dispute the force of this remark of a noted historian, whether it be applied to the high spirited of the past, of the present, or of the future?

The requirement of rendition of efficiency reports under provisions of Army Regulation 829 may be fairly condensed as follows:

By each commander respecting each officer serving under him.

The regulations, open to all, do not state the substance of the matter set forth in the body of the "form" on which the reports are made.

The earlier form (No. 187, A. G. O.) contains the following:

"Whenever an officer is marked 'not good,' or whenever any unfavorable entry or remark which affects his character is made in the report, the reason for such entry *must be clearly stated*, and a copy of that portion of the report will be *furnished to the officer concerned*, who will be granted a reasonable time to prepare such written statement in respect thereto as he may desire to make; this statement will be indorsed and forwarded with the report."

Among the 21 headings on this form is the following:

"17. Considering the possible requirements of the service, in peace and in war, would you have any objection to this officer being under your immediate command?"

So far, very good.

Seemingly, in about 1911 or 1912, the italicized requirements, inserted for protection of officers against "perversion to dishonorable purposes" (language eliminated as archaic on revision of old Articles of War, 115, courts of inquiry) of the efficiency reports, became embarrassing, and Form No. 429, A. G. O., was substituted for No. 187. From instructions on this form are quoted the following:

"Whenever any unfavorable entry of fact affecting the character of an officer is made on his efficiency report, a copy of that portion of the report will be furnished to the officer concerned," etc.

"A copy of any unfavorable entry of opinion (19 headings) will not be furnished the officer."

No reason for entry of such opinions is required, excepting in a few instances, among which is heading O, corresponding to 17, above quoted, but which in this case reads:

"O. Considering the possible requirements of the service, in peace and war, would you desire to have this officer under your immediate command? If not, state reasons. (Opinion.)"

In 1919 appears Form 706, A. G. O., Special Efficiency Report for Officers of the Regular Army. The instructions in this contain the same provision as in No. 429, forbidding the furnishing to the officer reported on a copy of "any unfavorable entry of opinion." In this form, in lieu of headings 17 and O, appears heading as follows:

"E. Considering the possible requirements of the service in peace or war, indicate your attitude toward having this officer with your command; would you (opinion)—

"(a) Especially desire to have him?

"(b) Be satisfied to have him?

"(c) Object to having him?"

Absolutely no reason required for this secretly given expression of personal desire and attitude. Attitude determined necessarily from social relations, congeniality of habits, conflicting opinions, and personal likes or dislikes, etc. Even if made aware of such desire (if unfavorable), can one conceive of a "high spirit" brooking the humiliation of endeavoring to refute such desire or opinion?

And now, under provision of section 44, Senate bill 3688, it is proposed that such secret reports shall go to a board and constitute evidence, without opportunity for hearing, on which officers may be humiliated beyond endurance by demotion to an inferior class. The efficiency of the civil service is based on the fact that tenure may not be ended by personal likes and desires of superiors.

At its best the measure carries humiliation by degrading and discrimination and, as it now stands, without knowledge on the part of the officer as to the particular respect in which he is pronounced inefficient.

No efficiency report should be permitted to reach the boards provided for in section 44 which contains secretly expressed objections to having an officer in one's command, and a proviso to such effect should be made.

It can but prejudice a board so as to prevent an unbiased consideration of other traits or qualifications, however commendable.

The purpose of the efficiency reports is the plausible one of enabling the War Department "to form a true estimate of the standing, ability, and special fitness of officers" (see Form 187), not the odious one of learning whether or not Major X would like to have him or not. These reports are passed during the year confidentially from one commanding officer to another in event of changes; and such expression of like or dislike can but prejudice the officer finally rendering the report, as it must the intervening officers in the channel, leading finally to the War Department and the general officers of the boards empowered to degrade or dismiss him, a power long withheld from the President himself, except through tribunals before which the officer concerned is summoned for a fair hearing—a court-martial or a retiring board. No such protection is provided in the establishing of the inquisitorial board by section 44 of Senate bill 3688.

X. Y. Z.

Mr. ANTHONY. Mr. Chairman, I ask for a vote on the gentleman's amendment.

Mr. CALDWELL. Mr. Chairman, there has been but one speech on this amendment, and I rise in opposition to it. I am opposed to the proposition of striking out the section. In my opinion this is one of the good things in the bill. It is an idea that was very thoroughly discussed by Gen. Hahn, the Chief of the War Plans Division of the War Department. He gave it, not as the opinion of the War Plans Division but as his own personal opinion, after great study. His discussion of the question is found on pages 359 and 360 of the hearings on this Army reorganization bill. Among other things, he said:

> I have finally come to the conclusion that I believe some authority in the form of elimination of the unfit, without completely kicking them out, if they are not vicious, might perhaps be the best remedy that could be applied.

And then after that followed a discussion of the subject, and he offered an amendment to the bill we had before us, as reported on pages 359 and 360, and he supported it by some very able arguments, and I think beyond question if we provide some means by which the inefficient and unfit are eliminated that we will get a higher type of leadership in our Army. I think the showing made by Gen. Hahn is very creditable and is overwhelmingly in support of this proposition in the bill as now amended, and I therefore am opposed to the amendment offered by the gentleman from New York.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GRIFFIN].

The question was taken, and the amendment was rejected.

Mr. BANKHEAD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 11, after the word "Board," insert "subject to the right on the part of any officer affected to a review of the finding of the board by the Secretary of War as provided in section 24 (b) to the action of the Secretary thereon."

Mr. BANKHEAD. Mr. Chairman, I desire to call the attention of the chairman of the committee to this amendment. It will be noted that there are two boards provided, a classification board and a promotion board. Prior to the adoption of the amendment offered by the gentleman from Kentucky [Mr. SWOPE] and subsequently amended by the substitute of the gentleman from Texas [Mr. CONNALLY], there was no provision made for an appeal from the decision of the classification board. After the adoption of that amendment which provides for a review by the Secretary of War on the appeal of any officer who might be dissatisfied with the decision of the classification board, this classification list necessarily comes into the hands of the promotion board in making up the permanent list to be recommended to the President for promotion, and in order to perfect the evident intention of the committee after the adoption of the Swope and Connally amendments it seems to me that a man who might be affected, who might have his appeal pending before the Secretary of War on this classification proposition, should not be deprived of the benefit of the final action of the Secretary of War on his appeal or application for review, and the language of my amendment does not seek to nullify the action either of the classification board or the promotion board. It is offered simply for the purpose of giving those officers who might take an appeal an opportunity to have their status protected upon the final promotion list that is made up by this board provided in section 24 (c).

Mr. McKENZIE. Will the gentleman yield?

Mr. BANKHEAD. I will be glad to yield to the gentleman.

Mr. McKENZIE. I desire to ask the gentleman from Alabama, if I understand him correctly in this. Suppose the ranking lieutenant colonel fell under the ban of this board?

Mr. BANKHEAD. The classification board?

Mr. McKENZIE. The classification board, and was put in class B?

Mr. BANKHEAD. And he takes an appeal?

Mr. McKENZIE. He would have an appeal to the Secretary of War and the Secretary of War would refer it to this appeal board as the language is now amended in this bill.

Mr. BANKHEAD. Which appeal board does the gentleman refer to?

Mr. McKENZIE. I am thinking of the Evans amendment.

Mr. BANKHEAD. But that was rejected.

Mr. McKENZIE. Very well. Now, while that appeal is pending a vacancy existing in the grade of lieutenant colonel could not be filled, is that the gentleman's idea or his proposition, until the final determination of the case of the ranking lieutenant colonel?

Mr. BANKHEAD. Yes; in substance that is my contention. My provision is that that lieutenant colonel, while his case is being reviewed in the hands of the Secretary of War and that decision should overrule an adverse decision of the classification board retiring him, in making up this list of promotions to be submitted to the President by the promotion board, that their recommendation should be subject in making up their list to the final decision of the Secretary of War upon that particular man's case.

Mr. McKENZIE. I think the gentleman from Alabama will agree with me that the purposes of this section are not to catch men at the top of the list—and very likely never would—but to catch men who are tailenders.

Mr. BANKHEAD. My purpose is to protect men anywhere along the line, whether they are at the top or the bottom.

Mr. McKENZIE. I doubt if——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. And I hope the chairman of the committee will agree to the amendment.

Mr. KAHN. Mr. Chairman, I rise to move that all debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from California moves that all debate on this section and all amendments thereto be now closed.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was agreed to.

Mr. BLACK. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 6, after the word "shall," insert "within the discretion of the Secretary of War."

Mr. BLACK. Mr. Chairman, this section 24 (c) provides for a promotion board; and when an officer has been recommended for promotion he must come before this board for an examination of his case, and two of the board must be of the Medical Corps; and if the board should find that he is incapacitated and that such incapacity was incurred in line of duty, then he must be retired. I am sure in most cases that the finding of the board would be correct, but I think that there ought to be some discretion left in the Secretary of War about this retirement rather than to make the finding of the board arbitrary and without appeal, and it is for that reason I have offered the amendment. It seems to be in line with the other amendments which we have adopted, and leaves certain discretion to the Secretary of War.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. BLACK. I will.

Mr. GREENE of Vermont. I think the gentleman will find by looking over past experiences that no occasion has arisen to suggest the necessity for that. This really only reenacts existing law and a law that has obtained for decades—in fact, probably ever since a retirement list was made.

Mr. BLACK. If the gentleman, who, of course, is a member of the Committee on Military Affairs and is more familiar with this subject than I, states that this part of section 24c is reenactment of the present law, then I shall ask to withdraw my amendment.

Mr. GREENE of Vermont. I think the gentleman will find that the substance of the words, if I have a correct understanding of his intention, on page 36, line 4—

if the board find the officer incapacitated for service by reason of physical disability contracted in line of duty, he shall be retired with the rank to which his seniority entitled him to be promoted—

is already the policy of existing law. When the man comes up regularly for examination for promotion and is found incapacitated on physical examination, in that instance he can be put out of the active list. But at the time that he is due for promotion, if he should be retired for physical disability, he is retired at the grade he is entitled to.

Mr. BLACK. The point I had in mind, I will say, is this: Suppose the board finds he is incapacitated, and the officer does not agree with that finding, and he does not wish to be retired from the Army, under the present law has he any power to appeal to the Secretary of War?

Mr. GREENE of Vermont. As to his physical disability?

Mr. BLACK. Yes.

Mr. GREENE of Vermont. Yes. I think the practice has always governed that. I have not in mind a specific instance, but the practice, of course, is, naturally, if a man desires to continue in the active service, to go above the examiners for a reopening of his case. But in any event, as we all know from practical experience, it depends on the judgment rendered by the medical officer. It is a question of fact determined by medical officers.

Mr. BLACK. Mr. Chairman, in view of the explanation of the gentleman from Vermont that this part of the section reenacts present law——

Mr. GREENE of Vermont. That is the effect of it.

Mr. BLACK (continuing). I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. The gentleman from Texas [Mr. BLACK] asks unanimous consent to withdraw his amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Chairman, I offer the committee amendment at this time which I submitted.

The CHAIRMAN. The gentleman from California offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Page 37, line 11, after the word "Medical," insert the words "and Dental"; and in line 13, after the word "the," strike out the words "Dental and."

Mr. KAHN. Mr. Chairman, I ask for a vote.

Mr. CONNALLY. Mr. Chairman, we have not passed 24c yet, have we?

Mr. KAHN. No. I assumed that all amendments to the paragraph had been offered.

Mr. CONNALLY. Mr. Chairman, I have an amendment I wish to offer.

The CHAIRMAN. Without objection, the gentleman from California [Mr. KAHN] will withdraw his amendment temporarily. The Clerk will report the amendment of the gentleman from Texas [Mr. CONNALLY].

The Clerk read as follows:

Amendment by Mr. CONNALLY: Page 35, line 18, after the word "commissioned," strike out the period and insert: "Provided no officer shall be promoted over another occupying a higher grade."

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, several of the members of the Military Committee stated, in establishing a list for single promotions, which is described on pages 31 and 32, that it was not the purpose of the committee to draft the bill in such a way as to permit a captain, for instance, to appear on the promotion list ahead of a major simply because the captain might have had a longer commissioned service in the Army. My amendment, offered at this place, will make it entirely clear that the committee really intends to do what it professes. Under the terms of this bill hereafter there will be one single list for promotion. My amendment is to make it clear that all the majors should appear on the list ahead of the captains. In other words, the majors should appear in their relative order according to their total commissioned service in the Army. Then the captains would follow the majors, and among themselves would rank according to their total commissioned service, and so on down the line. Unless you adopt this amendment, however, it will be possible for an officer in the Judge Advocate General's department, in the Quartermaster Corps, and in the Ordnance Corps, be he a major or lieutenant colonel, it would be possible for such an officer to be jumped on the single promotion list by captains, provided those captains had a total commissioned service longer than the major. I am sure the committee does not desire for the country to think it intends to do that. I am sure the committee wants lieutenant colonels appointed in the order in which they appear on the list and the majors in the order in which they appear. And so if you will adopt this amendment you make it absolutely positive that that is the purpose of the committee. And I ask the committee to adopt the amendment.

Mr. FESS. Will the gentleman yield?

Mr. CONNALLY. I yield.

Mr. FESS. I ask for information. Would your amendment prevent a man in a lower rank who had performed some distinguished service being promoted over the man above him?

Mr. CONNALLY. I would say to the gentleman that that would be true except for the fact that the bill already does that in the other portions I called attention to on page 31. That page of the bill establishes a one-promotion list and provides promotions shall be made according to that list in the order in which the names appear. Now, if you are going to adopt that hard-and-fast principle, and promote officers by reason purely of their position on the list, then you ought to go further and adopt the principle that lieutenant colonels will be promoted according to their rank, and majors according to their rank, and captains according to their rank, and so on.

Mr. FESS. That sort of promotion seems to me to be antagonistic to all lines of efficiency.

Mr. CONNALLY. That may be true, and I am not taking issue with the gentleman from Ohio, but the committee has already adopted that proposition.

Mr. KAHN. Mr. Chairman, may the amendment of the gentleman from Texas be again reported?

The CHAIRMAN. Without objection, the Clerk will again read the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GREENE of Vermont. Mr. Chairman, I think it will be found that this so-called amendment to straighten out the single list will in its effect destroy the single list, and I would caution the House to adopt the list as the language of the bill reads, for this reason. While it is to be presumed the reclassification of officers taken into the Army since the war will mean that they will be put in grades according to their length of service, yet it also follows as a possibility that some men who may have had equivalent service to other men may be put in a lesser grade, because they are not at that time found experienced enough to hold the higher grades.

They may be found to be first-class material to start in the Army, but not to start as high as another man of the same length of service. Yet when it comes to the promotion, as I have understood the philosophy of this thing, any chance man down there who has made his ground in the meantime, and qualified and held it, will go up with the men of his own period of service as promotion goes on. Those are likely to be only exceptions for a while in the start off of the single list, because it is to be presumed that most men would not first be taken into the Army if they were found, though they had equal service with other men, not to be qualified to the same degree as the other men. There is a possibility that these men may in some instances be less available for the higher grade, so that they will be taken in at a lower grade. That was done in 1901, and done fairly.

Mr. CONNALLY. The gentleman says "will be taken in." This, of course, refers only to officers already in the service.

Mr. GREENE of Vermont. I know; but they are taken in with that understanding.

Mr. CONNALLY. Let me refer the gentleman to line 9 of page 31. If what the gentleman from Vermont says is true, why does the gentleman in line 9, page 31, use this language, "without changing the present order of officers on the lineal lists of their own branches"? If you are going to vary from the single-list policy, as the gentleman suggests, you are adopting language which will tie up the War Department all the way through.

Mr. GREENE of Vermont. We do not do that. That upper part of the lineal list which runs from the war back is organized on the basis that the gentleman has called attention to; but further in the bill it will be found that from the war on they are taken into the Army on length of service, and even the men now in the Army are to be regulated by that.

Mr. CONNALLY. You make exception of three branches of the Army on page 32.

Mr. GREENE of Vermont. I must point out that if the gentleman's amendment prevails, it destroys the entire operation and philosophy of the single list, which has been worked out with great care and patience in every detail.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. McKENZIE. Is it not generally understood that in the making up of the single list the lineal lists of the various branches of the service—Infantry, Cavalry, Artillery, and so forth—shall be moved along without being disturbed, so far as it is practical to do it, otherwise we would disarrange everything?

Mr. GREENE of Vermont. That is true. The bill itself states in very simple language, in unmistakable plainness, that back of the war itself, where the grade had become fixed and where the relations between man and man in the files of each grade had been fixed by periods of years, they are to be suffered to remain as nearly as possible as they are now. Of course, merging men from the various arms of the service into one list must mean that there must be some determination of the relative seniority of men occupying the same grade when they came in in a single list, and that is to be determined in the language of the bill without disturbing the relations of men file to file in the same arm, although they have to give place, some of them, to men of different arms as they come into the single list.

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. GREENE of Vermont. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREENE of Vermont. But it was equally apparent that, starting with the war itself, a period now possibly less than three years for anybody involved in it, there were men coming in under all kinds of conditions and under all kinds of interpretations of law and various changes of law, none of whom, generally speaking, had ever been organized together and held the position of relative superiority or subordination, all the way down through, in length of service. They were scattered individually throughout the Army, and if the temporaries to be taken in under this act are to be allowed to compute the length of their service, after coming in under the provisions of the bill, and be assigned to grades according to that service, then it was apparent that the Regulars in the service should have the same opportunity to match them, service to service, and not be displaced by them. So that the gentleman will find that the dividing line is the beginning of the war, beginning April 6, 1917. If this amendment prevails it will upset the entire purpose and philosophy of the single list, which the Army has been trying to obtain for years and years.

The CHAIRMAN. The time of the gentleman from Vermont has expired. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. CONNALLY].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. CONNALLY. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas asks for a division.

The committee divided; and there were—ayes 6, noes 41.

So the amendment was rejected.

Mr. BLACK. Mr. Chairman, I move to strike out the last word, to ask the gentleman a question.

The CHAIRMAN. The gentleman from Texas moves to strike out the last word.

Mr. BLACK. Mr. Chairman, I will say to the chairman of the committee that this promotion board is to be composed of not less than three nor more than five members, and yet I see, on page 36, a further provision which provides that the board shall have on it not less than two men who are officers in the branch of the service in which the officer is engaged, and also not less than two officers who are members of the Medical Corps. I am at a loss to understand how the board could have four members on it when the provision says it may be composed of as few in number as three, and if that provision, on page 36, lines 2, 3, and 4, is what it appears to be, it seems to me it should be modified.

Mr. CALDWELL. If the gentleman will permit, I think I can explain that. It might very well happen that an officer would be in the Medical Corps, in which case the two members of the Medical Corps would be in the same line of service with him, and you would not consequently have to have this board of five men. In another case the latitude is given so that we can have five men. The idea is to have no bigger board than is necessary, but always to have a big enough board to take in the required number.

Mr. BLACK. And this is to assure that there shall be on such board two men of his own service, and that would happen if the officer were a member of the Medical Corps, even though there were only three members of the board. If he were not a member of the Medical Corps, but belonged to the infantry branch, for example, we would then need a board of five members?

Mr. CALDWELL. Yes.

Mr. BLACK. That explanation seems to be satisfactory.

Mr. KAHN. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 37, line 11, after the word "medical," insert the words "and dental," and in line 13, after the word "the," strike out "dental and."

Mr. KAHN. Let us have a vote, Mr. Chairman.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DYER. Mr. Chairman, I desire to offer an amendment, which I am sure the chairman of the committee will agree to. It is in line with the amendment he has just offered. In line 15, after the word "reserve," the word "dental" should be stricken out, in order to conform to the amendment which he has just offered.

Mr. KAHN. The words "dental and."

Mr. DYER. In line 15, I move to strike out the words "dental and."

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 37, line 15, after the word "reserve," strike out the words "dental and."

The amendment was agreed to.

Mr. DYER. In line with the amendment just offered by the committee and the amendment offered by myself with respect to the Dental Corps, in line 15, after "officers," the word "respectively" should come out, and I move to strike out that word.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 37, line 15, after the word "officers," strike out the word "respectively."

The amendment was agreed to.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: Page 28——

Mr. KAHN. Mr. Chairman, I submit we have passed that.

Mr. NEWTON of Minnesota. It is in the section, but not in the paragraph.

Mr. KAHN. We agreed by unanimous consent to take up the section by paragraphs, but I will make no point of order against it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, line 23, after the word "section," insert "*Provided, however,* That any officer of the National Guard who served in the late war overseas in actual combat as colonel of a regiment shall be eligible for appointment in the grade of lieutenant colonel if he has attained the age of 43 years and is otherwise qualified."

Mr. CALDWELL. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CALDWELL. Did we not agree by unanimous consent that we would take up this section paragraph by paragraph, and has not the paragraph been passed?

The CHAIRMAN. There was a unanimous-consent agreement that in the consideration of the section we should proceed by paragraphs.

Mr. CALDWELL. I make the point of order that the amendment is out of order, as that portion of the section has been passed.

Mr. GREENE of Vermont. I hope the gentleman will not press that point of order. While that is technically true, yet, of course, it is the spirit of the committee to be liberal about it.

Mr. BANKHEAD. If the gentleman does not draw the line somewhere, there will be nothing to prevent our returning to a preceding section.

Mr. NEWTON of Minnesota. This is the same section which we have been considering. There has been no other section read.

Mr. GREENE of Vermont. We are not going out of the section.

Mr. BANKHEAD. I shall not interpose any objection.

The CHAIRMAN. Section 3 is still under consideration, and although the committee did agree to proceed by subsections the Chair doubts whether he would be justified in ruling that the entire section is not open to amendment until it is passed and the reading of another section has been begun.

Mr. NEWTON of Minnesota. Under the provision for the appointment of men who were not in the Regular Army to the Regular Establishment under the terms of this bill, restrictions are placed upon the appointing power of the board, so that unless those officers have attained certain ages, no matter what their qualifications are, they can not be considered or appointed. Now, there were in the service men in command of National Guard regiments who were under the age of 48 years. They were men who had served in the National Guard as colonels of their regiments for years in times of peace. The country could well afford to use the services of those men in the Regular Establishment. Having held regimental command for years in the guard and similar rank and command in combat overseas, they could not accept a position under that of lieutenant colonel. Under this bill, however, the position of lieutenant colonel is not open to them if under the age of 45. Now, if this particular amendment is adopted, it will make it possible for the board to consider the appointment of men to the position of lieutenant colonel who have attained the age of 43 years and who have during the late war, in actual combat, been in command of a regiment.

Mr. CALDWELL. Will the gentleman yield?

Mr. NEWTON of Minnesota. Certainly.

Mr. CALDWELL. Has the gentleman in mind any specific officer whom this amendment will benefit?

Mr. NEWTON of Minnesota. I have.

Mr. CALDWELL. Does the gentleman know of more than one that it would fit?

Mr. NEWTON of Minnesota. Yes.

Mr. CALDWELL. More than two?

Mr. NEWTON of Minnesota. No; I have no specific knowledge of more than that number.

Mr. CALDWELL. Then the gentleman's amendment would be in the nature of special legislation for the benefit of at most two men, so far as his knowledge is concerned?

Mr. NEWTON of Minnesota. No; I have general information to the effect that there were a number of guard officers who as commanders of regiments rendered the most efficient service and who would not, because of these age restrictions, be eligible.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. NEWTON of Minnesota. Yes.

Mr. BANKHEAD. If the gentleman is basing his proposition, not upon some special matter of favoritism, but upon broad general principles, why should he limit this opportunity to those officers who were in actual combat? There may be a great many National Guard officers in this class, and it was not their fault that they did not get into actual combat.

Mr. NEWTON of Minnesota. The gentleman is absolutely correct. It was not their fault. But the best test and almost the only test of the qualities that make up a good officer is the test of actual combat. Now, there were some National Guard

officers who could not get into actual combat. It was not their fault. There were others, however, who with their regiments went overseas and there in combat saw the hardest kind of service, winning the commendation and approbation of their superiors, who in almost every instance were Regulars. Yet notwithstanding this service, because of these age restrictions the board can not consider them.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. GREENE of Vermont. It is a part of the melancholy experiences of the last war that many brave men almost cried their eyes out to get orders so that they could get into combat. They were penalized by not having that opportunity. Now, will the gentleman add a second penalty by excluding them from another favor which combat men can get?

Mr. NEWTON of Minnesota. That is true. Many did cry their eyes out. But men who, as these men did, met the test and showed beyond question their qualifications, should be made eligible. I hope the committee will not oppose the amendment.

Mr. CALDWELL. Mr. Chairman, I should like very much to favor the very able National Guard officers who would come in under this amendment if I could do so consistently. But I do not feel that we have a right, in passing a piece of legislation such as this bill purports to be, to load it down with special legislation or with provisos and limitations or exceptions for any one or two or half a dozen more men. If we could provide a general principle upon which the Army should be reorganized, an amendment of that kind ought to get favorable consideration by this committee, but if every Member of this House has a friend that some time or other was in the Army whom he wants to favor, is going to offer amendments that the committee will approve, it will not be long until the Army reorganization bill will be more of a patchwork than any bill passed by the House.

Mr. NEWTON of Minnesota. The gentleman is mistaken; I am seeking to favor no officer; I am seeking to make available the services of officers to the country who have shown themselves to be eminently qualified.

Mr. CALDWELL. I think I have the same idea the gentleman has, but perhaps I do not express it with the nicety that he does. The fact remains that this provision would apply, so far as the gentleman's knowledge or that of any Member of the House is concerned, at the most to two men, and in my opinion that comes as close to special legislation as you can get, and makes it undesirable to put it on the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 26. That section 27 of said act be, and the same is hereby, amended by striking out all up to and including the third proviso, and also the proviso relating to the utilization of the service of postmasters, and inserting the following in lieu thereof:

"SEC. 27. Enlistments: Hereafter original enlistments in the Regular Army shall be for a period of one year or of three years, at the option of the soldier, and reenlistments shall be for a period of three years."

Mr. KAHN. Mr. Chairman, I offer the following committee amendment:

The Clerk read as follows:

Page 38, line 19, strike out all down to and including line 22 and insert in lieu thereof the following: "Hereafter original enlistments or reenlistments in the Regular Army shall be for a period of one or three years at the option of the soldier. Existing laws providing for the payment of three months' pay to certain soldiers upon reenlistment are hereby repealed, and hereafter on reenlistment an allowance equal to three times the monthly pay of a private of the sixth class shall be paid to every soldier who reenlists for a period of three years.

Mr. MANN of Illinois. Mr. Chairman, this amendment apparently strikes out line 19.

Mr. KAHN. I want to strike out all after the word "enlistments."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all down to and including line 22——

Mr. MANN of Illinois. That strikes out all of line 19, and the gentleman wants his amendment to come in after the word "enlistments."

Mr. KAHN. Mr. Chairman, I ask unanimous consent that the amendment may be modified.

The CHAIRMAN. The gentleman from California asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the modified amendment.

The Clerk read as follows:

Committee amendment offered by Mr. KAHN: Page 38, line 19, after the word "enlistments" strike out all down to and including line 22, and insert the following:

And so forth.

Mr. KAHN. Mr. Chairman, the purpose of the amendment is that unless something of this kind is done there is no inducement for men to reenlist. Under existing law they are induced to reenlist by the provisions upon which reenlistments of soldiers shall receive three months' pay. That heretofore has been in many cases quite an inducement for men to reenlist. The amendment will not offer any inducement for one year's enlistment, but it offers an inducement for three years' enlistment. It is practically the same inducement as is given now by existing law.

Mr. DENT. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DENT. I did not catch the latter part of the reading of the amendment. How much bonus does it give for reenlistment?

Mr. KAHN. Three months' pay of an enlisted man of the sixth class, which is $30 a month, or $90.

Mr. BLACK. Mr. Chairman, I rise in opposition to the amendment. In section 27 of the national defense act there are a number of provisos, and this section 26 repeals the first part of the language of the section which covers the term of enlistment, and then also repeals all of the section down to and including the third proviso and also repeals another proviso that comes later in the section relating to the services of postmasters in recruiting. But it leaves in the section the following language:

Provided further, That any noncommissioned officer discharged with an excellent character shall be permitted, at the expiration of three years in the active service, to reenlist in the organization from which discharged with the rank and grade held by him at the time of his discharge if he reenlists within 20 days after the date of such discharge: *Provided further*, That no person under the age of 18 years shall be enlisted or mustered into the military service of the United States without the written consent of his parents or guardians, provided that such minor has such parents or guardians entitled to his custody and control.

Also, another proviso following, and also a provision at the end of the section which relates to educational facilities in the Army.

Mr. SANFORD. It does not repeal the provision relating to educational facilities?

Mr. BLACK. No; but the inquiry I had in mind was that the amendment as proposed by the gentleman from California sets out section 27 by number and gives certain language which is set out in the amendment. The thought I had in mind was, Would not that form of amendment be construed as a reenactment of section 27, leaving out the matter I have just read and referred to and which it is not intended to repeal. It occurred to me that the safest method would be to reenact section 27 with the matter the gentleman has in his amendment and also the other matter that it is not intended to repeal.

Mr. MANN of Illinois. I does not make any difference about the effect. So much of the amendment that is not repealed remains law.

Mr. BLACK. The gentleman from Illinois, perhaps, can give me some information upon this subject. In line 18 it is provided:

And inserting the following in lieu thereof.

Does that refer to section 27 or to the matter stricken out?

Mr. MANN of Illinois. It refers to the matter stricken out. It is amended by striking out and inserting.

Mr. BLACK. Does the gentleman think there would be no confusion arising from using the words "SEC. 27. Enlistments"? I will agree that no confusion will arise if the whole section were reenacted, but it seems to me that by setting out the section number here and giving it a subhead, and not reenacting the other——

Mr. MANN of Illinois. But the part that is stricken out includes the language "SEC. 27. Enlistments." That is part of that which is stricken out. Therefore it has to be reinserted.

Mr. BLACK. Of course, section 27 would not be stricken out. The word "enlistments" would take the place of the language "enlistments in the Regular Army."

Mr. MANN of Illinois. Yes; but it proposes to strike out all of the section up to and including the third proviso, and that includes the number and the caption of the section.

Mr. BLACK. The gentleman from Illinois is so well experienced in these matters that if he thinks there will be no confusion arising I would be very glad to accept his opinion.

Mr. MANN of Illinois. I think there is no possible doubt about that.

Mr. SANFORD. In such form, which will be printed first, the matter here provided to be inserted——

Mr. MANN of Illinois. The matter here provided to be inserted, because that comes in place of the first three provisos and includes the caption.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 28. That section 29 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 29. Discharge on account of dependent relatives: When by reason of the death or disability of a member of the family of an enlisted man occurring after his enlistment, he may, in the discretion of the Secretary of War, be discharged from the service of the United States."

Mr. CALDWELL. Mr. Chairman, I move to amend by striking out, in line 6, page 39, the words "occurring after his," and in line 7, the word "enlistment."

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 39, lines 6 and 7, after the word "man," strike out the words "occurring after his enlistment."

Mr. CALDWELL. Mr. Chairman, I offer that amendment because of a number of cases, not one or two, but a number that have been brought to my personal attention, of men who have, since the armistice was signed, enlisted in the United States Army. At the time they enlisted, being young men, being 18 years of age, they did not need the consent of their parents, but because of the enthusiasm of youth and the great love they had for the man who wears the Army uniform, they joined the Army. After getting into the Army the young man had brought to his attention, not in one instance or in half a dozen but in a great many instances, the fact that he had done a thoughtless thing, but it is almost impossible to get that man out of the Army, notwithstanding the suffering of the parent at home. In many instances there are little children involved. While the boy was at home working the parent and the children were able to get along nicely, but now they are not able to do so, and, under the rules and under the law, the officers in the Army find practically no authority to discharge the man. If we carry these words in the law, they still will be unable to find a way to discharge these men. On the other hand, if we strike out those words, and the enlisted man can make out a good case, under the discretion of the Secretary of War, he can be discharged. By reason of the fact that this discretion is lodged in the Secretary of War, no great harm can come to the Army, because, unless he makes out a good case, he will not be discharged.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. MADDEN. Does the gentleman want to strike out the words "occurring after his enlistment," so that if, for example, his father died before he enlisted he may be discharged because his father is dead?

Mr. CALDWELL. That is exactly it. This is exactly the situation: In many instances the oldest child or one of the children of a widow, feeling that perhaps the family can get along, enlists in the Army, and then afterwards he wakes up to the fact that they can not get along without his aid. The gentleman must understand that this is not a grown man who has entered the Army, but merely a boy 18 years of age. The parent is entitled to a return from the services of the boy in civil life until he is 21. If the Army takes him and will not release him to the mother, the only thing that she can get is a dependency allowance and a portion of his pay.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. KAHN. Under the language of the section the Secretary of War would have discretion to relieve him, even if the words the gentleman desires to have stricken out are continued in the section.

Mr. CALDWELL. I think not. If the gentleman will look closely he would see that the Secretary will have discretion only in the event that death occurred before the enlistment, unless those words are stricken out of the section.

Mr. MADDEN. But suppose a man is 35 years of age when he enlists——

Mr. CALDWELL. He does not do that when he is of that age.

Mr. MADDEN. But suppose he was, and his father died before he was 20, would the mere fact that his father had died before he was 20 permit him to be discharged because his father was dead, although he enlisted at the age of 35?

Mr. CALDWELL. I do not think so. The Secretary of War should have discretion as to whether he should turn him loose, and we must always imagine that we will have as Secretary of War a man with some reason in his head.

Mr. McKENZIE. And that is the very point. I want to ask the gentleman whether or not in such a case as he pictured, he would want the Secretary of War to have discretion?

Do not you believe in a case of that character that the discharge ought to be imperative?

Mr. CALDWELL. I have in my files now the records of more than a dozen cases that are really pitiful, and if we add this amendment to this section the embarrassment——

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALDWELL. I ask for one minute more in order to finish my sentence.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CALDWELL. This would relieve the Army officers of embarrassment and relieve the family of suffering. It is only human, and the thing we ought to do is to build up the confidence of the civilian population of this country in the Army, and you can not do it as long as you have hard, fast, autocratic rules of this character. We ought to have them flexible, so that human justice can be meted out wherever it is required.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 29. That section 30 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 30. The Regular Army Reserve is hereby abolished, and all members thereof shall be discharged from the obligations under which they are serving."

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word.

I do so because I want to call the attention of the committee to the fact that in this section you are destroying a thing that made the Hay bill one of the greatest pieces of military legislation in the history of the world, and you are putting in place of it by other sections which are to follow a voluntary enlisted reserve. For a little while it may work, because there are many men who went into the Army during the war who would be glad to enlist in the enlisted reserve or the Regular Army Reserve, or anything you want to call it, for the purpose of being able to say from a feeling of pride that he is still a member of the same unit with which he went overseas, and so you will get a reasonable reserve, but you are throwing away one of the greatest assets that the country has for its defense when you say to the man, "You come into the Army for a year or three years, as the case may be, but most of them for a year, and we will give you training, we will teach you a trade, we will teach you military science, we will make a better man out of you, but when you get through with the one year's service we will throw you back into the general body of the public and we will not have any call on you again. Whenever we get into a war the country will pass a draft statute and the chances are you will be left out." Now, my friends, if you are going to have your country defended you must have a large body of men of some kind who can be had on call who are ready organized into units——

Mr. PLATT. Will the gentleman yield?

Mr. CALDWELL. In just a minute. And who are available, so that by issuing of the order of the President those men must respond and present themselves at the place designated and take up arms in defense of their country. That is the only way that you will ever have this country prepared to resist invasion. We can not feel with any degree of certainty that the next time we get into a war we will have some fifteen or twenty millions of soldiers of allied countries holding the line until we can get ready. I now yield to the gentleman from New York.

Mr. PLATT. Does the gentleman recall that just before we entered the war the Hon. Augustus P. Gardner entertained the whole United States Army Reserve, numbering 16 men?

Mr. CALDWELL. Yes. I have no doubt that if our late colleague were here his voice would be raised in opposition to this proposition. It was by reason of the able service done by him on the floor of this House that the country was awakened to the necessity of providing a force that was to be held in readiness for the defense of our country. [Applause.] It is a sad thing that in the few short months that have elapsed since Augustus P. Gardner left these Halls members of his own party are bringing into this House a bill repealing that which he fought so many years for and accomplished in the last days of his service here. I shall always regard the speeches made by the gentleman from Massachusetts, Mr. Gardner, as the ablest I have ever heard on military science, and I regret exceedingly that he is not with us now to continue the fight that he took up then and which he carried on so successfully.

Mr. PLATT. The gentleman must remember that he favored a volunteer reserve also.

Mr. CALDWELL. Yes; he was in favor of a voluntary reserve, in favor of one-year enlistments, but at no time did he ever favor any kind of a proposition that would wipe out the

enlisted reserve of the Army; he was always in favor of that. [Applause.]

Mr. KAHN. Mr. Chairman, I rise in opposition to the pro forma amendment. I do not want to say anything about my own work, but I can state that I probably had as much to do with the organization of the Regular Army Reserve as any man in the House. That is a matter that I fought for in the Committee on Military Affairs when the then chairman, Mr. Hay, of Virginia, sought to increase the term of enlistment from three years to five years, and again when the national-defense act was first taken up for consideration. Finally it was written into law. When Mr. Hay, the gentleman from Virginia, was chairman of the committee we ultimately agreed to an enlistment period of four years with the colors and three years with the reserves, so that men were asked to enlist practically for seven years. Consequently enlistments fell off markedly. Then when we passed the national-defense act we fixed the enlistment period for three years with the colors and four years in the reserves. That was adopted by Congress. We had again a seven-year enlistment with only three years in the reserve——

Mr. CALDWELL. Four years in the reserve.

Mr. KAHN. I should say four years with the reserves and three years with the colors.

Mr. CALDWELL. Will the gentleman yield?

Mr. KAHN. I will.

Mr. CALDWELL. There was an amendment offered that when a man showed efficiency after one year's service he could be furloughed to the reserve.

Mr. KAHN. He could be furloughed to the reserve, but would have a six-year period in the reserve.

Mr. CALDWELL. Yes.

Mr. KAHN. So that during the war we had a good many soldiers in the Army, some of them called to the colors because of their six-year furlough, some of them because of their four-year furlough, and some because of their three-year furlough to the reserve.

Now, I believe there are something like 14,000 or 15,000 soldiers of the Army who are still held in the reserves. They fought all through this war, having been called back to the colors under their contracts of enlistment. But after the war is over they are not to be given an honorable discharge, but they are put back into the reserves, and will be called upon to fight again if unfortunately this country within the next year or so should again unfurl its battle flags. Now, Mr. Chairman, while I contend the reserves were absolutely necessary until this country established a policy of selective draft, in my opinion it is not necessary since we have become committed to that policy. We can get all of these men who have served in the Army if we have to expand our forces at the beginning of a war by again enacting a conscription law. And therefore no harm is done by the repeal of the various laws regarding the Regular Army Reserve.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 31. That sections 37, 38, and 39 of said act be, and the same are hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 37. Officers' Reserve Corps: For the purpose of providing a reserve of officers available for military service when needed, there shall be organized an Officers' Reserve Corps consisting of general officers, of sections corresponding to the various branches of the Regular Army, and of such additional sections as the President may direct. The grades in each section and the number in each grade shall be as the President may prescribe. Reserve officers shall be appointed and commissioned by the President alone, except general officers, who shall be appointed by and with the advice and consent of the Senate. Appointment in every case shall be for a period of five years, but an appointment in force at the outbreak of war, or made in time of war, shall continue in force until six months after its termination. Any reserve officer may be discharged at any time in the discretion of the President. A reserve officer appointed during the existence of a state of war shall be entitled to discharge within six months after its termination if he makes application therefor. In time of peace, a reserve officer must, at the time of his appointment, be a citizen of the United States or the Philippine Islands, between the ages of 21 and 60 years. Any person who has been an officer of the Army may be appointed as a reserve officer in the highest grade which he held in the Army or any lower grade; no other person shall in time of peace be originally appointed as a reserve officer of Infantry, Cavalry, Field Artillery, Coast Artillery Corps, or Air Service in a grade above that of second lieutenant. In time of peace appointments in the Infantry, Cavalry, Field Artillery, Coast Artillery Corps, and Air Service shall be limited to former officers of the Army, graduates of the Reserve Officers' Training Corps, as provided in section 33 hereof, and persons who have attended one or more courses in schools or camps conducted under the provisions of section 33 hereof. Promotions and transfers shall be made under such rules as may be prescribed by the President, but no reserve officer shall be promoted to any grade in time of peace until he has held a commission for at least one year in the next lower grade. Nothing in this act shall operate to deprive a reserve officer of the reserve commission he now holds.

"SEC. 37a. Reserve officers on active duty: To the extent provided for from time to time by appropriations for this specific purpose, the President may order reserve officers to active duty at any time and for any period; but except in time of actual or threatened hostilities no reserve officer shall be employed on active duty for more than 15 days in any calendar year without his own consent. A reserve officer shall not be entitled to pay and allowances except when on active duty. When on active duty he shall receive the same pay and allowances as an officer of the Regular Army of the same grade and length of actual service, and mileage from his home to his first station and from his last station to his home, but shall not be entitled to retirement or retired pay."

Mr. MANN of Illinois. Mr. Chairman, this section proposes to amend sections 37, 38, and 39 of the national-defense act by striking out the same and inserting the following in lieu thereof; but what is inserted in lieu thereof is not an amendment to sections 38 and 39 at all, only an amendment to section 37 of the national-defense act, as I assume from the fact that the only two sections inserted are section 37 and section 37a. Probably it would not create any great amount of trouble, but this act would provide that sections 37, 38, and 39 be amended. What you do is to strike out sections 38 and 39 and not amend them.

Mr. KAHN. The sections in the national-defense act are, respectively, 38, the Officers' Reserve Corps in war, and 39, instruction of officers of the Officers' Reserve Corps.

Mr. MANN of Illinois. You are striking those out. You are not amending them.

Mr. KAHN. We are striking them out.

Mr. MANN of Illinois. You are amending the act by striking them out, but you are not amending the section.

Mr. KAHN. We are striking them out and amending the act thereby and inserting in lieu of these sections the various provisions that have been read.

Mr. MANN of Illinois. You are inserting certain provisions in lieu of section 37 of the national-defense act. Let me refer you to section 30, then. There you amend the act by striking out certain sections. Those sections are out if this becomes a law. Then in section 31 you say you amend sections 37, 38, and 39 by striking them out and inserting in lieu the following, but in that you are not amending sections 38 and 39. What you want to do is to strike them out.

Mr. KAHN. Probably the better form would have been in the previous section, section 30, to include those sections to be stricken out, namely, sections 38 and 39.

Mr. MANN of Illinois. I think it would.

Mr. KAHN. And then amend section 37. I have no objection to that and I think it would be an improvement. If there is no objection, Mr. Chairman, I ask that we return to the previous section, section 30, and strike out, in line 16, the word "and" after the figures "34"; then insert a comma after the figures "36" and add the figures "38" and "39."

The CHAIRMAN. The gentleman from California asks unanimous consent to return to section 30 for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 39, line 16, after the figures "34," strike out the word "and," and after the figures "36" strike out the period and insert a comma and add "38, and 39."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. KAHN. Now, Mr. Chairman, a further amendment: On line 17, page 39, strike out the figures "38, and 39" and the letter "s" in the word "sections" preceding the figures "37."

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 39, line 17, after the word "That," strike out the word "sections" and insert in lieu thereof the word "section," and after the figures "37" strike out "38, and 39."

Mr. KAHN. And in line 18 strike out the word "are" and insert the word "is" in lieu thereof.

The Clerk read as follows:

In line 18 strike out the word "are" and insert in lieu thereof the word "is."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. STEVENSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STEVENSON: Page 41, at the end of line 10, amend by adding the following: "or to make ineligible for reappointment any person who as a reserve officer was on active duty at any time between April 6, 1917, and November 11, 1918."

Mr. STEVENSON. Mr. Chairman, the reason for this is that on page 40, lines 15 and 16, the provision for the appointment of reserve officers is limited by the words "between the

ages of 21 and 60 years." Now, that is an original appointment. But a reserve officer who was serving during this war, and who was 56 or 57 years old when he began, and whose reserve commission may expire when he is 61, may be thought not desirable for retirement. He may be in the Judge Advocate's department, and be an efficient and useful member, and still there is a question raised as to whether he can be reappointed by that language. And this simply makes it clear that if the man's qualifications are such that he is desired, the department may reappoint him and continue to use him. Of course, if he is not desirable, they will not call him or will not reappoint him. That is the reason for the amendment.

Mr. ANTHONY. Mr. Chairman, it seemed to the committee that 60 was a reasonable limitation on age provided for in appointments in the Reserve Corps. If the amendment offered by the gentleman from South Carolina [Mr. STEVENSON] were adopted, there would be nothing to hinder the appointment of reserve officers up to the age of 100. It seems to me it would be more practicable to leave the language as it now stands.

Mr. STEVENSON. There are several limitations. In the first place, he must have been in active service during the war, and there is the other limitation that it is not obligatory on the department to appoint him. It is merely giving the department the opportunity to reappoint him on the expiration of his commission, not requiring the department to appoint him. I expect some centenarian, with all the wisdom acquired by age, might impart some wisdom even to the War Department, but I do not suppose the War Department would be making a reappointment at that advanced age, and therefore it seems to me it is merely removing what may be a doubt as to the right of the War Department to reappoint a man who served during this emergency and whose commission expires after he passes the age limit. It is not an original appointment at all.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. CONNALLY. Mr. Chairman, I desire to offer an amendment to section 37.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

Mr. CONNALLY. On page 40, line 18, strike out all down to the semicolon, in line 19, and insert "any grade to which he may be found to be qualified."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY: Page 40, line 18, strike out the language "in the highest grade which he held in the Army or any lower grade" and insert "any grade to which he may be found to be qualified."

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, I do not believe the committee will have any serious objection to this amendment.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. I yield.

Mr. ANTHONY. Would not the language under the proposed amendment permit the President to pick out a man, say, who served as a captain in the war and make him a major general of the reserve if he wished? Would it not be allowing a promotion in the reserve by selection, a thing that we do not permit in the Regular Establishment?

Mr. CONNALLY. It may be subject to that extreme case, but the bill is just as bad the other way. I prepared this amendment very hastily, because we were about to pass this section, and I hurriedly prepared it. Under the terms of this bill, however, an officer who served in the reserve, or in the Regular Army for that matter, during the war can not be reappointed to the Reserve Corps to any higher grade than he actually occupied while he was in the service. It has been the custom of the War Department in a great many cases of officers going out of the service to commission them in the reserve as of the next higher grade to that which they held in actual service.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. McKENZIE. Take a case like this: Suppose a man had service, active service, as a major. After the war he took out a reserve commission as a colonel; he was given the grade of colonel. Now, then, in a few years or a few months we get into another war. That reserve officer is called back into the active service. Will he come back as of the grade he had experience in or of the grade of colonel?

Mr. CONNALLY. I am willing to modify my amendment, I will say to the gentleman from Illinois, so that he might be commissioned not higher than the next higher grade to that which he occupied while in active service. I believe the members of the committee will recognize this proposition: By the terms of this bill practically every officer now in the Army will be promoted at least one grade, and perhaps two grades. Men who are now captains in the Regular Army, when this bill becomes a law will receive increase in rank; some of them will become lieutenant colonels, and those who do not obtain higher rank will become at least majors. But under the terms of this bill, as to the reserve officer, because he does not desire to remain in active service and goes back to private life, you restrict the War Department and say to the War Department that it shall not have discretion, and you forbid the War Department to appoint a captain who was a captain in the service and went across, perhaps, to increased rank; and you say to the War Department, "While you may take him back into the service, you shall not commission him higher than the grade of captain."

Mr. GREENE of Vermont. If the gentleman will permit, I suggest that it is expected, and the probable calculation is on the list, as this bill would make it up, that the promotion of captains would stop halfway down the present list, so that it is not quite accurate to say that everybody is going to get a promotion out of this in all the grades. In some grades they will only go up a number of files. After they are appointed these men may be promoted, you know.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. CALDWELL. In many instances men who were temporary officers when the reserves were brought into the Army were recommended for promotion, and the promotions did not come because the armistice arrived. Would not the gentleman be willing to modify his amendment by inserting, in line 18, after the word "held," the words "or to which he has been recommended"?

Mr. CONNALLY. I will say to the gentleman from New York that I shall be willing to accept that.

I ask unanimous consent, Mr. Chairman, to modify my amendment so that it will read as follows:

May be appointed as a reserve officer of the highest grade which he held in the Army, or for which he may have been recommended.

The CHAIRMAN. Is there objection to the modification of the amendment?

Mr. MANN of Illinois. Nobody can tell what it was.

The CHAIRMAN. Will the gentleman from Texas restate his proposed modification?

Mr. CONNALLY. "May be appointed as a reserve officer of the highest grade which he held in the Army, or any grade to which he was recommended while in the military service."

Mr. MANN of Illinois. What is that in lieu of?

Mr. CONNALLY. That is in lieu of line 18, down to the semicolon in line 19.

Mr. MANN of Illinois. Then the gentleman would not permit him to be appointed to any lower grade?

Mr. CONNALLY. Or any lower grade.

The CHAIRMAN. The Clerk will report the proposed modification.

The Clerk read as follows:

Page 40, line 18, after the word "or," insert the words "in any grade to which he was recommended while in the service or."

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 32. That sections 40, 41, 42, 43, 45, and 46 of said act be, and the same are hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 40. Reserve Officers' Training Corps—Organization: The President is hereby authorized to establish and maintain in civil educational institutions a Reserve Officers' Training Corps, one or more units in number, which shall consist of a senior division organized at universities and colleges granting degrees, including State universities and those State institutions that are required to provide instruction in military tactics under the act of Congress of July 2, 1862, donating lands for the establishment of colleges where the leading object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and at those essentially military schools not conferring academic degrees, specially designated by the Secretary of War as qualified, and a junior division organized at all other public and private educational institutions, and each division shall consist of units of the several arms, corps, or services in such number and such strength as the President may prescribe: *Provided*, That no such unit shall be established or maintained at any institution until an officer of the Regular Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least 100 physically fit male students, except that in the case of the units of a corps or department the minimum number shall be 50: *Provided further*, That, except at State institutions described in this section, no unit shall be established or maintained in an educational institution until the authorities of the same agree to establish and maintain a two years' elective or compulsory course of military training as a minimum for its

physically fit male students, which course, when entered upon by any student, shall, as regards such student, be a prerequisite for graduation unless he is relieved of this obligation by regulations to be prescribed by the Secretary of War.

"SEC. 40a. Reserve Officers' Training Corps courses: The Secretary of War is hereby authorized to prescribe standard courses of theoretical and practical military training for units of the Reserve Officers' Training Corps, and no unit of such corps shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training or to devote at least an average of three hours per week per academic year to such military training, except as provided in section 50 of this act.

"SEC. 40b. Personnel for duty with Reserve Officers' Training Corps: The President is hereby authorized to detail such numbers of officers, warrant officers, and enlisted men of the Regular Army, either active or retired, as may be necessary for duty as professors of military science and tactics, assistant professors of military science and tactics, and military instructors at educational institutions where one or more units of the Reserve Officers' Training Corps are maintained. In time of peace retired officers, retired warrant officers, or retired enlisted men shall not be detailed under the provisions of this section without their consent, and no officer on the active list shall be detailed for recruiting service or for duty at a school or college, not including schools of the service, where officers on the retired list can be secured who are competent for such duty. Hereafter retired officers below the grade of brigadier general and retired warrant officers and enlisted men shall, when on active duty, receive full active pay and allowances."

Mr. KAHN. Mr. Chairman, I desire to offer an amendment on page 42, line 1, after the word "that" insert "said act be, and the same is hereby, amended by striking out."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 42, line 1, after the word "that" insert the words "said act be, and the same is hereby, amended by striking out."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KAHN. Now, Mr. Chairman, on page 42, in line 1, I move to strike out the word "of," and then, in line 2, the words "said act be, and the same are hereby, amended by striking out the same."

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from California.

The Clerk read as follows:

Amendment by Mr. KAHN: Page 42, line 1, at the end of the line, after the figures "46," strike out the following language: "of said act be, and the same are hereby, amended by striking out the same."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word for the purpose of asking a question for information. What is the difference between schools in reference to this training? I would like to know if there is any discrimination as to the kind of colleges or schools that have this training?

Mr. KAHN. No; the War Department has formulated certain regulations which permit universities and colleges to adopt a course of military instruction under a regularly detailed Army officer. In addition, the college or university sends the students to a training camp for six weeks in the summer season, where they are trained by Regular Army officers as reserve officers of the Army. There is no discrimination made as between educational institutions, the only requirement being that they shall have a certain number of students and that they shall have a certain amount of military instruction given by certain Army officers detailed for that purpose.

Mr. McKEOWN. That is the thing I wanted to know. In our State we have a number of normal schools that heretofore have had military training, but they are not of the same standard as the State university, and I wanted to know if those schools, or institutions of that kind, where they have 400 or 500 students, and get over 100 students to take military instruction, would have an opportunity to do so?

Mr. KAHN. If they comply with the regulations of the War Department I have no doubt that they are included within the scope of the law.

Mr. McKEOWN. I want to take this opportunity to commend this class of legislation. I think that this war has demonstrated beyond question the importance of trained, educated officers, and that you can train them in our schools with less friction than in any other way, and I want to compliment the committee on having made an allowance for training in the schools of the country.

Mr. KAHN. I want to say to my friend from Oklahoma that many of the features of these sections were submitted to the committee by the heads of the educational institutions involved.

Mr. McKEOWN. I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment will be withdrawn, without objection.

Mr. DUNBAR. In answering the gentleman from Oklahoma, the gentleman from California stated that if an institution of learning in his State were to comply with the War Department regulations he had no doubt that the Secretary of War would grant their request. In the gentleman's answer there seems to be the impression created that there is no conclusive evidence that the Secretary would grant the request and that the school would have the opportunity, if it included military training in its curriculum, to have an Army officer detailed for instruction. Will the gentleman state about that?

Mr. KAHN. The language of the bill, beginning in line 9, is—

including State universities and those State institutions that are required to provide instruction in military tactics under the act of Congress of July 2, 1862—

which is known as the Morrill Act. Under that act the State universities received tracts of land on condition that they would teach the students military science and tactics and would establish colleges of agriculture. That appertains, however, to State universities principally, but the language goes on—

and at those essentially military schools not conferring academic degrees, specially designated by the Secretary of War as qualified, and a junior division organized at all other public and private educational institutions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. I ask unanimous consent that I may have three minutes more.

The CHAIRMAN. The gentleman asks unanimous consent to continue for three minutes. Is there objection?

There was no objection.

Mr. KAHN. The purpose of the provision is to do just what I stated to the gentleman from Oklahoma.

Mr. DUNBAR. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DUNBAR. The gentleman did not answer him definitely. What I think he wanted to know, and what I want to know is, in the high schools of the cities in which there are 100 boys who would care to take military training——

Mr. KAHN. Yes.

Mr. DUNBAR. Now, if they were to make an application to the Secretary of War, he would detail an officer?

Mr. KAHN. Yes.

Mr. DUNBAR. I did not understand the gentleman as asserting affirmatively that the Secretary of War would do so, but that he thought the Secretary might do so.

Mr. KAHN. The law requires him to do so. He is required in high schools and schools of that class to furnish an Army officer to train the junior officers in the reserve officers' training camps. The War Department furnishes uniforms for the students; furnishes the rifles and all necessary equipment. I know that that is being done at the present time. I think this is but a repetition of the existing law.

Mr. MANN of Illinois. May I ask the gentleman a question?

Mr. KAHN. Certainly.

Mr. MANN of Illinois. I understood the gentleman that the junior division could be organized in high schools and, for aught that I know, in grammar schools. Is it the intention for the Army to have enough officers to furnish instructors for the high and grammar schools in the country who may desire to be called into the junior division?

Mr. KAHN. The War Department does detail a great many noncommissioned officers and enlisted men to train the junior officers' reserve corps students. They are not all commissioned officers at these high schools; they are frequently enlisted men.

Mr. MANN of Illinois. Under this provision, if the people want it in a locality, they may receive military drill.

Mr. KAHN. Yes; and they are taught military science and tactics.

Mr. MANN of Illinois. I guess not very much; they are given military drill.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 33. That said act be, and the same is hereby, amended by striking out sections 47, 48, 49, 50, 51, 52, 53, and 54 and inserting the following in lieu thereof:

"SEC. 47. Supplies for Reserve Officers' Training Corps: The Secretary of War, under such regulations as he may prescribe, is hereby authorized to issue to institutions at which one or more units of the Reserve Officers' Training Corps are maintained such public animals, transportation, arms, ammunition, supplies, tentage, equipment, and uniforms belonging to the United States as he may deem necessary, and to forage at the expense of the United States public animals so issued, to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War, and to authorize such expenditures from proper Army appropriations as he may deem necessary for the efficient maintenance of the Reserve Officers' Training Corps. He shall require from each institution to which property of the United States is issued a bond in the value of the property issued for the care and safe-keeping thereof, except for uniforms, expendable articles, and supplies expended in operation, maintenance, and instruction, and for its return when required.

"SEC. 47a. Reserve Officers' Training Corps camps: The Secretary of War is hereby authorized to maintain camps for the further practical instruction of the members of the Reserve Officers' Training Corps, no such camps to be maintained for a longer period than six weeks

in any one year, except in time of actual or threatened hositilities; to transport members of such corps to and from such camps at the expense of the United States, so far as appropriations will permit, to subsist them at the expense of the United States while traveling to and from such camps and while remaining therein, so far as appropriations will permit, or in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowances at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to make the payment of travel allewances for the return journey in advance of the actual performance of the same, and to admission to military hospitals at such camps, and to furnish medical attendance and supplies; to use the troops of the permanent personnel of the Army of the United States, and such Government property as he may deem necessary, for the military training of the members of such corps while in attendance at such camps; and to prescribe regulations for the government of such camps.

"SEC. 47b. Appointment of graduates of Reserve Officers' Training Corps as reserve officers: The President alone, under such regulations as he may prescribe, is hereby authorized to appoint as a reserve officer of the Army of the United States any graduate of the senior division of the Reserve Officers' Training Corps who shall have satisfactorily completed the further training provided for in section 50 of this act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section 50 of this act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of 21 years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army of the United States during a period of at least five years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority: *Provided*, That no reserve officer appointed pursuant to this act shall be entitled to retirement, or to retired pay, and shall be eligible for pension only for disability incurred in line of duty in active service or while serving with the Army pursuant to provisions of this act.

"SEC. 47c. Pay and commutation of subsistence, Reserve Officers' Training Corps: When any member of the senior division of the Reserve Officers' Training Corps has completed two academic years of service in that division, and has been selected for advanced training by the president of the institution and by the professor of military science and tactics, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course at the institution, devoting five hours per week to the military training prescribed by the Secretary of War, and has agreed in writing to pursue the course in camp training prescribed by the Secretary of War, he may be furnished at the expense of the United States commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps, not exceeding two years: *Provided*, That any medical student may be admitted to a Medical Corps unit of the Reserve Officers' Training Corps for a course of training at the rate of 90 hours of instruction per annum for the four collegiate years, and if at the end of two years of such training he has been selected by the professor of military science and tactics and the head of the institution for advanced training, and has agreed in writing to continue in the Reserve Officers' Training Corps for the remainder of his course at the institution, and has agreed in writing to pursue the course in camp training prescribed by the Secretary of War, he may be furnished, at the expense of the United States, with commutation of subsistence at such rate not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps, not exceeding two years: *Provided further*, That members of the Reserve Officers' Training Corps, or other persons authorized by the Secretary of War to attend advanced course camps, shall be paid for attendance at such camps at the rate prescribed for privates of the Regular Army.

"SEC. 47d. Citizens' training camps: The Secretary of War is hereby authorized to maintain, upon military reservations or elsewhere, schools or camps for the military instruction and training, with a view to their appointment as reserve officers, of such warrant officers, enlisted men, and civilians as may be selected upon their own application; to use for the purpose of maintaining said camps and imparting military instruction and training thereat, such arms, ammunition, accouterments, equipments, tentage, field equipage, and transportation belonging to the United States as he may deem necessary; to furnish at the expense of the United States uniforms, subsistence, transportation by the most usual and direct route within such limits as to territory as the Secretary of War may prescribe, or in lieu of furnishing such transportation and subsistence to pay them travel allowances at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp, and for the return travel thereto, and to make the payment of travel allowances for the return journey in advance of the actual performance of the same, and medical attendance and supplies to persons receiving instruction at said camps during the period of their attendance thereat, to authorize such expenditures, from proper Army appropriations, as he may deem necessary for water, fuel, light, temporary structures, not including quarters for officers nor barracks for men, screening, and damages resulting from field exercises, and other expenses incidental to the maintenance of said camps, and the theoretical winter instruction in connection therewith; and to sell to persons receiving instructions at said camps, for cash and at cost price, plus 10 per cent, quartermaster and ordnance property, the amount of such property sold to any one person to be limited to that which is required for his proper equipment. All moneys arising from such sales shall remain available throughout the fiscal year following that in which the sales are made, for the purpose of that appropriation from which the property sold was authorized to be supplied at the time for the sale. The Secretary of War is authorized further to prescribe the courses of theoretical and practical instruction to be pursued by persons attending the camps authorized by this section; to fix the periods during which such camps shall be maintained; to prescribe rules and regulations for the government thereof; and to employ thereat officers, warrant officers, and enlisted men of the Regular Army in such numbers and upon such duties as he may designate."

Mr. KAHN. Mr. Chairman, I desire to offer two committee amendments.

The Clerk read as follows:

Committee amendment: Page 48, line 4, after the word "medical," insert a comma and the words "dental or veterinary."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 48, line 5, after the word "medical," insert a comma and the words "dental or veterinary."

The committee amendment was agreed to.

Mr. DICKINSON of Missouri. Mr. Chairman, I move to strike out the last word. I do it for the purpose of asking permission to extend my remarks by placing in the RECORD certain proposed amendments and a short memorandum explaining these amendments, so that it will go into the RECORD for the information of Members.

Mr. KAHN. Mr. Chairman, I submit that the gentleman already has that privilege.

Mr. DICKINSON of Missouri. I want it to go into the RECORD of to-day.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The proposed amendments referred to by Mr. DICKINSON of Missouri are as follows:

PROPOSED AMENDMENTS TO H. R. 12775.

(Union Calendar No. 220.)

The proposed amendments are intended to amend certain sections of the defense act left unchanged by this bill and to make changes in the amendments proposed by the bill. The sections of the bill are followed in order, and where new amendments to the defense act are proposed such new sections in the bill are designated by adding a letter to the numerical designations of the sections.

SEC. 35–A. Insert a new section following section 35, amending section 62 of the defense act by striking out the same and inserting the following in lieu thereof, so that such section as amended will read as follows:

"SEC. 62. The number of enlisted men of the National Guard to be organized under this act within one year from June 30, 1920, shall be for each State in the proportion of 200 such men for each Senator and Representative in Congress from such State, and a number to be determined by the President for each Territory and the District of Columbia, and shall be increased each year thereafter in the proportion of not less than 50 per cent until a total peace strength of not less than 800 enlisted men for each Senator and Representative in Congress shall have been reached: *Provided*, That in States which have but one Representative in Congress such increase shall be at the discretion of the President: *Provided further*, That this shall not be construed to prevent any State, Territory, or the District of Columbia from organizing the full number of troops required under this section in less time than is specified in this section, or from maintaining existing organizations if they shall conform to such rules and regulations regarding organization, strength, and armament as the President may prescribe: *And provided further*, That nothing in this act shall be construed to prevent any State with but one Representative in Congress from organizing one or more regiments of troops, with such auxiliary troops as the President may prescribe; such organizations and members of such organizations to receive all the benefits accruing under this act under the conditions set forth herein: *Provided further*, That the word Territory as used in this act and in all laws relating to the land militia and National Guard shall include and apply to Hawaii, Alaska, Porto Rico, and the Canal Zone, and the militia of the Canal Zone shall be organized under such rules and regulations, not in conflict with the provisions of this act, as the President may prescribe: *And provided further*, That the National Guard Reserve shall be counted as a part of the National Guard in determining the strength of the same: *And provided further*, That in case any State shall fail to organize and maintain the number of troops required by this section the President shall have the power to allot the unorganized quota of such State to another State or Territory desiring to organize troops in excess of its quota."

Memorandum: This extends the time for compliance as to strength one year. The present law requires an initial strength of 200 for each Member of Congress on June 30, 1920. At present only two States, Minnesota and Texas, meet this requirement.

The amendment further counts the National Guard Reserve for purposes of determining this strength, which is thought proper inasmuch as such reserve is available for call into Federal service as provided in another amendment. It further provides that where a State fails to raise its allotment of troops its unorganized quota may be assigned to another State. This is to meet a situation which will exist where some States are better able to maintain a large force than others, and the effect of this amendment will be to give the Federal Government the advantage of the maximum strength desired and yet not impose a special hardship on any particular State where conditions make it difficult to maintain a strong guard.

SEC. 35–B. Insert a new section striking out section 65 of the defense act.

Memorandum: It is thought that in view of the number of experienced officers now available for National Guard duty, this provision is no longer necessary. Division and brigade commanders will have had experience in the World War and will have no difficulty in finding qualified officers for duty as chief of staff. At the time this section was enacted National Guard officers had not had, as a rule, great experience in the field, and the real purpose was to give the division and brigade commander the benefit of the experience of a Regular officer.

SEC. 35–C. Insert a new section amending section 67 of the defense act by striking out the same and inserting in lieu thereof the following, so that said section will read:

"SEC. 67. A sum of money shall be appropriated annually, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the National Guard, including the expense of encampments, maneuvers, outdoor target practice, and other field instruction; for the hire of animals for the use of National Guard units, together with forage for the same; for the hire of competent help to care for

matériel and equipment purchased or issued under the provisions of this act; for the hire of hostlers to care for public animals issued under the provisions of this act, and for forage and veterinary service and supplies for the same; for the purchase, maintenance, equipment, and rental of target ranges, camp and maneuver grounds, including the hire of caretakers and other expense of maintenance of the same; for indoor shooting ranges; for the pay and expenses of the State property and disbursing officer; and for such other purposes necessary for the support, training, and maintenance of the National Guard of the several States as the Secretary of War, upon the recommendation of the chief of the National Guard division, shall deem necessary. The appropriation provided for in this section shall be apportioned among the several States, Territories, and the District of Columbia in direct ratio to the number of enlisted men in the active service in the National Guard of such State, Territory, or the District of Columbia on the 30th day of June of each year.

"The governor of each State and Territory and the commanding general of the National Guard of the District of Columbia shall appoint, designate, or detail, subject to the approval of the Secretary of War, the adjutant general of the State, or an officer of the National Guard of the State, Territory, or District of Columbia, who shall be regarded as property and disbursing officer of the United States for such State or Territory. He shall receipt and account for all funds and property belonging to the United States issued to the National Guard of his State, Territory, or District, and shall make such returns and reports concerning the same as may be required by the Secretary of War. The Secretary of War is authorized, on the requisition of the governor of the State or Territory or the commanding general of the District of Columbia, to pay to the property and disbursing officer thereof so much of its allotment out of the annual appropriation for the support of the National Guard, or any other funds appropriated for any of the purposes of this act, as shall be necessary for the purposes enumerated herein. He shall render, through the War Department, such accounts of Federal funds intrusted to him for disbursement as may be required by the Treasury Department. Before entering upon the performance of his duty as property and disbursing officer he shall give a good and sufficient bond to the United States, the amount thereof to be determined by the Secretary of War, for the faithful performance of his duties and for the safe-keeping and proper disposition of the Federal funds and property intrusted to his care. He shall receive the same pay and allowances as an officer of the Regular Army of like grade and prior service, and such compensation shall be a charge against the allotment of the State, Territory, or the District of Columbia. Such property and disbursing officer, when traveling in the performance of his official duties, shall be reimbursed for his actual necessary traveling expenses, and such expense shall be a charge against the allotment of the State, Territory, or District of Columbia. The Secretary of War shall cause an inspection of the accounts and records of the property and disbursing officer to be made by an inspector designated by him at least once each year."

Memorandum: This simplifies the present law and makes possible the payment of certain necessary expenses not covered in the present law. A great many target ranges have been acquired in the several States from funds appropriated for the promotion of rifle practice. At present a caretaker paid from Federal funds is provided, but there is no provision whereby additional civilian labor may be permanently employed to assist the caretaker in his duties. On large ranges this is necessary, and such provision would result in better service, would be in the interest of economy, and assist in the preservation of public property. The inspector-instructor appointed by the Federal Government in some of the States has recommended this. The amendment would permit the acquirement, in the discretion of the Secretary of War, of camp and maneuver grounds in addition to rifle ranges. Few of the States have suitable camp grounds. This amendment would not only make possible the acquirement of such camp grounds, but would provide for their upkeep.

This amendment omits the expenses of the Militia Bureau, which it is thought should be paid from a special appropriation made for that express purpose, and the pay of Regular officers and enlisted men detailed to the National Guard, which it is thought should be paid from a special appropriation or other funds appropriated for the support of the Army.

The duties of the State property and disbursing officer are more clearly set out, and his compensation is definitely fixed at the pay of his grade. The property accountability of State property and disbursing officers is now so great and their duties so exacting it is thought they should be entitled to the pay of their grade, which in most cases is that of a major.

SEC. 39. Strike out the amendment proposed in this bill and substitute therefor the following, so that section 72 of the defense act shall read as follows:

"SEC. 72. An enlisted man discharged from service in the National Guard, except when drafted into the military service of the United States under the provisions of section 111 of this act, shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army. When not in the actual service of the United States, enlisted men may be discharged by the governor of the State or Territory, and in the District of Columbia by the President, for the following reasons: Expiration of period of enlistment; removal from the State; physical disability; to accept a commission; to enlist in the Army, Navy, or Marine Corps; and sentence of a court-martial: *Provided, however*, That the governor of the State or Territory in which the soldier resides, and, in the case of the District of Columbia, the President, shall have power in any case where the removal of the soldier from the station of the organization in which he is enlisted makes it impossible for him to attend drills, or where since his enlistment he has engaged in business such as precludes him from properly performing his military duty, to transfer such soldier to the reserve: *Provided, however*, That the governor of such State or Territory, and, in the case of the District of Columbia, the President, shall have power to reassign such soldier to the active list at any time."

Memorandum: Under the present law discharges are granted under regulations prescribed by the President, and may be varied from time to time. Naturally a young man contemplating enlisting in the National Guard desires to know definitely the circumstances under which he might leave the service before the termination of his enlistment, and he hesitates to assume the obligation in the enlistment contract without such information, and this stands in the way of recruiting. The grounds upon which the soldier may be discharged absolutely are the same as those now prescribed in regulations. In addition thereto it is provided that the governor may place a soldier in the reserve in cases where change of residence or occupation make it impossible for him to attend drills, and he may be placed on the active list again at any time the governor may so decide. Under the present law a man changing his residence could be discharged by the President, but this would take him permanently out of the service, and he may be a desirable man with some military experience.

SEC. 40–A. Insert a new section amending section 75 of the defense act by striking out the same and substituting therefor the following, so that said section as amended will read as follows:

"SEC. 75. The provisions of this act shall not apply to any person hereafter appointed an officer of the National Guard unless he first shall have successfully passed such tests as to his physical, moral, and professional fitness as the President shall prescribe. The examination to determine such qualifications for commission shall be conducted by a board of three commissioned officers appointed by the Secretary of War from the Regular Army or the National Guard, or both: *Provided*, That an officer who has served for three months in the field in the drafted National Guard, the National Army, or the United States Army subsequent to April 6, 1917, and who was honorably discharged therefrom shall be commissioned in a grade not to exceed that he held in such service, without examination other than a physical examination."

Memorandum: This will make eligible for commission without other than a physical examination all officers who served for three months in the field during the war with Germany. It is thought that such service qualifies the applicant for such commission when appointed by the State authorities.

SEC. 40–B. Insert a new section amending section 76 of the defense act by striking out the same and substituting therefor the following:

"SEC. 76. All vacancies occurring in any grade of commissioned officers in any organization in the military service of the United States and composed of persons drafted from the National Guard under the provision of this act shall be filled by the President by the appointment of persons similarly taken from said Guard, and in the manner prescribed by law for filling similar vacancies occurring in the volunteer forces."

Memorandum: The words "as far as practicable" are omitted from the original act. The presence of these words permits the law to be ignored. It is thought that all vacancies in the National Guard in Federal service should be filled by the appointment of National Guardsmen.

SEC. 41. Amend this section of the bill by striking out the same and substituting therefor the following, so that section 78 of the defense act will read as follows:

"SEC. 78. There shall be in each State a National Guard Reserve to consist of such officers and enlisted men as may be assigned to, enlisted, or commissioned therein. Any person physically qualified, who served as a commissioned officer in the armed forces of the United States subsequent to April 6, 1917, and who was honorably discharged therefrom shall be eligible to appointment as a commissioned officer in the National Guard Reserve with a rank not greater than that he held in such Federal force. Officers in the National Guard Reserve may be placed on active duty at any time by either State or Federal authority, and while so serving shall have the same status and receive the same pay, transportation, and allowances as officers of like grade on the active list. The oath to be taken and subscribed to by officers appointed in the National Guard Reserve shall be as follows:

"I, ——— ———, do solemnly swear that I will support and defend the Constitution of the United States and the constitution of the State of ——— against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the governor of the State of ———; that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge my duties as an officer in the National Guard Reserve of the United States and of the State of ——— according to law.

"Any physically qualified person under the age of 45 years who served in the armed forces of the United States subsequent to April 6, 1917, and who was honorably discharged therefrom, or who has served for three years in the National Guard, shall be eligible for enlistment in the National Guard Reserve. Enlistments shall be for a period of three years, either in the reserve generally or as a reservist in any unit in the National Guard of the State. Except as otherwise provided in this act, enlisted men in the reserve shall not be required to perform any military duty while the National Guard is not in actual active Federal service, other than to report for muster at the annual inspection of the unit to which assigned as a reservist: *Provided, however*, That such reservist may voluntarily, under such regulations as may be prescribed by the Secretary of War, participate in any drill service, encampment, or other military exercise, including target practice, of the unit to which attached as a reservist, and shall while so participating be entitled to the same pay, allowances, transportation, and subsistence as active members of the National Guard.

"When the National Guard is called into the active service of the United States or drafted into Federal service under the provisions of this act, the President may call or draft such reservists with and as part of the unit or units so called or drafted.

"Persons enlisting in the National Guard Reserve shall be required to take the following oath:

"I do hereby acknowledge to have voluntarily enlisted this — day of ———, 192—, in the National Guard Reserve of the United States and the State of ———, for the period of three years under the conditions prescribed by law, unless sooner discharged by proper authority; and I do solemnly swear that, as a member of such National Guard Reserve, I will bear true faith and allegiance to the United States of America and to the State of ———, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the governor of the State of ———, and of the officers appointed over me according to law and the Rules and Articles of War as applied to said reserve."

Memorandum: The language of this section as amended will permit the enlistment of those who served during the war with Germany and are willing to answer a Federal call in an emergency, but who do not care to obligate themselves to attend routine drills, etc. These are veteran soldiers, and hence should not be required to undergo the training required of the active National Guard. They are required to report at the annual inspection, and may elect to go on the active list, participate in encampments, etc. Included also in such reserve will be National Guardsmen who, after enlistment in a unit, have so changed their residence or occupation as to be no longer available for active duty. This will give the Federal Government the advantage of a very large trained reserve which would not otherwise be available.

SEC. 42. Amend this section of the bill by striking out section 79 of the defense act and substituting therefor the following, so that said section will read:

"SEC. 79. When it shall be necessary to increase the strength of any National Guard unit called into the service of the United States as such, or drafted into Federal service as provided in this act, recruits for the same shall be enlisted or assigned thereto from the State or Territory from which such troops are called or drafted and from the locality in such State or Territory from which such troops came. The right to recruit such National Guard units so called or drafted by voluntary enlistments therein shall not be denied, nor shall the right of any citizen of a State or Territory drafted into Federal service to be assigned to a National Guard unit of his State or Territory be denied, provided the National Guard of such State is below the required maximum war strength at the time."

Memorandum: When the National Guard is called into Federal service and not drafted, as was the case when the State troops were sent to the border in 1916, provision should be made for recruiting the same from the home station of the organization. The reasons for this are obvious.

When the unit is drafted into Federal service under the provisions of section 111, and it becomes necessary to increase their strength, either by enlistment or through the draft, they should be permitted to increase their strength either by voluntary enlistment or by assigning thereto drafted men from the State and locality from which the unit comes. The advantage of localization of the units is now generally recognized. Drafted men naturally prefer to serve with troops of their own State, and as far as possible with units which come from their homes. This tends to build up the esprit de corps, and is highly desirable from every standpoint.

SEC. 43. Amend this section of the bill by striking out the same and insert the following, so that section 81 of the defense act as amended will read as follows:

"SEC. 81. The National Guard Division of the War Department is hereby established. Such division shall be under the direct supervision of the Secretary of War and shall not form a part of any other division, bureau, office, or other organization of the War Department. The chief of the same shall report direct to the Secretary of War and shall be responsible only to the Secretary of War. The National Guard Division shall consist of one chief of the National Guard Division and such officers and enlisted men of the Regular Army and the National Guard as the President may direct. The chief of the National Guard Division shall be appointed by the President by and with the advice and consent of the Senate from among officers of the National Guard who have had ten or more years' commissioned service in the National Guard, at least five of which has been in the line. He shall hold office for four years unless sooner removed and shall have the rank, pay, and allowances of a major general of the Regular Army during his tenure of office, but shall not be entitled to retirement or retired pay. Details of officers to the National Guard Division by the President shall be upon the recommendation of the chief of the Militia Bureau. One-half of the officers detailed to the National Guard Division shall be selected from the officers of the National Guard who have served therein for not less than one year subsequent to June 3, 1916. No retired officer and no officer with a rank exceeding that of colonel shall be detailed to the National Guard Division. National Guard officers detailed under this section shall be entitled to the pay and allowances of officers of the Regular Army of like grade and service. The National Guard Division under the supervision of the Secretary of War shall have charge and supervision of all National Guard affairs. The chief of such division shall have charge of the organization, supply, and instruction of the National Guard of the several States, and shall submit estimates for the necessary appropriations to provide for the equipment and maintenance of the same."

Memorandum: The amendment proposed in the bill wipes out the defense-act provision for a Militia Bureau and leaves the office without any status at all. It provides for the appointment of a National Guardsman as chief of the Militia Bureau and the detail of regular officers thereto, and would amount, in the final analysis, to nothing more than giving some National Guardsman the rank and pay of a major general. The Militia Bureau should have a fixed status and certain and definite functions. Members of the National Guard contend that it should be a separate bureau functioning directly under the Secretary of War and not through the Chief of Staff. They feel that it should be composed in part of National Guardsmen who are familiar with National Guard conditions. They believe that the Chief of the Militia Bureau should be free to formulate policies for the increased efficiency of the National Guard, and that militia affairs should be administered by the Militia Bureau without interference from other organizations in the War Department. The Secretary of War is, of course, in supreme charge, but the Chief of the Militia Bureau should be free to take matters up with him direct. Both the Wadsworth bill and the pending measure provide that the chief of the bureau or division shall be a National Guardsman, and this is seemingly the consensus of opinion in both House and Senate committees. The Senate bill provides for a personnel composed in equal parts of officers of the Regular Establishment and civilians, and obviously the Chief of the Militia Bureau should have the assistance of officers from both services.

This clause of the bill provides for the appointment of 500 civilians for training purposes, etc. Without discussing the advisability of creating this number of civilian officers, the relevancy of such provision to this section of the law is not seen. Such 500 additional officers have nothing whatever to do with the Militia Bureau, and it would seem that legislation of this character should be offered in a separate section to the end that the two propositions may be separately considered.

SEC. 43–A. Insert a new section striking out section 83 of the defense act and insert in lieu thereof the following:

"SEC. 83. The Secretary of War is hereby directed to procure and issue from time to time to the National Guard, upon the request of the governors of the several States, Territories, and the commanding general of the National Guard of the District of Columbia, such number and type of arms, with all accessories, Infantry equipment, Field Artillery matériel and equipment, Coast Artillery matériel and equipment, Signal Corps matériel and equipment, Aviation Service matériel and equipment, tank and motor truck matériel and equipment, sanitary troop matériel and equipment, accouterments, uniforms, clothing equipment, equipage, camp equipage, transportation, motor trucks and cars, horses, mules, forage, military publications, and all other kinds and classes of arms, uniforms, equipment, military stores, and supplies now or hereafter issued to the Army of the United States, as shall be necessary to arm, uniform, and equip the National Guard of the several States, Territories, and the District of Columbia for field service; and to provide in the several States and Territories for the use of the National Guard thereof target ranges, camp and maneuver grounds, and to properly equip the same. And a sum of money shall be appropriated annually, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of securing by purchase or manufacture and delivery all such stores and supplies, and for the acquisition, construction, and equipment of such target ranges, camp and maneuver grounds. Such appropriation shall be in addition to and to supplement the appropriation made in that section of the appropriation act approved July 11, 1919, reading as follows: 'The Secretary of War is hereby authorized to issue from stores now on hand and purchased for the United States Army such articles of clothing and equipment matériel as may be needed by the National Guard organized by the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916. This issue shall be made without charge against militia appropriations and shall be reimbursed in kind for all Federal property brought into service by State troops.' The annual appropriations made under this section and all provision for arming and equipping the National Guard and for target ranges, camp and maneuver grounds made under this section shall be in addition to the annual appropriation made for the support of the National Guard provided for under section 67 of this act, and any other appropriation authorized or provided under any other section of this act."

Memorandum: This revises the present law and makes its administration more definite and certain. There are a number of sections in the defense act making provision for the supply and maintenance of the National Guard which are to some extent somewhat inconsistent with each other. It is thought that all of the appropriation and supply sections of the act should be rewritten and harmonized. In the amendments of this nature proposed to this and other sections in the present law the powers of the Secretary of War, in so far as the items of expense which he is authorized to meet in his discretion, are broadened.

SEC. 47. Amend by striking out the same and substituting therefor the following, so that section 110 of the defense act will read as follows:

"SEC. 110. Each enlisted man belonging to an organization of the National Guard shall receive compensation at the rate of one-thirtieth of the initial monthly pay of his grade in the Regular Army for each drill ordered for his organization where he is officially present and in which he participates for not less than one and one-half hours, not exceeding five in any one calendar month: *Provided*, That no enlisted man shall receive any pay under the provisions of this section for any month in which he shall have attended less than 60 per cent of the drills or other exercises prescribed for his organization: *Provided further*, That the proviso contained in section 92 of this act shall not operate to prevent the payment of enlisted men actually present at any duly ordered drill or other exercise: *And provided further*, That periods of any actual military duty equivalent to the drills herein prescribed (except those periods of service for which members of the National Guard may become lawfully entitled to the same pay as officers and enlisted men of the corresponding grades in the Regular Army) may be accepted as service in lieu of such drills when so provided by the Secretary of War. Payments for services rendered under sections 109 and 110 shall be made during the month following that in which such compensation was earned, upon pay rolls prepared and authenticated in the manner prescribed by the Secretary of War. All amounts appropriated for the purpose of the two preceding sections shall be disbursed and accounted for by the officers and agents of the Quartermaster Corps of the Army or by the State property and disbursing officer as the Secretary of War may direct. The Secretary of War may in his discretion cause to be deposited such sum as may be necessary to pay the troops of a State, Territory, or District under this section with the State property and disbursing officer who shall disburse and account for the same under regulations to be prescribed by the Secretary of War. Stoppages may be made against the compensation payable to any officer or enlisted man hereunder to cover the cost of public property lost, damaged, or destroyed by and chargeable to such officer or enlisted man."

Memorandum: The provisions of this amendment is to provide for prompt payment. The incentive which drill pay gives is lost in large part if payments are long deferred. It is thought that this will add greatly to this feature of the law, which will not be burdensome on the supply departments of the Army because provision is made for pay of the troops by the State property and disbursing officer if the Secretary of War so desires. Payment of troops attending camps of instruction is at present made by the State property and disbursing officer from funds allotted by the War Department, and it is thought that monthly payments can be handled in the same way.

Mr. KING. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. KING: Page 48, line 20, after the word "years," insert: "*Provided further*, That any reserve officer who is also a medical, dental, or veterinary student, may be admitted to such Medical, Dental, or Veterinary Corps unit for such training, under such rules and regulations as the Secretary of War may prescribe."

Mr. KING. Mr. Chairman, I have shown this amendment to the chairman of the committee, the gentleman from California, and such other members as I have been able to reach, and there seems to be a disposition to let it be attached to the bill. It simply permits those who are reserve officers to have the benefit of the same medical education that is given students of the Reserve Officers' Training Corps.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. CALDWELL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. CALDWELL: Page 50, line 22, after the end of the line, insert the following:

"SEC. 47e. Military training of citizens: Beginning with fiscal year 1923, the Secretary of War is directed to provide for the military and vocational training of persons hereinafter designated, who shall be inducted into the Army for this purpose, and shall not be counted as a part of the enlisted strength of the Regular Army. The period of training shall be four months, with such additional time as may be necessary for enrollment, mobilization, and demobilization, and may, with the consent of the individual, be extended for a further period of

not exceeding two months. Persons undergoing training shall receive transportation, clothing, laundry, shelter, subsistence, and medical attendance, and pay at the rate of $5 a month.

"Beginning with the fiscal year 1923, an annual registration shall be made of all male citizens of the United States, who during the calendar year of registration will attain the age of 19 years and who reside within the continental limits of the United States, Hawaii, Porto Rico, and the Panama Canal Zone, with the exception of persons on active duty in the Army, Navy, or Marine Corps. In order to carry out the provisions of this section relative to registration and induction, so much of the provisions of the act of May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States" as may be necessary and appropriate are hereby extended and made applicable for this purpose. The President shall make regulations necessary to carry out the provisions of this section and shall fix the compensation of members of local and district boards and their necessary employees.

"There shall annually be inducted into the Army for training, first, persons between the ages of 17 and 21 years who have had no service in the Army or training under the provisions of this section who are physically qualified for enlistment in the Regular Army and who enlist voluntarily for training; second, all persons registered in that year, with the exception of those mentally, morally, or physically incapable of profiting by such training, those in a status with respect to persons dependent upon them for support which renders their exemption advisable, as may be prescribed by regulations, and members of the Army reserve; third, all persons registered in the next preceding calendar year who were exempted from training under the provisions of this section and in whose case the cause for exemption has ceased to exist.

"There is hereby created a commission which shall consist of three Senators, to be designated by the President of the Senate, three Members of the House of Representatives, to be designated by the Speaker, and three persons, to be designated by the President, who shall prepare a complete project for a system of universal military training, including an estimate of the entire cost thereof and shall submit its report to Congress not later than January 1, 1921. The sum of $10,000 is hereby appropriated for clerical assistance and other necessary expenses of said commission, to be expended upon the certificate of its chairman."

Mr. HOCH. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. The gentleman from Kansas makes the point of order that the amendment offered by the gentleman from New York [Mr. CALDWELL] is not germane. The Chair will hear the gentleman from New York.

Mr. CALDWELL. Mr. Chairman, I call the attention of the Chair to the fact that while this bill on its face says that it is an amendment to the act of June 3, 1916, yet it is generally understood and by its four corners is known to be an Army reorganization bill. We are providing generally for the Nation's defense. In the bill we have sought to amend many sections of the national-defense act, and the whole scheme of amendment from beginning to end of the bill is for the purpose of revamping the Hay bill, or the national-defense act, as it is called, in such a way as to make room for the training of the young men of the country. It provides necessary officers for that purpose. It provides the necessary organization for that purpose. Nowhere in the bill has there been any particular change from the general scheme laid out by the committee, and the committee actually voted into this bill a provision upon the subject covered by this amendment. I call the attention of the Chair to the fact particularly that for the purpose of preparing for the training of the young men of our country the enlisted reserve of the Nation has been abolished, and that this amendment provides for a reserve of the young men who are trained annually to take their place. In addition to that, the bill particularly provides for the citizens' training camp, and this is just another system of citizens' training camps. The title of the section itself, at least of the amendment, reads "for military training of citizens," and then specifically carries out a scheme of the training of the citizens of certain ages. The section preceding this, section 47d—and this is to be numbered 47e—is for citizens' training camps. I respectfully submit that this proposed amendment is germane, because without it the bill is not a complete Army reorganization, and without it there are many things that are left in the air. For instance, we provide in the bill for officers for nine divisions, and then, in addition to that, an enormous number of officers that could only be used for this purpose, and that they were put into the bill for the purpose. So that all through the bill from beginning to end this is the proposition that has been in the minds of the scriveners of the bill, and the bill was carefully drawn to make place for the identical matter here proposed. With the exception of the words "all citizens" and the figures "$10,000," the proposition I make is in the exact words of the amendment proposed by Mr. KAHN, the chairman of the committee, when the question of universal training was first broached.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. BLACK. Is it true that this is an amendment to the national-defense act and provides for the training at these citizen training camps?

Mr. CALDWELL. Yes; and "for other purposes."

Mr. BLACK. But is it not true that that training is purely voluntary, and is it not true that under the amendment that the gentleman has offered he has a compulsory registration?

Mr. CALDWELL. Yes.

Mr. BLACK. Does the gentleman think a compulsory registration, followed by a compulsory training would be germane to a provision in the bill that provides for only voluntary training?

Mr. CALDWELL. I will explain to the gentleman. It is true that the citizens training camp mentioned in section 47d is a voluntary training, but it is also true that this bill provides a system of enlistment in the United States Army. It provides for the training of the United States Army. It provides for the training of the citizenship, and abolishes the enlisted reserve.

Mr. BLACK. Yes.

Mr. CALDWELL. For no reason in the world except to make room for a compulsory system of training of the young men to take the places of these others.

Mr. BLACK. But is not the whole theory of the bill bottomed upon voluntary enlistment of men in the Army?

Mr. CALDWELL. While all of the enlistments specified in the bill are voluntary enlistments, quite the contrary is true so far as the basis of the bill is concerned, because the bill was drawn by the committee with a view of making a place for this, and consequently it is germane.

Mr. McKENZIE. Mr. Chairman, I am not an expert when it comes to arguing points of order. To my mind, however, the amendment is entirely and clearly subject to a point of order in the manner in which I view it. The whole bill under consideration is based on voluntary service in the Military Establishment of our country. The amendment of the gentleman from New York provides for the inauguration of the compulsory system of conscription in time of peace for military training. In my judgment it is clearly subject to a point of order, but I am rather hopeful that the clearer and broader vision of the gentleman who now occupies the chair will see proper to hold this amendment in order. As far as I am personally concerned, I am ready now to meet it.

There is one other point I want to call to the attention of the Chair. Does it necessarily follow in parliamentary law that when a matter is inserted in a bill which, to be effective, connects with another, therefore it follows that you must include the other matter? This committee a few days ago took action for the creation of a separate construction corps, providing for 250 officers and 8,000 enlisted men, and any man in this House who knows anything about the Military Establishment knows that there is absolutely no use for any such a corps unless we are to follow it up by calling into camps by compulsory conscription in time of peace six or seven hundred thousand of the boys of this country in order to give them military training. For one, I hope the Chair will hold this in order, that we may be consistent, and if we are headed straight for a program putting this whole Nation under military training and discipline, let us go down the line and be consistent.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. BANKHEAD. The general point has been made, and the only point of order against the proposed amendment is, that it is not germane to the bill or to this particular section of the bill. I call the attention of the gentleman from Illinois and of the chairman of the committee to the fact that the title of this bill is—

To amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes."

The Military Committee certainly has general jurisdiction to bring in legislation of any sort that in its wisdom it sees fit to provide for the national defense.

But I fail to see the logic of the proposition that simply because there is the involuntary method of training of civilians as opposed to the provision here where it is voluntarily, that that necessarily makes the proposed amendment not germane either to the jurisdiction of the committee to consider it or to the subject matter of the section which we are considering. I would like to ask the gentleman if he will not discuss that phase of the point of order?

Mr. McKENZIE. Mr. Chairman, I would simply say to my friend from Alabama I am not an expert on parliamentary law, but I understand it to be one of the rules of parliamentary procedure that where you have two things of the same character in a proposition you can add a third, but where you have only one you can not add a second, and, therefore, under this bill we are pursuing one policy and we can not add to that a second and different policy.

Mr. McKEOWN. Is not there a distinction in this matter that these boys who are to be trained under this bill are not

part of the Army and do not become a part of the Army; and would not these boys under this bill become a part of the Army by reason of the compulsory nature of the amendment offered?

Mr. KITCHIN. Will the gentleman yield one moment? Will the gentleman permit an interruption? I am with the gentleman from Illinois and I would rather prefer to see this question voted on and meet it at once. On this side—that is, the Democratic side—we are, I am sure, against compulsory military training, and there would be about nine out of ten who would vote against it. Can the gentleman say about how many on his side [laughter] would vote against it?

Mr. McKENZIE. I can not say; but under the circumstances I think it would be unanimous. I would like to ask the gentlemen if he is not too careful in his estimate?

Mr. QUIN. Mr. Chairman, I desire to speak in support of the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. QUIN. Mr. Chairman, the foreign matter which the gentleman from New York is endeavoring to inject into this bill at this time can not under any rules of this House be considered germane or in order, so what is the use of this House wasting its time? We have been on this bill more than one week. I agree with the gentleman from Illinois [Mr. McKENZIE] that they have put in here a reorganization scheme for a construction corps that this House ought to turn down when it comes to a question of a vote in the House, and I will vote to cut it out, just like I voted to prevent its going in; but the Chair now has to rule whether or not this foreign substance, this irrelevant, contemptible matter [laughter] of universal compulsory military service shall be engrafted into this pregnant bill. The Chair must rule according to the precedents and according to sense. If he rules it is to go in, according to the gentleman from Illinois, in a broad sense, irrespective and regardless of common horse sense and the rules of this House, where will we land? So far as I am concerned, I have fought this universal compulsory military service ever since the day it was born. I have fought it in committee and I have fought it on the floor of the House every time its ugly head appeared in sight.

Mr. KITCHIN. Will the gentleman permit an interruption?

Mr. QUIN. I will yield.

Mr. KITCHIN. Is not this proposition that is involved in the motion of the gentleman from New York [Mr. CALDWELL] the same identical proposition introduced before the committee by the Republican chairman of the committee [Mr. KAHN]?

Mr. QUIN. Yes; but it has been eliminated.

Mr. KITCHIN. I just wanted to know.

Mr. QUIN. That was ended in the committee, but I think perhaps that the sentiment of the two gentlemen is the same on that question. But I do not know whether or not the gentleman from New York and my friend from California have the same exact ideas on it. One wants to go out and get all the boys and put them under compulsory training and then place them in what is called a "reserve army."

Mr. MONDELL. Mr. Chairman, I make the point of order that the gentlemen are not discussing the point of order.

The CHAIRMAN. Gentlemen will confine themselves to a discussion of the point of order.

Mr. QUIN. I thought that was all germane to the point of order, if the Chair pleases.

Mr. KITCHIN. Will the gentleman just permit an interruption for just a minute?

Mr. MONDELL. Mr. Chairman, I insist that gentlemen shall confine themselves to the question before the committee.

Mr. KITCHIN. Mr. Chairman, a parliamentary inquiry?

The CHAIRMAN. The gentleman will state it.

Mr. KITCHIN. Is it in order for the gentleman from North Carolina to ask the gentleman from New York [Mr. CALDWELL] if his proposition is the identical proposition of the gentleman from California [Mr. KAHN], the chairman of the Committee on Military Affairs?

The CHAIRMAN. The Chair can not see that that has any bearing on the point of order.

Mr. KITCHIN. I just wanted to know.

Mr. QUIN. I did not yield the floor for that purpose. It is the point of order that I am endeavoring to discuss.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. QUIN. I do not care whether this is the same child delivered by the gentleman from California [Mr. KAHN] or not. [Laughter.] The contempt I have is for the offspring itself, it is not for its parents. I respect the parents of this child. [Laughter.] But this illegitimate child has been presented here to be made a part of the household regardless of parliamentary regularity or legislative respectability.

Mr. MONDELL. Mr. Chairman, I insist on the point of order.

Mr. QUIN. This is very germane to the point of order, Mr. Chairman. [Laughter.]

The CHAIRMAN. The Chair will have to ask the gentleman from Mississippi to confine himself to a discussion of the point of order.

Mr. QUIN. Is the Chair ready to rule?

The CHAIRMAN. The Chair is ready to rule.

Mr. QUIN. I thank the Chair and I will not speak further.

The CHAIRMAN. The gentleman from New York [Mr. CALDWELL] offers an amendment providing for universal compulsory military training. The gentleman from Kansas [Mr. HOCH] makes the point of order that the amendment is not germane.

The Chair is not called upon to decide as to the merits or demerits of this amendment or of the proposition it embodies. The principal contention of the gentleman from New York [Mr. CALDWELL] is to the effect that this entire bill was constructed with reference to placing this very amendment at this point in the bill, and argues from this fact that it should be in order to introduce the same amendment here. It seems to the Chair immaterial whether the bill was so constructed or not, because it is well established that a committee having jurisdiction of the subject matter may include in a bill any number of provisions properly within the jurisdiction of the committee which, if offered by a Member from the floor of the House, even by a member of the committee or by the committee itself, could not be inserted by way of amendment, unless germane to the bill which the committee has brought in.

The question to be ruled upon is one of germaneness under the much-quoted seventh clause of Rule XVI of the House rules, that "no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment."

One of the most noted and, in the judgment of the Chair, one of the best-considered rulings on this point was made just 40 years ago by Mr. Carlisle as Chairman of the Committee of the Whole before he was Speaker of the House. It is quoted at some length in V Hinds' Precedents, section 5825. Mr. Hinds in the syllabus prepared by him, before quoting from this ruling, states the point of it applicable here as follows:

> While a committee may report a bill embracing different subjects it is not in order during the consideration in the House to introduce a new subject by way of amendment.

Mr. Carlisle proceeds to a very able and thorough review of the entire matter, bringing it down from the time of the Congress under the Articles of Confederation to 1822, when the rule in its present form was adopted. In one sentence this able parliamentarian makes clear the point now raised by the gentleman from New York:

> The rule does not prohibit a committee reporting a bill from embracing in it as many different subjects as it may choose; but after the bill has been reported to the House no different subject can be introduced into it by amendment, whether as a substitute or otherwise.

The question is, Does the amendment proposed by the gentleman from New York introduce, under color of amendment, a differest subject from that under consideration in the bill? The bill proposes to amend the national defense act and does amend it in a number of its sections. The amendment offered by the gentleman from New York [Mr. CALDWELL] is offered as section 47e of the national defense act. Is the amendment of the gentleman from New York germane to any provision of the national defense act? A thorough examination of that act in this connection would seem to require a negative answer. In the opinion of the Chair this amendment introduces a subject different from that under consideration in the bill, and is therefore in contravention of Rule XVI of the rules of the House. The Chair sustains the point of order.

Mr. CALDWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. Would the Chair hold that this would be in order under the miscellaneous provisions of the bill on the last page?

The CHAIRMAN. The Chair will not attempt to cross the bridge until he reaches it.

Mr. CALDWELL. I will ask the reporter, as soon as he makes a copy of it, to bring it back, so that I can offer it then.

Mr. MOORES of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Page 48, line 4, after the word "Medical," insert "and Dental," and in line——

Mr. KAHN. Mr. Chairman, that has already been adopted.

Mr. MOORES of Indiana. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to withdraw the amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

SEC. 34. That said act be, and the same is hereby, amended by striking out sections 55 and 56 and inserting the following in lieu thereof:

"SEC. 55. The Enlisted Reserve Corps: The Enlisted Reserve Corps shall consist of persons voluntarily enlisted in the Enlisted Reserve Corps for periods of three years. Voluntary enlistments shall be limited to persons eligible for enlistment in the Regular Army who have had such military service or training as may be prescribed by regulations of the Secretary of War. All enlistments in force at the outbreak of the war, or entered into during its continuation, whether in the Regular Army or the Enlisted Reserve Corps, shall continue in force until six months after its termination.

"SEC. 55a. Organization of the Enlisted Reserve Corps: The President may form any or all members of the Enlisted Reserve Corps into tactical organizations similar to those of the Regular Army and similarly armed, uniformed, and equipped, may officer them by the assignment of reserve officers or officers of the Regular Army, active or retired, and may detail such personnel of the Army as may be necessary for the administration of such organizations and the care of Government property issued to them.

"SEC. 55b. Reservists on active duty: Members of the Enlisted Reserve Corps may be placed on active duty, as individuals or organizations, in the discretion of the President, but except in time of actual or threatened hostilities no reservist shall be ordered to active duty in excess of the number permissible under appropriations made for this specific purpose, nor for a longer period than 15 days in any one calendar year without his own consent. While on active duty they shall receive the same pay and allowances as other enlisted men of like grades and length of service.

"SEC. 55c. Military equipment and instructors at other schools and colleges: The Secretary of War is hereby authorized, under such regulations as he may prescribe, to issue such arms, tentage, and equipment as he shall deem necessary for proper military training to schools and colleges, other than those provided for in section 40 of this act, having a course of military training prescribed by the Secretary of War and having not less than 100 physically fit male students above the age of 14 years; and the Secretary of War is hereby authorized to detail such available active or retired officers, warrant officers, and enlisted men of the Regular Army as he may deem necessary to said schools and colleges, other than those provided for in section 45 of this act: *Provided*, That while so detailed they shall receive active pay and allowances: *Provided further*, That in time of peace retired officers, warrant officers, or enlisted men shall not be detailed under the provisions of this section without their consent."

Mr. DENT and Mr. JONES of Texas rose.

The CHAIRMAN. For what purpose does the gentleman from Alabama rise?

Mr. DENT. To move to strike out the last word.

Mr. Chairman, I promised several days ago to place in the RECORD a statement of the expense of the Army as proposed substantially in this bill, together with universal training. I shall not undertake to give to the committee a detailed statement of them. The report gives an itemized statement of the cost of the officers per annum, the cost of the enlisted men per annum, the cost of the officers of the National Guard, the cost of the Reserve Officers' Training Corps, the cost of compulsory military training per capita, and the cost of reserve officers. It shows that if the bill should be adopted with compulsory military training, as provided in the Senate bill, that you can not get along without an annual appropriation of something over $900,000,000 per annum. It may run up as high as $1,000,000,000 per annum, depending on the character of construction work for the training camps for the young men.

The details of this bill are figured out by an officer of the Army who has long been accustomed to make estimates of this kind. I do not believe that anybody can be accurate in estimating what universal compulsory military training will cost the Government. You can only estimate that it will cost $5 per month per capita for the number of young men that may be sent to the training camps. That number has been variously estimated at from 600,000 to 750,000. The proposed plan for universal compulsory military training provides for a compensation to the young men of $5 per month. I wish to submit to the House this suggestion, that if you start upon this plan with $5 per month, it is only a question of time when you will have to pay them at least the lowest pay of a private soldier, which is $30 a month. It will be only a question of time when the parents of these young men will come to Congress and insist that there must be a family allowance for dependent relatives, as you have now provided by law under the draft. So I say, when you take into consideration the overhead charges, the maintenance of the Regular Establishment, the National Guard, and the Reserve Officers' Training Corps, and training camps, if you adopt a system of compulsory military training, you will have to start out at the very beginning with an annual expense of something like $1,000,000,000. That is simply the beginning, and no man knows where it will end.

Now, these details I have submitted here, I repeat, were prepared by an officer of the Army who has long been familiar with making estimates for Army appropriation bills. It goes into every specific detail as to how he reaches, for instance, the conclusion that it will cost $328.19 per capita to train the young men of the country. I submit it to the House for what it is worth. I believe it to be valuable information.

The following is the statement:

18,000 officers, at $3,600 per annum	$64,800,000
280,000 enlisted men, at $1,381.66	386,867,600
100,000 National Guard, at $315.08	31,508,000
5,600 officers, National Guard, at $1,000	5,600,000
20,000 Reserve Officers' Training Corps, at $251.31	5,026,200
80,000 Reserve Officers' Training Corps, at $78.51	6,280,800
750,000 training, at $328.19	246,142,500
37,500 reserve officers, at $1,000	37,500,000
20 per cent increase of Infantry	98,971,000
	882,696,100
If cantonments are used under the bill, at least 24 division cantonments will be required. Estimating the cost per cantonment at $5,000,000, we have an original investment of $120,000,000. Cost of maintenance and upkeep of cantonments will be 6 per cent of the original cost or	7,200,000
As division cantonments are not available in number sufficient to meet the needs of 24 divisions in 12 corps areas, there is no doubt but that steps will be necessary to provide the required cantonments, and at least 15 will have to be constructed, which will require the first year	75,000,000
Damages to crops, etc., due to maneuvers, are estimated at $6 per capita of the total strength	6,780,000
Total	971,676,100
If tentage is used the cost each year would be four-fifths of the original cost of the tentage, as the life of a tent under favorable circumstances is five months. The original cost of tentage for the reservists as above at $20.05 per capita is $15,037,500, four-fifths of which is	12,030,000
Assuming the use of tentage and not cantonments, the cost would be, deducting the cost of cantonments	894,726,100
Damages to crops, etc., as above	6,780,000
Total	901,506,100

To this can be added the cost of employees, equipment, maintenance, etc., of the administrative or bureau offices in Washington, which will approximate $15,000,000 a year.

Cost of training, universal service, per capita.

Pay, four months, at $5 per month	$20.00
Rations, 120 days, at 53 cents per day	63.60
Transportation and subsistence to and from training center, 500 miles, at 3½ cents per mile	17.50
Subsistence en route and returning	4.50
Fuel and light	6.80
Transportation of supplies and equipment	4.98
Automobiles, trucks, gasoline, oil, and repair parts for	4.68
Removal of garbage and refuse	0.35
Water and disposal of sewage	2.24
Telegrams	.90
Sterilizers and water purification	.30
Medical supplies and equipment	7.64
Ordnance supplies and equipment	17.60
Engineer and Signal supplies and equipment	2.10
Screens, temporary mess shelters, etc	2.12
Stationery, blank forms, blank books, etc	.45
Supplies and equipment	71.55
Clothing and equipage	69.76
Laundry, while undergoing training	4.00
Family allowance	12.00
Expenses, local boards, appeal boards, etc., office rent, etc	8.00
Incidental expenses	4.50
Employees	2.62
Total	328.19

National Guard (enlisted men).

[Per capita based on 230,000 men.]

Annual appropriations for arming and equipping, encampments and maneuvers, service schools, supplies, clothing and equipment, stationery, travel, target practice, etc., per capita	$29.63
Pay, four months' training	152.00
Transportation of personnel to training centers, 400 miles, at 3½ cents per mile	14.00
Rations, 120 days, at 54 cents per day	64.80
Motor transportation, gas, oil, repair parts	4.68
Repairs, rolling kitchens, tentage, wagons, etc., and replacements	.67
Screens and temporary mess shelters, etc	2.12
Employees	4.64
Removal of garbage and refuse	.35
Water and disposal of sewage	2.24
Fuel and light	6.80
Forage	11.80
Telegrams	.90
Sterilizers and water purification	.30
Medical supplies and equipment	7.64
Ordnance supplies and equipment	5.28
Engineer and Signal supplies and equipment	1.80
Transportation of supplies and equipment	4.98
Stationery, blank forms, blank books, etc	.45
Total	315.08

Reserve Officers' Training Corps, basic course, assuming 80,000 students (45 days' training).

Transportation of equipment to students, at $2.50 each	$200,000
Subsistence at camps, 45 days, at 54 cents per day each	1,944,000
Transportation and subsistence to and from camp, 600 miles, at 4 cents per mile each	1,920,000
Transportation to and from camps, at 70 cents each	56,000
Fuel per man, 45 days, at 15 cents each	12,000
Light per man, 45 days, at 18 cents each	14,400

Water per man, 45 days, at 25 cents each	$20,000
Cooks and assistants at the rate of 1 cook at $85 and 2 assistants at $70 per 100 men for 45 days; per capita, $3.37	269,600
Printing, stationery, office supplies, telegrams, at 35 cents per man	28,000
Lumber, nails, dummy grenades, trenches, and other training equipment, at 24 cents per man	19,200
Gasoline, oils, repair parts, motor trucks, 30 cents per capita	24,000
Clothing, as authorized, $20 per capita	1,600,000
Kitchens, mess shelters, screening, tent floors, at $1.55 per capita	124,000
Crude oil, straw, and disinfectants, at 10 cents per man	8,000
Disposal of garbage, etc., at 12 cents per man	9,600
Rent of camp site, at 15 cents per man	12,000
Tentage, wear and tear, repairs, at 25 cents per man	20,000
Total	6,280,800

Per capita, $78.51.

Reserve Officers' Training Corps, advanced course, 20,000 students (45 days' camp).

Commutation of ration, 320 days, at 54 cents per day	$172.80
Camp expenses, as per basic course	78.51
Total per capita	251.31

$251.31×20,000=$5,026,200.

Statement of cost of the soldier, based on annual appropriation in peace time and covering initial equipment and maintenance of replacements and maintenance only for those other than recruits, founded on per capita costs obtaining in 1919, per annum.

Pay, including length of service and other authorized addition to base pay, average	$506.80
Rations, 365 days, at 54 cents per day	197.10
Commutation of rations paid in lieu of rations and not included in ration cost	12.17
Rations, civilian employees, authorized rations, including transport employees	6.37
Meals, for recruiting parties	2.85
Meals, applicants for enlistment	1.75
Expenses, testing, caring, and preserving subsistence supplies	.34
Losses on subsistence stores	1.56
Customs duties on subsistence stores	.042
Care and protection of regular supplies	.986
Stoves and heating and cooking apparatus and appliances and repairs and maintenance	4.937
Candles and matches	.16
Fuel and heating, including plants and M. batteries, but not transports and harbor boats, the per capita for which is charged under "Sailing, public transports"	22.49
Light	12.20
Post bakeries, bake ovens, ice machines, and cold storage	2.15
Laundries and laundry materials, etc., and soap	6.45
Post school equipment, officers' schools, and subscription to periodicals, etc	.477
Tableware and mess furniture	.67
Forage, including salt and vinegar for animals, bedding, seeds, implements, etc., for raising forage at remount stations	47.221
Stationery and office equipment, including typewriters, blank books, blank forms, and printing	2.889
Advertising for supplies	.54
Postage, telegrams, and cablegrams	1.16
Extra-duty pay, enlisted men	.48
Deserters, apprehension of, including donations to discharged prisoners	1.07
Horseshoes, tools, etc., and additional expenditures	1.896
Transportation of troops and impediments, including reimbursement of travel expenses, transportation of recruits, applicants for enlistment, recruiting parties, allowances to enlisted men on discharge, prisoners, agents, and employees and funds	64.38
Transportation of Signal, Ordnance, Engineer, Medical, Quartermaster supplies, including cost of packing and crating	26.21
Wharfage—tolls and ferriages	.41
Draft and pack animals, purchase of	.65
Harness, purchase and repair of	1.22
Wagons, purchase and repair of	1.503
Automobiles and trucks, purchase and repair of, including gasoline, oils, etc	34.89
Drayage, cartage, and hauling	.498
Transports and harbor boats, sailing and operating	36.84
Procuring water, water systems, sewer systems, drainage, plumbing, installations, and repair and maintenance	7.125
Fire apparatus, toilet-paper sterilizers	.496
Clothing—materials, etc	132.27
Equipage	32.31
Toilet articles, barbers' materials, toilet kits, housewives, citizens' outer clothing, packing and handling	3.153
Horses, Cavalry, Artillery, Engineers, etc	2.768
Construction, temporary shelter at camps on border, etc	1.949
Repairs to buildings, permanent structures	4.676
Repairs to cantonments	15.10
Rentals	3.867
Furniture, wall lockers, refrigerators, screen doors, etc	.84
Military post exchanges	.882
Repairs to roads, walks, wharves	1.865
Employees	44.312
Drainage and care of grounds	.573
Construction and repair of hospitals	7.394
Shooting galleries and ranges, repairs, and maintenance of	.485
Maintenance of Army War College	.04
Rent of buildings, District of Columbia	.253
Medical supplies and equipment	7.04
Ordnance supplies and equipment	17.12
Engineer supplies and equipment	2.07
Signal and air service supplies and equipment	5.16
Recruiting	1.93
Other bureaus, A. G., J. A. G., I. G., militia, Chief of Staff	2.64
Incidentals in pay of the Army	.89
Employees provided in L. E. J. for the several bureaus of the War Department	$8.81
Military posts, provided in sundry civil act	11.72
Fortifications	22.97
Arsenals	2.18
Military Academy	3.51
	1,343.499
Vocational training	38.17
Total	1,381.669

Mr. KAHN. Will the gentleman yield?

Mr. DENT. I yield.

Mr. KAHN. Does the gentleman name the officer?

Mr. DENT. I should prefer not to do it on account of the officer, but if the gentleman insists I will do so. I will state to the gentleman that the officer is an officer with whom he has long been familiar.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. KAHN. Mr. Chairman, I rise in opposition to the pro forma amendment. The War Department has sent me a letter signed by the Assistant Chief of Staff, showing what the cost of universal military training will be, and I wish to insert that letter in the RECORD. But the statement that has been made by the gentleman from Alabama [Mr. DENT] is very illuminating at this time.

The Committee on Military Affairs decided to take up the question of universal compulsory military training as a separate measure. One of the distinct objects of doing that was to thrash out the very fact that we ought to have accurate information as to the actual cost of the system. It was in order to get those facts that a majority of the committee finally decided, after mature deliberation, to postpone action at this time in order that a subcommittee of the Committee on Military Affairs could be appointed, could have full hearings on the subject, in order to secure all possible data that might be helpful in the consideration of the subject. If the Committee on Military Affairs finally agree upon a bill upon that subject they would come to the House fully fortified to defend that bill from every angle. I will not, therefore, at this time take up the matter for discussion, but hope to consider the question at some length when it comes up in a proper manner before the House.

I simply want to state that I will insert in the RECORD as a part of my remarks the letter from the War Department showing that universal training under the Senate bill will cost, as I remember it, approximately $130,000,000.

The CHAIRMAN. Without objection, the gentleman will be permitted to insert the letter referred to.

There was no objection.

Following is the letter referred to:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, January 16, 1920.

Memorandum for Col. T. W. Hammond, General Staff.
Subject: Cost of universal training.

I. In reference to your verbal request submitted to the office of Director of Operations (Col. Hickman) in regard to the estimated cost of training 100,000 young men for a period of four months under any universal-training scheme that might be adopted by Congress you are advised that this matter has been carefully gone into and a computation made which shows that, assuming the rate of pay is $5 a month, that such training would cost the Government approximately $26,162,218.

II. This figure, while including the ordinary expenses incident to the upkeep and training of soldiers, such as pay, subsistence, cost of laundry, medical attention, etc., also includes an estimate as follows:

For family allowances at the rate of $30 per month	$1,200,000
Expenses of local boards of not less than three members, to pay not exceeding $10 a day for services and reimbursement expenses	553,500
Clerical help, office rent, and maintenance	384,375
Appeal boards, pay the same rate as local boards	45,000
Clerical help in connection with appeal boards	31,250
Total	2,214,125

III. If it is not desired to include such items in connection with the estimate that you want, their elimination is an easy matter by simply deducting the above total from the amount stated in the first paragraph. This would indicate that approximately $23,950,051 would be needed to provide for this training when the ordinary expenses of the soldier are taken into consideration.

HENRY JERVEY,
Major General, United States Army,
Assistant Chief of Staff, Director of Operations.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Certainly.

Mr. CANNON. In the statement that the gentleman has filed is there any estimate as to pensions?

Mr. KAHN. No. It is simply a letter from the War Department, signed by the Assistant Chief of Staff, Gen. Jervey, showing what the cost of universal training will be under the Senate provision.

Mr. CANNON. If they are held in the military service for training under our policies they are eligible for pensions and some compensation for injuries, and so forth, and so on.

Mr. KAHN. Of course, under the system proposed by the majority of the committee they are never in the Army of the United States. They are just taken to the camps for training, but they are not members of the Army.

Mr. GARRETT. Mr. Chairman, I should like to proceed for just a few minutes, perhaps not exactly in order. The matter of compulsory universal military training has been referred to, and there are a few words that at this time I should like to say upon that subject.

Of course, Mr. Chairman, the question of cost, the question of compensation to the young men of the country while they are forced from their homes into the training camps, the question of pensions to them in after years, all these questions of cost that go with military service—because this policy, if adopted, will be military service—are worthy of the serious and earnest consideration of the Congress before it determines to embark upon that policy.

But, sir, to my mind that is not so important as another phase of the question. There are deeper things than this involved. I refer to the psychological situation as applied to the ideals of this Republic. That which I think most important, Mr. Chairman, in connection with compulsory universal military training is not so much its cost, not the question of the benefits that are to be derived by the young men from the physical training that they will receive, for there is no room for argument as to that. The danger which I fear is that a system of universal compulsory military service will absolutely change for all time to come the spirit of this Republic. [Applause.]

It has been the history, Mr. Chairman, of every great nation that has existed in all the tides of time which entered upon compulsory military training that that nation had become in time a nation imbued not with the ideals of justice but with the thought of conquest. It was so in Greece; it was so in Rome. It has been so in all the great nations that have sprung up which adopted this policy of universal compulsory military training. I fear, if this Nation shall enter upon it, what is more important than cost, what is more important than any inconvenience, what is more important than any interference with the industrial life of the Nation—I fear that it would absolutely change the spirit of the people of our Republic.

Oh, Mr. Chairman, the Constitution of the United States provides that the Congress may declare and must declare war if we have it. And yet, sir, in our reading of the history of our own country we know, indeed, that it is easily practicable for the Executive of the Nation, who deals with international affairs, to take such a course as that the Congress is compelled, in sustaining the national honor, to declare war. We have not had Presidents of the United States, fortunately, who were in love with war as war. I think we have had no President who really desired war. All of those of us who sit here know out of our own experience and our own personal observation that President McKinley resisted, so long as it was possible at all, the efforts to declare war upon Spain. I mean so long as he could do so and preserve the national honor. We know that the present President of the United States exhausted every means within his power to preserve our peace before he recommended to Congress the declaration of war against Germany. Our Presidents have not been men who thirsted for war.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. Certainly.

Mr. KAHN. I had hoped to finish the reading of the bill before the committee rises this evening. How long does the gentleman desire to speak?

Mr. GARRETT. Only two or three minutes, if it is agreeable to the gentleman. I recognize that I am not proceeding in order, and will quit now if the gentleman desires.

Mr. KAHN. I have no objection to two or three minutes longer, certainly.

Mr. GARRETT. But, Mr. Chairman, to continue the line of thought I was trying to express, we do not know who are to be the Presidents of this Republic in the future. We do not know with what spirit they will be imbued. We do not know what will be the spirit of the people of this Republic. Who is there who believes, for instance, that Germany would have ever precipitated the great World War whose effects are to be felt for a hundred years if she had not had that system of compulsory military training which imbued her people with the military spirit? If we could have this training without having the military spirit, if we could have the power with the absolute certainty that there would not be constantly some one or some group itching to use it, perhaps it might be well. But before we enter upon that policy we should at least reread history and try to learn the lessons that it teaches. [Applause.]

Mr. HARRISON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

Mr. HARRISON. After line 23 I want to insert an independent paragraph.

Mr. KAHN. On what page?

Mr. HARRISON. On the same page that we are talking about.

Mr. MANN of Illinois. We can not hear.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRISON: On page 52, after line 23, insert a new paragraph, as follows:

"Enlistments for six months for military training may be accepted of young men 18 years old under rules and regulations prescribed by the Secretary of War."

Mr. HARRISON. For military training.

Mr. CALDWELL. Let the Clerk report that amendment again.

The CHAIRMAN. Without objection, the amendment will be reported again.

The amendment was again read.

Mr. KAHN. Does the gentleman mean voluntary enlistments?

Mr. HARRISON. Yes.

Mr. WINGO. I reserve a point of order.

The CHAIRMAN. The gentleman from Arkansas reserves a point of order against the amendment.

Mr. HARRISON. Mr. Chairman, I think this amendment is in order. It simply provides for the military training of young men on their voluntary enlistment. The other proposition was ruled out because it was for compulsory military training.

Mr. WINGO. Does the gentleman care to discuss the point of order?

Mr. HARRISON. I wish the gentleman would reserve the point of order.

Mr. WINGO. I reserve the point of order.

Mr. HARRISON. I wish simply to say that if there is any benefit to be derived from military training for the young men of the country, I do not see why we should not afford them the opportunity to receive that benefit. It certainly could do the country no harm, and if it does the young men good it seems to me that would be the proper solution of this difficulty, to allow an opportunity to train the young men who desire voluntarily to submit to the training. This would be a substitute for compulsory training.

Mr. KEARNS. Would the gentleman's amendment require a separate organization or branch of the Army to train these young men?

Mr. HARRISON. Under rules and regulations to be prescribed by the Secretary of War.

Mr. KEARNS. They would be no part of this army of 300,000 men.

Mr. HARRISON. No; it is voluntary enlistment for purposes of training.

Mr. McKENZIE. If we adopt the gentleman's proposition, does he think we would get any voluntary enlistments in the Regular Army?

Mr. HARRISON. This is for young men 18 years of age, to be trained six months, and is a substitute for the compulsory military training by making it voluntary.

Mr. JONES of Texas. Under the gentleman's amendment would these young men who voluntarily enlist be entitled to draw pay?

Mr. HARRISON. No; it would be simply an enlistment under rules and regulations to be prescribed by the Secretary of War. They would be taken for military training under such rules and regulations.

Mr. JONES of Texas. The gentleman's amendment says "enlistment."

Mr. HARRISON. One is for service in the Army and the other for military training.

Mr. KEARNS. Under the gentleman's amendment, would the Secretary of War have the right to fix their pay?

Mr. HARRISON. No; there would be no pay attached to it.

Mr. KEARNS. The amendment does not say so.

Mr. HARRISON. Unless pay is provided, there will be no pay. My proposition is simply to furnish the young men of this country the opportunity to be trained if they desire to be.

Mr. WINGO. Mr. Chairman, I make the point of order that the amendment is not germane either to the section to which it is offered or to the main subject matter of the bill. I presume that the Chair is ready to rule on that. It involves the same propo-

sition as the amendment of the gentleman from New York. This section is for the detail of instructors to schools and colleges.

Mr. MANN of Illinois. It is for military equipment and instruction.

Mr. HARRISON. I am not adding it to that section.

Mr. MANN of Illinois. The gentleman offered it to that section.

Mr. WINGO. The gentleman offered it to that section. And even if that were not true, you would have a new class of enlisted men in the United States Army for military training. In other words, the question of training is a separate and distinct one from the question of the reorganization of your Regular Establishment and from the provisions reported by the committee. I think it is plainly not in order.

Mr. HARRISON. This is intended to be a separate paragraph.

Mr. MANN of Illinois. If the gentleman will permit, it can not be an independent paragraph. It has to be a part of a section of the bill. If the gentleman wants to offer it as an amendment to the pending section, then he can offer it as section 55d.

Mr. HARRISON. Then I will offer it as section 55d. I want to get within the rule. My idea was that it was an amendment to section 34 and not an amendment to section 55c.

Mr. MANN of Illinois. The gentleman would have to differentiate it from section 55c.

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

Mr. WINGO. I renew the point of order.

Mr. HARRISON. As to the point of order that the gentleman from Arkansas makes——

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. HARRISON. All I desire to call attention to is that the paragraph is after the one with reference to military training. This is simply a new opportunity for those who come forward to be trained.

Mr. WINGO. Mr. Chairman, this is the identical principle involved in the ruling of the Chair on the amendment offered by the gentleman from New York [Mr. CALDWELL]. The Committee on Military Affairs has a right to report and inject into a bill as many subjects as it chooses with reference to the military status, but this is a new subject and is for the training of the civilian population. The gentleman from Virginia states that which I think is wrong, that they do not become enlisted men. He says they are enlisted for a special purpose. If they are not enlisted it is a special class of service, and he seeks to insert into the Military Establishment that which does not now exist—a new subject and a new class.

Mr. MANN of Illinois. Mr. Chairman, the section contains four so-called subsections. One relates to the enlisted reserve corps. Certainly this amendment would not be germane to any provision of that section. The next relates to organization of the enlisted reserve corps, and certainly this amendment would not be germane to that section. The third subsection relates to the reservist on active duty. Certainly this amendment would not be in any way germane to that subsection. The fourth subsection relates to the furnishing of military equipment and the detail of officers to schools, and nothing else. I do not see anything in the section that is pending which relates in any way to military training, except where it provides the furnishing of equipment and officers for certain schools.

Mr. HARRISON. It seems to me that section 55 relates to enlistments in the reserve corps, and this would seem to be closely allied to that subject and the organization of the reserve corps.

Mr. MANN of Illinois. These are not reservists.

The CHAIRMAN. The Chair will ask the gentleman from Virginia if he intends by his amendment that these young men of 18 years shall be a part of the Army?

Mr. HARRISON. No; except for military training purposes only.

The CHAIRMAN. It is not provided that they shall become a part of the Army at all?

Mr. HARRISON. No.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ANTHONY. Mr. Chairman, as a separate vote will undoubtedly be demanded on the amendment which creates a separate construction corps in the Army it is my intention to insert in the RECORD some further facts and figures showing the confusion and extra cost it will entail, and I hope the Members of the House will take occasion to read them.

Also at this time I want to call the attention of the House to statements that have been published in the newspapers in reference to the discussion of bonus matters, to the effect that Members of the House who served in the Army during the war drew salaries both as Members of the House and as officers or enlisted men in the Army.

In order that the country may know the facts I asked the Sergeant at Arms of the House in regard thereto, and he advises me that the Members of the House who served in the Army are divided into three classes: Three declined to draw any pay from the Army and were paid their full congressional salaries while absent from the House; one drew his Army pay and his congressional salary as well, the Army pay, as provided by House resolution, being deducted from his congressional salary; two Members drew their Army pay and refused to accept their congressional salary after the passage of the House resolution. [Applause.]

The matter referred to by Mr. ANTHONY is as follows:

MEMORANDUM ON EFFECT OF SEPARATING SERVICES FROM THE QUARTERMASTER CORPS.

Under the organization of a separate construction corps, which it is contemplated to perpetuate in House bill 12775 and Senate bill 3792, all utilities are operated by this organization. This means that all repairs for maintenance at posts, depots, and other plants, and all machinery and plants utilized thereat, shall be operated by the construction corps.

The heating and lighting plants and mechanical labor-saving devices at supply depots will be operated by officers who are not under the jurisdiction of the responsible commander of the plant. This creates a condition similar to a superintendent of a mill who is deprived of jurisdiction over the engineer of his plant, who could dictate the kinds of machinery that were installed and methods and hours of operation, despite the fact that the superintendent is responsible for the output of the factory. Where will the responsibility for quality, quantity, and economical production be placed? What will be the result of post or camp maintenance being placed under a utilities officer operating under the construction corps? Not only will there have to be an additional officer at each camp or post to carry on this activity and in charge of repairs, of heating, lighting, water, and garbage disposal maintenance, but each utility officer will have to have a duplicate office personnel to the post supply officer from whom he will draw the tools and materials to carry on his work. At present the supplies he uses are drawn from purchase and storage, despite the fact that purchase and storage is not responsible for maintenance of such supplies. When purchase and storage supplies become exhausted, then construction must set up a storage service parallel to that of purchase and storage in order to provide maintenance from stock and not require emergency repairs to await the legal and routine delays necessary in Government purchases.

Maintenance has heretofore been an additional activity pertaining to the supply officer, who as post quartermaster formerly performed all the functions of supply, transportation, finance, and construction. Post maintenance placed under his jurisdiction requires no additional officer or clerical personnel, and the supplies necessary are carried under a storage system which is already at his disposition. When the two are divorced we not only set up an additional and totally unnecessary personnel, but we create delays and inefficiency through divided responsibility and the complications of routine. The added financial burden is most apparent.

If Congress still deems it necessary to create a separate construction corps, the utilities functions should be divorced from "new construction" and maintenance at posts assigned to the Quartermaster Corps. Utilities functions other than those at posts and camps should be assigned to whatever bureau is charged with the activity. Thus giving to the Ordnance Department and the Quartermaster Corps complete jurisdiction over their manufacturing plants and control of labor-saving devices in the handling of supplies pertaining to the activities of their responsibilites.

If a separate construction corps is to be created it is most important that the following amendment should be adopted in the definition of the duties thereof, viz:

"Except utilities pertaining to the maintenance of posts, camps, and stations, which shall be assigned to the Quartermaster Corps, and maintenance and utilities at depots, arsenals, and manufacturing plants, which shall be charged to the service conducting the activity."

Section 9, H. R. 12775, provides 1,050 officers for the operation of the Quartermaster Corps, with transportation and construction included. With construction a part of the Quartermaster Corps, but 47 of these officers would be engaged on such work, as follows:

In the office of the Quartermaster General:		
Brigadier general		1
Colonels		2
Majors		4
Captains		6
Total		13
For the field:		
Majors	10	
Captains	24	
Total		34
Grand total		47

No special number of officers was contemplated for the so-called utilities duties at posts, camps, and depots, as one of the number of officers assigned by the Quartermaster Corps to each station would be required to perform the duties pertaining to utilities in addition to such other duties as would be assigned. At some of the larger places the full time of the officer assigned to utilities duties will be required, but such cases do not involve an increase of the total commissioned force provided for by the Quartermaster Corps.

For purely construction purposes it would be necessary to provide a group of officers for duty solely as constructing quartermasters during the periods construction is in progress. When there is no construction these officers would be available for other duties.

The apportionment of officers by the General Staff on October 31, 1919, gave 290 officers to the construction division. Unless Congress contemplates vast construction projects for the Army the 47 officers provided in the total of 1,050 for the Quartermaster Corps will be ample to carry on the normal activities pertaining to new construction during peace times.

Under paragraph 2, General Order 131, War Department, December 8, 1919, the construction division (utilities officer) is charged with—

Installation, operation, and repair of all plants; construction, repair, and maintenance of all buildings; installation, repair, and operation of all fire apparatus; construction, repair of all railway tracks, fences, roads, drainage, culverts, bridges, signals, and procurement of all materials in connection therewith.

This creates a condition in the maintenance of Army posts and depots which is extravagant and inefficient. It will necessitate a duplicate storage system at each post and station and duplicate depots for replenishment, in view of the fact that the supply and transportation officers each use many similar articles to those used by the utilities officers. For instance, the quartermaster could not mix his stock of nails, tools, etc., with those of the utilities officer, as the funds covering procurement come from different appropriations. The utilities officer would not trust his stock in the same storehouse as the quartermaster, and the quartermaster vice versa. This will also necessitate two sets of storekeepers and the necessary clerical help entering therein.

Should a quartermaster warehouse suddenly spring a leak, or should the manufacturing plant at the Philadelphia or Jeffersonville depots break down, the process of manufacture will cease until the utilities officer makes the necessary repairs. Assuming that the utilities officer had not foreseen this possible condition and did not have the necessary parts in stock, production would cease until they had been received. If the roof springs a leak, the quartermaster is responsible for the damage to his stock pending repairs by the utilities officer, and yet the quartermaster has no authority to see that the utilities officer is prepared for or competent to meet such an emergency.

The quartermaster is in charge of manufacture and must be selected for his competence for this supervision, and yet his decision to install a new or improve an old mechanical operation in an endeavor to obtain economical and efficient production is completely subject to the determination of a separate service which might, through inefficiency or intent, wreck an efficient organization or prevent the proper development or improvement of an inefficient one.

Divorcing the several services, such as finance, construction, transportation, etc., from the Quartermaster Corps, where they properly belong, simply consumes excessive public funds, in that it creates duplication of officers and enlisted men and the necessary clerical personnel, labor, and supplies. With all this added expense, it actually retards instead of speeds up the fundamental reason why all the services exist, viz. the supply, pay, housing, and transportation of troops.

As an example, take a military post. With finance, construction, and transportation a component part of the Quartermaster Corps, one officer (the quartermaster) did all the work with one office force, one set of records, and the minimum of supplies. He usually had a sergeant in charge of the several divisions under his direct supervision, where all could be coordinated and worked into an efficient, smooth-running machine. With divided services, an officer of each service will necessarily be required in each post. Each of these will require a separate office (expense fuel, light); a separate set of records (expense forms, stationery); a separate set of personnel (expense), all of whom will be busy part of a day but idle the greater part (useless expense). With a quartermaster performing all of these duties, we have a minimum force constantly employed, flexible and available as a whole to absorb the peak load at any time falling upon any activity, with no unnecessary administrative heads, and lacking all the routine delays and red tape of intercommunication between separate services.

Approximate comparative expense at small posts and stations:

Consolidated.

1 captain, quartermaster	$2,400
2 clerks	200
4 enlisted men	200
1 office, heat, light	———
1 set records	———
	2,800

Divided.

1 captain, quartermaster	2,400
1 lieutenant, transportation	2,000
1 lieutenant, finance	2,000
1 lieutenant, construction	2,000
4 clerks	400
8 enlisted men	400
4 offices, records, etc	———
	8,800

The above is what will necessarily happen in a small post, resulting in inefficiency and cumbersome methods of supply. In addition there will be the expense to post headquarters in issuing orders for four services instead of one, which will entail an increase of approximately 50 per cent.

The expense and inefficiency in supply which will be created by separating these activities, as demonstrated in the operation of small posts, becomes an increasing factor as the size of the post increases and up through the avenues of supply, the depots, and department headquarters, and finally in a vastly magnified degree by the creation of these new bureaus in the War Department.

Each new service will demand the creation of another major general to provide for its chief, and then the expansion and competition will begin. Gradually these separate services will "justify" their existence by expansion, each requiring a little more each year for its budget. This "little more" each year, added to four or five services, soon becomes millions and millions. Vast offices filled with clerical forces, voluminous correspondence between services, and an excuse for a greatly enlarged General Staff, who will ineffectually claim to "coordinate" these separate services.

Personal ambition in these separately created services and the General Staff have created powerful machines to lobby for the continuation of their existence. Is Congress going to legislate into existence a system whereby 75 cents of every dollar appropriated for the Army will be spent in the administrative methods incurred for each 25 cents worth of supplies? What does the Army get? Only delays and insufficiency in supply.

The subchairman of the Appropriations Committee, the Bureau of Efficiency for the War Department, the Inspector General's Office, and, except for the General Staff, the Army itself, deems these separations of activities from the Quartermaster Corps are inadvisable and that they will entail inefficiency and greatly increase cost. How will Congress answer to the taxpayer?

Mr. GREEN of Iowa. Mr. Chairman, this paragraph refers to the training of our soldiers. It is a very important subject, and I had hoped that this bill would provide for some different system of training.

In our last war we created an Army on a very different plan from any we had ever had before. Our organization was effective, but I doubt whether it was as effective as it might have been. At all events, a very unfortunate situation arose and was manifest as soon as the soldiers were discharged.

One of the most important things in organizing an army is that the method of training and discipline should be such as to strengthen the feeling of loyalty to the Government and creating an attachment between the enlisted men and their officers. It is not only important, but it is absolutely necessary, that our Army organization be such as to increase the patriotism of the men who compose the Army and their willingness to serve the Government in a military way. If, on the other hand, it tends in the other direction, our organization is, to a certain extent, a failure. Yet this is precisely what has occurred as a result of our present system, which is in no way altered by this bill.

During the Civil War and afterwards a very different condition prevailed. Although there was a far larger percentage of our population called into the service and as a consequence a greater amount of deprivation and hardship ensued, the soldiers of the Civil War came out proud of their service, attached to their officers, and ready to go in again when their country called. The enlisted men in this last war have come out, as everyone knows, with a grouch. It is attributable to nothing else than the West Point system of discipline, more rigid than that of any other country in the world except that of Germany, upon which it seems to have been, to a certain extent, modeled.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. I would rather the gentleman would speak in his own time.

Mr. KAHN. I simply want to call the attention of the gentleman to the fact that "Hard-boiled" Smith is not a West Point graduate.

Mr. GREEN of Iowa. No; but he acted under a West Point graduate in accordance with instructions of West Point graduates. He richly deserved his punishment, and yet he was acting under orders from West Point graduates who also ought to have been punished. A large portion of the court-martials and practically all of this feeling on the part of the enlisted men that they were unfairly treated and disciplined arises from this caste system that has been established at West Point and prevails throughout all our military training. No other republic or democracy has it. It does not exist in the armies of France, and the magnificent courage and splendid fighting ability which the soldiers of France displayed in the last war is an abundant demonstration that we have no need for any such system in our own Army. When I was on the other side I saw in France enlisted men riding in the same compartment on the train with general officers of the French Army. This was forbidden by our regulations. I was told by men who had the opportunity to know that they had often seen company officers of the French Army walking arm in arm with privates, and I see no reason why that should not occur. Certainly they often lunched together in the restaurants. In our Army I knew of different officers who instructed officers of lower grades that they should not address the privates as "boys" or by any term that indicated special regard for them. This was the favorite term in the Civil War. All the officers, from the commanding general down, spoke of the men as their "boys," indicating thereby the affectionate regard which they held for them. Among the French the common term by which the captain or the colonel addresses the enlisted men is "mes enfants"—literally translated, "my children"—corresponding to our term "boys." What we need in our Army is a thoroughly democratic system. [Applause.] It is not destructive of fighting power. I was told by one of our prominent staff officers in France, who not only had a great deal to do with the operation of our Army but was intimately acquainted with the operations of our allies, that the Australians were the best fighters among our allies. But, he added, they had no discipline in the ordinary sense that we speak of it.

It is a fact that some of the most brilliant and successful attacks upon the German positions were conducted by the Australian troops, who are very lax in what West Point would call discipline, particularly with reference to the salute and other matters of that kind which have no real relation to the fighting ability of an army. I would not advocate doing away with the salute, but it is not strange that our enlisted men felt aggrieved when a whole company would be disciplined because

some lieutenant dashed by an outpost in an automobile going 60 miles an hour and received no salute for the very good reason that he was on and past the sentinel before there was opportunity.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. I can not refuse to yield to my distinguished friend.

Mr. GREENE of Vermont. That almost disarms the question. The gentleman is aware that the first thing the Bolsheviki undertook to do in their country was to destroy the discipline in the army?

Mr. GREEN of Iowa. Yes; but not in the way that I am talking about.

Mr. GREENE of Vermont. Oh, they did away with the salute and they did away with all of those things which destroy the distinction between the private and the officer.

Mr. GREEN of Iowa. The doing away with the salute was a small portion of what they did. What the Bolsheviki did was to hold soldier's councils and decide how the soldiers should move. In other words, they arranged that the privates should issue the orders and not the officers. Of course, no army could be effective operating under such principles and it ruined the Bolshevik army. I am not prepared to say that the Russian Army could be made effective except by an iron discipline. The privates of the Russian Army are ignorant, they are accustomed to being driven, and until the Bolsheviks came into power had never tasted of freedom. It is not strange that they became intoxicated upon the first drafts of the new spirit. I doubt very much whether the Russian people are capable of self-government, and a people that are incapable of self-government can not have a democratic army that would be effective. But we have long talked that so far as our country was concerned a different principle prevailed.

The Old World aristocracy upon which this West Point caste system was founded does not exist here. I have no patience with this snobbery that too often has existed in our Army. Nor have I any patience with that class of officers whose company records are filled with court-martial proceedings. I have had much experience in dealing with and controlling men, and an officer who has the whole United States Army at his back and is continually in trouble with his men is utterly incompetent to hold that position. It was a mistake in the last war to make officers principally upon their knowledge of drill regulations and with little regard to their capacity for leadership, as was often done. I have known of cases where a "hard-boiled" variety of officer had his men in the guardhouse half the time and accomplished nothing in the way of improvement in that essential form of discipline which constitutes willingness and promptness in obeying orders, and after that officer had been superseded by a man of real sense in a few weeks the detachment was as orderly as could be found anywhere.

Mr. Chairman, a reform of this kind is generally long coming about, but I hope it will come before we have another war. We need not only to preserve but cultivate the spirit that has animated the citizens of this country throughout the long and weary Revolutionary War, the War of 1812, the Civil War. We are a free people and we need none of the marks of aristocracy in our Army. The fighting spirit of the Army depends in the main upon the patriotic impulses of the enlisted men and their devotion to their country and the principles upon which its Government was founded. It may be that such a change as I have desired should come about not by direct action of Congress, but by and through the actions of the officers who control our Army. I have thought that I had seen indications of such change, and I sincerely hope, not only in the interest of our men but for the preservation of our Nation, that it may soon be accomplished.

Mr. STEAGALL rose.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. STEAGALL. Mr. Chairman, I desire to register my protest against this bill. When we entered the World War we had something like 125,000 men in our Army. The first measure brought before the House after the termination of the war provided for an Army of more than half a million men. The total cost of supporting the Army before the war was about $100,000,000 a year. The first bill reported to the House, and which we were urged to support after the armistice was signed and the world at peace, so far as actual fighting was concerned, provided for about 600,000 men, at an annual cost of more than $1,000,000,000. If we were to adopt the plans of those responsible for the bill now before us, we should enter upon a system in which the expense of the Military Establishment alone would approach, if it did not exceed, the total cost of running the entire Government prior to our entry into the war. Let us not forget that we entered the war for the purpose of destroying the military autocracy of Germany. We appealed to the moral sense of mankind to support us in the effort, and our appeal rang around the world and rallied a moral force of incalculable force. But just as soon as our efforts were crowned with success the Congress of the American people was confronted with the proposition——

Mr. MILLER. Will the gentleman yield?

Mr. STEAGALL. I can not yield. I have not the time.

I say, just as soon as we had destroyed German militarism, with all its crimes against the laws of God and man, we were confronted with the proposition to establish in this great, free Republic the same monstrous system which we entered the war to wipe from the face of the earth. [Applause.]

The people have incurred burdens amounting to more than $25,000,000,000 to enable us to carry on the struggle to destroy the curse that forced us into the war. They are groaning beneath a load of taxes and bonds. Before the entire cost has been met and the various plans for caring for our soldiers and their dependents can be completed billions and billions more will have to be paid. To meet and discharge these obligations and adjust their payment fairly among all classes presents one of the most serious problems that ever confronted the Nation. Such a burden would be a menace to the very existence of any nation in the world save ours. Our bonds are selling below par. Our credit is in danger of impairment.

Of course, no sane man expects that we shall be involved in war any time soon. Peace is a normal condition, and men of normal minds expect it to continue. But if the fears of the militarists prove well founded and we shall be again drawn into war, what could be more important than to have our debts paid, our credit unimpaired, and our financial system ready for the strain? Great wars in the future will be contests of resources and not altogether of man power. There could be no worse impairment of our strength in any possible contest in future than the crippling of the Nation's credit and the power to mobilize its resources.

To listen to the contentions of the militarists would lead to the conclusion that we lost the war or that the conflict is still in progress. But what are the facts? Germany has been crushed, her mighty military machine has been broken to pieces. All that is left of it are her dead, her widows and orphans, and her crippled and insane. In the darkness of her despair she stands with uplifted hands pleading for assistance. The other nations participating in the horrible conflict are scarcely through burying their millions of dead. As they go about the task of caring for their crippled and blind and insane there comes to us their appeal for food and clothing to sustain them until they can start normal life again. Staggering under a load of debts they are unable to meet, they ask us for an extension of credit and for financial aid with which to reestablish their business and their industries. Solomon said that "the borrower is slave to the lender." But we are asked to believe this great, independent Nation of more than 100,000,000 free people, with all of our vast and unrivaled resources, the creditor Nation of earth, holding the master hand in the financial affairs of the world, with 3,000 miles of ocean stretching between us and the powers of Europe, must live as abject slaves of a cowardly fear that those stricken people are ready to rise up and crush this mighty, peaceful Republic.

It is a challenge of the common sense of any man to tell him that the peace and honor of this Nation are endangered by any power in God's universe! Even if we should find foundation for fear of attack, who among us doubts that the 4,000,000 stalwart and heroic young men recently trained and who have just won such imperishable glory for American arms can not be trusted to maintain our safety? What greater aspersion could be cast on their glorious record than the demand for a big standing Army and compulsory military training at this time? What a mockery we should make of their sacrifices and the splendid ideals for which they fought were we to establish in this free land the vicious system which so recently engulfed the world in a war of unparalleled devastation and death?

For four years 25,000,000 strong men were removed from productive pursuits and their efforts turned to the destruction of life and food and property. As a result the supply of the necessaries of life has been curtailed, prices have soared beyond the reach of the poor, and even now, more than a year since the cessation of hostilities, millions and millions throughout the world are in need of food and clothing. In the face of all this we are asked to maintain an Army of 300,000 men and to take 600,000 to 800,000 of our young men and place them in military training or service for more than half the year. Those of us who helped to defeat the former bill providing for

an Army of 600,000 men should take courage and keep up the fight. But for the patriotic efforts of the Members of this House who repudiated that measure, the reduction to a force of 300,000 men would never have been submitted. If we will only fight on until we secure a similar reduction in the present bill, we shall have rendered a great service to the Nation.

It is estimated that the period for training embodied in the proposed plan for compulsory training would be from six to eight months in the year. It would take one or two months to get the men to and from the camps. The measure provides for four months of training, with authority conferred upon the President to add two months. So it is safe to say that we should have from 600,000 to 800,000 men in training more than half the year. It is estimated that such a system of training would cost about $750,000,000. The Regular Army plan, as provided in the bill before us, would cost fully $500,000,000, making a total of one and a quarter billions of dollars a year to be spent on the Army. This is the plan the militarists desire to put over, and that, too, when the world is crying for a greater production of the necessaries of life and for relief from the burdens of war. This is the plan to be fastened on the people of this country when no sane man has the slightest fear that any nation on earth contemplates declaring war against us and when we have 4,000,000 of young men, freshly trained, constituting the best army the world ever saw.

I refer to the plan of compulsory military training in connection with this bill, because the two are linked together in the minds of those who have been trying since the war to force their will upon the Congress. It is proposed in the present bill to establish the first part—the other will come later. If it were not for the fact that this is election year, the plan for compulsory training would have been reported before now. The patriotic and courageous action of the Democratic caucus in serving notice that, if the present bill for compulsory military training was to be jammed through Congress at this time, the people were to be informed and enabled to fix responsibility has resulted in the defeat of that part of the program for the present. But it is proposed now to let it rest until the election is over, and, unless the people are aroused between now and the November election, a man in league with the militarists will be elected President. If that happens the entire scheme will be put over in the next Congress, if not in this.

In these perplexing conditions we are asked to take our boys from their homes and schools and our young negroes from the farms and other productive pursuits that they may swell the ranks of our Army, the maintenance of which costs so much. Just here let me say, as a man who has practical knowledge of the negro, that when he is taken from his work and given six months' military training you may take my word for it, as a rule, he will never return to his labor, unless he does so under sentence of some court. It would be no less than criminal to take the young negro men of the country in their present state of mental and moral development and remove them from useful employment for a course of military training that would develop in them an everlasting distaste for useful toil. I tremble to think of their fate if they are to be made the victims of this false and vicious system.

The world is stricken by war and sick of the burdens and expenses involved in the support of armies.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. STEAGALL. I can not yield. The people of this country are clamoring for a return to the simplicity and economy that characterized the Government before our entrance into the war. [Applause.] They fear the tendency toward centralization of power in Washington. They shrink from the burdens of militarism, which in all ages of the world has led to the oppression of the common people and the destruction of democracy. [Applause.]

Mr. HUSTED. Will the gentleman yield?

Mr. STEAGALL. I can not yield. How unwise, how utterly foolish it seems, just at the time we have shown the world what a great, free, peace-loving people can accomplish, with the nations of the earth looking to us to lead them to higher and better things, to be told that we should substitute for our policy the system by which the German Empire went to its doom. When that great nation looks down into the depths of her defeat and despair, she must confess that her destruction came through her efforts to militarize the spirit of her people and to glorify war. That is the great danger that confronts us. As foolish and as unjust as it is to attempt to saddle additional debts and bonds upon the patient, patriotic people of this Nation, such considerations are trivial compared to the perversion of the ideals of the youth of our land. So long as we keep true to the faith upon which our Government was founded we need have no fear. There is nowhere under the stars any nation or combination of nations that threatens the overthrow of our institutions. If this Republic ever fails in its mission among the nations of the earth, it will be found that the forces of destruction are within and not outside our borders.

Solomon said, "He that ruleth his spirit is mightier than he that taketh a city." The supreme test before us is not our capacity to cope with any foreign foe, but our ability to solve the problems and eradicate the evils inherent in our national life. Providence has blessed us with wealth and resources unequaled in all the world. Our mountains and streams and lands have not yielded even a foretaste of what we may expect in the years to come through the development of an educated, enlightened, patriotic people. The future is roseate as a dream, if only we approach the task that awaits us in the light of the teachings of history. Great as is our wealth and resources and as important as is their conservation and development, let us not forget that moral forces constitute the Nation's greatest asset. In the future, as in the past, the spirit of our people must be our inspiration and our strength. We are face to face with the most momentous period in our history. Let us hope that the spirit of the plain people and their devotion to our democratic institutions will guide us now, as in the past, and save us from the folly of those who would lead us away from the teachings of our fathers to pattern after the monarchies of the Old World. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEAGALL. I ask for three minutes more.

Mr. KAHN. I object.

The CHAIRMAN. Objection is heard.

Mr. KAHN. Mr. Chairman, I move that all debate on this section be closed.

The CHAIRMAN. The gentleman from California moves that all debate on this section and all amendments thereto be now closed.

The motion was agreed to.

The Clerk read as follows:

SEC. 41. That section 78 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 78. That hereafter men duly qualified under regulations prescribed by the Secretary of War may enlist in the National Guard Reserve for a period of one or three years, under such regulations as the Secretary of War shall prescribe, and on so enlisting they shall subscribe to the following enlistment contract and take the oath therein specified: 'I do hereby acknowledge to have voluntarily enlisted this — day of ———, 19—, as a soldier in the National Guard Reserve of the United States and of the State of ———, for the period of one (or three) year–, unless sooner discharged by proper authority, and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of ———, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and the governor of the State of ———, and of the officers appointed over me according to law and the rules and Articles of War: *Provided*, That members of said reserve, officers and enlisted men, when engaged in field or coast defense training with the active National Guard, shall receive the same Federal pay and allowances as those occupying like grades on the active list of said guard when likewise engaged: *Provided further*, That, except as otherwise specifically provided in this act, no commissioned or enlisted reservist shall receive any pay or allowances out of any appropriation made by Congress for National Guard purposes.'"

Mr. HULL of Iowa. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, I do this in order to call the attention of the gentleman who has just addressed you and the committee to the fact that it was a Democratic administration that sent a bill to the House and to the Senate asking for an Army of 576,000 men and universal compulsory military service; that this Committee on Military Affairs took that bill and cut out universal military training and made the Regular Army just one-half as large as your administration advocated, and yet the gentleman goes into hysterics here over this well-balanced Republican measure that saves this country from the militarism advocated by a Democratic administration. A minority report was made by at least one Democratic member of the Committee on Military Affairs saying that this bill did not create an Army large enough. It must be a good bill that splits the minority party the way this bill does.

Mr. KAHN. Mr. Chairman, I desire to offer an amendment. On page 56, line 21, after the word "War," there should be quotation marks.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 56, line 21, after the word "War," insert quotation marks.

The question was taken, and the amendment was agreed to.

Mr. DICKINSON of Missouri. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. DICKINSON of Missouri. Mr. Chairman, I rise for the purpose of offering an amendment to section 40. I rose intending to offer it before section 41 was commenced, but the Clerk had commenced to read.

Mr. KAHN. Mr. Chairman, I submit that we have already passed that.

Mr. DENT. Mr. Chairman, I ask unanimous consent to return to that section.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to return for the purpose of permitting the gentleman from Missouri to offer an amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Amendment offered by Mr. DICKINSON of Missouri: Page 55, after section 74 add a new section, as follows:

"SEC. 74a. That section 75 of said act be, and the same is hereby, amended by adding at the end thereof the following:

"'*Provided*, That an officer who has served for three months in the field in the drafted National Guard, the National Army, or the United States Army subsequent to April 6, 1917, and who was honorably discharged therefrom shall be commissioned in a grade not to exceed that held in such service without examination other than physical examination.'"

The CHAIRMAN. The Chair would suggest that it be changed to 74a. There is probably a section 75 in the national-defense act. Without objection, it will be so modified.

There was no objection.

Mr. DICKINSON of Missouri. Mr. Chairman, this seeks to add as a new section of the national-defense act the words mentioned. It does seem to me that after a party has served for the length of time as stated in this proposed amendment that no mental examination ought to be required again, but only the physical examination provided in this section. And I trust the amendment will be adopted.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 43. That section 81 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 81. Militia Bureau of the War Department: The Chief of the Militia Bureau shall be appointed by the President, by and with the advice and consent of the Senate, from among officers of the National Guard who have had 10 or more years' commissioned service in the National Guard, at least 5 of which has been in the line. He shall hold office for four years, unless sooner removed, and shall have the rank, pay, and allowances of a major general of the Regular Army during his tenure of office, but shall not be entitled to retirement or retired pay. For duty in the Militia Bureau and for the instruction of the National Guard the President shall assign such number of officers and enlisted men of the Regular Army as he may deem necessary. The President may also assign, with their consent, and within the limits of the appropriations previously made for this specific purpose, not exceeding 500 officers of the National Guard to duty with the Regular Army, in addition to those attending service schools, and while so assigned they shall receive the same pay and allowances as Regular Army officers of like grades, to be paid out of the whole fund appropriated for the support of the militia."

Mr. KAHN. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. KAHN, for the committee: Page 57, line 12, after the syllable "ment," insert: "The Militia Division of the War Department shall hereafter be known as the Militia Bureau of said department."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DENT. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee in charge of the bill how much longer he expects to run?

Mr. KAHN. Mr. Chairman, we have only six more pages to read. I had hoped that we would be able to finish the reading of the bill to-day.

Mr. CALDWELL. You can not vote to-night, anyway.

Mr. KAHN. I have no desire to trespass upon the convenience of the Members of the House. We have been in session six hours.

Mr. Chairman, I move that the committee do now rise.

Mr. HUMPHREYS. Mr. Chairman, just for a minute. Will the gentleman from California permit me to ask him a question?

Mr. KAHN. Certainly.

Mr. HUMPHREYS. In this last amendment, just adopted, it says:

The Militia Division of the War Department shall hereafter be known as the Militia Bureau of said department.

Is that what the gentleman means, or that it shall be referred to as the "Militia Bureau"——

Mr. KAHN. "Of the War Department," it should say.

Mr. HUMPHREYS. I suggest the gentleman correct that.

Mr. KAHN. I ask unanimous consent that the correction be made.

The CHAIRMAN. Is there objection to the request of the gentleman from California? If not, the clerk will make the change. [After a pause.] The Chair hears no objection. The gentleman from California moves that the committee do now rise.

The motion was agreed to; and the Speaker pro tempore having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12775, the Army reorganization bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. VAILE, for four days, on account of the death of a friend.

To Mr. BACHARACH, indefinitely, on account of illness.

Mr. NEWTON of Minnesota. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. NEWTON of Minnesota. I desire to state that the gentleman from Minnesota [Mr. KNUTSON] is ill and will be unable to attend upon his duties in the House for several days, and I ask unanimous consent that he be excused.

The SPEAKER pro tempore. Without objection, the gentleman from Minnesota will be granted leave of absence indefinitely on account of illness.

There was no objection.

EXTENSION OF REMARKS.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on House resolution 476, a resolution which I introduced myself.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks on House resolution 476, introduced by himself. Is there objection?

Mr. PLATT. Reserving the right to object, what is it about?

Mr. KING. It concerns the investigation of the Federal reserve act.

Mr. PLATT. I thought so. I shall not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Speaker, I move that the House do now adjourn.

Mr. NEWTON of Missouri. Before that, Mr. Speaker, I ask unanimous consent to extend my remarks on war expenditures by inserting a brief letter which I received on that subject and a copy of my reply thereto.

The SPEAKER pro tempore. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD on the subject of war expenditure. Is there objection?

Mr. CONNALLY. Reserving the right to object, are they the gentleman's own remarks?

Mr. NEWTON of Missouri. A copy of a short letter to me and a copy of my reply thereto.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The letters referred to are as follows:

OFFICE OF COLLECTOR OF THE REVENUE
FOR THE CITY OF ST. LOUIS,
ST. LOUIS, MO., *March 4, 1920.*

HON. CLEVELAND A. NEWTON, M. C.,
Washington, D. C.

MY DEAR MR. NEWTON: I have frequently noted from Washington dispatches statements indicating extravagance in the expenditures of the War Department. I am interested to know the real facts. You are on the ground and have an opportunity for a near view of the Government's expenditures.

If not asking too much, I wish you would write me, giving the true situation as you understand it regarding war expenditures.

Yours, very truly,

EDMOND KOELN.

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
WASHINGTON, D. C., *March 7, 1920.*

HON. EDMOND KOELN,
Collector City of St. Louis, St. Louis, Mo.

MY DEAR MR. KOELN: I have your letter of the 4th instant requesting near-view information regarding a subject in which every patriotic American ought to be interested. More than a year has passed since we emerged from a World War, a war in which 1,390,000 of our boys saw active service upon the battle line in Europe. Of this number 50,000 were killed in action and 236,500 wounded. In the conduct of that war our Government expended $27,500,000,000. In addition to which the Government loaned $10,000,000,000 to our Allies. During the war the people of this country, regardless of politics or creed, made every sacrifice of blood and treasure to support the administration in power in order to insure the winning of the war, and now that the party responsible for that administration is preparing to ask to again be intrusted with the reins of the Government, it is well to scrutinize the administration's war record and ascertain whether or not it has merited the continued confidence of the American people.

The phase of the administration's war record in which the public is especially interested is its unparalleled expenditures of public money. The people bought Liberty bonds and thrift stamps to the limit of their capacity. They have paid taxes in every conceivable form, and now that they have paid billions into the Nation's Treasury they are interested to know how that money was expended by the party in power, in order to determine whether that party is entitled to their continued confidence.

The Sixty-sixth Congress, soon after it convened in May of last year, appointed a committee of its Members to investigate the expenditures of the War Department. That committee has labored long and earnestly. It has examined the records of the War Department. It has interrogated many witnesses under oath. It has collected much evidence, and it is from this testimony that I have gathered the facts which I shall present in response to your letter.

The records of the War Department show that the administration expended for artillery during the World War the sum total of $1,191,182,850, and yet Gen. John J. Pershing, in his final report as commander in chief of the American Expeditionary Forces, states that the only guns of large type produced at home, which reached France before the cessation of hostilities, were one hundred and nine 75-millimeter guns and twenty-four 8-inch howitzers, making a total of 133 American-made guns which reached our front and were in use when the armistice was signed. Our Democratic friends contend that these limited results from such an enormous expenditure of money were due to our state of unpreparedness when war was declared. Yet we remember that Belgium was invaded in 1914, three years before the declaration of war; the *Lusitania* was sunk in 1915, two years before the declaration of war; and the Administration now in power won the election five months before the declaration of war upon the slogan, "He kept us out of war." For three years the Administration had abundant warning that war was imminent, and if we were not prepared, then who was to blame?

The records of the War Department show that the administration expended $1,051,000,000 on aircraft, and yet Gen. Pershing in his final report says:

"In aviation we were entirely dependent upon our Allies. From time to time we obtained from the French such planes for training personnel as they could provide. Without going into a complete description of aviation material, it will be sufficient to state that it was with great difficulty that we obtained equipment even for training."

Our people are complaining about the high cost of shoes, yet when we examine the testimony taken by the Committee on Expenditures in the War Department we wonder that shoes are not to-day infinitely more expensive. At the date of the armistice we had 3,700,000 men under arms, while we had more than 100,000,000 people engaged in civil life. The testimony taken by the committee shows that to have filled the orders made by the Ordnance Branch of the War Department for leather goods for use in the Army would have required 300,000 more hides than the sum total of all the hides produced in the United States. The testimony further shows that the War Department had for use in the Army 391,000 horses and mules, and yet the records of the War Department show that the Ordnance branch of the department ordered for use upon these horses and mules 945,000 saddles and over 1,000,000 sets of double harness. The War Department purchased 1,637,197 horse brushes; 2,029,418 nose feed bags; 1,148,364 horse covers; 2,850,853 halters, which was enough to cover more than 2,000,000 horses at one time, and all of this equipment to be used on 391,000 horses. It is difficult to comprehend, in the face of these facts, how officials of the administration in power expected 100,000,000 people in civil life to procure the necessary leather for shoes.

As above stated, the War Department owned during the war 391,000 horses and mules. It was decided that these horses and mules must be branded. The testimony taken by the committee shows that in September, 1918, a representative of the War Department entered into a contract with Henry Moss & Co., of New York, for 195,000 branding irons. This was more than one branding iron for every two horses in the Army. The contract required that these irons should be made of copper, which was both scarce and expensive. The contractor purchased 79,952 pounds of copper, which was 20,000 pounds more than needed to make the irons, and officials of the company stated that they paid 39½ cents per pound therefor. The War Department paid the company 39½ cents per pound for all this copper, and then immediately sold it back to the company for 11 cents per pound. We won the war without branding the horses and mules because no branding irons had been delivered at the time the armistice was signed. But the records of the War Department show that officials of this administration compromised the claim of this company by paying them $40,000.

The testimony taken by the committee shows that in August, 1918, the War Department entered into a contract with Stein-Burn Camp and Field Equipment Co., of Chicago, for the manufacture of fireless cookers, bread boxes, and cook's chests. The company bought a large amount of black steel sheets and tin plates, which it had when the armistice was signed. The expert testimony showed that this material was reasonably worth 90 per cent of its cost price, yet the testimony shows that representatives of the War Department, in the settlement of this company's claim, allowed the company cost price for the material and sold it back as scrap iron. The testimony further shows that this company delivered to the War Department 66 fireless cookers, 25 cooks' chests, and 7 bread boxes, and the records of the War Department show that these 98 kitchen utensils cost this Government the sum total of $171,687.06, which sum the representatives of this administration paid out of the Treasury of the United States.

The testimony further shows that in October, 1918, the War Department placed an order with the Briar-Hill Steel Co., of Youngstown, Ohio, for 776,600 sheets of corrugated-steel roofing, a character of steel roofing which the contractor ordinarily used in his business. None of this roofing had been delivered to the Government when the armistice was signed. The contract was canceled, and the contractor made a claim for loss of profits, and the records of the War Department show that the officers of this administration compromised the claim for $164,519.68, which they paid out of the Treasury of the United States.

The testimony taken by the committee shows that the War Department entered into a contract with the Standard Steel Car Co., of Hammond, Ind., for the construction of nine hundred and sixty-four 9½-inch howitzer carriages. The War Department agreed to pay for the cost of buildings, material, and machinery, and the company was to be paid a commission upon the total cost of such carriages to the Government. The Government paid for the buildings, which cost $2,987,200, and after the armistice was signed the War Department sold these buildings back to the company for $600,000. The testimony shows that at the time the armistice was signed this company had on hand material for which the Government had paid $5,558,000, and the testimony further shows that representatives of the administration sold this material back to the company as junk for the sum of $300,000, and that, too, in the face of the fact arsenals of the United States were clamoring for material of this same character. The testimony further shows that not a single howitzer carriage had been delivered to the Government prior to the signing of the armistice, but that after the armistice was signed the Ordnance Department had the company finish 200 of these carriages, and that these 200 carriages cost the Government the sum of $18,582,428.88, which sum representatives of this administration paid out of the Treasury of the United States.

The testimony further shows that in August, 1918, representatives of the War Department entered into a contract with the Jones-Laughlin Steel Co., of Pittsburgh, Pa., for the manufacture of toluol and ammonium sulphate. It was estimated that the company could produce 24,000 tons of ammonium sulphate per year, and the War Department agreed to accept the company's entire output for a period of two years and to pay $90 per ton therefor. It was estimated that the company could produce 810,000 gallons of toluol per year, and the War Department agreed to accept the company's entire output for a period of two years and pay $1.50 per gallon therefor. At the time of the signing of the armistice the company had not produced a gallon of toluol or a pound of ammonium sulphate, and, the war being over, the contract was canceled. The company put in a claim for the profits it would have earned if the war had continued and they had been permitted to carry out their contract. It was agreed between the representatives of the War Department and representatives of the company that the difference between the actual value of toluol and the price which the department contracted to pay therefor should be the profit upon each of the 1,620,000 gallons of toluol which it had been estimated that the company could produce in two years. A board was appointed to determine the actual value of toluol, and it was found that toluol was actually worth 17½ cents a gallon, leaving a profit to the company of $1.32½ per gallon upon 1,620,000 gallons of toluol, which this company never manufactured, because the war ended too soon. It was also found that the company was entitled to a profit of $30 per ton of each of 48,000 tons of ammonium sulphate which the company never manufactured, and it was decided that the company was entitled to profits in the aggregate sum of $3,330,040.39, which sum the representatives of this administration paid out of the Treasury of the United States.

The Secretary of War at the beginning of this session of Congress reported that he had settled 5,000 claims growing out of war contracts, and the committee of Congress, appointed to investigate expenditures in the War Department, declare that the examples above given constitute a fair illustration of the basis upon which settlements were made by the War Department. Do you longer wonder where your money went Do you believe that the people of the United States, who bought Liberty bonds and thrift stamps, and who did without sugar and lived on brown bread, and the mothers, who spent long weary hours knitting socks and sweaters for the soldiers, and who went day after day to the Red Cross headquarters, without charge, to prepare bandages, and who gave their sons freely to be sacrificed upon the battle fields of France, will be willing to return to power the political party responsible for an administration which expended the people's money in the manner disclosed by this testimony?

Democratic politicians all over the country try to embarrass Republicans by asking why a Republican Congress has not done more for the soldiers. And the answer is simple. A Democratic administration, by the methods indicated above, left us an empty Treasury and a war debt of $25,000,000,000. Every Republican in Congress wants to do more for the soldiers, and we will do more as soon as we can get funds, but first we must meet the fixed charges, as they come due against the Government, left by a Democratic administration.

The testimony taken by the congressional committee further shows that prior to the signing of the armistice we had sufficient motor vehicles in France for ambulance service, for the transportation of munitions and supplies, and for other purposes sufficient to win the war; that under the terms of the armistice we received a large quantity of motor vehicles from Germany. However, the records of the War Department show that between the signing of the armistice on November 11, 1918, and the 5th day of June, 1919, the War Department representing this administration during a time when hundreds of thousands of soldiers were being brought home, transported to France 39,993 new automobiles, and after they had been delivered upon French soil, the representatives of this administration sold such automobiles to the French Government for 20 per cent of the cost price, and allowed that Government 10 years in which to make payment therefor.

The testimony taken by the committee shows that prior to the signing of the armistice the War Department had ordered food supplies for an Army of 5,000,000 men. The testimony further shows that, as a matter of fact, the War Department had commandeered 40 per cent of all the foodstuffs of the United States. Within six months after the signing of the armistice, more than 2,000,000 men had been demobilized and returned to civil life, and yet, as the testimony shows, the War Department had still retained and refused to release upon the markets for the use of the people of this country, the enormous quantity of foodstuffs, which it held. Mr. Hare, director of sales of the War Department, testified before the committee that it was not until June, 1919, that the War Department declared a surplus of foodstuffs. Mr. Hare was asked to state the policy of the War Department in disposing of its surplus foodstuffs, and in reply he said:

"It was the policy of the director of sales to dispose of the surplus property of the War Department so as to disturb the 'industrial conditions' of the country as little as possible."

The testimony shows that as late as June, 1919, the department was still debating the question as to the best method of disposing of its foodstuffs so as to disturb "industrial conditions" as little as possible, and it appears that "industrial conditions," as used by that department, meant the price of foodstuffs in the markets of the United States. It was decided that to release such an enormous quantity of foodstuffs upon the markets would disturb "industrial conditions" in the food market.

Congress had voted $100,000,000, which the President placed at the disposal of Mr. Hoover, for the purchase of food to feed the hungry in Europe, and the War Department concluded that in order to dispose of the supply of foodstuffs without disturbing "industrial conditions" in this country, it was advisable to cable Mr. Hoover urging him to use the hundred million dollars appropriated by Congress for the purchase of foodstuffs held by the War Department, thereby preventing such foodstuffs from being sold into the markets of the country, with the conse-

quent danger of disturbing such markets. And this was done in the face of the fact that the War Department at that time had hundreds of millions of dollars' worth of canned meats and other foodstuffs already in France, and for which the Army had no further use.

In response to this request Mr. Hoover purchased 22,869 pounds of cured meats from the War Department, and transported them from this country to Europe in order not to disturb "industrial conditions" in this country. And that at a time when the people all over the country were pleading for a reduction in the high cost of living.

The testimony shows that when the armistice was signed the War Department had 200,000,000 cans of vegetables, such as peas, squash, corn, tomatoes, pumpkin, etc. It was urged by the War Department that it was not practicable to put these vegetables upon the market, because it was said the Army cans were much larger than those to which the public had been accustomed, and hence they would not be salable, the Army cans weighing from 2 to 5 pounds each. A Republican Congress passed resolutions calling attention to this enormous supply of vegetables and urging that they be placed upon the market, and pursuant to these resolutions a small portion of this food was finally offered for sale to the public. So eager were the people to buy it that they almost tore the doors from the storehouses.

The National Canners' Association became much disturbed less this enormous quantity of vegetables should be dumped upon the market, thereby disturbing "industrial conditions" in the vegetable market, and the testimony shows that the president of the association, one Frank Gerber, wrote a letter to Gen. H. J. Rogers protesting. That letter was referred to Col. A. M. Davis, Director of Storage, Quartermaster Corps of the War Department, an officer of this administration, who wrote the following letter in reply:

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF PURCHASE AND STORAGE,
Washington, D. C., March 17, 1919.

Mr. FRANK GERBER,
President National Canners' Association, Washington, D. C.

MY DEAR MR. GERBER: Your letter of March 15 to Maj. Gen. H. J. Rogers has been delivered to me for reply. I am glad to be able to relieve your mind on the subject of any surplus canned vegetables to be dumped on the market.

Acting along lines suggested by you, canned peas, corn, squash, and string beans will be added to the ration list, which has always contained tomatoes. This will entirely dispose of our stock and eliminate surplus.

I trust this letter will relieve your mind and those of your associates in the Canners' Association.

Yours, very truly,

A. M. DAVIS,
Colonel, Quartermaster Corps, Director of Storage.

Col. Davis was called before the committee of Congress investigating war expenditures, and was asked to explain the meaning of such letter. (See p. 53, vol. 2, committee testimony.) His testimony indicates that it was the purpose of the War Department, in order to avoid the danger of disturbing "industrial conditions," to dispose of this enormous quantity of vegetables, so as to prevent them from coming upon the food market in this country, and in this connection the following extract from his testimony is interesting:

"Mr. REAVIS. That is, you mean that the American people would have no opportunity of buying this surplus?

"Col. DAVIS. That is the point exactly.

"Mr. REAVIS. And that was done to protect the canners?

"Col. DAVIS. Yes, sir."

Think of such evidence, showing that officials in Washington were holding food and trying to sell it in Europe in order to keep from reducing prices of food in the United States. And that at a time when the people of this country were led to believe that the administration was doing everything within its power to reduce the high cost of living.

You will doubtless recall that during the summer and fall of last year the supply of sugar in this country was so short that sugar was selling for 20 cents per pound and that the public was subjected to rations even at that price, and yet the testimony taken by the committee shows that during the same period the War Department sold 22,000,000 pounds of sugar in France at 2 cents per pound rather than hazard "industrial conditions" by shipping it home and placing it upon the American market.

The testimony shows that when the armistice was signed our Government had in France foodstuffs, clothing, textiles, automobiles, and other supplies of an approximate value of $2,000,000,000, and that the representatives of this administration sold that enormous quantity of supplies to the French Government for $400,000,000, or 20 per cent of its real value, on long-term payments, in order to avoid disturbing "industrial conditions" in this country.

Not only has the administration in power, and for which the Democratic Party is responsible, kept millions of dollars' worth of foodstuffs off the American market in order to avoid disturbing "industrial conditions," but it has permitted large quantities of this foodstuff to spoil, thereby depriving the people of its use. I do not know to what extent this waste has gone, but the evidence taken by the Committee on War Expenditures shows that 2,000,000 pounds of ham were permitted to spoil in the storehouses at Baltimore and 1,497,000 pounds of bacon were destroyed in the same way at Norfolk, Va.

We have heard much concerning the high cost of living in this country. We have read interesting accounts in the newspapers of the tremendous efforts of the administration, through the Attorney General and other Federal officials, to reduce the cost of living, and the public has been led to believe that they were really in earnest about it; and yet, could any reasonable person believe, in the face of the testimony above disclosed, that if this enormous quantity of foodstuffs, which the testimony shows amounted to approximately 40 per cent of all the foodstuffs in the United States, had been turned back into the market as readily as the soldiers were turned back to civil life the price of food would not have been reduced to a minimum and the problem of the high cost of living would not have thus been solved?

Friends of the administration have contended as an excuse for the administration that under the stress of war it was impossible to prevent waste, but the testimony taken by the committee discloses the fact that a great bulk of the foodstuffs of this country was dissipated and that millions of dollars were wasted upon contracts by the War Department after the armistice had been signed and the war ended.

Friends of the administration, in speeches and statements in the public press, delight to ask why a Republican Congress has not reduced the cost of living. The above testimony discloses the answer to that question. The only way to reduce the cost of living is to increase the supply of foodstuffs available on the market. The people of this country, in their desire to win the war, had produced and conserved and saved; they had eaten brown bread and done without sugar until great quantities of foodstuffs were available when the armistice was signed. But the testimony shows that 40 per cent of this foodstuff was held and kept off the market by the War Department of this administration; that this Democratic administration hoarded more foodstuffs than all the profiteers in the land combined. Had it so desired, the administration could have released this great food supply as it demobilized the soldiers, and the food market would thus have been brought down to a normal state. But instead it preferred to retain this foodstuff until much of it had spoiled in order that the food market in this country might not be disturbed, thus making it possible for the food profiteer to reap a harvest unparalleled in history.

When you remember the courage and valor of our soldiers who won the war, the sacrifice and fortitude of our women in their efforts to support and sustain these soldiers at the front, the unquestioning loyalty of our masses during that dreadful and bloody struggle, do you believe that the American people will again return to power an administration or a party responsible for such profligate mismanagement and waste?

Sincerely, yours, C. A. NEWTON.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that on March 15 they had presented to the President of the United States for his approval the following joint resolution:

H. J. Res. 194. Joint resolution amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Wash.

CALENDAR WEDNESDAY.

Mr. DONOVAN. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. DONOVAN. To inquire whether to-morrow the Wednesday Calendar will be observed, or if it is to be waived?

The SPEAKER pro tempore. The Wednesday Calendar will be in order unless it is dispensed with.

ADJOURNMENT.

The SPEAKER pro tempore. The gentleman from California moves that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until Wednesday, March 17, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriation required for the improvement of public buildings in certain cities in the United States (H. Doc. No. 689); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation to be included in House Document No. 673 for the Alexandria (La.) post office and courthouse (H. Doc. No. 673, pt. 2); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the United States Employees' Compensation Commission, submitting a supplemental estimate of appropriation required by the commission for printing and binding, fiscal year 1920 (H. Doc. No. 690); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the chairman of the Interstate Commerce Commission, submitting alternative estimate of appropriation required by the Interstate Commerce Commission for the fiscal year 1921, in lieu of estimates heretofore submitted and appearing on pages 717 and 718 and on page 678 of the Book of Estimates for 1921 (H. Doc. No. 691); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 12044) to accept the cession by the State of California of exclusive jurisdiction over the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes, reported the same without amendment, accompanied by a report (No. 743), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13088) to amend section 24 of the immigration act of February 5, 1917, to establish a personnel board in the Immigration Service, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. FORDNEY: A bill (H. R. 13089) vesting in the Bureau of Pensions jurisdiction of claims for compensation under article 3 of the war-risk insurance act, approved October 6, 1917, and the amendments thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of New York: A bill (H. R. 13090) to amend the War Finance Corporation act; to the Committee on Ways and Means.

By Mr. GARLAND: A bill (H. R. 13091) to provide further for the relief of war minerals producers, and to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919; to the Committee on Mines and Mining.

By Mr. DALLINGER: Memorial of the Legislature of the Commonwealth of Massachusetts favoring the repeal of restriction on the freedom of speech, freedom of the press, and the right of free assemblage; to the Committee on the Judiciary.

By Mr. GALLIVAN: Memorial of the Legislature of the Commonwealth of Massachusetts in favor of an amendment to the Constitution of the United States giving Congress power to regulate the hours of labor; to the Committee on the Judiciary.

Also, memorial of the Legislature of the Commonwealth of Massachusetts relative to maintaining transportation through the Cape Cod Canal; to the Committee on Railways and Canals.

Also, memorial of the Legislature of the Commonwealth of Massachusetts favoring an early increase of the Federal grant for the soldiers' homes in Massachusetts and other States; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Missouri: A bill (H. R. 13092) granting an increase of pension to Mary B. Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13093) granting an increase of pension to Mary A. Scanlan; to the Committee on Pensions.

Also, a bill (H. R. 13094) granting a pension to Phillip H. Vanatta; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 13095) granting an increase of pension to Henry Strassner; to the Committee on Invalid Pensions.

By Mr. COADY: A bill (H. R. 13096) granting a pension to Ella B. Flaherty; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 13097) granting an increase of pension to Albert C. Roach; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 13098) granting an increase of pension to Tabitha P. Bissett; to the Committee on Pensions.

Also, a bill (H. R. 13099) granting an increase of pension to Andrew J. Kennedy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13100) granting a pension to Jacob Morrisett; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 13101) to correct the military record of Joseph Fries; to the Committee on Military Affairs.

By Mr. NEWTON of Missouri: A bill (H. R. 13102) granting a pension to Gustave C. Wernecke; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 13103) granting a pension to Kit Smith; to the Committee on Pensions.

Also, a bill (H. R. 13104) granting an increase of pension to John W. Long; to the Committee on Pensions.

By Mr. STEPHENS of Ohio: A bill (H. R. 13105) for the relief of Capt. D. H. Tribou; to the Committee on Naval Affairs.

By Mr. TILLMAN: A bill (H. R. 13106) to correct the military record of H. Clay Griffin; to the Committee on Military Affairs.

By Mr. WHITE of Maine: A bill (H. R. 13107) granting an increase of pension to Melville T. Wadlin; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2319. By Mr. BYRNES of South Carolina: Affidavit of witness in support of House bill 13095; to the Committee on Invalid Pensions.

2320. By Mr. COLE: Petition of the John Hancock Post, No. 3, of the American Legion, Findlay, Ohio, favoring the passage of House bill 10835; to the Committee on Military Affairs.

2321. Also, petition of the John Hancock Post, No. 3, American Legion, Findlay, Ohio, urging the support of the resolution passed by the American Legion national executive committee at Indianapolis, Ind., February 10, 1920, providing for the compensation for service men and women; to the Committee on Ways and Means.

2322. By Mr. CURRIE of Michigan: Petition of Helen R. Shipps and 250 other citizens of Midland, Mich., urging the passage of either Senate bill 3259 or House bill 10925; to the Committee on Interstate and Foreign Commerce.

2323. Also, petition of Vean M. Miller, commander, and Claude Yockey, adjutant, Armstrong Post, No. 56, American Legion, Harrisville; Lawrence W. Lee, commander, and Dr. F. L. Hardy, member, of Berryhill Post, No. 165, Midland; Arthur C. McYntyre, commander Post No. 106, Grayling; and Peter Heitkamp, Post No. 207, American Legion, Coleman, all in the State of Michigan, favoring adjusted compensation for the ex-service men upon basis of $50 bond per month of service, etc.; to the Committee on Ways and Means.

2324. Also, petition of Board of Commerce, Bay City, Mich., urging immediate enactment by Congress of legislation for the readjustment and reclassification of salaries of postal employees; to the Committee on the Post Office and Post Roads.

2325. By Mr. FESS: Petition of Helping Hand Council, No. 61, Junior Order United American Mechanics, of Springfield, Ohio, favoring the passage of the Johnson of Washington bill, H. R. 12320; to the Committee on Immigration and Naturalization.

2326. By Mr. FULLER of Illinois: Petition of James W. Kline, general president of the International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, protesting against bills proposing to restrict the right of free speech, etc.; to the Committee on the Judiciary.

2327. Also, petition of the Evanston (Ill.) Post of the American Legion, favoring the passage of the Wadsworth bill regarding universal military training; to the Committee on Military Affairs.

2328. Also, petition of Dr. Edward S. Bowman, of Davenport, Iowa, relative to the tariff on graphite; to the Committee on Ways and Means.

2329. Also, petition of the Interracial Council of New York, relative to immigration; to the Committee on Immigration and Naturalization.

2330. By Mr. GALLIVAN: Petition of the United States Customs Guards of Boston, Mass., urging the passage of the Dallinger bill, H. R. 12123; to the Committee on Ways and Means.

2331. By Mr. GLYNN: Petition of Tuttle-Burns Post, No. 43, American Legion, of Winsted, Conn., favoring the passage of legislation which will place the veterans of the World War on an equal footing with the employees of the United States in noncombatant positions during said war; to the Committee on Ways and Means.

2332. By Mr. JAMES: Petition of Mrs. M. E. Leonard and other residents of Iron Mountain, Mich., favoring the Vestal maternity and infancy bill; to the Committee on Interstate and Foreign Commerce.

2333. By Mr. McGLENNON: Petition of the John Boyle O'Reilly Club, of Newark, N. J., urging the defeat of the peace treaty, etc.; to the Committee on Foreign Affairs.

2334. By Mr. MICHENER: Petition of Richard H. Munson, adjutant, Post 248, American Legion, Deerfield; and Lee Davisson, post commander, Emil Jacob Post, No. 117, Manchester, both in the State of Michigan, favoring bond-a-month legislation; to the Committee on Ways and Means.

2335. By Mr. O'CONNELL: Petition of Chamber of Commerce of the State of New York, favoring the consumption tax; to the Committee on Ways and Means.

2336. Also, petition of Chamber of Commerce of the State of New York, regarding the Federal appropriation and a national budget; to the Committee on Appropriations.

2337. By Mr. RAKER: Petition of National Federation of Federal Employees, of San Francisco, Calif., urging an increase of compensation for the Steamboat-Inspection Service employees; to the Committee on Reform in the Civil Service.

2338. Also, petition of California State Building Trades Council, relative to House bill 12775; to the Committee on Military Affairs.

2339. By Mr. SANDERS of New York: Petition of the Orleans Pomona Grange, Patrons of Husbandry, New York, favoring the passage of the so-called Truth-in-fabrics bill; to the Committee on Interstate and Foreign Commerce.

2340. By Mr. SNYDER: Petition of the various societies of Polish in the thirty-third New York district, protesting against the deprivation of former language publications of the use of second-class mail rates; to the Committee on the Post Office and Post Roads.

2341. By Mr. TAGUE: Petition of supervisors of the census for the New England States, urging an increase in their salaries; to the Committee on the Census.

2342. Also, petition of board of directors of the Boston Credit Men's Association, opposing the passage of House bills 12379 and 12646; to the Committee on Banking and Currency.

2343. Also, petition of Whittemore Bros. Corporation, favoring the passage of House bill 11729; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *March 17, 1920.*

(Legislative day of Thursday, March 11, 1920.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

PRESIDENTIAL APPROVAL.

As in legislative session,

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the act (S. 3696) to amend section 98 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Montana:

A bill (S. 4083) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes; to the Committee on Indian Affairs.

By Mr. CURTIS:

A bill (S. 4084) to reimburse J. B. Glanville and others for losses and damages sustained by them through the negligent dipping of tick-infested cattle by the Bureau of Animal Industry, Department of Agriculture; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 4085) for the relief of G. T. and W. B. Hastings, partners, trading as Hastings Bros.; to the Committee on Claims.

By Mr. HENDERSON:

A bill (S. 4086) to amend section 304 of the revenue act of 1918, approved February 24, 1919; to the Committee on Finance.

By Mr. CALDER:

A bill (S. 4090) repealing certain powers of the President in respect to fuel; to the Committee on Interstate Commerce.

By Mr. WADSWORTH:

A bill (S. 4091) for the relief of the estate of Alfred Ray; to the Committee on Claims.

By Mr. SMITH of Georgia:

A joint resolution (S. J. Res. 172) authorizing and directing the Secretary of War to sell a certain tract or parcel of land known as Fort Jackson, at New Deptford, on the Savannah River, Ga.; to the Committee on Military Affairs.

NATIONAL SCREW THREAD COMMISSION.

Mr. FRELINGHUYSEN. Mr. President——

Mr. REED. I ask the Senator from New Jersey if he will yield to me for a moment before he begins his remarks, which I would not interrupt.

Mr. FRELINGHUYSEN. I yield to the Senator from Missouri.

Mr. REED. There is a joint resolution which has been reported from the Committee on Standards, Weights, and Measures. It has passed the House. It continues the commission that has been working on the question of standardization. If it is not passed before the 20th, the commission expires by limitation of law. It involves no expense at all to the Government, I am informed. I think the House acted on it with practical unanimity. The House committee has been sending over here urging action. I was going to ask if I could not get the consent of the Senator who has the floor and the unanimous consent of the Senate to call up that joint resolution. I do not think there will be any discussion on it. If there is, I will immediately withdraw it.

The PRESIDENT pro tempore. Does the Senator from New Jersey yield for that purpose?

Mr. FRELINGHUYSEN. I yield to the Senator from Missouri for the purpose he has stated.

Mr. REED. I ask for the present consideration of the joint resolution (H. J. Res. 299) extending the term of the National Screw Thread Commission for a period of two years from March 21, 1920.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the term of the National Screw Thread Commission, created by an act approved July 18, 1918, as amended by an act approved March 3, 1919, be, and the same is hereby, extended for an additional period of two years from March 21, 1920.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. REED. I thank the Senator from New Jersey.

THE COAL SITUATION.

Mr. FRELINGHUYSEN. Mr. President, I do not intend to delay the debate or the consideration of the peace treaty any more than I can help, but I desire at the present time to bring to the attention of the Senate a very important question involving the problem which now faces the country in regard to the coal industry. There is nothing so vital to the interests of the country as a proper distribution of coal, and at the present time there are several agencies controlling this industry and, in my opinion, to some extent interfering with it.

The former Director General of the Railroads, at the present time acting under powers conferred upon him by the Fuel Administrator, Dr. Garfield, and also acting under powers conferred by a proclamation of the President, is seizing coal belonging to other shippers and diverting it for essential industries. There is a classification of priorities, and among those prior industries are the railroads. The strike, the weather conditions, the shortage of cars, the fact that there is a great demand for export coal have created a shortage of supply, and the railroads of the country are suffering from a lack of coal.

In recognition of the fact that the railroads are a most important and most essential industry, the Director General, or the Acting Fuel Administrator, whatever you may call him, Mr. Hines, has seized coal which has been shipped to a large extent to various industries throughout the country, and I am inundated with complaints, and so are other Senators, complaining against this policy of the Director General. The Government at the present time is paying no attention to this problem; neither is the Congress.

A subcommittee, of which I am chairman, of the Committee on Interstate Commerce has been making a study of the subject and has attempted to relieve the condition by bringing to the attention of the Director General the needs of the operators at the mines owing to the shortage of cars. During the summer months, through that self-constituted clearing house, the production of coal was increased from 6,000,000 tons per week up to 12,000,000 tons, yes, to 15,000,000 tons. When the strike came December 1, by reason of that activity there was a surplus amounting practically to 30,000,000 or 40,000,000 tons, which prevented a great deal of suffering, and prevented any interference with the industrial enterprises of the East, the South, and the Northwest, the Middle West suffering much more than the other sections.

At the present time there is an abnormal situation, a Government agency fixing prices, seizing coal, and throwing the flow of this important commodity out of its normal channels, thereby creating congestion and in many instances embarrassment to the industries in various sections of the country.

The subcommittee of the Interstate Commerce Committee have paid some attention to this problem, and they have come to the conclusion that the primary difficulty at the present time is the Government interference in price fixing and in distribution, and that the practical thing to do at present is to repeal the war powers, which were emergency measures, enacted simply for the purpose of controlling the coal supply during the war, and while there may be an acute situation temporarily, eventually the law of supply and demand will regulate the distribution of coal and we will the more quickly get back to the normal.

Therefore, the subcommittee have prepared a bill which will terminate all the powers with respect to coal and coke conferred on the President by the Lever Act. It provides that after its enactment the President may no longer license the importation, storage, mining, or distribution of coal or coke, requisition these commodities, operate the plant or business of any coal or coke operator or dealer, or regulate the production, sale, shipment, distribution, apportionment, or storage of coal or coke. In order to wind up the various matters arising out

of Federal control of coal and coke, however, the bill provides that all powers necessary for this purpose may be exercised for 30 days after it becomes a law.

Now, there is another abuse that has crept in.

Mr. FLETCHER. May I ask the Senator a question?

Mr. FRELINGHUYSEN. I yield.

Mr. FLETCHER. I wish to inquire of the Senator if he proposes to present a bill now and to have any action on the bill?

Mr. FRELINGHUYSEN. I am explaining practically the findings of the subcommittee, and I intend to introduce several bills.

Mr. FLETCHER. The Senator will merely introduce a bill and not ask for any action on it.

Mr. FRELINGHUYSEN. I intend to submit it to the Interstate Commerce Committee and have hearings held upon the bill. Has the Senator any suggestion to make in regard to it?

Mr. FLETCHER. Not at all. The Senator was referring to a bill, and I did not know whether he had the bill before the Senate or whether it was a proposed bill.

Mr. FRELINGHUYSEN. I am stating the conclusions of the subcommittee, and the subcommittee intend to propose certain legislation. As I was stating, one of the abuses which crept in during the war and which existed prior to the war was the confiscation by the railroad companies of supplies of coal invoiced to private consumers. The second section of the bill which I intend to present amends section 1 of the interstate-commerce act and makes it a misdemeanor for any railroad company to confiscate coal in the course of transportation over its lines.

One of the great causes of labor unrest——

Mr. SHERMAN. Mr. President——

Mr. FRELINGHUYSEN. I yield to the Senator from Illinois.

Mr. SHERMAN. If any other bailiff or custodian of personal property were to take and convert to their own uses personal property it would be regarded under the act of Congress where there is criminal jurisdiction vested or under the criminal code of most States as grand larceny, would it not?

Mr. FRELINGHUYSEN. It would.

Mr. SHERMAN. And subject you or me or any private citizen to a penitentiary penalty. But the carriers have done that and gone scot free.

Mr. FRELINGHUYSEN. It has been one of the great abuses in the coal industry that the carriers have confiscated coal invoiced to private consumers, to industries, to public-service corporations.

Mr. NORRIS. May I ask the Senator a question?

Mr. FRELINGHUYSEN. I yield to the Senator.

Mr. NORRIS. That practice, however, is not a result of the war? It existed before the war?

Mr. FRELINGHUYSEN. It existed before the war, according to the testimony of the public-service corporations in several States before the subcommittee.

Mr. NORRIS. I think I have had in the past knowledge of a great many instances of that kind, where railroad companies confiscated coal that they were shipping for dealers or other people.

Mr. FRELINGHUYSEN. It has been quite a common practice.

Mr. NORRIS. The practice now is not any greater, I suppose, than it was before the war?

Mr. FRELINGHUYSEN. Oh, it is greater than it has been. During the war, recognizing the importance of transportation——

Mr. NORRIS. During the war I think it would be justified. Of course, it would be necessary. But is the practice now any worse than it was?

Mr. FRELINGHUYSEN. In my opinion it is worse.

Mr. NORRIS. I want to ask the Senator another question. The Senator speaks of Mr. Hines doing that now. Is Mr. Hines still acting in a railroad capacity or a governmental capacity?

Mr. FRELINGHUYSEN. He is not acting in a railroad capacity, as he has no power as Director General of Railroads, because those powers have been repealed.

Mr. NORRIS. That is what I understood.

Mr. FRELINGHUYSEN. He is acting, however, as the Fuel Administrator or as an individual with the powers conferred upon the Fuel Administrator by a proclamation of the President regarding distribution, which powers the President has under the Lever Act.

Mr. NORRIS. Now, let me ask the Senator if in the exercise of that power Mr. Hines is now engaged in confiscating coal and turning it over to the railroads? Is that the complaint?

Mr. FRELINGHUYSEN. He is so engaged; he has created a system of regional control, has appointed subagents or representatives and assistants throughout the country, and, by reason of the fact that there is a great shortage of coal and the railroads need the supply, he has established a system of priorities of which the railroads are in the first class.

Mr. NORRIS. Will this bill repeal that authority?

Mr. FRELINGHUYSEN. This bill will repeal that authority and will give him 30 days to clear up the business.

Mr. NORRIS. Now, I want to ask the Senator if the committee believe that so long as this shortage exists—and that, I understand, is really at the bottom of the difficulty—it will not be necessary for some governmental authority to adopt some system by which priorities can be agreed upon, and thus prevent the cessation, for instance, of the operation of the railroads? If it is more important that they should operate than that some other industries shall, will it not be more necessary for them to have the coal than that other industries shall have it?

Mr. FRELINGHUYSEN. The Senator recognizes the fact that the strike, the shortage of cars, and the weather conditions have created a great shortage of coal?

Mr. NORRIS. Yes; I think we all recognize that.

Mr. FRELINGHUYSEN. But that from this time on conditions will improve?

Mr. NORRIS. I think so.

Mr. FRELINGHUYSEN. The feeling expressed by one of Mr. Hines's assistants this morning was that by the 1st of May this condition would be relieved.

Mr. NORRIS. Is there any complaint made that in the work of distribution of which Mr. Hines is in charge he has been unfair to any of the industries; that in the adoption of the various priorities for different industries he has not done the square thing?

Mr. FRELINGHUYSEN. Mr. President, the methods employed by Mr. Hines, the Director General of Railroads, in my opinion, have been ruthless and illegal to the extent of usurping powers which he does not possess, but which have been necessary to compose the situation.

Mr. NORRIS. I presume that such action would be illegal on the part of anybody who took coal without buying it of the owner; but the point I want to get at, if the Senator will permit me, is whether, while we have this great shortage of coal, it will not be necessary for some instrumentality to divide it up and thus prevent too much coal being allowed to industries that are not absolutely necessary while compelling other industries which are necessary to shut down?

Mr. FRELINGHUYSEN. It may be necessary to continue this system longer than 30 days; but I want to say to the Senator that the Interstate Commerce Committee is in full cooperation with Mr. Hines and that nothing will be done which will impair or impede the transportation system of the country. One of the most pernicious practices at present is the price-fixing power under the fuel-control act, as well as the power to seize and divert coal.

Mr. EDGE. Mr. President——

Mr. FRELINGHUYSEN. I will yield in a moment. Therefore, the committee feel that the sooner these powers are repealed the better off the country and the industries will be. Now I yield to my colleague.

Mr. EDGE. While I am in thorough accord with the policy expressed by the bill as it has been presented by my colleague [Mr. FRELINGHUYSEN], I have this thought: In his judgment, with the present admitted shortage of coal, does he feel that this bill will gradually accomplish the one thing which I think is primarily in the mind of everyone, and that is a reduction in the price of coal, by permitting the operation of the law of supply and demand, which will in the event of a shortage of coal mean some competition for its delivery? Does the Senator feel that ultimately this legislation will tend to reduce the price of coal?

Mr. FRELINGHUYSEN. I do not. I think that there will have to be further legislation enacted, which I intend to propose at this time, which will directly affect not only the price of coal but the present restless condition of labor at the mines.

Mr. EDGE. The reason I suggested the query was to bring out that thought, because in this bill, as I understand, we are abolishing price fixing. I am in absolute accord with that idea. I think the sooner we do that and take the Government away from price fixing the better; but it was my view that further legislation certainly would be necessary in order that the question of prices might be somewhat relieved.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from New Jersey yield to the Senator from Illinois?

Mr. FRELINGHUYSEN. I yield to the Senator from Illinois.

Mr. SHERMAN. Does the committee contemplate reporting a bill to take the control of waterway transportation out of the

hands of the Government? There is a great deal of fuel sent by barges down the rivers of the Middle West.

Mr. FRELINGHUYSEN. I can not answer the Senator as to whether or not the proposed act repeals the authorization for the Tidewater Committee. I think the powers of the Tidewater Committee are exercised under the Lever Act. I am not certain as to that; but I wish to emphasize that this is one of the most important problems that this Congress has to consider. We have been doing nothing in regard to the coal industry. We pay attention to all other industries, through the Federal Trade Commission, through the Interior Department, through the Department of Commerce, through the Shipping Board, and yet the Government has absolutely no bureau charged with the duty of handling the coal situation. It has long been neglected, and I intend to bring that fact to attention and later to propose certain legislation in regard to it.

In their efforts to do something with this problem the committee intends to propose another measure. One of the great difficulties at the present time in regard to the distribution of coal is the shortage of cars at the mines. Every mine operator in this country is complaining of the shortage of cars.

One of the complaints of the Miners' Union was that during the summer months they were idle; that they did not have the opportunity of working six days in the week, and, therefore, they demanded a shorter week and shorter hours, believing that that would relieve the situation. I do not believe that ever before in the history of the country were the industries not only here but in Europe so much in need of coal.

If the mines of the country are operated with the present number of miners, I think about 500,000, 230 days a year, there can be produced in this country 800,000,000 tons of coal. The needs of the country are approximately 500,000,000 tons; Europe will need from 100,000,000 to 150,000,000 tons. Therefore the problem we have to consider is that of affording the facilities for the mine operators to load and transport their coal.

Those who heard the debate on the railroad bill know that there is a shortage of railway equipment in this country as well as a great shortage of cars. If that situation can be remedied I believe that many of the difficulties which we have had to face in regard to labor troubles, to the closing down of industries, and to unfair seizures of coal will be relieved.

Mr. CALDER. Mr. President——

Mr. FRELINGHUYSEN. I yield to the Senator from New York.

Mr. CALDER. I should like to ask the Senator if he has been informed of the fact that there are still a great many coal cars, ordinarily used in the eastern field, so-called, that have not been returned from the West and the Northwest, where they were sent to relieve that section of the country during the strike period. My information is, I will state to the Senator from New Jersey, that some 30,000 cars were sent to the West and Northwest during the strike, and that until very recently some of those cars loaded with coal were held on sidetracks. They have not been unloaded, because, after the strike was over, coal could be mined and sold cheaper in the West and Northwest from the local mines than it could be purchased and shipped from the East. Does the Senator know whether those cars are now being turned toward the East?

Mr. FRELINGHUYSEN. I understand those conditions are still acute; but now that the railroads are back in the hands of their private owners, the effort will be made by all the railroads to get the cars back on their lines, and undoubtedly that situation will automatically adjust itself.

Mr. CALDER. My information is that those cars loaded with coal have been lying on sidetracks in the West for a period of three months.

Mr. FRELINGHUYSEN. The Senator must realize that, with the snow from 5 to 10 feet, many of those cars were practically frozen in on the sidetracks; it was impossible for the railroads to move them; and that is one of the causes of the congestion; but I believe that will automatically regulate itself as the warmer weather comes and the railroads begin to draw back their own cars to their own lines.

Now, what does the committee propose in regard to the car shortage problem? They propose a bill which, if enacted, will in general require freight rates on coal to be 15 per cent below the tariff rates in the spring and summer and 15 per cent above the tariff rates in the fall and winter. It is my purpose to have this bill considered by the subcommittee of the Committee on Interstate Commerce now investigating the price of coal.

It is believed that legislation requiring lower freight rates on coal during the spring and summer months, and higher freight rates during the fall and winter months, would tend to encourage consumers to develop storage accommodations, to accept deliveries of coal in advance of their seasonal needs, and thus to keep the mines operating more constantly throughout the year. Such legislation could be expected to bring about the following beneficial results:

1. It would stabilize the price of coal. The capacity output of all the coal mines in the United States, assuming fairly constant operation, would far exceed the present consumption. The output of all these mines working, as at present, only intermittently during the spring and summer months, and working to capacity during the fall and winter months, is barely sufficient to supply the current needs and the greatly increased cold-weather demand for coal. During the winter the demand so nearly equals the currently available supply that scarcity prices prevail. In addition to this, the actual cost of production per ton is unduly enhanced because the operator must, during the time his mine is closed down or working intermittently, keep together his organization and expend money for the upkeep and maintenance of the property, all of which must be added to the price of coal which he mines and sells during the rush season. If the demand for coal were reasonably constant throughout the year, many of these costs based on holding plant, capital, and personnel idle for a large portion of the time would disappear, and the price of coal would more nearly represent only current costs of production plus a reasonable profit, leaving no opportunity for charging scarcity prices during the months when the greatest amount of coal is consumed.

Mr. President, I would not take the time of the Senate to read this brief on this bill and delay these proceedings did I not believe that it was absolutely essential that the Senate should consider this problem and have an explanation of this measure. In view of the ruling that statements of this character analyzing a measure can not be printed, I find it necessary to read it into the RECORD, in order that Senators may have a statement on the subject.

I may say that this statement reflects the views and, in fact, embodies the views of Commissioner Clark, of the Interstate Commerce Commission, with whom I have conferred in regard to this problem. Therefore I find it necessary to read these four or five pages into the RECORD, because they represent the views of the head of the commission who will administer this proposed law.

The situation is somewhat analogous to that which prevails in the electric-lighting industry, where the rate of 10 or 12 cents per kilowatt-hour charged for current used for lighting includes a large allowance for machinery kept idle throughout the daytime and only employed to handle the peak load in the evening, while the same current is sold for heating purposes at 3 or 4 cents per kilowatt-hour, because its use for this purpose tends to keep all of the power-house machinery operating more constantly.

2. Such legislation would obviate very largely the pressing necessity for more coal cars. The present supply of coal cars, while totally insufficient to handle the fall and winter rush under existing conditions, would be fairly adequate to carry all the coal desired by consumers if this equipment could be kept moving with greater regularity throughout the year, as would be the case if the advantage of lower summer and spring freight rates could be held out to induce consumers to receive coal shipments in advance of their winter needs. Under the present system thousands of coal cars lie idle during the spring and summer, while the whole available supply of coal cars is entirely insufficient to handle the fall and winter emergency.

3. Such legislation would remedy the present inadequacy of terminal facilities. The large amount of coal which must now be transported within a comparatively short time in each year tends to glut already overcrowded terminals. The increasing inability of existing terminal facilities to handle extraordinary seasonal demands without entailing serious delays and disproportionate terminal costs is one of the most glaring weaknesses in the present American railroad transportation system.

I hope the Senators will note this statement:

4. Such a measure would promote regularity of employment in the mines, and would thus settle most of the outstanding grievances of the the miners. Increased compensation for miners, under the present régime, is demanded not so much as an actual wage for work performed but rather as a pension for periods of enforced idleness due to the seasonal demand for coal.

An examination of some of the disadvantages which might appear to inhere in the requirement of lower spring and summer freight rates for coal shipments reveals that most of these objections are untenable:

1. No confusion, either for carriers or shippers, would result from changing the rate on coal twice every year. The proposed

legislation prescribes that the carriers shall file their tariff rates on coal in the same manner as at present, and, instead of requiring them to alter these tariffs semiannually, provides an automatic statutory differential below the tariff rate for one portion of the year and above the tariff rate for the remainder of the year, with discretion in the Interstate Commerce Commission to change the amount of the differential where it finds necessary.

2. The revenues of the carriers would not be affected. A large amount of coal would still have to be mined and shipped in fall and winter to consumers who lacked the capital, credit, foresight, or storage accommodations to enable them to secure their supply during the warmer months. If the 30 per cent differential in favor of the months between April and August, inclusive, should prove an unnecessarily large inducement, so that too great a proportion of coal were shipped during this period, the Interstate Commerce Commission is authorized to change the percentage so as to balance the summer and winter shipments properly.

3. The transportation of coal in the spring and summer would not embarrass the railroads in handling other seasonal movements—for example, crops. In some localities cars carrying grain are loaded only in one direction, returning empty to the point of origin because of lack of shipments moving in that direction. If coal could be encouraged to move at the same time, this wasteful practice of hauling empty cars might be at least partially eliminated. Operating conditions during the clear weather of the spring and summer months are much more favorable, so that railroads can better withstand heavy demands for transportation at that period of the year than during the fall and winter months, when coal has heretofore moved in greatest volume. The cost to the railroads of transporting coal is also much less in warm weather, when locomotives can haul heavier trains, when they consume less fuel, and when fewer employees can handle more traffic.

4. The acquisition of more coal cars does not afford a practicable and complete remedy for existing difficulties. Under the transportation act recently approved the Interstate Commerce Commission is given the power to require carriers to provide themselves with sufficient cars. But most of the railroads have neither the money nor the credit with which to buy a supply of coal cars adequate for current needs under the present system of large seasonal shipments, so it would be useless for the commission to order them to purchase this equipment. On the other hand, most of the railroads which have enough money or credit to finance such purchases already possess an adequate number of coal cars to care for the needs of their own patrons, and they could not reasonably be required by the commission to purchase additional cars to take care of the traffic of other lines.

The transportation act also appropriates $300,000,000 as a revolving fund from which loans may be made to the railroads. In view of the fact, however, that this money will very likely be used only in small part for new equipment, and that of the portion which is spent for equipment much will go for new locomotives, refrigerator cars, and other types of urgently needed rolling stock, it is not probable that any considerable number of coal cars will be purchased out of this fund. It has been estimated that 100,000 new coal cars will be necessary to handle properly the usual seasonable demand. These alone would cost the entire amount of the appropriation mentioned above. The same statute also provides for creating a general railroad contingent fund, made up of a portion of the excess earnings of prosperous railroads, out of which loans may be made to the railroads, and out of which the commission may purchase equipment and facilities to be leased to the railroads. This fund will, however, be wholly an expectancy for many months to come, and at least one more winter, with its heavy demand on the present totally inadequate coal-car supply, would elapse before any relief could be had from this quarter. Even if funds were immediately available with which to purchase coal cars, and only coal cars were to be built, the car shops in the United States could not turn out sufficient cars between now and next fall to handle properly the coal shipments during the winter of 1920–21, assuming that the proposed legislation is not enacted in the meantime. Finally, even if this money were obtainable and cars would be turned out in sufficient quantity, the acquisition of cars which, under the present system of uniform freight rates on coal, would stand idle the greater part of the year would entail enormous depreciation and capital charges, all of which would have to be borne by the coal transported during the rush season.

5. It may be urged that the interstate-commerce act now contains ample provisions to permit the commission or the carriers to institute lower summer freight rates for coal. The conclusive answer to this contention is that during the many years that the same provisions have been law this practice has never been introduced. When the carriers have been asked to initiate such seasonal rates on coal, the request has usually been coupled with a demand that while rates might be lowered in summer, they should not be raised in the winter; and the carriers, facing a consequent depletion of their revenues, have declined to cooperate on this basis. The shippers and consumers, motivated by their individual needs, have been by no means unanimous as to the amount of the difference in rates or the seasons in which lower or higher rates should prevail. In the very nature of the case, it is a subject for legislation, where Congress, representing all the people, may enact rules which will take into consideration the interests of all the people.

The Interstate Commerce Commission, while it might feel justified in approving schedules initiated by the carriers instituting such seasonal rates, could not make such percentages of difference in rates permanent. The carriers, pressed by coal operators or consumers, might at any time file new schedules abandoning or modifying these seasonal rates. General confusion would result.

It is understood that the commission does not believe that it possesses the power to require the establishment of such seasonal rates on coal. It has never attempted to exercise this power, and it is known that it does not contemplate doing so in the future in the absence of further legislation. The commission assumes that in prescribing rates and practices it is not empowered to initiate new systems of rate making designed principally to remedy general economic situations. It feels that this should be the subject of specific legislative determination and authorization, rather than of mere administrative action.

Even if the carriers, the shippers, and the commission could and did institute such seasonal rate schedules, their action in this matter would be the subject of interminable litigation. It would be contended that no power had been delegated to the commission to approve or initiate such seasonal rates, and the action of the commission in this connection would most likely be enjoined until the matter had been decided by the United States Supreme Court. The result would be that two or three winters might elapse before this urgently needed practice could be put into effect. Definite legislation, such as that proposed, will remedy the situation at once. In view of the fact that the courts have upheld similar differences in rates, based on no less cogent economic reasons—e. g., under the so-called long-and-short-haul clause—there should be no doubt as to the constitutionality of the measure proposed.

Mr. President, I feel as if I should apologize to the Senate for having read this long statement of Commissioner Clark, but I believe this question is so important to the country that I have felt that it was very necessary that it should be put into the RECORD.

Briefly stating the effect of this measure, it means that from the 1st of April to the 1st of September consumers of bituminous and anthracite coal, used by the industries of the country to the extent of 500,000,000 tons, heretofore purchased practically during the winter months, will have the opportunity of having 15 per cent reduction in their freight rates and a penalty of 15 per cent advance from the 1st of September for the following six months. It means that it will induce the purchase of coal in the summer and, according to Commissioner Clark, will release 250,000 coal cars, which are idle during that period, at a time when the railroads are not congested, and at a time when the coal may be moved more efficiently and effectively.

I believe that this will solve the great problem in regard to the coal miner's complaint that he is compelled during the summer months to remain idle a long period.

Therefore, feeling that this measure will be beneficial to the coal industry, we have decided to present it to the Senate, and ask that the Committee on Interstate Commerce consider it carefully, hopeful that it will be enacted into law.

A statement has been made by some one who has studied this question that it will save $1,000,000,000 a year to the country in the wastage that now exists.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Jersey yield to the Senator from Ohio?

Mr. FRELINGHUYSEN. I yield to the Senator from Ohio.

Mr. POMERENE. This matter was presented to me a number of days ago by a number of iron and steel interests in Ohio, and they at that time recommended the plan proposed by the Senator from New Jersey. The only question I had in my mind was whether or not this legislation was necessary. My tentative opinion was that in view of the fact that under the recent railroad legislation we had given to the Interstate Commerce

Commission the authority to fix both maximum and minimum rates, they would probably have the power to do just what the Senator from New Jersey is now suggesting. But I understand that those who have gone into the legal phase of the question are of the opinion that they do not have that authority. That being so, I am inclined to favor the legislation which has been proposed. I believe that it will give relief, and it will make the employment of the miners more steady in the bituminous region. During the summer months in Ohio the mines are largely idle, and more active use can be made of the coal cars if these mines are kept in operation; and I think it would be some inducement, not only to the domestic consumer, but to the industrial consumer as well, to buy and store his coal for the winter use, if there is a differential in freight rates during that time.

This morning I received a telegram from the Youngstown Chamber of Commerce which bears upon the coal situation, and with the permission of the Senate will read it:

YOUNGSTOWN, OHIO, *March 16, 1920.*

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.:

Coal shortage has curtailed industrial production in this territory at least 50 per cent of time during past three weeks and temporarily throwing thousands of men out of employment. Car supply in Pittsburgh and Connellsville region inadequate, but results more serious since central coal administration reinstated priority list. Would recommend the cancellation of priority list on coal and the establishment of positive orders by the Interstate Commerce Commission for the return of open-top cars to owning roads in this territory. Understand western and southern railroads have from 120 to 250 per cent supply of this class of equipment, while lines in coal-producing territory are ranging from 20 to 60 per cent supply of coal cars owned by them.

YOUNGSTOWN CHAMBER OF COMMERCE.

The same condition exists in Cleveland and elsewhere; and more than that, the railroads have been exceedingly careless in this, that many of these cars are loaded with ashes and permitted to stand on tracks, when they should be unloaded and used for coal-carrying purposes.

Again, many of these coal cars are being used for the transportation of automobiles at the very time they are needed for coal purposes, and my belief is that this situation can be remedied in part now by a more careful supervision by the Interstate Commerce Commission; and I know from personal conferences I have had with the secretary of the commission that they are very active in attempting to give relief at this time.

But I want to commend to Senators the consideration of the bill which is proposed by the Senator from New Jersey. I thank the Senator.

Mr. FRELINGHUYSEN. Mr. President, there is one other measure which I shall introduce on behalf of the committee—to provide for the appointment of a Federal coal commissioner with advisory powers.

There has been a neglect of the coal industry, as far as the United States Government is concerned. There is no informative bureau to keep track and make a study of the industry and to inform Congress if legislation is necessary. Therefore a bill has been prepared, which I shall introduce, to set up an agency to obtain information about the coal industry and to provide some method to prevent a recurrence of practices which in the past and at the present time cause serious inconvenience to the public.

The bill provides that the President shall appoint a Federal coal commissioner, with the advice and consent of the Senate, for a term of five years, at an annual salary of $10,000; that the commissioner is empowered to employ a secretary, clerks, and other employees, and to rent suitable offices. It is made the duty of the commissioner to investigate from time to time the distribution, storage, and sale of coal.

It has been stated that if some agency in Washington could induce the railroads and industries of the country to store, in the summer, quantities of coal, the suffering, the sacrifice, and the embarrassment to the industries, occasioned by bad weather conditions or by strikes, would be to a large extent overcome. No one would fear the effect of a strike if we could store in the South, in the West, in the North, and in the Northwest quantities of coal for use; and, therefore, if it were somebody's business, somewhere in this country, to stimulate the production and the storage and the distribution of coal, it undoubtedly would relieve a very acute situation.

Therefore this has been proposed.

Mr. POMERENE. Mr. President, if the Senator will allow me as bearing upon that point, many of these large industrial consumers do store their coal, and these iron and steel mills store it in large quantities. But the difficulty at the present time is due to the fact that the large amount they had on hand was consumed because of the coal strike, and now they find themselves short.

Mr. FRELINGHUYSEN. If there were a distributing point, the smaller consumers, whose need is, in proportion, just as much as that of the larger, would have it available.

Mr. POMERENE. That is quite true.

Mr. FRELINGHUYSEN. The bill provides that the commissioner shall compile labor statistics, that he shall inform himself as to prices and costs, as to the statutory provisions, the kinds and grades of coal, and create an advisory plan of a zoning system; in other words, it is to be practically an exchange or a clearing house, without any executive powers, but simply ministerial powers.

I am not going to take the time of the Senate any further to explain this measure. I will do so if the committee should report it, and believe it is a wise provision.

Mr. President, I ask unanimous consent at this time to introduce, for reference to the Committee on Interstate Commerce, three bills.

The PRESIDENT pro tempore. Without objection, the bills will be received and referred to the Committee on Interstate Commerce.

By Mr. FRELINGHUYSEN:

A bill (S. 4087) to further amend the interstate commerce act, as amended;

A bill (S. 4088) to terminate Federal control of the coal and coke industry, and for other purposes; and

A bill (S. 4089) to provide for the appointment of a Federal coal commissioner, to define his powers and duties, and for other purposes; to the Committee on Interstate Commerce.

HERBERT HOOVER.

Mr. PHELAN. Mr. President, some time ago there was inserted in the RECORD some matter which was more defamatory than critical of the public services of Herbert Hoover. A prominent journalist of Georgia wrote me on the subject and asked me to ascertain what Mr. Hoover had to say concerning this and other matters, principally relating to cotton seed. In answer to a letter from me he wrote me this reply, and I ask unanimous consent to insert it in the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The letter is as follows:

MARCH 13, 1920.

Hon. JAMES D. PHELAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am greatly obliged for the defamatory propaganda which you sent me, and which I return herewith. It seems to me impossible to answer such foolish things. As to the circular of F. W. Davis, from Texas, his grievance seems to be (a) that I did not control the price of shoes (which had nothing to do with the Food Administration); (b) that I did not control the railway car shortage, and therefore some perishables decayed in Texas (and I did not head the Railroad Administration); (c) that the cottonseed producers of the South were discontented with the arrangements made for marketing their material.

The latter does concern the Food Administration, and the arrangements made with regard to cotton seed during the Food Administration were set up on direct application from the cotton growers, as shown by attached document (No. 1), at a meeting with them and signed by their representatives. The plans put in force were entirely worked out with them, approved by them, and at their express wish, being their proposal, and document No. 2 being the announcement of conditions. I inclose herewith document No. 3, copy of the resolution passed spontaneously by the cottonseed committees at the termination of these arrangements.

So far as Mr. Barrett's views on the price of wheat and cotton seed are concerned, he was a member of a commission appointed by the President to recommend a fair price for wheat, in which I did not participate. He unanimously agreed with the others on the price, and I attach a copy of the commission's report, document No. 4. The officers of his association signed the above-mentioned cottonseed proposals also. He can therefore scarcely complain of that matter. Subsequently he was appointed to sit on an agricultural advisory board to represent the farmers at the Food Administration, and apparently because he did not agree with the other 38 members he ceased to attend their meetings. Through this board he always had the opportunity to make representations to the Food Administration, and there was no case that I know of where the recommendations of this board were not supported by me and carried out to the full extent of the administration's ability. This board finally wound up also with a very handsome and spontaneous resolution expressing gratitude to the Food Admin-

istration for the way farmer interests had been handled. (Doc. No. 5.)

I do not assume that any amount of endeavor to keep out of politics or any amount of sacrifice in public service entitles one to immunity, so I have refused to take notice of these things. I am always anxious for my friends to know the truth, so that I send you the documents which disprove these statements.

Yours, faithfully,

HERBERT HOOVER.

DOCUMENT NO. 1.

"*Resolved*, That it is the consensus of opinion of those present that the market for cotton seed and its products should be stabilized, and that we accept as satisfactory the figures presented of $70 per ton for cotton seed in car lots f. o. b. the cars, based on a yield of 41 gallons per ton of seed, and that the price vary above and below $70 per ton according to the out-turn of products in the different zones to be established by the Food Administration, and we recommend the adoption by the Food Administration of these figures.

"J. J. Brown, commissioner of agriculture, Georgia; D. E. Lyday, president Texas State Farmers' Union; D. C. Dove, director of markets, Texas; J. A. Wade, commissioner of agriculture, Alabama; John A. Simpson, president Oklahoma Farmers' Union; A. C. Davis, national secretary Farmers' Union; J. H. Mills, president Farmers' Union, Georgia; D. A. Gregg, department of markets and warehouses, Texas; Harry D. Wilson, commissioner of agriculture, Louisiana; G. E. Gilmer, secretary Louisiana Farmers' Association; William R. Camp, chief division of markets, North Carolina; L. B. Jackson, director of markets, Georgia; L. H. Rhodes, director of markets, Florida; W. A. Graham, commissioner of agriculture, North Carolina."

[Copy outgoing telegram.]

"UNITED STATES FOOD ADMINISTRATION,
"FROM COTTONSEED DIVISION,
"*Washington, D. C., September 4, 1918.*

"Charge to F. A.

"We beg to say that we have to-day adopted your recommendation that cotton seed and cottonseed products should be stabilized at $70 per ton, carload lots f. o. b. cars, based on a yield of 41 gallons per ton of seed, and that the price vary above and below $70 per ton according to the out-turn of products in the different zones to be established by the Food Administration. We are to-night sending out details of zones and prices of by-products. We are recommending to the War Industries Board a revision in the price of linters to apply as a reduction in the price of meal.

"DENNY, *Food Administration.*

"Send the above to J. J. Brown, commissioner of agriculture, Georgia; D. E. Lyday, president Texas State Farmers' Union; D. C. Dove, director of markets, Texas; J. A. Wade, commissioner of agriculture, Alabama; John A. Simpson, president Oklahoma Farmers' Union; J. H. Mills, president Farmers' Union, Georgia; D. A. Gregg, department of markets and warehouses, Texas; Harry D. Wilson, commissioner of agriculture, Louisiana; G. E. Gilmer, secretary Louisiana Farmers' Association; William R. Camp, chief division of markets, North Carolina; L. B. Jackson, director of markets, Georgia; L. M. Rhodes, director of markets, Florida; W. A. Graham, commissioner of agriculture, North Carolina; A. C. Davis, national secretary of Farmers' Union."

DOCUMENT NO. 2.

(No. 1163.)

MEMORANDUM.

"SEPTEMBER 4, 1918.

"At a meeting of the State food administrators held in Washington to-day it was decided to accept the recommendation of the organized cottonseed producers as expressed by the commissioners of agriculture and markets and officials of the farmers' unions and other organizations in the several cotton States to stabilize the price of cotton seed at the average price of last year, the fundamental basis being on a yield of 41 gallons of oil, f. o. b. cars.

"The Food Administration has also consulted with the representatives of the crushers, refiners, and lard substitute manufacturers as to the formulation of regulations and voluntary agreements so as to give effect to the producers' recommendations for a stabilized price throughout the year.

"The price of seed on the basis recommended by the producers will vary from $64 to $72 in carload lots, f. o. b. cars, depending upon the yield in oil, which varies from zone to zone. Using this basis price the Food Administration has settled with the refiners to purchase oil at 17½ cents f. o. b. mills, and the Food Administration will assist the refiners to hold this price throughout the year.

"Differentials have been fixed for crushing seed in consultation with the crushers' association on the basis of last year's costs and regulated profit of last year, plus the increased cost imposed by change in labor, transportation, and supplies.

"The result is that the price of meal will vary from $50 to $57 in bags, depending upon the protein content, or roughly $3 per ton higher than last year.

"The Food Administration has strongly recommended to the War Industries Board that the price of linters should be increased so as to bear its proper share of the burden and increased cost of manufacture, and any change in this direction will be applied to a reduction in the price of meal.

"The proposal of the cottonseed producers to accept the average price of cotton seed for last year, despite the lower yield of cotton and the increased cost of production, is a concession on their part to the cattle-feeding and dairy interests in this country.

"The Food Administration would have been glad to have arrived at a result that would have made the price of meal exactly the same as last year to the feeding industry, but it is impossible to maintain the price of oil if it were increased above the present figure, owing to the relatively lower basis for vegetable oils.

"The Food Administration feels satisfied that the stabilization of this industry by voluntary agreements of all elements of the industry will greatly eliminate speculation that would otherwise take place, and that all interests will have been protected in so doing.

"The details of the seed prices assessed to local zones and yields will be issued by the State food administrators in each State."

DOCUMENT NO. 3.

"APRIL 2, 1919.

"At a meeting of representatives of the war service committee of the Farmers' Cottonseed Growers, Refiners, and Lard Substitute Manufacturers held in Washington on April 2, 1919, all parties concerned in the cottonseed industry unanimously adopted the following resolutions and presented them to the Food Administration:

"*Resolved*, That we commend the efforts of the Food Administration in stabilizing cotton seed and its products, which stabilization has enabled the farmers to secure a fair price for their seed, protected the consumer by enabling him to buy at reasonable prices, prevented violent fluctuation as well as hoarding and profiteering, and also indirectly stabilized other edible fats and prevented undue advances in same.

"*Further resolved*, That we believe that for the present the stabilizing program as established by the Food Administration should be continued.

"*Further resolved*, That the opening of the New York Produce Exchange for trading in cottonseed oil should be deferred until the stabilization program is discontinued.

"Respectfully submitted,

"_____ _____."

DOCUMENT NO. 4.

"*To the President of the United States:*

"The undersigned committee has been asked by you to recommend the price which the Government should pay for the 1917 crop of wheat.

"In its deliberations the committee has kept constantly in mind the three following factors:

"First. The fact that the United States is at war.

"Second. The need of encouraging the producer.

"Third. The necessity of reducing the cost of living to the consumer.

"The normal laws of supply and demand have been violently interfered with and Congress has undertaken to offset this disturbance by conferring extraordinary powers upon the President to stabilize prices. Each of the foregoing factors grows out of conditions which have received the careful attention of the committee. Chief among them are: That the wheat yield in a great and important section of the country has this year been below the normal; that over against this situation is the crying need among the whole body of the population, especially the wage earners, that the rising tide of costs shall be stayed and reduced as rapidly as possible consistent with the welfare of the producer; that the Government is at the present time engaged in the great task of reducing and stabilizing cost of other staple commodities; that the wheat of the world is

abundant for its needs, even disregarding the stores in Russia, but because of lack of shipping and war conditions the burden of supplying wheat to the Allies and to neutral nations rests for the time being upon the United States and Canada.

"Your committee has also considered the fact that the Government price for the 1917 wheat crop is in effect a continuing guaranty until the minimum price guaranteed by Congress for the crop of 1918 goes into effect (July 1, 1918). It has considered the relation of the 1918 minimum-price guaranty to the price here recommended. It has also considered the effect which an early termination of the war would have upon the wheat markets of the world.

"In reaching its conclusion the committee has been guided by the principles you have announced, that a fair price should be based upon the cost of production for the entire country, plus a reasonable profit. We have relied upon the cost estimates for the crop of 1917 furnished by the United States Department of Agriculture, checked by the results of our independent investigations and the evidence submitted to the committee by producers and their representatives.

"The committee has considered the regulations recently established by the United States Food Administration Grain Corporation for the different grades of the wheat through which all transactions in wheat are to be standardized and speculation to be entirely eliminated. Also that profits to the grain dealer, miller, and flour dealer have been regulated and reduced by the Grain Corporation, effecting a material reduction in the cost of flour.

"In consideration of the foregoing facts and circumstances, this committee respectfully recommends that the price on No. 1 northern spring wheat, or its equivalent, at Chicago be $2.20 per bushel.

"President H. A. Garfield, of Williams College, chairman; Charles J. Barrett, president, Farmers' Union, Union City, Ga.; William N. Doak, vice president, Brotherhood of Railroad Trainmen, Roanoke, Va.; Eugene E. Funk, president, National Corn Association, Bloomington, Ill.; Edw. F. Ladd, president, North Dakota Agricultural College, Fargo, N. Dak.; R. Goodwyn Rhett, president, Chamber of Commerce of the United States, Charleston, S. C.; J. W. Shorthill, secretary, National Council of Farmers' Cooperative Association, York, Nebr.; James W. Sullivan, American Federation of Labor, Brooklyn, N. Y.; L. J. Tabor, master, Ohio State Grange, Barnesville, Ohio; Frank W. Taussig, chairman, Federal Tariff Commission, Washington, D. C.; Theo. N. Vail, president, American Telephone & Telegraph Co., New York City; Henry J. Waters, president, Kansas State Agricultural College, associated with Department of Agriculture, Manhattan, Kans."

DOCUMENT NO. 5.

DEPARTMENT OF AGRICULTURE,
Washington, March 10, 1919.

Hon. HERBERT C. HOOVER,
Hotel Crillon, Paris, France.

MY DEAR MR. HOOVER: The purposes for which the national agricultural advisory committee was called into existence having been fully accomplished, I am to-day, by the consent of Secretary Houston and of the present representatives of the Food Administration in Washington, vacating my offices in the Department of Agriculture and notifying the members of the committee that there will be no further call upon us as such from either of the departments mentioned. It is unnecessary, if indeed it is not impossible, for me to add anything by way of appreciation of your administration to what has already been conveyed to you through the medium of a resolution unanimously passed by the live-stock subcommittee and given to Judge Glasgow and Mr. Snyder with the request that a copy be conveyed to you, and that such use of the resolution would be made in this country as to these gentlemen might seem proper. I wish, however, for myself and in behalf of the entire committee, to renew and emphasize our indorsement, individually and collectively, of your administration and of your splendid achievements as a most important factor in winning the war and now a factor of world-wide importance in the adjustment of the most acute of all the postwar problems. I feel that I represent the sentiment of the committee when I say that we feel ourselves greatly honored in having been coworkers with you in the great crisis through which we have passed; and now that our connection with your work has ceased, we unite in an abiding interest and confidence in your continuing success in even a larger, if not more important, field of endeavor. In a personal sense, if I may be permitted to refer to this side of our associations, I beg that you will accept my own assurances of high regard and esteem and my most sincere good wishes for your happiness in the days that are to come.

Very sincerely, yours,

H. C. STUART,
Chairman National Agricultural Advisory Committee.

"WASHINGTON, D. C., *January 28, 1919.*

"Whereas there has come to the attention of the live-stock commitee of the national agricultural advisory committee, through press reports and public statements, certain criticisms of the United States Food Administration; and

"Whereas these outgivings have made it clear to us that there is, in some quarters, a lamentable lack of knowledge respecting basic facts connected with the stimulation of production, encouragement of conservation, and control distribution of foods; and

"Whereas such complaints as have come to our attention have shown no evidence of having taken into consideration the unescapable obligation entered into by the Food Administration to secure increased food supplies for the necessary protection of our own population as well as that of our allies, including both civil and military needs, nor a due appreciation of the difficulties attending the merchandising transition from a war to a peace basis; and

"Whereas the space limitations of these resolutions give no adequate opportunity to direct attention to the broad foundations laid by Mr. Herbert Hoover, the United States Food Administrator, for the purpose of insuring essential food supplies for war needs, but feeling that we can not do otherwise than record our judgment of the purpose, the spirit, and the accomplishments of his administration: Therefore be it

"*Resolved by the said live-stock committee, now in session in Washington,* That we here record our high sense of appreciation of the extraordinary ability and uniform fairness with which Herbert Hoover has met and discharged the weighty responsibilities which have devolved upon him in stimulating home production, without which we would now be facing a world shortage of food and consequent higher cost of living; in eliminating speculative control of wheat and other essential products, which has ever been harmful alike to producer and consumer; in conserving food and foodstuffs; and in supplying the wants of the millions who were and still are dependent upon American resources for the necessaries of life.

"The committee has not agreed at all times with the policies of Mr. Hoover in dealing with national agricultural interests and questions, but it and all of its members have accepted uncomplainingly his decisions after a full and fair hearing of each case upon its merits. We have seen restrictions placed on consumption through the inauguration of wheatless and meatless days, by the requirement of the use of substitutes, and by other policies which narrowed the markets for agricultural products. This has occurred at times when prices seemed already unduly limited, considering the war costs of production.

"We are, however, convinced that every act of the Food Administrator has been conceived and executed in a desire to deal fairly with the American people, both producers and consumers, equitably yet firmly with the various agencies of distribution, and generously with our struggling allies.

"We are of opinion that no agency or department of the Government has done a greater work, and that no man of the many chosen for important national and international service has earned a higher place in public esteem and admiration than has the man who played so notable a part in guiding and bringing together the producers and consumers of the country, and who, by his rightful possession of the confidence of all classes at home and abroad, brought a united citizenship into voluntary contribution of sacrifice and service."

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

The PRESIDENT pro tempore. The question is upon the amendment offered by the Senator from Colorado [Mr. THOMAS] to the amendment of the Senator from Tennessee [Mr. SHIELDS] to the reservation proposed by the Senator from Oklahoma [Mr. OWEN].

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Glass	McKellar	Smith, Md.
Borah	Gronna	McNary	Smith, S. C.
Bandegee	Hale	Moses	Smoot
Calder	Harding	New	Spencer
Capper	Harris	Norris	Stanley
Chamberlain	Harrison	Nugent	Sterling
Colt	Henderson	Overman	Sutherland
Comer	Hitchcock	Page	Swanson
Culberson	Johnson, S. Dak.	Phelan	Thomas
Cummins	Jones, N. Mex.	Phipps	Townsend
Curtis	Jones, Wash.	Pittman	Trammell
Dial	Kellogg	Poindexter	Underwood
Dillingham	Kendrick	Pomerene	Wadsworth
Edge	Keyes	Ransdell	Walsh, Mass.
Elkins	King	Reed	Walsh, Mont.
Fletcher	Kirby	Sheppard	Warren
France	La Follette	Shields	Watson
Frelinghuysen	Lenroot	Simmons	Wolcott
Gerry	Lodge	Smith, Ga.	

Mr. ASHURST. My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

The PRESIDENT pro tempore. Seventy-five Senators have answered to their names. There is a quorum present.

Mr. KING. Mr. President, I am not sure that I understand the parliamentary situation of the pending reservation. The situation is rather anomalous. The caption of the reservation offered by the Senator from Oklahoma [Mr. OWEN] reads as follows:

Reservation proposed by Mr. OWEN to resolution of ratification of German peace treaty.

There is no resolution of ratification now pending, I understand.

Mr. LODGE. Mr. President——

Mr. KING. I yield to the Senator.

Mr. LODGE. I know it has been held by the Vice President, and I think by the present occupant of the chair, that the reservations are independent propositions, to be subsequently added to the resolution of ratification. As an independent proposition an amendment, not in the form of a substitute but simply as an addition, has been offered by the Senator from Tennessee [Mr. SHIELDS]. To that an amendment has been offered by the Senator from Colorado [Mr. THOMAS]. Therefore the rule as to motions to strike out and insert does not apply, and any motion now, it seems to me, would clearly be in the third degree.

Mr. KING. If the premise of the Senator from Massachusetts is correct, his conclusion is proper and inevitable. I do not rise for the purpose of combating the views which have been expressed by the Senator from Massachusetts, although I think there might be a very strong argument made upon the other side.

Mr. LODGE. If the Senator will allow me a moment, there can be no debate upon the question that another proposition would be in the third degree if you admit that the reservation is an independent proposition, which I think has been held by both occupants of the chair, and correctly held, as I think.

Mr. KING. I agree with the statement just made by the Senator from Massachusetts. If it be admitted that each reservation is an independent proposition, then, of course, no further amendment could be submitted to the pending reservation offered by the Senator from Oklahoma and the various amendments thereto, because it would be in the third degree; but I desire to suggest to the Chair the question as to whether there is an independent proposition now pending before the Senate.

For the purpose of obtaining the judgment of the Chair, whose experience and parlimentary knowledge are far superior to mine, I offer as a substitute for the pending reservation, with the amendments and modifications and qualifications which have been submitted, the following, which I send to the desk.

The PRESIDENT pro tempore. There are no rules of the Senate which cover the question just raised by the Senator from Utah, but the Chair, in harmony with the ruling which it understands has already been made, will hold that the reservation proposed by the Senator from Oklahoma [Mr. OWEN] is an original proposition, and, there being two amendments already offered to that proposition, the amendment now proposed by the Senator from Utah is not in order.

Mr. KING. I ask that the proposed substitute which I offer may be read, and then I shall ask my good friend, the Senator from Colorado [Mr. THOMAS], who is not here, if he will consent to withdrawing his amendment and permitting mine to be regarded as within the proper degree.

The PRESIDENT pro tempore. For the information of the Senate, the Secretary will read the substitute offered by the Senator from Utah [Mr. KING].

The ASSISTANT SECRETARY. It is proposed, in lieu of the reservation offered by the Senator from Oklahoma [Mr. OWEN], and the amendments thereto, to substitute as follows:

The United States understands the protectorate referred to in section 6 of the treaty to have been merely a war measure to preserve the integrity and independence of Egypt during the war. The United States further understands that in fulfillment and execution of the great principle of self-determination of peoples and equality of all Governments pervading and underlying the covenant of the League of Nations, at the close of the present war with Germany it will recognize the political independence of Porto Rico, the Philippine Islands, and the Virgin Islands, and also the Territory of Hawaii: *Provided*, That a majority of the residents of said Territory over the age of 21 years vote for such independence. And the United States further understands that in fulfillment of said principle Great Britain and Japan, respectively, will forthwith recognize the existence and political independence of the republic of Ireland and the ancient kingdom of Korea, and agree that they become members of the League of Nations with equal representation accorded to other sovereign and independent Governments.

Mr. KELLOGG and Mr. REED addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Utah yield; and if so, to whom?

Mr. KING. I will yield first to the Senator from Minnesota, as he rose first.

Mr. KELLOGG. I just want to say a word on this matter——

Mr. KING. I will yield the floor for the moment.

Mr. REED. I wanted to ask the Senator——

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Colorado [Mr. THOMAS] to the amendment of the Senator from Tennessee [Mr. SHIELDS]. The Senator from Minnesota is recognized.

Mr. KELLOGG. Mr. President, I do not wish to stand in the United States Senate and discuss the merits of such a proposition as that and the one preceding it about this country declaring for the independence of Ireland and Korea. I am astonished that Members of the United States Senate would think of adopting a reservation in violation of every principle on which this country is founded and every principle of our history, that we are going to declare for the self-determination of parts of sovereign nations.

Mr. SMITH of Georgia. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. KELLOGG. I yield.

Mr. SMITH of Georgia. Has the Senator from Minnesota any doubt that the Senator from Utah introduced his substitute as an alliustration of the lack of wisdom of any of the amendments? I feel sure that the Senator from Utah presented it as an argument against the reservation.

Mr. KELLOGG. I am quite aware that the Senator from Utah was trying to make this whole thing more ridiculous than it is, but I do not think it is possible for him to do so.

Mr. KING. Mr. President, will the Senator yield?

Mr. KELLOGG. I yield.

Mr. KING. The proposed substitute which I submitted was not offered with the expectation of commanding the support of the Senate. Indeed, it was not intended for that purpose. We are considering questions that have no relation to the treaty. They are wholly extraneous. We are attempting to project this Nation into the affairs of other peoples and of other nations.

Some Senators seem to entertain the view that we can hang upon this treaty every international question, and declare national and international policies that are not germane to the treaty and would be calculated to prevent its acceptance by our allies. There are many grievances in the world, and conditions which we would like to see corrected; but it would not be pertinent or proper, in a treaty of this character, to announce our views or what policies we should like to see pursued. It would have been just as inappropriate for the nations who have ratified the treaty to project themselves into our affairs, and to declare by reservation, amendment, or otherwise that in ratifying the treaty they understood that the United States would within a certain period free the Philippine Islands, Porto Rico, the Virgin Islands, Alaska, and the Hawaiian Islands, and permit these Territories and possessions to set up independent nations of their own.

My substitute shows the impropriety of the reservation which we are now considering, including the amendment offered by the Senator from Tennessee [Mr. SHIELDS], and the amendment to the amendment offered by the Senator from Colorado [Mr. THOMAS].

I am interested in having the treaty ratified. It seems to me that every Senator who has the welfare of the treaty at heart, and who desires to see it ratified and bring about the peace of the world, should pursue no course that would offer any impediment to ratification, or that would make our resolution of ratification objectionable, and properly objectionable, to any of our allies.

I am therefore opposed to attempting to attach to the treaty reservations that will destroy it, or that will be regarded as an

assault upon our allies, or an interference with their domestic and internal affairs.

Mr. KELLOGG. I am not addressing my remarks to the Senator from Utah. I was perfectly aware that that was not his object; but there was seriously discussed on the floor of the Senate yesterday a reservation which provides that—

The United States further understands that in fulfillment and execution of the great principle of self-determination of peoples and the equality of all governments pervading and underlying the covenant of the League of Nations, that Great Britain and Japan, respectively, will forthwith recognize the existence and political independence of the Republic of Ireland and the ancient Kingdom of Korea, and agree that they become members of the League of Nations with equal rights accorded to all other sovereign and independent governments.

Mr. President, does anyone believe that the Irish vote is going to be fooled by such nonsense as that? I am sorry to see the United States Senate playing such politics. What can be thought about it by the world? Are we to place upon this treaty a reservation which will require a sovereign country to allow any part of that country to have self-determination and secede? What would we have thought of that doctrine in 1861? What would we think about it now? Of course, it does not need argument, but why should the Senate spend hours in serious consideration of such a proposition?

It is time that we stop our nonsense. We are not only making the Senate ridiculous before the people of the country but before the people of the world. Why not vote upon these propositions? If anybody conscientiously can not vote for the treaty, let him vote against it. Of that there can be no complaint.

Mr. FLETCHER. Mr. President——

Mr. KELLOGG. Let those who want to vote for it vote for it, but do not let us descend to such politics as this. I yield to the Senator from Florida.

Mr. FLETCHER. I wish to make a suggestion to the Senator. I do not at all dissent from the Senator's view. I am quite in accord with his idea that we are wasting time here and that we ought not even to take the time to discuss these propositions. I suggest to the Senator that he move to lay the amendment on the table.

Mr. KELLOGG. I will move to lay it on the table.

Mr. REED. Mr. President, a parliamentary inquiry. Does that carry the original proposition with it?

Mr. KELLOGG. I move to lay the Owen amendment on the table.

The PRESIDENT pro tempore. Will the Senator from Minnesota state what amendment he proposes to lay on the table?

Mr. KELLOGG. The original amendment of the Senator from Oklahoma [Mr. OWEN].

Mr. FLETCHER. The amendment that is pending, of course, is the one that will have to be acted on.

The PRESIDENT pro tempore. The Senator from Minnesota moves to lay on the table the reservation proposed by the Senator from Oklahoma.

Mr. FLETCHER. I stated that, of course——

The PRESIDENT pro tempore. The motion is not open to debate.

Mr. REED. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gerry	McKellar	Smith, Ga.
Ball	Glass	McLean	Smith, Md.
Beckham	Gronna	McNary	Smith, S. C.
Borah	Hale	Moses	Smoot
Brandegee	Harding	New	Spencer
Calder	Harris	Norris	Stanley
Capper	Harrison	Nugent	Sterling
Chamberlain	Henderson	Overman	Sutherland
Colt	Hitchcock	Owen	Swanson
Comer	Johnson, S. Dak.	Page	Thomas
Cummins	Jones, N. Mex.	Phelan	Townsend
Curtis	Jones, Wash.	Phipps	Trammell
Dial	Kellogg	Poindexter	Underwood
Dillingham	Kendrick	Pomerene	Wadsworth
Edge	Kenyon	Ransdell	Walsh, Mass.
Elkins	Keyes	Reed	Walsh, Mont.
Fernald	King	Sheppard	Warren
Fletcher	La Follette	Sherman	Wolcott
France	Lenroot	Shields	
Frelinghuysen	Lodge	Simmons	

Mr. ASHURST. My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

The PRESIDENT pro tempore. Seventy-eight Senators have answered to their names. There is a quorum present.

Mr. REED. Mr. President, I ask that the motion of the Senator from Minnesota to lay on the table be stated. I want to know the form in which the motion was made by the Senator from Minnesota.

The PRESIDENT pro tempore. The Chair will state the motion. The Senator from Minnesota moves to lay on the table the reservation proposed by the Senator from Oklahoma.

Mr. REED. I make the point of order that when there is a motion pending followed by a motion to amend, a motion can not be made to lay the original motion on the table; that the motion to lay on the table must be directed to the pending motion, which is a motion to amend.

The PRESIDENT pro tempore. The Chair finds upon examination of the precedents upon that question that the Senate has ruled that a motion of that kind can be made.

Mr. REED. If that is the ruling of the Chair, I do not desire to urge the point of order.

The PRESIDENT pro tempore. The Chair refers to an instance occurring in the Senate on January 16, 1891. The Chair quotes from Gilfry's Precedents the following proceedings on that occasion:

The Senate had under consideration, as in Committee of the Whole, the bill (H. R. 11045) "to amend and supplement the election laws of the United States and to provide for the more efficient enforcement of such laws, and for other purposes."

The question recurring on an amendment proposed by Mr. Butler to the part proposed to be inserted by the amendment of the committee, viz: At the end of line 107, page 104, insert:

"*Provided*, That the supervisors, canvassers, and all the election officers shall be regarded as ministerial and not as judicial officers."

On motion by Mr. Harris to amend the amendment by adding thereto the following: "And shall perform none other than ministerial duties."

After debate, on motion by Mr. Hoar that the amendment of Mr. Butler lie on the table—

Just such a question of order as is now raised by the Senator from Missouri—

Mr. Gorman raised a question of order, viz, that the question pending was the amendment proposed by Mr. Harris to the amendment of Mr. Butler, and that it was not in order to lay both amendments on the table by one motion.

The Vice President (Mr. Morton) overruled the question of order, and decided that the motion to lay the amendment of Mr. Butler on the table carried with it the amendment to the amendment proposed by Mr. Harris and was in order.

From the decision of the Chair Mr. Gorman appealed to the Senate, and proceeded to debate the question of the appeal, when Mr. Edmunds made the point of order, viz, that the original motion being a nondebatable motion, an appeal from the decision of the Chair on the question was also nondebatable.

The Vice President sustained the point of order and decided that the appeal was not debatable; and on the question, Shall the decision of the Chair on the question of order raised by Mr. Gorman stand as the judgment of the Senate? it was determined in the affirmative; yeas 31, nays 15. So the Chair was sustained. (See CONGRESSIONAL RECORD, 51st Cong., 2d sess., pp. 1431–1433.)

In accordance with the precedent thus established the Chair feels constrained to overrule the point of order made by the Senator from Missouri.

Mr. OWEN. Mr. President, I rise to a parliamentary inquiry. Will it be in order to move as a substitute for the motion of the Senator from Minnesota to lay the amendment on the table?

The PRESIDENT pro tempore. The Chair is of the opinion that such a motion would not be in order.

Mr. OWEN. Then the parliamentary proceeding, as I understand, is that if this motion be adopted by the Senate it disposes of the entire question, otherwise a motion would be in order to lay on the table the amendment. In that event I wish to offer such a motion.

The PRESIDENT pro tempore. If the motion of the Senator from Minnesota prevails, it will carry with it to the table the amendment proposed by the Senator from Tennessee [Mr. SHIELDS] and the amendment proposed by the Senator from Colorado [Mr. THOMAS].

Mr. NORRIS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. HENDERSON (when his name was called). I have a pair with the junior Senator from Illinois [Mr. MCCORMICK]. I understand that he is absent to-day on account of sickness. I therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL] which I transfer to the Senator from Arizona [Mr. SMITH]. I ask that this announcement may stand for the day. On this question I vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence I withhold my vote.

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

Mr. SMITH of South Carolina (when his name was called). I have a pair for this day with the senior Senator from Minnesota [Mr. NELSON]. In his absence I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], who is absent. I am informed that if he were present he would vote "yea" on this motion. I therefore feel at liberty to vote. I vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Arkansas [Mr. KIRBY], and I vote "yea."

The roll call was concluded.

Mr. HENDERSON. Referring to the announcement that I made a moment ago, I transfer my general pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. CHAMBERLAIN (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. He has not voted. I therefore transfer my pair with him to the Senator from Nevada [Mr. PITTMAN] and I will let my vote stand.

Mr. WALSH of Massachusetts. The Senator from Oklahoma [Mr. GORE] is detained from the Senate on official business. If present he would vote "nay."

Mr. CURTIS. I wish to announce that the Senator from Washington [Mr. POINDEXTER] is paired with the Senator from Arkansas [Mr. ROBINSON].

The result was announced—yeas 54, nays 21, as follows:

YEAS—54.

Ball	Fletcher	Lenroot	Sterling
Beckham	Frelinghuysen	Lodge	Sutherland
Calder	Gerry	McNary	Swanson
Capper	Glass	New	Thomas
Chamberlain	Hale	Page	Townsend
Colt	Harding	Phipps	Trammell
Comer	Harris	Pomerene	Underwood
Cummins	Harrison	Ransdell	Wadsworth
Curtis	Jones, N. Mex	Sherman	Walsh, Mont.
Dial	Kellogg	Simmons	Warren
Dillingham	Kendrick	Smith, Ga.	Watson
Edge	Kenyon	Smith, Md.	Williams
Elkins	Keyes	Spencer	
Fernald	King	Stanley	

NAYS—21.

Ashurst	Hitchcock	Nugent	Shields
Borah	Johnson, S. Dak.	Overman	Walsh, Mass.
Brandegee	Jones, Wash.	Owen	Wolcott
France	La Follette	Phelan	
Gronna	McKellar	Reed	
Henderson	Norris	Sheppard	

NOT VOTING—21.

Culberson	Knox	Nelson	Smith, Ariz.
Fall	McCormick	Newberry	Smith, S. C.
Gay	McCumber	Penrose	Smoot.
Gore	McLean	Pittman	
Johnson, Calif.	Moses	Poindexter	
Kirby	Myers	Robinson	

So Mr. OWEN's reservation was laid on the table.

Mr. REED. Mr. President, the Senate has just listened to a remarkable lecture by the Senator from Minnesota [Mr. KELLOGG], in which with great earnestness he asserted that the Senate is engaged in a ridiculous piece of business.

The amendment which was offered to the reservation by the Senator from Utah [Mr. KING] was intended to be ironical; I take it there is no question about that; but let us for a moment see what the "ridiculous" proposition before the Senate really was.

The reservation offered by the Senator from Oklahoma [Mr. OWEN] was merely this:

The United States understands the protectorate referred to in article 6 of the treaty to have been merely a war measure to preserve the integrity and independence of Egypt during the war.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. REED. Yes.

Mr. KELLOGG. I addressed my remarks more particularly to the amendment which I read in relation to granting independence to the republic of Ireland, the Kingdom of Korea, and so forth. Those amendments were the ones to which I more particularly addressed my remarks.

Mr. REED. But the Senator moved to lay the entire proposition on the table.

Mr. KELLOGG. I did.

Mr. REED. He did not move to lay on the table the particular amendments to which he is now referring, and he succeeded in laying upon the table the entire proposition. Now, I think no one can successfully contend that the resolution as offered by the Senator from Oklahoma is ridiculous, or that it is not germane to this treaty, for it merely refers to a clause of the treaty and states the construction which the United States puts upon that clause. To that reservation an amendment was offered by the Senator from Tennessee [Mr. SHIELDS], declaring that the principle of self-determination ought to be extended to Ireland. The Senator probably thinks that is ridiculous; at least, he made a motion to carry it to the table. To that reservation the Senator from Colorado [Mr. THOMAS] had offered an amendment which included Korea. Possibly that is ridiculous; but if these reservations are ridiculous, then an important argument that has been made for this treaty is ridiculous.

We were asked to go into it on the ground that it was going to produce a general world equity; that the hand of the oppressor was no longer to be upon the throat of the oppressed; that small peoples were no more to be deprived of their liberties simply because some great nation was powerful enough to take their liberties from them. The principle was to be applied to the British Empire and to Japan just the same as to other nations. Two-thirds of the people of the United States still believe the League of Nations will insure the blessings of self-determination and liberty to the oppressed peoples of the earth.

Possibly that proposition is foolish—it may be chimerical—but it is the exact plan the President of the United States took with him to Paris. If it is ridiculous, he is the author of the absurdity; and you will see the Senator from Minnesota on the hustings next fall declaring to his constituency, in substance and effect, "This great document has liberated the world."

Moreover, you will hear all the rest of the advocates of this league asserting the same thing.

The Senator from Georgia [Mr. SMITH] on yesterday put into the RECORD the proposition President Wilson took with him to Paris. I want to read it, because I propose to offer the President's original proposition as a reservation to the league covenant. The proposition was:

ARTICLE 3.

The contracting powers unite in guaranteeing to each other political independence and territorial integrity, but it is understood between them that such territorial readjustments, if any, as may in the future become necessary by reason of changes in present racial conditions and aspirations or present social and political relationships, pursuant to the principle of self-determination, and also such territorial readjustments as may, in the judgment of three-fourths of the delegates, be demanded by the welfare and manifest interest of the peoples concerned, may be effected if agreeable to those peoples, and that territorial changes may in equity involve material compensation. The contracting powers accept without reservation the principle that the peace of the world is superior in importance to every question of political jurisdiction or boundary.

Mr. President, those words meant something or they meant nothing. If they meant anything, the League of Nations was to guarantee to all oppressed peoples an opportunity to secure their liberty. They were to be permitted as of right an appeal to the League of Nations, whereupon a three-fourths vote would result in their liberation. This guaranty applied not to past situations alone, but to present and future conditions.

Now, Mr. President, I am sending to the desk a reservation which literally follows the language the President employed, in so far as that language can be made applicable to the present state of the covenant. I ask to have it read.

The PRESIDING OFFICER (Mr. STERLING in the chair). The Secretary will read the proposed reservation.

The Reading Clerk read as follows:

The United States construes part 1 of the treaty of peace with Germany, known as the covenant of the League of Nations, to the effect that such territorial readjustments, if any, as may in the future become necessary by reason of changes in present racial conditions and aspirations, or present social and political relationship, pursuant to the principle of self-determination, and also such territorial readjustments as may, in the judgment of three-fourths of the council or assembly, be demanded by the welfare and manifest interest of the people concerned may be effected if agreeable to those peoples. The high contracting powers accept without reservation the principle that the peace of the world is superior in importance to every question of political jurisdiction or boundary.

Mr. REED. Mr. President, just a word further in support of this reservation.

It is the doctrine which the President preached to this country before he went to Paris. It is the doctrine which he constantly supported in his speeches after he came from Paris. Abbreviated, it means that the people of any country, being held by the superior power of another country, may ask to be released, and may submit that question to the League of Nations, whereupon a three-fourths vote will work their liberation.

If the League of Nations means anything, if it is to bring any relief to the downtrodden, if it is not merely a great organization of power formed to control the world by force, if there is in it anywhere a germ of equity or a possibility of justice to the oppressed people of the world, then this reservation ought to be accepted.

If it is not accepted, then we have said to the people of the world that this thing we are setting up is a league of power, intended to guarantee the present possessions of the great em-

pire nations of the world; that it is intended to rivet the chains upon Egypt, upon Korea, upon Ireland, upon all those weak peoples who at the time the treaty became effective were held in thralldom by some powerful member of the league.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Wisconsin?

Mr. REED. I yield.

Mr. LENROOT. I should like to ask the Senator if that is not exactly his construction of the league covenant, and has it not been from the very beginning?

Mr. REED. Yes, sir.

Mr. LENROOT. Then I would like to ask the Senator how, in this reservation, there is an entirely opposite construction that he himself has given to the league covenant?

Mr. REED. Mr. President, that is a wonderful question to ask, is it not? I took the position that the league covenant does mean a league of power, and the Senator took the position that it did not mean that. Now, I am proposing to write into the covenant itself the meaning that you have ascribed to it, and you are going to oppose, you are on your feet now to oppose, a construction of this covenant which you have given it on the floor of the Senate.

Mr. LENROOT. Will the Senator yield?

Mr. REED. Yes.

Mr. LENROOT. Then the Senator offers a construction which he himself says is not capable of being so construed.

Mr. REED. Oh, no. While we are making this contract we have a right by appropriate language to give it any meaning we desire. The Senator has the notion in his head, as have a good many other people, that this covenant having been delivered to us, we can not change it. He takes that position when I propose to change it or to affect it, but when he wants to change it or affect it he readily does so.

Mr. LENROOT. Oh, no.

Mr. REED. There is no use in caviling about terms. We all understand what we are doing. Here is a proposition offered to the Senate. It is not, so far as we are concerned, a contract until we breathe the breath of life into it. Before we do that we have the right, if we want to do so, to strike out any part of it. We can refuse to concur in any part of it, or we can, adopting the form that has been employed here, offer a construction of it which we say to the world we will insist upon.

Mr. LENROOT. Will the Senator yield further?

Mr. REED. I hold that the covenant as now drawn is a covenant of power and force; that it does not now secure to the people of other lands the right of self-determination. The Senator states that it does give to the people these rights.

Mr. LENROOT. The Senator must not misquote me.

Mr. REED. Then, the Senator takes the position I do, that it is a league of force, of power, that it is an institution to rivet the chains upon the people. Is that the Senator's position?

Mr. LENROOT. So far as territorial integrity is concerned, that it true; and that is why I have been insisting upon the reservations that we do not participate in any such power.

Mr. REED. Very well. Then the Senator ought to support my reservation——

Mr. LENROOT. No.

Mr. REED. Because it is along that line of thought. It not only saves us from participation in a wrong, but makes possible the righting of the wrong.

Mr. LENROOT. I want to ask the Senator whether any Senator on either side of the aisle has at any time during the consideration of this treaty given the construction to this covenant that he now proposes by his reservation?

Mr. REED. Mr. President, there have been any number of speeches made here in the Senate to the effect that this treaty does not rivet chains upon people, that this treaty is not a great conspiracy of power, that it is a beneficent thing, devised for the purpose of uplifting humanity and of democratizing the world. I am astonished that the Senator questions the fact. Will the Senator claim that you can democratize the world by enslaving the world? If we are to have a League of Nations, then let us pass this reservation, thereby protesting in the name of the United States that somewhere in it there shall be found the power to give relief to a subject people against their oppressors. If the Senator wants a League of Nations that does not have that power in it, if he wants to rivet a strait-jacket on the world for all time, if he wants to say to all races and peoples now oppressed, "You can not secure your liberty except by war or by the voluntary consent of your oppressors," he ought to oppose this reservation.

But he ought to go to the people of his own State and say to them frankly, "At the close of this great war, England, France, Italy, and Japan gathered within their deadly embraces all parts of the world inhabited by helpless folk and forced their government upon them against their protest. We have devised a scheme called 'the League of Nations,' which makes it certain they shall wear their chains forever; that the hand of the oppressor shall never relax in its grip upon their throats. The immense power of the league is to be employed to guarantee their slavery shall be perpetual."

That is what the Senator now says the league covenant means. This reservation I have offered puts into the league covenant, so far as America can put it in, the proposition that there shall be a court to which the oppressed of the earth can come. What is illogical in such an offer?

Mr. LENROOT. Will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Wisconsin?

Mr. REED. I yield.

Mr. LENROOT. Is the Senator, then, willing that we create an international court, where the people of Hawaii, Porto Rico, and the Philippine Islands may have their independence determined, regardless of the will of the people of the United States?

Mr. REED. Now, let me answer that. I am astonished that the Senator should advance such an argument, because, save for the statement made by him a moment ago, he has professed to be the advocate of altruism. His question embraces an argument, but it is not the argument of the altruist. It is not the argument of the idealist. It is not the argument that has hitherto been put forth by those who champion the league. It is the century-old argument of selfishness. It was made by the commanders of Rome's conquering legions, by Darius, by Xerxes, by Cambyses, by Hannibal, and by Napoleon. It is the argument of the pirate that—

> They shall take who have the power;
> They shall keep who can.

You now appeal to the selfishness of the United States, and at the same time you proclaim that you are engaged in an altruistic movement for the general benefit of the world. You can not run in two directions at the same time. But I will answer the question in another way, the way I think it should be answered.

I am opposed to the Government of the United States trying to govern in the affairs of Europe. The Senator is in favor of it when he favors the league.

I am opposed to the United States interfering in the affairs of Asia. The Senator is in favor of it when he favors the league.

I am opposed to any international supergovernment. The Senator is in favor of it when he favors the league.

I am opposed to the United States violating that part of the Monroe doctrine which expressly declared that the United States would not interfere in the affairs of trans-Atlantic nations. The Senator is in favor of violating the Monroe doctrine, because he proposes to set up a league that does interfere with the affairs of the Old World, and he would make us a party to that league.

That is my position. But if we are to be forced into this compact by the votes of those Senators who favor internationalism above nationalism, who see fit to abandon our ancient policies, who turn their backs upon the teachings of the fathers, who insist that we shall run the ship of state into seas tossed by the tempests of European and Asiatic passions and hatreds—if we are going to steer such a course, then, at least, I want to accomplish some good as the result of so great a sacrifice. Accordingly, I hope that we may assure to the oppressed people of the earth an opportunity to have their wrongs righted. I am the more insistent upon this because by the league compact we make their continued slavery certain unless we afford the means of escape, and because if not given some tribunal to which they may peacefully appeal they will ultimately rise and fight for their liberty, and then the United States will be bound morally, even under the reservations adopted, to cast its influence against them when they venture to strike for liberty.

What is illogical about that position?

Mr. LENROOT. Then I do understand that the Senator favors placing in the League of Nations the control of Hawaii, Porto Rico, the Virgin Islands, and the Philippines?

Mr. REED. Certainly, Mr. President; if we go into the league, I am willing to put them in with the rest of the possessions of the world——

Mr. LENROOT. I am not.

Mr. REED. But what is the Senator doing? The Senator is putting his Nation in, and he is declaiming here about putting in Hawaii. He is willing to put the United States in, but he is worried about the Philippines. He is willing to put the United States in, but he is greatly disturbed about the Virgin Islands.

He is setting up a world government and surrendering to it in important matters the sovereignty of the entire United States, but he is distressed lest we should by that world government be deprived of a few unimportant islands. The Senator voted against a reservation which provided that we would withhold from the jurisdiction of the league questions involving its vital interests and the national honor of the United States. Did not the Senator so vote?

Mr. LENROOT. I did.

Mr. REED. Very well. The Senator is willing to vote to submit to this League of Nations questions involving the life of the United States, for that is what "vital interests" means, but he is greatly worried and distressed about Hawaii and the Virgin Islands and the Philippine Islands.

Mr. LENROOT. Will the Senator yield at that point?

Mr. REED. Yes.

Mr. LENROOT. Would not that reservation which the Senator now advocates have kept out from any jurisdiction of the league the very things he is now trying to put into it?

Mr. REED. The one I now offer?

Mr. LENROOT. No; the one about vital interests and the national honor.

Mr. REED. If we had excepted our vital interests and our national honor, we might have said that we would refuse to submit to the League of Nations the question of the control of Porto Rico, because we might have said it was a military outpost or could be made a military outpost for the defense of this country. Of course, we might have so said, and if we had we would have said an American thing; we would have announced an American doctrine.

Mr. LENROOT. But the reservation which the Senator now proposes would have taken those questions out of the reservation that the Senator formerly proposed and would have submitted it to this league.

Mr. REED. Yes; and it was not accepted.

Mr. LENROOT. It was not.

Mr. REED. It was defeated, and the Senator helped to defeat it.

Mr. LENROOT. Yes.

Mr. REED. If I can not save the whole I want to save a part.

Mr. LENROOT. No; if the Senator can not save the whole he wants to put into the jurisdiction of the league the very things that a short time ago he was trying to keep out.

Mr. REED. Here is the difference. The league now has jurisdiction to decide questions involving our national honor and vital interests. The league is now also the instrument that is to be employed to rivet the chains on subject people. I am seeking to give such people the poor right to appeal to the league to break their chains. I am giving the league a chance to escape from the brutal contract it is now proposed to make.

Mr. LENROOT. Including the Philippines and Hawaii?

Mr. REED. Including the Philippines and Hawaii; so that if the League of Nations undertakes jurisdiction over all the world and over our national life and death, it can at least release subject peoples. We are holding no subjects, a fact the Senator very well knows. We are granting liberty to the Philippines as rapidly as possible. But, sir, if we have subjects, I am in favor of releasing them.

If this reservation is passed, then three-fourths of the league could by vote release Egypt. If you do not release Egypt and other subject countries, you men who have declared that this league means eternal peace know that it will ultimately bring war. The day will come when the nations and races now held in subjection will rise against their oppressors.

I can not understand the position of a man who is willing to submit the national honor and vital interests of the United States to the League of Nations, and yet is frightened lest the league may release the people of the Virgin Islands or even Ireland. Does not the Senator know that several of the bloody European wars have been caused or contributed to by the century-old conflict between Ireland and England?

This much is certainly true, that if you are to follow the lead of the President, the ideas of the President, the thought he had in mind when he went to France, you must accept this reservation. If the President was wrong about it, if he was wrong about the principle of self-determination, if it is wrong to give to this tribunal the right to release people, then it is wrong to set up the league to control the nations of the world.

Mr. President, the President has delivered many speeches in favor of the self-determination of peoples and in general support of the doctrine laid down in the reservation I have offered. I ask the privilege of hereafter inserting them in the RECORD.

The PRESIDING OFFICER (Mr. GRONNA in the chair). Without objection, it is so ordered.

Mr. REED. Suggesting the absence of a quorum, Mr. President, I have concluded my remarks.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gronna	Lodge	Smoot
Ball	Harding	McKellar	Spencer
Brandegee	Harris	Moses	Stanley
Capper	Harrison	New	Sterling
Colt	Henderson	Norris	Sutherland
Comer	Hitchcock	Nugent	Thomas
Culberson	Johnson, S. Dak.	Overman	Townsend
Cummins	Jones, N. Mex.	Page	Trammell
Curtis	Jones, Wash.	Phelan	Underwood
Dial	Kellogg	Phipps	Wadsworth
Dillingham	Kendrick	Poindexter	Walsh, Mont.
Edge	Kenyon	Pomerene	Warren
Elkins	Keyes	Reed	Watson
Fletcher	King	Sheppard	Williams
France	Kirby	Simmons	Wolcott
Gerry	La Follette	Smith, Md.	
Glass	Lenroot	Smith, S. C.	

Mr. ASHURST. My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

The PRESIDING OFFICER. Sixty-six Senators have answered to their names. A quorum of the Senate is present.

Mr. NORRIS. I do not know whether the Senator from Missouri [Mr. REED] formally offered the reservation of which he was speaking.

Mr. REED. I did.

Mr. NORRIS. Then that reservation is the pending question?

Mr. THOMAS. The Senator from Missouri has two reservations.

Mr. REED. I did not offer the printed one.

Mr. THOMAS. They are both printed.

Mr. REED. I have offered another reservation.

Mr. NORRIS. I think, probably, I might as well take this occasion to refer to what I believe to be the parliamentary situation in regard to the Egyptian reservation. I assume that the Egyptian reservation, having been laid on the table, it would not be in order to offer it in the form in which it was previously pending, although I feel confident that a great many Senators voted to lay it on the table because of the amendments which were attached to it. I desire at the proper time, when the pending matter is disposed of or some time later before we get through with the reservations, to offer another reservation, and, for the benefit of the Senate, I should like to have the Secretary read it and have it printed and lie on the table.

The PRESIDING OFFICER. The Secretary will read as requested.

The Reading Clerk read as follows:

The United States withholds its assent to article 147 of the treaty in so far as recognition of the said protectorate is extended beyond the going into force of this treaty.

Mr. KING. Will the Senator yield?

Mr. NORRIS. I yield to the Senator.

Mr. KING. I want to give notice to the Senator from Nebraska that I shall raise the point of order against the reservation when he offers it.

Mr. NORRIS. My own idea is that the point of order will not lie. Of course, I do not believe that it follows that because one reservation has been laid on the table another on the same subject can not be offered. In case the Senate shall decide otherwise, however, I want to give notice that unless some other Senator does so, when we shall get into the Senate, I shall reoffer the original reservation, which I believe would be in order at that time. I have no doubt that the reservation I have presented would be in order at any time when there is no other question pending.

Mr. LENROOT. Mr. President, with reference to the pending reservation offered by the Senator from Missouri [Mr. REED] I wish to say that the Senator from Missouri, always eloquent and usually logical, has taken a position to-day exactly contrary to the position that he has maintained in many eloquent speeches throughout this long treaty debate. He has always construed the treaty in exactly opposite terms from the construction that he now proposes to give it in the pending reservation. I do no know of a Senator on either side of the aisle who has ever given the construction to the treaty that the Senator from Missouri now proposes to give it. The Senator must either abandon all of the contentions that he has made in the past with reference to the proper construction of the treaty or else he must vote against his own reservation that he has now proposed. Indeed, I do not see how any man anywhere could possibly give the construction to the treaty that the Senator from Missouri purports to give to it by this reservation.

After a recital as to oppressed peoples, and so forth, his reservation provides that "such territorial readjustments as may in the judgment of three-fourths of the council or assembly be demanded by the welfare and manifest interest of the people concerned may be effected if agreeable to those people."

I should like to ask the Senator from Missouri where he finds in the league covenant any right to reach final decisions upon any question by a vote of three-fourths of the council or the assembly?

Mr. REED. Mr. President, the Senator from Wisconsin takes a different view of a constructive reservation from that which I take. These reservations are intended to express our construction of the covenant; they are not expected to be legal constructions.

Mr. LENROOT. That is what the Senator says in his reservation.

Mr. REED. Certainly. We, as a Senate, in agreeing to this treaty say that we are going to agree to it with certain constructions which we are putting upon it now. The Senator has voted for reservation after reservation that puts into the treaty things that are not there or gives it a construction which nullifies the plain propositions of the treaty.

Mr. LENROOT. Not at all. The Senator from Missouri must not put me in that position, because it is not true.

Mr. REED. Did the Senator from Wisconsin not vote for all of the Lodge reservations?

Mr. LENROOT. I did; but there is not one of the Lodge reservations that either puts anything into the treaty or gives the treaty a different construction.

Mr. REED. Do they take anything out of the treaty?

Mr. LENROOT. They do not.

Mr. REED. Then those reservations do not do anything to the treaty, do they?

Mr. LENROOT. By the Lodge reservations we state that we do not assent to portions of the treaty that would impose certain obligations upon us; that is all.

Mr. REED. We say it in the form that we do not assent——

Mr. LENROOT. Yes.

Mr. REED. And that we construe the treaty to mean——

Mr. LENROOT. No; not construe. We agree upon the construction.

Mr. REED. Very well; I shall answer that in a moment.

Mr. LENROOT. For instance, there is no difference between the Senator from Missouri and myself upon the construction of article 10; I give it the same construction that he does, but by the reservation which has been adopted by the Senate we say we are not obligated; we do not assume the obligation that is imposed by article 10. There is no difference of opinion, however, upon the construction of that article between the Senator from Missouri and myself. If the Senator from Missouri does not mean a legal construction, he ought not to say so. There is no better lawyer in the Senate than the Senator from Missouri, and yet he assumes to construe this treaty in a manner that he himself says it is not capable of being construed.

Mr. President, another position that the Senator has taken is——

Mr. REED. Mr. President, will the Senator let me answer him upon the point that he has just raised?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LENROOT. Yes.

Mr. REED. Reservation No. 1 of the Lodge reservation provides:

The United States so understands and construes article 1 that in case of withdrawal from the League of Nations, as provided in said article, the United States shall be the sole judge—

And so forth.

The Senator does not intend to say that that right is written in the league now?

Mr. LENROOT. I do; it is a matter of construction.

Mr. REED. Oh, pshaw!

Mr. LENROOT. Why, the Senator will not argue with me that that provision of the treaty is not susceptible of two constructions—one that the United States itself may determine the matter and the other that the league may do so—but the treaty is silent upon that subject, and we give the construction that the United States shall be the one to decide.

Mr. REED. Did the Senator vote for this reservation?—

The United States understands that the reparation commission will regulate or interfere with exports from the United States to Germany, or from Germany to the United States, only when the United States, by act or joint resolution of Congress, approves such regulation or interference.

Does the Senator say that is a matter of construction?

Mr. LENROOT. Absolutely; and I think the Senator will agree with me that it is.

Mr. REED. Or is it a matter of writing in an independent construction?

Mr. LENROOT. It is a matter of construction. I am sure the Senator will not disagree with me upon that if he will recall the provisions with regard to the reparation commission.

Mr. REED. Does the Senator think that this was in the treaty all the time?—

The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in article 16 of the covenant of the League of Nations, residing in the United States or in countries other than that violating said article 16, to continue their commercial, financial, and personal relations with the nationals of the United States.

Mr. LENROOT. No; the treaty provides that under article 16 in case of an economic boycott the boycott shall lie against all nationals whether residing in the covenant-breaking country or elsewhere. We only assume that part of the obligation under article 16 by this reservation that relates to nationals residing within the covenant-breaking country. That is a matter of construction.

Mr. REED. Oh, Mr. President, that is not what it says. It says that "the United States understands." Now, the language was plain——

Mr. LENROOT. No; the Senator read "the United States reserves."

Mr. REED. No; "the United States understands."

Mr. LENROOT. Read along.

Mr. REED. I am reading:

The United States understands that the reparation commission——

Mr. LENROOT. I am not speaking of the reparation commission.

Mr. REED (reading:)

Will regulate or interfere with exports from the United States to Germany, or from Germany to the United States——

Mr. LENROOT. Mr. President, the Senator must be fair with me. He read that reservation, and I said to him that that was a construction, and I challenged him to disagree with me. He read the next reservation, and I told him in reply that that was a reservation of the obligation imposed by article 16.

Mr. REED. Exactly. I inadvertently read reservation 8 instead of reservation 9, the second time. The second one is reservation 9, which reads:

The United States shall not be obligated to contribute—

And so forth. Now, the United States is obligated to contribute by the express terms of the league, is it not?

Mr. LENROOT. If we assent to it.

Mr. REED. Yes.

Mr. LENROOT. If we assent to it without the reservation.

Mr. REED. Now, if we put in the reservation, we are changing the terms of the league, are we not?

Mr. LENROOT. No; certainly not. I am sure the Senator from Missouri must understand that where there is a provision that imposes an obligation upon us, and we say that we enter the league but do not assume the obligation, we have not assented to that part of the treaty that imposes the obligation. We have not changed the treaty in any way. We have merely not become a party to that part of it.

Mr. REED. Yes.

Mr. KING. Mr. President, will the Senator from Wisconsin yield to me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LENROOT. I yield.

Mr. KING. I want to invite the attention of the Senator from Wisconsin to the further fact that with respect to the reparations provision, and one or two others, those who are the strongest advocates of the league have conceded that it did not impose any obligations upon the signatories to the league that would interfere with their domestic affairs, and the question of tariff and exports would be a domestic affair; so that the Senator can plant himself properly upon the proposition which he did, and, further, upon the interpretation to which I have just referred.

Mr. REED. Mr. President, this is not a question of exports or imports in the ordinary sense at all. This reservation is dealing with the relations of the United States and of other Governments with the nationals of a country that is at war. It has to do with war, and it is not a domestic question, and it is not reserved as a domestic question.

Mr. KING. Mr. President, if the Senator will further pardon me——

Mr. LENROOT. I yield.

Mr. KING. What I referred to was the question of reparations, and I mention the reservation in regard to reparations,

and the functions of the commission that have charge of the reparations will have to do with the trade between the United States and Germany, and that will involve imports and exports. I again insist that that is a domestic question.

Mr. LENROOT. Mr. President, upon the question of the reparation commission, everyone has admitted that there was grave doubt as to whether the reparation commission would have any control over commerce. We have so construed the treaty that they shall not have without the consent of Congress; that is all. It is a construction. Every one of these 14 reservations that has heretofore been adopted has either been a construction of the articles of the treaty or has reserved the United States from obligations imposed by the treaty. There is not one of the reservations that purports to give to the treaty a construction exactly contrary to what the author himself says is the proper construction of the treaty.

Further, Mr. President, it certainly must be surprising to Senators, after the many eloquent speeches that the Senator from Missouri has made concerning the protection of the rights of the United States and voting for these reservations as he has in order to protect the rights of the United States, that he now comes with a reservation that would repose in the League of Nations control over the Philippine Islands, Hawaii, Porto Rico, the Virgin Islands, and possibly Alaska; and the Senator from Missouri now says that all that he has been saying for these many, many months concerning the protection of the United States he does not mean now, and he wants to surrender to the League of Nations these vital interests of the United States which in a reservation a short time ago he sought to protect.

Mr. President, I understand, of course, that the Senator is bent upon defeating this treaty; and, of course, the Senator understands that if this reservation of his should be adopted there is none of us that could vote to ratify the treaty with that reservation. There is none of us that would vote to surrender the vital interests of the United States as the Senator from Missouri proposes to surrender them in this so-called reservation.

Mr. REED. Mr. President, then why does not the Senator support my reservation, which expressly reserves to the sole jurisdiction of the United States questions of its vital interests and national honor?

Mr. LENROOT. Oh, Mr. President, what a position for the Senator to take! He says that because I and other Senators did not support his reservation he now wants to surrender the interests of the United States that he says he sought to protect by that reservation. Oh, what a position for the Senator to place himself in!

Mr. President, we have been debating this matter for a long time. The Senator from Missouri occupied much more time than I did. It must be plain to every Senator that if this reservation is adopted it will defeat the treaty, and I therefore move to lay it on the table.

Mr. REED. Mr. President—well, of course, if the Senator makes that motion at the conclusion of his own speech, and tries to shut off a reply, there is no way to stop it.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The Senator from Wisconsin moves to lay on the table the reservation of the Senator from Missouri. [Putting the question.] The Chair is in doubt.

Mr. REED and Mr. LENROOT called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK], who is absent on account of sickness. If at liberty to vote, I should vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY]. In his absence, I withhold my vote.

Mr. OVERMAN (when his name was called). Noting the absence of my general pair, the senior Senator from Wyoming [Mr. WARREN], who is absent from the Senate on account of official business, I withhold my vote.

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

Mr. SMITH of South Carolina (when his name was called). Again announcing my pair with the senior Senator from Minnesota [Mr. NELSON], I withhold my vote.

Mr. THOMAS (when his name was called). On account of the absence of my pair, I withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Kentucky [Mr. STANLEY] and I vote "yea."

The roll call was concluded.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], who is absent. In the absence of my pair, I withhold my vote.

Mr. JOHNSON of South Dakota. I have a general pair with the Senator from Maine [Mr. FERNALD]. In his absence, I withhold my vote.

Mr. HENDERSON. I transfer my general pair with the junior Senator from Illinois [Mr. MCCORMICK] to the senior Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. KIRBY. I announce the unavoidable absence of my colleague, the senior Senator from Arkansas [Mr. ROBINSON], on official business.

Mr. SUTHERLAND. I have a pair with the Senator from Kentucky [Mr. BECKHAM]. I transfer that pair to the Senator from Michigan [Mr. NEWBERRY] and will vote. I vote "yea."

Mr. WALSH of Massachusetts. The Senator from Oklahoma [Mr. GORE] is detained on official business. If present he would vote "nay."

Mr. CURTIS. I have been requested to announcet the following pairs:

The Senator from Washington [Mr. POINDEXTER] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS].

The result was announced—yeas 46, nays 21, as follows:

YEAS—46.

Ball	Fletcher	Keyes	Smoot
Calder	Frelinghuysen	King	Spencer
Capper	Gerry	Lenroot	Sterling
Colt	Glass	Lodge	Sutherland
Comer	Hale	McLean	Townsend
Culberson	Harding	McNary	Underwood
Cummins	Harris	New	Wadsworth
Curtis	Harrison	Page	Walsh, Mont.
Dial	Jones, Wash.	Phipps	Watson
Dillingham	Kellogg	Ransdell	Williams
Edge	Kendrick	Simmons	
Elkins	Kenyon	Smith, Md.	

NAYS—21.

Ashurst	Kirby	Phelan	Trammell
Borah	La Follette	Pomerene	Walsh, Mass.
Brandegee	McKellar	Reed	Wolcott
France	Norris	Sheppard	
Gronna	Nugent	Shields	
Henderson	Owen	Swanson	

NOT VOTING—29.

Beckham	Johnson, S. Dak.	Newberry	Smith, Ga.
Chamberlain	Jones, N. Mex.	Overman	Smith, S. C.
Fall	Knox	Penrose	Stanley
Fernald	McCormick	Pittman	Thomas
Gay	McCumber	Poindexter	Warren
Gore	Moses	Robinson	
Hitchcock	Myers	Sherman	
Johnson, Calif.	Nelson	Smith, Ariz.	

So Mr. REED's reservation was laid on the table.

Mr. OWEN. Mr. President, I offer the following reservation.

The PRESIDENT pro tempore. The Secretary will read the proposed reservation.

The Assistant Secretary read as follows:

The United States understands the protectorate referred to in section 6, article 147, of the treaty to have been merely a temporary measure to preserve the integrity and independence of Egypt during the war.

Mr. KING. Mr. President, I raise a point of order against the reservation offered by the Senator from Oklahoma. I do not know of any specific rule adopted by the Senate that would preclude the offering of this reservation, but the general rules under which we operate, as laid down in Jefferson's Manual, and all parliamentary procedure, as I understand it, would forbid the offering of a matter that had been disposed of. The Senator from Oklahoma offered a reservation a day or two ago which reads——

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Nebraska? The Chair understands that the Senator from Utah is simply stating a point of order.

Mr. KING. I am stating a point of order.

Mr. NORRIS. I wanted to ask the Senator a question pertaining to his point of order.

Mr. KING. I yield.

Mr. NORRIS. The Senator realizes the peculiar parliamentary situation that existed at the time the motion to lay on the table was made. Personally I believe that the Senator's point of order is good, because the Senator from Oklahoma has worded this reservation practically the same as the other; but I appeal to the Senator from Utah to permit unanimous con-

sent to be given for the Senator from Oklahoma to offer the reservation, and let us vote on it at once. It was not fair the way it was done before, and I ask the Senator from Utah to allow this course to be taken.

Mr. ASHURST. Mr. President, a point of order is never debatable.

The PRESIDENT pro tempore. It is not debatable unless the Chair desires to hear debate on it.

Mr. ASHURST. Of course, I assumed the Chair did not want to hear debate on this question.

The PRESIDENT pro tempore. The Chair is quite ready to rule upon the point of order made by the Senator from Utah.

Mr. KING. I have such confidence in the Chair that I shall submit the question to him without another word.

The PRESIDENT pro tempore. In the opinion of the Chair there is no substantial difference between the two reservations, and the Chair sustains the point of order.

Mr. NORRIS. I ask unanimous consent that the Senator from Oklahoma may be permitted to offer the reservation.

Mr. ASHURST. I have no objection if it is understood that there shall be no debate.

The PRESIDENT pro tempore. The Senator from Nebraska asks unanimous consent that the Senator from Oklahoma shall be in order when he offers the reservation originally proposed. Is there objection?

Mr. ASHURST. I object, unless it is understood that there will be no debate.

Mr. NORRIS. I will couple with the request for unanimous consent that the yeas and nays shall be ordered and immediately taken.

Mr. ASHURST. Very well.

The PRESIDENT pro tempore. There is now added to the request for unanimous consent that it be determined without debate and upon the yeas and nays. Is there objection?

Mr. WOLCOTT. I want to ask the Senator from Nebraska if he will add to his request the further condition that any amendment to the reservation offered by the Senator from Oklahoma may be voted upon without debate?

Mr. NORRIS. I did not suppose there would be any amendment to it. I do not want to get into the same parliamentary snarl that we got into before.

Mr. WOLCOTT. Mr. President, I object.

The PRESIDENT pro tempore. Objection is made.

Mr. NORRIS. Mr. President, I offer now the reservation that I sent to the Clerk's desk a while ago, which was read.

The PRESIDENT pro tempore. The Secretary will read the reservation proposed by the Senator from Nebraska.

The Assistant Secretary read as follows:

The United States withholds its assent to article 147 of the treaty in so far as recognition of the said protectorate is extended beyond the going into force of this treaty.

Mr. KING. Mr. President, I raise the point of order against the reservation just offered by the Senator from Nebraska that it is exactly the same reservation which was heretofore offered by the Senator from Oklahoma [Mr. OWEN].

The PRESIDENT pro tempore. In the opinion of the Chair, it is not substantially the same, and the point of order is overruled.

Mr. NORRIS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], and in his absence I withhold my vote. If permitted to vote, I would vote "yea."

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. In his absence I withhold my vote.

Mr. JOHNSON of South Dakota (when his name was called). Making the same announcement of my pair as before, I withhold my vote.

Mr. MOSES (when his name was called). Repeating the announcement of my pair, I withhold my vote.

Mr. KIRBY (when Mr. ROBINSON's name was called). My colleague, the Senator from Arkansas [Mr. ROBINSON], is absent on official business. He is paired on this question with the Senator from Washington [Mr. POINDEXTER].

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). I desire to announce the absence of my colleague, Mr. SMITH of Arizona, on business of the Senate.

Mr. SMITH of South Carolina (when his name was called). Making the same announcement as to my pair that I did before, I withhold my vote.

Mr. THOMAS (when his name was called). I again announce my pair and withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Kentucky [Mr. STANLEY] and vote "nay."

The roll call was concluded.

Mr. KENYON. I wish to announce the absence of the Senator from Wyoming [Mr. WARREN], the Senator from North Carolina [Mr. OVERMAN], and the Senator from Utah [Mr. SMOOT] on business of the Senate.

Mr. McLEAN. I have a pair with the Senator from Montana [Mr. MYERS]. I transfer that pair to the Senator from Michigan [Mr. NEWBERRY] and will vote. I vote "nay."

Mr. CURTIS. I wish to announce that the Senator from Washington [Mr. POINDEXTER] is paired with the Senator from Arkansas [Mr. ROBINSON].

Mr. WALSH of Massachusetts. I would like to have the RECORD show that the Senator from Oklahoma [Mr. GORE] is absent on public business, and that if he had been present he would have voted "yea" on this question.

The result was announced—yeas 15, nays 51, as follows:

YEAS—15.

Ashurst	Gronna	Lodge	Reed
Borah	Jones, Wash.	Norris	Trammell
Brandegee	Kenyon	Owen	Walsh, Mass.
France	La Follette	Phelan	

NAYS—51.

Beckham	Frelinghuysen	Kirby	Smith, Ga.
Calder	Gerry	Lenroot	Smith, Md.
Capper	Glass	McKellar	Spencer
Colt	Hale	McLean	Sterling
Comer	Harding	McNary	Sutherland
Culberson	Harris	New	Townsend
Cummins	Harrison	Nugent	Underwood
Curtis	Hitchcock	Page	Wadsworth
Dial	Jones, N. Mex.	Phipps	Walsh, Mont.
Dillingham	Kellogg	Pomerene	Watson
Edge	Kendrick	Ransdell	Williams
Elkins	Keyes	Sheppard	Wolcott
Fletcher	King	Simmons	

NOT VOTING—30.

Ball	Johnson, S. Dak.	Overman	Smith, S. C.
Chamberlain	Knox	Penrose	Smoot
Fall	McCormick	Pittman	Stanley
Fernald	McCumber	Poindexter	Swanson
Gay	Moses	Robinson	Thomas
Gore	Myers	Sherman	Warren
Henderson	Nelson	Shields	
Johnson, Calif.	Newberry	Smith, Ariz.	

So Mr. NORRIS's reservation was rejected.

Mr. BORAH obtained the floor.

Mr. OWEN. Mr. President, I wanted to offer the amendment to which I referred some time ago in speaking to the Senator from Idaho.

Mr. BORAH. I yield for that purpose if somebody will not instantly move to lay it on the table, so that I may not have a few moments to speak.

Mr. OWEN. I offer the following reservation.

The PRESIDENT pro tempore. The Senator from Oklahoma offers the following reservation, which will be read:

The Assistant Secretary read as follows:

That the United States in ratifying the covenant of the League of Nations does not intend to be understood as modifying in any degree the obligations entered into by the United States and the Entente Allies in the agreement of November 5, 1918, upon which as a basis the German Empire laid down its arms.

The PRESIDENT pro tempore. The question is upon agreeing to the reservation proposed by the Senator from Oklahoma.

Mr. BORAH. Mr. President, nothing can be of more concern to the American people in these days than the views of the numerous candidates for the Presidency. There seems to be something about the candidacy for the Presidency that has a tendency to produce what we might call compromise talk; that is to say, not absolutely either for or against any particular proposition for fear of what the public sentiment may be over in the next State. We have candidates who are for the league but against entangling alliances; for the league but against surrendering our traditional policies; for the league but against meddling in European affairs; and with these straddling and inconsistent planks in their platforms are running for President. Therefore when we find gentlemen who are candidates or whose names are prominently mentioned, with pronounced views upon public questions, it is wholesome for us to consider them.

To that end I desire to read three paragraphs from a most remarkable letter which appears this morning over the name of Mr. Hoover. I have taken occasion heretofore to say that there is no man, perhaps, who is better fitted to diagnose the situation in Europe than Mr. Hoover, a man of great ability, of great experience, who for the last 20 years has spent a great deal of time in Europe and for the last 2 or 3 years practically all his time. He may be considered in a sense an expert upon this subject.

This letter is under date of April 11, 1918, and is addressed to the President of the United States. I will insert the entire letter in the RECORD before I sit down, in order that Mr. Hoover's statement may go in its fullness before the Nation, but I will not take the time of the Senate to read it all. One paragraph reads:

Fifth. I am convinced that there has grown up since the armistice the policy—perhaps unconscious but nevertheless effective—of dragging the United States into every political and economic question in Europe, and constantly endeavoring to secure pledges of economic and political support from us in return for our agreeing to matters which we consider for their common good, where we have no interest, and constantly using us as a stalking horse, economically and politically, solely in the interests of internal political groups within the allied Governments. These objectives and interests may be perfectly justified from their point of view, but it forces us into violations of our every instinct and into situations that our own people will never stand. For instance, I don't see how we can remain in these enforcement commissions unless we participate in the military enforcement, with its enormous cost and risk; and the tendency will always be to exact the political objectives, with the military strength of the United States as a background.

One hardly gathers the import of that statement from a single reading of it. It is an infinitely stronger indictment against this program than it has been within the ability of the so-called irreconcilables to make, for it is a statement made on the ground and from personal contact with the situation. It is the deliberate judgment, communicated in private to the President of the United States, of a man whose business it was and has been to study the conditions in Europe for the last several years, and who at that time could certainly have had no other purpose than that of advising the Commander in Chief according to the exact facts as he saw them. When you read that in the light of what has transpired since, when you read that in the light of the Adriatic correspondence, when you read that in the light of what is taking place now in Europe, it amounts almost to prophecy. It is at least a correct reading of economic conditions translated into the actual facts of the future.

I am informed that there are explanations out for this letter, and I have no doubt there are. They ought to have preceded the letter. Another paragraph reads:

Sixth. I have the feeling that revolution in Europe is by no means over. The social wrongs in these countries are far from solution, and the tempest must blow itself out, probably with enormous violence. Our people are not prepared for us to undertake the military policing of Europe while it boils out its social wrongs. I have no doubt that if we could undertake to police the world and had the wisdom of statesmanship to see its gradual social evolution, that we would be making a great contribution to civilization; but I am certain that the American people are not prepared for any such a measure, and I am also sure that if we remain in Europe with military force, tied in an alliance which we have never undertaken, we should be forced into this storm of repression of revolution and forced in under terms of coordination with other people that would make our independence of action wholly impossible.

Of course, Mr. President, that must inevitably be true. If we take up the European program and undertake to deal with the European situation we must inevitably be forced to adopt principles concerning it which are inimical or which are at war with our entire theory of government and civilization. How many things are written into this treaty and how many things are to transpire under the treaty which are at war with every sentiment and principle of the American people? How many things are written in this treaty and how many things are to transpire under the treaty which, if it were to come to the United States individually and alone, we would resent even having presented to us?

Seventh. It grows upon me daily that the United States is the one great moral reserve in the world to-day, and that we can not maintain that independence of action through which this reserve is to be maintained if we allow ourselves to be dragged into detailed European entaglements over a period of years. In my view, if the Allies can be brought to adopt peace on the basis of the 14 points, we should retire from Europe, lock, stock, and barrel, and we should lend to the whole world our economic and moral strength, or the world will swim in a sea of misery and disaster worse than the dark ages. If they can not be brought to accept peace on this basis our national honor is at stake, and we should have to make peace independently and retire. I know of nothing, in letter or spirit, of any statement of your own, or in the 14 points, that directly or indirectly ties the United States to carry on this war through the phase of enforcement or the multitudinous demands and intrigues of a great number of other Governments and their officials. It does appear to me that your conception of the League of Nations was with view to the provision of a dominant court, where these difficulties could be thrashed out, and if we sit as one of the prosecutors the court will have no judge.

I ask to have inserted in the RECORD the entire letter.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter is as follows:

TEXT OF MR. HOOVER'S LETTER.

APRIL 11, 1919.

DEAR MR. PRESIDENT: Your economic group has had before it the question of whether the United States should continue membership in the various commissions set up under the peace treaty. I should like to lay before you my own views on this subject.

I feel strongly that any continuation of the United States in such an allied relationship can only lead to vast difficulty and would militate against the efficiency of the League of Nations. My reasons are as follows:

First. These commissions are primarily to secure the enforcement of reparation and other conditions imposed upon the Central Empires. As the United States is not calling for any form of reparation that requires continued enforcement, our presence on these commissions would appear to be for one of the following purposes:

(a) To give moral and political support to the allied Governments in measures generally for their benefit. It can not be conceived that in the prostrate condition of the enemy that the Allies will require any physical assistance to the enforcement of their demands. In this event, the United States will be lending itself to the political and financial interests of other Governments during peace, a situation that must be entirely repulsive to our national interests, traditions, and ideals.

(b) Another objective might be that we should remain in these commissions with a view to securing justice and moderation in the demands of the Allies against the Central Empires. We would thus be thrust into the repulsive position of the defender of our late enemy, in order to secure what we would conceive to be constructive and statesmanlike rehabilitation in Europe. Our experience during the last three months has shown us bitterly that we thus subject ourselves to complaint and attack from the allied Governments, and such a continued relationship should only breed the most acute international friction.

Second. If our experience in the last four months counts for anything, the practical result always is that the allied governments, knowing our disposition, necessarily ask for more than they expect to get, and that we find ourselves psychologically, and, in fact, politically, on the side of the enemy in these negotiations, and in a constant desire to find practical working formula we are frequently forced to abandon some measure of what we consider sane statesmanship. The continuation of this relationship will bind us for a long period of years to a succession of compromises fundamentally at variance with our national convictions. I am not attempting to dispute the righteousness of any allied demand, but merely to set up the fact that our viewpoint is so essentially different. One other practical result of our experience already is that the Americans who sit on such commissions, if they do not acquiesce and assist in enforcing any propositions from various government officials, become immediately and personally subject to attack as being inimical to their interests and with the powerful engines of propaganda which they employ in Europe and our own country no such man can endure for long. These governments, if they were faced with the sole responsibility for their actions, would not attempt the measures which they seek under our protection.

Therefore, for all reasons, I do not see that we can effect any real justice in these matters.

Third. If we continue to sit in the enforcement of this peace we will be in effect participating in an armed alliance in Europe, where every change in the political wind will affect the action of these commissions. We will be obliged to participate in all European questions and we will be firmly tied definitely to one side, unless we precipitate a break and lend ourselves to the charge that we have been traitors to the "common cause."

Fourth. This whole matter has a very practical relationship to the League of Nations. If we can bring to an early end our whole relationship to these political combinations in Europe, which grew up before and during the war, and can lend our strength to the League of Nations, that body will gain a stability and importance which it could not otherwise attain. As the Central Empires and Russia will not be for some years admitted to the league, and if we continue in what is in effect an armed alliance in Europe dominating these empires, the league will become simply a few neutrals gyrating around this armed alliance. It will tend to drive the Central Empires and Russia into an independent league. If, on the other hand, we can again secure our independence we can make of the league that strong and independent court of appeal that will have authority.

Fifth. I am convinced that there has grown up since the armistice the policy—perhaps unconscious but nevertheless effective—of dragging the United States into every political and economic question in Europe, and constantly endeavoring to secure pledges of economic and political support from us in return for our agreeing to matters which we consider for their common good, where we have no interest, and constantly using us as a stalking horse, economically and politically, solely in the interests of internal political groups within the allied Governments. These objectives and interests may be perfectly justified from their point of view, but it forces us into violations of our every instinct and into situations that our own people will never stand. For instance, I do not see how we can remain in these enforce-

ment commissions unless we participate in the military enforcement, with its enormous cost and risk; and the tendency will always be to exact the political objectives, with the military strength of the United States as a background.

Sixth. I have the feeling that revolution in Europe is by no means over. The social wrongs in these countries are far from solution and the tempest must blow itself out, probably with enormous violence. Our people are not prepared for us to undertake the military policing of Europe while it boils out its social wrongs. I have no doubt that if we could undertake to police the world and had the wisdom of statesmanship to see its gradual social evolution, that we would be making a great contribution to civilization; but I am certain that the American people are not prepared for any such a measure, and I am also sure that if we remain in Europe with military force, tied in an alliance which we have never undertaken, we should be forced into this storm of repression of revolution and forced in under terms of coordination with other people that would make our independence of action wholly impossible.

Seventh. It grows upon me daily that the United States is the one great moral reserve in the world to-day, and that we can not maintain that independence of action through which this reserve is to be maintained if we allow ourselves to be dragged into detailed European entanglements over a period of years. In my view, if the Allies can be brought to adopt peace on the basis of the 14 points, we should retire from Europe, lock, stock, and barrel, and we should lend to the whole world our economic and moral strength, or the world will swim in a sea of misery and disaster worse than the dark ages. If they can not be brought to accept peace on this basis our national honor is at stake, and we should have to make peace independently and retire. I know of nothing, in letter or spirit, of any statement of your own, or in the 14 points, that directly or indirectly ties the United States to carry on this war through the phase of enforcement or the multitudinous demands and intrigues of a great number of other Governments and their officials. It does appear to me that your conception of the League of Nations was with view to the provision of a dominant court, where these difficulties could be thrashed out, and if we sit as one of the prosecutors the court will have no judge.

Faithfully, yours, HERBERT HOOVER.

His Excellency the PRESIDENT OF THE UNITED STATES,
Paris.

Mr. HITCHCOCK. Mr. President——

Mr. BORAH. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. Would the Senator be willing at the same point to insert the interview which Mr. Hoover has given out to-day referring to this letter?

Mr. BORAH. Yes. I will be willing to take any explanation of any candidate for the Presidency.

Mr. HITCHCOCK. I ask that it may be read at this time.

Mr. BORAH. Yes; I think I shall want to comment on it a little.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Assistant Secretary read as follows:

NEW YORK, *March 17.*

Herbert Hoover, in a statement here this afternoon, characterized publication of a memorandum he prepared during the peace conference, in which he warned against American participation in various international commissions, as "a breach of good taste."

The views expressed in the memorandum were "later modified as to the particular of our having a representative on the reparation commission," Hoover said.

"I have seen in some of this morning's papers a copy of a memorandum of mine that was prepared in the course of the peace conference on the subject of our participation in the large number of international commissions set up in Europe," the former Food Administrator said.

"As to the views expressed in the memorandum, they were later modified as to the particular of our having a representative on the reparation commission itself, because of the large economic control finally given to it over a great part of Europe, and the complete necessity of the United States to be represented thereon at once in order to protect American interests.

"Regardless of any personal point of view in this matter, there is to me nothing that is such a breach of good taste, or the very foundation of relations among Government officials, as for them to issue to the press correspondence that may have passed between them and their superiors in the course of their service, without approval on both sides. I am informed it was not issued from the White House. It is scarcely necessary for me to say it was not released by me, and that a searching inquiry in my office satisfies me that it has not come from my staff."

Mr. BORAH. Mr. President, of course I sympathize with Mr. Hoover in his disappointment in not being told to keep it a secret, but nowhere in the explanation does he attempt to modify the points to which I have called attention. The fact that it has reached the public through means which may not be defensible does not differentiate it at all from many other things which have reached the public from the Versailles conference which were not intended for the public, but which after they were received by the public were enlightening. Will the Senator from Nebraska [Mr. HITCHCOCK] be patient with me while I reread some of this, in view of the explanation which Mr. Hoover has made? While I know the Senator from Nebraska always acts with honor and sincerity, I am not sure whether he introduced that explanation as Mr. Hoover's friend or as his enemy. [Laughter.]

Now, let us see how much of this is explained.

I am convinced that there has grown up since the armistice a policy—perhaps unconscious but nevertheless effective—of dragging the United States into every political and economic question in Europe, and constantly endeavoring to secure pledges of economic and political support from us in return for our agreeing to matters which we consider for their common good, where we have no interest, and constantly using us as a stalking horse, economically and politically, solely in the interests of internal political groups within the allied Governments. These objectives and interests may be perfectly justified from their point of view, but it forces us into violations of our every instinct and into situations that our own people will never stand.

Mr. President, the fact has leaked out that that is the view of Mr. Hoover, the European expert, at the time when he was advising the President as to the situation. The explanation does nothing more than to condemn the processes by which that statement reached the American people; and the only objection, as I find it, in the explanation is as to the American people being permitted to know the facts; there is no explanation of the facts as stated by Mr. Hoover.

I ask those who are interested in this treaty to take the statement of Mr. Hoover upon the 11th day of April, 1919, and before they cast their votes to plunge the United States into this maelstrom of passion, of interest, and of selfishness, to read it and consider it. When you read it remember that it was not intended for anybody but his chief, and therefore must have been actuated by the most sincere motives. There was nothing on the outside, no political situation, nothing to modify his views, as they came to him in all sincerity and in deepest desire to know the facts.

Mr. President, I turn to another candidate. Mr. Bryan is to be here to-day or to-morrow to encourage and guide those Democratic friends who have decided to break away from the President and to insist upon the ratification of the treaty; and I think it pertinent to consider Mr. Bryan's view of the situation after he had had expert knowledge, gained as Secretary of State. If you will look upon the front page of the Commoner for July, 1915, you will find these views signed by W. J. Bryan:

Why should we add to our responsibility by undertaking to police Europe? Have we not quite enough to do to stand sponsor for the independence of our sister Republics? Our Nation is the dominant political influence in the Western Hemisphere; this is a fact which does not need to be asserted. But this Nation does not covet its neighbors' lands or its neighbors' prosperity or anything else that is its neighbors. The Latin-American Republics are not only self-governing, but they recognize the foundation principles of republican institutions, and they would assist the United States in repelling a transatlantic foe. * * * If we adhere to the ideals of the past and to the traditions of our Nation, we will seek to make the world better through the influence of high example. If we adhere to this policy we lead the world and we should be satisfied with our primacy. If, on the other hand, we are to revolutionize our methods, we must be content to follow at the rear end of the European procession.

They all get back, by force of logic and of facts, to the proposition that if we enter into this alliance and intermingle in the affairs of Europe we give up our leadership and take our place at the rear end as the guarantor of the European procession.

We can not take the lead if we join the European group, for leadership in that group requires the acceptance of the doctrine of conquest.

How true! When you think of the fact, Mr. President, that while the Versailles conference was sitting Great Britain reached out and took possession of Persia; when you think of the fact that since the armistice has been signed there has been more territory taken possession of by dominant nations and more subject peoples reduced to the sway of dominant powers in that period of time than ever happened in any 20 years in the history of Europe, you will understand what Mr. Bryan means when he says that we must accept "the doctrine of conquest."

Mr. THOMAS. Mr. President——

Mr. BORAH. I yield.

Mr. THOMAS. Let me ask the Senator from what he is reading?

Mr. BORAH. I was reading a quotation from the Commoner.

Mr. THOMAS. Of what date?

Mr. BORAH. The article in the Commoner was of date of July, 1915:

We could at best be a poor second if we so changed our national policy as to become a part of a European police force. We would not be "one of the finest" on parade day—we would limp along apologetically, with downcast eyes and blushing cheeks.

No; the advocates of the European police force plan can not silence opposition with an intellectual frown; they can not dismiss their opponents with such epithets as "pacifist" and "nonresistant"—they must come out in the open and admit: First, that they are willing to repudiate the teachings of Washington.

And so we will have to admit. No reservation here protects the policy of Washington. You have, in so far as language can do so but not as a practical proposition, undertaken to protect the doctrine of Monroe; but no Senator offers a reservation, and no Senator will offer one to protect the policy of Washington, because the idea of a league and the policy of Washington are in eternal war. They can not be reconciled even by reservation.

Second, that they are ready to abandon the doctrines of Monroe; third, that they favor such an amendment of the Constitution as will transfer the power to declare war from Congress to the nations across the sea; and, fourth, that they are tired of being good, and hunger for the excitement of the camp and the man hunt.

Let the people understand the real purpose of the "league to enforce peace"—

How cruel to the President!

and not even the prestige of the deluded scholars who have cast in their lot with it can save it from the execrations of an indignant public.

Mr. *President*, those are the only two that I care to refer to to-day.

Mr. KING. Mr. President, the able Senator from Idaho has attacked the treaty which is under discussion in numerous ways and from different standpoints. He has had pleasure in quoting from the statements of distinguished Americans, as well as conspicuous statesmen from overseas, where their views have been antagonistic to the covenant of the League of Nations. He has just regaled us with a statement attributed to Mr. Hoover and a quotation from Mr. Bryan's Commoner. The American people are always glad to obtain the views of men of standing and ability such as Mr. Hoover and Mr. Bryan. Whether the views of these great Americans will be controlling upon the Senate or will influence the opinions of Senators I will not presume to state. The subject before the Senate is of such momentous importance that Senators have no doubt appreciated the responsibility resting upon them and will determine upon their conscience the course each of them will pursue.

I have not seen the article from which the Senator has just read, and from the excerpts submitted by the Senator it is impossible for me to determine just what Mr. Hoover's views were when he made the statement credited to him, and, of course, from that statement, made over a year ago, it is impossible to determine what Mr. Hoover's attitude now is with respect to the treaty which is before us for ratification. I reached the conclusion from listening to what the Senator read that Mr. Hoover was presenting a brief or submitting an opinion against the United States participating in some of the commissions, particularly the reparation commission, for which provision is made in the treaty. I submit there would be nothing inconsistent in opposing the United States being represented upon the reparation commission and at the same time favoring the League of Nations and the fundamental principles upon which the covenant of the league is formed. As I now recall, the reparation commission is a thing separate and apart from the provisions of the covenant of the league.

But, Mr. President, I arose merely for the purpose of inviting attention to the statements of two distinguished Republicans. The Senator from Idaho, perhaps more than any other Member of the Senate, has invoked the memory of a great American, former President Roosevelt, and has in impassioned and eloquent terms, appealed to his influence for guidance in this important period of the world's history. We have listened with pleasure to the eulogies bestowed upon Col. Roosevelt and have joined in praise of his great services in behalf of his country. The views of Mr. Roosevelt upon any question attracted attention in his lifetime and receive earnest consideration now that he has passed to the great beyond.

I desire to read from an address delivered by ex-President Roosevelt on the occasion of the Lafayette day exercises held at the aldermanic chamber in New York City on September 6, 1918. It was an important occasion, and there were many distinguished persons in attendance, including representatives of leading nations of the earth. Hon. Victor J. Dowling was chairman of the meeting. Ambassador Jusserand, as well as many other distinguished Frenchmen were present to represent their country. Among the nations represented were Belgium, Great Britain, Italy, Japan, Czechoslovakia, Poland, Portugal, and Haiti. It is interesting to note that Prof. T. J. Massaryk, the president of the young Republic of Czechoslovakia, was present; and also, Ignace Paderewski, that great Pole, who has contributed so much to the establishment of the new Republic of Poland. Col. Roosevelt delivered a most forceful and stirring address. In the course of his remarks he said:

Of course, Lafayette Day commemorates the services rendered to America in the Revolution by France. I wish to insist with all possible emphasis that in the present war France, England, Italy—all the Allies—have rendered us similar services. The French at the Battle of the Marne four years ago and at Verdun, and the British at Ypres; in short, the French, the English, the Italians, the Belgians, the Serbians—all the Allies were fighting our battles exactly as much as they were fighting their own. Our Army on the other side is now repaying in part our debt, and next year we have every reason to hope, and we must insist, that the fighting army in France from the United States shall surpass in numbers the fighting army in France of either France or Britain. I hope they may smash the Hun as hard. It is now time, and it has long been time, for America to bear her full share of the common burden, the burden borne by all the Allies in the great fight for liberty and for justice.

Let me pause long enough to direct attention to the statement just read that France, England, Italy, and the other allies in their struggle against the Central Empires "rendered us similar services," and that the Allies "were fighting our battles exactly as much as they were fighting their own." Col. Roosevelt saw that the great contest was between the forces of absolutism and oppression, and those peoples who were contending for democracy and freedom and the reign of justice and righteousness. He further proceeded:

Let me make an interpolation. I every now and then meet one of those nice gentry in whom softness of heart has spread to the head, who say: "How can we guarantee that everybody will love one another at the end of the war?" The first step in guaranteeing it is to knock Germany out—that will guarantee it. The peace that we win must guarantee full reparation, as you have said, Mr. Chairman, for the awful cost of life and treasure which the Prussianized Germany of the Hohenzollerns has inflicted on the entire world; and this reparation must take the form of action that will render it impossible for Germany to repeat her colossal wrongdoing.

Germany has been able to wage this fight for world domination because she has subdued to her purpose her vassal allies, Austria, Turkey, and Bulgaria. Serbia and Roumania must have restored to them what Bulgaria has taken from them. The Austrian and Turkish Empires must both be broken up, all the subject peoples liberated, and the Turk driven from Europe.

I pause to inquire how we, at the conclusion of the war and when peace had been won, "full reparation for the awful cost of life and treasure inflicted on the entire world," was to be secured. Obviously to guarantee full reparation would require supervision by the victorious nations. The only nations who were in a position to guarantee reparation would be the allied and associated powers. Mr. Roosevelt says that the "reparation must take the form of action" that will render it "impossible for Germany to repeat such collossal wrongdoing." Let me inquire what form of action could be taken to prevent a repetition by Germany of her military trespasses and warlike depredations. It is manifest that the only form of action possible was such as would result from the union of the victorious nations. No nation individually could enforce reparation or guarantee the results of the terms of peace. It seems to me that the words of the distinguished ex-President clearly indicated that he had in mind the fact that there must be a league or concert of nations to compel the different nations to submit to the terms of peace imposed upon them. Senators will also observe that Col. Roosevelt called attention to the fact that Serbia and Rumania had been despoiled of a portion of their possessions. According to his view restoration of such territory must be made.

The statesman of the type of President Roosevelt would know that only by a union of the victorious nations could this be accomplished. And he further states that the Austrian and Turkish Empires must be broken up and that subject peoples be liberated and the Turk driven from Europe. I pause to inquire what nations were to break the Austrian and Turkish Empires, and what nations were to liberate the subject peoples and to drive the Ottoman Turk from Europe? The subject peoples within the former boundaries of Austria and Turkey, by the terms of peace, would have no assurance that their liberties would be preserved, unless provision were made for their protection. What nations were to join in protecting the liberty of the peoples? Was the United States when the war ended to abandon Europe and the subject peoples who were to be liberated and the new nations that were to be constituted out of Germany and Austria? Col. Roosevelt does not say that our allies alone are to perform these tasks, nor does he intimate that the United States is to deny responsibility or decline to share in bearing the burdens which the days of peace would inevitably impose upon the victorious nations. Col. Roosevelt was no quitter. When he speaks of guaranteeing nations and liberating the submerged peoples, there can be no doubt but what he fully understood that this great Republic would be one of the guarantors and one of the protectors, and that it would do its part in common with the allied nations in meeting the heavy responsibilities that would immediately follow the ratification of the treaty of peace.

He further proceeds:

We do not intend that German or Maygar should be wronged by others or oppressed by others, but neither do we intend that they shall oppress and domineer over others. France, as you have said, Mr. Chairman, must receive back Alsace and Lorraine. We can not go into any peace conference where everybody did not accept that before we entered it. Belgium must be restored and indemnified.

Who is going to restore Belgium? How are you going to compel an indemnification of the claims of Belgium? Are we to scuttle out of Europe and leave to our allies the remedying of the wrongs which have been committed?

Obviously the great ex-President, whom the Senator from Idaho delights to follow, did not entertain the views to which the Senator from Idaho has given expression so often and so eloquently on the floor of the Senate.

But to proceed:

Italian Austria must be restored to Italy and Roumanian Hungary to Roumania. The heroic Czecho-Slovaks must be made into an independent Commonwealth, and the southern Slavs must be united in a great Jugo-Slav Commonwealth. Poland as a genuinely independent Commonwealth must receive back Austrian and Prussian Poland as well as Russian Poland, and have her coast line on the Baltic. Lithuania, Livonia, and Finland, and the Baltic Provinces must be guaranteed their freedom and independence—and when I speak of independence I mean independence of Germany as well as of Russia—and no part of the ancient Empire of Russia must be left under the German yoke or subject in any way to German influence, even the slightest. Northern Schleswig should go back to the Danes. Britain and Japan should keep the colonies they have conquered.

Mr. President, I think the records of the Senate will establish the fact that there was practical unanimity in this body during the period that the United States was in the war, that when the peace terms were written Poland and Czechoslovakia and Jugo-Slavia should be free and independent nations.

Col. Roosevelt, in the address from which I am reading, was but stating the sentiments of the American people. He was insisting that the national aspirations of millions of people who had been denied freedom by the autocratic nations with which we and the allied nations were at war should be recognized, and that these suffering and oppressed peoples should be freed from the yoke of bondage and be permitted to organize governments of their own. Col. Roosevelt, after enumerating some of the nations that must be established, says that they "must be guaranteed their freedom and independence * * * and that no part of the ancient Empire of Russia must be left under the German yoke."

I again inquire, Who is to guarantee these new nations their independence? Who is to aid and protect them during the trying days of their young lives? Even a novice in political questions would know that without adventitious aid these feeble nations that were to be created out of territory formerly belonging to the vanquished nations would require succor and guidance for an indefinite period.

It was clear even before the war was ended and at the time Col. Roosevelt spoke that with the termination of the conflict there would be unrest and, indeed, chaos in central Europe and in the defeated nations, and that only by the concerted efforts of the United States and the allied nations would peace be restored and stabilizing processes be permitted to operate.

Col. Roosevelt could see, as all sensible persons must have seen, that the freedom and independence of the peoples who were to be permitted to organize governments along national lines could only be realized if there were strong nations behind them. In other words, their security must be "guaranteed," not by the European nations alone, but by all of the victorious nations. Such a course would, of necessity, call for a league or concert of nations. It would require the most intimate relations and the closest cooperation. It would call for a league of nations, not only to protect the freed peoples, but to preserve the peace of the world.

And yet the distinguished Senator from Idaho and others professing to follow President Roosevelt have denounced the plan which was outlined by him in the great address from which I am reading:

Armenia must be free, Palestine made a Jewish state, and the Syrian Christians liberated.

I ask the Senator from Idaho how this program outlined by President Roosevelt is to be consummated if the program which he, as one of the leaders of the "battalion of death," is advocating should be successfully carried into execution? The purpose of the Senator from Idaho is to defeat the treaty, to have the United States scuttle out of Europe, to say to our Allies, "We joined with you in the war; our sons laid down their lives with your sons in defense of liberty and civilization; but now that the war is over we will leave you and place upon your shoulders the burdens of restoring peace and rehabilitating and protecting the nations into which we have breathed the breath of life."

But let me add, Mr. President, the war may not yet be ended. There are in Germany and Turkey and Russia the smoldering flames that may spring into life and sweep with devastating force European lands which have felt the tread of martial feet.

Even now Germany is in the grasp of military forces. The military spirit of Prussianism is not yet, it would seem, overthrown. There are open and potential dangers menacing Europe and the powers of the world.

If we withdraw to-day, no one can predict with certainty that we may not within a short time be required to again unsheath the sword. Can it be said that the task which we set our hands to perform is now finished? Are our obligations fully discharged?

It seems manifest that Col. Roosevelt felt that there would be duties and responsibilities resting upon this Nation after the war was ended.

Mr. President, would it not be cowardly for us to pursue the policy which has been suggested by some who have so vigorously fought the pending treaty? Would it not be cowardly for the United States to turn Europe adrift, to withdraw from participation in the post-war problems that now press for solution, to leave Poland and the new nations which we helped to create and whose hands are outstretched for aid and protection?

But, Mr. President, that is not all that President Roosevelt said upon the question of our duty and of a League of Nations.

Mr. BORAH. I have not heard anything in that about a League of Nations.

Mr. KING. It is obvious, Mr. President, that there could not be accomplished what President Roosevelt indicates here should be accomplished without a concert of the nations, whether you call it a league or concert of the nations, or an organization to enforce the peace of the world.

Mr. BORAH. In other words, the Senator is reading the deceased President's views with his comments, and by his comments he connects them with the League of Nations, as I understand.

Mr. KING. I read what ex-President Roosevelt said. The inference, I insist, is clear from his words that there should be a concert of at least the allied and associated nations who were engaged in the war for the purpose of guaranteeing the fruits of the war and to preserve peace. When Col. Roosevelt spoke about guaranteeing the freedom and independence of nations and the liberating influences or control upon the part of Germany or Russia, there is only one conclusion to be drawn from the statement, namely, that there should be joint action upon the part of the victorious nation to accomplish the indicated ends. When he speaks about expelling the Turk from Europe and giving the Armenians a government, it implies a duty and responsibility and a burden, and perhaps a difficult one, to the accomplishment and performance of which the United States should be a party as well as the other nations. Col. Roosevelt was not speaking for the Allies alone. He was not declaring that it was their duty, and their duty alone, to make these guarantees and to impose the terms of peace upon the defeated nations.

Col. Roosevelt would never advocate the shirking of a duty. He was speaking for the United States as well as for the Allies, and declaring, I respectfully insist, that there was a joint obligation resting upon the victorious nations that they should reap the fruits of war and jointly labor for the restoration of Europe and the preservation of peace. He contemplated that unless succor were given the new nations they would be a prey of reactionary forces if not of imperialistic powers that might show their sinister forms in Europe. I desire to ask the Senator from Idaho does he think that Mr. Roosevelt was speaking of the United States alone when he made the statements which I have just read?

Mr. BORAH. Mr. President, the Senator asks me a question.

Mr. KING. Yes.

Mr. BORAH. I think I know what the views of Mr. Roosevelt were with reference to a league of nations. I do not know that he had ever reduced them to complete form, but he had expressed himself in regard to it many times. I do know that he never favored this kind of a League of Nations.

Mr. McKELLAR. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield to the Senator from Tennessee.

Mr. McKELLAR. In order that there may be no misunderstanding about what the ex-President did believe, I desire to read from an article which was originally written for the Outlook. I quote his words. The date is not given here, but I will insert the date:

All the civilized powers which are able and willing to furnish and to use force, when force is required to back up righteousness * * * should join together to create an international tribunal and to provide rules, in accordance with which that tribunal should act. These rules would have to accept the status quo at some given period, for the endeavor to redress all historical wrongs would throw us back into chaos. They would lay down the rule that the territorial integrity of each nation was inviolate; that it was to be guaranteed absolutely its sovereign rights in matters affecting its honor and vital interest * * *. All other matters that could arise between these nations

should be settled by the international court * * *. Then, and most important, the nations should severally guarantee to use their entire military force, if necessary, against any nation which defied the decrees of the tribunal or which violated any of the rights which in the rules it was expressly stipulated should be reserved to the several nations, and rights to their territorial integrity and the like.

In addition to the contracting powers a certain number of outside nations should be named as entitled to the benefits of the court. These nations should be chosen from those which are as civilized and well behaved as the great contracting nations, but which, for some reason or other, were unwilling or unable to guarantee to help execute the decrees of the court by force.

No power should be admitted into the first circle, that of the contracting powers, unless it was civilized, well behaved, and able to do its part in enforcing the decrees of the court.

I think from this statement there can be no doubt that ex-President Roosevelt at that time believed firmly in the principles of article 10, without reservations and without amendments. The statement of principle and policy by Col. Roosevelt is much stronger than the statement in article 10. I commend it to all of you who have voted to nullify article 10.

Mr. LODGE. What was the date of that?

Mr. McKELLAR. I shall have to get the date. In the copy that I have the date is not given. I find by looking at the RECORD from which I read, of August 28, 1919, in a speech made by Congressman EWIN DAVIS, of Tennessee, that the article was printed in 1915 in the Outlook, and is from the pen of Col. Theodore Roosevelt. It is an unanswerable statement in favor of our joining the other great nations in guaranteeing the territorial integrity of each nation. Col. Roosevelt evidently believed then, as I believe now, that such an agreement would put an end to wars.

Mr. KING. The Senator from Tennessee has just quoted from an article written by President Roosevelt which clearly indicates his belief in the necessity of a League of Nations. I intended to read before concluding from a book entitled "America and the World War," published in 1919, containing a number of articles written by Col. Roosevelt, in which he expressed views which I insist demonstrated that he believed in the efficacy of a League of Nations and that it was essential in order to promote the peace of the world. Before doing this, however, I desire to repeat again the question propounded to the Senator from Idaho, namely, whether Col. Roosevelt, when he referred to the establishment of new nations in Europe, and the question of guaranteeing them and securing indemnification, intended that the entire responsibility should be devolved upon the United States, or whether he contemplated that the allied nations should alone assume the burden, or whether he did not speak for all of the nations who had joined in the war against the Central Empires and their allies, and whether he did not contemplate that there would be formed a league of nations or a union of nations when the war was ended for the purpose of garnering and protecting the fruits of war and preserving the peace of the world?

Returning to the Lafayette Day address, Col. Roosevelt uses this language:

And don't forget that China is now useless as a prop to a league of peace simply because she lacks effective military strength for her own defense. * * * Let us support any reasonable plan, whether in the form of a League of Nations or in any other shape, which bids fair to lessen the probable number of future wars and to limit their scope.

* * * * * * *

In sum, then, I shall be delighted to support the movement for a League to Enforce Peace or for a League of Nations, if it is developed as a supplement to and not a substitute for the preparation of our own strength, and the cultivation of the intense Americanism which will make us able to use that strength for ourselves and for the well-behaved peoples of the world.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator yield to the Senator from Colorado?

Mr. KING. I yield.

Mr. THOMAS. I think the quotations from the writings of the ex-President, with which the Senator has favored the Senate, support the argument that any proposition can be supported or refuted by quotations from Holy Writ, from the works of Thomas Jefferson, or those of Theodore Roosevelt.

Mr. KING. Mr. President, I do not know that I am called upon to either assent to or dissent from the statement made by the distinguished Senator from Colorado. But I was not quoting the words to which I have just referred for the purpose only of supporting the proposition that Mr. Roosevelt favored a League of Nations. I also referred to them for the purpose of emphasizing the point that he did not believe that when the war was over the responsibilities of the United States in Europe were ended, or that the United States should leave the allied nations to assume all of the obligations entailed by the war.

The Senator from Idaho [Mr. BORAH], if I apprehended his position, as stated a moment ago, contended that Mr. Hoover had suggested at one time in a memorandum to the President that we should leave Europe unless certain conditions should arise, and certain arrangements should be entered into, and that because of his attitude we should follow that policy now and leave Europe. At any rate, that is the inference from the Senator's words.

Obviously the Senator read that as an argument in support of the position which he has repeatedly taken here, that it was our duty to get out of Europe, no matter what the consequences were. If there should be a recrudescence of militarism in Germany, or in Bulgaria, or in Turkey, the position of the Senator from Idaho has been, and now is, if I interpret him correctly, that we should leave Europe; that we should let Europe settle whatever controversies may arise; that our duty was ended, if not when the armistice was written, certainly when the peace treaty of Versailles was signed.

Speaking for myself, Mr. President, I am sincerely desirous to see the treaty ratified. I do not, of course, want my country to assume burdens and responsibilities which do not and should not rightfully and properly rest upon her. I wish that we could have escaped the great conflict through which we have passed; but we are in the world, and can not escape the currents that bear nations and peoples upon their bosoms. We were drawn into this conflict, though we were not a trespasser and had no imperialistic ambitions, no lust for territory. The world is so linked together that an offense of one nation is visited, directly or indirectly, upon all nations. But, Mr. President, we have a duty to our allies and to ourselves and to the world. We can not abandon Europe. I believe it to be our duty and the duty of the civilized nations of the world to adopt some rational plan that will make for world peace and for the establishment of justice. The war must not end and leave the world without a chart or a compass. In serving our country and its national aspirations we are serving the world. And the motto of our country is not "Against the world" but "For the good of the world." We can not, like Tennyson's "Lotus Eaters," cry out to the world, "Let us alone. What pleasure have we to war with evil."

Mr. President, the time has come to bring about the cooperation of the free nations of the world to "uphold the sanctity of international rights against nations showing a contempt of humanity." In the Great War through which we have passed we did not fight, as I have stated, for territory or indemnity, but to vindicate our national rights and the honor of our country and to maintain unsullied the flag of this great Republic, and also "for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free."

But let me read further from what Mr. Roosevelt said concerning a league of nations or a league to enforce peace.

Mr. WALSH of Montana. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Montana?

Mr. KING. I yield.

Mr. WALSH of Montana. Before the Senator goes on, I should like to supplement what was offered by the Senator from Tennessee [Mr. McKELLAR] with a quotation from ex-President Roosevelt upon this subject. Away back in 1910, in his speech accepting the Nobel prize at Christiania, Norway, he said:

It would be a master stroke if those great powers honestly bent on peace would form a league of peace, not only to keep the peace among themselves, but to prevent, by force if necessary, its being broken by others. The supreme difficulty in connection with developing the peace work of The Hague arises from the lack of any executive power, of any police power, to enforce the decrees of the courts.

And in a communication to the New York Times under date of October 18, 1914, he said:

The one permanent move for obtaining peace, which has yet been suggested, with any reasonable chance of attaining its object, is by an agreement among the great powers, in which each should pledge itself not only to abide by the decisions of a common tribunal but to back with force the decision of that common tribunal. The great civilized nations of the world which do possess force, actual or immediately potential, should combine by solemn agreement in a great world league for the peace of righteousness. * * *

They should, furthermore, agree not only to abide, each of them, by the decision of the court, but all of them to unite with their military forces to enforce the decree of the court as against any recalcitrant member. Under these circumstances it would be possible to agree on a limitation of armaments that would be real and effective.

Mr. President, I intended to refer in a few moments to this address of Col. Roosevelt.

I will, however, at this point place in the RECORD the portion of the address quoted by Mr. Roosevelt in his volume entitled "Fear God and Take Your Own Part," which was written not long prior to his death. It is as follows:

Something should be done as soon as possible to check the growth of armaments, especially naval armaments, by international agreement. No one power could or should act by itself, for it is eminently undesir-

able from the standpoint of the peace of righteousness that a power which really does believe in peace should place itself at the mercy of some rival which may at bottom have no such belief and no intention of acting on it.

Finally, it would be a master stroke if those great powers honestly bent on peace would form a league of peace not only to keep the peace among themselves but to prevent by force, if necessary, its being broken by others.

The supreme difficulty in connection with developing the peace work of The Hague arises from the lack of any executive power, of any police power, to enforce the decrees of the court. Each nation must keep well prepared to defend itself until the establishment of some form of international police power competent and willing to prevent violence as between nations. As things are now, such power to command peace throughout the world could only be assured by some combination between those great nations which sincerely desire peace and have no thought themselves of committing aggressions. * * * The combination might at first be only to secure peace within certain definite limits and certain definite conditions, but the ruler or statesman who should bring about such a combination would have earned his place in history for all time and his title to the gratitude of all mankind.

Mr. SHIELDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. SHIELDS. Mr. President, there is another great American who spoke upon this subject, and I would like to present his views in the same connection.

Mr. KING. If the Senator will wait until I get through with ex-President Roosevelt, I shall be glad to yield to the Senator.

Mr. BORAH. If my Democratic friends are hunting for Republican precedents, I would also cite Mr. Taft.

Mr. SHIELDS. I thought the Senator wanted all that was germane to the subject he is discussing.

Mr. KING. No; and if I had all that was germane to this subject, relevant to it, we would be discussing this question here for an indefinite time. But the conscience of the American people has spoken upon this subject, and they are in favor of a League of Nations; they are in favor of peace; they are in favor of doing their part in Europe and in the world for the perpetuity of peace and the establishment and maintenance of liberty.

Mr. SHIELDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. SHIELDS. The Senator is stating what he has heard. He has not heard from all the people.

Mr. KING. I am not going to yield for the Senator to make a speech.

Mr. SHIELDS. The Senator says the great duty of this country is to remain in Europe and adjust all those matters. Recently in the controversy over the Adriatic boundaries, between Italy and Serbia, involving a very small strip of territory, Italy insisted, as she had a right to insist, upon the performance of her treaties with Great Britain and France giving her this territory. The President objected, and said, in substance, "If my views on the controversy are not carried out, I will withdraw the German treaty."

Does the Senator think we had a very great duty there if the President contemplated withdrawing the treaty on account of that controversy, in which we had no material interest, and the matter involved was comparatively of small importance? Does the Senator think we have any great duty there? It is true, I think, Italy was entitled to the territory, but that is not the question.

Mr. KING. Mr. President, I can not speak for the President of the United States, the great leader, I was going to say, not only of the United States but of the world, the man who has done more for the promotion of international peace and good will than any man in his generation. Whatever may be the fate of this treaty, the name of Woodrow Wilson is secure. He was speaking in Europe, as he has spoken since he came home, for the inarticulate masses of the world. He has spoken for the submerged peoples of the world. His voice has been strong and true for democracy; not only democracy at home, but for democracy throughout the world.

While I have not always agreed with President Wilson, I pay him a tribute for his splendid devotion to democracy and to the cause of liberty here and throughout the world.

Mr. President, I should be glad to discuss the questions suggested by my friend from Tennessee, but they are not germane to the matter which I am presenting. Moreover, I rose to occupy but a few minutes in calling attention to some statements made by Col. Roosevelt and by Mr. Root.

Mr. MOSES and Mr. REED addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. KING. I yield to the Senator from New Hampshire.

Mr. MOSES. The Senator a moment ago spoke of having——

Mr. KING. If the Senator desires to ask a question, I shall be glad to answer it.

Mr. MOSES. I will ask it very quickly, but I must get the background, because the Senator digressed far from the statement he was making when I first interrupted him. The Senator spoke of having had a demonstration of the conscience of America on this subject and of their opinion. I would like to ask him from what ouija board he received that message?

Mr. KING. Mr. President, the only men who consult the ouija board are the irreconcilables, and the distinguished Senator from New Hampshire consults it daily.

Mr. MOSES. Oh, no; he reads it in the stars.

Mr. KING. If the Senator from New Hampshire would consult his own conscience and would consult the conscience and voice of the American people, he would not be pursuing the erratic course which has so constantly characterized him since he has been a Member of this body. I yield now to the Senator from Missouri.

Mr. REED. The Senator has just said that the President stood for the submerged people of the world. I believe he did. Has not the Senator just voted against the reservation which might have enabled the Egyptians to get out of the condition of submergence?

Mr. KING. Mr. President, the Senator from Missouri is a great lawyer. He calls attention to this section of the treaty:

> Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces the régime of the capitulations in Egypt.

Mr. President, the Senator from Utah never voted as the Senator from Missouri indicates.

Mr. REED. If I was wrong, I beg pardon. I thought the Senator voted against the Egyptian reservation.

Mr. KING. I voted against what the Senator denominates the Egyptian reservation. The treaty presents a matter which relates solely to Germany and Great Britain. We were not concerned in it and are not called upon to determine whether there is a protectorate over Egypt or not. The article referred to merely refers to the situation existing in Egypt now affecting Germany and Great Britain alone. As the Senator knows, there were certain capitulatory agreements existing between Germany and the Sultan of Egypt. When, on the 18th day of December, 1914, a protectorate was proclaimed by Great Britain over Egypt, Great Britain set aside, if I may be permitted the expression, those capitulatories, those agreements. She took charge of certain property, personal in character, which was owned by German nationals. England wanted, of course, a validation of her acts as a protecting power in Egypt, and wanted the validation to come from Germany, just the same as we desire Germany to validate the actions of the Alien Property Custodian in the United States.

This provision of the treaty is merely a recognition by Germany of the acts of Great Britain with respect to property in which Germany and German nationals were interested. It is not a recognition——

Mr. MOSES. Mr. President——

Mr. KING. Let me complete my sentence; then I will be glad to yield to the Senator.

Mr. MOSES. For a question only this time.

Mr. KING. Let me complete my sentence.

The PRESIDENT pro tempore. The Senator from Utah declines to yield.

Mr. KING. Mr. President, we were not called upon to vote, as I construe it, for the purpose of determining the status of Egypt, or the relations of Great Britain and Egypt.

If we had voted for the reservation which the Senator asked us to vote for we ourselves would have been recognizing the existence of a protectorate. If Germany desired to recognize a protectorate in Great Britain for the purpose of adjusting the property rights between the two nations, she had the right to do so. I voted against this Government recognizing a protectorate, and the Senator from Missouri, in voting for the reservation, recognized the existence of a protectorate. My position, I submit, was a logical one. I neither concede nor deny that a protectorate exists in Egypt. I express no opinion in regard to the question of whether there is or is not a protectorate. I do not know whether there was a protectorate or not. If I had voted for the reservation, which was championed so eloquently by the Senator from Missouri, I would have been committing myself to the proposition that there was a valid protectorate and a protectorate acknowledged by the law of nations. I declined to do it. The Senator took the other view.

Mr. MOSES. Mr. President——

Mr. KING. I yield to the Senator from New Hampshire for a question.

Mr. MOSES. I wish merely to ask the Senator from Utah, in view of what he said about the relations of Great Britain and Egypt, if he meant for us to understand that the British Government in Egypt was a sort of an international A. Mitchell Palmer?

Mr. KING. Mr. President, we are so used to the attempts at humor by the distinguished Senator from New Hampshire that it would be very improper for me to disturb the hilarity that exists in this Chamber and in the galleries from his constant efforts.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Missouri?

Mr. KING. I yield to the Senator.

Mr. REED. I just want to make this explanation before I get to my question. The Senator has stated, in substance, that he objected to voting for the reservation because he did not propose to acknowledge a protectorate in Egypt by Great Britain.

I want to ask the Senator two questions: First, does he not know that distinguished British statesmen have asserted to the British people and on the floor of the House of Commons that England has acquired a protectorate?

Mr. KING. I know it, and I have it right here before me. That is not news to me.

Mr. REED. How does the Senator say that the reservation, which I want to read, makes us acknowledge the protectorate?

Mr. KING. I am familiar with it.

Mr. REED. It reads:

The United States understands the protectorate referred to in section 6 of the treaty to be merely a war measure to preserve the integrity and independence of Egypt during the war.

How does the Senator claim that that is a recognition of a protectorate?

Mr. KING. Why, the words themselves just read by my distinguished friend confess a recognition of that.

The United States understands the protectorate—

The protectorate!

Mr. REED. Mentioned in the article.

Mr. KING. Not an alleged protectorate, but the protectorate.

Mr. REED. The protectorate mentioned in the treaty. Come right back to the treaty you are voting for.

Mr. KING. "The protectorate" mentioned in the treaty, the adjective "the" and the word "protectorate" there tying them to the words of the treaty. Without attempting to explain the limitations that exist in the treaty or explaining the reasons which may have prompted Germany and England to enter into that particular article of the treaty, I emphasize the point which I make, and I repeat that the reservation voted for by the Senator from Missouri was a recognition of the existence of a protectorate, and by my vote I expressed no opinion as to whether or not there was one.

But I shall not be diverted further from what I started out very briefly to call to the attention of the Senate. If Senators upon the other side are so anxious to call our attention to statements from Democrats and men like Mr. Hoover, who ought to be a Democrat if he is not—he is great enough to be a Democrat and great enough to be President, let me say by way of parentheses—then I am sure the Senator from Idaho [Mr. BORAH] will be glad to have me call attention to the man whom he apotheosizes so much.

Mr. BORAH. Of course, I am glad to have the Senator read them, although I am entirely familiar with them.

Mr. KING. The Senator seems to have forgotten his teacher. As the Senator runs wild for a few days, like some mavericks in the West from whence we come, he forgets the teacher who has guided his destinies in the past, and I want to get him back to safe and solid ground.

Mr. BORAH. Mr. President, I have teachers, but I have no master. [Laughter in the galleries.]

Mr. KING. I am inclined to think that the Senator——

The PRESIDENT pro tempore. Will the Senator suspend for a moment? The Chair desires to announce again that if the occupants of the galleries can not preserve order, the galleries will necessarily be cleared. The Chair will not give this admonition another time.

Mr. KING. Mr. President, I shall not pause to reply to the last statement made by my friend. He is entitled to all the comfort he may get out of that expression.

Mr. REED. May I call the Senator's attention, before he passes the matter——

Mr. KING. Oh, Mr. President——

Mr. REED. I want to call his attention back to the exact language of the treaty which he is voting for, so that he may get right upon the question whether we are recognizing a protectorate by merely referring to it. This article——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Missouri?

Mr. KING. I have read textually into the RECORD article 147 except the words "this renunciation shall take effect as of August 4, 1914."

Mr. REED. Will the Senator not let me read it?

Mr. KING. Yes; if the Senator wants to read it again, I have no objection.

Mr. REED (reading):

Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces the régime of the Capitulations in Egypt.

There is the statement about the protectorate. When the Senator votes for the treaty he votes for that proposition. The reservation which the Senator says sets up a protectorate or acknowledges one, merely refers to the language of the treaty itself. Let me read that reservation.

The United States understands the protectorate referred to in section 6 of the treaty to be merely a war measure.

Does the Senator really say we are recognizing the protectorate by that reservation and not recognizing it by signing the treaty?

Mr. KING. I have repeated in my infirm and feeble way upon a number of occasions that the reservation just read by the Senator is a recognition of the fact that there was a protectorate and that Germany recognized the protectorate. I want to say further, and that will end the discussion upon this point, so far as I am concerned, that if the construction for which I am contending were not the correct one, I should not have voted for the reservation. I am here trying to ratify, as far as I can, the treaty submitted by the President of the United States to the Senate. I do not want to lug, if I may be permitted the vernacular of the streets, into this treaty extraneous, immaterial, and irrelevant matter for the purpose of preventing its ratification. I do not propose, so far as I am concerned, to intermeddle in the affairs of our allies, and I do not want them to intermeddle in our domestic affairs. If time permitted, I should be glad to further discuss this matter, and express my views upon the questions involved in the reservation and amendments which were tabled.

But I shall oppose propositions, no matter how meritorious they might be, as independent matters, which may be offered as reservations to the treaty now under discussion. Let us ratify the treaty and then we can consider the questions that come under the scope of our authority or right.

Just a few more words from Mr. Roosevelt. They will be found here in one of the striking articles, one of them called "Utopia or hell." In speaking of Utopia he is referring to a condition that will be brought about by world peace, and when he refers to hell, obviously he is referring to the condition which shall exist if we continue in the old situation.

Mr. LODGE. What are the dates of those articles?

Mr. KING. The Senator will find them in "America and the World War," by Theodore Roosevelt, published by Charles Scribner's Sons, 1919.

Mr. LODGE. No; I want the dates of the articles, not of the book.

Mr. KING. I am reading from the book.

Mr. LODGE. That is a collection of articles which had previously appeared. I want the date of the article.

Mr. KING. I do not know the date of the article. I am reading from the book.

Mr. LODGE. I did not suppose the Senator did.

Mr. KING. I do not know what the Senator means. I stated, when I called attention to this book, that I was reading from a book put out by Mr. Roosevelt entitled "America and the World War," and I called attention to the articles; I called attention to the closing one, "Summing up," and I called attention to the chapter "Utopia or hell." If that is not sufficiently explicit for the Senator, he may pursue such course as he sees fit.

Mr. LODGE. I am very much obliged to the Senator. I think I probably shall do so.

Mr. KING. I see now, if it will gratify the Senator, in looking at the preface, "Theodore Roosevelt, Sagamore Hill, January 1, 1915."

Mr. LODGE. I thought so.

Mr. KING. I am glad the Senator's thoughts are corroborated by the facts.

I read now from the book:

Sherman's celebrated declaration about war has certainly been borne out by what has happened in Europe, and above all in Belgium, during the last four months. That war is hell I will concede as heartily as any ultrapacifist. But the only alternative to war, that is to hell, is the adoption of some plan substantially like that which I herein advocate and which has itself been called Utopian. It is possible that it is Utopian for the time being; that is, that nations are not

ready as yet to accept it. But it is also possible that after this war has come to an end the European contestants will be sufficiently sobered to be willing to consider some such proposal, and that the United States will abandon the folly of the pacifists and be willing to cooperate in some practical effort for the only kind of peace worth having, the peace of justice and righteousness.

The proposal is not in the least Utopian, if by Utopian we understand something that is theoretically desirable but impossible. What I propose is a working and realizable Utopia. My proposal is that the efficient civilized nations—those that are efficient in war as well as in peace—shall join in a world league for the peace of righteousness. This means that they shall by solemn covenant—

I fancy that the word "covenant" found in this great article by Mr. Roosevelt will not be very pleasant to the battalion of death who have animadverted so constantly against the covenant of the League of Nations which is now before the Senate for consideration.

This means that they shall by solemn covenant agree as to their respective rights which shall not be questioned; that they shall agree that all other questions arising between them shall be submitted to a court of arbitration; and that they shall also agree—

And here comes the vital and essential point of the whole system—

to act with the combined military strength of all of them against any recalcitrant nation, against any nation which transgresses at the expense of any other nation the rights which it is agreed shall not be questioned, or which on arbitrable matters refuses to submit to the decree of the arbitral court.

* * * * * * *

Finally, and most important, this treaty shall put force back of righteousness, shall provide a method of securing by the exercise of force the observance of solemn international obligations. This is to be accomplished by all the powers covenanting to put their whole strength back of the fulfillment of the treaty obligations, including the decrees of the court established under and in accordance with the treaty.

As the battalion of death interpreted the attitude of Mr. Wilson and construed the treaty, there is a covenant upon the part of the members of the league to put their military strength back of the agreement and back of the decrees of the council and of the courts that may be created under the league.

Mr. President, I have a number of other paragraphs of like import from this work which I ask to insert as part of my remarks without reading.

The PRESIDENT pro tempore. Without objection it is so ordered.

The matter referred to is as follows:

I earnestly hope that we shall ourselves become one of the joint guarantors of world peace under such a plan as that I in this book outline, and that we shall hold ourselves ready and willing to act as a member of the international comitatus to enforce the peace of righteousness as against any offender big or small.

* * * * * * *

This would mean a great practical stride toward relief from the burden of excessive military preparation. It would mean that a long step had been taken toward at least minimizing and restricting the area and extent of possible warfare. It would mean that all liberty-loving and enlightened peoples, great and small, would be free from the haunting nightmare of terror which now besets them when they think of the possible conquest of their land.

* * * * * * *

International peace will only come when the nations of the world form some kind of league which provides for an international tribunal to decide on international matters, which decrees that treaties and international agreements are never to be entered into recklessly and foolishly, and when once entered into are to be observed with entire good faith, and which puts the collective force of civilization behind such treaties and agreements and court decisions, and against any wrongdoing or recalcitrant nation.

* * * * * * *

After the war has come to an end the European contestants will be sufficiently sobered to be willing to consider some such proposal, and that the United States will abandon the folly of the pacifists and be willing to cooperate in some practical effort for the only kind of peace worth having—the peace of justice and righteousness.

* * * * * * *

My proposal is that the efficient civilized nations, those that are efficient in war as well as in peace, shall join in a world league for the peace of righteousness. This means that they shall by solemn covenant agree as to their respective rights, which shall not be questioned; that they shall agree that all other questions arising between them shall be submitted to a court of arbitration; and that they shall also agree—and here comes the vital and essential point of the whole system—to act with the combined military strength of all of them against any recalcitrant nation, against any nation which transgresses at the expense of any other nation the rights which it is agreed shall not be questioned, or which on arbitrable matters refuses to submit to the decree of the arbitral court

* * * * * * *

It is because I believe our attitude should be one of sincere good will toward all nations that I so strongly feel that we should endeavor to work for a league of peace among all nations rather than trust to alliances with any particular group. * * * The prime necessity is that all the great nations should agree in good faith to use their combined warlike strength to coerce any nation, whichever one it may be, that declines to abide the decision of some competent international tribunal. Our business is to create the beginnings of international order out of the world of nations as these nations actually exist. We do not have to deal with a world of pacifists, and therefore we must proceed on the assumption that treaties will never acquire sanctity until nations are ready to seal them with their blood.

Mr. KING. Mr. President, I would like to have read also from another distinguished Republican statesman, Mr. Root, commending the many admirable features of this covenant, and insisting, as I interpret his language, that it would be a great mistake not to ratify the treaty. I understand the Senator says that Mr. Bryan is coming, and that he is giving advice. I wonder how often the distinguished chairman of the Republican Party, Mr. Hays, has been in Washington and had conferences with Senators with respect to the League of Nations and how often he has essayed to give advice with respect to their conduct on this important matter? I wonder how many other great Republican leaders—not in the Senate, and there can be Republican leaders outside of the Senate, let me say—have been here in Washington for the purpose of conferring with our friends upon the other side of the aisle with reference to their treatment of this very important question.

No more auspicious occasion has ever come to the world to organize the free peoples of the earth in the interest of justice and of peace. Europe is prostrate and the world is in ferment. The tides of revolution are sweeping nations to destruction.

Stricken people are piteously appealing for help and for the protecting hand of this Nation and of a League of Nations, in order that their independence and freedom may be assured and the opportunity for peaceable growth and development assured.

We have aided the allied nations to destroy autocratic power. We have promised people that they should have liberty. New forces arose in the world when our Nation through President Wilson proclaimed the principles of justice and righteousness which fired the hearts of downtrodden people in all lands. The crown of moral leadership was placed by the nations of the earth upon the head of this Republic. We must not, we can not disappoint the hopes of the world. We can not thrust back into maelstrom and into the turbulent sea the victims of centuries of oppression, and look with cynical indifference upon their struggles and their agonized faces as they sing despairingly beneath the waves. Our Nation is as a city set upon a hill—it illumines the world. It must perform its part in solving the problems which the war has placed before the world. There is so much of merit and worth in the covenant of the league that it should not be destroyed. I appeal to Senators to put aside partisanship, all considerations of personal or party advantage, and remembering only the solemn responsibility resting upon them, to vote upon this question so vital to the peace of the world as their conscience and their duty to country demand.

Mr. GERRY. Mr. President, I offer the reservation which I send to the desk, and I ask that it may be read.

The PRESIDING OFFICER. The Secretary will read as requested.

The reservation was read, as follows:

In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the Senate June 6, 1919, and declares that when self-government is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

The PRESIDING OFFICER. The question is on the reservation submitted by the Senator from Oklahoma [Mr. OWEN].

Mr. BORAH. Mr. President, is what has just been read at the desk offered as a reservation?

Mr. GERRY. It is.

The PRESIDING OFFICER. The Chair so understands.

Mr. BORAH. Where is it to appear in the covenant? Of what is it a reservation?

The PRESIDING OFFICER. The Chair's understanding is that it would be reservation No. 15, if adopted.

Mr. BORAH. I will say to the Senator from Rhode Island, it seems to me it ought to be attached to article 11 of the treaty.

Mr. LODGE. Mr. President, I had hoped that I should not be obliged to consume any further time in regard to the treaty, but I can not permit the statements which have been made here in regard to the opinions of Col. Roosevelt to go without a word of correction. The Senator from Tennessee [Mr. MCKELLAR] read from a speech delivered by Col. Roosevelt in 1915, and the Senator from Utah [Mr. KING], on inquiry, was found to be reading from a book which was published in 1915 containing articles and speeches prior to that period.

Mr. KING. Will the Senator pardon me?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. LODGE. I do.

Mr. KING. I read from an address delivered by Mr. Roosevelt on September 6, 1918.

Mr. LODGE. Mr. President, I wish to say a single word as to former President Roosevelt's opinions just prior to his death. I know that he made a speech in 1914 in favor of a league of

nations, or some kind of association of nations—I myself did likewise—and also in 1915. In January, 1917, the President of the United States brought forward a plan for a league to enforce peace in an address to the Senate, and I discussed it at some length, showing the dangers of the proposition and the perils it would bring not only to peace but to the United States.

During all this time I was in frequent consultation with Theodore Roosevelt in regard to it. His position and mine did not then differ at all. On December 21, 1918, I made a speech in the Senate in which I discussed the 14 points and some of the momentous questions which were raised by the proposition for a league of nations which was then being started, or supposed to be started, in Paris. Col. Roosevelt wrote an article upon that speech, which was published in the Kansas City Star, approving it and commending it. I am going to read a single paragraph from that article. After commending the speech which I had made, he said:

Our need is not as great as that of the vast scattered British Empire, for our domains are pretty much in a ring fence. We ought not to undertake the task of policing Europe, Asia, and Northern Africa; neither ought we to permit any interference with the Monroe doctrine, or any attempt by Europe or Asia to police America. Mexico is our Balkan Peninsula. Some day we will have to deal with it. All the coasts and islands which in any way approach the Panama Canal must be dealt with by this Nation, and by this Nation in accordance with the Monroe doctrine.

On January 3, 1919, the Friday before his death, he dictated another editorial, which appeared in the Kansas City Star after his death. I wish time would permit me to read it all, but I will read one paragraph:

* * * Let each nation reserve to itself and for its own decision, and let it clearly set forth, questions which are nonjusticiable. * * * Finally, make it perfectly clear that we do not intend to take a position of an international Meddlesome Mattie. The American people do not wish to go into an overseas war unless for a very great cause and where the issue is absolutely plain. Therefore, we do not wish to undertake the responsibility of sending our gallant young men to die in obscure fights in the Balkans or in central Europe, or in a war we do not approve of. Moreover, the American people do not intend to give up the Monroe doctrine. Let civilized Europe and Asia introduce some kind of police system in the weak and disorderly countries at their thresholds. But let the United States treat Mexico as our Balkan Peninsula and refuse to allow European or Asiatic powers to interfere on this continent in any way that implies permanent or semipermanent possession. Every one of our allies will with delight grant this request if President Wilson chooses to make it, and it will be a great misfortune if it is not made.

That is an absolute condemnation of article 10 as originally drawn and of the paragraphs dealing with the Monroe doctrine.

Less than two weeks before his death I was with Theodore Roosevelt for several hours, seeing him two mornings in succession. The draft of the league, of course, which has been before the country was not then before us, but we discussed fully, in all its bearings, the League of Nations, and the plans for it as we understood them and as they had appeared in the news from Paris. We were in entire agreement. The position that I have taken throughout and that I now take had his full approval. The line I have followed in the Senate and elsewhere was the one which he wished to have followed. I do not say this to transfer one ounce of the responsibility from my shoulders to his. All I do and all I say is on my own responsibility alone, but it has been a great help and strength to me to feel, as I have felt, from those last conversations I had with him, that I have behind me the approval and the support of the great American, the great patriot, the great man whose death has been such a grievous loss to the people of the United States.

The PRESIDING OFFICER. The question is on agreeing to the reservation proposed by the Senator from Oklahoma.

Mr. REED. May the reservation just offered be read so that we may all hear it?

The PRESIDING OFFICER. The question is not on the reservation presented by the Senator from Rhode Island [Mr. GERRY], the Chair will say to the Senator from Missouri.

Mr. REED. Then, let the question be stated.

The PRESIDING OFFICER. The question is upon the reservation offered by the Senator from Oklahoma [Mr. OWEN], which the Secretary will state.

The Assistant Secretary read as follows:

Resolved, That the United States, in ratifying the covenant of the League of Nations, does not intend to be understood as modifying in any degree the obligations entered into by the United States and the Entente Allies in the agreement of November 5, 1918, upon which as a basis the German Empire laid down its arms.

The PRESIDING OFFICER. The question is on agreeing to the reservation as stated.

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. In his absence I withhold my vote.

Mr. MOSES (when his name was called). Announcing once more my pair with the junior Senator from Louisiana [Mr. GAY] and his absence from the Chamber, I withhold my vote.

Mr. OVERMAN (when his name was called). Again announcing my pair with the Senator from Wyoming [Mr. WARREN], I withhold my vote. The Senator from Wyoming is absent on official business.

Mr. KIRBY (when Mr. ROBINSON's name was called). The senior Senator from Arkansas [Mr. ROBINSON] is paired on this question with the Senator from Washington [Mr. POINDEXTER].

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague [Mr. SMITH of Arizona] is absent on business of the Senate.

Mr. SMITH of South Carolina (when his name was called). Again announcing my pair with the Senator from Minnesota [Mr. NELSON], I withhold my vote.

Mr. THOMAS (when his name was called). In the absence of my pair, I must withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Alabama [Mr. COMER] and vote "nay."

The roll call was concluded.

Mr. GLASS (after having voted in the negative). I inquire whether the senior Senator from Illinois [Mr. SHERMAN] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. GLASS. Then, having a general pair with that Senator, I withdraw my vote.

Mr. HARDING. I have a general pair with the senior Senator from Alabama [Mr. UNDERWOOD]. I transfer that pair to the junior Senator from Michigan [Mr. NEWBERRY] and vote "nay."

Mr. CHAMBERLAIN (after having voted in the negative). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], and inasmuch as he has not voted I am compelled to withdraw my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Washington [Mr. POINDEXTER] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS].

The result was announced—yeas 12, nays 55, as follows:

YEAS—12.

Ashurst	Gronna	Norris	Reed
Borah	Hitchcock	Owen	Sheppard
France	La Follette	Phelan	Walsh, Mass.

NAYS—55.

Ball	Fletcher	Kirby	Smith, Md.
Beckham	Frelinghuysen	Lenroot	Smoot
Brandegee	Gerry	Lodge	Spencer
Calder	Hale	McKellar	Sterling
Capper	Harding	McNary	Sutherland
Colt	Harris	New	Swanson
Culberson	Harrison	Nugent	Townsend
Cummins	Johnson, S. Dak.	Page	Trammell
Curtis	Jones, N. Mex.	Phipps	Wadsworth
Dial	Jones, Wash.	Pomerene	Walsh, Mont.
Dillingham	Kellogg	Ransdell	Watson
Edge	Kendrick	Shields	Williams
Elkins	Keyes	Simmons	Wolcott
Fernald	King	Smith, Ga.	

NOT VOTING—29.

Chamberlain	Kenyon	Newberry	Smith, S. C.
Comer	Knox	Overman	Stanley
Fall	McCormick	Penrose	Thomas
Gay	McCumber	Pittman	Underwood
Glass	McLean	Poindexter	Warren
Gore	Moses	Robinson	
Henderson	Myers	Sherman	
Johnson, Calif.	Nelson	Smith, Ariz.	

So Mr. OWEN's reservation was rejected.

Mr. LENROOT. Mr. President, I offer the reservation which I send to the desk.

The PRESIDENT pro tempore. The reservation will be stated.

The ASSISTANT SECRETARY. The following is offered as a reservation:

It shall be the declared policy of this Government that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern and will consider what, if any, action it will take in the premises.

Mr. BORAH. Mr. President, I desire to offer an amendment, adding, after the word "premises," the following:

Reserving the independent and uncontrolled power to throw its influence and its weight, whenever occasion arises, in favor of what it deems to be right in the affairs of the world.

That language is taken verbatim from the speech of Mr. Root in New York a few weeks ago, wherein he defined what he conceived to be the correct attitude of this Nation in world affairs.

The PRESIDENT pro tempore. The proposed amendment will be stated.

The ASSISTANT SECRETARY. At the end of the reservation proposed by the Senator from Wisconsin it is proposed to add the following words:

Reserving the independent and uncontrolled power to throw its influence and its weight, whenever occasion arises, in favor of what it deems to be right in the affairs of the world.

Mr. LENROOT. Mr. President, I will accept the amendment. I have no objection at all to the amendment, and it is strictly in accord with the reservation itself.

This reservation—and I shall only take a few moments—is offered for two reasons: One, it has been constantly asserted here that in the reservations that we have adopted the United States proposed to isolate itself and withdraw from any consideration of the affairs affecting the peace of the world. Of course, there has been no such thought as that upon the part of anyone who has supported these reservations; and, as the Senator from Pennsylvania [Mr. KNOX] said last November in proposing a very similar reservation, this is the policy of the United States, whether declared or not; but it does leave the utmost freedom of action upon the part of the United States with reference to any matter that may be taken up for consideration. It does not bind the United States to do anything other than to consider matters affecting the peace of Europe if the peace of Europe shall again be threatened.

In addition, Mr. President, the so-called Taft reservation has been offered here in the Senate and has been rejected, and the Senator from Montana [Mr. WALSH] gave to the Senate his construction of it. With the Senator's construction of the Taft reservation, it is in exact accord with the reservation which has now been adopted to article 10, together with this reservation of declaration of policy.

On February 16 last the Senator from Montana [Mr. WALSH], in construing the Taft reservation referred to, said:

As I myself, in the bipartisan conference, proposed the Taft reservation as a substitute for the Lodge reservation, I should like to say, if the Senator will permit me, that I do not concede the two reservations to be identical in substance; and I should like, for the information of the Senate, to state my own view about it. It is that under the Lodge reservation, when a question arises that would otherwise fall under article 10, Congress may or may not take the matter up for consideration; it does not bind itself to do so. Under the Taft reservation Congress does not obligate itself to assume any obligation at all, but it does obligate itself to take the matter up and decide and determine it. That is my view about the distinction between the two reservations.

So that with the view of the Senator from Montana he would approve, I take it, the reservation that has now been adopted to article 10 with this reservation that is now pending that obligates the United States to take up and consider any attempt to threaten the peace of Europe; but the United States under this reservation is not obligated to take any action. It is obligated to take cognizance of such a situation, but that is all.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LENROOT. Yes.

Mr. KING. If the United States accepts the treaty—that is, if we ratify the treaty with the present reservations—does not the Senator think that under article 10, which contains the undertaking to respect the territorial integrity and the political independence, and under article 11, which permits inquiry into the causes of war, and article 15 and article 16, there is an obligation resting upon the Government after action by the council, at least, to interfere for the protection of the members of the league against any covenant-breaking member of the league?

Mr. LENROOT. I do.

Mr. KING. Then, if that is true, it would seem to me that the reservation just offered by the Senator is a work of supererogation; that in the league itself, construed as the Senator from Wisconsin construes it, there are binding obligations which are far greater than the mere negative expression contained in the reservation just offered.

Mr. LENROOT. I am very glad to reply to the Senator and give him my view of that. Of course, this general declaration of policy does not relieve the United States of any obligation that it assumes under the treaty, together with the reservations. It is a declaration of policy, but under article 10, where we assume no obligation to preserve the territorial integrity or political independence of any other country, nevertheless there is a case of external aggression threatening the peace of Europe. We are under no obligation, we have entered into no covenant, to take any action whatever with respect to that matter, because of the reservation that we have adopted; but with this reservation we do obligate ourselves not to do anything or decide it any particular way. We do obligate ourselves to take cognizance of that situation, and with the amendment proposed by the Senator from Idaho, which, of course, would have been true any way, we are free to take such action as, in our judgment, justice and right shall warrant.

Mr. KING. Mr. President, if the Senator will permit me again, I can not accept the construction which the Senator places upon article 16 and the preceding articles, including article 10. Under article 10 there is an undertaking to respect the territorial integrity. If there is a violation of that covenant, then the violator has breached the covenant and the obligations found in article 16 immediately attach.

Mr. LENROOT. Oh, no; the Senator is entirely mistaken. The obligation that is imposed under article 16 does not in the least degree affect a violation of the covenant to respect territorial integrity. The economic boycott comes into being only for a violation of the covenant not to go to war without arbitration or inquiry, and nothing further.

Mr. KING. Mr. President, I do not agree with the Senator there. I think that under the second or third paragraphs of article 16 there would be an obligation where the treaty is breached that would call into requisition whatever instrumentalities article 16 provides for the purpose of maintaining peace.

Mr. LENROOT. Language could not be plainer. The Senator has merely forgotten the language. Article 16 reads:

Should any member of the league resort to war in disregard of its covenants—

Not all its covenants—

in disregard of its covenants under articles 12, 13, or 15, it shall ipso facto be deemed to have committed an act at war—

And the economic boycott comes into being. They might violate every other article in the league except those three articles, and article 16 would not come into operation at all.

Mr. WILLIAMS. Mr. President, this is the most humorous proposition with which we have been up to this time confronted. Reading it from its beginning, it could not be offensive even to Germany when we started war with them. It seems to have been drawn so that it could not hurt the feelings of anybody whose past record was opposed to a war with Germany. It reads:

It shall be the declared policy of this Government that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern, and will consider what, if any, action it will take in the premises.

I confess myself at a loss to know why it is necessary to state that if any power or combination of powers threatens the peace of the world the United States will regard the situation "with grave concern." I have always imagined that we would, independently of any senatorial assertion, have to regard it with grave concern.

I confess myself unable to imagine why we should word a reservation to the effect that "we will consider what, if any, action we will take in the premises." Of course, whenever we are confronted with a question of "grave concern" we are also confronted with the question of what, if any, action we shall take in the premises.

But as if this thing were not already humorous enough there is added here in lead pencil by somebody, I do not know by whom, the words:

Reserving the independent and uncontrolled power to throw its influence and its weight, whenever occasion arises, in favor of what it deems to be right in the affairs of the world.

Let us examine the word "it" a minute. "It" refers to the Government of the United States, not to the United States or its people. Of course, if it were referring to the United States, it would have been "they."

But it is "it," and it relates back to the word "Government." So the Government reserves the "independent and uncontrolled power." "Uncontrolled!" Who ever made the United States Government uncontrolled? Who in the world ever made a nation or a people uncontrolled? With the whole civilized world before you, what nation is uncontrolled? Not even we ourselves, with our 110,000,000 and our immense wealth, of which we boast every day. "Uncontrolled power!"

Are you not controlled by civilization, by international law, by the comity of nations, and by that degree of ethics and morality that controls nations? Why should somebody with an immense reserve power of humor, equal to that of Sancho Panza or of Don Quixote—conscious in Sancho Panza's case, and unconscious in Don Quixote's—offer this thing to the United States Senate?

Independent and uncontrolled power to throw its influence and its weight whenever occasion arises in favor of what it deems right.

The man who would put this in said "independent and uncontrolled power to throw its influence," meaning the Government's influence. He ought to have said "their influence," meaning the United States, but he did not say it; and "their weight" he ought to has said, but he said "its," referring back to the Government, "whenever occasion arises, in favor of what it deems to be right."

We would be worse than slaves if we did not do that, and there is no necessity to say that except that it adds "in the affairs of the world." And just before it adds "in the affairs of the world," it says "its uncontrolled power." That sounds like the German Kaiser talking. It sounds as if he were saying that he was God's private agent as the head of the chosen race to impregnate the balance of the world with his "kultur." This is the most stupendous piece of humor, Mr. President, that was ever presented in the United States Senate:

It shall be the declared policy of this Government that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern.

How could they help it if they wanted to? We would have to regard it with grave concern, and if we wanted to disregard it, we would have to still regard it, and if we did not regard it "with grave concern" we would have to regard it with some other sort of concern; and if we did not regard it with grave concern, somebody else would so regard it, and we would be dragged in subsequent "grave concern."

And will consider what, if any, action it will take in the premises.

I rather imagine if a thing is a matter of "grave concern" you have to "consider" at some time or other what, if any, action you are going to take in the premises.

This is the most miraculous thing. It is like the Scriptural definition of man, "It is fearfully and wonderfully made."

"Preserving the independent and uncontrolled power,"—not right, but power; not just right, but "uncontrolled" power—as if we were the only nation on the earth, and the only international integer that was uncontrolled. I imagine that all international integers are controlled. In fact, I imagine they are not integers at all; they are fractions, and the other internationals with us compose the balance of the integer.

Reserving the independent and uncontrolled power to throw its influence and its weight whenever occasion arises in favor of what it deems right in the affairs of the world.

Then, Mr. President, the Senator from Wisconsin went on to explain this thing, and I quote his exact language. He said:

Under this reservation we obligate ourselves not to do anything—

Mark that, will you.

Under this reservation we obligate ourselves not to do anything.

That is about what we obligate ourselves to do, not to do anything under this. And, by the way, if the Senator from Wisconsin, who has taken the yoke of the Senator from Massachusetts and bears it duly upon his neck, now were to express his relationship to the present treaty with Germany and the League of Nations, I imagine he would repeat this language, that in everything he has voted for he has "obligated himself not to do anything."

We have extracted the teeth from the League of Nations if the Lodge reservations pass—and I suppose they will. We have emasculated the treaty. We have deprived it of all virility, and after we have done that we solemnly assert that we will regard any very important matters that may occur abroad "with grave concern," and that when they occur we will consider "what, if any, action" we will take in the premises, reserving "uncontrolled power" to "throw our influence" whithersoever we please, in behalf of whatever we choose to consider right at that time, without any regard to the balance of the world—Great Britain, France, Italy, Japan, Switzerland, the Scandinavian powers, Holland—we have nothing to do with them. We just say that we will "throw our influence and weight, whenever occasion arises, in favor of whatever *we* deem to be right."

Suppose you and I went into a neighborhood with Smith and Jones and Thompson and Johnson, and passed a resolution that we would each reserve his independent and uncontrolled power and throw his influence and his weight "whenever occasion arose" in favor of what each deemed to be right, without any regard to Jones or Johnson or Smith or Thompson, who are also living in the same community.

Will you ever learn that the balance of the nations of the world live on this earth and that God created the earth and created them as well as us? Will you never unlearn, if you ever learned, the old fool lesson that we are self-sufficient and that we need not consult anybody else? Will you ever get rid of the notion of Thomas H. Benton that there was a manifest destiny in the United States to rule the whole world? Will you ever learn that that is nothing but Prussian junkerdom? Will you ever learn that whenever a people say that they reserve the "independent and uncontrolled power" to do whatever it pleases, "as the occasion may arise," that the country which asserts that is asserting hegemony, leadership, and predominance, and if not "Deutschland uber alles," at least "Amerika uber alles," and all that simply spells war and murder of young men upon the field of battle, widowhood amongst the women behind them, fatherless children behind them, sweet, heartless women behind them, and that all this means nothing except arrogance, national arrogance?

"Independent and uncontrolled power." Does not Great Britain exist? Does not France exist? Does not Italy exist? Does not Holland exist? Do not the Scandinavian powers exist? Does not Switzerland exist? Do not the countries of South America exist? "Independent and uncontrolled power?" No country on the surface of this earth has or ought to have "independent and uncontrolled power." Any country upon the surface of the earth that pretends to have independent and uncontrolled power goes further than even the Kaiser of Germany ever went when God and he—I beg his pardon—when he and God were partners in running the world, because he was the senior member of the firm.

Can any civilized country, composed of men pretending to be Christians and servants of the Prince of Peace, assert in a resolution passed by the chief deliberative body of their country—and I say deliberative advisedly because for the last seven or eight weeks it has not done anything except deliberate—and the most august body—and I say that advisedly because if it has not been august it has not been anything—go out now as Christians and as members of the civilized world to assert that there is anywhere in the world an "independent uncontrolled" national power? That is what this asserts.

"Reserving the independent and uncontrolled power." Why, I would not be arrogant enough to say that in the face of Mexico even—anarchistic, chaotic, foolish, and murderous as Mexico is. I do not contend that the United States has any uncontrolled power even with regard to Nicaragua. I would not contend that the United States had any uncontrolled power even with regard to Cuba, who has surrendered her foreign relations to us. That is pure unadulterated manifest destiny arrogance.

You have to be a member of the amphictyonic council of the civilized world or you have to stay out of it. If you are going to be a member of the amphictyonic council of the civilized world, and leave the quarrels between nations to arbitration wherever you can and try to keep the peace of the world in accordance with the doctrines of the Prince of Peace, then you can not contend that there is any such thing as "independence and uncontrolled power" to "throw your influence" whichever way you please. You have to consider the other fellow's rights as well as your own, and the moment you consider his rights as well as your own that moment you are not uncontrolled, that moment you are not independent in a world sense. You are interdependent, and all the nations of this world are interdependent under the law of God and under international law, which is the best expression that man has been able to make of the law of God.

Imagine the humor, if the man had any humor, that drew this thing up. If he intended it as a joke, of course, we would have taken it up and laughed at it, but the man really intended it as an expression of sure enough opinion on this earth of God-created men and women who ought to be friends of one another and not enemies, then it is not a joke but pure stupidity. He did not intend it as a joke at all.

We will "regard any situation with grave concern." I imagine we will—and we will "consider what, if any, action 'we will' take in the premises." What is involved in that? Nothing except that we will do as we blamed please whenever we blamed please when the occasion arises to tell us what we blamed please.

Reserving the independent and uncontrolled power to throw our influence and weight—

"Weight" is a great word there. One hundred and ten millions of people, with billions of money, announcing to the world in a treaty of peace that it reserves the right to throw its uncontrolled power and weight, population and finances in favor of what—in favor of what "it deems" to be right, not even in favor of what *is* right, but what it deems to be right in the affairs of the world.

Do you remember any day in the life of the late Kaiser of Germany when he ever went any further than that? Do you remember any day in his life when he ever even went that far? Do you imagine that you can make out of yourselves the only nation on earth?

Do you imagine that nations do not live like men do in a neghborhood, the only difference being that men live in a neighborhood of other men and nations live in a neighborhood of other nations? Do you imagine that any nation has any right to talk about its "uncontrolled power" in international affairs any more than I would have a right to talk about my uncontrolled power individually in regard to you or the Senator from Texas? My power is not uncontrolled. It is controlled by the law of ethics and by the law of God and by the municipal law individually speaking. I must not harm the Senator from Texas in the assertion of my individual sovereignty and uncontrolled power, and he must not harm me.

No nation has any right to assert a dogma of uncontrolled power, because a nation must be restrained as an individual must be restrained by the sense of the rights of the other fellow, the other nation, the other people, the other civilization, the other religion, the other whatever it may be.

This was so cunningly worded in the beginning that it would look as if it were worded by a man who had never wanted any war with Germany and was opposed to it. It says:

> It shall be the declared policy of this Government that the freedom and peace of Europe being again threatened by any power or combination of powers—

That might mean France, Italy, and Great Britain—

> The United States will regard such a situation with grave concern and will consider what, if any, action it will take in the premises.

It is pretty much as if I said that if the Senator from Texas came up and slapped me in the face, I would view it "with grave concern" and would consider "what, if any, action" I would take in the premises.

Then there follows the language of the Senator from Wisconsin, assuring us that "under this we obligate ourselves not to do anything."

I want to say a few words outside of this little foolish amendment, which, of course, does not cut much figure. Fellow Senators, it has seemed to me since I was a boy as if the world were composed of a lot of people, a lot of nations, a lot of races, a lot of religions, and a lot of people everywhere who ought to seek to get along with one another. It has seemed to me since I first conceived the idea of the purposes of Jesus Christ that His purpose was to be a Prince of Peace and that the Christian religion consisted chiefly in trying to live a peaceable life with another individually and nationally. It has seemed to me that whether you were Roman Catholic, Episcopalian, Presbyterian, Methodist, Baptist, or Mormon, you could all agree upon one thing, and that was that the best thought and the highest thought of every man might be well directed to the question of keeping the peace and settling disputes, whether they were individual, industrial, or international, by some fair, arbitral, common board.

It has seemed to me all the time, with all my individual defects of every description, that the highest worship I could pay to God was to try to live in peace with other people. I admit that I have not been able to do it always with the hot, quick, Welsh temper that led me now and then to strike when I ought not to have struck, but it has seemed to me and it seems to me now that the highest reason for which God created man was that he might cooperate with other men in maintaining peace as a means toward progress and civilization.

I do not recognize that any country under the sun or any nation under the sun, even the United States, has any absolute "independent and uncontrolled" sovereignty. That is an old dogma of the Middle Ages. There is no such thing as an independent and uncontrolled sovereignty amongst civilized countries. Every civilized country acknowledges and admits that its so-called sovereignty is limited by the rights and privileges of other nations and peoples, and that the moment it asserts an uncontrolled or uncontrollable power it sinks itself into barbarism and invites the remainder of the world to sink with it into barbarism.

This whole question comes back to this: Will you or will you not voluntarily limit your own sovereignty to the extent necessary to bring about "peace on earth and good will among men"? There are two sides, either one of which may be right, and nobody between them can be right. One side is the side of the Senator from Idaho [Mr. BORAH], who does not want any entangling alliances of any description with anybody and says that the United States is "sufficient to itself" and can live by itself and must live by and for itself and does not ask for any help from anywhere and will not give any help to anybody. That may be right. The other side is the side which I take, which is that no country can live for and by itself; that it must live interdependent and not independent; and that in living in that way it must agree upon a modus vivendi with the remainder of the world whereby they can all live in peace with one another. Now, the men in between us two, that want to devitalize and emasculate and poison the League of Nations so that it shall not amount to anything except words, in my opinion, are clearly wrong.

I think that the worst thing that could happen for the civilized world would be the object lesson of an unsuccessful League of Nations; an attempt to put forward a so-called or alleged League of Nations which should fail—foredoomed to failure in advance—because after it had failed you could not convince the ordinary man that the idea had not failed. He would merely reply, "That is the thing that you have tried and it has failed." If you want a League of Nations, a League of Nations must be organized with some limitation of sovereign power upon the part of each nation entering into it; and if you do not want that sort of a League of Nations then the Senator from Idaho is right, and you do not want any. If you are not willing to surrender any part of your sovereignty in order to secure the peace of the world and the happiness of the men and women on earth, the sons and daughters of God who inhabit the earth, if you are not willing to surrender a part of each nation's sovereignty and "uncontrolled power" with that object in view, then let it alone and do not go into it at all. The Senator from Idaho is right, if that proposition is right. If, however, you are willing, as I am, to surrender a part of our individual liberty in order to secure peace with the Senator from Maryland [Mr. FRANCE] and the Senator from Texas [Mr. SHEPPARD] and to leave to a court the power to decide our controversies, and if you are willing to carry that forward still a step more and make it international as well as municipal, then I am right and the men who agree with me are right. However, we are right only upon the theory that the League of Nations must have teeth in it, and it must not be emasculated so that it is foredoomed beforehand to failure.

When these States entered into this Union, when the Provinces of Holland entered into their union, when the Cantons of Switzerland entered into their union, they all understood that there must be a surrender of some degree of State, or cantonal, or provincial sovereign power in order that the purposes of the union might be accomplished.

Mr. SHEPPARD. And the nations that have already entered into the League of Nations have done the same thing.

Mr. WILLIAMS. I am glad the Senator from Texas has reminded me of that. Not only France, Great Britain, Italy, Japan—the great powers—have entered into the League of Nations and have made it a working concern, which I hope they can make operate for the peace of the world without our intervention and without our modifications and without our membership, if we do not choose to go in, but the three Scandinavian countries have gone in; Switzerland has gone in; Brazil has gone in; Argentina has gone in; Chile has gone in; and you people who are talking about the Monroe doctrine are about to sacrifice it, because if a half dozen South American powers enter into the League of Nations, this great operating concern outside of which you choose to remain and which you can not defeat on sea or on land, which you can not fight on sea or on land—it is too powerful for you—if those South American countries enter into it, and we have a quarrel with one of them, it simply appeals to the League of Nations. Then we shall not face them but we shall face the League of Nations, which means the civilized world. So while you are quarreling here and talking about the Monroe doctrine you have surrendered it and given it up. The League of Nations is in operation and it is going to work. It is stronger than any concert of Europe ever was, because it includes Japan and several of the strongest South American countries. You can not help it if you want to; you are powerless in men and money and navy and army to prevent it if you want to. If you think you can fight the world you are mistaken; you can not. They have made up their minds that they will keep the peace of the world against any lawless outcast nation; and if you want to be a lawless outcast nation, be one if you choose, but you can not win along that line.

Any man who thinks that the United States can be an "independent and uncontrolled power" is either a knave or an ass. No country can be an independent, uncontrolled power on the surface of this earth, not even we, the most powerful people in the world. That is not all; we do not want to be, even if we could be. I do not want to be, in the community in which I move, an uncontrolled power; I want you to have your rights; I want the Senator from Texas to have his; I am willing to give—and I am speaking as a citizen of the United States—I want to give to all the people on earth their rights. I do not want to be "uncontrolled" nor "independent," and no nation on the surface of the earth can be uncontrolled or independent. That is an old Middle Age concept.

There was a time when every community was independent, with the lord's castle on the hill and the village below, and they fought the world for their side arms and for their food. That has passed long ago, and the very word "independent" in connection with a nation is a misnomer to-day. Great Britain is not independent; France is not independent; you are not independent; we are all interdependent with one another; and if we are not, then we are uncivilized, and we sink to barbarism to-morrow, or else we declare war upon the world and the world declares war upon us; and in that sort of a war any particular nation must fall.

As the Senator from Texas has said, pretty nearly all the remainder of the world has gone into this league; we "in the forefront files" of the army of time alone stand out, and stand out how? By a certain 13 or 15 "irreconcilables" and "bitter-enders," who read the riot act to the Senator from Massachusetts and told him what he had to do with this treaty, and the Senator from Massachusetts surrendered and put all their requirements in, and then they concocted it all so that they knew that I and about 26 other Senators on this side could not vote for it in the way they had fixed it up. They have thus arranged to beat the treaty and to beat the League of Nations and to keep the greatest civilized country in the world out of it.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from South Dakota?

Mr. WILLIAMS. Yes.

Mr. JOHNSON of South Dakota. I merely wish to ask the Senator from Mississippi if it is not also true that none of the great powers of the world, aside, possibly, from Switzerland, have attached any conditions or reservations to the original treaty as presented to them?

Mr. WILLIAMS. Mr. President, in response to that question I will say that China attached certain reservations, but the council very properly told China that she could enter without reservations or stay out, whichever she pleased, and China stayed out. Switzerland attached a reservation that was regarded as totally innocuous, because it was merely a reservation to the effect that Switzerland preserved her rights as a neutral power in Europe, and the neutrality of Switzerland had been recognized by all the powers of Europe years ago.

Now, what I am afraid of in connection with the Lodge reservations is that, blinded by our population, our wealth, and our power, the European might let us in regardless of the Lodge reservations. If I thought they would say to us what they said to China—"No; either accept the thing as we have fixed it or let it alone"—then I would not care, but I am afraid they would let us in with the reservations. If they did let us in with the reservations, then, entering a league with other nations every one of which would be equal and sovereign and equally sovereign, they would have exactly the same limitations that we would have, and the League of Nations would be emasculate and invirile, as incapable of perpetuating itself as an emasculated man might be, and the world in a few years would have the object lesson of an unsuccessful League of Nations; and the minute they saw an unsuccessful League of Nations, the average man in America and Great Britain and France and Italy could not make the distinction, and when you said to him, "This thing failed because it was defective," he could not understand that. He would just simply say: "The experiment of a league of nations has failed. It has gone down. It has been unable to do anything. It was invirile. It was emasculate. It accomplished nothing." Then you shall have discouraged every seer and every prophet and every poet that had dreamt about world peace, and you shall have discouraged him for fifty years to come if not for a hundred.

I would infinitely rather that the United States stayed out of the league than to enter it with such reservations and conditions as emasculated the agreement. I have a hope that Great Britain and France and Italy and Holland and the Scandinavian powers and Switzerland and Japan may make it a working proposition for the preservation of peace in Europe; and if they make it a working proposition for the preservation of peace in Europe, we can make the Monroe doctrine here a working proposition in favor of the preservation of peace in the Western Hemisphere. But if we go in with reservations that render the original agreement invirile and emasculate, then the whole thing will fail; and when it fails, we fail; and when we fail, Jesus Christ fails, and with Him his world peace philosophy.

Have you been watching the news from Russia? Have you been watching the news from Germany? Two weeks ago I rose upon this floor and warned of that situation. None of you paid much attention. Nobody outside paid any attention.

Mr. HITCHCOCK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Nebraska?

Mr. WILLIAMS. I will yield in a moment. Are you watching that situation?

The PRESIDENT pro tempore. The Senator from Mississippi declines to yield to the Senator from Nebraska.

Mr. WILLIAMS. No; I said I would yield in a moment.

The PRESIDENT pro tempore. The Senator does decline.

Mr. WILLIAMS. Have you been watching that situation? I warn you now that unless you can establish an amphictyonic council of the civilized world, constituting a league of nations to keep the peace of the world, within less than 25 years you will be faced by a union between Germany and Russia and Japan, controlling the four hundred millions of China, and the white race will have to fight for its existence. Now, mark that.

Now I will yield.

Mr. HITCHCOCK. Mr. President, will the Senator yield in order that I may inquire of the Senator from Massachusetts what the program is as to a vote?

Mr. WILLIAMS. I yield the floor.

Mr. ASHURST. I call for the question.

Mr. LODGE. I should like to get a vote on this reservation.

Mr. HITCHCOCK. Mr. President, I desire to ask the Senator from Massachusetts whether it is his intention to have the Senate remain here until we vote upon these reservations?

Mr. LODGE. I wanted to get a vote on the reservation that is now pending, and then I shall ask for a recess.

Mr. HITCHCOCK. The Senator does not intend, then, to get the matter into the Senate to-night—have the committee report to the Senate?

Mr. LODGE. I thought it was only fair, and I think the Senator will agree with me, that before holding a night session I should give notice of it. I shall give notice, and I give it now, that to-morrow I shall ask the Senate to remain in session until all reservations, both in the Committee of the Whole and in the Senate, are disposed of.

Mr. HITCHCOCK. Is it not possible to proceed to-night without adjourning until the Committee of the Whole can report to the Senate, and have the resolution before the Senate?

Mr. LODGE. I am afraid a good many Senators on both sides have gone.

Mr. SMITH of Georgia. Mr. President, I know that the Senator from North Carolina [Mr. SIMMONS] was compelled to go home, and he requested me to present a substitute for the reservation to article 10 and to request that it be printed for use to-morrow in the Senate.

Mr. FLETCHER. I hope the Senator will insist on staying in session until we can act on these reservations and get the treaty into the Senate.

Mr. POMERENE and Mr. ASHURST addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Nebraska, who has the floor, yield to the Senator from Ohio?

Mr. HITCHCOCK. I yield.

Mr. POMERENE. Some of the Senators have had engagements of some standing for to-night, and I think it is hardly fair to insist at this late hour upon our remaining here to-night to dispose of these reservations. I think something is due to other Senators in this matter.

Mr. ASHURST. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Arizona?

Mr. HITCHCOCK. I do.

Mr. ASHURST. I appreciate what my friend the Senator from Ohio says, but I will now do the unparliamentary thing of propounding a question to each of my beloved brother Senators: Is there a Senator here who believes a vote will be changed should we talk for a week? I pause for an answer. If any Senator believes a vote will be changed, I will not urge that we proceed; but, Mr. President, while I do not speak for myself, I do speak for some other Senators who have engagements to-night, and have engagements to-morrow night, other Senators who are obliged to be in their States on Saturday, when I say that since it is obvious to us all, as practical men, that not a vote will be changed, why spin and spin and weave nothing? Why go through the tedious performance—and to me the speeches are not tedious; I enjoy them, and they are interesting—why go through the performance of everlastingly talking, talking, talking, when, Senators, we know that not a single vote will be changed. Now, why talk so much?

So, on behalf of other Senators who I know have remained in this Chamber this week and have canceled important engagements in their States, I do say we ought to get this resolution ready by 6 o'clock to-night, so that we can vote to-morrow finally.

Mr. LODGE. The first thing to do, then, is to vote on the pending reservation.

Mr. ASHURST. Well, let us vote.

Mr. SMITH of Georgia. I desire to send to the desk and to have read, so that it may be printed for use to-morrow, a reservation that will be offered by the Senator from North Carolina [Mr. SIMMONS] as a substitute for the reservation to article 10.

Mr. LODGE. It is not necessary to have it read, is it?

Mr. SMITH of Georgia. No. I ask to have it printed.

The PRESIDENT pro tempore. It is so ordered.

Mr. LENROOT obtained the floor.

Mr. REED. Mr. President, will the Senator yield for a moment? I should like to ask the Senator from Massachusetts a question.

Mr. LENROOT. I yield.

Mr. REED. I desire to ask the Senator from Massachusetts whether it is not possible to come to a unanimous-consent agreement to limit debate upon the reservations, and to dispose of them to-night by limiting debate?

Mr. LODGE. Mr. President, the only objection I have to a night session is that I do not wish to be unfair to other Senators who have had no notice of it. If we are going to hold a night session, as I propose to do to-morrow night, I think they ought to have notice. I am willing to make any agreement that can be made to vote within any short time. I am not going to put it off if I can help it.

Mr. REED. Let me ask the Senator if he would be willing at this time to ask unanimous consent to waive the rule with reference to the intervening day between the final vote upon reservations and the vote upon the resolution of ratification?

Mr. LODGE. I would be perfectly willing to ask unanimous consent to introduce the resolution now.

Mr. OWEN. That is a good idea.

Mr. LENROOT. It can not be done until the reservations are adopted.

Mr. LODGE. It can not be done, of course, until we get into the Senate. We can not offer it until that time; but, of course, I will ask unanimous consent to waive the rule that requires it to go over to a subsequent day. That is constantly done in considering treaties. Everybody knows what it is. It has been lying on our desks here for a fortnight.

Mr. REED. Could not that be asked now?

Mr. LODGE. I will ask that now—that when the treaty reaches the Senate, and the resolution of ratification is presented, the rule which requires that resolution to go over to the subsequent day may be waived.

Mr. LENROOT. Mr. President, I think it will be time enough to decide that when we come to it, and I object.

Mr. EDGE. Mr. President, may I make a suggestion to the Senator from Massachusetts?

The PRESIDENT pro tempore. The Senator from Wisconsin has the floor.

Mr. LENROOT. I yield.

Mr. LODGE. I thought I had it. I do not know when it was taken away from me, but I will sit down.

Mr. EDGE. The Senator from Wisconsin has yielded. I was going to suggest, however, that we should not lose the opportunity that seems to be here presented. The Senator from Missouri [Mr. REED] has suggested that speeches be shortened, as I remember his remarks, to 15 minutes. If there is a disposition at least to secure that unanimous consent at this time, I think we would be making wonderful headway.

Mr. LODGE. I make that request.

Mr. SMITH of Georgia. I understand that that applies to all reservations——

Mr. EDGE. Just to reservations.

Mr. SMITH of Georgia. But not to debate after the reservations are perfected.

Mr. LODGE. No.

The PRESIDENT pro tempore. Will the Senator from Massachusetts state his request?

Mr. LODGE. My request is that no Senator shall speak more than 15 minutes on any reservation now pending or hereafter to be offered.

The PRESIDENT pro tempore. Is there objection?

Mr. BORAH. Mr. President, the Senator from Pennsylvania [Mr. KNOX] has a very important reservation. I do not know whether he would want to be limited to 15 minutes on that or not.

Mr. LODGE. I do not, either.

Mr. HITCHCOCK. Mr. President, the Senator from Pennsylvania very rarely speaks over 15 minutes.

Mr. BORAH. It is a very important matter, and I should like to telephone to him, at least.

Mr. LODGE. I think that could be excepted. He is the only Senator of whom I know who has another reservation.

Mr. BORAH. If the Senator will wait a minute, I will go in and telephone to him.

Mr. REED. Mr. President, I have two reservations that I want to offer. I do not care to debate them at length, but I want to present them.

Mr. LODGE. I will renew the request as soon as the Senator from Idaho has heard from the Senator from Pennsylvania.

Mr. LENROOT. Mr. President, as to the pending reservation, the Senator from Idaho [Mr. BORAH] offered an amendment, and as he read it I said that I was willing to accept it. My attention has since been called to the fact that at least under a possible construction it would cut out all of the obligations that are assumed under the treaty with these reservations, and I therefore wish to withdraw my acceptance of the amendment proposed by the Senator from Idaho, and ask that we have a vote on the amendment.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Idaho to the reservation proposed by the Senator from Wisconsin.

Mr. REED. Mr. President, that ought not be done in the absence from the Chamber of the Senator from Idaho.

Mr. LENROOT. I have consulted the Senator from Idaho, and he knows this course is to be taken.

Mr. BORAH entered the Chamber.

Mr. LENROOT. Here he is. I will state to the Senator from Idaho that I have withdrawn my acceptance.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Idaho to the reservation proposed by the Senator from Wisconsin.

Mr. BORAH. Mr. President, as I do not intend to vote for the original, even with my amendment on it, I do not feel in good faith that I can urge it. So I withdraw the amendment.

The PRESIDENT pro tempore. The amendment is withdrawn, and the question is upon the reservation proposed by the Senator from Wisconsin [Mr. LENROOT].

Mr. REED and Mr. LODGE called for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. HENDERSON (when his name was called). Making the same announcement as before relative to my pair, I withhold my vote. If permitted to vote, I would vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. GAY], and that Senator being absent, I withhold my vote.

Mr. OVERMAN (when his name was called). In the absence of my general pair, the Senator from Wyoming [Mr. WARREN], who is absent on official business, I withhold my vote.

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). I desire to announce the absence of my colleague the Senator from Arizona [Mr. SMITH] on business of the Senate.

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. SMITH of South Carolina (when his name was called). Again announcing my pair with the Senator from Minnesota [Mr. NELSON], I withhold my vote.

Mr. THOMAS (when his name was called). Owing to the absence of my pair, I withhold my vote. If I were at liberty to vote, I would vote "nay."

Mr. GERRY (when Mr. UNDERWOOD'S name was called). I announce the unavoidable absence of the Senator from Alabama [Mr. UNDERWOOD] on official business of the Senate. He has a general pair with the Senator from Ohio [Mr. HARDING].

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness, to the Senator from Louisiana [Mr. RANSDELL] and vote "nay."

The roll call was concluded.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. I notice that he is absent from the Chamber, and I withhold my vote. If I had the privilege of voting, I would vote "nay."

Mr. THOMAS. I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. KELLOGG (after having voted in the affirmative). I transfer my pair with the senior Senator from North Carolina [Mr. SIMMONS] to the junior Senator from Vermont [Mr. PAGE] and let my vote stand.

Mr. WALSH of Massachusetts. I wish to announce that the Senator from Oklahoma [Mr. GORE] is detained from the Senate on official business. If present, he would vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Minnesota [Mr. NELSON] with the Senator from South Carolina [Mr. SMITH]; and

The Senator from Washington [Mr. POINDEXTER] with the Senator from Arkansas [Mr. ROBINSON].

The result was announced—yeas 25, nays 39, as follows:

YEAS—25.

Calder	Fletcher	McNary	Sutherland
Capper	Hale	New	Townsend
Colt	Jones, Wash.	Phipps	Wadsworth
Cummins	Kellogg	Smith, Ga.	Watson
Curtis	Keyes	Smoot	
Edge	Lenroot	Spencer	
Elkins	Lodge	Sterling	

NAYS—39.

Ashurst	Harris	McKellar	Smith, Md.
Beckham	Harrison	Norris	Stanley
Borah	Hitchcock	Nugent	Swanson
Brandegee	Johnson, S. Dak.	Owen	Thomas
Comer	Jones, N. Mex.	Phelan	Trammell
Dial	Kendrick	Pittman	Walsh, Mass.
Fernald	Kenyon	Pomerene	Walsh, Mont.
France	King	Reed	Williams
Gerry	Kirby	Sheppard	Wolcott
Gronna	La Follette	Shields	

NOT VOTING—32.

Ball	Gore	Moses	Ransdell
Chamberlain	Harding	Myers	Robinson
Culberson	Henderson	Nelson	Sherman
Dillingham	Johnson, Calif.	Newberry	Simmons
Fall	Knox	Overman	Smith, Ariz.
Frelinghuysen	McCormick	Page	Smith, S. C.
Gay	McCumber	Penrose	Underwood
Glass	McLean	Poindexter	Warren

So Mr. LENROOT's reservation was rejected.

Mr. LODGE. Mr. President, I renew my request for unanimous consent that no Senator shall speak more than 15 minutes or more than once on any reservation or any amendment to a reservation now pending or hereafter to be offered.

The PRESIDENT pro tempore. The Secretary will state the proposed unanimous-consent agreement.

The ASSISTANT SECRETARY. The Senator from Massachusetts asks unanimous consent that no Senator shall speak more than once nor for a longer time that 15 minutes on any reservation or any amendment that may be pending or that may be hereafter offered.

The PRESIDENT pro tempore. Is there objection?

Mr. REED. I wish the Senator would strike out "more than once," so that a Senator could divide his 15 minutes if he wanted to do so.

Mr. LODGE. I mean 15 minutes on each reservation or on any amendment.

Mr. REED. But the Senator says "more than once." Suppose a Senator offers a reservation and some one says something to which he wants to reply within his 15 minutes.

Mr. LODGE. Of course, he has his whole 15 minutes.

Mr. REED. The Senator proposes to say "more than once."

Mr. LODGE. He can divide it himself.

Mr. REED. But the proposition does not permit that, if I heard it aright.

Mr. LODGE. I think it does. It certainly was intended to do so. It is 15 minutes on each reservation that any Senator is to have, or on each amendment, and he can divide it as he pleases.

Mr. REED. I suggest to the Senator to strike out "more than once," and say "not more than 15 minutes in all."

Mr. LODGE. I will leave it for the Assistant Secretary to word, because he can word it better than anybody else.

The PRESIDENT pro tempore. The Secretary will again state the proposed agreement.

The ASSISTANT SECRETARY. The Senator from Massachusetts asks unanimous consent that no Senator shall speak more than once nor longer than 15 minutes on any reservation or any amendment now pending or hereafter offered.

Mr. LODGE. Fifteen minutes in all.

Mr. BRANDEGEE. I suggest that I think we can accomplish the object we have in view if we would strike out the words "more than once," and simply say "no Senator shall speak more than 15 minutes in all on each reservation or on any amendment thereto."

Mr. REED. That is the suggestion I made.

Mr. LODGE. That covers it, and is the best way to word it.

The PRESIDENT pro tempore. The Secretary will state the proposed agreement as modified.

The Assistant Secretary read as follows:

It is agreed by unanimous consent that no Senator shall speak more than 15 minutes in all on any reservation, or on any amendment now pending or that may hereafter be offered.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the agreement is entered into.

RECESS.

Mr. LODGE. I wish to give notice that to-morrow, if the Senate will sustain me, I shall ask the Senate to remain in continuous session into the evening, if necessary. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate, in open executive session, took a recess until to-morrow, Thursday, March 18, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 17, 1920.*

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore (Mr. WALSH).

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Infinite Spirit, Father in Heaven, that the good that men do lives after them and the spirit which moves them to deeds of kindness, self-sacrifice, and glory enters into the hearts of their admirers. Thus good is handed down from generation to generation. And we look forward to the time when good shall banish evil and Thy kingdom indeed come on earth. Hence we join in the encomiums and songs of praises which shall fall from thousands of lips to-day in memory of Ireland's patron saint. Long may his memory live, and long may he inspire men to live Christ-like, God-like lives, and thus may his life be a blessing to millions yet to come. In the name and spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting two short editorials printed in the American Federationist, the official organ of the American Federation of Labor. These editorials are very vigorous attacks upon bolshevism and communism, and they warn the American workingmen of the evil effects of bolshevism and communism in Russia.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by inserting two editorials from the American Federationist on the subject of bolshevism. Is there objection?

Mr. CLARK of Missouri. Reserving the right to object, I would like to inquire of the gentleman how long they are?

Mr. COOPER. I should say they would cover about two pages of the RECORD.

Mr. CLARK of Missouri. The reason why I ask is that the other day a Member got leave to print a letter of some one in the RECORD, and he inserted a stump speech of three pages of the RECORD under the guise of inserting a letter. But I shall not object to this.

The SPEAKER pro tempore. Is there objection?

There was no objection.

INCOME TAXES ON STOCK DIVIDENDS.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a letter of the Secretary of the Treasury showing the amount of loss in revenue caused by the Supreme Court's recent decision on taxes upon stock dividends, and so forth.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury relating to the stock-dividend decision of the Supreme Court. Is there objection?

Mr. CLARK of Missouri. Reserving the right to object, I would like to inquire of the gentleman from Michigan if as yet his committee has taken any steps to recoup on that loss?

Mr. FORDNEY. There has been a bill introduced by the gentleman from Iowa [Mr. GREEN], and it is now before the committee, but the committee has not yet taken action, waiting for some reliable information as to the loss of revenue because of this court decision. It is not yet given in full, but this letter explains it rather clearly.

Mr. CLARK of Missouri. Is the committee inclined to try to fill up the hole that the Supreme Court made in the income-tax law?

Mr. FORDNEY. I think so.

Mr. GARNER. Let me say to the gentleman from Missouri that the committee has already discussed the matter, and to-morrow morning, if I understand it correctly, we shall have a hearing of the Treasury expert, the actuary expert, and the legal adviser as to what we might be able to do under the situation, and then we would consider the question of the advisability of it. I think that is correct.

Mr. LAZARO. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes,

Mr. LAZARO. Has the committee taken into consideration the probable increase from the income tax that we are now collecting? As I understand, there will be a big increase from what we have expected.

Mr. FORDNEY. Reliable estimates have not yet been given to us. This letter explains in great detail the amount of loss that is involved in this decision of the court.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Following is the letter referred to:

MARCH, 1920.

Hon. JOSEPH W. FORDNEY,
Chairman Committee on Ways and Means,
House of Representatives.

MY DEAR MR. FORDNEY: I am very glad to respond to your threefold request, communicated through Dr. Adams, for estimates of the loss in revenue which may be expected to result from the recent decision of the Supreme Court in the stock-dividend case, for recommendations concerning a new method of dealing with personal service corporations, and for definite suggestions looking to the fundamental simplification of the income and profits taxes, brief enough to receive but thoroughgoing enough to deserve careful consideration at a session of the Congress crowded with other questions of grave importance. To facilitate their presentation I may discuss these subjects in the inverse order in which they have been mentioned above.

SIMPLIFICATION OF THE INCOME AND PROFITS TAXES.

In dealing with this subject I may go at once to what is, in many respects, its most vital aspect—the question of early action. Public opinion has not yet awakened to the gravity of the consequences which are likely to follow a failure to simplify the tax law at this legislative session. Unless the necessary amendments be passed now they will be delayed in all probability, I understand, until the autumn or winter of the year 1921, with the result, unless they are to disrupt the administrative procedure and confuse the necessary calculations of the taxpayer by being made retroactive, that income and profits taxes must continue to be collected on the basis of the present law until the close of the calendar year 1922, and in the case of some taxpayers on the so-called fiscal-year basis, until the early months of the calendar year 1923. I can not contemplate such delay without the gravest apprehension. An imperfect and uncertain tax affects the future even more adversely than the present, and for similar reasons it is costly and unwise to make a beneficent modification of the tax law retroactive or even to delay its adoption and announcement until the time at which it is to take effect. It would be manifestly unsafe, in my opinion, to reduce now the income and profits taxes to be collected in the calendar years 1920 and 1921, but I can see nothing in the financial prospects for the calendar year 1922 and thereafter which would make impossible or unwise the very modest reduction involved in the plan of simplification hereinafter presented; and it should never be forgotten that the tax system itself is one of the most powerful causal factors affecting public expenditures. A tax system yielding, or likely to yield in the future, a surplus of revenue over expenditures is an open invitation to public extravagance, whereas an announced resolution to reduce taxes as the occasion which called them forth recedes into the past is one of the most potent means of insuring economy in public expenditures. The people, therefore, consumers as well as producers, indirect as well as direct taxpayers, may fairly ask to be told now the earliest future date at which the most obsolete features of the tax law are to be repealed.

Complexity in tax laws violates the most fundamental canon of taxation—that the liability shall be certain and definite. It is not merely a source of irritation, labor, and expense to the taxpayer, but when conjoined, as it is in the present law, with the heavy rates of taxation which war exigency has forced upon us it becomes a major menace, threatening enterprise with heavy but indefinable future obligations, generating a cloud of old claims and potential back taxes which fill the taxpayer with dread, creating, to be sure, an attractive source of additional revenue, but clogging the administrative machinery and threatening, indeed, its possible breakdown.

1. Final determination and settlement of tax claims and assessments: I recommend, therefore, as the most urgent and important of the measures of simplification which could advantageously be put into effect at once, an amendment authorizing the Commissioner of Internal Revenue, with the consent of the taxpayer and the approval of the Secretary of the Treasury (or under such other public safeguards as the Congress may prefer), to make a final determination and settlement of any tax claim or assessment, which shall not thereafter be reopened by the Government or modified or set aside by any officer, employee, or court of the United States, except upon a showing of fraud, malfeasance, or misrepresentation of fact materially affecting the determination thus made.

This recommendation is of major importance. At present the taxpayer never knows when he is through. Every time an old ruling is changed by court decision, opinion of the Attorney General, or reconsideration by the department, the department feels bound to apply the new ruling to past transactions. The necessity of constantly correcting old returns and settlements is as distressing to the department as it is obnoxious to the taxpayer. But an even more serious situation arises in connection with the assessment of back taxes. The tax return of a large corporation is likely to be crowded with debatable points which the corporation, in the first instance, usually decides in its own favor. The auditing of these returns has been necessarily delayed by the inability of the Bureau of Internal Revenue to engage and hold a sufficient force of experts to audit promptly the more complex and difficult returns; but when the audit comes to be made it ordinarily brings to light a large amount of back taxes. A prompt determination and collection of such back taxes due would probably bring in additional revenue exceeding $1,000,000,000. On the other hand, this situation must fill the taxpayers concerned with the gravest apprehension. If present taxes be continued and a period of industrial depression ensues during which the department finds the time and the men with which to clear up both current and back taxes within the same year, the result may be highly disastrous to business.

The commissioner should be empowered and directed to dispose of these cases promptly and finally. This procedure would bring in much additional revenue, relieve business from grave uncertainty, keep out of the courts many debatable cases, and help to avert an administrative deadlock.

2. Interpretative regulations or Treasury decisions not to be retroactive: As a desirable concomitant of the preceding suggestion and for reasons stated in explaining that suggestion, I recommend the adoption of an amendment providing in substance that in case a regulation or Treasury decision made by the commissioner or the Secretary, or by the commissioner with the approval of the Secretary, is reversed by the subsequent issue of a similar regulation or decision, and such reversal is not immediately caused by or based upon an opinion of the Attorney General or a decision of a court of competent jurisdiction, such new regulation or decision may be made effective from the date of approval.

3. Five-year limitation on time for bringing suit for collection of taxes: Section 250 of the revenue act of 1918 now provides, in subdivision (d), that no suit or proceeding for the collection of any tax shall be begun after the expiration of five years after the date when the return was due or was made, except in the case of false or fraudulent returns with intent to evade the tax. This subdivision has been held to apply only to taxes due under the revenue act of 1918. I recommend that this time limit be extended to all income and profits taxes due either under present or prior acts of Congress.

4. Simplification of Liberty-bond exemption: The exemptions from income surtaxes authorized by the several Liberty-bond acts are highly complex and responsible for perhaps the most intricate schedule of the return which the individual taxpayer is required to fill out. My predecessor in office has recommended a consolidation of these exemptions which while not breaking faith with the holders of Liberty bonds would simplify their tax returns, and operate to strengthen the market standing of such bonds without in any appreciable amount reducing the public revenue. I heartily indorse this recommendation, the detailed provisions of which may be found on pages 99 and 100 of the Annual Report of the Secretary of the Treasury for 1919.

5. Compensation for personal service and gains from sales or dealings in property: The heavy surtaxes cause real hardships when income earned over a period of years is realized or received in one year and taxed as a lump sum in that year. I recommend, therefore, that such extraordinary income, when it constitutes a material part of the gross income for that year, be deemed to have accrued or been received ratably during the years in which the service was rendered or the property held, and the amount of the extraordinary income so assigned to any year be subjected to the surtax rates prescribed by law for that year.

6. Excess-profits tax: Provision for the simplification and fundamental modification or repeal of the excess-profits tax at the earliest possible future date should, in my opinion, be made now. In explaining this conclusion it is unnecessary to enter into a discussion of controversial details. Two facts impress me as indisputable and conclusive: First, the application or calculation of the excess-profits tax is so complex that it has proved impossible to keep up to date the administrative work of audit and assessment. New returns are being made faster than old returns can be audited, resulting in an accumulation of claims and potential back taxes, the dangers of which have already been described. Second, the profits tax is confined to a small fraction (in number) of the business concerns of the country. Personal-service corporations, partnerships, sole proprietors, and most forms of trust organizations are exempt from the tax. If the principle be sound, it should be extended to all forms of business organization, a proposal which administrative considerations alone stamp as impracticable either in the present or any future period near enough to be worth consideration.

The general course or principle which simplification of this part of the tax law should follow is, I believe, reasonably clear. The outstanding feature of the present system of income taxation in its most important application to business income is the fact that we employ for this purpose two systems of taxation which are incommensurate and irreconcilable. Corporations pay the profits tax and normal income tax while their stockholders pay surtaxes on dividends or distributed profits, but nothing in respect of the undistributed corporate profits. On the other hand, sole proprietors and the members of partnerships pay full income tax, normal tax, and surtaxes upon the entire profits of their business whether distributed or not, but are exempt from the profits tax. The profits tax on corporations is evidently meant to be a rough equivalent for the surtaxes levied upon the reinvested or undistributed profits of other forms of business. But no true equivalence is reached. In 1918 the members of a well-known partnership paid nearly $1,125,000 more taxes than they would have paid had their business been organized as a corporation. And the contrary is quite as frequently true.

There should be one system and not two systems of income taxation applicable to persons engaged in business. Substantial uniformity of treatment, or at least a nearer approach to uniformity of treatment, could be achieved in a variety of ways, the details of which it is not necessary to discuss here. I outline below one such plan which has many attractive features, the detailed provisions of which I shall be glad to supply upon request. The technical details while important are elastic and susceptible of modification. The essential thing is to simplify the excess-profits tax and grasp a uniquely opportune moment to remedy a deeply rooted defect in our system of income taxation by providing for the just taxation of the undistributed profits of corporations at a time when such taxation represents simplification and relief, not further complexity and heavier burdens. Equalization of the tax upon corporate and unincorporated business can be accomplished now with benefit to the corporations, the Government, and the general public. We should grasp an opportunity which may never return. The principal features of the plan referred to above are as follows:

(a) This plan is designed, first, to eliminate from the war-profits and excess-profits tax law (except as it is applied to profits derived from the so-called "war contracts"), all reference to or use of "invested capital"; and, second, to place the taxation of incorporated and unincorporated business concerns, so far as may be, on substantially the same basis.

(b) The first object is accomplished by substituting for the present graduated rates of 20 and 40 per cent a flat tax on profits in excess of the distributed earnings. A rate of 20 per cent has been used as the

basis of certain estimates quoted below, but the adoption of the proper rate is, of course, a matter which the committee will desire to settle for itself. It would be possible to adopt a declining rate, say, of 25 per cent, for the first year in which the suggested amendment is in operation, 20 per cent for the second year, and 15 per cent thereafter. It is only necessary that the rate should be fixed at one figure for a particular year.

(c) The second object could be accomplished (although the plan would be well worth while without this feature) by making it explicit in the law that corporations have the right to pay dividends in bonds or promises to pay bearing a fair rate of interest which are taxable to the stockholders as ordinary dividends, or by authorizing corporations to receive back from their stockholders as "paid-in surplus," cash, or other dividends recently distributed. Under these or analogous procedures a corporation could retain its profits for use in the business and yet convert the profits tax into a genuine income tax. The excess-profits tax would thus become a flat tax on undistributed earnings; "invested capital" would practically disappear; and the corporation if it desired could place itself on substantially the same basis as the partnership, the personal-service corporation, and the sole proprietor. The principal object of this suggested amendment is to simplify the tax by removing the greatest source of inequality and complexity now found in the tax laws, i. e., the use of "invested capital."

(d) Revenue needs make it impracticable, in my opinion, to apply the preceding amendment to profits for the calendar year 1920, the taxes upon which will be payable in the calendar year 1921. But it should be put into effect as soon thereafter as the diminishing expenditures of the Government will permit. It is estimated that with a 20 per cent rate and on the basis of present corporate net income the suggested amendment would reduce the tax revenue by approximately $430,000,000 a year. If, for instance, the amendment were adopted and made to apply to income received on and after January 1, 1921, the first reduction in the tax collections would occur in the last half of the fiscal year 1922, and would amount to $215,000,000 for that fiscal year.

(e) However, present corporate conditions can hardly be maintained, and if corporate income declines and invested capital increases as rapidly as they have done in the past 12 months the proposed amendment would probably cause no reduction in the future revenue. New schemes are constantly being devised for the purpose of increasing invested capital. It is time to provide for a modification of the excess-profits tax, not only to relieve the taxpayer but because of an approaching decline in its productivity.

8. Reduction of surtaxes on income saved and reinvested: In connection with the suggested tax on the undistributed profits of corporations attention may appropriately be directed to a possible extension of its application which would go far to rectify one of the most dangerous defects of the present income tax. Because of possible doubt about the effects of such a change upon the revenue and because the details of the proposal as they now present themselves to my mind could not accurately be said to simplify the mere computation of the tax I do not urge its adoption at this session of the Congress, but I have no hesitation in expressing my personal opinion that this or some similar amendment embodying the same idea could advantageously be adopted, to take effect at the earliest future date at which, in the opinion of the Congress, revenue needs and prospects permit.

While it is vitally important that saving and reinvestment effected through the medium of the corporation should not be dealt with more leniently than similar savings made by the partnership or individual, it is equally important that the methods of taxation employed should in all cases penalize saving and investment as little as possible. Our present surtaxes offend greatly in this respect. We attempt to levy surtaxes, rising to 65 per cent upon ordinary income, while there are thousands of millions of tax-free securities in the market the income from which is practically exempt from all taxation. The result is to make investment by wealthier taxpayers in the expansion of industry or foreign trade unattractive and unprofitable. It is obvious that this situation should be remedied.

The remedy which most commends itself to my judgment at the present time is to reduce (e. g., by one-fourth) surtaxes attributable to that part of the net income which is saved and reinvested in business or property yielding taxable income and at the same time to limit the total amount of such reduced surtaxes to the same percentage (e. g., 20 per cent) of the reinvested income as the rate imposed upon the undistributed profits of corporations. The maximum tax upon such saved income would thus be approximately the same, whether reinvested by the individual, the partnership, or the corporation, and whether reinvested personally by the stockholders of a corporation or by such corporation for its stockholders. If at any later date the profits of a corporation which had paid the undistributed profits tax came to be distributed, a credit equal to the tax already paid by the corporation could, if it were thought wise, be easily granted to the stockholders.

The revenue lost by such an amendment could, if necessary, be made up by increasing the normal tax or that portion of the surtaxes attributable to income spent for purposes of consumption. But the time is fast approaching when the adoption of such an amendment would cause little real reduction of the revenue. We can not long continue to collect surtaxes rising to 65 per cent upon income from ordinary business and investment while exempt interest at a remunerative rate can easily be secured from tax-free bonds. We must take something less than 65 per cent or in the end take nothing. On the other hand, no reduction is urged in respect of income spent for unnecessary or ostentatious consumption. Income saved and reinvested in property or business yielding a taxable income should be taxed at a lower rate; income spent for consumption or invested in tax-exempt securities should pay at established rates both the normal tax and surtaxes. To the extent that it falls on savings the income tax should be reduced; to the extent that it is a tax on waste it should be maintained or even increased.

PERSONAL-SERVICE CORPORATIONS.

Under the revenue act of 1918 personal-service corporations are treated substantially as partnerships, i. e., the corporation as such is exempt from income, profits, and capital stock taxes, but stockholders are subject to both normal income tax and surtaxes upon their full distributive shares in the net income of the corporation whether such income is actually distributed or not. The validity of this procedure is involved in the gravest doubt by the doctrine enunciated in the stock-dividend case, which apparently leads to the conclusion that a stockholder of a corporation, particularly a minority stockholder, can not be taxed (without apportionment according to population) upon a share of the corporation's income which he has not actually received. It is possible, notwithstanding the above reasoning, that the present statutory method of dealing with personal-service corporations might be sustained on the ground that it represents in general, in its effects upon personal-service corporations and their stockholders as a class, a relief provision imposed in lieu of the excess-profits tax which is unsuited to personal-service corporations, and if applied to them generally would in many cases work intolerable hardships. But this interesting question need not be discussed here. There is a grave possibility, if not probability, that the stock-dividend decision practically exempts from all income and profits taxation a group of approximately 2,500 corporations and their stockholders, who would pay under existing law—and should in fairness pay at least—from five to six million dollars. This possibility, with its consequent uncertainties, should plainly be removed by the passage of amendatory legislation.

Fortunately it is possible to place personal-service corporations and their stockholders in nearly the same position that they now occupy—in a manner wholly consistent with the spirit and letter of the ruling of the Supreme Court—by applying to such corporations on and after January 1, 1918, the tax on undistributed profits recommended above for all corporations on and after January 1, 1921. This tax would, of course, be in lieu of the war-profits and excess-profits tax, which, because of its dependence upon "invested capital," can not intelligently be applied to personal-service corporations in which, by definition, "capital (whether invested or borrowed) is not a material income-producing factor." It is plain also that the law should be so amended as to tax dividends received by the stockholders of personal-service corporations in the same manner as other dividends are taxed.

It would be desirable, moreover, in my opinion, to permit personal-service corporations at their option to distribute during the year 1920 cash or other taxable dividends to the full extent of their profits earned during 1918 and 1919, but not yet distributed; and such retroactive distributions should be made taxable by the stockholders at the surtax rates applicable to the years in which the profits were accumulated by the corporation. By so doing personal-service corporations could, if they desired, place themselves and their stockholders in nearly the same position that they now occupy, i. e., they would pay no profits tax at all, while the entire corporate income (having been distributed) would be taxable in the hands of the stockholders. Indeed, so closely would the proposed plan resemble in effect the method of taxing personal-service corporations prescribed in the revenue act of 1918 that it would be eminently proper—and probably a source of great convenience to the taxpayers concerned—to authorize personal-servcie corporations with the written consent of their stockholders to select voluntarily to pay taxes for the years 1918 and 1919 on the basis prescribed in the revenue act of 1918.

ESTIMATES OF PROBABLE LOSS IN REVENUE RESULTING FROM THE DECISION IN EISNER AGAINST MACOMBER.

The loss resulting from this decision falls into two principal classes, that chargeable to the possible exemption of public-service corporations and their stockholders, and that chargeable to the complete exemption of the stock dividends.

There are about 2,500 personal-service corporations having net income of approximately $30,000,000 involved, the taxes upon which, under existing law, do not exceed $6,000,000 for the year 1918, and a slightly smaller amount for the year 1919. The aggregate loss for the two years, 1918 and 1919, would probably be between $10,000,000 and $12,000,000. The need for legislation in this connection arises not so much from the possible loss of revenue as from the obvious undesirability of permitting 2,500 corporations and their stockholders to escape both the taxes upon corporations and those imposed upon individuals.

The loss resulting from the exemption of stock dividends is very difficult to estimate, owing to the fact that such dividends have not in the past been separately shown on the returns, while the losses from the exemption of stock dividends as such will be partially or wholly offset by the heavier taxes resulting from the decision upon any gains realized from subsequent sale of stock and by other offsetting factors which need not be mentioned in detail. After consideration of these factors the actuary of the Treasury Department estimates that the net loss or refund of taxes already paid—i. e., taxes for the period ending with the year 1918—will be in the neighborhood of $35,000,000, and that taxes for the year 1919 (payable in the calendar year of 1920) will be reduced by approximately $70,000,000 on this account. These figures may be regarded as maxima, and most of the experts of the department are of the opinion that the entire net loss resulting from the exemption of stock dividends will amount to less than $25,000,000.

The suggestions made above do not comprehend all the changes in the present law, which, in my opinion, could be advantageously adopted at the present session of Congress. I have confined my suggestions to an irreducible minimum of measures looking largely to the simplification of the income and profits taxes, for the consideration of which there still remains time and action upon which at this session of Congress may reasonably be asked by the taxpaying public. I shall be glad, upon request, to submit drafts of amendments embodying the suggestions here presented and to place at your disposal for the work of tax revision all of the personnel and facilities of the Treasury Department.

Respectfully, DAVID F. HOUSTON, *Secretary.*

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed joint resolution and bills of the following titles:

On March 12, 1920:

H. J. Res. 305. Joint resolution to amend a certain paragraph of the act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1921," approved February 14, 1920; and

H. R. 11756. An act to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass.

On March 17, 1920:

H. R. 12164. An act to authorize the construction of a bridge and approaches thereto across the Columbia River, between the towns of Pasco and Kennewick, in the State of Washington; and

H. R. 12213. An act authorizing F. R. Beals to construct, maintain, and operate a bridge across the Nestucca River, in Tillamook County, Oreg.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 9023. An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 299. Joint resolution extending the term of the National Screw Thread Commission for a period of two years from March 21, 1920.

The message also announced that the Senate had passed with amendment the bill (H. R. 11309) to authorize the Secretary of the Treasury to fix compensation of certain laborers in the Customs Service, in which the concurrence of the House of Representatives was requested.

The message also announced that the President pro tempore had appointed Mr. WALSH of Montana and Mr. FRANCE members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

RESIDENT COMMISSIONER, LINCOLN MEMORIAL.

Mr. CANNON. Mr. Speaker, I ask unanimous consent for the present consideration of the following joint resolution.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent for the present consideration of the following joint resolution, which the Clerk will report.

The Clerk read as follows:

House joint resolution 316.

Resolved, etc., That in the exercise of its control and direction for the construction of the Lincoln Memorial, authorized by act of Congress approved February 9, 1911, the commission created by said act shall designate to perform the duty of special resident commissioner to represent the commission in the oversight of the work the Hon. John Temple Graves, recently appointed a member of the Lincoln Memorial Commission as the successor of the Hon. Joseph C. S. Blackburn, deceased, and for the special service of the member so designated he shall be entitled to receive compensation at the rate of $5,000 per annum out of the appropriations for the construction of such memorial.

The SPEAKER pro tempore. Is there objection?

Mr. LONGWORTH. Reserving the right to object, Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LONGWORTH. Is it in order for the House on Calendar Wednesday to consider such matters to-day?

The SPEAKER pro tempore. In the view of the Chair, that this is presented under a request for unanimous consent on Calendar Wednesday before the call of the calendar is proceeded with, it would be in order.

Mr. LONGWORTH. I have no objection to the resolution, but I simply wanted to know the situation.

Mr. MANN of Illinois. Reserving the right to object, Mr. Speaker, will my colleague inform the House under what authority Mr. Graves was named as a member of the commission? I may be in error about it, but I was under the impression that it took a resolution of Congress to appoint a member of the commission.

Mr. CANNON. He was appointed by the President.

Mr. MANN of Illinois. I understand that.

Mr. CANNON. And confirmed. Senator Cullom was the first resident commissioner.

Mr. MANN of Illinois. He was appointed by resolution of Congress and so was Senator Blackburn.

Mr. CANNON. This is a joint resolution now to appoint as resident commissioner Mr. Graves.

Mr. MANN of Illinois. I have no objection to that, but I wanted to inquire under what authority the President had named a member of that commission.

Mr. CLARK of Missouri. If the gentleman from Illinois [Mr. CANNON] will yield to me half a minute, I will tell the gentleman. My own impression was, until yesterday afternoon, that the President did not have anything more to do with it than the man in the moon. But I hunted up the original act, and to my utter surprise it provides that the President is authorized to fill vacancies.

Mr. MANN of Illinois. That settles that. I have another suggestion which I wish to make to the two distinguished gentlemen who are members of the commission. It was recently announced that it was expected to dedicate the Lincoln Memorial, I think, next fall, when, undoubtedly, these two members of the commission will be here themselves. I think it would be a burning shame if the Lincoln Memorial should be dedicated when Congress is not in session. The project originated with Congress, was carried through and provided for by Congress, and yet it is proposed to dedicate that memorial, before it is finished, before the grounds are arranged, when Congress will be on vacation. I think we are entitled to be here as well as the members of the commission. [Applause.] I hope we will not make any appropriation to have that dedication occur at any time when Congress is not in session.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CANNON, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

NAVAL APPROPRIATION BILL.

Mr. BUTLER rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Pennsylvania rise?

Mr. BUTLER. With the consent of the House, this being Calendar Wednesday, by direction of the Committee on Naval Affairs I report herewith the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes, which I send to the desk. If I may be permitted further, I would say that we hope to take this bill up for consideration when the Army reorganization bill is passed.

The SPEAKER pro tempore. The gentleman from Pennsylvania reports the naval appropriation bill, which the Clerk will report.

The Clerk reported the title of the bill.

The SPEAKER pro tempore. Without objection, the bill, with the accompanying report, will be referred to the Committee of the Whole House on the state of the Union and ordered printed.

There was no objection.

Mr. PADGETT. Mr. Speaker, I reserve all points of order on the bill.

CALENDAR WEDNESDAY.

The SPEAKER pro tempore. To-day is Calendar Wednesday, and the Clerk will call the committees.

DECLARING LINCOLN'S BIRTHDAY A LEGAL HOLIDAY.

The Clerk called the Committee on the Judiciary.

Mr. VOLSTEAD. Mr. Speaker, I call up the bill H. R. 12724, to declare Lincoln's birthday a legal holiday.

The SPEAKER pro tempore. The gentleman from Minnesota calls up the bill H. R. 12724, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the 12th day of February in each year, being the anniversary of the birth of Abraham Lincoln, is hereby made a legal holiday within the District of Columbia, to be known as Lincoln's birthday, and in its observance and effect it shall be subject to all the provisions of law applicable to holidays within said District.

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Speaker, of course no words can add to or detract from the glory of Abraham Lincoln. It is imperishably fixed not only in the public mind of America but of the whole world. I shall, therefore, not attempt to extoll him, but simply call attention to the fact that 26 States of the Union have made the anniversary of his birth a legal holiday, while it has received no Federal recognition. The purpose of the present bill is to give such recognition. It seems to me highly fitting that it should be so recognized, especially at this time when we are soon to dedicate the beautiful memorial in his honor which has been erected upon the banks of the Potomac. The bill in its application is confined to the District of Columbia and affects only the per diem employees of the Government stationed in Washington and also the employees of the navy yard, the Government Printing Office, and the Bureau of Printing and Engraving. A bill was introduced for this purpose by the gentleman from

New York [Mr. SIEGEL], and to him belongs all the credit for bringing this matter to the attention of Congress. That bill, however, was general in its application. It affected Federal employees everywhere, and the committee thought that it should be confined to the District of Columbia, which would give the necessary Federal recognition without extending unduly the number of holidays throughout the country.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. HUSTED. Yes.

Mr. HICKS. Can the gentleman inform the House as to the number of legal holidays now in the District of Columbia?

Mr. HUSTED. There are six legal holidays in the District of Columbia—Labor Day, Christmas Day, New Year Day, Washington's Birthday, Memorial Day, and Independence Day.

Mr. HICKS. As I understand it, Congress has no authority to declare a legal holiday outside of the District of Columbia. Is that correct?

Mr. HUSTED. Of course, it would have authority to allow Federal employees to draw pay without work in other parts of the country than the District of Columbia, and that is what the legislation which I have mentioned does with regard to the other holidays, but this is applicable solely to the District of Columbia and affects solely employees of the Government stationed within the District.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. HUSTED. Yes.

Mr. SNELL. It seems to me that it is rather peculiar to have another holiday so soon before Washington's Birthday, and unless there is some real reason for it I can not see the object of providing for another legal holiday for the 105,000 clerks in the District of Columbia.

Mr. HUSTED. The real reason is the recognition of the birthday of the great emancipator. If that does not appeal to the gentleman as a good and sufficient reason, then I do not see how he can vote for the bill. It does appeal to me as an all-sufficient reason. I think if there is one day in the calendar year which our Government should recognize as a holiday, it is the anniversary of the birth of the great emancipator, Abraham Lincoln. If the principles of his life were in force to-day in our national life, many of the problems which seem hard would be very easy of solution.

Mr. LAYTON. Mr. Speaker, will the gentleman yield?

Mr. HUSTED. Yes.

Mr. LAYTON. Why not make it a national holiday for the whole country?

Mr. HUSTED. It is not deemed wise to do that. Twenty-six States have already made it a national holiday. The main idea is to give it Federal recognition, and this bill accomplishes that without placing any undue burden.

Mr. CANNON. Mr. Speaker, will the gentleman from Minnesota yield me five minutes?

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I hail from Illinois. I was acquainted with Abraham Lincoln. [Applause.] I heard, at Charleston, Ill., in 1858, one of the joint debates between Lincoln and Douglas. I met Lincoln three or four times subsequent to that. I was a delegate to the Republican State convention held at Decatur when the contest was made between Lincoln and Seward as to which should have the Illinois delegation. Lincoln had it. He was nominated subsequently at Chicago, elected, and now after Washington, if after him, I think he will dwell in history as perhaps the greatest man up to this time, in his service as President, that the Republic has produced. We are just about completing a great memorial in commemoration of Lincoln. I have had the honor, possibly because I hail from Illinois, to be a member of the commission in charge of the construction of that memorial and had much to do in securing it. It is soon to be dedicated, and when it is dedicated that commission will go out of existence.

It looks as though the recommendation of the commission would be that the dedication be held in September. I do not know that that has been permanently decided upon. The date could be changed by the action of the commission to a later day. The memorial will not be ready for dedication before September, however.

There are six annual legal holidays in the District of Columbia, so far as the Government employees are concerned. It looks as though it may be ungracious for me to say a word that might be construed, or whether it might be or not, would be against the enactment of this legislation.

Lincoln has crossed over. We can add nothing to his fame. Thomas Jefferson was a great man and a great President and author of the Declaration of Independence. There is no legal holiday for him. There is none for Hamilton, and for many other great men of the Revolution by which our liberties were acquired, save alone for Washington.

My friend from New York [Mr. HUSTED] says that there are 26 States that have made Lincoln's birthday a legal holiday. I along with others was requested that I favor a bill to make Lincoln's anniversary a legal holiday for the District of Columbia. My notion is that if Lincoln were living to-day he would not favor this legislation. It can add nothing to his memory. It is easy to make legal holidays. This is confined to the District of Columbia. Leave of absence with pay means something. By Executive order every Saturday afternoon, I believe, is a legal holiday; I think not by law, but by the action of the President. There is sick leave of 30 days to Government employees with full pay.

Mr. MADDEN. And 30 days' vacation.

Mr. CANNON. And 30 days' vacation with full pay, I believe, as to all employees of the United States. I have no war to make upon Government employees, but it seems to me that the hundred millions who toil, bearing the present burden that we have, should not be further taxed. I say again, I do not object to anything that will honor the memory of Abraham Lincoln, but I do object that the glorious record of Lincoln should give additional pay without leave to Government employees in the District who already have 30 days' annual leave with full pay and sick leave with full pay, the cost thereof, I believe, to be $600,000 from the Treasury. I was asked to advocate the making of Lincoln's birthday a national holiday. I declined. That is all I desire to say about it. [Applause.]

Mr. VOLSTEAD. I yield 10 minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. I do not care for more than five minutes.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for five minutes.

Mr. MANN of Illinois. Mr. Speaker, of course it is not within the power of Congress to declare a day a legal holiday throughout the Union. It is possible to declare that Government employees shall not work on a certain day, but it is not within the power of Congress to declare a legal holiday throughout the Union, because that affects bank transactions, which we can not legally affect. I suppose if this bill should pass, Congress would still work on Lincoln's birthday. We who have the power not to work will continue to work. Those who do not have the power not to work desire us to give them the power not to work, but still to draw their pay.

I do not know how long it will take in the history of the world or the history of the Republic to get 30 or 40 holidays declared. There will be an insistent demand from time to time, as there has been in the past, to declare this day and that day a legal holiday. This is not a new proposition. It has been proposed many times that Lincoln's birthday be declared a holiday in the District of Columbia. It has been proposed many times that Columbus Day be declared a legal holiday. There have been a good many other propositions of that sort. These holidays are not declared for the purpose of reverencing the name or the memory of the person for whom the holiday was declared.

Mr. HUSTED. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. HUSTED. I will state to the gentleman that that is my sole purpose.

Mr. MANN of Illinois. Oh, no; the gentleman did not mention that in his remarks. He mentioned that it was for the purpose of giving a number of Government employees pay without work.

Mr. HUSTED. I beg the gentleman's pardon. I did not say anything of the kind.

Mr. MANN of Illinois. I may have misunderstood the gentleman.

Mr. HUSTED. I said nothing of the kind. I simply said what the legal effect would be, but that was no part of my purpose.

Mr. MANN of Illinois. The gentleman may not have the purpose to accomplish the effect, but as for me I usually look at the effect as determining what the purpose is.

Mr. HUSTED. Will the gentleman yield?

Mr. MANN of Illinois. Certainly. I am not criticizing the gentleman.

Mr. HUSTED. No; but I want to make myself clear. It was not my purpose at all to benefit any employee in the District of Columbia, but the existing law makes holidays applicable to a certain class of employees, and so this bill simply applies the existing law in that respect.

Mr. MANN of Illinois. Very well. The effect of declaring this day a legal holiday will not in the slightest degree add reverence or respect to the name or the memory of Abraham

Lincoln. February 12 is just as much reverenced by the people of the land as February 22, which is now declared a legal holiday.

Mr. KITCHIN. Just a question, for information.

Mr. MANN of Illinois. Certainly.

Mr. KITCHIN. Will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. KITCHIN. I do not remember all of these holidays. Have we a legal holiday to commemorate the anniversary of the birth or death of Gen. Grant?

Mr. MANN of Illinois. No.

Mr. KITCHIN. Or McKinley or Garfield?

Mr. MANN of Illinois. No; nor Roosevelt nor Wilson, yet.

Mr. KITCHIN. We may have one in the future of Mr. Wilson.

Mr. DYER. And we may have one for William Jennings Bryan.

Mr. MANN of Illinois. If this is done, it will not be long before we have one commemorating the birth of the American President, Mr. Wilson. I think we have gone far enough in the way of legal holidays now, and while I have just as much affection and reverence for the name and memory of Abraham Lincoln as any gentleman in the land, I can see no occasion for the passage of a bill like this.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Speaker, it was not the intention of the Committee on the Judiciary in presenting this bill, as has been well stated by the gentleman from New York [Mr. HUSTED], to add anything to the worth or character of the great Lincoln. It has been stated by the distinguished gentleman from Illinois [Mr. CANNON] that there is nothing that the American people, through legislation, can do to enhance the memory of that great man. We of the Judiciary Committee in presenting this bill to the House and urging its enactment into law have had but one single purpose in view, and that was to fix a time for no other purpose than that the whole people of the country, they of this age and generation and generations to come, may stop in their daily pursuit of business, pleasure, and their avocations, and that the children who may come in the future years may all realize the worth and character of Lincoln and know what he did for the world and for humanity. It is a lesson to the people of this country and of the future that this legislation would benefit.

We of the present day can do much good for the masses of our fellow men if we remember the lessons that Lincoln taught, the principles that he preached and that he put into practice. If we would but follow those principles nowadays, we would have law and order and peace and happiness in all the portions of this land, which is not the fact now. We would be rid of differences, as the gentleman from New York well stated, that exist in America to-day. It is for that purpose and the lesson to the patriotic men of America to-day and the future that this legislation will benefit.

The only objection urged is that it will give an additional day off from work to some employees of the Government who happen to be located in the city of Washington.

There are some Members of Congress who take particular pleasure in criticizing the employees in the city of Washington, when as a matter of fact it is well known if they would investigate the employees in the city of Washington they would find that they are of a very high character, that the pay they receive from the Government is very small and meager in comparison to the great service they render. Why all the time criticize the men who are doing such splendid work for the Government as the thousands of employees in the District of Columbia?

Mr. EMERSON. Will the gentleman yield?

Mr. DYER. Yes.

Mr. EMERSON. Has the Judiciary Committee considered the advisability of declaring armistice day a holiday?

Mr. DYER. We only consider matters that are presented to the committee and no such bill has been presented to the committee.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Speaker, the position of Abraham Lincoln is unique in our history. In all the 150 years of the Republic but two men have arisen to such eminence as Washington and Lincoln. The birthday of Washington is in honor of the event of the birth of the Nation; it is concrete and not abstract, it is specific and not general.

As years come and go we begin to recognize its far-reaching effect upon the American people when properly observed. To my mind the question should not be so much as to what we may contribute to the fame and honor of Lincoln, but what the effect may be upon the public if the place which he has already attained in the mind and heart of the American people, yea, in the mind and heart of the world, is properly recognized by the American Congress. I can see in this effort something beyond the holiday for a few workers in the Government for a day; I can see in it that on the 12th of February, in connection with the 22d, we shall agree in directing the minds of the American people along the lines of true Americanism.

Lincoln never forgot that he lived with the common people, and to-day, as no other man, he holds the reverence and love of the American people. He loved the laboring man and the toiling masses of the country. He never deceived, consciously, the laboring people in proposing one thing and then doing another. He holds to the title by which he was known in the early days of his life as honest. He simply stands unique, head and shoulders over all others, save Washington. It seems that we should honor him as we have honored the Father of his Country. Both are so closely linked with the history of our country that they rise far above other men whom the Republic has honored. [Applause.]

Mr. FAIRFIELD had leave to revise and extend his remarks.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Speaker, 26 States in the Union, containing more than two-thirds of the population of the United States, have passed laws making Lincoln's birthday a legal holiday. For the first time since legislation along these lines has been enacted by the various States the question has been brought to the front that it is being asked for and sought solely for the purpose of relieving 100,000 employees from work for a single day in the District of Columbia. It is true that I am a born and bred New Yorker. It is true that New York City first urged this legislation. It is true that I introduced similar bills in the Sixty-fourth, Sixty-fifth, and Sixty-sixth Congresses. It is true that all the patriotic societies of New York and all real Americans, who honored and loved the one great citizen who saved the Union in its critical hour, who lived to give freedom to over 3,000,000 human beings, are appealing for this legislation. I am ready and willing to assume the responsibility for it, as I do. It is exceedingly regrettable, too, that those who come from the great State of Illinois, which Lincoln left in February, 1861, to take up his large burdens and responsibilities here in Washington as President, should be amongst those foremost in opposition to this legislation. When Lincoln left Springfield on February 11, 1861, he said:

> To-day I leave you. I go to assume a task more difficult than that which devolved upon Gen. Washington. Unless the great God who assisted him shall be with and aid me, I must fail; but if the same Omniscient Mind and Almighty Arm that directed and protected him shall guide and support me, I shall not fail—I shall succeed. Let us all pray that the God of our fathers may not forsake us now. To Him I commend you all. Permit me to ask that with equal sincerity and faith you will invoke His wisdom and guidance for me.

He never came back to Springfield, except when the people of America were mourning him after he had been assassinated here in the District of Columbia on the evening of April 14, 1865. Here he passed away in the morning of April 15, 1865, and on that very morning Garfield, speaking in New York, uttered that famous phrase:

> God reigns and the Government at Washington still lives.

How I wish and hope that our people might remember those words daily.

We have passed through a great war, and all over this country we have been preaching Americanism. And what do we imply by Americanism? A knowledge of our country's Constitution, what this Republic stands for, and a knowledge of what those men were who lived to make this Republic great. I know of no man who has rendered a greater service for America than Lincoln. On September 22 of this year we expect to dedicate a great Lincoln Memorial, erected here near the Potomac, upon the anniversary of the day when he signed his famous Emancipation Proclamation. Shall it then be said that here in the District of Columbia, where he did his great work, where he did more for the Republic than any other man has done, here where he passed away at a premature age, although ripe in experience and honor, that this birthday should not be observed, and that in 26 of the States of the Union it should be observed? Mr. Speaker, we observe other holidays in the District of Columbia. Some of them have come into existence through the attaching of riders to bills providing appropriations, yet this House passed that legislation. This House never raised a single word against the passage of such riders, and it seems to me that the time has come when Lincoln's birthday should be made a legal holiday in the District of Columbia as well. [Applause.]

Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. SIEGEL. Mr. Speaker, three years ago I referred at length to the achievements of Abraham Lincoln, and from the CONGRESSIONAL RECORD of February 12, 1917, I take the following:

"During all the four years of that terrible, irrepressible conflict he constantly hoped and prayed that the Union would be preserved, and that when the time would arrive for him to hand over the reins of government to his successor, it would be a united Nation that would greet him. The battle had been fought and the victory was his, but like Moses he was not destined to reap the harvest.

"In the short span of 56 years, having first seen the light of day on February 12, 1809, he wrote his name on the pages of history in such a way that time can not efface it. To have been merely the savior of the Union would have entitled him to the lasting, generous regard of generations yet unborn, but to have been the one who freed 3,000,000 men from the bondage of slavery was bound to win him such a measure of fame as to forever make his name secure not only in the hearts of his countrymen but in the memory of all mankind.

"Where can you find a man whose patriotism has not been strengthened and his pulse quickened whenever he has read or heard Lincoln's Gettysburg address? Longer speeches have been made, but no orator pleading for the highest interests of the Republic has ever been equal to that address, either for purity of language or for sounding a clarion note to citizens to rally to the defense of the Union.

"In a few minutes of time one is unable to give full expression to that nobleness of character that was his by nature; to that spirit of mercy displayed by him on many an occasion when some poor, unknown mother appealed to him to save her boy from death after having been condemned by court-martial; to his constant and abiding faith in Him that guides not only the destinies of men but nations as well; to that inborn wit and humor that immediately removed the seriousness on the faces of the members of his Cabinet; and to his genuine loyalty to the generals in the United States Army who achieved victories.

"Fifty years have come and passed away since Lincoln was taken from us. The Union has grown larger and stronger each year. The bitterness of civil strife has gradually melted away until now all men, whether descendants of those who fought for the gray or those who battled for the blue, have come to recognize the greatness of the man who stood by the helm of the ship of state during the four trying years of 1861 to 1865.

"Men have commenced to judge him rightly until now in more than half of the States in the Union his birthday is observed as a legal holiday. I am looking forward to the time, and I believe it will be very shortly, when Congress will take action toward observing the day in the same manner in the city of Washington. Then indeed shall we have visible evidence and give proof to the world that the men of the South and the North have at last joined hands in acknowledging Lincoln's greatness and able achievements and at the same time forever cement the ties that bind us together as a Nation, so that this 'Government of the people, by the people, and for the people shall not perish from the earth,' but shall always be a power seeking to be at peace with the world, at the same time commanding universal respect for our flag both at home and abroad.

"Men and rulers may come and go, but as long as men can read so long will Abraham Lincoln's loving memory and his noble deeds survive.

"Mr. Speaker, a year ago the Outlook published an article on Abraham Lincoln, by Mr. E. S. Nadel, so full of recollections and comparisons of Abraham Lincoln that I deem it worthy of being read here.

"I. LINCOLN AND STANTON.

"I am indebted to a friend, who was not one of Lincoln's admirers, for the following:

"'When the last call for troops was made and a conscription ordered, the proportion assigned to the city of New York was some thousands in excess of what some people believed to be our legal liability, and our committee on volunteering were certain they could prove this if they could have access to the books of the War Department. The committee—Orison Blunt, John Fox, Smith Ely, and William W. Tweed—went to Washington and asked Secretary Stanton's permission to examine the records, which was brusquely refused on the pretext that the books were in constant use. The committee then went to the White House and saw Lincoln in his private office. After asking them to be seated, he resumed his chair, in which he sat partly on his back, with his heels literally on the mantelpiece. His linen bosom was unbuttoned, exposing his red flannel shirt. He was told that we had furnished, in excess of previous calls, more than enough to exempt us from the present call, which we would prove if we could have access to the records for any two hours during the night when they were not in use. He was also assured that in no event would a conscription be needed in New York, as we were getting 50 volunteers daily, and a short postponement of the draft would enable us to supply all the demands, just or unjust. He listened with an expression of profound sadness, and said he thought the request a reasonable one, but he feared if the order for a draft was postponed volunteering would cease. He said that a similar committee from Cincinnati had applied to him for a postponement of the draft, as they were getting 20 volunteers a day. It was done, and the day following not a single volunteer appeared. "That," said Lincoln, "is human nature. When you think death is after you, you run; but as soon as death stops, you stop." At this he sprang from his chair, throwing his arms about, and laughed loudly at his own dismal joke. Lincoln gave the New York committee a note to Stanton, substantially as follows:

"'"DEAR SECRETARY: These gentlemen from New York ask only what I think is right. They wish access to the records, with two accountants, for two hours at any time to-night. I have told them that they may have double that time.

"'"Yours, A. LINCOLN."

"'They took the note to Stanton, who handed it to Frye. The latter glanced at it and saying, "Take seats," left the office. In a few minutes he returned and said curtly, "The order is annulled; you can't see the books." The committee withdrew and returned to New York the next forenoon. The clerk of the committee, Eugene Durbin, said that late in the evening an Army officer with two orderlies called at the committee's rooms and presented the chairman with a note, which read as follows: "The Secretary of War expects to be informed that the committee on volunteering from the county of New York have left Washington prior to noon to-morrow." The committee, after their return, said it was Stanton, and not Lincoln, who was President of the United States.

"'The gentleman to whom I am indebted for this—Mr. Smith Ely, a former mayor of New York and a Member of Congress—was a Democratic political leader of war times, and, although one of the most amiable and kind-hearted of men, had, of course, to some degree the feelings regarding Lincoln shared by the men who in those days frequented the Manhattan Club. He does not see much point in Lincoln's remark about death and the draft. To me the point seems clear enough. "When the devil was sick, the devil a saint would be," etc. Nor will the reader conclude with the committee that Stanton was President and not Lincoln. Stanton was a man of great administrative ability, kind of human dynamo, such as you could hardly duplicate in the country, a patriot, and honest man besides. As long as the issue was one of no great importance—which seems to have been the case here—Lincoln let him have his way.

"'Stanton was probably the greatest man in civil life produced by the war—of course, after Lincoln. My earliest recollection of him is seeing him at the trial of Sickles for the murder of Key, which took place when I was a boy at school in Washington. He was one of Sickles's counsel. The acquaintance which Sickles formed at that time with Stanton was in part the cause of Sickles's success as a soldier in the Civil War. Stanton advanced and supported him. I remember at the trial a thickset man with a heavy beard, who sat behind the other lawyers, and who would occasionally interpolate a remark in a gruff voice. He had that physical build which is said to be one of the best for strength—very broad shoulders and deep chest, a large body set on short, stout legs. He had Herculean powers of labor. I suppose he was honest, but I do not suppose that he was an overscrupulous man. He would have been out of place as war minister if he had been. When some one complained to him of Gen. Meigs, who was one of his subordinates, he said, "Now, don't say anything against Meigs; he's the best man I have; he is a soldier and can do things which I as a lawyer find it hard to do." One wonders what the things were that Stanton would not do.

"'I am able to make only one original contribution to the history of Stanton. A young girl once told me this incident about him. The reader, of course, knows Coleridge's poem beginning—

"'All thoughts, all passions, all delights,
Whatever stirs this mortal frame,
Are but the minister of love,
And feed his sacred flame.

"'This girl's father was a client and a great friend of Stanton's, and she used to make long visits to Stanton's family during the war. She was a pretty girl and a belle of those days. She said that Stanton worked all the time, and that the only

relaxation he allowed himself was that on Sunday afternoon for an hour or so he would read poetry to her, and she told me that the poem he read oftenest and with the greatest pleasure was "All thoughts, all passions, all delights."

"II. LINCOLN AND FORESIGHT.

"'It is strange that Lincoln with his thoughtfulness should not have in some degree foreseen the approach of secession and war. He had been in Congress and must have known the southern people fairly well. He was undoubtedly a foreseeing kind of man. No one saw more clearly than he did that the country could not continue to exist "half free and half slave." It seems strange, therefore, that he had not some notion of what was coming. But who does foresee what is ahead? Benjamin Franklin was a foreseeing kind of man, one would suppose. He spent a number of years in France before the revolution, knew the country well, and was on intimate terms with the leading people of France. He remained there till 1785. In eight years from that time the King's head was off; and yet the wise, observant, thoughtful, and presumably far-sighted Franklin never seems in the least to have suspected what was coming. The French Revolution would indeed have been very difficult to foresee, as perhaps our Civil War was in a less degree. But there are other things not so difficult to know beforehand which are not foreseen. I was in the House of Commons one night during the Franco-Prussian War when Vernon Harcourt, who was at that time unconnected with the Government, accused the Government of shortsightedness in not foreseeing the war, implying that he had foreseen it. Robert Lowe, an extremely clever man, got up to answer for the Government, and said: "Because the gentleman foresaw this war, he thinks that everybody else should have been as clever as he was. I am free to say, however, that the whole thing was a complete surprise to me." Men are always too busy with present matters to bother with what is problematical. Take the case of the present war. Half a dozen European nations have each been holding for 40 years a loaded pistol with the finger on a hair trigger, and yet how surprised we were when, in the lapse of time, one of the pistols went off. Much had been said about "the next war," but have we not put the prophecies regarding it in much the same category as that of the destruction of the world by fire? The ancients, in their deep, attentive knowledge of human nature, said that the gods bestowed upon Cassandra the gift of prophecy, but they coupled the gift with the condition that her prophecies should not be believed. Is that not so of all prophets? They are always regarded as bores or cranks.

"'There were, however, some prescient souls who did foresee our great struggle. Webster, no doubt, had some prevision of that conflict in which his only son was to die—"When my eyes shall be turned to behold for the last time the sun in heaven," etc. Mr. S. J. Tilden said to John Bigelow some years before the war: "If Mr. Bryant and those who think as he does succeed in what they are about, the streets of this city will run red with blood." They did run red during the draft riots, much redder than is commonly understood. Mr. Loyall Farragut tells me that his father, Admiral Farragut—then Capt. Farragut—and he were on the balcony of the old Metropolitan Hotel in Broadway one night in 1858 and were looking at a Republican torchlight procession, when his father said: "I don't like these marching men. It looks to me like war."

"'My father had a friend, John Heart, who was a Federal officeholder at Washington under Buchanan. He was from South Carolina, and had been the editor of the Charleston Mercury. He came to pay us a visit in Brooklyn in the summer of 1860. He had just been in Charleston, and from what he told us we could have no doubt that South Carolina would secede if Lincoln were elected. I had been lately much in the South, and, although only 17 years old, knew enough of the temper and characteristics of the southern people to be aware that, secession once started, it would be very difficult to prevent the spread of it. But youth is sanguine and precipitate. I wanted to see the power of slavery curtailed and was willing to take the chances, and other boys and young men felt as I did.

"'Calhoun, perhaps the most prescient of American statesmen, foresaw the struggle and wanted to bring on the war before the strength of the rapidly growing North should prove too great to be withstood by the South. The scheme of the North should have been to put off the struggle as long as possible for the same reason. If Calhoun saw what was for the interest of the South, it should not have required superhuman intelligence on the part of the North to see where its interest lay. No one, however, at the North seemed to see this point quite as sharply defined as Calhoun did. But there were those in the North who saw that greater danger, perhaps disunion and war, would follow anti-slavery agitation, and who wished to adhere to the status quo, preferring postponement and the chances of the future to the present probabilities of secession and war.

"'But would it have been possible, after the repeal of the Missouri compromise, to put off the war? If Douglas, the marplot, or demagogue, or egotist, or whatever he was, could have been suppressed, it might have been possible to postpone the war for four or eight years, or even longer. But with the repeal once passed, and Pandora's box open, and the newspapers and all the poets and orators hounding the country on to war, was it possible to do it? You can not teach tact and discretion to 20,000,000 people. One night in Plymouth Church in Brooklyn, a few weeks before John Brown's execution—so a friend told me who was there—Wendell Phillips, a Massachusetts man, said: "The State proclamations of Massachusetts conclude with the words, 'God save the Commonwealth of Massachusetts'; but if Massachusetts allows John Brown to be hanged, I say, 'God damn the Commonwealth of Massachusetts.' The effect of this spoken to a vast, crowded, and sympathetic audience with the utmost passion by a perfectly honest fanatic, who was at the same time an incomparable orator, may be easily conceived. When such incidents were possible, war could not be far off. If the war was to come, Lincoln was the perfect and apparently heaven-appointed leader, and it was perhaps fortunate that he was no wiser in advance than he was.

"III. WASHINGTON AND LINCOLN.

"'We are fortunate to have had in our short career two such characters as Washington and Lincoln. England has had only one, Alfred. Washington was, of course, a man of much less salient characteristics than Lincoln. The young Chastellux found "his distinction to be in the harmonious blending of his characteristics rather than in the existence of marked special qualities." So he has always seemed to his countrymen, but he probably had more pronounced qualities than we have supposed. Albert Gallatin said that of all the inaccessible people he ever knew, Washington was the most inaccessible. Gallatin, however, knew him as a young man and was not by way of knowing him well. That could not have been the opinion of the farmer Burns, a neighbor of Washington, who once said to him, "Where would you have been if the widow Custis hadn't married you?"

"'There grew up an idea that Washington was colorless. Carlyle, for instance, said of him that "George was just Oliver with the juice left out." That is, of course, untrue. He is not so visible as Lincoln, has not Lincoln's gift of familiarity. In order to get a clear idea of him we should have to follow him more closely than it would be necessary to do with Lincoln. But as we did so, we should, of course, find him a man of marked qualities. I have always found that men are more individual than they are thought to be. As you look at them, closely marked traits begin to define themselves. It would be so in the case of this great man. I am sure also that as we followed him closely we should grow very fond of him. We should perhaps find him pleasanter company than Lincoln. For one thing, he was handsome; he had a person worthy to be the tenement of a mind and character as great as his. Washington, however, had not at all a great opinion of himself. He does not seem to have set even a fair estimate upon his own powers. Says one who has made a study of him: "There seems to be no doubt that to the day of his death he was the most determined skeptic as to his fitness for the positions to which he was called in succession." That we know was not Lincoln's feeling. Lincoln probably knew perfectly well what he was.

"'Washington had not in the least Lincoln's humor. One of Washington's foibles, by the way, was a disposition to shine as a wit, a disposition which was a source of disturbance to his admirers, some of whom had come overseas to set eyes upon the most illustrious man of his age. But you and I find this and his other foibles pleasant, because they bring him nearer to us.

"'Washington was himself of a happy disposition. He appreciated the good things of this world. He was a mundane person, and there is something cheerful in that. Thackeray hinted that in his marriage he was not insensible to the fact that the widow Custis had a hundred thousand dollars—a great sum in those days. People here were indignant at the suggestion when it was made. I am indignant myself, and yet the promptitude with which his heart declared itself when he saw the widow, taken in connection with the fact that the other lady for whom he entertained a tender sentiment, Miss Phillipse, was also an heiress, does look as if he had his wits about him. But why object to this? It was in character. Why object to what is in character, and why hesitate to recognize it?

"'Both Lincoln and Washington were men from the farm and the country; both were physically strong men. Washington was 6 feet 3. Lafayette said of him that his hands were the largest he ever saw. He was a skillful horseman. People said that

scarcely anyone had such a grip with his knees as he had. He could ride anything; all that he asked of a horse was that he should go forward. He had a passion for horses; of this the following incident is an illustration. Like most men who have accomplished much, he believed there was a right and a wrong way of doing things, and he had a strong feeling that they should be done the right way. A tradition, which I have had from a lady connected with Washington's family and which I have not seen in print, is that he would go into the stable and pass a silk handkerchief over the coats of the horses; if he found dust on the handkerchief, the groom would catch it.

"'Both Washington and Lincoln were prudent men in money matters. In Washington's case this story may be related as an instance. I have seen several versions of it. The following will do as well as any: Young Mr. Lewis was dining at Mount Vernon. Washington said he was looking for a pair of horses. Some one said that Mr. Lewis had a fine pair. Lewis said, "Yes; I have a good pair, but they cost something, and Gen. Washington will never pay anything." At that the clock on the mantelpiece struck. It was a cuckoo clock, the gift, perhaps, of some European admirer. (This story will illustrate as well Washington's propensity to make bad jokes.) The cuckoo came out and crowed the hour. Washington said, "Ah, Lewis, you're a funny fellow; that bird is laughing at you."

"'There is one difference between Washington and Lincoln which is characteristic and important. Washington was an aristocrat; an upright, downright English gentleman, much resembling the Englishmen of the revolution of 1688, which was a Protestant gentleman's revolution. He was an aristocrat, but with a difference. A fine gentleman of that day would probably have thought him a countryman. I saw lately that Josiah Quincy, who had known him, said that he gave the impression of a man who had not been much in society. I should think that that was true. One has an impression that he was, in a noble way, a rustic. He was an English country gentleman, with a little of Sir Roger de Coverley about him. But he was much more than that. On this basis there was superposed something of Leatherstocking and something of Cincinnatus.

"'But he was essentially an aristocrat. Read his letters, and you will see that the tone of them is unmistakably aristocratic. He belonged to a world of classes, a world in which the existence of classes was the natural and inevitable order of things. But a new society was about to grow up, and it was right that this society should have its great man. In the older society the feeling of the upper class was one of marked separation from the common people. The feeling of that class was, consciously or unconsciously, that it was the business of the poor to be unhappy. A great man of the old time could not altogether escape this feeling. There had been plenty of good and kind rulers in the past, but their feeling in regard to the common people could not be the same as if they had themselves been of that class. Lincoln, on the other hand, was of that class. In him we have a great man unlike the good rulers of the past, not a Haroun-al-Raschid mixing with his people or an Alfred burning the cakes, but the real thing. The fact that he was from that class, that he belonged to it not only by birth and experience but by nature (for birth would not have been sufficient if it had not been that in his heart and his profound sympathies he was a democrat to the core), was an important element of his fame.

"'Of course, it is Lincoln's power of sympathy that attracts men. But that would not of itself have been enough. What endears Lincoln especially to men is the union of sympathy with faith and great strength. It is very unusual to find these qualities united. In the list of English and American worthies I can think of but one other who was like him in this respect. I mean Dr. Johnson. Scott had this union of qualities, although in a less degree; and I have sometimes had a fancy, if there be not a certain temerity in the suggestion, that you might descry some such association of characteristics in the vast and vague personality that lies remote and in shadow behind the writings of Shakespeare. But in Lincoln and Johnson it is clear and marked, and it is the reason of their great power of winning affection. Men wish to attach themselves to such characters. The thought of each man is, "He would have been my friend."

"'The peculiar character of Lincoln's genius also was in part the cause of his power of winning our affection. No great public man has had such strong human intuitions. Certainly no man in our history is his equal in that respect.

"'It appears from the recent life of Hay that it took Lincoln's secretaries a year or more to find out that their chief was a great man, and that they found it out before other people did. In talking with people who knew Lincoln before the war, most of whom are now gone, it has always been easy for me to see that they thought the modern notion of him extravagant. They may have had some jealousy of him or may have felt something of pique and vexation that they had not been clever enough to find out all this for themselves, but that was what they thought. Of course, they were too prudent to say that, but you could see it in their faces. The devotion of the people of this country to Lincoln is, however, not merely a matter of opinion. He has got hold of their hearts as no other American ever did, not even Washington, and he has held them for 50 years, and there is no indication that this sentiment is on the wane.'

"The Washington Herald on February 7, 1917, printed the following:

"'MAN WHO HELPED EVERYBODY.

"'[By Orison Swett Marden.]

"'One of the most beautiful examples of magnanimity in confessing past injustice and acknowledging a tremendous change of feeling toward Lincoln was the utterance of the London Punch years ago. In its recantation of the sneering criticism and caricature with which it had relentlessly pursued him Punch said:

"'Yes, he lived to shame me from my sneer,
To lame my pencil and confute my pen—
To make me own this kind of princes peer,
This rail splitter—a true born king of men.

"'As the stress and anxiety of the Great War increases one of the most noticeable things in England is its increasing admiration and appreciation of the greatness of Abraham Lincoln.

"'Leading English publications recently printed long articles about him, and English statesmen have quoted his words and acts as precedents for their guidance in momentous crises developed during the war.

"'The reason why Lincoln is so loved and admired to-day, not only by the people of his own land but by the people of every land on the earth, was never more clearly and briefly stated than in those words by a well-known Chinese diplomat.

"'In an address to the Union League Club of Brooklyn on the ninety-second anniversary of Lincoln's birthday Mr. Wu Ting-Fang, then the Chinese minister to the United States, said: "To Lincoln may be applied the words which a Chinese historian uses in describing the character of Yao, the most revered and honored of the ancient rulers of China: 'His benevolence was boundless, his wisdom was profound, to anyone approaching him he had the genial warmth of the sun.' When viewed at a distance he seemed to have the mysterious warp of the clouds; though occupying the highest station, he was not haughty; though controlling the resources of the whole Nation, he was not lavish; justice was the guiding principle of his actions; nobleness was written on his face."

"'That "nobleness was written on every lineament of his face" and that he was destined for greatness was apparent to the reader of character when Lincoln was still a youth.

"'Capt. John Le Mar tells us that one day while riding with his father past where young Lincoln was working, his father said to him in simple western fashion, "John, look at that boy yonder and mark my words he will make a smart man of himself. I may not live to see it, but you see if my words don't come true."

"'Lincoln was loved in his lifetime and is loved to-day as perhaps no other man on this continent was ever loved, because of his genial, lovable disposition and his rare spirit of helpfulness. His spontaneous desire to help everybody, and especially to return a kindness, endeared him to all who knew him. His desire to serve, in youth as in later life, amounted to a passion with him. He chopped wood for the poor widows in his neighborhood, helped those who were out of work, ran errands, did chores for people, and in fact was known as "the man who helped everybody."

"'Herndon, his law partner, said: "When the Rutledge Tavern, where Lincoln boarded, was crowded, Lincoln would often give up his bed and sleep on the counter in his store with a roll of calico for his pillow. Somehow, everybody in trouble turned to Lincoln for help."

"'No man hated deception of any kind or loved truth more than he did. One simple illustration of this trait might be studied with advantage by glib political campaign managers of to-day. When John L. Scripp, of the Chicago Tribune, had written up a little biographical sketch of Lincoln for campaign purposes, Lincoln asked to see advance sheets of the book. After reading them he sent for Scripp and said to him: "That paragraph wherein you state that I read Plutarch's Lives was not true when you wrote it, for up to that moment of my life I had never seen that great contribution to human history. But I want your book, even if it is nothing more than a campaign sketch, to be faithful to the facts, and, in order that the statements in it might be literally true, I secured a copy of Plutarch's Lives a few weeks ago and have sent for you to tell you that I have just read it through."

"'The keynote of Lincoln's greatness, of his success from first to last, is to be found in his own memorable words, "I am not bound to win, but I am bound to be true. I am not bound to succeed, but I am bound to live up to what light I have. I must stand with anybody that stands right."

"Mr. Speaker, a year ago the New York Evening Sun published an editorial entitled—

"'THE LIVING LINCOLN.

"'Better than all printed biographies are the renewals and continuations of the lives of greater men in the lives of the less. No other American, and very few men of any nation or period have entered so intimately into the personal experience of millions as Abraham Lincoln. The words of him who never had a year in school are used in teaching college students the highest possibilities of language. His coined phrases are worn smooth and dateless in current speech. But more than that, his habit of thought has guided the thinking of errand boy and President. His faith quickens the faith of us all. Shelley wrote of Keats:

"He is made one with nature: there is heard
His voice in all her music, from the moan
Of thunder to the song of night's sweet bird;
He is a presence to be felt and known
In darkness and in light, from herb and stone,
Spreading itself where'er that Power may move
Which has withdrawn his being to its own;
Which wields the world with never-wearied love,
Sustains it from beneath and kindles it above."

"'In such wise the man whose birth we celebrate to-day has entered into the life of his people and is in process of penetrating the wider circles of the whole world's life. This, on its earthward side, is the immortality of Abraham Lincoln.

"'But if ever something more than a vague admiration for a historic figure was needed it is now. The materials are at hand for such intimate and complete knowledge of the man as will expand the intellect and elevate the standards of our voters, aiding them in coming to decisions on the vital issues of the most anxious period since the Civil War. Lincoln is worth knowing well. "Thorough" was one of his own great words. Any man or woman that will give the spare evenings of the next year, or the next five years, to his life and writings will be the better and the happier for it. The Nation will be the stronger for a body of citizens equipped with such knowledge.

"'The man had a thousand little Boswells but no great one. It is the readers' task to make his own unification of the recorded facts, correcting each account by the weight of testimony. Some 1,500 books or pamphlets have been issued dealing with the various phases of the subject. Naturally a large proportion of this literature may be thrown aside. But this must be done with care, for sometimes it is worth reading a whole volume for one sentence.

"'Nicolay and Hay furnish the largest bulk of material. The seeker after Lincoln himself can not help wishing that they had felt a less heavy weight of responsibility for the political history of the period. Much of the best matter is in John Hay's footnotes—extracts from his diary. And Hay put many of his vividest impressions into a separate paper published later in the Century (1890).

"'Stoddard, another secretary, has left a few precious pages, notably those in which he tells of the Commander in Chief's lonely all-night march up and down his room collecting his own forces after Chancellorsville. ("Inside the White House in War Times.")

"'Noah Brooks had the exceptional fortune of almost daily intercourse, and he has done as much as any witness to call back the very expression of the man's face, the sound of his voice, and his individual modes of thought and expression. These hints are to be found in the book, Washington in Lincoln's Time, and in various magazine articles which have not been reprinted—Harper's Monthly of July, 1865, and Scribner's of February and March, 1878, and August, 1879.

"'Six Months in the White House, by Carpenter, who painted the picture of the Cabinet discussing emancipation, has perhaps as many good stories as any of the source books. There are three or four collections of short papers—the ones published first in the North American Review ("Reminiscences of Abraham Lincoln by distinguished men of his time"), Oldroyd's "Immortelles" and Dr. William Hayes Ward's "Tributes," first published in the Independent.

"'L. E. Chittenden contributed the beautiful story of William Scott, the classic instances of pardon, and a clear inside view of the Treasury situation leading up to the break with Chase.

"'Col. A. K. McClure's "Lincoln and men of war times" naturally gives an unusual amount of political information, from the campaign crisis that led to Lincoln's nomination down to the substitution of Johnson for Hamlin, which left deep marks on the history of the following period.

"'The diary of Gideon Welles, Secretary of the Navy, which was published only a few years ago, can not be neglected as primary source; nor can Welles's paper in the Galaxy of April, 1872, which gives perhaps the most complete account of the last Cabinet meeting and of Lincoln's plans for reconstruction. In that contemporary account it is made clear that the liberator of the slaves was not in favor of insisting that the States about to be reorganized should give the vote at once to freedmen. He simply expressed the desire and the hope that those who had proven their fitness should be rewarded by full citizenship.

"'David Homer Bates, in his Lincoln in the Telegraph Office, pictures the scene in which the emancipation proclamation was wrought out.

"'Grant's Memoirs furnishes a sidelight or two, and Blaine's Twenty Years in Congress is one of the most admirably balanced presentations of the legislative aspects of the war, with clear pictures of many leading men. The later controversies in which Blaine was involved should not be permitted to obscure his value as a historian.

"'Immediately after the war J. G. Holland gathered from living witnesses fresh impressions of Lincoln, many of which are more convincing than some of the later testimony. Ida Tarbell did a great service in gathering facts that had remained unpublished down to our own day.

"'These are by no means all even of the primary sources, but they are enough to blaze for the reader a trail through the biographical tangle. It is fair to add the name of one of the few books that attempt analysis—Rothschild's Lincoln, Master of Men.

"'But if the choice must be made between the books other men have written about him and Lincoln's own words, the letters and addresses hold first place. He can be trusted as the best witness in his own case. His word was as good as his bond, and his life was as good as his word. Speech was the water from a living well, under which the stream of character never failed.

"'Probably the majority of men desire to be counted on the side of truth. But few will make any great effort to find what is true. And, as Sir Thomas Browne declares, not every man is a fit champion of truth. For when the man who is right in principle fails in the trial by combat, the cause suffers in his defeat.

"'Abraham Lincoln was not a speculative philosopher, an originator of systems of thought. But he was one of the greatest exponents and defenders of truth in its applications and illustrations in human experience that the world has ever seen. His life and words—which are inseparable—perfectly teach the balance between thought and act, principle and practice, general truth and particular fact.

"'As a boy he was irritated by the lack of clearness in the talk of his elders. He determined to find words that should tell to other men what was in his own mind so that nobody could misunderstand him. He held to that resolve. And with it went the passion for clear thinking.

"'The Cooper Union speech is perhaps the best illustration of what has just been affirmed. Lincoln probably took more pains with it than with any other single production. Note how he divides his main subject into three or four allied themes, establishes the facts on which his argument is to be based, and joins the whole structure. He takes his opponent's words for a beginning:

"'"Our fathers when they framed the Government under which we live understood this question just as well and even better than we do now."

"'This sentence he repeats wholly or in part about twenty times, with illustrations and reinforcement. His second theme is the question:

"'"Does the proper division of local from Federal authority, or anything in the Constitution, forbid our Federal Government to control as to slavery in our Federal Territories?"

"'This he repeats or refers to nearly a score of times, interweaving it with the first theme as Bach would compose a fugue. The result is perfection, and to perfection there is no answer. His address is a model for all discussion in public or in private. And it is a helpful model, because it does not require genius to follow it.

"'The same is true of the letters, which are full of keen and kindly applications to the life of each one of us and of the whole people. Even with Gettysburg and the second inaugural in mind, we have found a more nearly complete and satisfying expression of the man in his letters than in his addresses. In them he confounds the enemies of the Republic, admonishes, warns, and in-

structs his people, and comforts the broken-hearted with a tenderness that had blossomed upon the graves of Nancy Hanks and Ann Rutledge and upon those of his children.

"'For in this man reason and emotion were joined like form and color in a flower. He rejoiced in the exercise of his mind, but he had none of that intellectual arrogance that denies all it can not comprehend or prove. The charge of atheism is the most futile of all that have been brought against him. As an inquiring boy he read Tom Paine and wrote an essay along radical lines, but the pressure of human need constrained him to turn to Divinity.

"'Prayer was the very breath of his later life. Gen. Daniel Sickles was hardly the man to invent a pious tale. He has repeated to many witnesses the story of Lincoln's prayer before Gettysburg. But it is inconceivable that so honest a man could write his reverent expressions of trust in the Almighty without a personal sense of relationship.

"'The two men of the nineteenth century who have drawn and held the most intense admiration of the civilized world are Napoleon Bonaparte and Abraham Lincoln. Both were great leaders, great executives. Both had the power of binding their followers to them with a personal loyalty stronger than the ties of blood. Both appeal to the imagination of millions who never saw them.

"'But, as the Evening Sun pointed out on the anniversary of Waterloo, it is the downfall of Napoleon that the world remembers, the long-deferred but inevitable defeat of ambition. Lincoln died victorious, not alone in the circumstance of triumphant arms and a Nation reunited but in the victory of unselfish devotion to the cause of human freedom. He identified his life with the progress of mankind, and in losing himself he found immortality.

"'A modest autobiography which Lincoln penned at the request of a political friend at Springfield, Ill., on December 20, 1859, is as follows:

"'"I was born February 12, 1809, in Hardin County, Ky. My parents were both born in Virginia, of undistinguished families—second families, perhaps, I should say. My mother, who died in my tenth year, was of a family of the name of Hanks, some of whom now reside in Adams, and others in Macon County, Ill. My paternal grandfather, Abraham Lincoln, emigrated from Rockingham County, Va., to Kentucky about 1781 to 1782, where a year or two later he was killed by the Indians, not in battle but by stealth, when he was laboring to open a farm in the forest. His ancestors, who were quakers, went to Virginia from Berks County, Pa.

"'YOUTH IN BACKWOODS.

"'"My father at the death of his father was but 6 years of age, and he grew up literally without education. He removed from Kentucky to what is now Spencer County, Ind., in my eighth year. We reached our new home about the time the State came into the Union. It was a wild region, with many bears and other wild animals still in the woods. There I grew up. There were some schools, so called, but no qualification was ever required of a teacher beyond readin', writin', and cipherin' to the rule of three. If a straggler supposed to understand Latin happened to sojourn in the neighborhood, he was looked upon as a wizard. There was absolutely nothing to excite ambition for education. Of course, when I came of age I did not know much. Still, somehow, I could read, write, and cipher to the rule of three, but that was all. I have not been to school since. The little advance I now have upon this store of education I have picked up from time to time under pressure of necessity.

"'RAISED TO FARM WORK.

"'"I was raised to farm work, which I continued until I was 22. At 21 I came to Illinois, Macon County. Then I got to New Salem, now in Menard County, where I remained a year as a sort of clerk in a store. Then came the Black Hawk War, and I was elected a captain of volunteers, a success which gave me more pleasure than any I have had since. I went through the campaign, was elated, ran for the legislature the same year (1832) and was beaten—the only time I ever have been beaten by the people. The next and three succeeding biennial elections I was elected to the legislature. I was not a candidate afterwards. During the legislative period I had studied law and removed to Springfield to practice it. In 1846 I was elected to the lower House of Congress. Was not a candidate for reelection. From 1849 to 1854, both inclusive, practiced law more assiduously than ever before. Always a Whig in politics, and generally on the Whig electoral tickets, making active canvasses, I was losing interest in politics when the repeal of the Missouri compromise aroused me again. What I have done since then is pretty well known.

"'PERSONAL APPEARANCE.

"'"If any personal description of me is thought desirable, it may be said I am, in height, 6 feet 4 inches, nearly; lean in flesh, weighing on an average 180 pounds; dark complexion, with coarse black hair and gray eyes. No other marks or brands recollected."

"'History takes up the story where Abraham Lincoln left off, and tells how he was elected President of the United States, how he guided the Nation through the Civil War, how he brought about the abolition of slavery, how he was reelected, and how he was shot down by an assassin, John Wilkes Booth, on the night of April 14, 1865, dying early the next morning.'

"Mr. Speaker, let me read the—

"ODE FOR THE FUNERAL OF ABRAHAM LINCOLN.

"[By William Cullen Bryant.]

"(Read in New York, Apr. 25, 1865, at the martyred President's obsequies.)

"Oh, slow to smite and swift to spare,
Gentle, and merciful, and just.
Who, in the fear of God, didst bear
The sword of power—a Nation's trust.

"In sorrow by thy bier we stand,
Amid the awe that hushes all,
And speak the anguish of a land
That shook with horror at thy fall.

"Thy task is done—the bond are free—
We bear thee to an honored grave,
Whose proudest monument shall be
The broken fetters of the slave.

"Pure was thy life; its bloody close
Hath placed thee with the sons of light,
Among the noble host of those
Who perished in the cause of right."

Mr. Speaker, some of Lincoln's views are briefly extracted in the following:

"DECLARATION OF INDEPENDENCE.

"The assertion 'That all men are created equal' was of no practical use in effecting our separation from Great Britain; and it was placed in the Declaration not for that but for future use. Its authors meant it to be—as, thank God, it is now proving itself—a stumblingblock to all those who in aftertimes might seek to turn a free people back into the hateful paths of despotism. They knew the proneness of prosperity to breed tyrants, and they meant, when such should reappear in this fair land and commence their vocation, they should find left for them at least one hard nut to crack. (Speech at Springfield, Ill., June 26, 1857.)

"Think nothing of me; take no thought for the political fate of any man whomsoever, but come back to the truths that are in the Declaration of Independence. While pretending no indifference to earthly honors, I do claim to be actuated in this contest by something higher than an anxiety for office. I charge you to drop every paltry and insignificant thought for any man's success. It is nothing; I am nothing; Judge Douglas is nothing. But do not destroy that immortal emblem of humanity—the Declaration of Independence. (Speech at Bardstown, Ill., Aug. 12, 1858.)

"I have often inquired of myself what great principle or idea it was that kept this confederacy so long together. It was not the mere matter of the separation of the colonies from the motherland but that sentiment in the Declaration of Independence which gave liberty, not alone to the people of this country but, I hope, to the world for all future time. It was that which gave promise that in due time the weight would be lifted from the shoulders of all men. (Speech at Independence Hall, Philadelphia, Feb. 22, 1861.)

"THE MAN BEFORE THE DOLLAR.

"* * * The Democracy of to-day hold the liberty of one man to be absolutely nothing when in conflict with another man's right of property. Republicans, on the contrary, are for both the man and the dollar, but in case of conflict the man before the dollar. * * *

"But soberly, it is now no child's play to save the principles of Jefferson from total overthrow in this Nation. * * * This is a world of compensation, and he who would be no slave must consent to have no slave. Those who deny freedom to others deserve it not for themselves, and, under a just God, can not long retain it. All honor to Jefferson—to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a merely revolutionary document an abstract truth, applicable to all men and all times, and so to embalm it there that to-day, and in all coming days, it shall be a rebuke and a stumblingblock to the very harbingers of reappearing tyranny and oppression. (Letter to Republicans of Boston, Apr. 6, 1859, in reply to an invitation to attend a celebration in honor of Jefferson's birthday.)

"LIBERTY.

"The fight must go on. The cause of civil liberty must not be surrendered at the end of one or even one hundred defeats. (Letter to H. Asbury, Nov. 19, 1858.)

"This declared indifference, but as I must think, covert zeal, for the spread of slavery, I can not but hate. I hate it because of the monstrous injustice of slavery itself. I hate it because it deprives our republican example of its just influence in the world, enables the enemies of free institutions, with plausibility, to taunt us as hypocrites, causes the real friends of freedom to doubt our sincerity, and especially because it forces so many good men among ourselves into an open war with the very fundamental principles of civil liberty, criticizing the Declaration of Independence and insisting that there is no right principle of action but self-interest. (Speech at Ottawa, Ill., Aug. 21, 1858.)

"What constitutes the bulwark of our own liberty and independence? It is not our frowning battlements, our bristling seacoasts, the guns of our war steamers, or the strength of our gallant and disciplined Army. These are not our reliance against a resumption of tyranny in our fair land. * * * Our reliance is in the love of liberty which God has planted in our bosoms. Our defense is in the preservation of the spirit which prizes liberty as the heritage of all men in all lands everywhere. Destroy this spirit and you have planted the seeds of despotism around our own doors. (Speech at Chicago, Ill., Sept. 11, 1858.)

"All the armies of Europe, Asia, and Africa combined, with all the treasure of the earth (our own excepted) in their military chest, with a Bonaparte for a commander, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years.

"At what point, then, is the approach of danger to be expected? I answer, If it ever reaches us it must spring up among us; it can not come from abroad. If destruction be our lot we must ourselves be its author and finisher. As a nation of freedmen we must live through all time or die by suicide. (Speech at Springfield, Ill., Jan. 27, 1837.)

"No man is good enough to govern another man without that other's consent. * * * Those who deny freedom to others deserve it not for themselves, and under a just God can not long retain it. (Speech at Springfield, Ill., Oct. 1, 1854.)

"Allow all the governed an equal voice in the Government; that and that only is self-government. * * * Finally, I insist that if there is anything that it is the duty of the whole people to never intrust to hands other than their own that thing is the preservation and perpetuity of their own liberties and institutions. (Speech at Peoria, Ill., Oct. 16, 1854.)

"GOVERNMENT OF, BY, AND FOR THE PEOPLE.

"The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us; that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom and that government of the people, by the people, and for the people shall not perish from the earth. (Address on the Gettysburg battle field, Nov. 19, 1863.)

"LABOR AND CAPITAL.

"The strongest bond of human sympathy outside the family relation should be one uniting all working people of all nations, tongues, and kindreds. (Reply to committee of Workingmen's Association, of New York, Mar. 21, 1864.)

"It may seem strange that any men should dare to ask a just God's assistance in wringing bread from the sweat of other men's faces. (Inaugural address, Mar. 4, 1865.)

"I am glad to see that a system of labor prevails in New England under which laborers can strike when they want to, where they are not obliged to work under all circumstances. (Speech at New Haven, Conn., Mar. 6, 1860.)

"And inasmuch as most good things are produced by labor, it follows that all such things of right belong to those whose labor has produced them. But it has so happened, in all ages of the world, that some have labored and others have, without labor, enjoyed a large proportion of the fruits. This is wrong and should not continue. To secure to each laborer the whole product of his labor, or as nearly as possible, is a worthy object of any good government. (Complete Works, Vol. I, p. 92.)

"We will hereafter speak for freedom and against slavery as long as the Constitution guarantees free speech; until everywhere on this wide land the sun shall shine, and the rain shall fall, and the wind shall blow upon no man who goes forth to unrequited toil. (1856, History of Abraham Lincoln.—Arnold, p. 97.)

"It is not needed nor fitting here that a general argument should be made in favor of popular institutions; but there is one point, with its connections not so hackneyed as most others, to which I ask brief attention. It is the effort to place capital on an equal footing with, if not above, labor in the structure of government. * * * Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital and deserves much the higher consideration. * * * No men living are more worthy to be trusted than those who toil up from poverty; none less inclined to take or touch aught which they have not honestly earned. Let them beware of surrendering a political power which they already possess, and which, if surrendered, will surely be used to close the door of advancement against such as they, and to fix new disabilities and burdens upon them till all of liberty shall be lost. (From annual message, Dec. 3, 1861.)

"THE RIGHT OF SUFFRAGE.

"I go for all sharing the privilege of the Government who assist in bearing its burdens, * * * by no means excluding females. (Announcement of political views, June 13, 1836.)

"I am opposed to the limitation or lessening of the right of suffrage. If anything I am in favor of its extension or enlargement. I want to lift men up—to broaden rather than contract their privileges. (Interview, Springfield, Ill.—Herndon, p. 625.)

"LINCOLN'S IDEA OF FREE GOVERNMENT.

"It has long been a grave question whether any government, not too strong for the liberties of the people, can be strong enough to maintain its existence in great emergencies. On this point the present rebellion brought our Republic to a severe test, and a presidential election, occurring in regular course during the rebellion, added not a little to the strain.

"If the loyal people united were put to the utmost of their strength by the rebellion, must they not fail when divided and partially paralyzed by a political war among themselves? But the election was a necessity. We can not have free government without elections. (Response to a serenade, Nov. 10, 1864.)

"You can better succeed with the ballot. * * * Let there be peace. Revolutionize through the ballot box, and restore the Government once more to the affections and hearts of men by making it express, as it was intended to do, the highest spirit of justice and liberty. (1855, advice to Free Soilers who talked of using force. (Herndon, p. 380.)

"PRESIDENT LINCOLN'S HUMANITY.

"On pardoning 24 deserters at one time, all of whom had been sentenced to be shot, he said to a general who objected:

"'Mr. General, there are already too many widows in the United States. Please don't ask me to add to the number, for I won't do it.'

"To Gen. B. F. Butler, in 1863, when the general asked for the pardon of a man whom he himself had sentenced to be shot:

"'You? Asking me to pardon some poor fellow? Give me that pen.'

"To a friend who had obtained from him a pardon for a deserter, he said:

"'Some of our generals complain that I impair discipline and subordination in the Army by my pardons and respites, but it makes me rested, after a hard day's work, if I can find some good excuse for saving a man's life.'

"THE COURTS AND THE PEOPLE.

"The people of these United States are the masters of both Congresses and courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution. (Speech at Cincinnati, Ohio, Sept. 17, 1859.)

"The candid citizen must confess that if the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions, the people will have ceased to be their own rulers, having to that extent practically resigned their Government into the hands of that eminent tribunal. (Inaugural address, Mar. 4, 1861.)"

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker and Members of the House, I would like to have your attention. Lincoln only lived 56 years. He died 55 years ago. His short life consists in what he said and

what he did. His notable sayings cover but a short period of the 56 years; his doings even a shorter period. Since his death there has been more written about Mr. Lincoln than about any other American who has lived, although others great died many years before and the country has had more time to contemplate the sayings and work of the other men. The Lincoln library, which would be composed of all that has been written of him, would be the largest personal library upon any American who has lived in our country or in any other. Many a time I have tried to answer the question, Why is there such universal interest in Abraham Lincoln? I think it is largely because of the fundamental principles that he announced. There are more quotations from what Mr. Lincoln has said than any other American or from any public man of his day, and yet here is a man who never went to school; six months comprehends his schooling. He never had any chance for refined education, and yet the world will admit that he spoke the purest English of any man who lived in his day. His utterances were brief. He never used an involved sentence. Eighty-five per cent of his words were monosyllables. He is the outstanding figure to-day in all American history as the best example of power in utterance we have in our history, whether he be a litterateur or whether he be a public man in public life. Now, what is the secret? That may never be satisfactorily revealed. It is enough to know it to be true. It is not necessary for me to prove what I have said by repeating anything he said. His utterances were copious for a man in public life. If we take a collection of the sayings of Lincoln, nothing but what he said, we would have a volume. I think Mr. Lincoln's greatest claim in the memory of our Nation is rather in the wonderful utterances that stand alone. In the year 1858, in the debate to which our distinguished ex-Speaker referred, he made one utterance that attracted attention throughout this country and was quoted in the London Times.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VOLSTEAD. I will yield the gentleman five additional minutes.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for five additional minutes.

Mr. FESS. Mr. Speaker, in 1858, when Mr. Lincoln said, "A house divided against itself can not stand," and elaborated upon it, he announced a fundamental principle which determined the issue upon which the Nation ultimately went to war and came out of it a stronger Nation than when it went in. Here was an utterance made by what the world decreed an uneducated man, which made him a figure quoted on two continents.

That same year Mr. Lincoln put a question to Mr. Douglas that could not be answered safely yes or no, and when the friends of Mr. Lincoln said, "Do not push that too far; if you do, you never can be elected Senator," Mr. Lincoln replied, "I am looking for greater gain. If Mr. Douglas answers that question either yes or no, he never can be elected President of the Nation." That same year he submitted, in response to a challenge of Douglas, a series of questions. If you reread them you will see the wonderful grasp of the man's mind. The next year he was invited to speak in New York, and addressed a great mass meeting in Cooper Union. It is a very elaborate speech, and I believe that every Member of the House will concede, if they reread that Cooper Union speech, that it is the finest example of the balanced sentence from a rhetorical standpoint that you will find in any long speech in American literature. That speech left nothing to be said after he got through. He placed the issue so perfectly clear and yet so kindly that he left no sores, but everyone left the meeting thinking upon the issue. An observation concerning Mr. Lincoln was made by a friend, when asked how he distinguished Lincoln from Douglas, to this effect:

> You will always remember that Douglas was a powerful orator, but you can never remember what he said; on the other hand, you were not impressed so much with the oratory of Lincoln, but you would never forget what he said. Douglas spoke rather to be heard, while Lincoln spoke to be understood.

I think that is a very good characterization. Mr. Lincoln's first inaugural address is a fine type of beautiful sentiment, delicately expressed, on a mighty issue, upon which we were going into war, and he spoke in terms not to offend but to plead. His closing sentence in that famous inaugural is one of the beautiful sentences in our literature expressed in the English. You will recall it:

> The mystic chords of memory stretching from every battle field and patriot's grave to every heart and hearthstone throughout this broad land will swell the chorus of the Union when touched again, as it surely will be, by the angels of our better natures.

His second inaugural address, I think, is the high-water mark of all that Mr. Lincoln ever said. His address at Gettysburg is looked upon as the finest short speech ever uttered in the English language. That is the judgment of the critics of Britain. But I think this utterance in the second inaugural is incomparable:

> Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away.

That is a prose poem, and the balance of the address is equally fine.

So I agree with those who do not believe we can add very much to this wonderful memory in the way of monuments and holidays. The only thing I have in mind is that 26 States have already made the date of his birth a holiday, and I think the time will come when every State in the Union will do likewise, and the only governing power in the District of Columbia, where the Capitol is located, is Congress. If the District desires to do what the States have already done this is the only way to proceed. I recognize what has been said, and I hesitate for that reason, since I am agreed that there is too much of a tendency toward vacation days, but I think I shall vote to make it a holiday in order that the Capital may show this respect to the memory of our great American. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, on a certain rainy morning, in the city of Springfield, in the presence of a small assemblage of not more than 200 persons, Mr. Lincoln stood on the rear platform of the rear car of a short and unpretentious train, about to take his departure for Washington, there to take into his firm grasp the quivering helm of the struggling ship of state. There was no great concourse of people; there was no great inspiration; there was absolutely no excitement. From the very depth of his heart and his soul he said substantially these words: "There has fallen upon me a task, my fellow citizens and fellow townsmen, such as did not rest even upon the Father of his Country, and feeling so, I can not but turn and look for help without which I can not perform that great task. I turn, then, and look," he said, "for help to the great American people and to that God who has never forsaken them."

I feel that never does that grand and sublime figure appeal to me more than when I recall those words. You and I know Abraham Lincoln received the help he prayed for. He received it from 20,000,000 loyal hearts; he received it from the Infinite Power on high. He put one hand in the outstretched hand of the American people, and with the other he laid a strong hold on the almighty arm of the Almighty God, and, standing there, supported by humanity and supported by Divinity, he fought the mightiest fight that was ever fought for you and for me, for North and for South, for rich and for poor, that has ever been fought since the Savior walked among the sons of men 2,000 years ago.

It is true, gentlemen, that there rested upon him a task which did not rest even upon the Father of his Country. I speak only with veneration the names of the other Presidents that have been mentioned here to-day, but none of them carried the burdens for you and for me that Lincoln carried.

Many of you here remember John M. Palmer, major general, governor, and Senator, and at one time candidate for President of a great party. In 1865 Gen. John M. Palmer was military governor of Kentucky, with headquarters at Louisville. On the night of the assassination of President Lincoln, when the word came to Gen. Palmer, he endeavored to get to his headquarters——

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. VOLSTEAD. I yield two minutes more to the gentleman.

Mr. YATES. Gen. Palmer, in the effort to get to his headquarters, found the streets filled to the extent of a block in every direction, and he had to get there in a roundabout way. When he finally arrived he found five ex-Confederate brigadiers, and these men said to him, "Oh, Gen. Palmer, those men out in the streets, standing there in the mud and in the silence and in the rain, are our boys," and—Gen. Palmer told me this himself—they further said, "Gen. Palmer, in the death of Abraham Lincoln we believe the sunny South lost its best friend."

Gentlemen, I believe that; I have always believed it. I believe had he lived we never would have had the troubles of reconstruction that we did. There fell upon him a task that did not fall even upon the Father of his Country.

It is perfectly absurd to say that Presidents who have come since ought to have a legal holiday in their honor, when we

are speaking the name of Abraham Lincoln. Aside from Washington he was the greatest American that ever walked this earth of ours. [Applause.] And I shall vote now, and as long as I live I shall vote, for anything that will do honor to his memory. It is no answer to say that there are other men deserving of this honor, or that there will be in generations to come. I do not agree with my esteemed friend from Illinois on that point, and I do not think the people of Illinois will agree with him. And I want to say another thing, that if Robert E. Lee and Stonewall Jackson were here to-day they would vote for this resolution. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from Maryland [Mr. ZIHLMAN].

The SPEAKER pro tempore. The gentleman from Maryland is recognized.

Mr. ZIHLMAN. Mr. Speaker, I am in favor of the pending bill to make the 12th day of February, the anniversary of the birth of Lincoln, a legal holiday in the District of Columbia.

Up to the present time the legislatures of 26 States of the Union have passed laws making Lincoln's birthday a national holiday.

Not only should this be done in the District of Columbia as a further honor to the memory of this great man, but it will also impress upon the coming generations the farseeing wisdom of Lincoln, and the reverence he held toward our institutions, and the ability he had of interpreting the hopes and aspirations of the common people of the land, and his supreme confidence in their wisdom to ultimately solve the many problems in our national life.

In the consideration of the treaty of peace, which has engrossed the attention of the United States Senate for nearly a year, the warning of Washington and Jefferson, and others of the founding fathers, has repeatedly been pointed out.

Lincoln's view as to domestic contentions is best set out in a letter written by William H. Seward, his Secretary of State, to the governor of Maryland shortly after Lincoln was inducted into office, and I desire to incorporate the letter as a part of my remarks as a further evidence of his foresight and statesmanship:

DEPARTMENT OF STATE, *April 22, 1861.*

His Excellency THOMAS H. HICKS,
Governor of Maryland.

SIR: I have the honor to receive your communication of this morning, in which you inform me that you had felt it to be your duty to advise the President of the United States to order elsewhere the troops then off Annapolis, and also that no more may be sent through Maryland, and that you have further suggested that Lord Lyons be requested to act as mediator between the contending parties in our country to prevent the effusion of blood.

The President directs me to acknowledge the receipt of that communication and to assure you that he has weighed the counsels it contains with the respect which he habitually cherishes for the chief magistrates of the several States, and especially for yourself. He regrets as deeply as any magistrate or citizen of this country can that demonstrations against the safety of the United States, with very extensive preparation for the effusion of blood, have made it his duty to call out the forces to which you allude.

The force now sought to be brought through Maryland is intended for nothing but the defense of the Capital. The President has necessarily confided the choice of the national highway which that force shall take in coming to this city to the lieutenant general commanding the Army of the United States, who, like his only predecessor, is not less distinguished for his humanity than for his loyalty, patriotism, and distinguished public services.

The President instructs me to add that the national highway thus selected by the lieutenant general has been chosen by him, upon consultation with prominent magistrates and citizens of Maryland, as the one which, while a route is absolutely necessary, is farthest removed from the populous cities of the State, and with the expectation that it would therefore be the least objectionable one.

He can not but remember that there has been a time in the history of our country when a general of the American Union with forces designed for the defense of its Capital was not unwelcome anywhere in the State of Maryland, and certainly not at Annapolis, then, as now, the capital of that patriotic State, and then also one of the capitals of the Union.

If 80 years could have obliterated all the other noble sentiments of that age in Maryland, the President would be hopeful, nevertheless, that there is one that would forever remain there and everywhere. That sentiment is that no domestic contention whatever that may arise among the parties of this Republic ought in any case to be referred to any foreign arbitrament, least of all to the arbitrament of a European monarchy.

I have the honor to be, with distinguished consideration, your excellency's most obedient servant,

WILLIAM H. SEWARD.

I want to call attention to another matter which concerned the great President very deeply, and to which he gave a great deal of thought, and that is the constantly growing number of commissions and boards within the Federal Government.

The founders of the Government, to carry out the high principles laid down by the signers of the immortal declaration, finally agreed upon the present Constitution, which Gladstone declared was the most wonderful work ever struck off by the brain or purpose of man.

In this great document there is provided three separate branches of government, each acting as a check upon the other, and each in turn restricted by the provisions of the Federal Constitution.

It was believed that by these safeguards, by the people passing upon the membership of the House of Representatives every two years, and by the Senate concurring in their work—a Senate elected by the legislatures of the several States—now elected by the people, and each Member thereof elected for a period of six years—that the legislative branches of the Government would be truly responsive to the will of the people, yet, at the same time, be safeguarded against hysteria, or unwise submission to public clamor or pressure.

In addition they provided the safeguards of the Executive veto and judicial interpretation of law by the Supreme Court.

And, under this system of legislative and responsive government, the United States began what was the most pretentious experiment in free government ever inaugurated, and that it has been successful, even beyond the fondest dreams of the founding fathers, no one has ever denied.

But recently there has grown up a new adjunct to the three coordinate branches of government referred to above. This is government by boards, by bureaus, and by commissions. Such agencies had no place in the original scheme of government, nor for many years after its organization, and were frowned upon until quite recently. Lincoln called them "schemes to cheat the Government."

These independent boards and other forms of administrative agencies have had broad powers conferred upon them, especially those created during the period of our participation in the World War; and their chiefs and chairmen have assumed all the powers and dignity of Cabinet officers and department heads, and are now besieging Congress for increased appropriations and personnel, and for extensive powers beyond that conferred upon any other branch of the Government.

The speaker recently made an investigation of the various sums appropriated, and in most cases entirely expended by these boards and commissions, and found that during the present fiscal year there had been made available for the use of these various independent bodies, the sum of $897,101,766, with a strong possibility that some of them would require a deficiency appropriation to finish out the fiscal year.

The above sum does not include the appropriations to the railroads, which now total $1,450,000,000.

When it is considered that this great sum was expended in a year of peace, which did not begin until seven and one-half months after the signing of the armistice, and was therefore not a war-time expenditure, we begin to realize just where we are drifting by setting up these independent governing bodies who are to-day expending more than the entire cost of running the Government a few years ago.

The time is at hand when these various regulatory and supervisory bodies must, for the purpose of curtailing expenditures, and for the added reason that they must be responsible to some authority in the administration of their functions and powers, be merged with the executive departments with responsible heads, who, in turn, are responsible to the President and to Congress and to the people ultimately.

Unless a check is put upon their ambitions and requests we will soon have a Government not of the people but by boards and commissions, each of which is intent upon extending its own jurisdiction, importance, and power, and caring little for the efforts, or the duplication of their own efforts, by other overlapping agencies.

Probably one of the best things done by any American Commonwealth in recent years was when Illinois, a few years ago, finding that there had grown up in that State 125 independent and unrelated agencies of government, abolished them all and created nine departments of State government, each with a responsible head, and under this reorganized their system of State government and finance, and the present administration has given to that State an administration of public affairs of which every Illinoisan is proud; and Illinois is the only State in the Union which has been able to attempt a reduction in the tax rate; yet this Commonwealth has been able, because of salutary reforms inaugurated, to bring about a reduction from 90 cents to 60 cents per hundred dollars of taxable voluation, a decrease of 33⅓ per cent in these days of mounting costs, not the least of which has been the increased cost of government.

To-day in the Federal Government we have much the same situation, and daily there is proposed new schemes and new administrative bodies which it is claimed will cure many or all of the evils which now exist in the body politic.

Under the present administration many men in high places in the Federal Government lie awake at night thinking of

schemes which will give new power and larger jurisdiction to the Federal Government, and many of the conclusions they reach and the recommendations they make border upon socialism or communism.

It is for those who believe in the wisdom of the founding fathers, in the soundness of our constitutional form of representative government, in the maxim that the government is only as good or as bad as the people who make up its citizenry, and that they are best governed who are governed least, to call a halt and get back to functioning through the regularly constituted representatives of the people—government by men amenable to and subject to, the Constitution and the statutes and their limitations and restrictions—to repeal the laws creating some of these useless and overlapping and expensively functioning bodies, to the end that we may again return to an annual budget of expenditures in keeping with and within the limits of our income.

This Government existed and prospered and expanded before they were created. It will survive their abolition.

Sane economy and efficiency demand early reorganization. Let us hope that the return to sanity and constituted and responsive authority is at hand.

Mr. VOLSTEAD. Mr. Speaker, I do not think it is important that we should create this holiday for the purpose of honoring Lincoln. I think it is of much more importance and of much greater interest to the living than to the dead. Lincoln's fame is secure. Holidays can do the dead no good. They are intended to create an interest in the ideals, the character, and achievements of the men whom we honor. It makes no difference to Washington to-day whether we celebrate his birthday or not, but it makes a great difference to the people of the United States.

At every recurring anniversary of his birth we sing songs, write editorials, and make speeches in reference to the life, character, and services of that man, and otherwise demonstrate our appreciation of his worth. It is for that purpose that we seek to dedicate this day as a holiday, so that the people of this city, whenever the day recurs, may be reminded of Lincoln and all he stands for in American life. It seems to me that in view of the fact that this day is being observed quite generally throughout the country, observed now under legal sanction in 26 States, that here, where he did his great work and earned a fame that is world wide, we should do this much in his honor if distant States deem such act appropriate. I do not see any good reason why the people of this city may not properly ask us, as they have asked us, to give some legal sanction to the observance of Lincoln's birthday. They are not asking for more holidays than States are allowing their employees. The observance of this day will inspire devotion to country, emulation of the highest civic virtues, the advantages of which can not be measured in money.

With these few observations, Mr. Speaker, I move the previous question.

Mr. WILLIAMS. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. VOLSTEAD] has moved the previous question.

Mr. MANN of Illinois. Does the gentleman from Illinois want some time?

Mr. BLAND of Indiana. Has the time all expired?

Mr. MANN of Illinois. I ask unanimous consent that the gentleman from Minnesota [Mr. VOLSTEAD] may have his time extended five minutes.

Mr. BLAND of Indiana. I would like to have a minute.

Mr. MANN of Illinois. Make it six minutes.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] asks unanimous consent that the gentleman from Minnesota [Mr. VOLSTEAD] may have his time extended six minutes. Is there objection?

There was no objection.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. WILLIAMS].

Mr. KITCHIN. Mr. Speaker, will the gentleman from Illinois permit one question?

The SPEAKER pro tempore. The gentleman from Minnesota has eight minutes now remaining.

Mr. KITCHIN. One question. Why is it that you limit this holiday to Federal employees in the District? Why not extend it to all the Federal employees?

Mr. VOLSTEAD. The other holidays in the District are so limited. Here is the situation, without taking up the time of these gentlemen: In the States Federal employees ought to work if the people in those States work. If, on the other hand, it is a legal holiday in the State, then the legal holiday applies to Federal employees as well.

Mr. KITCHIN. I do not understand it so in the case of Federal employees.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. WILLIAMS] is recognized for five minutes.

Mr. WILLIAMS. Mr. Speaker, intending as I do to vote against this measure, I feel I should say a word in explanation of my vote. Coming as I do from the great State of Illinois, I yield to no one in love and veneration of the great name and fame of Abraham Lincoln. I was taught from childhood to worship Lincoln.

But it seems to me that this measure will add nothing to his honor or to his great fame and place in history. It simply creates another legal holiday in the District of Columbia on which the employees of the Government will receive full pay without performing service to the Government.

Mr. HUSTED. Mr. Speaker, will the gentleman yield for just one question?

Mr. WILLIAMS. Yes.

Mr. HUSTED. Does not the gentleman think we had better abolish some holidays already existing rather than prevent the enactment of this?

Mr. WILLIAMS. I do not know that I would object to that, and certainly not if other holidays are to be created. We now have six legal holidays in the District of Columbia, days on which no one works except Members of the two Houses of Congress. Employees of the Government receive full pay and render no service of any kind on these days. In addition to the six legal holidays, employees of the Government have 30 days leave of absence each year with full pay, and are allowed 30 days sick leave with pay.

This measure adds one more holiday. I am not in favor of doing that, even if the name of the great Lincoln is used in support of the measure.

Making Lincoln's birthday a legal holiday in the District of Columbia and closing all the departments of the Government on that day will not add additional honor or fame to that immortal character. His name and fame fills the whole earth. We can not add to that fame by closing the departments of the Government on his birthday and giving the employees a holiday at an expense of six or seven hundred thousand dollars each year to the taxpayers of the country.

I will support any proposition showing a proper respect to the memory of Lincoln that may be proposed, but believing this does not, I shall vote against its passage.

Mr. Speaker, I shall not attempt here to pronounce a eulogy on the life and character of Abraham Lincoln. Nothing new can be said about this wonderful man and the great service he rendered his country and mankind, but I do desire to say a few words about a matter mentioned by the gentleman from Ohio, Dr. FESS.

He mentioned the name of Senator Douglas in connection with Lincoln. The names of those two distinguished men are inseparably connected in American history. The great overshadowing fame that came to Lincoln out of the war and his assassination has caused history to fail to do justice to the character, ability, and public service of Stephen A. Douglas. In my opinion Stephen A. Douglas, of Illinois, next to Abrahm Lincoln, did more to maintain this Union of States than any other one man in America. [Applause.] He and Lincoln had been rivals in the politics of Illinois for a quarter of a century. They had contended as young men in the legislature of our State. They had met and contended in the courts, and in the great contest of 1858, when Douglas made his winning fight for reelection to the Senate, with the administration of President Buchanan against him; and finally in the great contest of 1860, when the cherished ambition of Mr. Douglas, entertained for a lifetime, to become President was forever thwarted. It is well remembered how, on the day of Lincoln's inauguration, with mutterings throughout the great crowd of people here, discontent, threats, rumors of all kinds, when Lincoln stepped forward to deliver his inaugural address Mr. Douglas, his late rival, took his hat and held it in his hand during the delivery of Mr. Lincoln's address.

That was notice to the world that Stephen A. Douglas, the leader of the Democratic Party of the North, who had gone down to defeat in November, intended to stand by the constitutionally elected President of the United States in whatever crisis the future might bring. [Applause.]

Another thing in memory of Douglas. On the day that Fort Sumter was fired upon, when the Associated Press bulletins began to arrive in the city of Washington, Stephen A. Douglas was seen making his way down Pennsylvania Avenue amidst the excited throngs of people. He went to the White House. He had not called upon Mr. Lincoln since his inauguration, more than a month before. He was ushered into the inner

room, and for four hours Abraham Lincoln and Stephen A. Douglas sat in secret conference. They were at that time the two most powerful figures in American public life. What was said between those two men no one knows, as neither of them ever divulged the subject of their conversation.

But for four hours these two distinguished statesmen, lately rivals before the people for the highest office in the gift of the people, were closeted together. When Mr. Douglas left the White House he took a carriage and went to the offices of the Associated Press in the city of Washington and gave out a statement that next morning was published in every metropolitan newspaper of the North in parallel columns with the account of the firing on Fort Sumter, in which he called upon every loyal follower of his to rally to the flag of his country and support the administration in the maintenance of the Union and putting down the rebellion. His call electrified his devoted followers in the North, and within the next few months they enlisted in the Union Army by the thousands. [Applause.] By that service Stephen A. Douglas secured a united North, which otherwise we would not have had. He journeyed from Washington to Springfield and addressed the Illinois Legislature in a powerful speech in favor of the Union. He went from Springfield to Chicago, addressed a great concourse of people there on June 21, went to his hotel, and died that night. He died early in the great struggle for the preservation of the Union, and just at the time when his services were most needed, but he lived long enough to rally the bulk of his followers to the support of the Government.

The powerful influence of Douglas over his followers is illustrated by the southern Illinois district known as Egypt, the territory now represented by my colleague [Mr. DENISON] and myself. In the election in November, 1860, Douglas carried the district over Lincoln by more than 20,000 majority. In a majority of the precincts Lincoln did not receive a single vote, yet when the crisis came the people of this section of Illinois followed Douglas almost to a man, and it has been said this district furnished more men to the Union Army in proportion to population than any other district in the United States.

Such was the transcendent service rendered the American Union by this great Illinois Senator, Stephen A. Douglas. It detracts nothing from the great fame of Lincoln to do full justice to the patriotism, ability, and character of his great antagonist. Without Douglas Lincoln's career would not have been possible. The fact that Lincoln met and overcame this great leader in debate in Illinois in 1858 gave him the nomination and election to the Presidency in 1860. It can be fairly said of Senator Douglas that during this long and brilliant career in public life Abraham Lincoln was the only man ever pitted against him in debate over whom he did not triumph.

There is no instance in American politics more remarkable than the rapid rise of Stephen A. Douglas to fame and power, and his uninterrupted and ever increasing hold on his followers to the close of his career. In the spring of 1833 Douglas, a youth of 20 years, walked into the little village of Winchester, Scott County, Ill. He had left his native State of Vermont and gone West hunting fame and fortune. Carr says that "when he appeared in Winchester he had not a friend within a thousand miles and but a few cents in his pockets," yet within 14 years that friendless boy had been admitted to the bar and had made a great reputation as a lawyer; had served in the Illinois Legislature; had been prosecuting attorney; had been register of the land office at Springfield; had been secretary of state for Illinois; had been a member of the Supreme Court of Illinois; had served two full terms in the National House of Representatives; and had become a Member of the United States Senate, in which body he early assumed the unquestioned leadership of his party, which leadership he retained until his break with the Buchanan administration over the attempt to force slavery on the Territory of Kansas against the will of the people of the Territory. After this Douglas never had a united party behind him, but his influence and power over his followers in the North remained. They followed him to defeat in 1860, and changing almost overnight they followed him in giving support to Lincoln and to the Union after the firing on Fort Sumter.

In speaking of the remarkable unanimity with which the people of the North responded to the call of Mr. Lincoln after the opening of hostilities, Mr. A. E. Pollard, in "The Lost Cause," says:

> What was most remarkable in this display of popular fury was its sudden and complete absorption of the entire Democratic Party of the North, which had so long professed regard for the rights of the Southern States, and even sympathy with the first movements of secession. This party now actually rivaled the abolitionists in their expressions of fury and revenge. They not only followed the tide of public opinion but sought to ride its crest.

This unanimity of sentiment in the North, this grand rally of all classes to the Union cause, was made possible by the bold and patriotic attitude of Stephen A. Douglas. Had he sulked in his tent, had he hesitated or wavered, there would have been such a division of sentiment in the Northern States that Mr. Lincoln's administration would have been helpless to promptly meet the challenge of the revolting States.

The position of unselfish patriotism of Senator Douglas at this time is shown by some of his utterances. In addressing his old friends at Springfield, the scene of so many contests between Mr. Lincoln and himself, he said:

> My friends, you will be false to, and unworthy of, your principles if you allow political defeat to convert you into traitors to your native land.

Again, he characterized secession as—

> The prodigious crime against the freedom of the world, to attempt to blot the United States out of the map of Christendom.

In the same speech he said:

> If war must come, if the bayonet must be used to maintain the Constitution, I say before God my conscience is clear. * * * The shortest way now to peace is the most stupendous and unanimous preparation for war. * * * The slavery question is a mere excuse. The election of Lincoln is a mere pretext. The present secession movement is the result of an enormous conspiracy. * * * But this is no time for the detail of causes. The conspiracy is now known. Armies have been raised, war is levied to accomplish it. There are only two sides to the question. Every man must be for the United States or against it. There are to be no neutrals in this war, only patriots and traitors.
>
> Thank God, Illinois is not divided on the question. I know they expected to present a united South against a divided North. They hoped that in the Northern States party questions would bring civil war between Democrats and Republicans, when the South would step in with her cohorts, aid one party to conquer the other, and then make easy prey of the victors. Their scheme was carnage and civil war in the North.
>
> There is only one way to defeat this. In Illinois it is being defeated by closing up the ranks. Illinois has a proud position—united, firm, determined never to permit the Government to be destroyed. I express to you my conviction before God that it is the duty of every American citizen to rally around the flag of his country.

Thus spoke the great Illinois Senator, the ambitious statesman, the great party leader whose personal ambitions to be President were forever destroyed by the triumph of his life-long rival, Abraham Lincoln.

Is it any wonder the North was electrified when this great leader of the defeated party, the idol of millions of his countrymen, came to the support of Mr. Lincoln and the national cause?—

> One blast upon his bugle horn were worth a million men.

Mr. VOLSTEAD. I yield one minute to the gentleman from Indiana [Mr. BLAND].

Mr. BLAND of Indiana. Mr. Speaker, I am going to support this measure to make the birthday of Abraham Lincoln a holiday in the District of Columbia, not with the idea of doing so in order to give the overworked employees of the District of Columbia a rest. Whatever may be said about their being underpaid, I do not think they are overworked. I favor this measure because 26 States have made the birthday of the great emancipator a national holiday, and this action on the part of the Federal Government to-day is a tardy recognition of a sentiment which is widespread throughout the whole Republic. I would favor the repeal of certain national holidays rather than be opposed to this measure. No character in all the history of this Republic so truly represents what the ideal American character should be as was that of Lincoln. From his birth to his death he tread the wine-press path of sorrow. Probably it was sorrow that purified and strengthened this wonderful man so as to live the life that has made him the ideal by whose standard true Americanism is measured.

When on April 15, 1861, President Lincoln called for troops to put down the rebellion, it was the saddest hour of his melancholy life. He loved his country passionately, and the welfare of its people was his first concern. He was now compelled to give the lives of this people that he loved to save the country they loved. He was a genius, of a unique, unusual, and immense personality, towering above the petty critics and maligners who surrounded him in the hour of the country's greatest peril—always gentle and kind and patient and forgiving. He was often criticized for his long lists of pardons. This sad and patient father could not resist the tearful appeal of a mother for her son, and it brought joy to his heart to see the tearful face before him light with new hope and happiness. He never abused the great power intrusted to him by the people of this Nation except on the side of mercy. Mixed with his melancholy and sadness there was a dry wit and humor in his disposition that saved him in his darkest hours. Vallandigham outwardly was with the North but at heart with the South. He was convicted and sent to Fort Warren prison. Lincoln changed the punish-

ment, and with a grim kind of humor sent him "to his friends in the South."

He said:

Among free men there can be no successful appeal from the ballot to the bullet.

He lived to see his prophesy fulfilled. He lived until victory came. He lived until the Confederate States of America no longer existed, until the doors of Libby and Andersonville prisons were opened. He lived until this great Republic was free, and then, when the herculean task set for him had been completed, he passed from among his millions of idolizing beneficiaries, among whom were his former most bitter enemies, and his name to-day is left with us as a gentle memory.

The Civil War, unlike any other war we have ever engaged in, was a war between two powerful sections of our own country. It was a crisis that showed the true character of men in places of great responsibility. If one was in a place of public trust and confidence and power during these days, it was soon determined as to whether he was a man of ability and of honor and of courage. No public servant was so bitterly maligned, criticized, harassed. No Executive was so unjustly condemned by his enemies from both the North and the South, yet was mortal ever more forgiving, more patient, honest, faithful, and devoted to the good of his country and welfare of its people than the immortal Lincoln? Here, over a half century removed from these events, it seems almost incomprehensible that our forefathers' neighbors could have dealt so unjustly and unkindly with one whose every act and word, whose daily walk in life, should have been the subject of universal praise and encomium. In December, 1860, the following editorial appeared in the Illinois Journal:

We hear such frequent allusions to a supposed purpose on the part of Mr. Lincoln to call into his Cabinet two or three southern gentlemen from the parties opposed to him politically that we are prompted to ask a few questions. First, is it known that a gentleman of character would accept a place in his Cabinet? Second, if yea, on what terms does he surrender to Mr. Lincoln or Mr. Lincoln to him on the political differences between them?

The Chicago Times, on the 1st of July, 1864, in a public editorial, in part, said:

Lincoln can not be fairly and lawfully elected, and the people have determined that he shall not hold office if elected by fraud. He could not be more worthless dead than he is living, but he would be infinitely less mischievous, and his corpse, repulsive as it would be in its freshest state and richest and most graceful habiliments, would yet be the most appropriate sacrifice which the insulted Nation could offer in atonement for its submission to his imbecility and despotism.

It might be well to add that when Gen. Burnside was in command of the department of Ohio he ordered the Chicago Times to be suppressed. Mr. Lincoln with his characteristic "despotism" countermanded the order.

In 1861, at a great public meeting in Springfield, Ill., William Holmes made a speech in which he said:

I feel that I can not be in error when I say that this Union never can be saved by force. Coercion! Force! This is war—war upon the Southern States, not on South Carolina alone. It will be war, then, upon 15 States. Are you prepared for such war? No, gentlemen, thank God, fanaticism has not yet hardened our hearts, and if the Republican leaders expect that it would be a war in the Southern States alone, they will undeceive themselves. I am satisfied that if such a conflict ever comes, it will be war in the North; it will be war in Chicago; war in Springfield; war on the broad prairies of Illinois. Before the patriotic people of this State will allow an invading force to pass beyond its borders, to subjugate the South, they will make one vast mausoleum of your State. (And it is recorded that the audience received the speech with great applause.)

While this speech was being made, the South Carolina Legislature was passing a bill to call out 10,000 troops, and batteries were being erected to bombard Fort Sumter. Senators and Representatives from the Southern States were resigning from Congress. Nowhere did you hear a word of sympathy for the sad man who was soon to take his oath to support the Constitution and the Union. In the House of Representatives of Illinois a member by the name of Green moved to amend the militia bill by providing that the militia be armed with cornstalks. Later, Democratic State platforms all over the North declared the war a failure. The national Democratic platform of 1864, upon which Mr. McClellan was running, had declared that—

After four years of failure to restore the Union by the experiment of war—justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities.

There is no doubt that plans to take the life of Lincoln were made more than once. He was even required to use unusual precautions on his way to the inaugural at Washington, and changed his announced route of travel while on the way. I mention these facts to indicate the political and sectional hatred and hostility that surrounded him as he assumed his tremendous responsibilities.

Lincoln appreciated the magnitude of the task before him if he was to save the Union. He earnestly desired that political strife should be eliminated so far as possible and that the help and support of the best men of the Nation, regardless of the political question, might be given; yet he foresaw that upon the rock of political bias the Union might be lost, so he tendered the command of the Army to a Democrat, Gen. Robert E. Lee, who declined and went with the South. He put McClellan at the head of the Union Army because he believed he was capable and would encourage the loyalty and support of the opposition party. And let it be remembered that McClellan, in one of the bitterest campaigns of the Republic, ran against Lincoln for the Presidency.

Lincoln was a party man—a good Republican on all matters of party principle, but he was too broad and unselfish to let partisanship stand in the way of the success of the great cause for which he seemed to be providentially chosen to champion. It was his party that steadfastly advocated the overwhelming majority view on the issues over which the war was waged. The war was a party issue, and yet he did not regard the war as a Republican war, or as a partisan war. He appointed powerful Democrats to his Cabinet and never regretted having sat at the council table with such a man as Stanton. Stanton was an able man and upheld the hands of Lincoln in the darkest hour of the war. He helped in the effort to unify the remnant of the Democratic Party in the North behind the Union cause. Without such a broad-minded and farseeing policy on the part of Lincoln, the North could not have won the war. Lincoln's appointment of the fourth Democrat to his Cabinet brought out the reply of the President, when reminded of the fact, that he himself was an old line Whig and should be there to make the parties even. He appointed to his first Cabinet each of his three political opponents of the Republican National Convention in Chicago, 1860. He never dreamed of looking up small obscure men for Cabinet positions in order that he might be regarded as a giant among men. Lincoln saw the storm clouds rising and, like the good captain of the vessel that he was, he trimmed the sails of the ship of state to meet the shock. On December 24, 1860, Mr. Lincoln wrote to J. M. Morris as follows:

MY DEAR SIR: Without supposing that you and I are any nearer together politically than heretofore, allow me to tender you my sincere thanks for your Union resolution, expressive of views upon which we never were, and I trust, never will be, at variance.

On June 1, 1861, Mr. Lincoln wrote to William H. Seward as follows:

MY DEAR SIR: Yours of the 8th received. I still hope Mr. Gilmer will, on a fair understanding with us, consent to take a place in the Cabinet. The preference for him over Mr. Hunt or Mr. Gentry is that up to date he has a living position in the South, while they have not. He is only better than Winter Davis in that he is farther South. I fear we could not safely take more than one such man; that is, not more than one more who opposed us in the election, the danger being to lose the confidence of our friends. * * *

Your obedient servant, ABRAHAM LINCOLN.

He was not afraid of Democrats in the Cabinet when the life of the Union was at stake. The one question was with him how many Democrats could he safely take into the Cabinet without stirring up rivalry and jealousy among the Republican members.

Notwithstanding his great number of uncompromising and bitter enemies, Lincoln made friends who stood with him with untiring devotion during the darkest hours of these dark years; by his honesty and his frankness and his unwavering loyalty to what he believed was right, by his constancy, by his consistency, he won the admiration and love and respect of those who learned to know him; and had it not been for these and their unfaltering fidelity to him and his cause, the Stars and Stripes would not now be the most precious symbol of liberty that cheers the hearts of the world.

Mr. Speaker, it is certainly fitting that on the birthday of this matchless character in American history the citizens of this great Republic, saved by the heroism of this great soul, set aside one day out of the 365 in honor of this immortal one's memory; and I shall heartily support the bill for the reasons indicated.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question.

Mr. KITCHIN. One minute. Will the gentleman just permit one question?

The SPEAKER pro tempore. The gentleman from Minnesota moves the previous question.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry. Can the gentleman move the previous question on the bill before the time is exhausted?

Mr. MANN of Illinois. Yes. This is a House calendar bill.

Mr. CLARK of Missouri. I know; but are there not two hours of general debate?

Mr. MANN of Illinois. Yes. This is a House Calendar bill.

Mr. CLARK of Missouri. Is not that what the rule says?

Mr. MANN of Illinois. Oh, no. The rule provides that when you have a Union Calendar bill under consideration there may be two hours of general debate. This is not a Union Calendar bill. This is a House bill.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for one minute.

Mr. MANN of Illinois. I demand the regular order.

The SPEAKER pro tempore. The regular order is the motion for the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question being taken, Mr. DYER demanded a division.

Pending the division,

Mr. FULLER of Illinois. Mr. Speaker, I make the point of no quorum present.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of no quorum present. Undoubtedly there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and as many as favor passing the bill will, when their names are called, answer "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 180, nays 114, not voting 132, as follows:

YEAS—180.

Andrews, Md.	Eagan	Kinkaid	Reber
Andrews, Nebr.	Echols	Kleczka	Reed, N. Y.
Ashbrook	Elliott	Kraus	Reed, W. Va.
Babka	Elston	Kreider	Rhodes
Bacharach	Emerson	Layton	Ricketts
Baer	Esch	Lazaro	Riordan
Barbour	Evans, Mont.	Lehlbach	Robsion, Ky.
Barkley	Fairfield	Lesher	Sanders, Ind.
Begg	Fess	Little	Sanders, N. Y.
Benham	Fisher	Longworth	Sanford
Benson	Focht	Luhring	Scott
Bland, Ind.	Foster	McGlennon	Sells
Bland, Va.	Frear	McKenzie	Sherwood
Boles	French	McKinley	Shreve
Bowers	Fuller, Ill.	McLaughlin, Mich.	Siegel
Britten	Gandy	McLaughlin, Nebr.	Sinclair
Brooks, Ill.	Ganly	MacCrate	Sinnott
Brooks, Pa.	Garland	MacGregor	Smith, Mich.
Browne	Goodykoontz	Magee	Steele
Browning	Graham, Ill.	Mays	Steenerson
Brumbaugh	Green, Iowa	Mead	Stephens, Ohio
Burdick	Greene, Mass.	Miller	Stiness
Caldwell	Greene, Vt.	Monahan, Wis.	Sweet
Campbell, Pa.	Griffin	Mooney	Swope
Carew	Hadley	Moore, Ohio	Tilson
Carss	Harrison	Moore, Va.	Tinkham
Casey	Hawley	Morgan	Towner
Classon	Hays	Mott	Upshaw
Cleary	Hernandez	Murphy	Vestal
Cole	Hersey	Nelson, Wis.	Voigt
Cooper	Hersman	Newton, Minn.	Volstead
Crago	Hickey	Nolan	Watson
Crowther	Hicks	O'Connell	Weaver
Cullen	Houghton	Ogden	Webster
Currie, Mich.	Husted	Parker	Wheeler
Dale	Hutchinson	Pell	White, Me.
Dallinger	Igoe	Peters	Wilson, La.
Darrow	James	Phelan	Wilson, Pa.
Dempsey	Johnson, Wash.	Platt	Woodyard
Dewalt	Jones, Pa.	Purnell	Yates
Dickinson, Iowa	Juul	Radcliffe	Young, N. Dak.
Donovan	Kearns	Raker	Zihlman
Dowell	Keller	Ramsey	
Dunn	Kelly, Pa.	Ramseyer	
Dupré	Kiess	Randall, Calif.	
Dyer	King	Randall, Wis.	

NAYS—114.

Ackerman	Flood	Lee, Ga.	Rainey, H. T.
Almon	Fordney	Luce	Rainey, J. W.
Aswell	Freeman	McArthur	Rayburn
Ayres	Gallagher	McKeown	Robinson, N. C.
Black	Garner	McKinley	Rogers
Box	Garrett	McPherson	Romjue
Brand	Godwin, N. C.	Madden	Rouse
Briggs	Good	Major	Rowe
Buchanan	Goodwin, Ark.	Mann, Ill.	Rubey
Byrns, Tenn.	Hardy, Colo.	Mann, S. C.	Rucker
Candler	Hardy, Tex.	Mansfield	Sears
Cannon	Harreld	Martin	Sims
Caraway	Haugen	Montague	Sisson
Clark, Mo.	Heflin	Moon	Smithwick
Collier	Hoch	Moores, Ind.	Snell
Connally	Hoey	Nelson, Mo.	Snyder
Copley	Holland	Newton, Mo.	Steagall
Crisp	Hull, Tenn.	Oldfield	Stedman
Davey	Jacoway	Oliver	Stephens, Miss.
Davis, Tenn.	Jefferis	Olney	Stevenson
Dominick	Johnson, Miss.	Overstreet	Stoll
Doughton	Jones, Tex.	Padgett	Strong, Kans.
Dunbar	Kitchin	Park	Summers, Wash.
Eagle	Lanham	Parrish	Thomas
Evans, Nebr.	Lankford	Quin	Tillman
Tincher	Watkins	Williams	Wright
Treadway	Welling	Wingo	Young, Tex.
Venable	Whaley	Wise	
Vinson	White, Kans.	Woods, Va.	

NOT VOTING—132.

Anderson	Evans, Nev.	Kincheloe	Reavis
Anthony	Ferris	Knutson	Riddick
Bankhead	Fields	Lampert	Rodenberg
Bee	Fuller, Mass.	Langley	Rose
Bell	Gallivan	Larsen	Rowan
Blackmon	Gard	Lea, Calif.	Sabath
Bland, Mo.	Glynn	Linthicum	Sanders, La.
Blanton	Goldfogle	Lonergan	Schall
Booher	Goodall	Lufkin	Scully
Brinson	Gould	McAndrews	Slemp
Burke	Graham, Pa.	McClintic	Small
Burroughs	Griest	McCulloch	Smith, Idaho
Butler	Hamill	McDuffie	Smith, Ill.
Byrnes, S. C.	Hamilton	McFadden	Smith, N. Y.
Campbell, Kans.	Hastings	McLane	Strong, Pa.
Cantrill	Hayden	Maher	Sullivan
Carter	Hill	Mapes	Sumners, Tex.
Chindblom	Howard	Mason	Tague
Christopherson	Huddleston	Merritt	Taylor, Ark.
Clark, Fla.	Hudspeth	Michener	Taylor, Colo.
Coady	Hulings	Minahan, N. J.	Taylor, Tenn.
Costello	Hull, Iowa	Mondell	Temple
Cramton	Humphreys	Morin	Thompson
Curry, Calif.	Ireland	Mudd	Timberlake
Davis, Minn.	Johnson, Ky.	Neely	Vaile
Denison	Johnson, S. Dak.	Nicholls, S. C.	Vare
Dent	Johnston, N. Y.	Nichols, Mich.	Walters
Dickinson, Mo.	Kahn	O'Connor	Ward
Dooling	Kelley, Mich.	Osborne	Wason
Doremus	Kendall	Paige	Welty
Drane	Kennedy, Iowa	Porter	Wilson, Ill.
Edmonds	Kennedy, R. I.	Pou	Winslow
Ellsworth	Kettner	Rainey, Ala.	Wood, Ind.

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. KNUTSON with Mr. BELL.

Mr. KENDALL with Mr. GARD.

Mr. FULLER of Massachusetts with Mr. SULLIVAN.

Mr. LUFKIN with Mr. HOWARD.

Mr. CHINDBLOM with Mr. LINTHICUM.

Mr. KENNEDY of Rhode Island with Mr. TAGUE.

Mr. DENISON with Mr. GALLIVAN.

Mr. MONDELL with Mr. POU.

Mr. ANDERSON with Mr. DOOLING.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. CAMPBELL of Kansas with Mr. BLAND of Missouri.

Mr. MERRITT with Mr. SUMNERS of Texas.

Mr. IRELAND with Mr. WELTY.

Mr. DAVIS of Minnesota with Mr. KETTNER.

Mr. MORIN with Mr. CANTRILL.

Mr. CHRISTOPHERSON with Mr. HUDDLESTON.

Mr. KAHN with Mr. DENT.

Mr. HULINGS with Mr. LARSEN.

Mr. GOODALL with Mr. BRINSON.

Mr. EDMONDS with Mr. BEE.

Mr. BURROUGHS with Mr. FIELDS.

Mr. GRIEST with Mr. LONERGAN.

Mr. WASON with Mr. BLANTON.

Mr. HULL of Iowa with Mr. ROWAN.

Mr. ANTHONY with Mr. BARKLEY.

Mr. REAVIS with Mr. BANKHEAD.

Mr. JOHNSON of South Dakota with Mr. MCCLINTIC.

Mr. MCFADDEN with Mr. MAHER.

Mr. WINSLOW with Mr. BLACKMON.

Mr. HAMILTON with Mr. O'CONNOR.

Mr. RODENBERG with Mr. TAYLOR of Arkansas.

Mr. VAILE with Mr. SMALL.

Mr. COSTELLO with Mr. BOOHER.

Mr. BUTLER with Mr. CARTER.

Mr. GRAHAM of Pennsylvania with Mr. HUDSPETH.

Mr. MCCULLOCH with Mr. LEA of California.

Mr. OSBORNE with Mr. HAYDEN.

Mr. BURKE with Mr. MCLANE.

Mr. MUDD with Mr. DRANE.

Mr. VARE with Mr. FERRIS.

Mr. ELLSWORTH with Mr. HAMILL.

Mr. PORTER with Mr. SMITH of New York.

Mr. GLYNN with Mr. MCANDREWS.

Mr. MAPES with Mr. TAYLOR of Colorado.

Mr. KENNEDY of Iowa with Mr. DOREMUS.

Mr. MICHENER with Mr. EVANS of Nevada.

Mr. TIMBERLAKE with Mr. MINAHAN of New Jersey.

Mr. WALTERS with Mr. HASTINGS.

Mr. LAMPERT with Mr. BYRNES of South Carolina.

Mr. GOULD with Mr. JOHNSON of Kentucky.

Mr. ROSE with Mr. MCDUFFIE.

Mr. KELLEY of Michigan with Mr. SANDERS of Louisiana.

Mr. STRONG with Mr. SCULLY.
Mr. WILSON of Illinois with Mr. SABATH.
Mr. PAGE with Mr. NEELY.
Mr. TEMPLE with Mr. JOHNSTON of New York.
Mr. WOOD of Indiana with Mr. NICHOLLS of South Carolina.
Mr. SLEMP with Mr. DICKINSON of Missouri.
Mr. SMITH of Illinois with Mr. HUMPHREYS.
Mr. TAYLOR of Tennessee with Mr. RAINEY of Alabama.
Mr. THOMPSON with Mr. GOLDFOGLE.
Mr. COADY (for) with Mr. SMITH of Idaho (against).

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ACTIONS FOR DEATH ON THE HIGH SEAS.

Mr. VOLSTEAD. Mr. Speaker, I call up the bill (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters.

The SPEAKER pro tempore. The gentleman from Minnesota calls up the bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That whenever the death of a person shall be caused by wrongful act, neglect, or default occurring on the high seas beyond a marine league from the shore of any State, or the District of Columbia, or the Territories or dependencies of the United States, the personal representative of the decedent may maintain a suit for damages in the district courts of the United States, in admiralty, for the exclusive benefit of the decedent's wife, husband, parent, child, or dependent relative against the vessel, person, or corporation which would have been liable if death had not ensued.

SEC. 2. That the recovery in such suit shall be a fair and just compensation for the pecuniary loss sustained by the persons for whose benefit the suit is brought and shall be apportioned among them by the court in proportion to the loss they may severally have suffered by reason of the death of the person by whose representative the suit is brought.

SEC. 3. That such suit shall be begun within two years from the date of such wrongful act, neglect, or default, unless during that period there has not been reasonable opportunity for securing jurisdiction of the vessel, person, or corporation sought to be charged; but after the expiration of such period of two years the right of action hereby given shall not be deemed to have lapsed until 90 days after a reasonable opportunity to secure jurisdiction has offered.

SEC. 4. That whenever a right of action is granted by the law of any foreign State on account of death by wrongful act, neglect, or fault, occurring upon the high seas, such right may be maintained in an appropriate action in admiralty in the courts of the United States without abatement in respect to the amount for which recovery is authorized, any statute of the United States to the contrary notwithstanding.

SEC. 5. That if a person die as the result of such wrongful act, neglect, or default as is mentioned in section 1 during the pendency in a court of admiralty of the United States of a suit to recover damages for personal injuries in respect of such act, neglect, or default, the personal representative of the decedent may be substituted as a party and the suit may proceed as a suit under this act for the recovery of the compensation provided in section 2.

SEC. 6. That in suits under this act the fact that the decedent has been guilty of contributory negligence shall not bar recovery, but the court shall take into consideration the degree of negligence attributable to the decedent and reduce the recovery accordingly.

SEC. 7. That the provisions of any State statute giving or regulating rights of action or remedies for death shall not be affected by this act as to causes of action accruing within the territorial limits of any State. Nor shall this act apply to the Great Lakes or to any waters within the territorial limits of any State, or to any navigable waters in the Panama Canal Zone.

SEC. 8. That this act shall not affect any pending suit, action, or proceeding.

Mr. VOLSTEAD. Mr. Speaker, this legislation is an old friend that has been pending in Congress a great many years. It has been passed from time to time, sometimes in the House and sometimes in the Senate. The bill, if you will examine the report made upon it, is intended to supply a defect which now exists under what was the common-law rule as to actions affecting injuries that might be caused through the wrongful act or neglect of persons engaged in shipping on the high seas. If the injury did not result in death, a cause of action exists; the injured person might go into a court of admiralty and secure relief, but if death resulted courts applied the old common-law doctrine that the cause of action dies with the person; that is, the cause of action was personal and did not survive the injured party.

The object of this bill is to give a cause of action in case of death resulting from negligence or wrongful act occurring on the high seas. Nearly all countries have modified the old rule which did not allow relief in the case of death under such circumstances. Under what is known as Lord Campbell's act, England many years ago authorized recovery in such cases. France, Germany, and other European countries now followed this more humane and enlightened policy and allow dependent parties to recover in case of death of their near relatives upon the high seas.

This bill was introduced in the Senate, has been passed by that body, and is substantially in the form in which it passed this House in the Sixty-fourth Congress. In the Sixty-fifth Congress this same bill, or a very similar one, was reported from the Judiciary Committee, but did not reach consideration on the floor of the House.

Mr. RICKETTS. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. RICKETTS. Do I understand by the provisions of section 6 that contributory negligence is not to be made a defense?

Mr. VOLSTEAD. It is not a defense, but will be considered in determining the amount of damages.

Mr. RICKETTS. So that the judge may charge the jury that they may take into consideration contributory negligence in fixing the amount of damages?

Mr. VOLSTEAD. Yes.

Mr. RICKETTS. Then it would be a defense.

Mr. VOLSTEAD. No; but it would go in the reduction of the amount of damages. It is a familiar rule in many States that the jury may consider evidence of contributory negligence in determining the amount of damages.

Mr. RICKETTS. It is in mitigation of damages.

Mr. VOLSTEAD. Yes; in mitigation of damages, but not as a defense.

Mr. IGOE. Does not the gentleman think that he should inform the gentleman from Ohio [Mr. RICKETTS] that this proceeding will be in admiralty and that there will be no jury, so that no Member of the House may have any misunderstanding about it? That question was thrashed out and it was decided best not to incorporate into this bill a jury trial because of the difficulties in admiralty proceedings. I want to ask another question so that it may be clear. It seems to me that on another occasion when this bill was under consideration one of the objections was that it might restrict or take away the right of action which might be permissible under the laws of some States, where, for instance, States border on the Lakes, where death might occur. This bill, as I understand it, has been amended so that it does not cover causes of action arising within the 3-mile limit and excludes from its operations deaths which may occur on the Great Lakes. I think it might be well to explain that to the House.

Mr. VOLSTEAD. Section 1 expressly provides that it shall apply to the high seas outside of the 3-mile limit. Section 7 seeks to make certain that any action that originates inside of the 3-mile limit, the Great Lakes, or in the Canal Zone is not to be covered by this act.

Mr. SANDERS of Indiana. What is the meaning of the first sentence in section 7? The statement is that the provisions of any State statute giving or regulating rights of action or remedies for death shall not be affected by this act as to causes of action accruing within the territorial limits of any State. How is that embraced within the terms of the act, anyway?

Mr. VOLSTEAD. The language is general. Maritime jurisdiction extends over the rivers and the lakes, and unless we inserted this provision, section 1 may extend the admiralty jurisdiction of the United States within the States.

Mr. SANDERS of Indiana. It says "occurring on the high seas."

Mr. VOLSTEAD. Anything beyond the 3-mile limit is considered as on the high seas. It is provided that anything outside of a league from shore shall be covered by the bill.

Mr. SANDERS of Indiana. How much is a league?

Mr. VOLSTEAD. Three miles.

Mr. SANDERS of Indiana. The terms of the first section of the bill include only causes of action arising from injury——

Mr. VOLSTEAD. Neglect or default on the high seas.

Mr. SANDERS of Indiana. Outside of the 3-mile limit?

Mr. VOLSTEAD. Yes.

Mr. SANDERS of Indiana. Then I do not see the necessity for the first sentence of section 7.

Mr. MOORES of Indiana. Permit me to explain that there are a number of States that have outlying islands with the deep sea intervening more than 3 miles away. For instance, Sitka is a considerable distance from the mainland of Alaska.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MOORE of Virginia. Is not the justification for section 7 found in the fact that some of the States under the State statutes take jurisdiction of causes of this character where even death may have occurred on the high seas, and that, therefore, you want to preserve that status and not interfere with it?

Mr. VOLSTEAD. No. If the gentleman will excuse me, my understanding is that the object of the act is to make a uniform rule for everything outside of the 3-mile limit.

Mr. MOORE of Virginia. I am speaking of the point made by my friend from Indiana [Mr. SANDERS]. I understand him to suggest that perhaps section 7 is superfluous because in the

first section the legislation is confined to what occurs on the high seas, but the report refers to cases described in this way, taking an illustration from the report:

In another limited liability proceeding arising from a collision more than 3 miles from land between steamships both owned by Delaware corporations the death statute of Delaware was applied.

Is it the purpose to save a situation of that kind by section 7?

Mr. MONTAGUE. No; I beg the gentleman's pardon, it does not. It is intended to exclude a situation of that sort, as the chairman states, by making the law uniform. I do not know, but if my memory serves me correctly, this section is put in out of abundant caution, to calm the minds of those who think that rights within the territorial waters will be usurped by the national law. A gentleman once here from an extreme Western State seemed to think, and so contended, that the bill applied to the territorial waters of his State.

Mr. VOLSTEAD. At that time it did.

Mr. MONTAGUE. And this section is intended, by inclusion and exclusion, to put that matter at rest, namely, that the territorial waters of the States shall be retained within the jurisdiction and sovereignty of the States and their courts. I agree with the gentleman that there is no necessity for it except to put at rest the minds of people who see dangers everywhere they turn.

Mr. SANDERS of Indiana. I am wondering whether there would be any conflict in jurisdiction—that is, whether you have provided in section 1 for recovery under certain circumstances—then you have carved something out of that in section 7.

Mr. MANN of Illinois. For instance, the territory of the State of Illinois runs out into the middle of Lake Michigan, or close to it, and the territories of Michigan and Illinois join in Lake Michigan. The point where they join is a good deal more than 3 miles from shore. It was not the intent nor the desire in any way to interfere with the jurisdiction of those States over things that happen on the lake, because they happen within the limits of the State, although it is considerably more than 3 miles from the shore. The same thing is true of other bodies of water. If the State gives a remedy, that settles it.

Mr. SANDERS of Indiana. The last provision of section 7 covers that part. I am talking about the first sentence.

Mr. MANN of Illinois. I know. That is a specific provision, but the same situation might arise in other States. Though I do not know, I suppose if a man is injured on the high seas within a State and he can get service on the defendant, as a result of that injury, he can bring suit.

Mr. VOLSTEAD. I presume he could.

Mr. SANDERS of Indiana. That is a suit in personam.

Mr. MANN of Illinois. Could it not reach a vessel in the State of Louisiana that belonged to the Pacific coast. Very evidently it would have to come a good ways around.

Mr. CONNALLY. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. CONNALLY. Under the terms of section 7 what would be the effect of the bill as to a vessel, say, in the Mississippi River?

Mr. VOLSTEAD. It would be excluded from the operation of this law and be subject to the State laws as they are now.

Mr. CONNALLY. Why would it? The gentleman provides as not to be affected by this act "causes of action accruing within the territorial limits of any State." The boundary is the middle of the stream, and sometimes it is difficult to locate just exactly where the accident occurred.

Mr. VOLSTEAD. Do not the States have concurrent jurisdiction all along the Mississippi River?

Mr. CONNALLY. They have in some cases, but they have not in all. As I understand, they do not have criminal jurisdiction over the whole river.

Mr. VOLSTEAD. At any rate it would be within the boundary of one side or the other.

Mr. CONNALLY. I was speculating as to whether the committee had taken that into consideration.

Mr. MOORE of Virginia. If I may be indulged just a moment——

Mr. VOLSTEAD. I yield.

Mr. MOORE of Virginia. I wish to make this suggestion, taking up the statement made by the gentleman from Indiana. The purpose of this bill, as I understand it, is to give exclusive jurisdiction to the admiralty courts where the accident occurs on the high seas.

Mr. VOLSTEAD. That is it.

Mr. MOORE of Virginia. If that be true, if you give exclusive jurisdiction, there seems to be no necessity for at least a part of section 7, and it therefore appears that in order to remove any doubt as to the exclusive jurisdiction of the admiralty courts, if that is what is desired, that there shall be inserted in section 1 language that will make the exclusive jurisdiction of the admiralty courts clear.

The courts may take the view that as the bill deals with accidents on the high seas and also with accidents within the territorial limits of the States, then even as to causes of action arising on the high seas the admiralty courts and State courts are to have concurrent jurisdiction. If that view is to be avoided, it strikes me that there could be placed easily in the first section of the bill language that would place the point beyond peradventure of a doubt. I have only seen the bill in the last few moments, and am only stating an impression.

Mr. MONTAGUE. May I suggest——

Mr. VOLSTEAD. I yield to the gentleman.

Mr. MONTAGUE. In reply to the statement of my colleague [Mr. MOORE] I will say that jurisdiction upon this subject is found in the Constitution of the United States, and it has been held over and over again by our courts that when the Congress legislates in pursuance of constitutional authority such a law is exclusive. It requires no asservation in the bill to make it exclusive. It is exclusive by virtue of its superior jurisdiction; therefore, I submit, it is needless to amend this bill now and raise the chance of its defeat by adding a mere adjective when by the very force of the Constitution and the law in pursuance thereof it is inherently and necessarily exclusive.

Mr. VOLSTEAD. My impression is it would be exclusive upon the theory the gentleman [Mr. MONTAGUE] suggests.

Mr. SANDERS of Indiana. No case occurs to me which would call for the provision in the first part of section 7.

Mr. VOLSTEAD. Well, it does no harm.

Mr. SANDERS of Indiana. Well, I am not sure about that. Is it necessary that this shall apply only to cases in rem?

Mr. VOLSTEAD. In both rem and personam.

Mr. YATES. How could it do any harm?

Mr. CONNALLY. Is it intended that this shall apply to accidents occurring beyond the 3-mile limit?

Mr. VOLSTEAD. Yes; but, of course, death might occur, perhaps, inside the limit.

Mr. CONNALLY. But the cause of action has to occur beyond the 3-mile limit?

Mr. VOLSTEAD. Yes.

Mr. CONNALLY. Under that view is not section 7 practically superfluous by reason of the fact that Congress having legislated——

Mr. VOLSTEAD. As to the last part of the section, I do not think it is. There may be a question as to the first four lines, but the persons who drew this are expert admiralty lawyers, and I hesitate very much to attempt to improve on their language.

Mr. CONNALLY. The last few lines of section 7 would not be superfluous as to the Great Lakes, for unless they were excepted they would be included within the terms of the act perhaps.

Mr. VOLSTEAD. And the Panama Canal Zone.

Mr. IGOE. Does the gentleman feel that section 7 should be amended? I would say to the gentleman I think to do so would lead to embarrassment, because under the decision in the Hamilton case the statutes of Delaware were held to govern the cause of action where the corporations which owned the vessels were incorporated under the laws of that State even where the ships were upon the high seas. I think it would be well to leave that language so that the action may be permitted under those State laws when the accident occurs within the jurisdiction of the State, but that when the accident or death occurs beyond this limit, then it is governed under this law, because there is no remedy now in all cases.

Mr. CULLEN. Will the gentleman yield for a minute?

Mr. IGOE. Yes.

Mr. CULLEN. Then the purpose of that is to make the law uniform? Is that the object of it?

Mr. IGOE. The law is to remain as it is now, where there is a cause of action given by any State law or the decisions of the courts of those States for accidents in waters that are subject to the jurisdiction of those States. And then beyond that the State law does not apply, but this cause of action does apply.

Mr. CULLEN. If the State law applies to-day, then why the necessity for section 7?

Mr. VOLSTEAD. The State laws do not always apply. In some States there are no remedies.

Mr. IGOE. The difficulty is that a vessel of one State may collide with the vessel under the jurisdiction of another State, and in that case the court in Massachusetts has held that there was such a conflict and confusion that no remedy could be had.

Mr. CULLEN. I still hold it is superfluous and should be stricken from the bill.

Mr. SANDERS of Indiana. If a case should happen such as the gentleman has mentioned, then the persons having the right of action would have the right to proceed in admiralty under this statute?

Mr. IGOE. Under this statute.

Mr. SANDERS of Indiana. Or they would have the right to proceed in a State court?

Mr. IGOE. If they could have had an action under the State laws it would be excluded under this bill, unless it happened within the territorial limits of the State; that is, within the marine league limit.

Mr. SANDERS of Indiana. If it happens within the marine league limits, then it is not within the terms of the statute at all, because it is not on the high seas.

Mr. IGOE. It is possible to have an action under the State law.

Mr. SANDERS of Indiana. Will the gentleman yield further?

Mr. IGOE. I will.

Mr. SANDERS of Indiana. What I am trying to find out is whether it is intended here to give concurrent jurisdiction under section 7 to the State authority and the Federal authority in some cases, and whether it is intended to give exclusive jurisdiction to the Federal authorities in certain cases and to State authorities in certain cases?

Mr. IGOE. This is to give the right of action where there is none now in the Federal court. Of course, where the owners of a vessel submit to the limitation of liability there might be a recovery now, because of having submitted themselves voluntarily to the jurisdiction.

Mr. SANDERS of Indiana. The thing that occurred to me is this: Now, here is a statute providing for an action in admiralty for the decedent. It provides just how the amount recovered shall be distributed and it provides for certain beneficiaries. On the other hand, in section 7, you provide it shall not interfere with the laws of any State. If some State had a law providing for the recovery for wrongful death and entirely different distribution and we enact this statute and say the first statute shall not interfere with the law, you have two rights, first, within the first provisions of this act and then under the State, by the other beneficiaries, and it would subject the person charged to two suits.

Mr. IGOE. It was attempted to provide by this bill that there would not be any conflict between the State and Federal jurisdiction, and it was not intended to have any more concurrent power, as I understand it—at least, not in this bill.

Mr. SANDERS of Indiana. I did not know but that the gentleman had brought the concurrent power we had in another bill into this bill.

Mr. IGOE. I refer that to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. McKEOWN. Will the gentleman yield? I wanted to ask why exception was made as to the Panama Canal Zone?

Mr. VOLSTEAD. My understanding is that we have legislation covering the zone. The Panama Canal Zone has a code of laws of its own, and we are trying to leave legislation pertaining to it to the Committee on Interstate and Foreign Commerce, as that committee generally deals with that subject.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the Senate bill.

Mr. MANN of Illinois. Mr. Speaker, would the gentleman yield for the purpose of offering an amendment——

Mr. VOLSTEAD. I yield for that purpose.

Mr. MANN of Illinois. In order to get it before the House for consideration. I move to strike out, page 3, line 12, after the word "act," the words "as to causes of action accruing within the territorial limits of any State."

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 3, line 12, after the word "act," strike out "as to causes of action accruing within the territorial limits of any State."

Mr. MANN of Illinois. Now, I do not know whether I am right or wrong about it, because I have not examined the report on this bill carefully as reported this time. But I remember this bill very distinctly in previous Congresses, and my impression, which very likely may be erroneous, is that the purpose of the bill was to confer jurisdiction in certain cases of death where no jurisdiction now exists. I was under the impression that the bill was not intended to take away any jurisdiction which can now be exercised by any State court. I may be wrong about that. I notice in the report in one place, on page 2, this statement from somebody:

We are very anxious to have the bill go through in its present simple form, which avoids conflict with State statutes and yet remedies a crying defect in the maritime law as administered in this country—

and so forth.

If the amendment which I have suggested should be agreed to, the bill would not interfere in any way with rights now granted by any State statute, whether the cause of action accrued within the territorial limits of the State or not. In other words, if a man had cause of action and could get service, he could sue in a State court and not be required to bring suit in the Federal court.

Mr. IGOE. Will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. IGOE. In framing the law this difficulty was experienced: It was found that under States, as I said a moment ago, where the corporation was incorporated under the law of a State—the corporation owning the vessel—and an accident occurred upon the high seas, if both vessels were incorporated in the same State, there was no difficulty, but taking a case where——

Mr. MANN of Illinois. This does not cover the case of a collision of two vessels and an admiralty suit between the two.

Mr. IGOE. The death may occur on the high seas in collision between vessels.

Mr. MANN of Illinois. It would not be a suit by one corporation against the other.

Mr. IGOE. The inclination would be to select the corporation that was responsible. In one State the cause of action might be given to one individual, or it might be a different limitation the man has in another State. It was thought that there would be a great deal of confusion growing out of that, and there would be no certainty as to those who might sue or any certainty as to the amount of recovery.

Mr. MANN of Illinois. Anybody could bring a suit under this act if he chose to.

Mr. IGOE. Not under your amendment if the State law gave a cause of action and a death occurred on the high seas.

Mr. MANN of Illinois. Where there is a provision to that effect there would be concurrent jurisdiction.

Mr. IGOE. No. If we pass a law for admiralty jurisdiction in the United States, it is exclusive in certain cases.

Mr. MANN of Illinois. If it is exclusive, then it does not affect this.

Mr. IGOE. The gentleman is excluding an entire class of cases.

Mr. MANN of Illinois. We give a certain class of rights under this act. If this act as originally drawn by the admiralty lawyers was intended for the purpose of taking away jurisdiction now conferred by State statutes, it ought to be very critically examined.

Mr. IGOE. That is why the Great Lakes were excepted, where there could not be a conflict at all.

Mr. MANN of Illinois. It is just as easy to have a conflict on the Great Lakes as it is on the high seas, so far as that is concerned. The whole argument made in favor of this bill, as I recollect it, was that under the common law if a man received an injury through the negligence of another he could bring a suit. If he died the suit ended. If he was killed by the injury he had no right of action. The whole purpose of this was to conform to modern ideas of humanity and give a right of action where death was the result of the negligence of another. Now, if we are told that where that right of action now exists under State statutes that suit can be brought in State courts, we propose to pass an act to take away that right, I do not see how we are progressing.

Mr. IGOE. In the State of Massachusetts that right has been taken away. They would not apply the laws of the States, because the laws conflict.

Mr. MANN of Illinois. They would not be required to comply with the laws of a State. The gentleman's proposition would take away the right of the State to apply its own laws.

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. DEWALT. From the gentleman's recollection in regard to the discussion of this matter heretofore, was it the intent of the legislators to give exclusive jurisdiction to the admiralty courts of the United States in regard to accidents on the high seas?

Mr. MANN of Illinois. I would not undertake to say. That is my recollection of it. Still, that may be the intent of the men who drew the bill.

Mr. DEWALT. Does the gentleman who is chairman of the Committee on the Judiciary [Mr. VOLSTEAD] adhere to that?

Mr. VOLSTEAD. This bill has not always been in the same form. Originally it was intended to exclude State jurisdiction where the cause of action arose inside of the 3-mile limit. I am not sure but that the bill, at some time or another, when it passed the House, did contain a provision giving concurrent jurisdiction. This bill clearly leaves the jurisdiction exclusive in the Federal court outside of the 3-mile limit.

Mr. DEWALT. In order to remove any doubt as to that, does not the chairman of the Committee on the Judiciary believe it would be wise, in section 1, to state that the admiralty courts of the United States do have exclusive jurisdiction in such cases? That would clear that down.

Mr. VOLSTEAD. The view taken by the parties who drew this bill is that it is exclusive, because, as the gentleman from Virginia [Mr. MONTAGUE] pointed out, the power to pass laws on this subject is conferred on Congress in the Constitution, and whenever Congress acts I have no doubt it excludes the power on the part of the State to pass laws on the same subject.

Mr. DEWALT. If that is true, as to that sort of accidents resulting in death, and if there be no doubt about that, according to the gentleman from Virginia [Mr. MONTAGUE], and the gentleman's interpretation, and it being exclusive only as to matters occurring on the high seas, and also that the States have jurisdiction in regard to matters happening in their territorial limits, what is the use in having section 7?

Mr. VOLSTEAD. Section 7 has a use, at least, as far as the Great Lakes and the Panama Canal are concerned.

Mr. DEWALT. According to your contention, there is no use in having section 7.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

Mr. GARRETT. Mr. Speaker, may we have that amendment reported again?

The SPEAKER pro tempore. Without objection, the Clerk will again report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Page 3, line 12, after the word "act," strike out "as to causes of action accruing within the territorial limits of any State."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

Mr. GARRETT. Mr. Speaker, I know but very little about this question. I wanted to direct an inquiry to the gentleman from Illinois [Mr. MANN], if I may.

The SPEAKER pro tempore. Does the gentleman from Minnesota [Mr. VOLSTEAD] yield?

Mr. VOLSTEAD. I yield for that purpose.

Mr. GARRETT. It reads, "That the provisions of any State statute giving or regulating rights of action or remedies for death shall not be affected by this act."

Mr. MANN of Illinois. That is the way it will be left, so that the act will not take away any jurisdiction conferred now by the States.

Mr. REED of West Virginia. Mr. Speaker, will the gentleman yield for a question?

Mr. VOLSTEAD. I yield.

Mr. REED of West Virginia. It was alluded to once that the proceedings under this act would never have recourse to a jury. Is that true?

Mr. VOLSTEAD. I do not think so. Perhaps, for certain purposes, under the practice that prevails, they may have a jury, but ordinarily a jury is not allowed. However, I do not know much about admiralty practice.

Mr. REED of West Virginia. But under this concurrent jurisdiction to which my friend from Illinois [Mr. MANN] refers, that would be a proceeding in which there would be a jury trial, and the action might hinge upon the fact that the parties wanted to have a jury trial or not have a jury trial.

Mr. VOLSTEAD. I have no doubt but that under section 7, in the causes of action originating within the boundaries of a State, under State laws, a jury would be permitted, because it would be a cause of action in tort, and, of course, a jury trial would be permitted there.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Minnesota yield to the gentleman from Indiana?

Mr. VOLSTEAD. Yes.

Mr. SANDERS of Indiana. I would like to know what the effect of this law would be if the amendment offered by the gentleman from Illinois [Mr. MANN] be adopted with reference to this particular question: As thus amended, the first sentence in section 7 will read, "That the provisions of any State statute giving or regulating rights of action or remedies for death shall not be affected by this act." Now, as I understand it, if a person living in Illinois should be in the beneficiary class, should be, say, the widow of a person who had been killed on the high seas, that person may now bring action in personam in the State court of Illinois, and the damages recovered shall then be distributed in accordance with the provisions of the State statutes. Now, if this act is passed as thus amended, it will give that widow the right to elect as to whether she shall proceed under the terms of the act conferring jurisdiction upon the Federal courts with reference to this matter, or whether she shall proceed under the State statute of Illinois. Is that the gentleman's understanding?

Mr. VOLSTEAD. That is my view of it, and my understanding is that in the form in which the bill at one time was drawn there was a provision something like this, and there was a precautionary clause added to prevent a double action; that is, to prevent action first in the State court and then afterwards an action in the Federal court.

Mr. SANDERS of Indiana. The reason I raised the question is that you notice here that the action is for the benefit of the husband, parent, or child. My recollection of the action for wrongful death in Illinois is that the child precedes the parent in the beneficial interest. It seems to me this might give conflicting rights. If the right of action were in one person in either case, then, of course, having elected to proceed under one provision, he would be barred from proceeding under the other provision. But suppose that the parent had the right to proceed in admiralty in the Federal courts under this law, and suppose under the State law of Illinois the child had the right to proceed. Now, how are you going to have an election in that case when the right to elect is not in the same person?

Mr. VOLSTEAD. It would be a good deal simpler if we should leave the statute in the form in which it is drawn.

Mr. MANN of Illinois. It would be a good deal wickeder.

Mr. VOLSTEAD. Well, it might or might not be. That might depend upon circumstances. In some cases there would be some advantage in having the two.

I move the previous question on the bill.

Mr. DEWALT. Mr. Speaker, I desire to offer an amendment.

The SPEAKER pro tempore. The gentleman from Minnesota moves the previous question on the bill.

Mr. DEWALT. Will the gentleman yield to allow me to offer an amendment?

Mr. VOLSTEAD. Yes; I will.

The SPEAKER pro tempore. Does the gentleman withdraw his motion?

Mr. VOLSTEAD. Yes; I withdraw it for the time being.

The SPEAKER pro tempore. Does the gentleman from Minnesota yield to the gentleman from Pennsylvania to offer an amendment?

Mr. VOLSTEAD. Yes.

The SPEAKER pro tempore. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DEWALT: Page 1, line 12, after the word "ensued," insert "And in such cases the district court of the United States shall have exclusive jurisdiction."

Mr. MANN of Illinois. Mr. Speaker, I submit that my amendment must be voted upon before that.

Mr. DEWALT. I was waiting for the vote on the gentleman's amendment.

Mr. VOLSTEAD. I think we have discussed this sufficiently, and I move the previous question on the bill and amendments to the final passage.

Mr. SANDERS of Indiana. That will cut out the gentleman's amendment.

Mr. DEWALT. I desire to be heard just a moment.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] makes the point of order that there is an amendment pending.

Mr. DEWALT. I recognize that.

The SPEAKER pro tempore. Of course, the point of order is sustained, and the amendment of the gentleman from Pennsylvania is not now in order. The gentleman from Minnesota [Mr. VOLSTEAD] moves the previous question on the bill and amendments.

Mr. VOLSTEAD. I withdraw that for the time being.

The SPEAKER pro tempore. The question is on the amendment of the gentleman from Illinois [Mr. MANN].

Mr. GOODYKOONTZ. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from West Virginia rise?

Mr. GOODYKOONTZ. Mr. Speaker, I rise for the purpose of making some comments on the amendment.

The SPEAKER pro tempore. Does the gentleman from Minnesota yield to the gentleman from West Virginia?

Mr. VOLSTEAD. I yield five minutes to the gentleman from West Virginia.

Mr. GOODYKOONTZ. Mr. Speaker, if this bill becomes law the jurisdiction of the admiralty and the State courts will not be concurrent. The admiralty court will have jurisdiction of

the action if the cause of action arose on the high seas or on other navigable waters, and it is not within the power of Congress to further extend such jurisdiction. The jurisdiction of the States, as a matter of course, can not be taken away from them by congressional action. The constitutional clause upon which we predicate this measure gives Congress the power to prescribe a remedy for wrongful death occurring at sea. This power extends "to all cases of admiralty and maritime jurisdiction."

The object of section 7 of the bill is to manifest a recognition of the jurisdiction of the States as to matters that the State legislatures have the right to deal with. If you were to adopt the amendment proposed by the gentleman from Illinois [Mr. MANN] and eliminate the latter part of the first clause in the seventh section, which reads thus:

As to causes of action accruing within the territorial limits of any State—

you would defeat the very object which the gentlemen desire to accomplish, namely, the preservation of the authority of the States. The effect of the amendment would be to leave the sentence incomplete and the remaining language, not unlike Mahomet's coffin, suspended between heaven and earth, having no application to anything in particular. Even if you treat this phrase as surplusage, it can do no harm, for the reason that that which is useless does not vitiate the useful. If we follow the line of decisions, beginning with Gibbons against Ogden, and coming on down, we will find that the Federal courts have exclusive jurisdiction whenever Congress exercises a power that may have hitherto remained dormant, and therefore it may be that the class of decisions in State courts, as in Delaware, would fall, except for the provision which was wisely inserted by experienced lawyers, who thrashed the matter out; and I have no doubt but that every word in that paragraph has a very particular and precise bearing and was designed to take care of an important legal situation.

If the amendment prevails, my judgment is that the State courts and their decisions will be superseded by the exclusive power and authority of the admiralty courts, and such result will be in harmony with the decisions of the Supreme Court in interpreting the commerce clause of the Constitution. I would like to see the bill pass in its present form. If it had been the law at the time the *Titanic* went down, the families of those who found a grave in the chilly waters of the great deep would not have gone out of court empty handed.

Mr. MACGREGOR. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. MACGREGOR. I move to strike out the last word.

The SPEAKER pro tempore. The gentleman will have to get time yielded by the gentleman from Minnesota.

Mr. VOLSTEAD. I yield to the gentleman from New York.

The SPEAKER pro tempore. The gentleman from New York is recognized for five minutes.

Mr. MACGREGOR. Mr. Speaker, I do not know how many of the gentlemen here are admiralty lawyers. I must say I am not, but it strikes me that there may be considerable danger in this bill, especially with reference to the matter of jurisdiction upon the Great Lakes. Now, my recollection is that in the State of New York, when a death occurs upon Lake Erie, we go into the admiralty court and plead the cause of action for death or the right to recover for death under the State statute. If this bill is passed it leaves it very uncertain whether we can go into the admiralty court. I notice that this bill, or a similar bill, has been considered by the House before, and the opinion of Judge Putnam is attached. He says, with reference to this bill, that section 1 gives a right of action in the admiralty court for death from negligent acts occurring upon the high seas, the Great Lakes, and other navigable waters.

Now, this bill strikes out the Great Lakes. I am very uncertain as to what situation we will find ourselves in with reference to death occurring on the Great Lakes.

Mr. VOLSTEAD. You will be in exactly the same position that you are now.

Mr. IGOE. That is the anxiety of many men—that the bill is interfering with present remedies for death on the Great Lakes and that the law is now sufficient.

Mr. MACGREGOR. You have this law applying to death in one case and a different law applying to death in another case.

Mr. MONTAGUE. Would the gentleman deny the right of the people to the benefit which this law confers in cases where there is now no remedy? Does not the gentleman think it is an opprobrium of our Government and of our civilization that people dying from injuries sustained upon the high seas have no remedy whatever?

Mr. MACGREGOR. I always thought that.

Mr. MONTAGUE. Why, then, if this bill does not interfere with inland waters, should such noninterference be invoked to kill this bill?

Mr. MACGREGOR. My only point was whether it might cause such a confusion that we would not know exactly how we were situated in regard to death on the Great Lakes.

Mr. MONTAGUE. This bill does not apply to the Great Lakes at all; it does not affect any existing laws applicable to them.

Mr. MACGREGOR. But you would have one law applying to death on the Great Lakes and another applying to death on the high seas.

Mr. MONTAGUE. The Great Lakes are not the high seas.

Mr. MACGREGOR. I admit that the gentleman knows more about this than I do.

Mr. MONTAGUE. This bill has been killed three or four times in other Congresses on three grounds: One, that it embraced the Great Lakes and inland waters; the second, that it did not provide for a jury trial; third, that there was no limitation upon the liability of shipowners, and that there ought to be such a limitation. These three objections, in some form or another, have been interjected heretofore to kill this very meritorious legislation. This bill as now worked out is not perfect, and no legislation is perfect, but certainly in the minds of the committee it is legislation that we would generally consider most wholesome and righteous for mankind. [Applause.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. MANN of Illinois) there were—10 ayes and 12 noes.

Mr. MANN of Illinois. Mr. Speaker, I think we ought to have somebody here to decide such an important proposition.

The SPEAKER pro tempore. Does the gentleman from Illinois make the point of no quorum?

Mr. MANN of Illinois. I do.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of no quorum. Evidently no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 201, nays 75, answered "present" 1, not voting 149, as follows:

YEAS—201.

Almon	Elston	Lehlbach	Robsion, Ky.
Andrews, Nebr.	Emerson	Lesher	Romjue
Anthony	Evans, Nebr.	Linthicum	Rowe
Ashbrook	Fairfield	Little	Rubey
Ayres	Fess	Luhring	Rucker
Bacharach	Focht	McCulloch	Sanders, Ind.
Baer	Foster	McKinley	Sanders, La.
Barbour	Frear	McLaughlin, Mich.	Scott
Begg	Freeman	McLaughlin, Nebr.	Sells
Black	Fuller, Ill.	McPherson	Sherwood
Bland, Mo.	Gallagher	MacCrate	Sims
Bland, Va.	Garland	MacGregor	Sinclair
Blanton	Garner	Major	Small
Bowers	Garrett	Mann, Ill.	Smith, Idaho
Box	Goodwin, Ark.	Mansfield	Smith, Mich.
Brand	Graham, Ill.	Martin	Smithwick
Briggs	Griffin	Mays	Steagall
Brooks, Ill.	Hadley	Miller	Stedman
Browning	Hardy, Colo.	Monahan, Wis.	Steele
Buchanan	Hardy, Tex.	Mondell	Stephens, Ohio
Burdick	Harreld	Moon	Stevenson
Butler	Haugen	Moore, Ohio	Stoll
Byrns, Tenn.	Hays	Moore, Va.	Strong, Kans.
Campbell, Pa.	Heflin	Morgan	Summers, Wash.
Candler	Hernandez	Mudd	Sweet
Cannon	Hersey	Murphy	Swope
Carew	Hersman	Nelson, Mo.	Taylor, Tenn.
Carss	Hicks	Nelson, Wis.	Tilson
Clark, Mo.	Hoey	Newton, Minn.	Tincher
Classon	Holland	Newton, Mo.	Towner
Coady	Hull, Iowa	Nolan	Treadway
Collier	Hull, Tenn.	Oliver	Upshaw
Connally	Hutchinson	Olney	Vinson
Cooper	Ireland	Park	Wason
Crisp	Johnson, Miss.	Parrish	Weaver
Crowther	Johnson, Wash.	Platt	Webster
Dale	Jones, Tex.	Pou	White, Kans.
Dallinger	Juul	Purnell	White, Me.
Darrow	Keller	Quin	Williams
Davis, Tenn.	Kelley, Mich.	Radcliffe	Wilson, Pa.
Dempsey	Kiess	Rainey, H. T.	Wingo
Dewalt	King	Raker	Wise
Dickinson, Mo.	Kinkaid	Ramseyer	Wood, Ind.
Dickinson, Iowa	Kitchin	Ramsey	Woodyard
Doughton	Kleczka	Randall, Calif.	Wright
Dowell	Kreider	Randall, Wis.	Young, N. Dak.
Drane	Lanham	Rayburn	Young, Tex.
Dunbar	Lankford	Reed, N. Y.	Zihlman
Dunn	Layton	Rhodes	
Eagle	Lazaro	Ricketts	
Elliott	Lee, Ga.	Robinson, N. C.	

NAYS—75.

Ackerman	Babka	Brooks, Pa.	Caraway
Andrews, Md.	Benham	Browne	Cleary
Aswell	Boies	Caldwell	Cullen

Currie, Mich.	Houghton	Montague	Snell
Davey	Husted	Mooney	Stiness
Dominick	Igoe	Moores, Ind.	Taylor, Ark
Donovan	Jacoway	Mott	Thomas
Dupré	Jones, Pa.	O'Connell	Tillman
Eagan	Kraus	Ogden	Tinkham
Echols	Larsen	Oldfield	Volstead
Esch	Luce	Pell	Watkins
Fordney	McArthur	Peters	Watson
French	McClintic	Phelan	Welling
Ganly	McGlennon	Rainey, J. W.	Whaley
Goodykoontz	McKeown	Reed, W. Va.	Wilson, Ill.
Greene, Mass.	McKinlry	Rogers	Wilson, La.
Hawley	Magee	Shreve	Woods, Va.
Hickey	Mann, S. C.	Siegel	Yates
Hoch	Mead	Smith, N. Y.	

ANSWERED "PRESENT"—1.

Bell

NOT VOTING—149.

Anderson	Fields	Kennedy, R. I.	Rodenberg
Bankhead	Fisher	Kettner	Rose
Barkley	Flood	Kincheloe	Rouse
Bee	Fuller, Mass.	Knutson	Rowan
Benson	Gallivan	Lampert	Sabath
Blackmon	Gandy	Langley	Sanders, N. Y.
Bland, Ind.	Gard	Lea, Calif.	Sanford
Booher	Glynn	Lonergan	Schall
Brinson	Godwin, N. C.	Longworth	Scully
Britten	Goldfogle	Lufkin	Sears
Brumbaugh	Good	McAndrews	Sinnott
Burke	Goodall	McDuffie	Sisson
Burroughs	Gould	McFadden	Slemp
Byrnes, S. C.	Graham, Pa.	McKenzie	Smith, Ill.
Campbell, Kans.	Green, Iowa	McLane	Snyder
Cantrill	Greene, Vt.	Madden	Steenerson
Carter	Griest	Maher	Stephens, Miss.
Casey	Hamill	Mapes	Strong, Pa.
Chindblom	Hamilton	Mason	Sullivan
Christopherson	Harrison	Merritt	Sumners, Tex.
Clark, Fla.	Hastings	Michener	Tague
Cole	Hayden	Minahan, N. J.	Taylor, Colo.
Copley	Hill	Morin	Temple
Costello	Howard	Neely	Thompson
Crago	Huddleston	Nicholls, S. C.	Timberlake
Cramton	Hudspeth	Nichols, Mich.	Vaile
Curry, Calif.	Hulings	O'Connor	Vare
Davis, Minn.	Humphreys	Osborne	Venable
Denison	James	Overstreet	Vestal
Dent	Jefferis	Padgett	Voigt
Dooling	Johnson, Ky.	Paige	Walters
Doremus	Johnson, S. Dak.	Parker	Ward
Dyer	Johnston, N. Y.	Porter	Welty
Edmonds	Kahn	Rainey, Ala.	Wheeler
Ellsworth	Kearns	Reavis	Winslow
Evans, Mont.	Kelly, Pa.	Reber	
Evans, Nev.	Kendall	Riddick	
Ferris	Kennedy, Iowa	Riordan	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BLAND of Indiana with Mr. BARKLEY.

Mr. CAMPBELL of Kansas with Mr. BRUMBAUGH.

Mr. CHINDBLOM with Mr. BENSON.

Mr. COLE with Mr. EVANS of Montana.

Mr. COPLEY with Mr. CARTER.

Mr. CRAGO with Mr. FISHER.

Mr. CRAMTON with Mr. FLOOD.

Mr. GOOD with Mr. CASEY.

Mr. GREENE of Vermont with Mr. HARRISON.

Mr. HULINGS with Mr. GANDY.

Mr. JOHNSON of South Dakota with Mr. GODWIN of North Carolina.

Mr. LONGWORTH with Mr. LEA of California.

Mr. MCKENZIE with Mr. NICHOLLS of South Carolina.

Mr. MADDEN with Mr. OVERSTREET.

Mr. MASON with Mr. PADGETT.

Mr. PARKER with Mr. RAINEY of Alabama.

Mr. PORTER with Mr. RIORDAN.

Mr. REBER with Mr. ROWAN.

Mr. RODENBERG with Mr. SABATH.

Mr. SANDERS of New York with Mr. SEARS.

Mr. SINNOTT with Mr. SISSON.

Mr. SNYDER with Mr. STEPHENS of Mississippi.

Mr. STEENERSON with Mr. VENABLE.

Mr. VESTAL with Mr. WELTY.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question to the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMENDING THE DISTRICT OF COLUMBIA CODE.

Mr. VOLSTEAD. Mr. Speaker, I call up the bill (H. R. 6025) to amend an act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto, which I send to the desk and ask to have read.

The SPEAKER pro tempore. The gentleman from Minnesota calls up the bill H. R. 6025, which the Clerk will report.

The Clerk read the bill, as follows:

Be enacted, etc., That the act to establish a code of law for the District of Columbia, approved March 3, 1901, and the acts amendatory thereof and supplementary thereto, constituting the Code of Law for the District of Columbia, be, and the same are hereby, amended as follows:

By striking out section 20 and inserting in lieu thereof:

"SEC. 20. Forcible entry and detainer: Whenever any person shall forcibly enter and detain any real property, or shall unlawfully, but without force, enter and unlawfully and forcibly detain the same; or whenever any tenant shall unlawfully detain possession of the property leased to him, after his tenancy therein has expired; or any mortgagor or grantor in a mortgage or deed of trust to secure a debt shall unlawfully detain the possession of the real property conveyed, after a sale thereof under such deed of trust or a foreclosure of the mortgage, or any person claiming under such mortgage or grantor, after the date of the mortgage or deed of trust, shall so detain the same; or a judgment debtor or any person claiming under him, since the date of the judgment, shall so detain possession of real property, after a sale thereof under an execution issued on such judgment, it shall be lawful for the municipal court, on complaint under oath, verified by the person aggrieved by said unlawful detention or by his agent or attorney, having knowledge of the facts, to issue a summons to the party complained of to appear and show cause why judgment should not be given against him for the restitution of the possession."

By striking out section 35 and inserting in lieu thereof the following:

"SEC. 35. In case the property shall appear to belong to the claimant or to be exempt from such process, judgment shall be entered against the plaintiff for costs, and the property levied upon shall be released. If the property shall not appear to belong to the claimant or to be exempt, as aforesaid, judgment shall be entered against said claimant or the defendant, as the case may be, for costs, including additional costs occasioned by the delay in the execution of the writ. An appeal may be taken from the judgment as in other cases."

By striking out section 65 and inserting in lieu thereof:

"SEC. 65. The general term of said court shall be open at all times for the transaction of business; and said court, by orders passed in general term, may regulate the periods of holding the special terms, fix the number of said terms, and alter the same from time to time, as public convenience may require; may direct as many terms of any of the special terms to be held at the same time as the public business may make necessary; may assign the several justices from time to time to the respective special terms; may establish written rules regulating pleading, practice, and procedure, and by said rules make such modifications in the forms of pleading and methods of practice and procedure prescribed by existing law as may be deemed necessary or desirable to render more simple, effective, inexpensive, and expeditious the remedy in all suits, actions, and proceedings, provided that said rules be posted or publishd not less than 30 days prior to the date when they are to become effective; may appoint a clerk, an auditor, and also a crier and a messenger for each court in special term, and all other officers of the court necessary for the due administration of justice, with the exception of all officers and employees in any manner connected with the probate term, and also United States commissioners; may hear charges of misconduct against any judge of the municipal court and remove him from office for cause shown; may admit persons to the bar of said court and censure, suspend, or expel them; and may pass all other orders not inconsistent with existing laws which may be necessary to the effective administration of justice in said court, but said court shall not hear any cause in general term: *Provided*, That the general term may assign more than one justice to a special term for the trial of a given case."

By striking out section 67 and inserting in lieu thereof:

"SEC. 67. By mutual consent and arrangement between justices, causes may be certified by any justice holding a special term to any justice holding any other special term of said court for trial in the latter: *Provided*, That a criminal case can only be certified for trial from one criminal court to another criminal court. In the absence of any justice assigned to a special term, such special term may be presided over and its business conducted by any other justice."

By adding a new paragraph at the end of section 105 to read as follows:

"Personal service of process may be made by any person not a party to or otherwise interested in the subject matter in controversy on a nonresident defendant out of the District of Columbia, which service shall have the same effect and no other as an order of publication duly executed. In such case the return must be made under oath in the District of Columbia, unless the person making the service be a sheriff or deputy sheriff, a marshal or deputy marshal, authorized to serve process where service is made, and such return must show the time and place of such service and that the defendant so served is a nonresident of the District of Columbia. The cost and expense of such service of process out of the District of Columbia shall be borne by the party at whose instance the same is made and shall not be taxed as a part of the costs in the case; but where such service of process is made by some authorized officer of the law in this section mentioned, the actual and usual cost of such service of process shall be taxed as a part of the costs in the case.

By striking out section 115a, and inserting in lieu thereof:

"SEC. 115a. Lunacy proceedings: All writs de lunatico inquirendo shall issue from said equity court, and a justice holding said court shall preside at all inquisitions of lunacy, and may impanel a jury from among the petit jurors in attendance in the Supreme Court of the District of Columbia."

By inserting immediately after section 123 a new section as follows:

"SEC. 123a. Continuing decedent's business: The said court may, in its discretion, authorize any fiduciary, accountable to it, to continue the business of a decedent for a period not exceeding 12 months after decedent's death. No order shall be entered so authorizing a fiduciary until he shall have filed a petition under oath, supported by the affidavits of two reputable persons familiar with the decedent's business, setting

forth the appraised value of the business, whether the decedent conducted it at a profit or loss and the approximate amount thereof, and the estimated amount of the expenses per month necessary to be incurred in order to continue the business. Any fiduciary who is given such authorization shall file monthly statements showing all receipts and disbursements, debts contracted and obligations incurred, and the profit or loss; and the court, in its discretion, may order the discontinuance of the business at any time.

"Debts contracted and obligations incurred by the fiduciary in so continuing the business of the decedent shall be deemed to be an expense of administration of the estate."

By striking out section 126 and inserting in lieu thereof:

"SEC. 126. Enforcement of duty: The court shall have power to order any executor, administrator, collector, guardian, or testamentary trustee, who appears to be in default in respect to the rendering of any inventory or account or the fulfillment of any duty in said court to be summoned to appear therein and fulfill his duty in the premises, on pain of revocation of his power to act; and on his appearing the court may pass such order as may be just; and upon his failure to appear, after having been duly summoned, may revoke his power to act and make such further order and other appointment as justice may require. In case the summons to appear is returned by the marshal 'not to be found,' an alias summons shall be mailed to the last known post-office address of such fiduciary or served upon his attorney of record, if he be within the jurisdiction of the court; and on the failure of such fiduciary to appear, the court may revoke his power to act and make such further order and other appointment as justice may require."

By inserting immediately after section 137 a new section as follows:

"SEC. 137a. While issues raised by a caveat are pending, either for trial or on appeal, no prior will shall be admitted to probate."

By striking out section 140 and inserting in lieu thereof:

"SEC. 140. Trial of issues as to wills: Whenever any caveat shall be filed, issues shall be framed under the direction of the court for trial by jury: *Provided*, That in all cases in which all persons interested are sui juris and before the court the issues may be tried and determined by the court, without a jury, upon the written consent of all such parties. If they are to be tried by a jury, they shall be triable in said probate court by petit jurors drawn for service in the Supreme Court of the District of Columbia; and at least 10 days prior to the time of trial all of the heirs at law or next of kin of the decedent, or both together, as the case may require, and all persons claiming under the will in question, or any other instrument on file purporting to be a will of the decedent, shall be each served with a copy of said issues and a notification of the time and place of the trial thereof. If any one of them be an infant or of unsound mind, he shall have a guardian ad litem appointed for him by the court before such trial shall proceed. If, as to any party in interest, the notification shall be returned 'not to be found,' the court shall assign a new day for such trial, and shall order publication, at least twice a week for a period of not less than four weeks, of the substance of the issues and of the date fixed for the trial thereof in some newspaper of general circulation in the District, and may order such further publication as the case may require. And the Supreme Court of the District of Columbia may from time to time prescribe and revise rules and regulations for service personally upon such party outside of the District of Columbia of a copy of such issues and notification. Personal service on absent parties shall not be essential to the jurisdiction of the court. The proceeding for impaneling a jury for the trial of said issues shall be the same as if they were being tried in the circuit court. In all cases in which such issues shall be tried the verdict of the jury and the judgment of the court thereupon shall, subject to proceedings in error and to such revision as the common law provides, be res judicata as to all persons; nor shall the validity of such judgment be impeached or examined collaterally."

By striking out section 198 and inserting in lieu thereof:

"SEC. 198. Jury commission: There shall be, and there is hereby, constituted a jury commission for the District of Columbia, which shall be composed of three commissioners, who shall be citizens of the United States and actual residents of the District of Columbia, who have been domiciled therein for at least three years prior to their appointment, and shall be freeholders in the District of Columbia and not engaged in the practice of law. Such commissioners shall be appointed by the Supreme Court of the District of Columbia, in general term, and shall serve for a term of three years and until their successors are appointed and qualified; except that the members first appointed shall serve for one, two, and three years, respectively, as may be designated by said court. Before entering upon the discharge of their duties they shall each take an oath of office to be prescribed by the Supreme Court of the District of Columbia. No person who has served as such commissioner shall be eligible for reappointment within three years of the date of the expiration of his term of service. It shall be the duty of said jury commission to make and preserve a record of the list of names of jurors, both grand and petit, and of commissioners and jurors in condemnation proceedings for service in all the courts of the District of Columbia having cognizance of jury trials and of condemnation proceedings, to place the names in the jury box, and to have custody and control of said jury box, and to draw the names of said jurors and condemnation commissioners from time to time, as hereinafter provided. The compensation of said jury commissioners shall be $10 each per day for each day or fraction of a day when they are actually engaged in the performance of their duties, not to exceed five days in any one month, which shall be paid by the United States marshal for the District of Columbia out of the appropriation for pay of bailiffs, upon the certificate of said commissioners. The said Supreme Court of the District of Columbia, in general term, shall have power summarily to remove any of said commissioners for absence, inability, or failure to perform his duties as such commissioner, or for any misfeasance or malfeasance, and to appoint another person for the unexpired term. In the event of the illness or other inability or absence from the District of Columbia of any one of said commissioners, the two other commissioners may perform the duties of said jury commission."

By striking out section 199 and inserting in lieu thereof:

"SEC. 199. The said jurors shall be selected, as nearly as may be, from the different parts of the District."

By striking out section 200 and inserting in lieu thereof:

"SEC. 200. Jury box: The jury commission shall write the names on separate and similar pieces of paper, which they shall so fold or roll that the names can not be seen, and shall place the same in a box to be provided for the purpose."

By striking out section 201 and inserting in lieu thereof:

"SEC. 201. The jury commission shall thereupon seal said box and, after thoroughly shaking the same, shall deliver it to the clerk of the Supreme Court of the District of Columbia for safe-keeping; and the same shall not be unsealed or opened except by said commission."

By striking out section 202 and inserting in lieu thereof:

"SEC. 202. Term of service: The respective terms of service of petit jurors drawn for service in the Supreme Court of the District of Columbia shall begin on the first Tuesday of October, November, December, January, February, March, April, May, and June of each year and shall terminate on the Monday preceding the first Tuesday of the next month thereafter, except when the jury shall be discharged by the court at an earlier day, or when a jury shall be empaneled and it shall happen that no verdict shall have been found before the day appointed by law for the commencement of the next succeeding term, in which case the court shall proceed with the trial by the same jury in every respect as if its term of service had not ended; and all proceedings to final judgment, if such judgment shall be rendered, shall be entered and have legal effect and operation as of the term at which the jury shall have been empaneled: *Provided*, That the Supreme Court of the District of Columbia in general term may direct petit jurors to be drawn for monthly service in said court during the months of July, August, and September, such service to begin and terminate as aforesaid."

By striking out section 203 and inserting in lieu thereof:

"SEC. 203. That the term of service of the grand jury in the criminal court shall begin with each term of that court and shall end with such term, unless the jury shall be sooner discharged by the court. The foreman of the grand jury shall be selected by the justice presiding over the special term known as criminal division No. 1 from among the jurors, grand and petit, in attendance upon the Supreme Court of the District of Columbia; and, in the event that said foreman is not selected from among the 23 grand jurors in attendance but is selected from among the petit jurors, one of said grand jurors shall be excused as such and transferred to the roll of petit jurors, and the term of service of the foreman so selected of the grand jury shall be concurrent with the term of service of the grand jury."

By striking out section 204 and inserting in lieu thereof:

"SEC. 204. Drawing jurors: At least 10 days before the first Tuesday of each month specified in section 202 when jury trials are to be had, said jury commission shall publicly break the seal of the jury box and proceed to draw therefrom, by lot and without previous examination, the names of such number of persons as the general term of the Supreme Court of the District of Columbia may from time to time direct to serve as petit jurors in the Supreme Court of the District of Columbia; and at least 10 days before the commencement of each term of the criminal courts shall in like manner draw the names of 23 persons required to serve as grand jurors in said criminal courts, and shall forthwith certify to the clerk of the Supreme Court of the District of Columbia the names of the persons so drawn as petit and grand jurors, respectively.

"The distribution, assignment, reassignment, and attendance of said petit jurors among the special terms of the Supreme Court of the District of Columbia shall be in accordance with rules to be prescribed by said court.

"At least 10 days before the first Monday in January, the first Monday in April, the first Monday in July, and the first Monday in October of each year the said jury commission shall likewise draw from the jury box the names of persons to serve as jurors in the police court and in the juvenile court of the District of Columbia in accordance with sections 45 and 46 of this code relating to the police court, and sections 14 and 15 of the act of Congress approved March 19, 1906, creating said juvenile court, and shall also draw from the jury box the names of persons to serve as jurors in any other court in the District of Columbia which hereafter may have cognizance of jury trials, and shall certify the respective list of jurors to the clerk of the Supreme Court of the District of Columbia."

By striking out section 205 and inserting in lieu thereof:

"SEC. 205. If any person whose name is drawn from the box shall have died or removed from the District before or after being selected, or become otherwise disqualified or disabled, the jury commission shall destroy the slip containing the name of such person, and in such case the jury commission shall draw from the box the name of another person to serve in his stead."

By striking out section 206 and inserting in lieu thereof:

"SEC. 206. After the requisite number of jurors shall have been drawn the jury box shall be sealed and delivered to the clerk of the Supreme Court of the District of Columbia for safe-keeping, and the names of the persons drawn shall not be placed again in the box for one year, unless said jurors shall be excused or for other reasons shall fail to serve."

By striking out section 207 and inserting in lieu thereof:

"SEC. 207. At the time of each drawing of jurors by said commission there shall be in the jury box the names of not less than 600 persons possessing the qualifications hereinafter prescribed, which names shall have been placed therein by said jury commission. Said jury commission shall keep an accurate record, in alphabetical form, of all names remaining in the jury box from time to time, which record shall be kept sealed and deposited for safekeeping in the office of the clerk of the Supreme Court of the District of Columbia when the commission is not in session, and no person shall have access to said record except said commission."

By striking out section 208 and inserting in lieu thereof:

"SEC. 208. If any persons drawn as grand or petit jurors can not be found, or shall prove to be incompetent, or shall be excused from service by the court, the jury commission, under the direction of the court, shall draw from the box the name of other persons to take their places, and if, after the organization of the jury, any vacancies occur therein, they shall be filled in like manner."

By striking out section 209 and inserting in lieu thereof:

"SEC. 209. Special venire: Whenever in any criminal case in the Supreme Court of the District of Columbia it shall become impossible, on account of challenges or excuses, to impanel a trial jury from among the available petit jurors already in attendance on said supreme court and distributed or assigned among the several special terms thereof, the justice presiding at such criminal trial shall order the marshal to summon as many talesmen as may be necessary to complete said jury."

By striking out sections 213 and 214 and inserting in lieu thereof:

"SEC. 213. Frauds: If any person shall fraudulently tamper with any box used or intended by the jury commission for the names of prospective jurors, or of prospective condemnation jurors or commissioners, or shall fraudulently tamper with the contents of any such box, or with any jury list, or be guilty of any fraud or collusion with respect to the drawing of jurors or condemnation jurors or commissioners, or if any jury commissioner shall put in or leave out of any such box the name of any person at the request of such person, or at the request of any other person, or if any jury commissioner shall willfully draw from any such box a greater number of names than is required by the court, any such person or jury commissioner so offending shall for each offense be pun-

ished by a fine of not more than $500 or imprisonment in the District Jail or workhouse for not more than one year, or both."

By striking out sections 218, 219, and 220, and inserting in lieu thereof:

"SEC. 218. The Supreme Court of the District of Columbia in general term shall have full power and authority from time to time to make such rules as it may deem proper respecting the examination, qualification, and admission of persons to membership in its bar and their censure, suspension, and expulsion; and every person so admitted, before he shall be at liberty to practice therein, shall take and subscribe the following oath: 'I, ———, do solemnly swear (or affirm) that I will demean myself as a member of the bar of this court uprightly and according to law; and that I will support the Constitution of the United States.'

"SEC. 219. That said supreme court, in general term, shall have full power and authority to censure, suspend from practice, or expel any member of its bar for any crime, misdemeanor, fraud, deceit, malpractice, professional misconduct, or any conduct prejudicial to the administration of justice. Any fraudulent act or misrepresentation by an applicant in connection with his application or admission shall be sufficient cause for the revocation by said court of such admission.

"SEC. 219a. Whenever any member of the bar of said court shall be convicted of any offense involving moral turpitude, and a duly certified copy of the final judgment of such conviction shall be presented to said court, the name of the member so convicted may thereupon, by order of said court, be stricken from the roll of the members of said bar, and he shall thereafter cease to be a member thereof. In the event of appeal from any such judgment of conviction as aforesaid, and pending the final determination of such appeal, the said court may order the suspension from practice of such convicted member of the bar; and upon a reversal of such conviction, or the granting of a pardon, said court shall have power to vacate or modify such order of disbarment or suspension.

"SEC. 220. Before any such member of the bar is censored, suspended, or expelled as provided by section 219, written charges, under oath, against him must be presented to said court, stating distinctly the grounds of complaint. Said court in general term may order said charges to be filed in the office of the clerk of said court and shall fix a time for hearing thereon. Thereupon a certified copy of said charges and order shall be served upon such member personally by the marshal or such other person as the court may designate, or in case it is established to the satisfaction of the court that personal service can not be had, a certified copy of such charges and order shall be served upon him by mail, publication, or otherwise as the court may direct. At any time after the filing of said written charges the court shall have power, pending the trial thereof, to suspend from practice the person charged."

By striking out sections 276, 277, 278, 279, and 280 and inserting in lieu thereof the following:

"SEC. 276. Persons entitled: If the intestate leave a widow or surviving husband and a child or children, administration, subject to the discretion of the court, shall be granted either to the widow or surviving husband or to the child, or one or more of the children qualified to act as administrator, and further subject to the discretion of the court as follows:

"SEC. 277. If there be a widow or surviving husband and no child, the widow or surviving husband shall be preferred, and next to the widow or surviving husband or children a grandchild shall be preferred.

"SEC. 278. If there be neither widow or surviving husband, nor child, nor grandchild to act, the father shall be preferred; and if there be no father, the mother shall be preferred.

"SEC. 279. If there be neither widow or surviving husband, nor child, nor grandchild, nor father, nor mother to act, brothers and sisters shall be preferred.

"SEC. 280. If there be neither widow or surviving husband, nor child, nor grandchild, nor father, nor mother, nor brother, nor sister, the next of kin shall be preferred."

By striking out section 306 and inserting in lieu thereof:

"SEC. 306. Duties of collector: The collector shall collect the goods, chattels, and personal estate of the deceased, including the debts due him, and cause the same to be appraised and return an inventory thereof, as an administrator is required to do, and may, under the authority of the court, sell perishable articles and bring suits for debts or other property, as an administrator may do, and shall account for the money recovered. The said collector may, if authorized by the court, take possession of, hold, manage, conserve, and control all real estate affected by the will or wills in dispute, and said collector shall discharge, pendente lite, all the duties of an administrator, including the payment of debts, and shall be liable to an action by any creditor of the deceased and shall be entitled to the protection of any provision of law expressly relating to executors and administrators.

"Said collector may be allowed a commission not exceeding 10 per cent on the personal property, debts due the estate, and rentals from real estate actually collected by him.

"In the event that such collector is authorized by the court to take possession of the real estate affected by such will or wills as hereinbefore set forth, the letters of collection shall so expressly specify, and his bond as such collector, in addition to the several matters set forth in section 305, shall specifically include the faithful performance of his duties with respect to such real estate."

By striking out section 307 and inserting in lieu thereof:

"SEC. 307. When powers to cease: On the granting of letters testamentary or of administration the power of any such collector shall cease, and it shall be his duty to deliver, on demand, all the property and money of the decedent in his hands, except as before excepted, to the person obtaining such letters, and the executor or administrator may be permitted to prosecute any suit commenced by said collector as if the same had been begun by said executor or administrator, and may also defend any suit brought against said collector by any creditor of the deceased."

By striking out section 308 and inserting in lieu thereof:

"SEC. 308. If the said collector shall neglect or refuse to deliver over the property and estate to the executor or administrator, the court may, by citation and attachment, compel him to do so, and the executor or administrator may also proceed, by civil action, to recover the value of the assets from him and his sureties by action on his bond."

By inserting immediately after section 308 a new section, as follows:

"SEC. 308a. Service upon fiduciary when not to be found: In the case of the grant of either original or ancillary letters testamentary, or of administration, or of collection, or of guardianship, the person designated shall, if a nonresident of the District of Columbia, file in the office of the register of wills, before the issuance of such letters, an irrevocable power of attorney designating the register of wills and his successors in office as the person upon whom all notices and process issued by any competent court in the District of Columbia may be served, with like effect as personal service, in relation to any suit, matter, cause, or thing affecting or pertaining to the estate in which the letters are issued. It shall be the duty of said register of wills to forthwith forward by registered mail to the address of such fiduciary, which shall be stated in said power of attorney, any notice or process served upon said register as aforesaid.

"In the event that any fiduciary shall fail to file such power of attorney within 10 days after the passing of the order of appointment, such order shall thereupon stand revoked, and he shall forfeit all rights to the office."

By striking out section 310 and inserting in lieu thereof:

"SEC. 310. Appraisers: On the granting of letters testamentary or of administration or letters of collection, except in the aforesaid excepted cases, a warrant shall issue to two suitable persons not interested in the estate to appraise the estate of the deceased, known to them or shown to them by the executor, administrator, or collector, and they shall severally take and subscribe an oath well and truly, without partiality or prejudice, to value the goods, chattels, and personal estate and real estate (if so directed) of the deceased, as far as the same shall come to their knowledge, to the best of their skill and judgment."

By striking out section 321 and inserting in lieu thereof:

"SEC. 321. Debt due by administrator or collector: In like manner it shall be the duty of every administrator and collector to give in a claim against himself, and on his giving it, or failure so to do, there shall be the same proceeding as above described with regard to an executor; and the same rule shall apply to his sureties."

By striking out sections 374, 375, 376, and 377, and inserting in lieu thereof the following:

"SEC. 374. If the intestate leave a widow or surviving husband and no child, parent, grandchild, brother or sister, or the child of a brother or sister of the said intestate, the said widow or surviving husband shall be entitled to the whole.

"SEC. 375. If there be a widow or surviving husband and a child or children, or a descendant or descendants from a child, the widow or surviving husband shall have one-third only.

"SEC. 376. If there be a widow or surviving husband and no child or descendants of the intestate, but the said intestate shall leave a father or mother, or brother or sister, or child of a brother or sister, the widow or surviving husband shall have one-half.

"SEC. 377. The surplus, exclusive of the widow's or surviving husband's share, or the whole surplus (if there be no widow or surviving husband), shall go as follows:"

By striking out section 445 and inserting in lieu thereof:

"SEC. 445. Causes: In any action at law in the Supreme Court of the District of Columbia or the Municipal Court of said District, for the recovery of specific personal property, or a debt, or damages for the breach of a contract, express or implied, if the plaintiff, his agent or attorney, either at the commencement of the action or pending the same, shall file an affidavit showing the grounds of his claim and setting forth that the plaintiff has a just right to recover what is claimed in his declaration, and where the action is to recover specific personal property stating the nature and, according to affiant's belief, the value of said property and the probable amount of damages to which the plaintiff is entitled for the detention thereof, and where the action is to recover a debt stating the amount thereof, and where the action is to recover damages for the breach of a contract setting out, specifically and in detail, the breach complained of and the actual damage resulting therefrom, and also stating either, first, that the defendant is a foreign corporation or is not a resident of the District, or has been absent therefrom for at least six months; or, second, that the defendant evades the service of ordinary process by concealing himself or temporarily withdrawing himself from the District; or, third, that he has removed or is about to remove some or all of his property from the District, so as to defeat just demands against him; or, fourth, that he has assigned, conveyed, disposed of, or secreted, or is about to assign, convey, dispose of, or secrete his property with intent to hinder, delay, or defraud his creditors; or, fifth, that the defendant fraudulently contracted the debt or incurred the obligation respecting which the action is brought, the clerk shall issue a writ of attachment and garnishment, to be levied upon so much of the lands, tenements, goods, chattels, and credits of the defendant as may be necessary to satisfy the claim of the plaintiff: *Provided*, That the plaintiff shall first file in the clerk's office a bond, executed by himself or his agent, with security to be approved by the clerk, in twice the amount of his claim, conditioned to make good to the defendant all costs and damages which he may sustain by reason of the wrongful suing out of the attachment."

By striking out section 455 and inserting in lieu thereof:

"SEC. 455. Releases: Either the defendant or the person in whose possession the property was may obtain a release of the same from the attachment, after it has been taken into the custody of the marshal and the writ has been returned, by giving the undertaking required of him as aforesaid, with security to be approved by the court.

"The plaintiff may except to the sufficiency of the undertaking accepted as aforesaid by the marshal and, if the exceptions be sustained, the court shall require a new undertaking, with sufficient surety, by a day to be named, in default of which he shall be liable to the plaintiff on his official bond for any loss sustained by the plaintiff through such default.

"Either the defendant or the person in whose possession credits are attached may obtain a release of the same from the attachment by filing an undertaking with security to be approved by the court.

"If property or credits attached be released upon an undertaking given as aforesaid, and judgment in the action be rendered in favor of the plaintiff, it shall be a joint judgment against both the defendant and all persons in said undertaking for the appraised value of the property or the amount of the credits."

By inserting immediately after section 479 a new section, as follows:

"SEC. 479a. In all cases where, by the provisions of this code, a bond is required from an executor, administrator, administrator cum testamento annexo, administrator de bonis non, guardian, committee, collector, trustee, receiver, assignee for the benefit of creditors, or any other fiduciary appointed or confirmed by the Supreme Court of the District of Columbia, or any member thereof, or where a bond is required from any party to a cause or proceeding pending in such court, such bond shall be in the form of an undertaking, under seal, in a maximum amount to be fixed by the court, conditioned as required by law, the surety or sureties therein submitting themselves to the jurisdiction of the court and undertaking for themselves and each of them, their and each of their heirs, executors, administrators, successors, and assigns to abide by and perform the judgment or decree of the court in the premises, and further agreeing that, upon default

by the principal in any of the conditions thereof, the damages may be ascertained in such manner as the court shall direct; that the court may give judgment thereon in favor of any person thereby aggrieved against such principal and sureties for the damages suffered or sustained by such aggrieved party, and that such judgment may be rendered in said cause or proceeding against all or any of the parties whose names are thereto signed.

"And the said Supreme Court of the District of Columbia and its respective special terms, be, and they are hereby, vested with and given jurisdiction and authority to enter such judgments and decrees against the principal and surety or sureties, or any of them, upon such undertaking as law and justice shall require: *Provided*, That nothing herein contained shall deprive any party having a claim or cause of action under or upon such undertaking from electing to pursue his ordinary remedy by suit at law or in equity.

"All provisions of this code relating to actions, remedies, and proceedings upon bonds of such fiduciaries shall apply and be effective as to such undertakings to the same extent as if such undertaking had been expressly mentioned and referred to therein."

By inserting immediately after section 479a a new section, as follows:

"SEC. 479b. In any proceeding in the Supreme Court of the District of Columbia or any special term thereof to recover damages upon a bond or undertaking given to obtain a restraining order or preliminary or pendente lite injunction the court, in assessing damages to be recovered thereunder, may include such reasonable counsel or attorney fees as the party aggrieved or damaged by such restraining order or injunction may have been put to or incurred in obtaining a dissolution thereof."

By inserting immediately after section 484 a new section, as follows:

"SEC. 484a. The jury commission of the District of Columbia shall prepare a special list of persons having the qualifications of jurors, as prescribed by section 215 of this code, and being also freeholders of the District of Columbia. The jury commission shall from time to time as may be necessary write the names contained in said special list on separate and similar pieces of paper, which they shall so fold or roll that the names can not be seen, and shall place the same in a special box to be provided for the purpose, and shall thereupon seal and lock said special box and after thoroughly shaking the same shall deliver it to the clerk of the Supreme Court of the District of Columbia for safe-keeping; but the same shall not be unsealed or opened except by said jury commission. From time to time, as ordered by the Supreme Court of the District of Columbia, or one of the justices thereof holding a special term for the trial of condemnation proceedings, the jury commission shall publicly break the seal of said special box and proceed to draw therefrom by lot and without previous examination the names of such number of persons as the said court may from time to time direct to serve as commissioners or jurors in condemnation proceedings and certify the names so drawn to the clerk of said court. At the time of each drawing of condemnation commissioners or jurors from said special box there shall be in said special box the names of not less than 100 persons possessing the qualifications hereinbefore prescribed. Except as in this section specially provided, sections 198 to 217, inclusive, of this code, so far as the same may be applicable, shall govern the qualifications of said commissioners and jurors in condemnation cases and the duties and conduct of said jury commissioners under this section. No person shall be eligible to serve as a condemnation commissioner or juror who has served as such commissioner or juror within one year."

By striking out section 485 and inserting in lieu thereof:

"SEC. 485. Citation to owners: The said court holding a district court of the United States shall thereupon cite all the owners and other persons interested to appear in said court, at a time to be fixed by the court, to answer said petition; and if it shall appear to the court that there are any owners or other persons interested who are under disability, the court shall give public notice of the time at which it will proceed with the matter of condemnation; and at such time, if it shall appear that there are any persons under disability who have appeared or who have not appeared, the court shall appoint a guardian ad litem for each such person, and shall thereupon order the jury commission to draw from the special box the names of as many persons as the court may direct, and from among the persons so drawn the court shall thereupon appoint three capable and disinterested commissioners to appraise the value of the respective interests of all persons concerned in such lands, under such regulations as to notice and hearing as shall seem meet."

By striking out section 487 and inserting in lieu thereof:

"SEC. 487. Jury: If any of the parties interested, or the guardian ad litem appointed for any such person who may be under a disability, shall be dissatisfied with the appraisement of the commissioners, the court shall order the jury commission to draw from the special box the names of as many persons as the court may direct, and from among the persons so drawn the court shall appoint a jury of seven capable and disinterested persons to meet and view the premises, giving the parties interested at least six days' notice of the time and place of meeting."

By striking out section 491d and inserting in lieu thereof:

"SEC. 491d. After the return of the marshal and the filing of proof of publication of the notice provided for in the next preceding section said court shall order the jury commission to draw from the special box the names of as many persons as the court may direct, and from among the persons so drawn the court shall appoint a jury of five capable and disinterested persons, to which jury the court shall administer an oath or affirmation that they are not interested in any manner in the land to be condemned, and are not related to the parties interested therein, and that they will, without favor or partiality, and to the best of their judgment, ascertain the damages each owner of land to be taken may sustain by reason of the opening, extension, widening, or straightening of said street, avenue, road, or highway, and the condemnation of the land needed for the purpose thereof, and to assess the benefits resulting therefrom as hereinafter provided."

By striking out section 491h and inserting in lieu thereof:

"SEC. 491h. The said court shall hear and determine any objections or exceptions that may be filed to any verdict of the jury and shall have power to vacate and set any verdict aside, in whole or in part, when satisfied that it is unjust or unreasonable, in which event the court shall order the jury commission to draw from the special box the names of as many persons as the court may direct, and from among the persons so drawn the court shall thereupon appoint a new jury of five capable and disinterested persons, who shall proceed to ascertain the damages or assess the benefits, or both, as the case may be, in respect of the land as to which the verdict may be vacated, as in the case of the first jury: *Provided*, That if vacated in part, the residue of the verdict as to the land condemned or assessed shall not be affected thereby: *And provided further*, That the objections or exceptions to the verdict shall be filed within 20 days after the return of the verdict to the court."

By striking out section 726 and inserting in lieu thereof:

"SEC. 726. Any company operating under this subchapter may lease, purchase, hold, and convey real property in which the offices of the company are located not to exceed in value the capital and surplus of the company, and such in addition as it may acquire in satisfaction of debts due the corporation under sales, decrees, judgments, and mortgages. But no such association shall hold the possession of any real estate under foreclosure of mortgage, or the title and possession of any real estate purchased to secure any debts due to it, for a longer period than five years."

By striking out section 808 and inserting in lieu thereof:

"SEC. 808. Rape: Whoever has carnal knowledge of a female forcibly and against her will, or carnally knows and abuses a female child under 16 years of age, shall be imprisoned for not more than 30 years: *Provided*, That in any case of rape the jury may add to their verdict, if it be guilty, the words 'with the death penalty,' in which case the punishment shall be death by hanging: *Provided further*, That if the jury fail to agree as to the punishment the verdict of guilty shall be received and the punishment shall be imprisonment as provided in this section."

By inserting immediately after section 830 a new section, as follows:

"SEC. 830a. Whosoever willfully and fraudulently makes away with, secretes, or converts to his own use any property, documents, or assets of any kind or nature belonging to the estate of a deceased person shall be punished by a fine not exceeding $2,000 or imprisonment for not more than two years, or both."

By inserting immediately after section 983 a new section, as follows:

"SEC. 983a. When decree for annulment or absolute divorce effective: No final decree annulling or dissolving a marriage shall be entered until after the expiration of 90 days after the entry of an interlocutory order adjudging that a case for annulment or dissolution has been proved, and every such interlocutory order shall expressly state that no annulment or divorce is awarded by it. After the expiration of such period of 90 days a final decree shall be entered by the court; provided it is applied for within 30 days, but it shall not be effective to annul or dissolve the marriage until the expiration of the time allowed for taking an appeal, nor until the final disposition of any appeal taken, and every such final decree shall expressly so recite."

By striking out section 1064 and inserting in lieu thereof:

"SEC. 1064. Testimony of surviving party: If one of the original parties to a transaction or contract has, since the date thereof, died or become insane or otherwise incapable of testifying in relation thereto, the other party thereto shall not be allowed to testify as to any transaction with or declaration or admission of the said deceased or otherwise incapable party in any action between said other party or any person claiming under him and the executors, administrators, trustees, heirs, devisees, assignees, committee, or other person legally representing the deceased or otherwise incapable party unless he be first called upon to testify in relation to said transaction or declaration or admission by the other party, or the opposite party first testify in relation to the same, or unless the transaction or contract was made or had with an agent of the said deceased or otherwise incapable party, and said agent testifies in relation thereto."

By adding immediately after section 1073 a new section, as follows:

"SEC. 1073b. Proof of municipal ordinances and regulations: Municipal ordinances and regulations in force in the District of Columbia may be proved by producing in evidence a copy thereof certified by the secretary or an assistant secretary of the Board of Commissioners of the District of Columbia, and such certified copy shall be prima facie evidence of the due adoption and promulgation of such ordinances and regulations."

By striking out section 1160.

By striking out section 1173 and inserting in lieu thereof:

"SEC. 1173. Renunciation of devises and bequests: A widow shall be barred of her right of dower in the land and share in the personal estate by any such devise or bequest unless within six months after administration may be granted on her husband's estate she shall file in the probate court a written renunciation to the following effect: 'I, A. B., widow of ————, late of ————, deceased, do hereby renounce and quit all claim to any devise or bequest made to me by the last will of my husband exhibited and proved according to law; and I elect to take in lieu thereof my dower and legal share of the estate of my said husband.' If, during said period of six months, a suit should be instituted to construe the will of her husband, the period of six months for the filing of such renunciation shall commence to run from the date when such suit shall be finally determined, by appeal or otherwise.

"By renouncing all claim to any and all devises and bequests made to her by the will of her husband she shall be entitled, in addition to her dower, to the distributive share of his personal property which she would have taken had he died intestate, and, except in cases of valid antenuptial or postnuptial agreements, this provision for the wife shall apply with the effect (without formal renunciation) to cases where the husband has made no devise or bequest to his wife.

"By renouncing within the period above prescribed all claim to any and all devises or bequests made to him by the will of his wife, the husband shall be entitled to the distributive share in her personal property which he would have taken had she died intestate, and, except in cases of valid antenuptial or postnuptial agreements, this provision for the husband shall apply with like effect (without formal renunciation) to cases where the wife has made no devise or bequest to her husband."

Amend section 1179 by striking out the word "ten" (next to last line) and inserting "eight."

By striking out section 1180 and inserting in lieu thereof:

"SEC. 1180. What is usury: If any person or corporation shall contract in the District, verbally, to pay a greater rate of interest than 6 per cent per annum, or shall contract, in writing, to pay a greater rate than 8 per cent per annum, the creditor shall forfeit the whole of the interest so contracted to be received: *Provided*, That nothing in this chapter contained shall be held to repeal or affect the act of Congress approved February 4, 1913, relating to the business of loaning money on security." (37 Stats., pt. 1, p. 657.)

By striking out section 1233 and inserting in lieu thereof:

"SEC. 1233. Undertaking on appeal: In case of an appeal by the defendant his undertaking, in order to operate as a supersedeas, shall be an undertaking, with one or more sureties approved by the court, to abide by and pay the judgment rendered, if it shall be affirmed, together with the costs of the appeal, and to pay all intervening damages to the leased property and compensation for the use and occupation thereof from the date of the judgment of the municipal court to the date of its affirmance; and in said undertaking the said defendant and his surety or sureties, the latter submitting themselves to the jurisdiction

of the court, shall agree that if the judgment be affirmed judgment may be rendered against them by the appellate court for the amount of the judgment so affirmed and the intervening damages, compensation, and costs aforesaid."

By striking out section 1262 and inserting in lieu thereof:

"SEC. 1262. Liveryman: It shall be lawful for all persons keeping or boarding any animals at livery within the District, under any agreement with the owner thereof, to detain such animals until all charges under such agreement for the care, keep, or board of such animals shall have been paid: *Provided, however,* That notice in writing shall first be given to such owner in person or at his last known place of residence of the amount of such charges and the intention to detain such animal or animals until such charges shall be paid. Garage keepers shall also have a lien for their charges for storage, repairs, and supplies of or concerning motor vehicles, when such charges are incurred by an owner or conditional vendee of such motor vehicles, and may detain such motor vehicles at any time they may have lawful possession thereof, after giving a notice similar to that provided for liverymen. If said charges are not paid in 30 days said lien may be enforced in the manner provided in section 1264."

By striking out section 1422 and inserting in lieu thereof:

"SEC. 1422. Protest on other instruments than foreign bills: Where any negotiable instrument has been dishonored it may be protested for nonacceptance or nonpayment, as the case may be; but protest is not required except in the case of foreign bills of exchange.

"The original protest of a notary public, under his hand and official seal, of any bill of exchange, check, or order for nonacceptance or nonpayment, or of any promissory note for nonpayment, stating the presentment by him of such bill of exchange, check, order, or promissory note for acceptance or payment and the nonacceptance or nonpayment thereof, and the service of notice thereof on any of the parties to such bill of exchange, promissory note, or check, and the mode of giving such notice, and the reputed place of business or residence of the party to whom the same was given shall be prima facie evidence of the facts therein contained."

Insert immediately after section 1535 a new section as follows:

"SEC. 1535a. Whenever in any action at law or in equity the defendant admits a part of the cause of action, a final judgment or decree may be entered for such part, and the plaintiff may prosecute the remainder of his claim in the same suit and (if he sustains his claim for such remainder) may have a further final judgment or decree therefor."

Insert immediately after section 1535a two new sections as follows:

"SEC. 1535b. Transfer from law to equity or vice versa: In any case where it shall appear that an action at law should have been brought in equity, or a suit in equity should have been brought at law, the judge presiding in the special term, circuit or equity, as the case may be, shall order such case to be transferred to such other special term accordingly, whereupon such amendments shall be made in the pleadings as may be necessary to make them conform to the proper practice. All testimony taken before such transfer, if preserved, shall stand as testimony in the cause.

"SEC. 1535c. Equitable defenses at law: In all actions at law equitable defenses may be interposed by plea or replication."

SEC. 1535d. Suits on lost instruments: No suit at law founded upon a lost instrument shall be dismissed on the ground that the suit should have been brought in equity, but a similar bond or undertaking to that required in equity shall be given as a condition precedent to judgment.

SEC. 2. That this act shall not take effect until the expiration of 30 days from its approval, and shall not affect the term of service of jurors who are already drawn and in attendance, or who may, within said period of 30 days, be drawn and accepted for service in the Supreme Court of the District of Columbia, the police court of the District of Columbia, or the juvenile court of the District of Columbia.

Mr. VOLSTEAD. Mr. Speaker, this bill embodies a number of proposed amendments to the Code of the District of Columbia. It has been pending in some form or another in the Committee on the Judiciary for, I think, four or more years. In the Sixty-fifth Congress this matter was submitted to us and a subcommittee of the Committee on the Judiciary, of which I happen to be a member, went over these amendments very carefully, thrashed out the various propositions, and agreed on a bill. That was submitted to the judges of the supreme court and to a committee of the bar association of the District. It was very carefully considered from all angles by the judges and the bar association and they are very strongly in favor of this bill. It has been exceedingly difficult to secure the necessary amendments to the District Code. A great deal of the work we are doing here is of such a nature that we can seldom give the proper attention to District legislation, and it was thought that by putting all of these amendments into one bill they might be considered and passed as one act rather than to attempt to bring in all these various propositions and pass them as separate bills, a thing that would be practically impossible.

I feel that we ought to give to this District the relief that they have asked for in this matter. It is legislation in which I think the membership generally is not very largely interested. It seems to me that we may properly defer to the judgment of the bench and bar of this District; they thoroughly understand the needs of the District. I can think of no class of people who would understand that need any better than the judges who for years have administered the law or the lawyers who have constantly tried cases here.

I shall not attempt to go into detail. I had the bill read so that the membership might have a general idea of what is sought. To attempt to explain each item would be almost endless. I feel that in view of the situation we ought to be able to pass this without very many changes, and if there are any amendments that are to be proposed the bill is now open to amendment.

Mr. MANN of Illinois. The bill is not open to amendment.

Mr. VOLSTEAD. I understand that it is not open to amendments, as a matter of course.

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. TILSON. May I ask the gentleman in regard to the preparation of this bill? Were the judges of whom he speaks brought before a subcommittee, and did the subcommittee go over this bill section by section with the judges?

Mr. VOLSTEAD. In the Sixty-fifth Congress we went over the bill section by section, and a subcommittee very carefully considered each item in the bill.

Mr. TILSON. Especially each amendment that was proposed?

Mr. VOLSTEAD. Yes.

Mr. TILSON. The subcommittee themselves went over these various items with these men representing the District?

Mr. VOLSTEAD. First we had a hearing, at which the judges appeared, as did also members of the bar. Then a subcommittee was appointed, and we went over each item in the bill. We made a number of changes, and then it was resubmitted to the bar association of the District and to the judges, and they approved whatever changes were made, and under those circumstances it comes to us here.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. SANDERS of Indiana. I want to inquire with reference to section 1535–b, at the bottom of page 41.

Mr. VOLSTEAD. I call the gentleman's attention to the fact that if he desires to know the changes that are made he can get a copy of the report and determine it from that.

Mr. SANDERS of Indiana. I know what the changes are. This is a new section, section 1535–b. It is provided in this section that in any case where it shall appear that an action at law should have been brought in equity, or a suit in equity should be brought at law, the judge presiding may transfer the case.

Mr. VOLSTEAD. Yes.

Mr. SANDERS of Indiana. I am in entire sympathy with the object sought to be accomplished. The thing that occurred to me is at what stage of the proceedings that transfer shall be made.

Mr. VOLSTEAD. As soon as the pleadings are filed.

Mr. SANDERS of Indiana. And all the time up until final judgment?

Mr. VOLSTEAD. No; I think not. When the pleadings are filed, that would naturally determine the character of the action.

Mr. MANN of Illinois. Whenever the court should determine. If the court should determine, if it be brought in equity, that it should have been brought in law, he would have the power to transfer it at any time.

Mr. SANDERS of Indiana. There is a provision to this effect:

All testimony taken before such transfer, if preserved, shall stand as testimony in the case.

Mr. VOLSTEAD. I suppose that naturally would refer more particularly to depositions. Ordinarily when an action is brought on for trial the court would determine whether it is a case in equity or a case at law. It might perhaps develop on the trial itself—that is, through the evidence—but the pleadings ought to disclose the character of the action.

Mr. SANDERS of Indiana. That sentence is not perfect, but I was not thinking of that. The thing I really wanted to know is whether the committee intended in this law to permit a transfer after they go into the trial of a supposedly law case before a jury, the equity side, and try the cause with a judge by merely letting him read the evidence, or if it is the purpose that the word "testimony" means depositions and affidavits, and I was wondering, if the latter be true, why more appropriate language was not used.

Mr. MANN of Illinois. Let me make this suggestion to the gentleman from Indiana. In my State we have common-law practice and equity practice. That exists in very few States outside of the Federal courts, and it frequently develops when we come to the very end of a case the claim is made in a common-law case that it should have been an equity proceeding. In our State, unless it has been recently changed, and we shall have a decision of the court that means a dismissal of the case entirely, or a case may be brought in equity which should have been brought at common law, and that ends the case. The testimony may all have been taken, the case may be ready for final decree or entry of final judgment. I take it the purpose of this practically is to permit in that case the court to determine upon the evidence that is in, unless the parties desire to offer

additional evidence. I think the language of the bill here, where it says "all testimony taken before such transfer is preserved," should be "which is preserved," "shall stand as testimony in the cause."

Mr. DEWALT. Does not the gentleman think it should be "if preserved"?

Mr. MANN of Illinois. That is the same thing.

Mr. DEWALT. All testimony taken before such transfer, "if preserved"?

Mr. MANN of Illinois. Very likely, "which is preserved" amounts to the same thing; "if preserved" would be better than the other.

Mr. VOLSTEAD. It is not an uncommon provision, because in a number of States they have a provision of this kind. I know of some States where they have a provision of this kind, but I do not mean to say it is just in this language.

Mr. MANN of Illinois. In those States usually they do not have common law and equity practice distinct. They have a provision so as to save the case in the court without commencing a new cause of action or being cut off by the statute of limitations.

Mr. SANDERS of Indiana. I was going to raise that point. Suppose a man commences an action at law and proceeded and the statute of limitations had run pending the suit and then he wanted to have his case changed and, say, for instance, have an instrument reformed and it is found that it should more properly be tried in an equity court, he is permitted here to amend it and go into an equity court. Now, would the statute commence at the time of the filing of the original action?

Mr. MANN of Illinois. Yes.

Mr. SANDERS of Indiana. Or commence at the time of the transfer?

Mr. MANN of Illinois. It commences at the time of the filing of the original action.

Mr. VOLSTEAD. Bringing the action would save the statute of limitations.

Mr. MANN of Illinois. If he had the same cause of action.

Mr. STEELE. Mr. Speaker, the practice indicated by the gentleman has prevailed in my State for some years. The purpose is plainly to prevent the ending of an action for want of jurisdiction of a cause; that is, equity might not have jurisdiction and law might not have jurisdiction. But so far as they have gone, the question of jurisdiction being raised or decided, it can then be transferred to the proper forum which has jurisdiction, and action will not be ended and will still run from the time it is first instituted and the rights of the parties will be preserved, and the testimony taken will be considered as testimony in the cause wherever it may be transferred.

Mr. SANDERS of Indiana. Suppose it is an equity case and three-fourths of the case has been heard. How is that testimony gotten to the jury when it is transferred to the law side?

Mr. STEELE. It can be read to the jury, and if the witness is living he may be called and if he is dead his testimony can be then read. It simply preserves the rights of all the parties.

Mr. MANN of Illinois. And it is very desirable.

Mr. SANDERS of Indiana. I think it is; but the question in my mind was whether it went into sufficient detail as to the statute of limitations, continuances, and other matters of similar nature.

Mr. MANN of Illinois. I think that language ought to be changed where it says "is preserved" and make it "if preserved." Mr. Chairman, I ask unanimous consent, page 42, line 6, that the word "is" be stricken out and the word "if" be inserted.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to modify the language on page 42, line 6, by striking out the word "is" and inserting the word "if." Is there objection? [After a pause.] The Chair hears none.

Mr. VOLSTEAD. Mr. Speaker, on line 19, page 4, I ask unanimous consent that the word "censored" be changed to "censured."

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent to modify the language, page 4, line 19, by striking out the word "censored" and inserting the word "censured."

Mr. MANN of Illinois. There is no such word there.

The SPEAKER pro tempore. Is there objection?

Mr. MANN of Illinois. I think the gentleman is in error.

Mr. VOLSTEAD. It should be page 19, line 4.

The SPEAKER pro tempore. Is there objection to striking out, line 4, page 19, the word "censored" and inserting the word "censured"? [After a pause.] The Chair hears none.

Mr. McKEOWN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McKEOWN. Is the bill read for amendment at this time?

The SPEAKER pro tempore. It is not.

Mr. McKEOWN. I want to ask the chairman about this matter.

The SPEAKER pro tempore. Does the gentleman from Minnesota yield?

Mr. VOLSTEAD. I will.

Mr. McKEOWN. If you are going to change this code, there ought to be something done with it to safeguard against abuse. They have been appointing guardians here for soldiers in St. Elizabeths Hospital without consulting the parents or giving any notice to the people interested, who live far out into the interior, of the appointment of fiduciaries here in the District of Columbia.

Mr. VOLSTEAD. I do not think I ought to consent to an amendment of that kind, because that is a matter that ought to receive very careful consideration.

Mr. McKEOWN. I wanted to call the chairman's attention to this fact, that they have appointed them without consent, and they go out here and collect this allowance made by the Government, and I think the Congress of the United States ought to protect these soldiers from the payment of any fees that ought not to be paid here.

Mr. VOLSTEAD. If the gentleman will introduce a bill on the subject and it comes to our committee, I will be glad to call the committee's attention to the matter.

Mr. McKEOWN. There is a section on the subject of lunacy in this code, and I have an amendment to propose which reads as follows:

No fiduciary shall be appointed in the Supreme Court of the District of Columbia or by any justice thereof for any soldier, sailor, or marine confined in any hospital in the District of Columbia without the written consent of the nearest of kin of such soldier, sailor, or marine.

Mr. MANN of Illinois. What would the gentleman do about the matter of real estate, where you have to serve people and they would not give their consent?

Mr. McKEOWN. In that case——

Mr. MANN of Illinois. Would you hold up all the proceedings?

Mr. McKEOWN. The case should refer to nonresident soldiers who are brought into the District and put in these hospitals.

Mr. MANN of Illinois. I understand; but suppose you have a case involving property where the innocent person is a party defendant, you can proceed without having a guardian appointed. But if the appointment of the guardian depended upon somebody's consent, and they do not give the consent, do you mean to say you never could go ahead with the case?

Mr. McKEOWN. I would not want that at all.

Mr. DEWALT. Will the gentleman allow an explanation?

Mr. McKEOWN. I will.

Mr. DEWALT. I think I can point to a concrete instance to show the gentleman that an amendment of the character he has mentioned is not necessary. There is now in the Walter Reed Hospital one Francis J. Kennally, who by reason of shell shock and injury in the war became insane. He has what is known as a total disability, and therefore is entitled to $100 per month, plus $57.50 by reason of his insurance. Of course, the man is incompetent to receive the money himself, as he is insane. The Walter Reed Hospital authorities have him in charge, and, of course, will not discharge him, because he has this total disability. In order to get the $157.50 to be administered for his benefit, he, the said Francis J. Kennally, living in Lehigh County, Pa., gave notice to his relatives of these facts, and they applied there for the appointment of a guardian. They applied at his place of residence, and under the statutes of Pennsylvania a guardian was appointed, notification given to the War Risk Insurance Bureau, and upon proper authentication of the appointment of guardian the money is being paid over to the guardian.

Mr. McKEOWN. I was going to say I had in mind a particular case that came to my attention of a soldier who was out here at St. Elizabeths Hospital from my district. A fiduciary was appointed here in the District of Columbia, without any notice at all to the soldier's parents, who live in Oklahoma, and, as a result, while they are not blaming the fiduciary, because he kept accurate account, yet there was an expense which accumulated that they considered large, and that would not have occurred had the parents had any notice so that the guardianship proceedings could have been had in Oklahoma under our statutes, where they would have had jurisdiction.

Mr. DEWALT. I think the gentleman's question would be better met by slight amendment to the War Risk Insurance Bureau.

Mr. McKEOWN. I had no desire to impede this legislation. I wanted to call it to the attention of the committee so that like things would not occur in the future here in the District of Columbia, because I think the parents of these boys that are unfortunate will expect us to protect them.

And while I am on my feet there is one other question I wanted to ask. I notice in the qualification of jury commissioners for the District of Columbia there is an absence of the usual provision in those qualifications, and that is that they be not interested in any suit pending in the courts of the District of Columbia. I should think it would not be right to appoint jury commissioners to select jurors without some provision that they were not interested in any litigation and were free of any litigation in the courts or the District. There is an absence of any such provision in the qualifications of the jury commissioners.

Mr. CARAWAY. On what page is that?

Mr. McKEOWN. That is on page 9, line 24. I had an amendment to suggest there, that after the word "law," strike out the period and insert "nor be a party to any cause then pending in the courts of the District of Columbia."

Mr. VOLSTEAD. On what page?

Mr. McKEOWN. On page 9, line 24. After the word "law," strike out the period and insert "nor be a party to any cause then pending in the courts of the District of Columbia."

Mr. VOLSTEAD. That is probably too broad for an equity case. If it was a jury cause, perhaps it would be all right.

Mr. McKEOWN. Then pending in the courts of law. I can not see why the amendment should not be in there, because that is the usual qualification for jury commissioners in most of our States.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent that that amendment be inserted in the bill, on page 9.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the language be inserted on page 9, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. McKEOWN: Page 9, line 24, after the word "law," strike out the period and insert "nor be a party to any cause then pending in the courts of the District of Columbia."

The SPEAKER pro tempore. Is there objection?

Mr. MacCRATE. Reserving the right to object, may I ask if the language necessitates the resignation of the commissioner if he is sued?

Mr. McKEOWN. This refers to the time he is appointed.

Mr. MacCRATE. That might be considered to mean at the time the suit was instituted against him he would be disqualified for the service, unless you would limit it in some way.

Mr. McKEOWN. I think it refers to the time he is appointed.

The SPEAKER pro tempore. Is there objection?

Mr. MacCRATE. I suggest, Mr. Speaker, that the gentleman amend that so that it would not be after his appointment.

Mr. McKEOWN. The amendment says "then pending at the time of his appointment."

Mr. MANN of Illinois. That does not relate to the time of the appointment, I think. The jury commission shall be composed of three commissioners, and the bill provides that they shall have been domiciled in the District for three years prior to their appointment, and that they shall be freeholders in the District of Columbia, and not engaged in the practice of law. I do not think one of these three commissioners, after he is appointed, could engage in the practice of law. You could easily make that amendment read, "at the time of his appointment."

Mr. McKEOWN. Mr. Speaker, I ask that the amendment be so modified.

Mr. MANN of Illinois. Let us have the amendment reported again.

The SPEAKER pro tempore. The Clerk will report the amendment as modified.

The Clerk read as follows:

Strike out the period and insert "nor at the time of their appointment be a party to any cause then pending in the courts of the District of Columbia."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from Minnesota moves that the House do now adjourn.

Mr. MONDELL. Will the gentleman withhold that motion for a moment?

Mr. VOLSTEAD. I will.

Mr. MONDELL. I will remind the House that the House meets at 11 o'clock to-morrow, under the rule.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BEE, for to-day, on account of important business.

ABSENCE OF A QUORUM.

Mr. FESS rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Ohio rise?

Mr. MANN of Illinois. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. It is evident that there is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 33 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Thursday, March 18, 1920, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Interstate Commerce Commission for expenditures authorized under the provisions of the transportation act of 1920 (H. Doc. No. 692); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting a supplemental statement to that submitted January 27, 1919, and printed in House Document No. 1740, Sixty-fifth Congress; to the Committee on Expenditures in the War Department.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BUTLER, from the Committee on Naval Affairs, to which was referred the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes, reported the same without amendment, accompanied by a report (No. 744), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BUTLER: A bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. TILLMAN: A bill (H. R. 13109) making an appropriation of the sum of $15,000, for the purpose of paving the streets around the Federal building at Fayetteville, in the State of Arkansas; to the Committee on Appropriations.

By Mr. FREAR: A bill (H. R. 13110) to amend an act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914; to the Committee on the Judiciary.

By Mr. HENRY T. RAINEY: A bill (H. R. 13111) to prevent deceit in the manufacture and sale of woven fabrics or of yarn; to the Committee on Interstate and Foreign Commerce.

By Mr. LITTLE: Resolution (H. Res. 496) instructing the Attorney General to institute proceedings against certain corporations, restraining them from distributing surplus war profits and instructing the Committee on Ways and Means to draft a bill for taxing the same for the benefit of soldiers; to the Committee on Rules.

By Mr. REBER: Joint resolution (H. J. Res. 317) authorizing the Secretary of the Treasury to pay the sum of $50 for each month of service during the war with Germany to all soldiers, sailors, members of the Marine Corps, and women in the military or naval service of the United States; to the Committee on Ways and Means.

By Mr. ROGERS: Memorial of the Legislature of the Commonwealth of Massachusetts, favoring the repeal of restrictions on the freedom of speech, freedom of the press, and the right of free assemblage; to the Committee on the Judiciary.

By Mr. GALLIVAN: Memorial of the Legislature of Massachusetts, favoring the repeal of restrictions on the freedom of speech, freedom of the press, and the right of free assemblage; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 13112) granting a pension to Mary L. Helm; to the Committee on Invalid Pensions.

By Mr. BEGG: A bill (H. R. 13113) granting a pension to Rebecca Getz Reinbold; to the Committee on Invalid Pensions.

By Mr. BROOKS of Illinois: A bill (H. R. 13114) granting an increase of pension to Alice Hingson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13115) granting a pension to Ella Fortney; to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 13116) granting a pension to Charles A. Dalstram; to the Committee on Pensions.

Also, a bill (H. R. 13117) granting a pension to Katherine Mundorff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13118) granting a pension to Louisa Donnelly; to the Committee on Pensions.

Also, a bill (H. R. 13119) granting a pension to Marie A. Colby; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 13120) for the relief of H. Van Vlack & Co.; to the Committee on Claims.

By Mr. MAJOR: A bill (H. R. 13121) granting an increase of pension to Martha A. Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13122) granting a pension to Everett L. Withrow; to the Committee on Pensions.

Also, a bill (H. R. 13123) granting a pension to S. H. Gurley; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 13124) granting an increase of pension to Ida M. Zimmerman; to the Committee on Pensions.

By Mr. SCHALL: A bill (H. R. 13125) granting a pension to Charles E. Fuller; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 13126) granting an increase of pension to Elizabeth C. Martin; to the Committee on Invalid Pensions.

By Mr. STEAGALL: A bill (H. R. 13127) granting an increase of pension to Lorenzo D. Gill; to the Committee on Pensions.

By Mr. TOWNER: A bill (H. R. 13128) granting a pension to Frank Coombs; to the Committee on Pensions.

By Mr. WEBSTER: A bill (H. R. 13129) granting a pension to Orval W. Boyd; to the Committee on Pensions.

Also, a bill (H. R. 13130) granting a pension to Millie Lawson; to the Committee on Pensions.

Also, a bill (H. R. 13131) granting a pension to Henry Ellis; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2344. By Mr. COLE: Petition of the Earl Green Post, No. 344, the American Legion, Carey, Ohio, urging the adoption of the resolution adopted by the executive committee of the National American Legion meeting held at Indianapolis, Ind., February 10, 1920, providing for compensation for the ex-service men and women; to the Committee on Ways and Means.

2345. By Mr. CURRY of California: Petition of Hon. V. S. McClatchy, publisher of the Sacramento Bee, Sacramento, Calif., favoring Senate joint resolution 170, authorizing and directing the Secretary of the Navy to open certain naval radio stations for the use of the general public as it passed the Senate; to the Committee on the Merchant Marine and Fisheries.

2346. By Mr. CURRIE of Michigan: Petition of L. M. Shannon and others, of Sonjohnday Post, No. 104, Standish, Mich., favoring adjusted compensation for ex-service men upon basis of $50 bond per month; to the Committee on Ways and Means.

2347. Also, petition of John A. Seator and 21 other members of Sonjohnday Post, No. 104, Standish, Mich., favoring adjusted compensation for ex-service men upon basis of $50 bond per month; to the Committee on Ways and Means.

2348. Also, petitions of R. J. Crandall, commander Sonjohnday Post, No. 104, Standish; Roy H. Spink Post, Shepard; William N. Irish, jr., commander Larmon Post, No. 128, Clare; Ivan F. Blumenthal, commander Tom Beecraft Post, No. 103, West Branch; I. D. Friedman, commander Jesse C. Hodder Post, No. 189, Tawas City; officers of the Bay City Polish Roman Catholic Benevolent Association, Bay City; and A. J. Boucher, vice president of soldiers', sailors', and marines' organizations, Bay City, all in the State of Michigan, favoring adjusted compensation for ex-service men upon basis of a $50 bond per month; to the Committee on Ways and Means.

2349. By Mr. DENISON: Petition of Jacob Will and numerous others, of Ava, Ill., protesting against compulsory military training; to the Committee on Military Affairs.

2350. By Mr. GALLIVAN: Petition of Dorchester Board of Trade, of Boston, favoring the passage by Congress of laws which will enable this country to help the foreign countries which are in need of food and clothing; to the Committee on Interstate and Foreign Commerce.

2351. Also, petition of International Federation of Commercial Travelers, favoring the passage of House bill 11729; to the Committee on Ways and Means.

2352. Also, petition of John N. Hardy, secretary of the New England Supervisors of Census, favoring an increase of compensation for supervisors; to the Committee on the Census.

2353. Also, petition of W. H. McElwain Co., of Boston, favoring a Federal industrial board; to the Committee on Interstate and Foreign Commerce.

2354. By Mr. HAWLEY: Letter from L. R. Deaver, of Portland, Oreg., favoring action desired by American Legion for ex-service men; to the Committee on Ways and Means.

2355. Also, letter from G. A. Erickson, of Astoria, Oreg., favoring four features suggested by American Legion for ex-service men of the World War; to the Committee on Ways and Means.

2356. Also, letter from John T. Ross, jr., of Astoria, Oreg., favoring option of four measures submitted by American Legion as bonus for ex-service men; to the Committee on Ways and Means.

2357. Also, letter from members of the editorial staff of the Oregon Journal, of Portland, Oreg., favoring demands of American Legion for Army and Navy pay readjustment; to the Committee on Ways and Means.

2358. Also, letter from Fred C. Zeitler, of Rochester, N. Y., as secretary of the Frank M. Stewart Post, No. 117, of the American Legion, Department of New York, favoring the selective plan of American Legion for bonus; to the Committee on Ways and Means.

2359. Also, letter from D. B. Allen, of Astoria, Oreg., favoring the four vital features requested by the American Legion as bonus for ex-service men; to the Committee on Ways and Means.

2360. Also, letter from O. H. Byland, of Astoria, Oreg., favoring the giving to ex-service men of option of four beneficial measures proposed by American Legion; to the Committee on Ways and Means.

2361. Also, letter from Charles W. Rader, of Picher, Okla., favoring bonus for ex-service men; to the Committee on Ways and Means.

2362. Also, letter from P. W. Deaver, of Portland, Oreg., favoring action desired by American Legion for ex-service men; to the Committee on Ways and Means.

2363. Also, telegram from Lestor C. Rees Post, No. 57, of the American Legion, favoring cash bonus for ex-service men; to the Committee on Ways and Means.

2364. Also, letter from E. F. Laurin, of Astoria, Oreg., favoring option of four measures submitted by American Legion as bonus for ex-service men; to the Committee on Ways and Means.

2365. Also, letter from D. B. Whitman and J. N. Whitman, of Astoria, Oreg., favoring option of four measures submitted by the American Legion as bonus for ex-service men; to the Committee on Ways and Means.

2366. Also, letter from Frank E. Kline, of Beaverton, Oreg., favoring option of four measures submitted by American Legion as bonus for ex-service men; to the Committee on Ways and Means.

2367. Also, letter from A. P. Rufner, of Portland, Oreg., favoring "home aid" as additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2368. Also, letter from H. D. Luebben and others, of the Bee Hive Department Store at Astoria, Oreg., favoring option of four measures submitted by American Legion as bonus for ex-service men; to the Committee on Ways and Means.

2369. Also, letter from J. H. McLin, of Astoria, Oreg., favoring option of four measures submitted by American Legion as bonus for ex-service men; to the Committee on Ways and Means.

2370. Also, letter from C. B. Trullinger, of Astoria, Oreg., favoring option of four measures submitted by American Legion as bonus for ex-service men; to the Committee on Ways and Means.

2371. Also, letter from A. J. Antonich, of Astoria, Oreg., favoring option of four measures submitted by American Legion as bonus for ex-service men; to the Committee on Ways and Means.

2372. Also, letter from F. H. Shimp, of Portland, Oreg., favoring $50 bonus for ex-service men of the World War; to the Committee on Ways and Means.

2373. Also, telegram from McMinnville (Oreg.) Post of the American Legion, favoring additional compensation for ex-service men and women of the World War; to the Committee on Ways and Means.

2374. Also, telegram from E. C. Apperson and others, of McMinnville, Oreg., favoring additional compensation for ex-service men and women of the World War; to the Committee on Ways and Means.

2375. Also, telegram from Capital Post, No. 9, of the American Legion, at Salem, Oreg., favoring option of four measures submitted by American Legion as bonus for ex-service men of the World War; to the Committee on Ways and Means.

2376. Also, letter from Victor Crick, of Astoria, Oreg., favoring option of four measures submitted by American Legion as additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2377. Also, telegram from Carl B. Fenton Post of the American Legion, at Dallas, Oreg., favoring additional compensation for ex-service men and women of the World War; to the Committee on Ways and Means.

2378. Also, telegram from Post No. 38 of the American Legion, Department of Illinois, Chicago, Ill., favoring American Legion compensation plan for ex-service men and women of the World War; to the Committee on Ways and Means.

2379. Also, letter from the Sheridan Commercial Club, Sheridan, Oreg., favoring bonus for ex-service men on a basis of $50 bond per month of service; to the Committee on Ways and Means.

2380. Also, telegram from W. B. Follett, Oregon State commander of American Legion, favoring additional compensation for ex-service men and women of the World War; to the Committee on Ways and Means.

2381. Also, letter from S. A. Wold, of Astoria, Oreg., favoring option of four measures submitted by American Legion as additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2382. Also, resolution from Columbia Post, American Legion, at St. Helens, Oreg., favoring $50 bonus for ex-service men of the World War; to the Committee on Ways and Means.

2383. Also, letter from Clatsop Post, No. 12, Oregon Branch of the American Legion, at Astoria, Oreg., favoring option of four measures submitted by American Legion as additionl compensation for ex-service men of the World War; to the Committee on Ways and Means.

2384. Also, resolution of Pendleton Post, No. 23, of the American Legion, at Pendleton, Oreg., favoring bonus for ex-service men and women of the World War on a basis of a $50 bond per month of service; to the Committee on Ways and Means.

2385. Also, telegram and letter from G. A. Codding, of the Medford (Oreg.) Post of the American Legion, favoring legislation for ex-service men as proposed by national officers of the legion; to the Committee on Ways and Means.

2386. Also, telegram from Tillamook Post, No. 47, of the American Legion, at Tillamook, Oreg., favoring option of four measures submitted by American Legion as additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2387. Also, telegram from Argonne Post, No. 56, of the American Legion, at Tualatin, Oreg., favoring additional compensation for ex-service men and women of the World War; to the Committee on Ways and Means.

2388. Also, letter from Godfrey Thim, of American Legion, Portland (Oreg.) Post, No. 1, favoring additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2389. Also, letter from J. F. Van Winkle, of Portland (Oreg.) Post, No. 1, of the American Legion, favoring option of four measures submitted by American Legion as additional compensation for ex-service men; to the Committee on Ways and Means.

2390. Also, telegram from Alfred E. Babcock Post of the American Legion, at Albany, Oreg., favoring additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2391. Also, telegram from Sunset Post, No. 34, of the American Legion, at North Bend, Oreg., favoring legislation for readjustment of compensation to men and women who served in the World War; to the Committee on Ways and Means.

2392. Also, telegram from Portland Post, No. 1, of the American Legion, at Portland, Oreg., favoring option of four measures submitted by American Legion as additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2393. Also, letter from Charles Davis, of Hillsdale, Oreg., favoring Government land donations as additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2394. Also, telegram from Springfield (Oreg.) Post, No. 40, of the American Legion, favoring $50 bond as additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2395. By Mr. KINKAID: Petition of the Scottsbluff (Nebr.) Chamber of Commerce, favoring the continuance of the Bureau of Foreign and Domestic Commerce; to the Committee on Appropriations.

2396. Also, petition of the Scottsbluff (Nebr.) Chamber of Commerce, favoring Senate bill 3792 and universal military training; to the Committee on Military Affairs.

2397. Also, petition of S. S. Stevens and 252 other citizens, of Comstock, Nebr., protesting against military training, etc.; to the Committee on Military Affairs.

2398. By Mr. MURPHY: Memorial of Harrison County Wool Growers' Association, indorsing House bill 11641, "truth in fabric" bill; to the Committee on Interstate and Foreign Commerce.

2399. Also, memorial of 500 members of Belmont County Farm Bureau, indorsing House bill 11641, "truth in fabric" bill; to the Committee on Interstate and Foreign Commerce.

2400. By Mr. ROGERS: Petition of the Progressive Lodge, No. 131, Knight of Pythias, in convention at Maynard, Mass., opposing any and all organizations that may tend to teach un-American doctrines, etc.; to the Committee on the Judiciary.

2401. By Mr. ROWAN: Petition of the Harry Bullock Post of the American Legion, demanding thorough investigation of the Federal Board for Vocational Training; to the Committee on Rules.

2402. By Mr. SHERWOOD: Petition of sundry citizens of Ohio, urging the passage of House bill 1112; to the Committee on the Judiciary.

2403. By Mr. SINCLAIR: Petition by the commissioners of the following counties: Bottineau, Bowman, Burke, Burleigh, Divide, McIntosh, Mercer, Renville, and Rolette, all in North Dakota; also from the North Dakota Society of Equity, all asking for the passage of legislation that will assist the farmers of the drought-stricken area of western North Dakota in the purchase of seed and feed to enable them to put in a crop this spring; to the Committee on Appropriations.

SENATE.

THURSDAY, *March 18, 1920.*

(Legislative day of Thursday, March 11, 1920.)

The Senate met in open executive session at 12 o'clock noon, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gay	La Follette	Smith, Ga.
Ball	Gerry	Lenroot	Smith, Md.
Beckham	Glass	Lodge	Smith, S. C.
Borah	Gronna	McKellar	Smoot
Brandegee	Hale	McLean	Spencer
Calder	Harding	McNary	Sterling
Capper	Harris	Moses	Swanson
Chamberlain	Harrison	New	Thomas
Colt	Henderson	Norris	Townsend
Comer	Hitchcock	Nugent	Trammell
Culberson	Johnson, Calif.	Overman	Underwood
Cummins	Johnson, S. Dak.	Page	Wadsworth
Curtis	Jones, N. Mex.	Phipps	Walsh, Mass.
Dial	Jones, Wash.	Pomerene	Walsh, Mont.
Edge	Kellogg	Ransdell	Warren
Elkins	Kendrick	Reed	Watson
Fernald	Kenyon	Robinson	Williams
Fletcher	Keyes	Sheppard	Wolcott
France	King	Sherman	
Frelinghuysen	Kirby	Simmons	

The PRESIDENT pro tempore. Seventy-eight Senators have answered to their names. There is a quorum present.

MESSAGE FROM THE HOUSE.

As in legislative session,

A message from the House of Representatives, by Mr. D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6025. An act to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto; and

H. R. 12724. An act to declare Lincoln's birthday a legal holiday.

HOUSE BILLS REFERRED.

H. R. 6025. An act to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto, was read twice by its title and referred to the Committee on the District of Columbia.

H. R. 12724. An act to declare Lincoln's birthday a legal holiday was read twice by its title and referred to the Committee on the Judiciary.

HERBERT HOOVER.

Mr. REED obtained the floor.

Mr. SMOOT. Mr. President——

Mr. REED. Does the Senator wish to present some personal matter?

Mr. SMOOT. Just for a moment.

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I do.

Mr. SMOOT. Mr. President, on March 10 the Senator from California [Mr. PHELAN] had placed in the RECORD an editorial prepared by Mr. V. S. McClatchy—an editorial expression of the Sacramento Bee—on the subject of trans-Pacific news service. A few days before the Senator from California asked that it be printed in the RECORD, and I objected. Yesterday I was attending a meeting of the Appropriations Committee and while there Mr. PHELAN, Senator from California, requested that the article be printed in the RECORD in the following statement:

Mr. PHELAN. Mr. President, some time ago there was inserted in the RECORD some matter which was more defamatory than critical of the public services of Herbert Hoover. A prominent journalist of Georgia wrote me on the subject and asked me to ascertain what Mr. Hoover had to say concerning this and other matters, principally relating to cotton seed. In answer to a letter from me he wrote me this reply, and I ask unanimous consent to insert it in the RECORD.

The article was without objection ordered printed in the RECORD.

A controversy, Mr. President, between Mr. Hoover and certain public men was brought before the Senate by request of certain Senators that articles be printed in the RECORD, and I do not know how many pages of the RECORD have been taken up with such articles. We find in the RECORD of yesterday two or three pages of letters from Mr. Hoover and others in relation to the controversy. I think this practice ought to stop, and——

Mr. KENYON. Mr. President——

Mr. SMOOT. I yield to the Senator.

The PRESIDENT pro tempore. Does the Senator from Missouri yield?

Mr. REED. I yield.

Mr. KENYON. The Senator from Utah is familiar, I think, with the way this matter arose. The Senator from Oklahoma [Mr. GORE] placed in the RECORD an editorial——

Mr. ASHURST. I rise to a point of order, Mr. President. First, there is no order in the Chamber, and, secondly, out of whose time does this debate come?

Mr. SMOOT. If it is necessary, it can be taken out of my time.

Mr. ASHURST. I do not mean that in any offensive way. That is not offensive.

The PRESIDENT pro tempore. Will the Senator from Arizona state his point of order?

Mr. ASHURST. First, that there is no order in the Chamber, and, secondly, I wish to propound the question, Out of whose time does this debate come? I hope the Senator from Utah will not be offended.

Mr. SMOOT. I am not offended.

Mr. ASHURST. I meant no offense.

The PRESIDENT pro tempore. Does the Senator from Arizona demand the regular order?

Mr. ASHURST. No; I do not. I simply want to know out of whose time this debate comes.

Mr. KENYON. We are not talking on a reservation. I understand the Senator from Utah has brought up the question as to unanimous consent to have matter printed in the RECORD. An editorial from Wallace's Farmer was placed in the RECORD by the Senator from Oklahoma [Mr. GORE]. The Senator from Nevada [Mr. HENDERSON] took the matter up, apparently, with Mr. Hoover, and a few days afterwards placed in the RECORD a number of documents from Mr. Hoover. I have held an editorial from Wallace's Farmer for some days and a letter to Senator GORE in answer to the statement Mr. Hoover had placed in the RECORD through the Senator from Nevada [Mr. HENDERSON]. I have believed that the Senator from Utah was right in keeping these matters out of the RECORD. It is not an institution to boost Mr. Hoover or anybody else for the Presidency.

But now that this controversy has been started, and Mr. Wallace has been attacked by Mr. Hoover, and that has become a part of the RECORD of the Senate, I feel that Mr. Wallace's reply, his letter to the Senator from Oklahoma [Mr. GORE], and his editorial as to Mr. Hoover's statement, ought to be placed in the RECORD also. Since this other matter has gone into the RECORD, and I think the Senator from Utah has been right in trying to keep such matters out of the RECORD, I am going to ask, and the Senator from Utah can object to it if he desires, that the reply of Mr. Wallace, one of the best writers in this country on agricultural subjects and one of the clearest-headed and best men in the Middle West, who has been attacked in this way, shall go into the RECORD, and that the editorial in Wallace's Farmer with reference to Mr. Hoover shall go into the RECORD.

Mr. SMOOT. I ask the Senator if he will not allow his request to go in the regular way to the Committee on Printing, and then let the committee take into consideration the question of printing it, and decide as to whether it ought to be done or not. I think it ought to be, in answer to what has already been put into the RECORD. I am going to ask——

Mr. KENYON. Yes; I agree to that, but I do not propose that Mr. Wallace shall be attacked on the floor of the Senate by Mr. Hoover or any of the sponsors for Mr. Hoover in his candidacy for the Presidency, on whatever ticket he may be running, without a chance to have a reply put into the RECORD, if I have to read it myself.

Mr. SMOOT. That is right.

Mr. KENYON. In this editorial by Mr. Wallace I think will be found some very interesting statements as to some of the influences behind Mr. Hoover for the Presidency. According to the Wallace article our friends the packers seem to be quite content with Mr. Hoover's candidacy.

Mr. SMOOT. If it goes to the Committee on Printing——

Mr. KENYON. Yes; I ask that the request for printing the editorial and the letter of Mr. Wallace be referred to the Committee on Printing.

Mr. HENDERSON. Will the Senator yield to me for just a moment?

Mr. SMOOT. Just one moment, and I am through.

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Nevada?

Mr. SMOOT. I wish to say just one word.

Mr. REED. I hope I shall not have this charged up against my time.

Mr. SMOOT. Not at all. Mr. President, I want to say once again that it is impossible for me to be in the Chamber all the time, but I hope when a request like the one which was made yesterday is presented some Senator will object to its going into the RECORD.

RESTORATION OF AMERICAN LIBERTY.

Mr. FRANCE. Mr. President, I take this occasion to announce that on Monday next, at the close of morning business, if it meets with the convenience of the Senate, I shall address the Senate on the subject of the restoration of American liberty.

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. REED. Mr. President, I send to the desk the following as a reservation and ask to have it read.

The PRESIDENT pro tempore. The Secretary will read the reservation proposed by the Senator from Missouri.

The Assistant Secretary read as follows:

The United States reserves to itself exclusively the right to decide what questions affect its national honor or its vital interests and declares that such questions are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the League of Nations or any agency thereof or to the decision or recommendation of any other power.

Mr. REED. I offer the following reservation:

14. The United States reserves to itself exclusively the right to decide what questions affect its honor or its vital interests and declares that such questions are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the League of Nations or any agency thereof or to the decision or recommendation of any other power.

Mr. President, this is the exact reservation that was submitted by the Foreign Relations Committee when we had the treaty before us the first time. It then lacked only a few votes of passage. It had full consideration by the Foreign Relations Committee. The reservation declares the same principle that is found in almost every general treaty we have heretofore entered into. It was written into The Hague convention, as I recall, by Mr. Root. It is not in the Bryan treaties—I answer that objection now, for it was made before—because the Bryan treaties did not provide for anything except arbitration. Moreover, the Bryan treaties contained this clause:

The high contracting parties reserve the right to act independently on the subject matter of the dispute after the report of the commission shall have been submitted.

That provision left the United States perfectly free to act as its interests demanded, regardless of any decision rendered. But the pending treaty does not leave us free to act. A decision is absolutely binding. The sole question therefore is whether the United States will submit to a foreign tribunal questions that affect its life and its honor.

Now, let us plainly understand what that tribunal is to be. When the United States has a controversy with another nation the question goes for decision to the council of the League of Nations and the United States, being a party to the controversy, does not sit and does not vote. Our antagonist does not sit and does not vote. That leaves upon the council seven men, every one of whom is an alien; every one of whom is the representative of a foreign government. That government or that individual may be at enmity with the United States; may be directly interested in the controversy, but not a party of record thereto. The decision may involve the very life of the United States. It may be a decision adverse to the United States, for the right of decision carries with it the right to decide against us as well as in our favor. That is true, as a matter of course.

I put it to Senators whether we ought not to reserve to ourselves the right not to submit any question that involves the life of the Republic; not to submit any question that, in our judgment, involves the high honor of the Republic. All that the reservation does is to reserve to this Government the right to say that when it considers a question vital to it, when it believes a question involves the very life of the Republic or the high honor of the Republic, we will decide that for ourselves.

Mr. President, a vote against this reservation is a vote to submit the honor and the life of the United States to a tribunal sitting in Europe, composed exclusively of aliens. I have stated the case; I shall not go into the precedents; but I shall ask the liberty of printing as a part of my remarks clauses from the other treaties heretofore entered into in which this same reservation, in substance, appears.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The clauses of the treaties referred to in general are:

TREATIES WHERE QUESTIONS AFFECTING NATIONAL HONOR AND VITAL INTEREST WERE EXCLUDED FROM ARBITRATION.

The following clause was written into The Hague peace conference of 1899. It appears as Title III, article 9, on page 27, of "Text of the peace conferences at The Hague, 1899 and 1907," by James Brown Scott. William McKinley was President and John Hay was Secretary of State when convention was held.

"Indifferences of an international nature involving neither honor nor vital interest, and arising from a difference of opinion on points of fact, the signatory powers recommend that the parties who have not been able to come to an agreement by means of diplomacy should, as far as circumstances allow, institute an international commission of inquiry, to facilitate a solution of these differences by elucidating the facts by means of an impartial and conscientious investigation."

The United States signed this convention, but with the following reservation (p. 90):

"Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign States; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions."

The second Hague convention was signed on October 18, 1907. The United States delegates to this convention were Joseph H. Choate, Uriah M. Rose, Rear Admiral Charles S. Sperry, William I. Buchanan, Charles Henry Butler, Horace Porter, David Jayne Hill, Brig. Gen. George B. Davis, and James Brown Scott, Solicitor for Department of State.

Theodore Roosevelt was President and Elihu Root was Secretary of State when this convention was held.

In dealing with matters which can be submited to arbitration, article 19, paragraph 1 (i. d., p. 149) states:

"Recourse can not, however, be had to the court if the other party declares that in its opinion the dispute does not belong to the category of questions to be submitted to compulsory arbitration unless the treaty of arbitration confers upon the arbitration tribunal the power of deciding this preliminary question."

In The Hague peace conference of 1907, part 3, article 9 (i. d., p. 159), the following appears:

"In disputes of an international nature involving neither honor nor vital interest and arising from a difference of opinion on points of fact, the contracting parties deem it expedient and desirable that the parties who have not been able to come to an agreement by means of diplomacy should, so far as circumstances allow, institute an international commission of inquiry, to facilitate a solution of these disputes by elucidating the facts by means of an impartial and conscientious investigation."

Again (p. 178), in dealing with arbitration procedure we find that the permanent court is competent to sit in arbitration proceedings with the following exception in article 23, paragraph 1:

"Recourse can not, however, be had to the court if the other party declares that in its opinion the dispute does not belong to the category of disputes which can not be submitted to compulsory arbitration unless the treaty of arbitration confers upon the arbitration tribunal the power of deciding this preliminary question."

The United States accepted this convention with reservations, but the reservations do not appear to be specifically enumerated. (See i. d., p. 340.)

The PRESIDENT pro tempore. The question is upon the reservation proposed by the Senator from Missouri [Mr. REED].

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. McCORMICK], who is absent to-day on account of sickness. In his absence I withhold my vote.

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Arizona [Mr. SMITH]. I ask that this announcement of the transfer of my pair may stand for the day. On this question I vote "nay."

Mr. ASHURST (when the name of Mr. SMITH of Arizona was called). My colleague, the junior Senator from Arizona [Mr. SMITH] is absent on business of the Senate. I ask that this announcement stand for all roll calls to-day.

Mr. SMITH of South Carolina (when his name was called). On this vote I have a pair with the senior Senator from Minnesota [Mr. NELSON]. In his absence I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER], who is absent, and I therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Nevada [Mr. PITTMAN], and vote "nay."

The roll call was concluded.

Mr. BECKHAM. I inquire if the Senator from West Virginia [Mr. SUTHERLAND] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. BECKHAM. I have a general pair with that Senator. In his absence I withhold my vote.

Mr. CHAMBERLAIN (after having voted in the affirmative). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence, I transfer that pair to the Senator from Oklahoma [Mr. GORE] and let my vote stand.

Mr. PITTMAN. I understand that I have been paired, so that I am not at liberty to vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Washington [Mr. POINDEXTER] with the Senator from Michigan [Mr. NEWBERRY].

The result was announced—yeas 27, nays 48, as follows:

YEAS—27.

Ashurst	Frelinghuysen	Lodge	Sherman
Ball	Gronna	McLean	Shields
Borah	Harding	Moses	Smoot
Brandegee	Johnson, Calif.	Norris	Spencer
Calder	Jones, Wash.	Overman	Wadsworth
Chamberlain	Kenyon	Phelan	Walsh, Mass.
France	La Follette	Reed	

NAYS—48.

Capper	Glass	Lenroot	Smith, Md.
Colt	Hale	McKellar	Stanley
Comer	Harris	Myers	Sterling
Culberson	Harrison	New	Swanson
Cummins	Hitchcock	Nugent	Townsend
Curtis	Johnson, S. Dak.	Page	Trammell
Dial	Jones, N. Mex.	Phipps	Underwood
Dillingham	Kellogg	Pomerene	Walsh, Mont.
Elkins	Kendrick	Ransdell	Warren
Fletcher	Keyes	Robinson	Watson
Gay	King	Sheppard	Williams
Gerry	Kirby	Simmons	Wolcott

NOT VOTING—21.

Beckham	Knox	Owen	Smith, S. C.
Edge	McCormick	Penrose	Sutherland
Fall	McCumber	Pittman	Thomas
Fernald	McNary	Poindexter	
Gore	Nelson	Smith, Ariz.	
Henderson	Newberry	Smith, Ga.	

So Mr. REED's reservation was rejected.

Mr. REED. Mr. President, I offer the reservation which I send to the desk.

The PRESIDENT pro tempore. The reservation offered by the Senator from Missouri will be stated.

The ASSISTANT SECRETARY. It is proposed to add, as a reservation, the following:

The United States assumes no obligation to employ its military or naval forces or resources or any form of economic discrimination under any article of the treaty.

Mr. REED. Mr. President, it can not be denied that under article 16 of the treaty, in the event any nation, however small or great, shall go to war in violation of the decree of the council of the league that thereupon ipso facto we are a party to that war. There is surely the implied understanding that we will play our part in the war by furnishing soldiers, ships, and money. There is the express and absolute understanding that we will assist in and become party to the economic boycott. The economic boycott is in fact war, and it is war in its worst form. The economic boycott can not be applied to a first-class nation for 24 hours without actual hostilities resulting. Not only is it the open door of actual hostilities, but it is in itself an act of war of the most terrible character.

I want to read what President Wilson had to say of the economic boycott. I read from his speech of September 13, 1919:

The boycott is an infinitely more terrible instrument of war. Excepting our own singularly fortunate country, I can not think of any other country that can live upon its own resources. The minute you lock the door, then the pinch of the thing becomes intolerable; not only the physical pinch, not only the fact that you can not get raw materials and must stop your factories, not only the fact that you can not get food and your people must begin to starve, not only the fact that your credit is stopped, that your assets are useless, but the still greater pinch that comes when a nation knows that it is sent to coventry and despised.

Mr. President, how is it possible to blockade the ports of a country, cut off its commerce, and starve its people without employing armed force? What great government would tamely submit to the destruction of its commerce, the closing of its ports, and the starvation of its people? It would at once meet force with force and actual war would be on. How long would the United States permit her ships to be seized? How long would she permit the ports of New York and Boston to be blockaded? How long would she submit her commerce to be destroyed upon the high seas? How long would she supinely submit to an attempt to starve her people? There would, sir, be war within 15 minutes after the point of contact was reached. The captain commanding an American merchantman would refuse to surrender his ship, and the guns of the dreadnoughts of the United States Navy would thunder in its defense. What is true of the United States is true of every nation capable of self-defense. This contract that we are entering into binds us to do these acts of war to other nations. We are put into the war not by the act of the Government of the United States, not by the vote of the Congress of the United States, not by any act of the people of the United States taken at the time, but we are placed in a state of war because we are now by this treaty solemnly agreeing that we will become parties to future wars the moment a foreign nation has dared disobey a mandate of the league.

We have been told here that the right is reserved to Congress in all instances to go into war or not to go into war as Congress may at the time see fit to declare; but the instances I have pointed out and the facts to which I have called attention demonstrate that unless the reservation I have offered is agreed to we can be put into any war of the world at any time without our volition and without the action of Congress. This is true, because we are now by this treaty agreeing to commit acts of war against a nation the moment some other nation has gone to war with some other nation contrary to the will of nine men sitting in Geneva.

I suppose this reservation will be defeated, just as the one that proposed to reserve to the American people the sole control over the national honor and the vital interests of the United States was defeated. Just as you voted a few minutes ago to turn the life of the United States over for decision to a tribunal composed exclusively of foreigners, so you will probably turn over to that tribunal the right to engulf us in a war without the act of Congress. Let the record show how American Senators stand.

The PRESIDENT pro tempore. The Senator from Missouri asks for the yeas and nays. Is the demand seconded?

The yeas and nays were ordered.

Mr. WADSWORTH. May the Secretary state the reservation again?

The PRESIDENT pro tempore. The Secretary will again state the reservation.

The ASSISTANT SECRETARY. It is proposed to add the following as a separate reservation:

The United States assumes no obligation to employ its military or naval forces or resources or any form of economic discrimination under any article of the treaty.

The PRESIDENT pro tempore. The question is on the reservation offered by the Senator from Missouri. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the Senator from Pennsylvania [Mr. KNOX]. In his absence I withhold my vote. If at liberty to vote, I would vote "nay."

Mr. HENDERSON (when his name was called). Making the same announcement as before regarding my pair, I vote "nay."

Mr. JOHNSON of South Dakota (when his name was called). I have a general pair with the Senator from Maine [Mr. FERNALD]. In his absence I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). Repeating the same announcement as to my pair, I withhold my vote.

Mr. THOMAS (when his name was called). Owing to the absence of my pair, I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness, to the Senator from Louisiana [Mr. RANSDELL] and vote "nay."

The roll call was concluded.

Mr. OVERMAN (after having voted in the negative). I inquire if the Senator from Wyoming [Mr. WARREN] has voted?

The PRESIDENT pro tempore. He has not voted.

Mr. OVERMAN. I have a general pair with that Senator. He is absent on official business; I withdraw my vote.

Mr. BECKHAM. In the absence of my pair I withhold my vote.

Mr. EDGE. I have a general pair with the junior Senator from Oklahoma [Mr. OWEN], which I transfer to the junior Senator from New York [Mr. CALDER] and vote "nay."

Mr. CURTIS. I wish to announce that the Senator from Washington [Mr. POINDEXTER] is paired with the Senator from Michigan [Mr. NEWBERRY].

The result was announced—yeas 17, nays 52, as follows:

YEAS—17.

Borah	Gronna	Norris	Wadsworth
Brandegee	Johnson, Calif.	Reed	Walsh, Mass.
Cummins	Kenyon	Sherman	
France	La Follette	Shields	
Frelinghuysen	Moses	Smith, Ga.	

NAYS—52.

Ashurst	Gerry	Kirby	Robinson
Ball	Glass	Lenroot	Sheppard
Capper	Hale	Lodge	Simmons
Colt	Harding	McKellar	Smith, Md.
Comer	Harris	McLean	Smoot
Culberson	Harrison	Myers	Spencer
Curtis	Hitchcock	New	Sterling
Dial	Jones, N. Mex.	Nugent	Swanson
Dillingham	Jones, Wash.	Page	Townsend
Edge	Kellogg	Phelan	Trammell
Elkins	Kendrick	Phipps	Walsh, Mont.
Fletcher	Keyes	Pittman	Williams
Gay	King	Pomerene	Wolcott

NOT VOTING—27.

Beckham	Johnson, S. Dak.	Overman	Stanley
Calder	Knox	Owen	Sutherland
Chamberlain	McCormick	Penrose	Thomas
Fall	McCumber	Poindexter	Underwood
Fernald	McNary	Ransdell	Warren
Gore	Nelson	Smith, Ariz.	Watson
Henderson	Newberry	Smith, S. C.	

So Mr. REED'S reservation was rejected.

Mr. REED. Mr. President, I offer the following reservation.

The PRESIDENT pro tempore. The Secretary will report the reservation proposed by the Senator from Missouri.

The ASSISTANT SECRETARY. Add as a separate reservation the following words:

The United States assumes no obligation to employ its military or naval forces or resources under any article of the treaty.

Mr. REED. Mr. President, the reservation now offered simply makes it plain that we assume no obligation of any kind to employ our Army or Navy, or to furnish money, in any war unless Congress shall by appropriate resolution declare a state of war. Of course, everybody will understand that should any war hereafter arise in any part of the world the Congress of the United States, in the exercise of its jurisdiction, can at the time, acting in the light of the facts then existing, enter that war or remain out of it. But if we accept this treaty, there is under a number of its clauses the implied obligation that the United States will back its decrees with its military forces.

We are certainly bound to use our economic forces in support of the boycott, and, as I have already stated, a boycott could not exist as against a first-class nation 24 hours without hostilities resulting.

The Senate by the vote just taken has given two very plain constructions of the treaty. It has refused to accept a reservation which declared that the United States will not submit to any tribunal of the League of Nations questions involving its vital interest or its honor. By rejecting that reservation the Senate has, in substance, declared that this treaty does submit to a foreign tribunal—upon which the United States will not have a representative because it is a party to the controversy—the life and honor of the Nation. Moreover, the Senate has declared that it desires that the life and honor of the Nation shall be submitted to that foreign tribunal. Every man who voted against that reservation gave his construction to this treaty, and that construction was that we do submit our vital interests and national honor. When he voted against the reservation, he voted he was not willing to save to the people of the United States the control over the life of this Republic.

The Senate has just voted that it will not reserve to the United States the right to employ its arms or to engage in an economic warfare, which is, in fact, war, against countries with which we may not, by any act of Congress, be at war.

Every man who voted against that reservation voted for that construction of the treaty.

It will not do to argue against the reservation upon the ground that the treaty is susceptible to a construction which makes the reservation unnecessary. You know that any such construction is strained and that it can not be sustained. But if the treaty were susceptible of such a construction, and if it is desired that it should be so construed, then there can be no reasonable objection to making the treaty so plain and explicit that there will be no room left for future disputes.

The reservation offered simply declares that we assume no obligation to employ our Army or Navy or resources until and unless Congress shall declare a state of war; that we repudiate no obligation under the treaty to do so, leaving the Congresses of the future free to act.

Let us have the vote on that, then the country will know how the Senate of the United States has construed this treaty.

So, Mr. President, if there are no other remarks to be made, I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. BECKHAM (when his name was called). In the absence of my pair, I withhold my vote.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I transfer my pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. HENDERSON (when his name was called). Making the same announcement as before relative to my pair, I withhold my vote.

Mr. JOHNSON of South Dakota (when his name was called). Repeating the same announcement as to my pair, I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). Making the same announcement as before, I withhold my vote.

Mr. THOMAS. I am informed that my pair, if present, would vote against this reservation. Therefore I am at liberty to vote. I vote "nay."

Mr. WILLIAMS (when his name was called). If I were at liberty to vote, I would vote "nay." I am paired, however, with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness. I withhold my vote.

The roll call was concluded.

Mr. CHAMBERLAIN (after having voted in the negative). I transferred my pair a while ago to the Senator from Oklahoma [Mr. GORE]. I am not sure about his attitude with reference to this matter, and therefore I desire to withdraw my vote. If I were able to obtain a transfer, I would allow my vote to stand as I cast it.

Mr. EDGE. I announce my pair and withhold my vote.

The result was announced—yeas 16, nays 57, as follows:

YEAS—16.

Borah	Frelinghuysen	La Follette	Sherman
Brandegee	Gronna	Moses	Shields
Cummins	Johnson, Calif.	Norris	Wadsworth
France	Kenyon	Reed	Walsh, Mass.

NAYS—57.

Ashurst	Culberson	Gay	Harrison
Ball	Curtis	Gerry	Hitchcock
Calder	Dial	Glass	Jones, N. Mex.
Capper	Dillingham	Hale	Jones, Wash.
Colt	Elkins	Harding	Kellogg
Comer	Fletcher	Harris	Kendrick
Keyes	Nugent	Sheppard	Trammell
King	Overman	Simmons	Underwood
Kirby	Page	Smith, Md.	Walsh, Mont.
Lenroot	Phelan	Spencer	Warren
Lodge	Phipps	Stanley	Watson
McKellar	Pittman	Sterling	Wolcott
McNary	Pomerene	Swanson	
Myers	Ransdell	Thomas	
New	Robinson	Townsend	

NOT VOTING—23.

Beckham	Henderson	Nelson	Smith, Ga.
Chamberlain	Johnson, S. Dak.	Newberry	Smith, S. C.
Edge	Knox	Owen	Smoot
Fall	McCormick	Penrose	Sutherland
Fernald	McCumber	Poindexter	Williams
Gore	McLean	Smith, Ariz.	

So Mr. REED'S reservation was rejected.

The PRESIDENT pro tempore. The treaty is still in Committee of the Whole and open to reservations or amendments. If there be no further reservations——

Mr. GERRY. Mr. President, I offer the following reservation.

The PRESIDENT pro tempore. The Secretary will report the reservation offered by the Senator from Rhode Island.

The ASSISTANT SECRETARY. The Senator from Rhode Island proposes to add to the reservations the following:

In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the Senate June 6, 1919, and declares that when self-government is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

Mr. THOMAS. Mr. President, I offer an amendment to the reservation offered by the Senator from Rhode Island, to be added at the end of the proposed reservation.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. Add at the end of the proposed reservation the following:

And the United States, also adhering to the principle of self-determination, declares its sympathy with the grievances and aspirations of the people of Korea for the restoration of their ancient kingdom and its emancipation from the tyranny of Japan, and it further declares that when so consummated it should be promptly admitted as a member of the League of Nations.

The PRESIDENT pro tempore. The question is upon the amendment offered by the Senator from Colorado.

Mr. THOMAS. Mr. President, on yesterday a reservation of import similar to that of the reservation offered by the Senator from Rhode Island [Mr. GERRY] was tabled. If that action of the Senate is decisive, it should preclude a reconsideration of the subject. I am aware, however, that the Senate, as to matters of procedure, is a law unto itself and that Senators may feel reluctant to raise the point of order, since it might offend the political sensibilities of some elements of the voting population, something which few men have the courage to do when confronted by a rapidly approaching presidential election.

I do not think that this reservation or its subject matter is at all germane to the question of ratifying or rejecting the treaty. It is entirely foreign to it, in my opinion, but if it is to be considered at all—and it is quite evident that the purpose of the repeated efforts to secure a final vote upon the subject is more political than pertinent—it is only fair that the proposition be extended to other peoples similarly situated——

Mr. WILLIAMS. Mr. President——

Mr. THOMAS. And that is particularly true of the people of Korea. I yield to the Senator from Mississippi.

Mr. WILLIAMS. Why not extend it still further and include Algeria and Morocco, subjects of France, and Tunis and the Dedocanese Islands, now subjects of Italy?

Mr. THOMAS. If it is pertinent at all, it should be carried even further than that. It should include the Philippines——

Mr. WILLIAMS. Yes; the Philippines.

Mr. THOMAS. And Porto Rico, Guam, and the Island of Yap. But I am only concerned with Korea. I believe that Korea occupies a position peculiarly appealing to the national sense of fairness and of right. I say that without in the slightest degree reflecting upon the equities of other peoples. Perhaps they may be superior to those of Korea. In my judgment, however, Korea appeals to us from a different and a more important standpoint than any other subject peoples; because we negotiated a treaty with Korea in 1882, if the nation were still an independent one that treaty would be in force. I call the attention of the Senate to its first article:

There shall be perpetual peace and friendship between the President of the United States and the King of Shoshon and the citizens and subjects of their respective governments. If other powers deal unjustly or oppressively with either Government the other will exercise their good offices, on being informed of the case, to bring about an amicable arrangement, thus showing their friendly feeling.

Sometime after the negotiation of this treaty Japan began to cast longing eyes upon that domain, and her interest in Korea was the underlying cause of two great wars—one with China, in consequence of which Japan assumed a protectorate over Korea; the other with Russia, at the end of which Japan assumed virtual dominion of Korea—but under covenants which bound her to respect and recognize the integrity and independence of that Kingdom.

The time came, however, when the Japanese policy changed, and in disregard of treaty stipulation she supplanted the Kingdom of Korea and incorporated that nation into the Japanese Empire. In that crisis the Korean Government under its treaty with us appealed to our Government for the exercise of its good will in her behalf. Mr. Roosevelt was then President. That great American, execrated in life and canonized in death, declined to exercise his good offices in behalf of that suffering Kingdom. Instead he treated article 1 of the treaty as a scrap of paper. He not only did not recognize the right or regard the request of Korea, but deliberately acquiesced in the attitude of Japan, thereby sanctioning her absorption of the Korean Kingdom. If therefore we are to indulge in reservations of this character, which I protest as wholly foreign to the treaty, we owe it to our sense of justice, to the facts, and in my judgment to our sense of obligation, to recognize the present efforts of the Korean people for independence, to extend to her that recognition which this reservation proposes as an element in the ratification of this treaty. It is chiefly for this reason that I am constrained again to offer this amendment.

Mr. KING. Mr. President, I raise the point of order against the reservation offered by the Senator from Rhode Island [Mr. GERRY] as well as the tendered amendment offered by the Senator from Colorado [Mr. THOMAS], for the reason that these reservations, if not in exact words and exact phraseology, at least in substance, have heretofore been offered, and a motion was made to lay the reservations on the table, and the motion prevailed. It seems to me the matter has been disposed of by the Senate.

The PRESIDENT pro tempore. The Chair is constrained to overrule the point of order, because the vote yesterday was upon the motion of the Senator from Minnesota [Mr. KELLOGG] to lay on the table the reservation proposed by the Senator from Oklahoma [Mr. OWEN], which related to Egypt. The amendment proposed by the Senator from Tennessee [Mr. SHIELDS] as well as the amendment proposed by the Senator from Colorado [Mr. THOMAS] went to the table as a logical consequence. The Chair overrules the point of order.

Mr. HITCHCOCK. Mr. President, I think the ruling of the Chair is entirely correct, because the reservation proposed by the Senator from Rhode Island does present an entirely new matter. Furthermore this reservation is in entire harmony with the purpose of the League of Nations, and it is in entire harmony with the position heretofore taken by the Senate of the United States by an almost unanimous vote.

The Senate of the United States on June 6 of last year adopted a resolution of sympathy with the aspirations of the Irish people for self-government. I take it that was not intended to be a mockery; that it was not a hollow pretense; I take it that we must concede that the Senate intended, when it adopted that resolution, to say to the world that this body views with sympathy the efforts of the Irish people to secure self-government.

Furthermore, Mr. President, I object very much to contemptuously likening the efforts of the Irish people to secure self-government to the condition of Porto Rico or Guam or Hawaii. In those islands there is no organized effort to secure self-government, and, so far as we know, no disposition to secure separation from the United States. So far as the Philippines are concerned, the attitude of the United States has been a steady purpose to fit them for self-government, and to extend a larger and larger degree of self-government to them. I had the honor to conduct through this body the bill which greatly increased the degree of self-government enjoyed by the Philippine Islands, and to-day the people of the Philippine Archipelago control absolutely not only their lower house, which they originally controlled, but their upper house, or senate, and they have in their own hands the legislation for the Philippine Islands. Who now hears in the Senate of the United States or in the House of Representatives of the United States discussions relating to the government of the Philippine Islands? They virtually govern themselves.

Not only that, Mr. President, but the beneficent protection which they enjoy from the United States is such that they are to-day a loyal part of the United States. Our armed forces there are merely nominal, and I take it when the time comes that the Philippine people express, in a proper way, a desire for self-government, and Congress has had an opportunity to investigate the matter, the United States will give them complete self-government.

As to Ireland, everybody knows there is a great sentiment in the British Isles, a great sentiment in England, in favor of giving self-government to Ireland. Not only that, but the British Parliament has already passed one home-rule bill for Ireland, and is now engaged in the consideration of another home-rule bill for Ireland which will, it is expected, meet with a larger degree of favor in Ireland. The Irish question is a burning question not only in Great Britain, but it is a serious question in other countries. It disturbs the relations between the United States and Great Britain; and until the Irish question is settled the world will not be entirely free from international embarrassments.

So I say, Mr. President, if we meant what we said when we voted for the resolution of sympathy with the aspirations of the Irish people for self-government, we can support this reservation.

Moreover, the league itself contains a provision that self-governing colonies, dominions, and States shall be entitled to representation in the League of Nations. Why, therefore, is it not proper for us to say that when Ireland attains the degree of self-government mentioned in the League of Nations covenant, it ought to become a member of the League of Nations and have a vote in the assembly?

Mr. President, I have stood here and argued against the proposition that the United States should attempt to disfranchise Canada, or to disfranchise Australia, or to disfranchise South Africa, or to disfranchise New Zealand. They are self-governing colonies of the British Empire, and we ought to encourage them to a greater degree of independence. We ought not to slam the door in their faces and say that they must be represented by the British Government. We ought to encourage their efforts to a greater degree of independence; we ought to do everything to permit them to enter into a larger degree of self-government. So, in the case of Ireland, there is no reason under the sun why the United States should not say in this reservation that when Ireland secures that degree of self-government which we believe her people will secure, and which we have already declared they ought to secure, we, the people of the United States, believe that Ireland should be admitted to membership in the League of Nations.

Mr. THOMAS. Mr. President, will the Senator yield?

Mr. HITCHCOCK. I yield to the Senator from Colorado.

Mr. THOMAS. If this reservation is adopted, is it the intention of the Senator to vote for the resolution of ratification of the treaty with the reservation?

Mr. HITCHCOCK. That will depend on the adoption of other reservations. I shall not vote for the ratification of the treaty if reservations are adopted which destroy its purpose; but that does not prevent me from voting for a reservation which I believe proper. I hope that we shall have a vote upon this reservation.

So far as the amendment which has been offered by the Senator from Colorado [Mr. THOMAS] is concerned, I can see no objection to it; I can see no reason why we should not say also in this reservation that if Korea obtains the degree of self-government which we believe Ireland will secure, then we believe that Korea should be represented in the assembly of the League of Nations. There are other nations represented in the assembly which are no more entitled to representation than the old Korean Kingdom should be entitled to representation.

So I am not antagonizing the amendment offered by the Senator from Colorado. I believe it is less practicable; Korean independence is not a burning question. There is not the likelihood that Korea will secure from the Japanese Government self-government and home rule that there is that Ireland will secure the right to self-government and home rule from the British Empire.

Mr. KELLOGG obtained the floor.

Mr. SMITH of Maryland. Mr. President, there is one question which I should like to ask the Senator from Minnesota. As I understand, this reservation declares that when Ireland has attained self-government——

Mr. KELLOGG. I can not yield, for my time is very short.

The PRESIDENT pro tempore. The Chair has recognized the Senator from Minnesota. Does he yield to the Senator from Maryland?

Mr. SMITH of Maryland. I shall not seek to interrupt the Senator.

Mr. KELLOGG. Mr. President, I merely wish the attention of the Senate for a moment. I am opposed to the reservation which has been offered by the Senator from Rhode Island [Mr. GERRY] for two reasons.

It means, of course, if it is adopted, that the treaty will never be ratified or accepted if it is ratified. Secondly, Mr. President, it is opposed to every principle of international law and to the rights of sovereign States; and I do not think that the United States Senate can afford to go on record in oppositon to those principles.

I do not oppose the reservation through any lack of sympathy for the Irish people; I sympathize with their aspirations and with the aspirations of any race for self-government; but the doctrine of self-determination can not possibly mean that a state or a province of a sovereign nation shall be backed in secession or in a demand for self-government against a country which is controlling. Of course, I am in favor of self-determination.

If France desires to change her form of government from that of a representative democracy to that of a pure democracy or a constitutional monarchy, it should have the absolute right to do so without interference by any other nation.

Mr. BORAH. Just as Germany is doing it now.

Mr. KELLOGG. A people have a right to such self-determination. But, Mr. President, suppose that Provence, in France says, "We propose to secede from the sovereign nation of France and to vote for self-determination and a separate government," are we to place in the League of Nations a declaration that the power of all the nations belonging to the league shall back Provence in secession against the Republic of France? That is exactly what the reservation means.

Mr. President, as I asked on yesterday, what would have happened to the United States if such a doctrine had been invoked by the sovereign nations of the world in 1861 when the Union was hanging in the balance in the face of a terrible war? Are Senators willing to place themselves on record before the world in favor of self-determination of portions of sovereign nations? I do not deny the right of any part of a nation to secede if it can do so, as we rebelled in 1776; but that is a different proposition from the one embraced in the pending reservation.

Then, the right of other nations to recognize their belligerency is a matter of which no other nation can complain; whether belligerency shall be recognized is a question for the recognizing State; but are we prepared now to say that any part of any sovereign State which determines to set up a separate Government shall receive our support? That is what the pending reservation means. It says:

> In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination.

When did the United States become a party to any such doctrine of self-determination, will you tell me?

Mr. WILLIAMS. Mr. President, if the Senator will permit an interruption, I will say it was probably before the period between 1861 and 1865 that it was announced to the world.

Mr. WALSH of Montana. Mr. President——

Mr. KELLOGG. I have not the time to yield, as I only have a few moments more.

Mr. WALSH of Montana. I was going to answer the Senator's question.

Mr. KELLOGG. I beg the Senator's pardon.

Mr. WALSH of Montana. I simply desire to answer the Senator's question by saying that they became attached to that principle in 1776.

Mr. KELLOGG. Not at all; that was a question of whether the colonies would secede; that was not a declaration that every nation in the world would lend its support to such a doctrine. It is an entirely different doctrine, Mr. President.

I repeat, I sympathize with Ireland. We adopted a resolution on June 6, 1919, expressing our sympathy for the Irish people. Can we add to it by expressing it again? It has no place upon this treaty.

All I say is that the Senate of the United States ought not to place its approval upon a document declaring that it will support the self-determination of any portion of any sovereign nation to secede and to set up a separate government. Nobody can complain if this Nation recognizes the belligerency of Ireland if she shall secede; but to announce the doctrine that we will at all times place our approval upon the secession of a part of a sovereign nation is something that I do not think we ought to do.

Let us express ourselves for the aspirations of the Irish people. I have as great an admiration for them as any of you. In reading her long history we learn that she has produced many statesmen and orators of surpassing ability; but there are everlasting principles of constitutional law and government which we ought not lightly to set aside in a struggle against this treaty.

Mr. NORRIS. Mr. President, it is true that Ireland is not mentioned in this treaty, and yet Ireland is in it as completely and as fully as though she were mentioned on every page of the ponderous document.

This treaty, if approved, will give our sanction and our approval to the continuation of the domination of the Irish people by Great Britain, as she has dominated her and controlled her against her consent for the last 700 years. Those leaders who met at Versailles, and held in the palms of their hands the destiny of the world, knew that they had promised to the world during the Great War a new régime, a new deal. They had promised that we should have a treaty based upon the doctrine that weak nations should be protected the same as strong nations; that the right of self-determination should be recognized; that conquest should be forever ended.

Mr. President, all of those pledges were violated. Perhaps I ought to say that one of them was not violated, because the treaty, if it could be carried out, would give force to that promise that said there should be no more conquest; but the only reason that pledge is kept is because there is nothing left to conquer. Knowing these promises that had been given to the civilized people of the world, those who had it in control were careful to see that before this new régime went into effect they would divide up the world among themselves. They proceeded to do it. They did do it. They took the wire entanglements that were left from the battle fields of the war and built a fence around them. And so Ireland, though not mentioned by name, has her destiny sealed and her subjugation extended for all time; and we, when we approve it, underwrite the job and mortgage the lifeblood of unborn generations to make it good.

Mr. President, if there were provided any place in this treaty where a nation or a people controlled by another nation without their consent would have an opportunity to be heard, would have a tribunal where they might go and have the question of their independence passed on by an unbiased and a fair court, then there might be something said against this reservation. There is no such provision in this treaty. There is no such machinery. It is final. It is to go on forever. And even if there were such a provision, where some people like the Irish people might be heard, what kind of a tribunal would they come before? Would you expect these nations who will be able to control the council, having tucked away in their pockets the title deeds to millions of square miles of territory and to millions of people without their consent, to give justice to any of those peoples by taking away from any of them any part of their ill-gotten gains? Would Japan, with China and Korea tucked under her belt, give honest consideration to such a proposition? Would France, with her acquired territory, be competent to sit as an unbiased juror in such a case? Would Great Britain, with 13,000,000 Egyptians held in bondage—yes, would Great Britain, with her six votes, sitting on the coffin lid of the Emerald Isle—be expected to give proper consideration to any nation held against its will in a hearing in that tribunal?

No, Mr. President; this is intended to stifle forever the voice of freedom that comes from Ireland. For 700 years they have been held in subjection. Everybody, everywhere on earth, admits that they are competent to control themselves and to govern themselves. That question is excluded. Everybody admits, as far as I know, that they are held against their will, and that they have been held by means that are neither honest nor fair.

It is said by the Senator from Minnesota, "Why should we recognize secession in this treaty? Why should we interfere in the affairs of Great Britain?"

Mr. President, under ordinary conditions, under normal conditions, I would not favor a proposition of this kind; but we are not confronted with those conditions. We have to act on this treaty, and this treaty seals the doom of Ireland forever. Here at our gates is Great Britain, together with her interlocking connections of wealth in every financial center of the United States, asking us to put our seal of approval upon Ireland's death. That is the condition that is before us. True, we are not to blame for it, but it is here; and when we are asked to do that, Mr. President, I am ready to take the other horn of the dilemma and say not only that we will not give Ireland into bondage but that we will write our judgment into this treaty.

Mr. President, even if those autocrats of Versailles who held the destinies of the world in their hands believe that they can end forever the struggle of Ireland and the struggle of other peoples trying to get freedom and liberty, they can not succeed. It is contrary to the law of human nature. As long as a just God reigns in heaven you can not kill the spirit of liberty and human freedom, and it will continue to live even though death is inflicted. It is part of the very depths of the human soul, and it can not be killed, and it can not be destroyed.

We can not compare the Irish question with the other suggestions that are made here. You can not compare it with the Philippines, with Guam, or some other proposition where the vital question involved is whether or not the people are able

to govern themselves, whether or not they have sufficient ability and intelligence to govern themselves.

That question is not involved here. It is admitted that Ireland has that ability; and when that question is settled, I am willing to take up similar matters with any subject people, whether held by the United States or any other nation.

I repeat, Mr. President, we can not escape acting upon this proposition. It is not here on our volition. We are asked to say now whether we will help Great Britain to forever hold in subjection an unwilling and enlightened people struggling for the same liberty and freedom that we enjoy.

It seems to me that if we still adhere to the doctrine promulgated by the sacred Declaration of Independence, upon whose principles our liberty is dependent and is founded, we must give our assistance and our voice to the struggling people of Ireland, whose ability and whose desire for self-government are absolutely unquestioned.

Let me call your attention, Mr. President, to the fact that Ireland is the only English-speaking race in the world asking for independence and still held in subjection. It is said, and I believe that is the only defense made by Great Britain, that she must hold Ireland because Ireland is so close to Great Britain. Yet, Mr. President, Ireland is not as close to Great Britain as Belgium and Holland or as Holland and Belgium are to Germany, as France and Italy are to Switzerland, or as Canada is to the United States. If that doctrine is good, then we have a right to take Canada into our possession, because she is next to us; and, to reverse the doctrine, if that is a good principle, then Great Britain has a right to dominion over the United States, because we are next to Canada.

It seems to me, Mr. President, that the hearts of the American people can be nowhere else except in sympathy with a struggling people, who have been trying, through all kinds of difficulties, during all these years that have passed, to gain for themselves the liberty which we enjoy and which we would defend unto death. It strikes me, therefore, that this reservation, even if it went much further, should be approved by the Senate of the United States.

Mr. GERRY. Mr. President, it is perfectly evident that the amendment offered by the Senator from Colorado [Mr. THOMAS] was proposed for the purpose of killing the reservation. I therefore move to table the amendment offered by the Senator from Colorado.

The PRESIDING OFFICER (Mr. NEW in the chair). The question is on the motion of the Senator from Rhode Island to table the amendment offered by the Senator from Colorado to the reservation proposed by the Senator from Rhode Island.

Mr. BRANDEGEE. I ask that the amendment offered by the Senator from Colorado may be read again.

The PRESIDING OFFICER. The Secretary will read the amendment.

The READING CLERK. Add, at the end of the proposed reservation of the Senator from Rhode Island [Mr. GERRY], the following:

> And the United States, also adhering to the principle of self-determination, declares its sympathy with the grievances and aspirations of the people of Korea for the restoration of their ancient Kingdom and its emancipation from the tyranny of Japan; and it further declares that when so consummated it should be promptly admitted as a member of the League of Nations.

Mr. TOWNSEND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested, and the Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	La Follette	Robinson
Ball	Gay	Lenroot	Sheppard
Beckham	Gerry	Lodge	Shields
Borah	Glass	McKellar	Smith, Md.
Brandegee	Gronna	McLean	Smith, S. C.
Capper	Hale	McNary	Spencer
Chamberlain	Harris	Moses	Stanley
Colt	Harrison	Myers	Sterling
Comer	Henderson	New	Thomas
Culberson	Hitchcock	Norris	Townsend
Cummins	Johnson, S. Dak.	Nugent	Trammell
Curtis	Jones, Wash.	Owen	Wadsworth
Dial	Kellogg	Phelan	Walsh, Mass.
Dillingham	Kenyon	Phipps	Walsh, Mont.
Elkins	Keyes	Pomerene	Watson
Fernald	Kirby	Ransdell	Wolcott

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, there is a quorum present.

Mr. THOMAS. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. THOMAS. I am informed that the pending motion is a motion to table the amendment which I offered to the reservation of the Senator from Rhode Island [Mr. GERRY].

The PRESIDING OFFICER. That is correct.

Mr. THOMAS. I desire to inquire whether that would not, if carried, dispose of the entire subject?

Mr. WALSH of Montana. The question addressed to the Chair by the Senator from Colorado is answered, I think, by Rule XVII, as follows:

> When an amendment proposed to any pending measure is laid on the table, it shall not carry with it, or prejudice, such measure.

Mr. THOMAS. That is the wording of the rule, Mr. President, but rules do not go very far with the Senate. I should like to have the opinion of the Presiding Officer on the subject.

Mr. GERRY. Mr. President, I suggest to the Chair that under Rule XVII it is perfectly plain that if the Senate should vote to table the amendment it would not carry the entire reservation to the table.

The PRESIDING OFFICER. In the absence of a rule, it is the opinion of the Chair that the motion does carry with it the entire question.

Mr. LODGE. Mr. President, may I be heard on that for a moment?

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. LODGE (reading):

> When an amendment proposed to any pending measure is laid on the table it shall not carry with it, or prejudice, such measure.

It seems to me nothing could be plainer than that rule. It is done to prevent carrying the main measure to the table by laying an amendment on the table.

The PRESIDING OFFICER. The Chair thinks the plain language of the rule is superior to the previously announced opinion of the Chair.

Mr. THOMAS. I did not understand the last expression of the Chair.

The PRESIDING OFFICER. The Chair stated, in effect, that he thinks the recorded rule is plain, and that, the opinion of the Chair to the contrary notwithstanding, the motion does not carry with it the reservation.

Mr. THOMAS. I think the opinion of the Chair is the better law. I desire, if I can, therefore, to offer as an amendment to the motion that the entire subject be laid on the table.

Mr. LODGE. That is not in order.

Mr. BRANDEGEE. Mr. President, I make the point of order that a motion to lay a matter on the table is not amendable.

Mr. FLETCHER. It is not amendable and it is not debatable.

Mr. ASHURST. Nor divisible.

Mr. THOMAS. I will make the motion just the same. If the Chair overrules me, I am content.

The PRESIDING OFFICER. The Chair holds that the motion is not in order. The question is upon the motion of the Senator from Rhode Island [Mr. GERRY] to lay on the table the amendment offered by the Senator from Colorado [Mr. THOMAS] to the pending reservation.

Mr. THOMAS. On that I ask for the yeas and nays. Let us go on record.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. BECKHAM (when his name was called). In the absence of my pair I withhold my vote.

Mr. HENDERSON (when his name was called). In the absence of my pair I withhold my vote. If permitted to vote, I would vote "nay."

Mr. MOSES (when his name was called). Has the junior Senator from Louisiana [Mr. GAY] voted?

The PRESIDING OFFICER. He has not voted.

Mr. MOSES. I have a general pair with that Senator. In his absence I withhold my vote.

Mr. STANLEY (when his name was called). I have a pair with the senior Senator from Minnesota [Mr. NELSON]. Therefore I withhold my vote. If permitted to vote, I would vote "yea."

Mr. THOMAS (when his name was called). I transfer my pair with the Senator from North Dakota [Mr. MCCUMBER] to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. WILLIAMS (when his name was called). If I were at liberty to vote, I would vote "yea." I have a pair, however, with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness. I have been unable to transfer that pair. So I withhold my vote.

The roll call was concluded.

Mr. STANLEY. I am advised that the Senator from Minnesota [Mr. NELSON] if present would vote "yea." Therefore I vote "yea."

Mr. WILLIAMS. I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Minnesota [Mr. NELSON] and vote "nay."

Mr. LODGE (after having voted in the affirmative). I have just been informed that my pair, the Senator from Georgia [Mr. SMITH], has not voted. As I am unable to get a transfer, I withdraw my vote.

Mr. MYERS (after having voted in the affirmative). Has the Senator from Connecticut [Mr. MCLEAN] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. MYERS (after having voted in the affirmative). I have a pair with the Senator from Connecticut [Mr. MCLEAN], and as I am unable to obtain a transfer I withdraw my vote.

Mr. CURTIS. I wish to announce that the Senator from Ohio [Mr. HARDING] is paired with the Senator from Alabama [Mr. UNDERWOOD].

Mr. MYERS. I have just been informed that I can transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from New Mexico [Mr. JONES]. That I do and ask that my vote may stand as recorded.

Mr. SPENCER. I desire to announce that the Senator from Wyoming [Mr. WARREN], the Senator from Utah [Mr. SMOOT], the Senator from Iowa [Mr. KENYON], the Senator from North Carolina [Mr. OVERMAN], and the Senator from Alabama [Mr. UNDERWOOD] are absent, engaged on official business.

The roll call resulted—yeas 34, nays 34, as follows:

YEAS—34.

Ashurst	Edge	Myers	Stanley
Ball	Elkins	Nugent	Sterling
Brandegee	Fernald	Phipps	Sutherland
Capper	Fletcher	Pittman	Wadsworth
Colt	Gerry	Ransdell	Walsh, Mont.
Culberson	Hale	Robinson	Watson
Cummins	Kellogg	Shields	Williams
Curtis	King	Smith, Md.	
Dial	Lenroot	Spencer	

NAYS—34.

Beckham	Gronna	McNary	Smith, S. C.
Borah	Harrison	Moses	Swanson
Calder	Johnston, S. Dak.	New	Thomas
Chamberlain	Jones, Wash.	Norris	Townsend
Comer	Kendrick	Page	Trammell
Dillingham	Keyes	Phelan	Walsh, Mass.
France	Kirby	Pomerene	Wolcott
Gay	La Follette	Reed	
Glass	McKellar	Sheppard	

NOT VOTING—28.

Fall	Johnson, Calif.	McLean	Sherman
Frelinghuysen	Jones, N. Mex.	Nelson	Simmons
Gore	Kenyon	Newberry	Smith, Ariz.
Harding	Knox	Overman	Smith, Ga.
Harris	Lodge	Owen	Smoot
Henderson	McCormick	Penrose	Underwood
Hitchcock	McCumber	Poindexter	Warren

The PRESIDING OFFICER. On this vote the yeas are 34 and the nays are 34. The motion to lay the amendment of the Senator from Colorado on the table is therefore lost. The question recurs on agreeing to the amendment.

Mr. LODGE rose.

Mr. KELLOGG. Mr. President, I move to lay the reservation—the whole matter——

Mr. LODGE. Mr. President, I hope the Senator will not make that motion just yet. I should like the privilege of speaking on the question. I have not taken any time as yet.

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Massachusetts?

Mr. LODGE. If the Senator makes the motion, I can not help it; I am cut off.

Mr. KELLOGG. I do not wish to deprive the Senator of an opportunity to speak on it, but I understood that the Senator intended to offer an amendment. If he only wishes to speak——

Mr. LODGE. I do intend to offer an amendment, and I should like to be heard upon it by the Senate, unless the Senator chooses to cut me off.

Mr. BRANDEGEE. If the Senator will withhold the motion to lay upon the table, if he is intending to make one, I simply wish to say that we have a unanimous-consent agreement, made yesterday, which I understood gives each Senator 15 minutes upon every reservation or amendment offered. Here is a reservation proposed. I have said nothing. I want to say a few words, not occupying over 5 minutes. The Senator from Minnesota [Mr. KELLOGG] spoke at length upon it, and I hardly think that we ought to be cut off on a motion to table after it was agreed that we could speak 15 minutes, if we wanted to do so. It seems to me it is in violation of the unanimous-consent agreement. It was agreed that we should have 15 minutes apiece, and to make such a motion cuts us all off.

Mr. THOMAS. The Senator does not mean that it can not be made ultimately? It can be made after all debate is over.

Mr. BRANDEGEE. After every Senator who desires has had his 15 minutes the unanimous-consent agreement cuts off any further debate; but it seems to me that a motion to table is clearly in violation of the unanimous-consent agreement.

Mr. KELLOGG. I do not wish to deprive anyone of discussing reservations and amendments; therefore I withdraw the motion.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. The Chair has recognized the Senator from Massachusetts.

Mr. LODGE. I am very much obliged to the Senator from Minnesota.

Mr. BORAH. It is just on that point that I wanted to say a word. It is not a question of obliging anyone. I think the Senator from Minnesota, upon reflection, will see that he had no right to make the motion. It was subject to a point of order, and I want that understood from this time on. If the unanimous-consent agreement means anything it means that each Senator has 15 minutes upon any reservation or amendment that is offered.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. It is the impression of the Chair that the Senator from Minnesota [Mr. KELLOGG] had not formally submitted a motion. He had indicated a purpose, but there was no motion formally before the Senate. So the matter is disposed of, and the Senator from Massachusetts is recognized.

Mr. ROBINSON. Will the Senator from Massachusetts yield to me for a moment respecting the unanimous-consent agreement?

Mr. LODGE. I yield.

Mr. ROBINSON. The unanimous consent is as follows:

It is agreed by unanimous consent that no Senator shall speak more than 15 minutes in all on any reservation or on any amendment now pending or that may hereafter be offered.

This constitutes a mere limitation on debate. It is observable that the unanimous consent does not suspend the rule of the Senate authorizing the motion to table. Clearly, as a matter of law, the Senator from Minnesota [Mr. KELLOGG] had a right to make the motion if he chose to do so.

Mr. KELLOGG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. LODGE. Of course, I yield for a parliamentary inquiry. I am obliged to do so.

The PRESIDING OFFICER. The Senator from Minnesota will state it.

Mr. KELLOGG. I wish to ask the Chair if the unanimous-consent agreement cuts off the right to make a motion to lay on the table any reservation or amendment thereto?

Mr. NORRIS. Mr. President, I want to object, while the Senator from Massachusetts has the floor, to having the Chair pass on that question in advance. If the Chair does pass on it, there is going to be some debate on it, and there will probably be an appeal. It is not before the Senate. It is academic entirely. Personally, I am opposed to any Senator making a motion to lay on the table, and I shall vote against it now or in the future while this debate is on; but I believe Senators have a right to make it. I do not want to be foreclosed, but I do not want to argue it now.

The PRESIDING OFFICER. The Chair thinks the Senator from Nebraska has stated the case admirably. The question is not before the Senate, and the Chair therefore withholds any ruling upon it. The Senator from Massachusetts will proceed.

Mr. LODGE. Mr. President, I voted in favor of the motion to lay on the table the amendment of the Senator from Colorado [Mr. THOMAS], and I did so not that I lack in sympathy for the people of Korea, for I feel the deepest sympathy for them, as every right-thinking man must; but the real question before the Senate, which the Senate desires to have settled, is whether we shall say anything in these reservations in regard to Ireland. I think we had better meet the question now squarely and decide whether we shall or not; otherwise it will be perpetually before us during the hours that remain for the consideration of the treaty.

Mr. President, the Senate, with the exception of one vote, passed a resolution of sympathy with Ireland and for her aspirations for self-government. She comes before us again in this proposed reservation asking for a renewal of that expression of sympathy, but the reservation which has been offered carries with it a statement of a very wide, far-reaching principle, that we adhere to the principle of self-determination. That involves almost every country in the world. No country regards it; no country feels bound by it. It is to my mind pure hypocrisy to have such a suggestion come from a country which fought for four years to destroy the right of self-determination.

We should fight again if one or more States of this Union tried to break up the Union, and we all know we should prevent

it. Are we prepared to make a sovereign nation out of the Virgin Islands, which we bought from Denmark for our own self-defense, or yield our control of the Panama Canal to a plebescite on the Isthmus? We know very well we are not ready to do so.

Mr. KING. Will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. LODGE. No; I have only 15 minutes, and I should like my own time, if the Senator will allow me. I value the Senator's additions to what I may say——

Mr. KING. I want to make a contribution to the Senator's argument.

Mr. LODGE. But I shall be glad if the Senator will allow me, as my time is very short, to continue.

Mr. KING. I certainly will allow the Senator from Massachusetts to do so.

Mr. LODGE. Therefore, I propose to amend the reservation by striking out the words "to the principle of self-determination, and" in lines 2 and 3, and in order, perhaps, to make it read a little better, in line 7, to insert after the word "consummation" the word "which," and after the words "it is hoped is" insert the word "now," so as to read, "which it is hoped is now at hand."

Mr. President, we have all expressed our sympathy with Ireland many times, particularly in public speeches. I believe in what is set forth in this reservation, and I think it is perfectly proper we should express it. There is nothing offensive in the language; it is an expression of opinion and an expression of a hope, which I for one share. The Irish people are large in numbers. I need not enter upon their eulogy. We know their qualities; we know their character; we know that there are millions of people of Irish descent in this country whose desires and wishes it is absolutely proper that we should recognize, if it is suitable so to do.

Mr. President, I desire to get rid of the general principle that is embodied in the reservation, because I think it is unreal; it does not exist in the treaty at all, as the Senator from Idaho [Mr. BORAH] has pointed out. I should like to detach the proposition in regard to Ireland from the statement of adhering to the principle of self-determination and to adopt the remainder of it as it stands, except for the two verbal changes I have proposed.

Mr. WILLIAMS. How would the reservation read as amended?

Mr. LODGE. It would read as proposed to be amended:

In consenting to the ratification of the treaty with Germany the United States adheres to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice, adopted by the Senate June 6, 1919, and declares that when self-government is attained by Ireland, a consummation which it is hoped is now at hand, it should promptly be admitted as a member of the League of Nations.

The PRESIDENT pro tempore. The Chair desires to make an inquiry of the Senator from Massachusetts. The Chair is advised that the motion to lay the amendment of the Senator from Colorado [Mr. THOMAS] on the table did not prevail.

Mr. LODGE. It did not.

The PRESIDENT pro tempore. And therefore the question now is upon agreeing to the amendment of the Senator from Colorado.

Mr. LODGE. This is an amendment only in the second degree, and I offer it as a substitute.

The PRESIDENT pro tempore. The Senator from Massachusetts offers——

Mr. LODGE. I withdraw my amendment, Mr. President, until the question in regard to Korea is disposed of.

Mr. GERRY. Mr. President, I should like to say that before I offered my motion to lay the amendment of the Senator from Colorado on the table it was apparent that all Senators who wished to speak on the amendment had finished speaking, and that it was simply a question of a vote. I purposely waited until that time before I moved to lay the amendment on the table, and did not make the motion in order to prevent debate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Colorado [Mr. THOMAS].

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WALSH of Massachusetts. Mr. President, I am one of the Senators in this Chamber who would like to go on record in favor of the application of the principle of self-determination to Korea. I voted against tabling the amendment of the Senator from Colorado because I did not purpose even by an indirect vote to record myself against the application of this principle to any race of people capable of setting up and maintaining a stable government of their own choice. I have overlooked even the motive that was possibly involved in the presentation of the Korean amendment, for it is suggested that it has been offered to injure the reservation introduced by the Senator from Rhode Island. In order that the Senate may declare its honest convictions in the matter of Korea, I desire to move to strike out the amendment offered by the Senator from Colorado the language that some Senators may object to because it may be considered offensive to Japan. The Senate may then be permitted to vote on the straight question of sympathy for Korea and not vote against this Korean amendment simply because the language used is offensive to one of our allies—in this instance Japan. In other words, we ought not to trifle with the causes of peoples who are looking for self-government; we should either remove these issues from the Senate or squarely and fairly meet them in a spirit of whole-hearted sympathy.

The amendment of the Senator from Colorado contains this language:

And its emancipation from the tyranny of Japan.

I am not disputing or questioning the facts to which these words relate, but we are dealing here with a great international compact, and I think these words are objectionable. We can meet this issue by declaring where America stands and express our sympathy with Korea by the elimination of those objectionable words, so that the amendment will read as follows:

And the United States, also adhering to the principle of self-determination, declares its sympathy with the grievances and aspirations of the people of Korea for the restoration of their ancient kingdom—

Then omitting the words "and its emancipation from the tyranny of Japan"—

and it further declares that when so consummated it should be promptly admitted as a member of the League of Nations.

Will the Senator from Colorado accept the amendment?

Mr. THOMAS. I will very cheerfully accept the amendment, and I think it is an improvement upon the original.

Mr. WALSH of Massachusetts. That will permit the presentation to the Senate of the issue squarely without offensive language.

The PRESIDENT pro tempore. The Senator from Colorado accepts the suggestion of the Senator from Massachusetts and modifies his amendment accordingly.

Mr. LODGE. I move to strike out the words "also adhering to the principle of self-determination."

Mr. WALSH of Massachusetts. I accept the amendment, so far as I am concerned.

The PRESIDENT pro tempore. It lies with the Senator from Colorado to accept or reject the proposed amendment.

Mr. THOMAS. I inserted that clause because I tried to copy as nearly as possible the language of the original reservation. I have no pride of construction in the matter, and, if the Senator from Massachusetts thinks it would improve the amendment, I will accept it.

Mr. LODGE. I will say to the Senator that it will improve it sufficiently to enable me to vote for it.

Mr. THOMAS. Then, I will accept it.

The PRESIDENT pro tempore. The Senator from Colorado accepts the suggestion and modifies the amendment accordingly. The amendment as modified will be stated.

The Assistant Secretary read as follows:

And the United States declares its sympathy with the grievances and aspirations of the people of Korea for the restoration of their ancient kingdom; and it further declares that when so consummated it should be promptly admitted as a member of the League of Nations.

The PRESIDENT pro tempore. The Senator from Colorado accepts the suggestion and modifies the amendment accordingly. The amendment as modified will be stated.

The Assistant Secretary read as follows:

And the United States declares its sympathy with the grievances and aspirations of the people of Korea for the restoration of their ancient kingdom; and it further declares that when so consummated it should be promptly admitted as a member of the League of Nations.

Mr. REED. Mr. President, of course the reservation as amended does not mean anything except an expression of sympathy and a hope that the Korean Nation may ultimately suffer a calamity by being put into the League of Nations.

As originally drawn, omitting the words that might seem to be unnecessarily harsh toward Japan, which the Senator from Colorado consented to withdraw, the reservation did amount to a declaration that the people of Korea had the right to determine their own destiny. By withdrawing the words "adhering to the principle of self-determination" we consent, of course, to the abandonment of that principle, and, the words having been offered, their withdrawal amounts to a repudiation by the Senate of that principle.

The process of emasculation through which this reservation in regard to Ireland, forming the basis for amendments, has gone is highly amusing. We started out by declaring that Ireland ought to be at once given her liberty. That was defeated

by a legislative maneuver which some might say was a legislative "trick." I prefer to refer to it as a very skillful maneuver. The reservation as now offered does not express the slightest concern about Ireland obtaining her liberty.

Now we have a reservation that when Ireland secures the right from Great Britain to govern herself she then is to be cordially invited to become a member of a League of Nations which Great Britain will completely dominate. Of course, Ireland will not obtain her liberties until Great Britain sees fit to give them, and Great Britain will never voluntarily give her genuine liberty. If Ireland secures the right of colonial government similar to that of Canada, she will get it only because Great Britain is obliged to yield it in response to the eternal and deathless protests of the Irish people against their wrongs, backed by the sentiment of the world, and especially of America. So that what we are doing by this reservation is nothing but expressing some sympathy and the hope that Ireland will some day get her liberty, or secure self-government when Great Britain sees fit to give it. It is nothing but an empty sound; it does nothing for Ireland; it gives to her no benefits. By the process of amendment we have taken out of the reservation everything of value.

I am reminded of a somewhat ancient anecdote. A celebrated British wit passing in front of a shop where a fishmonger had a lot of fish laid out, manifestly for sale, observed over them the sign, "Fresh fish for sale to-day." He said to the man: "Why do you say 'to-day'? That is surplusage. Why not strike out the word 'to-day'? Everybody knows they are for sale to-day." So the fellow painted out that part of the sign. Another wag came along and said, "Why do you put in 'for sale'? Anybody who has sense knows that the fish are here for sale." So he wiped out that part of the sign. A third jester happened by and said, "Why have you the words 'fresh fish' over your stand? Do you suppose people think they are not fresh? By putting in the word 'fresh' you cast an imputation upon the character of your own fish. The presumption ought to be that they are fresh, and anybody can see they are fish." So he painted out those words and had no sign at all. That is what is left of the Irish reservation. [Laughter.]

Mr. WALSH of Montana. Mr. President, I rise simply to say that the amendment tendered by the Senator from Colorado [Mr. THOMAS] expresses a hope for the restoration of the ancient kingdom of Korea. I think probably this is the first time it has been proposed that the Congress of the United States, or either branch of the Congress of the United States, should go on record in favor of the restoration of a monarchical form of government.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Colorado?

Mr. WALSH of Montana. I yield to the Senator.

Mr. THOMAS. Inasmuch as we are already about to associate with a more ancient kingdom, now dominating Korea, I think it is perfectly appropriate.

Mr. WALSH of Montana. Mr. President, we all understand the humorous trait in the character of the Senator from Colorado. If the proposition of the independence of Korea came up as an independent one here, in undoubted good faith, I should be disposed to favor it in any proper way; but while I do not desire at all to impugn the good purpose of the Senator, or the intensity of his devotion to the independence of Korea, we can not escape the conclusion that this amendment was sought to be put upon the reservation proposed by the Senator from Rhode Island for the purpose of killing it. I hope it will be defeated.

Mr. ROBINSON. Mr. President, in addition to the suggestion just made by the Senator from Montana, I point out the fact that this is quite an unusual provision. While the Senate of the United States, under the Constitution, is a part of the treaty-making power, I question the right of the Senate to bind the United States by a declaration like this. This is not a reservation to any provision in the treaty. The Senate might express its sympathy, but it has no right to express the sympathy of the United States under the pretense of exercising the treaty-making power.

The form of the reservation is as follows:

> And the United States declares its sympathy with the grievances and aspirations of the people of Korea for the restoration of their ancient kingdom—

And so forth. By what authority does the Senate presume, if indeed it should adopt such a reservation, to express the sympathy of the United States? The Senate may express its own sympathy. It has neither the power nor the right to express the sympathy of the United States.

Mr. THOMAS obtained the floor.

Mr. WALSH of Montana. Mr. President, I inquire whether the Senator from Colorado has not already spoken on this amendment?

Mr. THOMAS. My purpose was not to speak on the amendment, although I have not consumed my 15 minutes——

The PRESIDENT pro tempore. So that it may be understood, the Chair will state that the unanimous-consent agreement does not limit the number of times a Senator may speak.

Mr. THOMAS. I am perfectly aware of that, Mr. President, but I nevertheless did not intend to make any extended remarks upon the subject. I merely wished to remind the Senator from Arkansas [Mr. ROBINSON] that nearly every reservation so far adopted uses the words "United States," and not "the Senate," and this is an amendment to a proposed reservation.

Mr. REED. And this is a contract of the United States.

Mr. THOMAS. Yes. If, therefore, the criticism is sound, it is applicable to nearly every reservation so far adopted.

Inasmuch as the Senator from Montana, inspired, doubtless, by the very amusing anecdote of the Senator from Missouri, makes objection to the words "the ancient kingdom of," I ask to amend my amendment, also recognizing the pertinency of the anecdote, by striking out the words "the ancient kingdom of."

The PRESIDENT pro tempore. The amendment will be modified accordingly.

Mr. SHIELDS. Mr. President, it occurs to me that the Senate has as much authority to make this expression of sympathy for Korea as it has to delegate, in part, the sovereignty of the United States to a supergovernment sitting in a foreign country.

Mr. BRANDEGEE obtained the floor.

Mr. ROBINSON. Mr. President, will the Senator yield to me?

Mr. BRANDEGEE. Certainly.

Mr. ROBINSON. I take it, from the statement of the Senator from Tennessee, that he admits that the Senate alone has no power, under the treaty-making power, to declare the sympathy of the United States with any nation or with any people.

Mr. SHIELDS. The Senate alone?

Mr. ROBINSON. Yes.

Mr. SHIELDS. Oh, yes; I think the Senate has.

Mr. ROBINSON. The Senate undoubtedly is a part of the treaty-making power.

Mr. SHIELDS. Unquestionably.

Mr. ROBINSON. But by no principle can a resolution of sympathy be held to be the execution of the treaty-making power.

Mr. SHIELDS. But if it goes in the treaty it is the action of the entire treaty-making power. I do not quite understand the point the Senator from Arkansas is making. I think there is a great deal in this treaty that neither the Senate nor the entire treaty-making power has a right to do.

Mr. ROBINSON. I understand that that is the position of the Senator.

Mr. BRANDEGEE. Mr. President, I think I will not yield any further. The conversation seems to be getting so general among the Senators that I think I will say something myself.

The PRESIDENT pro tempore. The Senator from Connecticut is entitled to the floor.

Mr. BRANDEGEE. Inasmuch as my time is limited, I can not yield to all the Senators who want to argue among themselves about something in which I am not concerned.

Mr. REED. Mr. President, would the Senator mind yielding to me for just one moment?

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Missouri?

Mr. BRANDEGEE. I will yield to that one Senator; yes.

Mr. REED. I simply wish to say that if the United States has the power to set up a government insuring to Japan that she shall forever hold Korea as a vassal, we ought at least to have the right to express some sympathy for Korea under the circumstances.

Mr. BRANDEGEE. Replying to the suggestion of the Senator from Arkansas [Mr. ROBINSON] that the Senate has no right to express the opinion of the United States, I would entirely agree with that if I thought it was what we are trying to do. This reservation, however, must be construed in the light of how it will be read as a part of the treaty. Of course, the treaty, if the ratifications of it shall be exchanged with the other signatory powers, would express the view of the United States. This is simply a proposition to put that into the treaty.

Mr. President, the Senate did, on June 6, 1919, again in the exercise of its own business and its own jurisdiction, pass the following resolution:

> *Resolved*, That the Senate of the United States express its sympathy with the aspirations of the Irish people for a government of its own choice.

In my opinion that means something more than mere local self-government. Where a nation chooses its own form of government it comes pretty near being independent, and what the Senate did was to express the sympathy of the United States "with the aspirations of the Irish people for a government of its own choice." I think that was very proper and it is right in line with my idea of what self-determination means.

It does seem to me that a great and homogeneous nation in some way or other has a right to a government satisfactory to itself. At any rate, that is the way I would feel about any nation of which I was a member.

This proposed reservation, while I expect to vote for it, comes in a way that is not quite satisfactory to me. The Senator who offers it now himself voted on yesterday to table a reservation containing this same subject. To be sure, that reservation extended our sympathies to other great peoples. However, inasmuch as this reservation is now before us, pertaining distinctly to the Irish people, upon which the Senate has already expressed its opinion, I shall vote for it again.

I do not know whether I shall vote for that part of it offered as an amendment by the Senator from Colorado [Mr. THOMAS] which drags in the Korean question, because the Senator from Rhode Island [Mr. GERRY], the author of the present proposed reservation, seems to think that that would, as he expressed it, have the effect of killing the present reservation. Whether it would or not is a matter of judgment; but, at any rate, I do not care to take that chance, and inasmuch as this was originally designed to fit the Irish question, I expect to vote against the Korean part of it, although I would vote for a separate reservation in relation to Korea if it should be offered.

I call attention to the fact, however, that the present reservation, in lines 5 and 6, states:

> And declares that when self-government is obtained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

I am not so enthusiastic about that part of the reservation. In the first place, I do not know whether, if Ireland gets her independence, she will want to be a member of the League of Nations or not. Secondly, if she did, I do not think such an expression as this in a reservation would have a very substantial effect in helping them to do it. The treaty itself provides how self-governing parts of empires may become members of the league, without any expression of opinion by the Senate. The treaty provides that any self-governing dependency of any member of the league is eligible for membership. If Ireland should become a self-governing country, like Canada, I believe it would be eligible for membership in the League of Nations, if Great Britain and the other British colonies would admit her.

However that may be, I take great pleasure in voting for this reservation in some form, the exact nature of which has not yet been determined, because it adheres to the Senate resolution adopted on June 6, 1919, which expressed the sympathy of the Senate with the aspirations of the Irish people for a government of their own choice.

Mr. STERLING. Mr. President, I hope my position in regard to Ireland will not be misunderstood; but I am opposed not only to the amendment offered by the Senator from Colorado [Mr. THOMAS] but to the original reservation, even as proposed to be amended by the Senator from Massachusetts [Mr. LODGE].

Mr. President, this is not a reservation of anything to which the treaty relates. It is not a reservation in regard to any covenant of the treaty, or any stipulation found in the treaty, nor does it limit in any way the power conferred upon the assembly or the council of the League of Nations as provided for in the treaty. It has no relation, as a reservation, therefore, to the treaty or the covenant of the League of Nations. It is something entirely foreign to it.

What do we mean by "self-government" in this proposed reservation? The discussion here this morning, Mr. President, has been a little vague. It is yet uncertain what is meant by "self-government," as the term is used in this reservation. Does it mean home rule for Ireland? With that I am in sympathy, if the Irish people themselves can so agree that England can give them home rule. I think the sentiment in England is for home rule, and that the great difficulty is with the Irish people themselves. Their own dissensions have prevented home rule.

Or does it mean an independent sovereignty? Is that what "self-government" means here? Mr. President, we might well question, indeed, I think, considering conditions in Ireland now, considering the divisions among the Irish people themselves, as to whether the Irish people are quite fitted for independent self-government at the present time.

I think Senators may well have in mind conditions in Ireland but a short time ago, and what might have happened but for the power and promptness of England at that time in quelling sedition and rebellion. We recall the days of Sir Roger Casement, the days of the revolutionary Sinn Fein movement in Ireland during the desperate days of the war, and how their success, had they achieved it, might have been the determining factor, adverse to us and adverse to the success of the allied cause and to the civilization of the world.

Mr. President, I do not believe in further complicating things in the face of what has happened, in the face of present-day conditions in Ireland, by gratuitously here in this treaty and covenant of a League of Nations advising England that Ireland should have independence and self-government at once. I think that now, considering the attitude of British statesmen at the present time, we can well leave this great problem of Great Britain's to be worked out by herself and by her statesmen.

Mr. President, while we may express our sympathy for Ireland at a proper time and in a proper place, this treaty and covenant, it seems to me is foreign to that subject and is not the proper place for the insertion of this reservation relating to the self-government of Ireland.

Mr. TOWNSEND. Mr. President, I have endeavored, as best I could, to determine the real purpose for offering these two reservations. I think I can understand the purpose of the Senator from Colorado [Mr. THOMAS] in offering the amendment to the reservation of the Senator from Rhode Island [Mr. GERRY]. It occurs to me it was done, and properly so, for the purpose of showing the improper and unwise position of the Senator from Rhode Island in offering his own or first reservation.

But the first reservation offered is clearly for political purposes. I do not care to impugn the motives which actuate Senators in offering amendments, but it is evident that there is no more reason for offering this reservation than there is for offering a similar one for a dozen other propositions under this treaty. It must have occurred to some one that it would be a good thing for politicians to have the support of the Irish citizens of the United States, and that this possibly would secure it. But I have learned this, Mr. President, that the Irishman is a pretty good politician, and he is not very easily fooled by any such nonsense as this which is presented now to the Senate. Senators who are favoring article 10 unamended are now supporting this reservation. They are absolutely inconsistent. Nothing is likely to result to the advantage of the Irish nation from this reservation—not the slightest benefit in the world. It is not pertinent to the treaty; it must have been projected into this debate for some purpose other than benefit to Ireland.

Mr. President, we have been contending here for months, and the majority of us have felt that it was the duty of the United States to keep out of the turmoils of the Old World as much as possible. One of the objections I have had to this treaty was that it seemed to involve us in all the difficulties of Europe. I wanted to preserve the Monroe doctrine, and therefore I was perfectly willing to yield the same rights to the Old World that I was asking for my own under the Monroe doctrine. It is presumptuous for us in this treaty to interfere with the internal affairs of any foreign nation. Here we are proposing to use some kind of influence to be exerted upon Great Britain in her relations with Ireland.

Mr. President, I would like to make the motion to table the whole thing. But Senators rise and say they want to talk. Of course they want to talk. Of course, the only object in presenting it is to give them opportunity to talk for the benefit of the voters at home. That is the object. I have as many Irish friends, probably, as any other Senator in this body; but they are real friends, and they are men of intelligence, and they are not fooled at all by anything of this kind. They know it is a meaningless proposition. I would like indeed to move to table the whole proposition, the original reservation plus the amendment which has been offered. A motion was made to table the Korean proposition, and nobody found any fault with that; nobody raised his voice in this Chamber to protest against such action.

We do not have very many Koreans in this country, and I do not imagine they cast very many votes. But when it was suggested that the whole proposition should be, as it ought to be, considered together, then there is objection made. It is trespassing upon the rights of Senators to move, as we clearly had a right to move under the unanimous-consent agreement, to table the whole proposition.

So, Mr. President, if some other Senators want to use their 15 minutes in talking about Ireland I will withhold the motion. But eventually I want to make it if I can get recognition. I will not make the motion now.

Mr. WILLIAMS. Mr. President, I am of the opinion, and have been of that opinion all the time, that there can be no

proper place or time for the Senate of the United States, a coordinate branch of the Federal Government, to express its opinion in favor of the territorial dismemberment of any of our recent allies.

I am furthermore of the opinion that the League of Nations is an international affair and not an affair dealing with the domestic concerns of any country. It is a body which deals with the relations of nations, not peoples hoping to be nations, but nations themselves already independent, already sovereign, and already equal.

The effect, if not the purpose, of these two propositions, the Irish one and the Korean one, will be to put the vote of Great Britain and the vote of Japan against our admission to the League of Nations. So that, of course, if any man wants us to stay out of the League of Nations he can pursue no better plan than to vote for these two reservations, and thereby secure the vote of both of those recent associates of the United States in the Great War against our admission. Of course, no nation is going to hesitate about resenting our interference in its domestic and internal concerns. No nation will hesitate to resent that by simply refusing to admit us to the League of Nations.

It is a curious thing that we should go through a great war, the greatest the world ever knew, and then begin at once to advocate schemes for dismembering, territorially speaking, our late allies or associates. I thought that we were fighting Germany in the late war. If you take up this sort of thing and go through with it, you had better go a good deal further. Certainly France did not get possession of Algeria or Morocco by any peaceful means of self-determination of the people. Certainly the 12 Greek islands, called the Dedocanese, which are now under Italian subjection, or suzerainty, or sovereignty, would not determine their own course and fate in that way. They speak Greek, and do not speak Italian, and want to be a part of Greece.

However, they being part of the territory of a recent enemy, might have the League of Nations deal with them, because conquest carries with it the right to dismember. But we have carried on no war of conquest against Italy, our late associate, that would enable us to deal with Tunis, let us say.

We might contend that the Dedocanese were a part of the Turkish Empire, and therefore we deal with them. Certainly no one is going to advocate here that we should give the right of self-determination to Algeria or to Morocco, and yet they were taken by conquest, as everybody knows, and as most parts of the world were originally taken under the Government of which they are now a part.

I did not hear anything about the sacredness of the right of self-determination in the sixties. Virginia wanted to determine a little question for herself and so did Mississippi, but, as the Senator from Massachusetts [Mr. LODGE] said this morning, if we wanted to make that self-determination even now, or if Massachusetts or Iowa wanted to make it, the balance of the Union would whip them back into the Union. It is a pity that our forefathers down South did not call it self-determination instead of secession. I suppose if they had, then they would have had a vote of confidence from the Senate of the United States.

Mr. BORAH. The Democratic Party has made some progress since that time, and that which it used to call secession is now called self-determination.

Mr. WILLIAMS. That may be, and perhaps also a great many Senators upon the other side who are talking about Ireland's right of self-determination, knowing that it means Ireland's right to secession, have also made some progress. In fact, the whole world progresses now and then.

Ireland may have the best right in the world to independence, Korea may have it, Morocco may have it, British India may have it, the Philippines may have it, but none of these questions constitutes any part of the mission of a League of Nations, which is international in its character and deals only with independent existing sovereignties. That is the point. That is why I voted against the other resolution the other time, the date of which I have forgotten.

This very league itself forbids interference with the internal and domestic affairs of any members of the league by confining its provisions to "external aggression." Of course, every Senator knows that if he declares in favor of the independence of Korea, Japan will vote not to admit us to the League of Nations. He will remember that we have not entered as a charter member and must now be admitted, if at all, by a vote of the present parties to the compact.

Every Senator knows that if we declare in favor of the independence of Ireland Great Britain will vote against our admission to the League of Nations. Every Senator knows that if England were out to-day and we were in, and England, in the House of Commons or House of Lords, or both, should pass a resolution affirming the right of the Filipinos to independence and calling upon us for their self-determination and saying that after their self-determination was achieved they should become members of the League of Nations, that we would indignantly refuse to admit Great Britain to the league. I rather agree with the Senator from Michigan [Mr. TOWNSEND] that there is more politics than anything else in a good deal of this sort of thing.

Mr. BORAH. Mr. President, I am going to vote for this reservation for one reason and one reason only. I do not think the reservation will have any effect whatever of securing for either one of these countries the right of self-government, but it is the recognition on the part of the Senate of the United States, in the closing hours of this long contest, of the principle which the United States has ever advocated itself, and that is that subject peoples have a right in some way to secure their independence. It is simply a general recogniton of that great principle, against which I am not willing to record my vote. Of course, so far as securing anything for Ireland is concerned, it does not purport to secure anything for Ireland. Ireland has been struggling for 700 years for her independence. The language of the reservation is:

And declares that when self-government is attained by Ireland, a consummation it is hoped is at hand—

Remember what St. Paul said about hope—

it should be promptly admitted as a member to the League of Nations.

That is, when Ireland secures her independence, that she may be admitted to another combination or league which is almost as bad as the one of which she is now a member. When she secures it, after 700 years of struggle! This resolution is too weak to suit me.

Of course, Ireland is not going to get any benefit out of this resolution, but it is a recognition upon the part of the Senate of the principle of self-determination which, while it may have its exceptions, as a general principle I am not willing to vote against.

Mr. President, we are about to enter this league or not, but if we should enter it we are entering a league which has control over about 900,000,000 subject peoples, and I stand here about the last time that I propose to, to remind you of the fact, how and where is the machinery of this league by which a single one of these subject peoples can legally or in an orderly way ever secure their independence? Remember that the great Republic of the West, which has led in the fight for independence and for self-government for 150 years, now is about to put its stamp of approval, we may say, upon a machinery of international control and in that machinery there is no possible tribunal to be constructed by which the subject peoples can have a voice. Where is it? Here are Persia and Korea and Morocco and Ireland and now Shantung, and pretty soon all of China, if Japan has her way, and all these subject peoples are doomed to be subject peoples for all time, in so far as any legal machinery is concerned by which they can secure a hearing before a tribunal that can give them their independence.

In order to test this fact I amused myself last evening by writing a reservation and then wondering how it would look if it was written into the league and what kind of a league it would be after it was written in. But if it were written in it would open the door out of which the subject peoples could pass from bondage into absolute freedom, and if the faith which has been announced so often during the last 18 months is a faith in fact, if we believe in it, those who want this league and who are going to vote for it will have a suggestion here which I think will be of some value to them:

The United States construes Part I of the treaty of peace with Germany, known as the covenant of the League of Nations, to the effect that the right of self-determination as herein provided shall never be denied to any people. That whenever one-third of the adult population of a defined territory or country, the people of which have at any time enjoyed the right of self-government, shall petition in writing for their independence and the right to set up and enjoy their own form of government, it shall be the duty of the council of the league to provide, as soon as practicable and not later than six months after the presentation of said petition, for a plebiscite. The vote shall be taken on two alternatives.

(a) The maintenance of the established rule or form of government.

(b) Independence.

All persons without distinction of sex more than 21 years old at the date of voting and residents of the territory or country for one year prior to the plebiscite shall have the right to vote. The method and date of voting shall be fixed by the council of the league in such way as to secure the freedom, secrecy, and trustworthiness of the voting.

In case 60 per cent of the votes cast shall be in favor of independence, the said people shall be accorded their independence and the right to set up and maintain and enjoy their own form of government, and in case they so choose to become members of the league.

In all proceedings relative to carrying out this principle of self-determination a majority of the council shall control.

I do not offer this, for after canvassing the situation I find very few who favor it. They look upon it as wholly destructive of the league as built, and of course they are right. But, Mr. President, to those who believe in self-determination, those who believe that this league means the establishment of democracy throughout the world—and democracy means self-government—here is the door by which you can let these people out of their serfdom into independent government. But if it were adopted it would transform the entire league into a league of people, a democratic league instead of an autocratic power, depending upon force for the purpose of holding in subjection 900,000,000 of people.

If you wish to take the Irish question out of politics, if you wish to afford a remedy for all, adopt the general principle so that they may have a legal method, without revolution, of securing their independence. As it is now there is just one way for them to secure it, and that is to fight for it as Syria is doing, as Persia is doing, as India is doing, as Ireland is doing, as Korea is doing.

One other thing I may say. No one will ever charge the Irish race with being wanting in sympathy for other people who are unfortunate. In my judgment they would sympathize with the conditions of the people of Korea just as quickly as they would with the oppressed condition of other people, and if they had the right to say so they would provide a method by which all subject people could secure their independence and their freedom.

So, Mr. President, while I recognize, of course, that this will not secure anything in its weak terms for these people, I am not willing to vote against the principle that every people, every nationality now deprived of their independence and freedom, have the right to aspire to independence and freedom, and have the right to expect the sympathy of the great Republic of the West.

Mr. GORE. Mr. President, I have listened to this discussion with great interest. I remember a brilliant critic once remarked that Paradise Lost was a poem which everybody admires and nobody reads. I have sometimes thought that the right of self-determination is a principle which everybody praises and nobody practices. Pretty much everybody is in favor of the principle of self-determination—"with reservations." Well-nigh everybody believes that in the abstract the principle of self-determination ought to be sacred, that the principle of self-determination ought to be held inviolate. Almost everybody believes that the principle of self-determination ought to be universal, except when applied to Ireland, and to Egypt, and to South Africa, and to India, and to Korea, and to Shantung; and except when applied as Prentiss would say, to those "bright, warm isles which gem the oriental seas and are kissed by the fiery sun of the Tropics," which, for reasons too delicate to mention, I shall not mention.

Mr. President, is there such a thing as the principle of self-determination? If so, when should the principle apply? If so, where should the principle apply? Should that principle apply to the relationship between Ireland and England, under which there have been seven centuries of English tyranny and seven centuries of Irish agony? Mr. President, in the last general election in Ireland there were more than 1,200,000 votes cast in favor of Irish independence. If love of liberty be a qualification for liberty, the Irish are not disqualified. In the last general election in Ireland 24 of the 32 counties in Ireland returned to the British Parliament a unanimous delegation in favor of Irish independence. Twenty-seven counties out of 32 in Ireland either returned a unanimous delegation or returned a majority of republicans to Parliament. Not one county in Ireland returned a solid unionist delegation to the Parliament. Of the 101 members of Parliament chosen in Ireland in that election, 72 are avowed champions of Irish independence; and, Mr. President, the more is the pity, of those 72 Irish republicans returned to Parliament, 68 are either in jail this day or they have done service "in durance vile" during the recent agitations in Ireland. Only 26 were out of prison at the time they were chosen to Parliament. Under the dominion of free and glorious England, 68 Irish members of the British Parliament have been incarcerated as political prisoners.

The first woman chosen to Parliament was not Lady Astor, of American birth; she was a woman of Irish birth, and she was elected to Parliament while she was confined in prison—English liberty versus Irish chivalry.

When and where should the principle of self-determination apply? But yesterday I saw an account of a visit by the lord mayor of London to the Mountjoy Prison, where 44 political prisoners were wearing their chains in their dungeons.

Is this for politics alone? I can not say. I can not search the hearts of men. I try always to ascribe the conduct of men to the best motives which the circumstances will justify. It may be that sympathy for the oppressed has burned out in the American heart and that only the embers smolder where once the flame of liberty burned, as we thought, with unquenchable flame. When the great Webster introduced a resolution expressing sympathy with the struggling Greeks—struggling to cast off the yoke of Turkish tyranny and resume the liberties which they had lost 2,000 years before—it may be that the great Webster was mocking a sacred sentiment. It may be that he had no love of liberty in his heart; it may have been a cheap appeal to the Greeks residing upon the back alleys in Boston. I would rather think that he was animated by that love of liberty which characterized and distinguished his immortal career.

When Henry Clay offered his resolution expressing sympathy with the struggling peoples of South America, it may have been a cheap appeal, it may have been the appeal of the demagogue, to the Latin Americans residing in Lexington. I would rather believe it was a passion for freedom, which has glorified his name in the annals of those who have been lovers of liberty. A great orator said of Clay that his fame had built for itself a nest by the side of the eagle's, not only in the isles of Greece but upon the summits of the Andes. That orator was mistaken; "Harry of the West" was playing cheap politics, catering to the Latin vote in the outlying precincts of Louisville.

Perhaps when the American people shed their blood and spent their treasure to liberate the island of Cuba from Spanish thralldom—perhaps they were merely exploiting a sentiment which they did not feel—were merely playing a part to regale the astonished eyes of a wondering world.

Mr. President, I hold in my hand the Democratic and Republican platforms of 1892. The places are marked, and I ask that the passages be read.

The Assistant Secretary read as follows:

SYMPATHY FOR THE OPPRESSED.

SEC. 11. This country has always been the refuge of the oppressed from every land—exiles for conscience' sake—and, in the spirit of the founders of our Government, we condemn the oppression practiced by the Russian Government upon its Lutheran and Jewish subjects, and we call upon our National Government, in the interest of justice and humanity, by all just and proper means, to use its prompt and best efforts to bring about a cessation of these cruel persecutions in the dominions of the Czar, and to secure to the oppressed equal rights.

We tender our profound and earnest sympathy to those lovers of freedom who are struggling for home rule and the great cause of local self-government in Ireland.

Mr. GORE. Which party platform was that?

The PRESIDENT pro tempore. That is from the Democratic platform.

Mr. GORE. They are so much alike it is difficult to distinguish between them.

The Assistant Secretary read from the Republican platform of 1892, as follows:

CHAMPIONING THE OPPRESSED.

The Republican Party has always been the champion of the oppressed and recognizes the dignity of manhood, irrespective of faith, color, or nationality. It sympathizes with the cause of home rule in Ireland, and protests against the persecution of the Jews in Russia.

Mr. GORE. Mr. President, there are, indeed, those who confess judgment and who declare that these lofty appeals in behalf of the struggling peoples of Ireland and of Russia were mere vain protestations, bids for the Irish and the Russian vote, casting diamond dust in their eyes, and that these splendid sentiments were not inspired by that love of liberty which more than all other sentiments has distinguished the history of this Republic. The Democrats and the Republicans in 1892 reiterated a declaration in behalf of the oppressed people of Ireland. Will they now keep the faith? I still feel a sympathy in their age-long aspirations for liberty and for independence.

Mr. President, the Irish have earned a better fate. In every cabinet where talent can win its way will be found the resplendent genius of Irish statesmanship; in every forum where liberty is allowed to plead her own cause has been heard the voice of Irish eloquence; upon every field of battle where men have died for freedom will be found the graves of Irish heroes. The Irish contributed their part to the liberty and independence of America; the Irish contributed their part to maintain this matchless Union, which is the fairest ark of liberty that has ever sailed the seas of time. Mr. President, upon every battle field of liberty the devoted sons of Erin have held their rendezvous with death. When did it come to be a proof of demagogy to express a sympathy in behalf of Irish liberation and in behalf of Irish independence?

I hope that Great Britain may yet see her way to unrivet the chains upon the limbs of Ireland. As a friend of Irish freedom, I would rather see England strike off those bonds than to see those bonds burst asunder by a revolution, by butchery, and by bloodshed; but, Mr. President, I hope that the sunburst of Irish freedom is even now flushing to the dawn. I hope that the time

may yet come when the dying prayer of Robert Emmet may find its answer; I hope that the time may yet come when Robert Emmet's epitaph may be inscribed upon his tomb; I hope that the time may yet come when Ireland may, in accordance with Emmet's prayer, take her appointed place among the free nations of the earth.

Mr. PHELAN. Mr. President, while I am in cordial sympathy with the reservation proposed by the Senator from Rhode Island [Mr. GERRY], still I look with many misgivings upon the amendment offered by the Senator from Massachusetts [Mr. LODGE] to strike out the line which says that the United States adheres to the principle of self-determination.

There is no question but that nothing more reactionary could be proposed—and I was surprised that it should have come from the State of Massachusetts—than to strike out the declaration which seems to be the common law of the world to-day, the principle of self-determination. It is the very principle which gave us our national existence, and even Englishmen were the severest critics of those who stood in the way. Lord Chatham, you will recall, said if he were an American as he was an Englishman, so long as a British troop remained in this country never would he lay down his arms. The principle of self-determination has been ingrained in the Anglo-Saxon race, so called, and it is only a matter of time and method when it shall be given to Ireland; and here the Senate of the United States contemplates striking out from a reservation a matter of such common acceptance as the principle of self-determination.

Mr. WADSWORTH. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from New York?

Mr. PHELAN. I yield.

Mr. WADSWORTH. Does the Senator think that the United States adheres to the principle of self-determination?

Mr. PHELAN. The policy of the United States recognizes that principle, I believe, in most of its public acts.

Mr. WADSWORTH. Will the Senator agree to that principle being recognized in the Hawaiian Islands?

Mr. PHELAN. The Senator agrees that the Hawaiian Islands by their own self-determination joined the United States. I do not see why the question should be raised, as there is no question of that kind, that Hawaii wishes to withdraw from the United States.

Mr. WADSWORTH. Might it not be raised in the future?

Mr. PHELAN. If the Senator will anticipate all questions and expect a categorical answer, he will keep me very busy; but the Hawaiian Islands are a Territory of the United States, which is to all intents and purposes the fullest expression under our law of self-determination. Hawaii has the protection of the United States by land and sea and she has the right to pass domestic legislation. What more could she want?

Mr. WADSWORTH. She might want independence.

Mr. PHELAN. Well, if she asks for it, we will consider it.

Mr. WADSWORTH. I have no further questions to ask.

Mr. PHELAN. And if we deny independence to the Hawaiian Islands when Hawaii makes application for it on just grounds—that our law is oppressive and inimical to her interests; that it is destructive of her native population and against the welfare and well-being of the people—I do not see how the United States could hesitate to cure the situation. She would give them such a measure of independence, perhaps, as the United States voluntarily gave Cuba, holding under the Platt amendment that in case there was disorder or civil war, or perhaps external aggression menacing our coasts, we would intervene, but that during those days of peace and quiet Hawaii would enjoy the same independence under such circumstances as Cuba now enjoys; and we do not begrudge to Cuba that independence. She is as much a part of the United States as though she were a Territory of the United States for all legitimate and defensive purposes.

Mr. LODGE and Mr. WADSWORTH addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from California yield; and if so, to whom?

Mr. PHELAN. I yield to the Senator from Massachusetts.

Mr. LODGE. Since the Senator has explained so luminously the doctrine of self-determination as applied to Hawaii, I wish he would explain to us on what doctrine of self-determination we fought the South for four years.

Mr. PHELAN. Mr. President, the United States is one country, and the men of the South were as much a part of the American people as the men of the North. Unlike Ireland, they came into the Union of their own motion, and they claimed that under the Constitution, as they interpreted it, they could go out of their own motion. That was disputed. So it became not a revolution but a rebellion, and it was one of those things that had to be settled by the arbitrament of the sword. It was the moral issue of slavery. There was no other tribunal to which appeal could be made; but I do not think there is any parallel between the principle of self-determination as applied to a great section of the country, as to the South or the East or the West, and as applied to countries that have a nationality and a history and traditions of their own, that are racially different, as in the case of Ireland and England. There can be no possible parallel. In America we are a homogeneous family, and if we have a family quarrel, that is our own affair. The Supreme Court has held this is "an indestructible Union of indestructible States."

Mr. LODGE and Mr. OWEN addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from California yield; and if so, to whom?

Mr. PHELAN. I yield to the Senator from Massachusetts.

Mr. LODGE. I am very much obliged to the Senator for his explanation. It is quite perfect.

Mr. PHELAN. I am glad that the Senator accepts it.

Mr. LODGE. I see now that the South did not want to go; that it had no racial or traditional history; that it did not have within its borders the oldest colony; and that it had self-determination, though it cost us four years of savage war to prevent its having self-determination.

Mr. PHELAN. But the Senator does not pretend to say that there is any parallel between the relations between the North and the South and the relations between England and Ireland?

Mr. LODGE. It is not a question of parallel. Either the self-determination is always applicable or it is only sometimes applicable, when we happen to feel like it.

Mr. PHELAN. I am referring now to the self-determination of nations. The United States self-determined, not by decree but by the arbitrament of the sword, in that instance. It is now recognized as the accepted verdict beyond recall.

Mr. OWEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Oklahoma?

Mr. PHELAN. I do.

Mr. OWEN. I wish to suggest to the Senator from California that he has in support of his argument generally the very important fact that at the time of the Civil War the necessity of the States of the Union being cohered together in the Union was a vital question, affecting the protection of the whole of the American Continent; that if the States at that time had been divided, and the Union destroyed, they would have been open to the attack of the military dynasties of Europe, and therefore the intuition of the American people was against such a separation. That matter is no longer of force, because the nations of the world are now democratic; the nations of the world have recognized that government ought to be based upon the consent of the governed; so that the premises are changed, and the Senator from California may well take that into account.

Mr. PHELAN. Mr. President, I enjoy what the Senator has said, but he has encroached upon my time.

I merely desire to emphasize the fact that this Government has steadfastly maintained from its very inception the principle of self-determination. It is, in fact, that very principle that gave it its birth; and if, even by implication, there is a repudiation here to-day of that principle, I think it is a matter of such a serious character that it should be understood.

The President went to Paris armed with an article to be inserted in the covenant of the league in which this principle was put in a most practical form. The words are as follows:

> The contracting powers unite in guaranteeing to each other political independence and territorial integrity, but it is understood between them that such territorial readjustment, if any, as may in the future become necessary by reason of changes in present racial conditions and aspirations or present social and political relationships, pursuant to the principle of self-determination, and also such territorial readjustments as may, in the judgment of three-fourths of the delegates, be demanded by the welfare and manifest interest of the peoples concerned, may be effected if agreeable to those peoples, and that territorial changes may in equity involve material compensation. The contracting powers accept without reservation the principle that the peace of the world is superior in importance to every question of political jurisdiction or boundary.

Mr. WADSWORTH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from New York?

Mr. PHELAN. I would rather save my time.

Mr. WADSWORTH. I just want to ask the Senator if that is still in the treaty?

Mr. PHELAN. Will the Senator allow me to conclude? Then I will answer.

The President brought that to Paris. It was an American doctrine, and it is unfortunate, in my judgment, that it is not embodied in the treaty and in the covenant of the league; but it will be proposed here before we get through with these reservations, and the Senate will have an opportunity of reasserting this American doctrine. I proposed here in November that the

14 points, embodying self-determination as their cardinal feature, should be inserted in the treaty as a means by which its provisions could be interpreted; and that, unfortunately, I must admit, was voted down. I see, therefore, in this body as at present organized a reactionary trend, but it is not too late to set ourselves right in the light of history and in the political arena of the world, and retrogression now might be very serious to free nations that rely upon and look to us, at any rate, for our moral support.

There was put into the RECORD yesterday a letter from Mr. Hoover, which indicated that we might properly keep out of certain commissions that are organized in Europe to carry out the provisions of the treaty of peace. In California on October 2, 1919, he made a statement before the Stanford University. That was several months after he had delivered to the President in Paris the memorandum dated April, 1919. I quote him now as of October, 1919. He says, among other things:

We have been the center and inspiration of democracy for a hundred years. We have given our sympathy and encouragement to every aspiration for self-government in all this time. We have, from our experience in its blessings, believed it made for peace and well-being. We enjoy from it the highest standard of living in the world. We went to Europe with our best blood and our treasure, and fought the attempt to impose autocracy on the world. We won. We imposed democracy all over Europe. We set up a score of new democracies, and there are in many of them peoples of our own blood, in the Baltic, Polish, and Slav races. Are we to refuse our counsels to those peoples now struggling to realize—

What? He says—

Our own ideals.

Our greatest ideal is the ideal which we have always possessed, the right of self-government. It is the inspiration of our political life, and we have gone abroad, and according to the President and according to Mr. Hoover—a political leader of the first magnitude, I judge, from the way his words are received—we have given it to Europe, and here in the Senate it is proposed to obliterate it from the record, to strike it out, which can not but put us in a position of saying that after a hundred and fifty years our ideal is of no value; that we have been simply indulging in a pretense and a deception when we invited the peoples of the world to adopt democracy, which is self-determination, and promised to give them our support.

Mr. WADSWORTH. Mr. President, may I ask the Senator's attention to article 80 of the treaty, which provides that—

Germany acknowledges and will respect strictly the independence of Austria within the frontiers which may be fixed in a treaty between that State and the principal allied and associated powers; she agrees that this independence shall be inalienable, except with the consent of the council of the League of Nations.

Is that self-determination?

Mr. PHELAN. She agrees that the independence shall be inalienable?

Mr. WADSWORTH. Yes.

Mr. PHELAN. Except with the council's consent?

Mr. WADSWORTH. Let me remind the Senator that not long ago the Austrian people showed their disposition to join with Germany and were forbidden to do so.

The PRESIDENT pro tempore. The time of the Senator from California has expired.

Mr. PHELAN. I will answer the question in the time of the Senator from New York, if he desires.

Mr. WADSWORTH. Mr. President, I ask the question in my own time.

The PRESIDENT pro tempore. The Senator from New York.

Mr. WADSWORTH. My purpose is not to split hairs, but the expression "the United States adheres to the principle of self-determination" is something that should mean something, and if we do adhere to it let us know that we do. As a matter of fact, Mr. President, we do not adhere to it, and there have been several occasions in our history when we have not adhered to it.

One reason why I would like to see this stricken out of the reservation is that the United States should not say something in a reservation and then go back upon that assertion in the years to come. The Senator from California has insisted that this language should stay in the reservation. I put to him certain questions about Hawaii. I did not get a very direct answer. My recollection of history may be somewhat inaccurate, but I can not remember that the people of Hawaii expressed their consent to become a part of or one of the Territorial possessions of the United States. Nor do I believe that the Senator from California would be willing to permit the persons living in Hawaii to-day to express themselves as to what kind of a government they desire and under what government they prefer to live. We might just as well confess it; we would not permit it, for the very reason that it would threaten the security of the people of the United States.

The thing I have been begging for, Mr. President, during all this discussion is that whatever the Senate declares it declare honestly. The Senator knows just as well as I do that the United States intends to continue governing Hawaii as a Territorial possession of this country. The Senator knows that we intend to continue our jurisdiction over the Panama Canal Zone, just as we are doing to-day. The Senator knows that we would not give serious consideration to a plebiscite in the Virgin Islands on the question whether they shall be independent or a territory of the United States.

What is the use of using language in a reservation of this sort which we do not mean? Why this hypocrisy? That is all it is. I am endeavoring to apply the lesson to our own situation. I am making no reference to the other nations and their troubles and difficulties. My plea is that this language be taken out of this reservation; for if it is not taken out, and we vote it in, we are voting in something that we do not mean to abide by.

Mr. WOLCOTT and Mr. PHELAN addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from New York yield; and if so, to whom?

Mr. WADSWORTH. I yield to the Senator from Delaware.

Mr. WOLCOTT. I desire to ask the Senator if it is not true that a principle of self-determination, whether the same has been previously expressed by us or not, supplies the only possible justification for the reservation with respect to Ireland? Upon what other basis can the reservation find support?

Mr. WADSWORTH. Mr. President, the thing that I object to about this particular language is that it is a blanket declaration, applicable to every situation of the kind that may arise all over the world, including situations affecting us.

I have a very much different conception, indeed, of the Irish situation from what I have of the Virgin Islands situation. I have a very different conception of the Irish situation from what I have of the Moroccan situation. Surely no Senator would put them all in the same class, and adopt a reservation to be inserted in a great treaty binding the United States, morally at least, to view all these situations as in exactly the same category. The provision under consideration is a blanket provision. We are asked to declare that the United States adheres to the principle of self-determination. My question is, do we adhere to it? I doubt it.

Mr. PHELAN. Mr. President, the Senator asked me, and I presume I am free to answer him, concerning the situation in Hawaii. Hawaii, I stated, was a part of the American Government, now enjoying a territorial form of organization, and it is merely raising an idle question when the Senator asks whether I would consent should it be the determination of the Hawaiian Islands to leave the United States and set up a government of their own.

The conditions in the Hawaiian Islands are extraordinary, because the native population is diminishing, and the white population is not increasing, while an alien, the Japanese, population, now equaling one-half of the whole population, is, by reason of immigration and by the birth rate, increasing with great rapidity. So I do not know whether the Senator had that in mind when he asked whether, if the people "resident in the islands" declared for self-determination, we would accord it. Of course we would not accord it, if it was the vote of an alien population. But they are residents of the island, and this principle of self-determination, like every principle, when reduced to practice, must be viewed in the light of existing conditions.

As a general proposition, yes; the people have a right to declare their form of government, and no other country is good enough to govern a people against their will. That is cardinal Americanism. In the early days of New York, which was the hotbed of Toryism, there was a very large party in the Senator's State opposed to American independence. Now, if the Senator believes that this principle of self-determination is erroneous or is prejudicial to the interests of the world, I wonder what his position would have been when it came up to a question whether the colonies should self-determine, or whether they should make terms with England?

Mr. WADSWORTH. Does the Senator ask me that question?

Mr. PHELAN. I would like to have the Senator's view, because in applying his principles to our own conditions in revolutionary days I think he would be in doubt.

The PRESIDENT pro tempore. The Chair is of the opinion that the Senator from California is proceeding in violation of the rule.

Mr. PHELAN. Mr. President, I understood that I was talking in the time of the Senator from New York.

The PRESIDENT pro tempore. The Senator has no authority to talk in the time of the Senator from New York under the view held by the Chair.

Mr. SMITH of Georgia. Mr. President, the phrase "the principle of self-determination," as applied to parts of people connected with a government, may be theoretically idealistic; practically it is utterly impossible. It is true the President carried to the council at Paris article 10 with that kind of a provision in it, and I am going to call attention to it once more, and also to his first modification of his idealistic provision, because I wish Senators and the public generally to grasp the extent to which he yielded ideals before article 10 was finally adopted at Paris. It is not unreasonable, I insist, that as he yielded and permitted stricken the real heart of his original article 10, at the instance of the council in Paris, he should now be willing to yield to the view of the Senate when we take out the obligation to put our boys into the wars of the world to sustain the governments with their 600,000,000 of subject peoples. Let me read his article 10 as it was first written:

The contracting powers unite in guaranteeing to each other political independence and territorial integrity—

This is the provision for force. Now I will read the heart, the real human sympathy, that he presented. His original article 10 continues—

but it is understood between them that such territorial readjustments, if any, as may in the future become necessary by reason of changes in present racial conditions and aspirations or present social and political relationships, pursuant to the principle of self-determination, and also such territorial readjustments as may, in the judgment of three-fourths of the delegates, be demanded by the welfare and manifest interest of the peoples concerned, may be effected if agreeable to those peoples, and that territorial changes may in equity involve material compensation. The contracting powers accept without reservation the principle that the peace of the world is superior in importance to every question of political jurisdiction or boundary.

Mr. President, the heart of his article 10 began with the word "but." It was a provision for self-determination. It was a provision that the representatives in the council, by a three-fourths vote, might require, if the subject peoples desired it, that liberty should be given to them. It was a provision to free the 600,000,000 of subject peoples held by Great Britain, by France, and by Japan.

What happened to this provision, this heart of his article 10? I turn to the second time we find it in the partially revised draft, when the President began to yield, when he began to make concessions to the council at Paris, and his first great concession was, instead of leaving the power of the council by a three-fourths vote, to give freedom to these subject peoples, if the people desired it, he added—and this was in the President's handwriting, on the copy furnished to the Committee on Foreign Relations:

If agreeable to the State from which the territory is separated.

His first qualification, at the instance of the council, was that this privilege of giving freedom to the subject peoples as the result of the acts of three-fourths of the council could only proceed if consented to by the rulers of the subject peoples.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. WATSON in the chair). Does the Senator from Georgia yield to the Senator from Missouri?

Mr. SMITH of Georgia. I yield.

Mr. REED. Would they not have that right any way, at any time, without anybody's interference?

Mr. SMITH of Georgia. I am not aware of any reason why they could not have had it. But the council would not have had authority to interfere except for the provision. Still the provision would have been that the council might investigate the question, that the council might consider the status of subject peoples, and if three-fourths of the council thought that a subject people should be given their liberties if the Government over them would consent.

There was left the principle of self-determination limited to the consent of the governing power.

Now, that was the second shape in which we find this heart of article 10. Let me repeat, it was the heart, and the only heart, in article 10. What happened at the council? Every line of it was stricken, and what they finally left was the obligation upon members of the league to maintain existing Governments and existing territorial boundaries. They struck out the privilege of self-determination; they struck out the right of the council to consider the status of subject people, and left the provision that each member of the league must help the governing power, if there was an outsider interfered, to keep these peoples subject peoples.

I submit to Senators that the President is mistaken in his present suggestion that he could not look in the face the soldiers who fought in France if we interfere with the present article 10. If they were led to believe they were fighting to make the world safe for democracy, what about these 600,000,000 subject people? They were part of the world. The statement has not been limited to making the people of Europe free for democracy or the Provinces governed by Germany and Austria free for democracy. We are told the soldiers fought to make the world free for democracy, and the President had that in his mind and in his heart when he put his original article 10 before the council; but when the council struck every line that bore upon the rights of subject peoples, 600,000,000 and more in number, they took out the heart, and the time for the President to have been disturbed about looking our soldiers in the face was when he agreed to have that taken out. There is nothing left in article 10 to trouble the President or anybody else about looking the soldiers in the face.

When we strike the provision in article 10 that requires us to furnish our boys to the wars of the world for the purpose of maintaining present governments and present territorial boundaries, we say to them, "We have not stricken the provision that would help keep the world free for democracy, but we have stricken the provision in article 10 which would require you to help keep 600,000,000 subject peoples." We would say to them, "We have declared, by striking out that provision of article 10, that you shall not be taken from your homes, from your mothers, from your wives, from your sisters, from your sweethearts, to go all over the world fighting in wars that your Congress has not approved. We have not placed you automatically behind the British Empire and other subject ruling nations to sustain them in their vast dimensions."

I want to stop a moment and say, while making this statement, that if Great Britain proper was really in danger from a foreign foe, I would be in favor of standing right by her and helping preserve her from attack. But that is a very different proposition from helping to preserve the vast empire scattered all over the world upon which the sun never sets, with the millions of subject people in it.

The heart went out of article 10 when the council struck all of it that the President carried to Paris except the obligation to furnish our men to fight the world over as wars developed. Of course, the provision that we would respect the boundaries and the governments is all right. We do respect every government, we want no one's territory. We desire peace; we wish to be let alone ourselves; we want to interfere with no one else. But when it comes to putting our boys into the wars of the world under the obligation of article 10, I vote to strike out the obligation, with intense conviction that article 10 is indefensible, and I can look the mothers and the wives and the sisters in the face and say, "Yes; I took the steel and the blood out of article 10. I helped to save your families, those dearest to you, from the wars of the world, unless your Congress in the particular instance, believing that war just, believing the cause right, decides we were called upon to make the sacrifice; but your boys shall not automatically go without reference to the justice of the cause, passed upon in each case by your representatives in Congress responding to the wishes of the people of this country." I shall vote against this reservation. We can not prescribe for the citizens of other countries "the principle of self-determination." To add this reservation is a serious blow to the treaty. It will increase the difficulty of securing ratification of the treaty. It has no real connection with the treaty, and I trust it will not be adopted.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Colorado.

Mr. KELLOGG. Mr. President, I move that the reservation offered by the Senator from Rhode Island [Mr. GERRY] be laid on the table.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Glass	McKellar	Smith, Ga.
Brandegee	Gore	McLean	Smith, Md.
Calder	Hale	McNary	Smith, S. C.
Capper	Harding	Myers	Spencer
Chamberlain	Henderson	New	Sterling
Colt	Hitchcock	Norris	Sutherland
Comer	Johnson, S. Dak.	Nugent	Swanson
Culberson	Jones, N. Mex.	Owen	Thomas
Cummins	Jones, Wash.	Page	Townsend
Curtis	Kellogg	Phelan	Trammell
Dial	Kendrick	Phipps	Wadsworth
Dillingham	Keyes	Pittman	Walsh, Mass.
Edge	King	Pomerene	Walsh, Mont.
Elkins	Kirby	Ransdell	Watson
Fletcher	Knox	Reed	Williams
France	La Follette	Sheppard	Wolcott
Gay	Lenroot	Shields	
Gerry	Lodge	Simmons	

Mr. GERRY. I was requested to announce the absence, on official business of the Senate, of the Senator from North Carolina [Mr. OVERMAN], the Senator from Alabama [Mr. UNDERWOOD], and the Senator from Mississippi [Mr. HARRISON].

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. A quorum is present. The question recurs on the motion made by the Senator from Minnesota [Mr. KELLOGG] that the reservation proposed by the Senator from Rhode Island [Mr. GERRY] lie on the table.

Mr. REED. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I am compelled to withhold my vote. If permitted to vote, I would vote "nay."

Mr. HENDERSON (when his name was called). Announcing the absence of my pair, I withhold my vote. If permitted to vote, I would vote "nay."

Mr. STANLEY (when his name was called). I am paired with the senior Senator from Minnesota [Mr. NELSON]. If I were permitted to vote, I should vote "nay."

Mr. THOMAS (when his name was called). I am informed that upon this motion my absent pair, the Senator from North Dakota [Mr. MCCUMBER], and myself are in accord. I am therefore at liberty to vote, and I vote "yea."

Mr. WILLIAMS (when his name was called). I am not at liberty to vote because of my pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of sickness. If I were at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. KELLOGG (after having voted in the affirmative). I inquire if the senior Senator from North Carolina [Mr. SIMMONS] has voted?

The PRESIDING OFFICER. He has not.

Mr. KELLOGG. I have a general pair with that Senator, and therefore withdraw my vote.

The result was announced—yeas 28, nays 51, as follows:

YEAS—28.

Beckham	Glass	Knox	Smith, Ga.
Comer	Hale	Lenroot	Sterling
Cummins	Harding	Myers	Swanson
Dial	Jones, N. Mex.	Page	Thomas
Dillingham	Kenyon	Pomerene	Townsend
Edge	Keyes	Robinson	Trammell
Gay	King	Sherman	Wadsworth

NAYS—51.

Ashurst	Gerry	McKellar	Sheppard
Ball	Gore	McLean	Shields
Borah	Gronna	McNary	Smith, Md.
Brandegee	Harris	Moses	Smith, S. C.
Capper	Harrison	New	Spencer
Colt	Hitchcock	Norris	Sutherland
Culberson	Johnson, Calif.	Nugent	Underwood
Curtis	Johnson, S. Dak.	Overman	Walsh, Mass.
Elkins	Jones, Wash.	Phelan	Walsh, Mont.
Fernald	Kendrick	Phipps	Warren
Fletcher	Kirby	Pittman	Watson
France	La Follette	Ransdell	Wolcott
Frelinghuysen	Lodge	Reed	

NOT VOTING—17.

Calder	McCormick	Penrose	Stanley
Chamberlain	McCumber	Poindexter	Williams
Fall	Nelson	Simmons	
Henderson	Newberry	Smith, Ariz.	
Kellogg	Owen	Smoot	

So the Senate refused to lay Mr. GERRY's reservation on the table.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Colorado [Mr. THOMAS].

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. HENDERSON (when his name was called). In the absence of my pair, I withhold my vote. If permitted to vote, I should vote "nay."

Mr. STANLEY (when his name was called). I announce the same pair as on the previous roll call and withhold my vote.

Mr. THOMAS (when his name was called). Owing to the absence of my pair, I must withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WILLIAMS (when his name was called). I must withhold my vote for the reason mentioned on the last roll call. If I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. CHAMBERLAIN. I have a general pair with the Senator from Pennsylvania [Mr. KNOX]. In his absence, and because of my inability to secure a transfer, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. OWEN. I ask if the Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The PRESIDING OFFICER. He has voted.

Mr. OWEN. I vote "nay"; but if I thought there was any chance of the amendment being agreed to, I should vote "yea."

The result was announced—yeas 34, nays 46, as follows:

YEAS—34.

Ashurst	Frelinghuysen	La Follette	Reed
Borah	Gore	Lodge	Sheppard
Brandegee	Gronna	McKellar	Smoot
Capper	Hitchcock	McNary	Spencer
Colt	Johnson, Calif.	Moses	Sutherland
Curtis	Johnson, S. Dak.	New	Walsh, Mass.
Dillingham	Jones, Wash.	Norris	Wolcott
Fernald	Kenyon	Page	
France	Kirby	Phelan	

NAYS—46.

Ball	Hale	Nugent	Smith, S. C.
Beckham	Harding	Overman	Sterling
Calder	Harris	Owen	Swanson
Culberson	Harrison	Phipps	Townsend
Cummins	Jones, N. Mex.	Pittman	Trammell
Dial	Kellogg	Pomerene	Underwood
Edge	Kendrick	Ransdell	Wadsworth
Elkins	Keyes	Robinson	Walsh, Mont.
Fletcher	King	Sherman	Warren
Gay	Lenroot	Simmons	Watson
Gerry	McLean	Smith, Ga.	
Glass	Myers	Smith, Md.	

NOT VOTING—16.

Chamberlain	Knox	Newberry	Smith, Ariz.
Comer	McCormick	Penrose	Stanley
Fall	McCumber	Poindexter	Thomas
Henderson	Nelson	Shields	Williams

So the amendment of Mr. THOMAS was rejected.

The PRESIDENT pro tempore. The question now is upon the reservation of the Senator from Rhode Island [Mr. GERRY].

Mr. LODGE. Mr. President, I desire to offer the amendment which I said I should propose, to strike out the words "the principle of self-determination and," in lines 2 and 3.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Massachusetts will be stated.

The ASSISTANT SECRETARY. On lines 2 and 3 of the printed amendment it is proposed to strike out the words "the principle of self-determination and," so that it will read:

In consenting to the ratification of the treaty with Germany, the United States adheres to the resolution of sympathy with the aspirations of the Irish people—

And so forth.

Mr. MCKELLAR. I call for the yeas and nays.

The PRESIDENT pro tempore. The question is upon the amendment of the Senator from Massachusetts, upon which the yeas and nays are requested. Is the request seconded?

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. HENDERSON (when his name was called). In the absence of my pair and being unable to get a transfer, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. STANLEY (when his name was called). I am paired with the Senator from Minnesota [Mr. NELSON]. If voting, I should vote "nay."

Mr. THOMAS (when his name was called). On account of the absence of my pair, I withhold my vote.

Mr. WILLIAMS (when his name was called). I must withhold my vote for the reasons stated on the roll call next to the last. If I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. OVERMAN. I inquire if the Senator from Wyoming [Mr. WARREN] has voted?

The PRESIDENT pro tempore. He has not.

Mr. OVERMAN. Having a general pair with that Senator, I withhold my vote.

The result was announced—yeas 37, nays 42, as follows:

YEAS—37.

Ball	Hale	McLean	Smoot
Calder	Harding	McNary	Spencer
Capper	Jones, Wash.	Moses	Sterling
Colt	Kellogg	Myers	Sutherland
Cummins	Kenyon	New	Townsend
Curtis	Keyes	Owen	Wadsworth
Dillingham	King	Page	Watson
Edge	Knox	Phipps	
Elkins	Lenroot	Pomerene	
Fernald	Lodge	Smith, Ga.	

NAYS—42.

Ashurst	Gay	Kirby	Shields
Beckham	Gerry	La Follette	Smith, Md.
Borah	Glass	McKellar	Smith, S. C.
Brandegee	Gronna	Norris	Swanson
Chamberlain	Harris	Nugent	Trammell
Comer	Harrison	Phelan	Underwood
Culberson	Hitchcock	Pittman	Walsh, Mass.
Dial	Johnson, Calif.	Ransdell	Walsh, Mont.
Fletcher	Johnson, S. Dak.	Reed	Wolcott
France	Jones, N. Mex.	Robinson	
Frelinghuysen	Kendrick	Sheppard	

NOT VOTING—17.

Fall	Nelson	Sherman	Warren
Gore	Newberry	Simmons	Williams
Henderson	Overman	Smith, Ariz.	
McCormick	Penrose	Stanley	
McCumber	Poindexter	Thomas	

So Mr. LODGE's amendment was rejected.

Mr. LODGE. Mr. President, I shall not ask for a vote on the other two trifling amendments that I proposed to offer. I am not myself ready to vote for a reservation in which the United States gives its adherence to the principle of self-determination, which is not in the treaty in any form. Moreover, self-determination put in as a general principle involves the United States in every possible claim for self-determination all over the world, whether a good claim or a bad one.

I made an effort to detach the question of Ireland from all the other questions in the world, so that we could get a vote upon it, in the hope that we might adopt a reservation favorable to Ireland and expressing our sympathy with her efforts and desires for self-government. The Senate having kept that language in and making this a general declaration, has made it impossible for me to vote for it, desiring as I do to ratify the treaty.

Mr. LENROOT. Mr. President, if the amendment proposed by the Senator from Massachusetts [Mr. LODGE] had been adopted, I should have been glad to support this reservation; but it seems to me that Senators should be very careful, and in their sympathy for Ireland they ought not to forget the interests of the United States, which they are doing if this reservation be adopted in the form in which it is now proposed.

I had supposed that the doctrine of secession had been settled after four long years of civil war, and that it never would be raised again; but with the language "adhering to the principle of self-determination" we in the Senate would declare a policy to the Hawaiian Islands, to the Philippine Islands, to Porto Rico, to Alaska, aye, to each State of this Union, that whenever the time shall come when the people of those possessions or the people of any State shall desire to separate themselves from this Union we pledge ourselves that they shall be at liberty to do so.

Is it possible that the Senate of the United States this afternoon is going to announce any such policy as that? While I do not for a moment question the good faith of most of those who are pressing the reservation in this form, because the entire Senate is in sympathy with the aspirations of the Irish people, I do say that many upon the other side of the aisle, in the position they are now taking, are not sincere in really desiring by the action of the Senate upon this treaty to help the people of Ireland. The Senator from Nebraska [Mr. HITCHCOCK], the leader of the minority, is entirely willing to express by resolution his sympathy with the desire of the people of Ireland for self-government; but, at the same time, he insists that we shall assume all of the obligations imposed by article 10 of this covenant, and he insists that the reservation that we have adopted relieving us from those obligations nullifies the treaty; and in doing that, of course, he is only following his master. But, with that position that the Senator from Nebraska takes, while he is willing to extend a resolution of sympathy to the people of Ireland, if in time to come the people of Ireland shall rebel and any other nation shall attempt to help them to gain their liberty, he insists that the boys of the United States and the money of the United States and the resources of the United States shall be used without stint, not to help the Irish people for freedom but to help Great Britain to continue the Irish people in subjection. That is the position which the Senator from Nebraska takes.

Mr. BRANDEGEE. Mr. President, it is not always easy to assert in a phrase an incontrovertible proposition as to government and its powers. I do not suppose there was ever a single phrase used in the attempt to do that which was entirely accurate. When our fathers declared their independence they stated that—

> We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

Mr. President, I favor the self-determination of peoples and races. When I say that I do not mean, and I do not think anybody could fairly intend that a person should mean, that every little aggregation of people should be free and independent. It must be construed in connection with the facts in the case as to whether a nation is capable of governing itself and whether it can maintain its government and its independence. I see no objection to asserting the right of a race or a nation to govern itself, to determine its own destiny, any more than I would hesitate to assert, just as the fathers did who formed the Declaration of Independence, the right of revolution. Our Government is not only founded upon the right of revolution, but upon an accomplished, successful revolution, and the mere fact that this asserts in broad terms the right of self-determination does not deter me from voting to adhere to the resolutions which I voted for, as adopted by the Senate, declaring my sympathy with the aspirations of the Irish people to have a government of their own choice.

Mr. SHIELDS. Mr. President, some days ago I offered a reservation in behalf of Irish independence that meant something; that had teeth in it; that had red blood in it; but the Senator from Minnesota, prompted by the Senator from Florida, moved to lay it upon the table, which was done, and thus a free expression of the opinion of the Senate was prevented upon the direct question, which I deeply regret and deplore.

The reservation under consideration practically expresses nothing but sympathy. It is almost colorless. The Irish nation have had sympathy enough. What they want is action. They want help for freedom and independence, something with substance in it. I am going to support the reservation as the best expression of the American Senate in favor of ultimate Irish independence that can be obtained at this time.

However, there is one word in it that is of doubtful meaning, in view of the peculiar organization of the Government of the British Empire. It has been contended here that a number of the colonies or dependencies of Great Britain are self-governing; and they are, largely, in local affairs. But in the control of foreign affairs they are not, Great Britain controlling all the foreign affairs of those colonies, under the prerogative of the Crown, never granted to the several colonies.

There should be no doubt about this matter. Ireland wants not local self-government but independence. Therefore I move to strike out the word "self-government" and insert the word "independence."

The PRESIDING OFFICER. The Secretary will report the amendment proposed by the Senator from Tennessee.

The ASSISTANT SECRETARY. On line 6 of the printed amendment it is proposed to strike out the word "self-government" and insert in lieu thereof the word "independence," so it will read:

> And declares that when independence is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

The PRESIDENT pro tempore. The question is upon the amendment of the Senator from Tennessee.

Mr. WALSH of Massachusetts. Mr. President, before this vote is taken I should like to call attention to the fact that there are some people in America more interested in the principle involved here than in the embarrassment of any man or any party; that there are many people in America who honestly and sincerely believe in the principle expressed in this reservation. After hearing the eloquent speech of the Senator from Oklahoma [Mr. GORE] this afternoon, we should, if we have any of the true American spirit left, hesitate to treat lightly or trifle with a cause in which so many Americans are keenly and sincerely interested.

After the story related by the Senator from Oklahoma [Mr. GORE], the story of the 68 duly elected members of the British Parliament from Ireland who have been or are to-day in jail because of their efforts for a free republic, the people in America who sympathize with the cause of the Irish race are not going to forget the men who kill—if it is defeated—this reservation through political intrigue or through parliamentary tactics. I repeat, this question, which is most dear to the hearts of subject people, ought not to be treated here lightly. It is a solemn, a serious, a holy cause with them.

> Of all the griefs that harass the distrest
> Sure the most bitter is a scornful jest.

We ought to courageously and willingly support this reservation, because the adoption of this covenant in its present form will unquestionably lessen the chance for subject races to obtain their liberty. Nine hundred millions of subject people will be debarred by this covenant from ever having their right to independence judicially determined by an international court. Nine hundred millions of them were denied by article 10 of this covenant as finally agreed upon in Versailles from ever getting outside assistance and aid.

I hold in my hand a letter which came this morning from President Lowell, of Harvard University, a man who has given as much intellectual thought and study to the covenant of the League of Nations as any man in America, a man who from the very beginning of the discussion of this question has been, until very recently, for the unqualified approval and ratification of this treaty.

Now, let us see what he says about article 10:

In addition to what I wrote you the other day the following has occurred to me about article 10:

Suppose there were a revolt by some people against the dominance of the government of another race; suppose the revolutionaries were assisted to obtain their independence by some other nation, as we were at the time of the American Revolution. Would this be a foreign aggression such that we should be pledged by article 10 to intervene and restore the people who had so achieved independence to the control of their former rulers? This is no imaginary condition. Suppose Korea revolted and was assisted by China or Russia in maintaining her independence. Should we be pledged to restore the Koreans to Japanese rule? The same question may occur in many other places in Europe and elsewhere; and it may be at any time an actual one.

The substitute proposed by Senator LODGE for his previous reservation on article 10 seems to me to deserve the same support as the original.

Substitute in this letter of President Lowell's the word Ireland or Egypt for Korea and Great Britain for Japan, and you can understand very clearly how the adoption of article 10 without a reservation removing our obligation will remove all possible outside aid to the Irish or Egyptian people and obligate the United States to restore the Irish or Egyptian race to England if they obtain their independence from the British Government.

I refer to this letter because every Senator in this Chamber who voted for article 10 without reservations voted to deprive subject races forever of the opportunity of outside aid and assistance.

If the United States assumes the obligation under article 10, the United States will become an accomplice to the destruction of the means heretofore possessed and employed by subject people to get their liberty.

Nine hundred millions of human beings have had the door of opportunity for obtaining their freedom closed to them. To me the very worst offense committed against peace and humanity at the peace conference; the most serious offense of all that happened there; the thing that has really broken the hearts of the peoples of the world, is that 900,000,000 people were provided with no means of ever going to the League of Nations or an international court for a hearing to determine their right to set up an independent government.

The right of petition has been denied them; and, worse than that, an effort was successfully made to combine the dominant races and nations of the world to hold them in everlasting subjection.

What of our ideals! What did we fight for! Consider what history will say! Are our sacrifices for high ideals to result in placing the shackles tighter than ever upon the subject races? Do you wonder that representatives and friends of these people—Koreans, Egyptians, Irish, and all other subject races—are aroused, and that they look with fear and the deepest concern upon the establishment on the face of the earth of a combination of the nations of the world which will deny them the right of petition, the right of hearing, and unite against them if they attempt by force to assert their independence?

Mr. President, I am not going to take up any more time developing that thought. I only suggest it for this purpose: To impress upon the Senators in this Chamber that there are millions of Americans who know these facts; that there are millions of Americans who do not want this cause, when the Senate is asked to speak in terms of sympathy for these subject races, to be trifled with, to be played with, to be a matter of politics, to be a matter to be favored or rejected by the employment of parliamentary tactics that indirectly lead to the injury of the cause.

I have not injected this question here, but it has been brought here, and I only ask that the Senate, speaking for the American people, say what it really believes. I ask that the Senators who voted just now to strike out the words which would have given this measure of sympathy more votes from the other side of the Chamber be consistent and vote now, 42 of them, for this reservation. If Senators who voted to strike out this language for the purpose of taking votes from this cause from the other side of the Chamber reverse their vote now, they will show that they have employed an indirect means of killing this reservation and of rejecting this expression of sympathy and support.

Insufficient though the language may be in some particulars, the reservation is yet filled with great potentiality, for an expression by the Senate of the United States of sympathy with these people who have resorted to every peaceful means possible to set up an independent government means that Great Britain will realize that the moral support of America is with the Irish cause for independence. It is notice to the world that America sympathizes with the aspirations of these people and emphatically supports the principle of self-determination.

Therefore, I am not particular about technicalities; I am not particular about exact phraseology. I am simply interested in the great principle involved. I want men to vote for or against it, according to their convictions. I do not want any intriguing. I do not want any indirect method employed to kill it. If the Senate believes an expression of sympathy for the Irish people should be incorporated in this momentous document, it is notice to the world that America looks with sympathy upon this cause. Even the mention of the issue approvingly is bound to be an influence in molding the public opinion of the world.

So, Mr. President, if I have talked passionately, it is because I want to direct your attention to the fundamental principle involved. That is what the world is interested in. Let us vote our honest convictions as to whether we think at this time in this document we ought to incorporate the sentiments of America on this question.

I have just a single further thought. We owe to the subject peoples our approval of the provisions of this reservation, because the covenant of the league does not give them any hope.

If this league refuses to receive or hear them, as it does, they know that there is only one way open to them—war, bloodshed, murder, and all the terrible consequences of war—the very thing that we have spent weeks and months deliberating upon and trying to eliminate from the face of the earth.

Mr. President, I ask the Senate to meet this issue squarely and to realize that there is a principle involved here, a principle in which the people of America are sincerely and deeply interested.

Mr. EDGE. Mr. President, if we are to meet the Irish question, let us do it directly and consistently and not by subterfuge or deception. The amendment offered by the Senator from Tennessee [Mr. SHIELDS] is in effect that the United States adheres to "the principle of independence," taking the place of the expression "the principle of self-determination." It appears to me that is worse than the original. We can not, of course, question for one moment that the American people believe absolutely in independence. That is not open to argument or discussion. But in putting ourselves on record, in stating in no uncertain language that we adhere to the principle of independence, to say the least, we are deceiving, when we take it in connection with our policy with some of the colonial possessions of our country.

Mr. BRANDEGEE. Mr. President, I want to suggest to the Senator, I think for his own benefit, that he is mistaken about the suggestion which was made by the Senator from Tennessee. The Senator from Tennessee, if I understood him correctly, suggested not to substitute "independence" for "principle of self-determination," but in line 6 to substitute the word "independence" in lieu of the words "self-government." Am I correct, may I ask the Senator from Tennessee?

Mr. SHIELDS. Yes; the Senator is correct. My motion was to strike out the word "self-government" and insert the word "independence."

Mr. BRANDEGEE. That is as I understood the Senator.

Mr. EDGE. I thank the Senator from Connecticut for his correction, but the principle which inspired me to speak at this moment still exists.

The Senate, by vote, has defeated the amendment offered by the Senator from Massachusetts [Mr. LODGE] to eliminate the words "adheres to the principle of self-determination." I understood the Senator from Tennessee [Mr. SHIELDS] to then suggest an amendment to the word "self-determination" in that case, but if not, the principle of which I am speaking still exists. We "adhere to the principle of self-determination" if we pass the resolution as it now is before the Senate.

I had the pleasure a few weeks ago to visit the Virgin Islands, one of the colonial possessions of the United States. We paid $25,000,000 for the Virgin Islands a short time ago, approximately three years ago. A commission was sent down under the authority of the Senate and House of Representatives to consider the very question as to whether we were prepared to permit the inhabitants of the Virgin Islands to determine for themselves their form of government. I can not anticipate the report of the commission. It is now in process of preparation. But I feel quite safe in the prophecy that after exhaustive hearings in the various islands, in two of the most populous islands, that the committee representing both Houses of Congress and representing both political parties will never recommend that the inhabitants of the Virgin Islands are prepared to-day to take to themselves entire self-government.

Therefore, it seems to me, if we are going to vote on the question of Ireland—and I am prepared to vote on it and I would like to see it voted on directly and not indirectly—that we should not couple with it a statement that we know perfectly well, when we consider our present relations with other colonial possessions, does not represent the policy of our country to-day.

I repeat that there is not a question in the world as to our feeling as to independence or as to final self-determination, but we must couple with that actual existing conditions. Independence? Yes; when they are prepared to be independent. Self-determination? Yes; when, through our investigations, conditions are such that they can govern themselves as well as they could with a connecting link with this country. So, if we are going to vote on Ireland, let us vote on Ireland under the conditions that we generally know exist between Ireland and the mother country, and not attempt to decide or attempt to affirmatively state a policy which in itself is absolutely deceiving so far as the existing policy of our own country is concerned.

Mr. WOLCOTT. Mr. President——

Mr. EDGE. This is simply because those possessions are not prepared; we would not be fair to those possession, so far as I have investigated them, if we permitted them to have at this time full self-government or full independence.

Mr. THOMAS. Before the Senator takes his seat I would like to ask him a question.

The PRESIDENT pro tempore. Does the Senator yield; and if so, to whom?

Mr. EDGE. I yield to the Senator from Colorado.

Mr. THOMAS. A vote was taken a few moments ago on the amendment regarding Korea, and defeated. Have we not, therefore, set a precedent in favor of the proposition that we are now voting upon the question of Ireland only, and that consequently there can be no consequential effect either upon the people of the Virgin Islands or the people of any other country?

Mr. EDGE. I thoroughly appreciate the conclusion of the Senator from Colorado, but I do think, in answer to his question generally, that the conditions in Ireland perhaps are better understood by Members of the Senate, through research and travel and general information, than the conditions in Korea. I am entirely ready to vote favorably on the question of Ireland, if misleading statements as to the policy of the United States are eliminated from the pending reservation.

Mr. WOLCOTT. Will the Senator yield for a question?

Mr. EDGE. I do.

Mr. WOLCOTT. I am curious to know why, if the Senator favors a vote on Ireland and on nothing else, he voted to table all the motions that were made to bring up that question?

Mr. EDGE. Quite consistently, because extraneous questions have regularly been included.

The PRESIDENT pro tempore. The question is on the motion made by the Senator from Tennessee [Mr. SHIELDS], which is as follows:

The United States further understands that in fulfillment and execution of the great principles of self-determination of peoples and equality of all Governments said to pervade and underlie the covenant of the League of Nations, Great Britain will forthwith recognize the existence and political independence of the Republic of Ireland, and agree that it shall become a member of the League of Nations with equal representation accorded to all other sovereign and independent Governments.

Mr. REED. Mr. President, just one word with reference to the much-talked-of expression "self-determination." What has that to do with the Virgin Islands? What has it to do with the Philippine Islands?

The President used the expression "self-determination" of small nations. Again, he spoke of "self-determination" of races. By no legitimate construction can those terms be so tortured as to mean that any small group of people could get together anywhere in the world and set up a government of their own. The terms were intended to apply to racial or political divisions. They were intended to apply to cases where a nation or people had been conquered and upon whom a government had been forced against their will. The expression should be applied sensibly and reasonably. When the expressions were uttered no one understood that the doctrine as announced by the President may have been much too broad. It was mere demagoguery to claim that it was intended to confer upon the people of New York City, or Pittsburgh, or San Francisco, or the people of any other political subdivision of the United States, to withdraw from the Union and set up a government of their own. The phrases were especially intended to cover the cases of conquered peoples.

Giving the words employed that construction, they do not embrace either the parts of continental America or any of the possessions of America. Moreover, they were intended to apply to peoples reasonably capable of self-government and capable of maintaining a national existence.

The people of the Virgin Islands could not set up a government; neither could they maintain it if once established.

None of our possessions are capable of it. The Filipinos may be approaching it, and we are under a very solemn pledge to give them their liberty so soon as they are capable of maintaining a government.

Mr. President, when Ireland was conquered the Irish people were one people; they had a government and a civilization; they had education far beyond the education of the people of England at the time they were conquered. They have been held in subjection by fire and sword. They have never ceased to protest.

Are they capable of government? Who dares deny their capacity to govern themselves? Notwithstanding the abuses under which they have suffered, there are still 5,000,000 of Irish in Ireland. They have our religion; they have our language; they have a knowledge of the fundamentals of our laws. They love liberty as passionately as we love it. They will be able, if given the right, to conduct a peaceful State. The fact does not admit of dispute.

The greatest orators who have ever spoken the English tongue have been Irishmen; the great generals who have commanded the armies of Britain have been Irishmen; Ireland's poets have sung the sweetest songs that ever thrilled the heart of man; Irish sculptors have chiseled in marble the marvelous visions of their souls; Irish patriots have rotted in English prisons without a murmur upon their lips; Irish martyrs have ascended the scaffold and gloried in the privilege to die for race and country. Wherever the hand of the oppressor has been taken from the throat of an Irishman, he has proven himself the equal of any other man on earth. Irishmen have builded and managed great railway systems, organized vast industries, conceived and consummated the mightiest of enterprises. They have filled the highest positions of honor and of trust. Irish names were signed to the Declaration of Independence; Ireland's sons crowded into the Revolutionary armies, forming more than 33 per cent of the total of the Continental soldiery; Irish blood was poured out on every battle field of the Revolution; Irish heroes, with flashing eyes and cheering lips, followed Paul Jones as he sprang from the deck of his sinking vessel and by the aid of the sword captured the triumphant British man-of-war. The immediate descendant of an Irishman humbled the pride of Great Britain at the Battle of New Orleans and restored the tarnished glory of American arms. Andrew Jackson lives in history as one of the greatest American Presidents. It is stated on reliable authority that the present Chief Justice of the United States Supreme Court is the grandson of an Irish rebel of '98. Associate Justice McKenna's name tells the story of his origin. A recent author—"The Irish in the United States," by Michael J. O'Brien—declares:

Of the signers of the Declaration of Independence, Thornton, Taylor, and Smith were natives of Ireland; McKean, Read, and Rutledge were of Irish parentage; Lynch and Carroll were grandsons of Irishmen; Whipple and Hancock were of Irish descent on the maternal side; and O'Hart (Irish Pedigrees) declares that Robert Treat Paine was a great-grandson of Henry O'Neill, hereditary prince of Ulster, who "changed his name to that of one of his maternal ancestors so as to save his estates." It was an Irishman who first read the immortal document to the public; an Irishman first printed it; and an Irishman published it for the first time with facsimiles of the signatures.

At least six American Presidents had more or less of the Celtic strain. President Jackson, whose parents came from County Down, more than once expressed his pride in his Irish ancestry. Arthur's parents were from Antrim, Buchanan's from Donegal, and McKinley's grandparents came from the same vicinity. Theodore Roosevelt boasts among his ancestors two direct lines from Ireland, and the first American ancestor of President Polk was a Pollock from Donegal. The present occupant of the White House, Woodrow Wilson, is also of Irish descent. Among the distinguished Vice Presidents of the United States were George Clinton and John C. Calhoun, sons of immigrants from Longford and Donegal, respectively, and Calhoun's successor as chairman of the Committee on Foreign Relations was John Smilie, a native of Newtownards, County Down.

Among American governors since 1800, we find such names as Barry, Brady, Butler, Carroll, Clinton, Conway, Carney, Connolly, Curtin, Collins, Donaghey, Downey, Early, Fitzpatrick, Flannegan, Geary, Gorman, Hannegan, Kavanagh, Kearney, Logan, Lynch, Murphy, Moore, McKinley, McGill, Meagher, McGrath, Mahone, McCormick, O'Neal, O'Ferrall, Orr, Roane, Filey, Sullivan, Sharkey, Smith, Talbot, and Welsh, all of Irish descent. To-day we have as governors of States, Glynn in New York, Dunne in Illinois, Walsh in Massachusetts, O'Neal in Alabama, Burke in North Carolina, Carey in Wyoming, McGovern in Wisconsin, McCreary in Kentucky, and Tener in Pennsylvania, and not alone is the governor of the last-mentioned State a native of Ireland, but so also are its junior United States Senator, the secretary of the Commonwealth, and its adjutant general.

In the political life of America many of the sons of Ireland have risen to eminence, and in the legislative halls at the National Capital the names of Kelly, Fitzpatrick, Broderick, Casserly, Farley, Logan, Harlan, Hannegan, Adair, Barry, Rowan, Gorman, Kennedy, Lyon, Fitzgerald, Fair, Sewall, Kernan, Butler, Moore, Regan, Mahone, Walsh, and Flannegan are still spoken of with respect among the lawmakers of the Nation. William Darrah Kelly served in Congress for 50 years, and it remained for James Shields to hold the uniquie distinction of representing three different States, at different times, in the Senate of the United States. Senator Shields was a native of County Tyrone.

In the judiciary have been many shining lights of Irish origin. The Chief Justice of the United States Supreme Court is Edward D. White, grandson of a 1798 rebel, and one of his ablest associates is Joseph McKenna. No more erudite or profound lawyer than Charles O'Conor has adorned his profession, and it can be said with truth that his career has remained unrivaled in American history. James T. Brady, Daniel Dougherty, Thomas Addis Emmet, and Charles O'Neill

were among the most eminent lawyers America has known, while the names of Dennis O'Brien, chief justice of the New York Court of Appeals; John D. O'Neill, who occupied a like elevated place on the bench of South Carolina; John D. Phelan, of the Alabama Supreme Court; Richard O'Gorman, Charles P. Daly, Hugh Rutledge, Morgan J. O'Brien, and others of like origin, are household words in the legal annals of America. There is no State in the Union where an Irish-American lawyer has not distinguished himself.

The history of medicine in the United States is adorned with the names of many physicians of Irish birth or blood. Several Irish surgeons rendered valuable services in the Army of the Revolution, among whom are found Drs. McDonough, McHenry, McCloskey, McCalla, Burke, Irvine, and Williamson. Dr. John Cochran was appointed by Washington Surgeon General of the Army. Dr. James Lynah, of Charleston, a native of Ireland, became surgeon general of South Carolina in recognition of his valuable services to the patriot Army. Dr. John McKinley, a native of Ireland, who was a famous physician in his day, became the first governor of Delaware. Dr. Ephraim McDowell is known in the profession as the "Father of Ovariotomy," as is Dr. William J. McNevin the "Father of American Chemistry." Dr. John Byrne, of New York, had a world-wide fame, and his papers on gynecology have been pronounced by the medical press as "the best printed in any language." One of the most conspicuous figures in medicine in the United States was Dr. Jerome Cochran, of Alabama. Drs. Junius F. Lynch, of Florida; Charles McCreery, of Kentucky; Hugh McGuire and Hunter McGuire, of Virginia; Matthew C. McGannon, of Tennessee; and James Lynch, Charles J. O'Hagan, and James McBride, of South Carolina, are mentioned prominently in the histories of their respective localities as the foremost medical men of their times, while in Wisconsin the pioneer physician was Dr. William H. Fox, and in Oregon Dr. John McLoughlin. Among New York physicians who achieved high reputations in their profession were Drs. Thomas Addis Emmet, Frank A. McGuire, Daniel E. O'Neill, Charles McBurney, Isaac H. Reiley, Alfred L. Carroll, Howard A. Kelly, Joseph O'Dwyer, and James J. Walsh. These and many others of Irish descent have been honored by medical societies as leaders and specialists, while it can be said that no surgeon of the present day has achieved such a world-wide reputation as Dr. John B. Murphy, of Chicago. Among experts in medico-legal science the names of Drs. Benjamin W. McCreedy and William J. O'Sullivan, of New York, stand out prominently, and among the most noted contributors to medical journals in the United States, and recognized as men of great professional skill and authorities in their respective specialties, have been Drs. F. D. Mooney, of St. Louis; Thomas Fitzgibbon, of Milwaukee; John D. Hanrahan, of Rutland; James McCann and James H. McClelland, of Pittsburgh; John A. Murphy and John McCurdy, of Cincinnati; John Keating, of Philadelphia; John H. Murphy, of St. Paul; John W. C. O'Neal, of Gettysburg; and Arthur O'Neill, of Meadville, Pa. Indeed, it can be said that American medical science owes an incalculable debt to Irish genius.

Theodore Vail, the presiding genius of the greatest telephone system in the world, is Irish, and so is Carty, its chief engineer. Morse, the inventor of the telegraph, was the grandson of an Irishman; Henry O'Reilly built the first telegraph line in the United States; and John W. Mackey was the president of the Commercial Cable Co. John P. Holland, the inventor of the submarine torpedo boat, was a native of County Clare; and McCormick, the inventor of the reaping and mowing machine, was an Irishman's grandson.

Sons of Irishmen have stood in the front rank of American statesmen and diplomats who represented their country abroad. To mention but a few: Richard O'Brien, appointed by Jefferson American representative at Algiers; James Kavanagh, minister to Portugal; and Louis McLane, minister to England in 1829 and afterwards Secretary of State in 1832. In recent years an O'Brien has represented American interests in Italy and Japan; a Kerens in Austria; an Egan in Chili and another of the same name in Denmark; an O'Shaughnessy in Mexico; a Sullivan in Santo Domingo; and an O'Rear in Bolivia.

Among historians were John Gilmary Shea, author of numerous historical works; Dr. Robert Walsh, a learned historian and journalist of the last century, whose literary labors were extensive; McMahon and McSherry, historians of Maryland; Burk, of Virginia; O'Callaghan, Hastings, and Murphy, of New York; Ramsay, of South Carolina; and Williamson, of North Carolina, all native Irishmen or sons of Irish immigrants.

In the field of American journalism have been many able and forcible writers of Irish birth or descent. Hugh Gaine, a Belfast man, founded the New York Mercury in 1775. John Dunlap founded the first daily paper in Philadelphia, John Daly Burk published the first daily paper in Boston, and William Duane edited the Aurora of Philadelphia in 1795. All these were born in Ireland. William Coleman, founder of the New York Evening Post in 1801, was the son of an Irish rebel of 1798; Thomas Fitzgerald founded the Philadelphia Item; Thomas Gill, the New York Evening Star; Patrick Walsh, the Augusta Chronicle; Joseph Medill, the Chicago Tribune. Henry W. Grady edited the Atlanta Constitution; Michael Dee edited the Detroit Evening News for nearly 50 years; Richard Smith, the Cincinnati Gazette; Edward L. Godkin, the New York Evening Post; William Laffan, the New York Sun; and Horace Greeley, the New York Tribune. All of these were either natives of Ireland or sprung from immigrant Irishmen, as were Oliver of the Pittsburg Gazette, O'Neill of the Pittsburgh Despatch, John Keating of Memphis, William D. O'Connor, and many other shining lights of American journalism during the last century. Fitz James O'Brien was "a bright, particular star" in the journalistic firmament; John MacGahan achieved fame as a war correspondent; Patrick Barry, of Rochester, an extensive writer on horticulural and kindred subjects, was the recognized leader of his craft in the United States; and William Darby, son of Patrick and Mary Darby, and Michael Twomey were the ablest American geographers and writers on abstruse scientific subjects.

In the field of poetry we have had Theodore O'Hara, the author of that immortal poem, The Bivouac of the Dead; John Boyle O'Reilly; Thomas Dunn English, author of Ben Bolt; Father Abram Ryan, "the poet priest of the South"; James Whitcomb Riley; Eleanor Donnelly; M. F. Egan; T. A. Daly; and Joseph I. C. Clarke, president of the American Irish Historical Society.

To recount the successful men of affairs of Irish origin it would be necessary to mention every branch of business and every profession. Recalling but a few, Daniel O'Day, Patrick Farrelly, John and William O'Brien, Alexander T. Stewart, John Castree, Joseph J. O'Donohue, William R. Grace, John McConville, Hugh O'Neill, Alexander E. Orr, William Constable, Daniel McCormick, and Dominick Lynch, all of New York, were dominant figures in the world of business. Thomas Mellon, of Pittsburgh; John R. Walsh and the Cudahy brothers, of Chicago; James Phelan, Peter Donahue, Joseph A. Donohoe, and John Sullivan, of San Francisco; William A. Clark and Marcus Daly, of Montana; George Meade, the Meases and the Nesbits, Thomas Fitz-Simmons and Thomas Dolan, of Philadelphia; Columbus O'Donnell and Luke Tiernan, of Baltimore, all these have been leading merchants in their day. Few American financiers occupy a more conspicuous place than Thomas F. Ryan, and no great industrial leader has reached the pinnacle of success upon which stands the commanding figure of James J. Hill, both sons of Irishmen. The names of Anthony N. Brady, Eugene Kelly, James S. Stranahan, and James A. Farrell, president of the United States Steel Corporation, are household words in business and financial circles.

Why have the Irish not succeeded in Ireland? Because British laws have oppressed them, because British troops have held them in subjection, because their lands were stolen, because their factories were demolished and their trade cut off.

This reservation is, indeed, an innocuous thing in one aspect, but it does express the sympathy of this body and it does inject into the League of Nations the proposition that that people shall some day have a hearing.

It is idle to prate of the Virgin Islands, populated by a few ignorant natives and scarcely large enough for a Missouri farmer to operate a farm tractor. The people appear to be incapable of self-support, and we are asked to aid them and will aid them. To compare the Irish people with the inhabitants of the Virgin Islands is to insult a proud and generous race.

Let us face the matter as it is. There are some Senators who do not want to vote a reservation favorable to Ireland. They have consumed an entire day in trying to dodge that issue. Senators, we are going to vote on it one way or the other before we quit. I am determined that you shall not evade the issue. Each Senator will have to cast his vote. I hope that we shall do it frankly and bravely. Let us say to the people of the world what we ought to say, that in this, as in every other great struggle of a great people for their liberty, the heart of America goes out to them.

Mr. OWEN. Mr. President, I wish to state that in voting on the last amendment I voted under a misapprehension, thinking the question was upon the original reservation.

Mr. SMITH of Georgia. Mr. President, I desire to state that in voting for the amendment of the Senator from Massachusetts [Mr. LODGE] striking out the reference to "self-determination" in the reservation, I did so because I do not believe that we are in any way broadly committed to such a docrtine, and clearly the conference at Paris rejected it. I think such language in connection with ratification would hinder ratification of the league rather than promote it.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Tennessee [Mr. SHIELDS].

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GERRY and Mr. PHELAN addressed the Chair.

The PRESIDENT pro tempore. The Chair recognizes the Senator from Rhode Island.

Mr. GERRY. I move to amend by inserting the word "such" in lieu of the word "independence" in the amendment proposed by the Senator from Tennessee. I understand the Senator from Tennessee has moved to amend by inserting the word "independence."

The PRESIDENT pro tempore. Does the Senator from Tennessee modify his amendment accordingly?

Mr. SHIELDS. No, sir; I do not.

Mr. GRONNA. Mr. President——

The PRESIDENT pro tempore. The Secretary will proceed with the roll call.

The Reading Clerk proceeded to call the roll, and the names of Mr. ASHURST and Mr. BALL were called.

Mr. GRONNA. Mr. President, I was on my feet before the roll call began, and as yet there has been no response. I rise to a parliamentary inquiry. I want to know what is before the Senate, and I ask that the Secretary may state the question before the Senate.

The PRESIDENT pro tempore. The question before the Senate is the amendment proposed by the Senator from Tennessee, which the Secretary will state.

The ASSISTANT SECRETARY. Mr. SHIELDS moves to strike out the compounded word "self-government," in line 6, and to insert in lieu thereof the word "independence"; and Mr. GERRY moves in lieu of the word "independence" to insert the word "such."

Mr. REED. How would it then read?

The ASSISTANT SECRETARY. So that it will read:

And declares that when such is attained by—

Mr. GERRY. It should read "such government."

The ASSISTANT SECRETARY. It is proposed to strike out the word "self" and to insert the word "such."

Mr. SHIELDS. I raise the point of order that the amendment can not be made after the roll call has begun.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. REED. What is the question on which we are voting? We are entitled to know that in this confusion. Can it not be stated?

The ASSISTANT SECRETARY. In line 6 it is proposed to strike out the word "self-government" and in lieu thereof to insert the word "independence."

Mr. PHELAN. I rise to a question of order, Mr. President.

The PRESIDENT pro tempore. The Senator from California will state it.

Mr. PHELAN. The Chair has just ruled that a Senator can not make a motion after the roll call has begun. The Senator from Rhode Island was on his feet and was actually recognized by the Chair and moved his amendment. Therefore, I hold—and I hope the Chair will agree with this view—that the amendment of the Senator from Rhode Island is in order.

The PRESIDENT pro tempore. The Chair is of the opinion that the amendment is not in order in the way in which it is now stated. The Chair, however, does not desire to prevent a vote upon any question that may be suggested.

Mr. GERRY. The Senator from Rhode Island did not understand that the roll call had commenced when he made his motion. He did not think that the first Senator had answered to his name when called. I was on my feet before the roll call began.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Connecticut will state his parliamentary inquiry.

Mr. BRANDEGEE. Had the Chair recognized the Senator from Rhode Island to make the motion?

The PRESIDENT pro tempore. The Chair had recognized the Senator from Rhode Island.

Mr. PHELAN. I ask that the amendment be stated.

The PRESIDENT pro tempore. It is obvious that the Senator from Rhode Island might be recognized and yet the amendment which he proposed might not be in order at that time.

Mr. BRANDEGEE. I was not present at the time. Was the amendment declared out of order at the time?

The PRESIDENT pro tempore. The Chair has held that, in his opinion, the amendment proposed by the Senator from Rhode Island is not in order.

Mr. LODGE. Mr. President, I am not referring now to the ruling of the Chair that the amendment was out of order on the ground that the roll call had begun, for the Senator from Rhode Island was on his feet and offering his amendment before the roll call was begun. The Senator from Rhode Island has offered an amendment which is clearly in order. It is not in the third degree; there is only one amendment pending, I think.

The PRESIDENT pro tempore. Will the Senator from Rhode Island state his amendment again? The Chair does not desire to preclude any number of roll calls, of course.

Mr. GERRY. The Senator from Rhode Island moves to amend the amendment offered by the Senator from Tennessee by striking out the word "independence" and inserting the words "such government."

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Rhode Island.

The ASSISTANT SECRETARY. In lieu of the word "independence," proposed to be inserted by the Senator from Tennessee, it is proposed to insert the words "such government."

Mr. GERRY. Now, let the Secretary read the amendment as it will read if amended.

The Assistant Secretary read as follows:

And declares that when such government is attained by Ireland—

And so forth.

Mr. PHELAN. Mr. President, the elimination of the word "independence" will lead to some confusion unless it is explained. The reservation proposed by the Senator from Rhode Island [Mr. GERRY] is as follows:

In consenting to the ratification of the treaty with Germany, the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the Senate June 6, 1919.

So the intent, as I understand, of the Senator from Rhode Island is now to declare that when "such government," that is, a government of their own choice—it may be independent or it may be less than independent, provided it is a government of their own choice—"when such a government is attained by Ireland, a consummation it is hoped now is at hand, it should promptly be admitted as a member of the League of Nations."

Therefore, we are giving all that the Irish people themselves may ask or expect. I think the amendment of the Senator from Rhode Island is an improvement over the one proposed by the Senator from Tennessee, because it embraces more, it embraces not only independence, if that is the demand of the Irish people, but something less than independence, such as the independence possessed by Cuba, if that is the wish of the Irish people.

Mr. SHIELDS. Mr. President, I think it practically means the same thing when we refer back to "a government of their choice." Striking out the word "self" and putting in "such government," with that referring back to "their own choice," of course, improves the reservation very much.

The PRESIDENT pro tempore. Does the Senator from Tennessee withdraw his amendment?

Mr. SHIELDS. I withdraw my amendment, provided that is acceptable to the Senator from Rhode Island.

The PRESIDENT pro tempore. Does the Senator from Rhode Island consent to the withdrawal of the amendment?

Mr. GERRY. I do.

The PRESIDENT pro tempore. The Secretary will state the amendment as now modified by the Senator from Rhode Island.

The Assistant Secretary read as follows:

In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the Senate June 6, 1919, and declares that when such government is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

Mr. BRANDEGEE. Mr. President, what is the question pending now? As I understand, the Senator from Rhode Island has a right to modify his own proposition, and he has done so.

The PRESIDENT pro tempore. The Senator from Rhode Island not only has the right to modify it, but he has modified it.

Mr. BRANDEGEE. Yes; and the Senator from Tennessee has withdrawn his amendment?

The PRESIDENT pro tempore. That is the situation.

Mr. BRANDEGEE. Very well. Then the roll is not to be called on what was pending?

The PRESIDENT pro tempore. The Chair proposes now to ask whether the Senate is ready for the question.

Mr. REED. I ask for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays are demanded. Is the demand seconded?

The yeas and nays were ordered.

Mr. WADSWORTH. Mr. President, will the Secretary state the question?

The PRESIDENT pro tempore. The Secretary will again state it.

The ASSISTANT SECRETARY. It is proposed to add a new reservation in the following words:

In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the Senate June 6, 1919, and declares that when such government is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

Mr. WADSWORTH. Mr. President, is that reservation offered as a complete substitute for the one that I have in my hand?

Mr. LODGE. It is the original reservation.

The PRESIDENT pro tempore. The reservation as now offered is the reservation proposed by the Senator from Rhode Island.

Mr. WADSWORTH. Mr. President, is an amendment to that in order?

The PRESIDENT pro tempore. An amendment is in order.

Mr. WADSWORTH. On line 3, after the word "self-determination," I move to insert the words "as heretofore applied by it," so that it will read:

The United States adheres to the principle of self-determination as heretofore applied by it, and to the resolution—

And so forth.

The PRESIDENT pro tempore. The question now is upon the amendment proposed by the Senator from New York.

Mr. HENDERSON. Mr. President, as the Assistant Secretary read the resolution, I noted that the word "now" was not in the one read by him. I understood that the Senator from Massachusetts [Mr. LODGE] had an amendment adopted which included the word "now," in line 7, after the word "hoped."

Mr. LODGE. I did not offer those two little verbal amendments.

The PRESIDENT pro tempore. The Senator from Nevada is in error with respect to that.

Mr. WOLCOTT. Mr. President, I desire to vote with some degree of intelligence on the amendment offered by the Senator from New York, and I should like to understand just its meaning. Will the Senator be good enough to tell the Senate how the United States has heretofore applied the principle of self-determination?

Mr. WADSWORTH. I think the shortest answer I can make to that is that the United States has applied the principle of self-determination according to the rule of reason.

Mr. WOLCOTT. I am asking for the specific instances of its application. It has rather applied it in the past, has it not, by denying it?

Mr. WADSWORTH. Upon occasions, and upon other occasions by acceding to it.

Mr. WOLCOTT. When, may I ask the Senator, has the United States every applied the principle of self-determination of peoples in an affirmative way?

Mr. LODGE. It has applied it in the case of Hawaii. That is one case.

Mr. WADSWORTH. Yes.

Mr. WOLCOTT. Hawaii was not a part of the United States, I think, when she came in.

Mr. WADSWORTH. Perhaps the Senator will let me answer his question.

Mr. WOLCOTT. Certainly.

Mr. WADSWORTH. It has applied it from time to time, to a greater or less degree, in several instances. It has applied it to quite an extensive degree in the Philippine Islands.

Mr. WOLCOTT. Does the Senator think we have applied the principle of self-determination in the Philippines?

Mr. WADSWORTH. To a certain extent; yes.

Mr. WOLCOTT. I suppose by that the Senator means that we have given the Philippine Islands a certain degree of self-government which comported with our own particular notions at the time as to how much we ought to hand down to them?

Mr. WADSWORTH. Exactly; yes.

Mr. WOLCOTT. Is that the sort of self-determination that the Senator desires to be applied to Ireland?

Mr. WADSWORTH. Mr. President, the amendment that I have offered here does not apply to the Irish part of this reservation. It applies to the blanket declaration of our implicit adherence to the principle of self-determination. Then the reservation goes ahead and declares its sympathy with the aspirations of the Irish people, and expresses the hope that they will attain self-government, or a government of their own choice. I do not seek to interfere with that part of it at all. That is not my purpose; but, as I attempted to state upon a former occasion, and as has been stated by the Senator from Wisconsin and the Senator from Massachusetts, I regard the declaration contained in line 2 as a declaration which the United States could not carry out if it wanted to do so. It has not carried it out in the past in every instance, and it can not do so in the future; and I do not want to see the Senate of the United States utter a declaration which succeeding Congresses can not abide by in every instance. That is why I propose this amendment, namely, after the word "self-determination," to insert the words "as heretofore applied by it."

Mr. WOLCOTT. All I am asking the Senator to do, if he can, is to enlighten us as to what are the specific instances in our history when we have applied what we are pleased to call the principle of self-determination. Can the Senator tell us when we have done that? I want to know that so as to understand just the significance of the amendment.

Mr. WADSWORTH. Mr. President, I attempted to give examples a moment ago. Probably I can give more. We have applied the principle of self-determination, always using our own discretion, for example, with Cuba. We secured for Cuba almost absolute self-determination or independence. We have not done so for Porto Rico; we have not done so for the Virgin Islands; we have not done so for the Philippines. We have abided by the rule of reason, if I may use that illustration; that is to say, where we could encourage people and help people to self-government, we have done it as far as we could.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. WADSWORTH. We have helped to lift them up, we have helped to educate them, and we have extended self-rule to them in some instances much faster than in others. There may very possibly arise in the future instances where we can not extend self-government, where we can not extend self-determination; and yet, under the reservation as printed now and lying before the Senate we declare ourselves as adherents to the principle of self-determination.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. WADSWORTH. Just a moment. This is the first time, according to my recollection, that any branch of the American Government has attempted to establish a doctrine of this kind. It may be that this will not become a part of the treaty which is before us; but, nevertheless, whatever we do in this connection will live as part of a declared policy and doctrine of the United States, and I want the Senate to go mighty carefully before it establishes a doctrine which some day may come back to plague us.

Mr. McKELLAR and Mr. REED addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from New York yield; and if so, to whom?

Mr. WADSWORTH. I yield to the Senator from Tennessee.

Mr. McKELLAR. I want to ask the Senator if such a doctrine of self-determination as he has described is not precisely the same kind of doctrine that England is applying to Ireland to-day?

Mr. WADSWORTH. That question is beside the point. I am not discussing the relations of England and Ireland. I am discussing the policy and the doctrine to be announced by the Government of the United States as applicable to all of its undertakings in the future; that is all.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Missouri?

Mr. WADSWORTH. I yield to the Senator from Missouri.

Mr. REED. The Senator seeks to insert in the reservation the words "as heretofore applied by the United States." That is, he wants to limit the reservation so that we do not declare for the principle of self-determination as it is to be but as it has been under the United States.

Mr. WADSWORTH. Yes; and I think that is the best example of self-determination the world has ever seen.

Mr. REED. Does not the Senator know that that is an appeal to the past, applying the rule of the past, when we are now at the dawn of a new era?

Mr. WADSWORTH. I have heard that stated, Mr. President, but——

Mr. REED. Does not the Senator know that this League of Nations is the proclamation of the new era; and is he not willing to take the new era, with all its benefits, without going back to the dead past to find the rule by which we are to act during the sunshine of this new day?

Mr. PHELAN. Mr. President, may I ask the Senator from New York a question?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from California?

Mr. WADSWORTH. Yes, Mr. President. I was about to yield the floor, but I yield to the Senator from California.

Mr. PHELAN. May I ask the Senator if he will accept an amendment reading "as heretofore understood and applied by the United States"?

Mr. WADSWORTH. Mr. President, my recollection of our history is that, as we have understood it, we have applied it. Will not the word "applied" cover everything that the Senator needs? Why make it more difficult to understand by putting in other words?

Mr. PHELAN. I have a specific purpose; otherwise I would not have suggested it. Does the Senator see any objection to using the words "as understood and applied"?

Mr. WADSWORTH. Yes; I think it adds confusion.

Mr. PHELAN. The Senator refuses.

Mr. LODGE. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. WADSWORTH. I do.

Mr. LODGE. What authority is there to state how we have understood it? There is nothing except our actions that will show how we have understood it.

Mr. PHELAN. I will reveal now what I had in mind.

Mr. WADSWORTH. That will be very interesting.

Mr. PHELAN. I refer to the Declaration of Independence—"that all men are created equal" and "endowed with certain inalienable rights," and in order "to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed"; and, therefore, if we put in here the words "understood and applied," we will be reaffirming the Declaration of Independence. I think that should be acceptable to any American Senator.

Mr. LODGE. Mr. President, I desire to say only a single word. The limitation suggested by the Senator from New York seems to me to be very good. I shall be very happy to vote for the reservation if those words are added.

Mr. BORAH. Mr. President, the last time the question of self-government or self-determination was up in the Senate it was rejected in toto. About four years ago we had up the question of giving independence to the Philippine Islands. It was debated here for weeks, and it was rejected. I do not suppose that the Senator from New York has that in view, but if we are to take the last application of the principle of self-determination, of course it would make this reservation utterly meaningless and absurd, because that whole question was gone over here in the Senate, the question of the right of peoples to have governments that they wanted was debated, and after debates of weeks we passed the bill which rejected it.

I do not think that it would give Ireland very much consolation if we should adopt this.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. LENROOT. Does the Senator have in mind, then, that the Senate should now, in this reservation, declare a new policy in contradiction to the policy which the Senator says has been the policy of the United States?

Mr. BORAH. Mr. President, I venture to say to the Senator that the Senator from Idaho was one of the men who seriously opposed the bill, voted against it, and undertook at that time to apply the principle of self-determination, and to give the Filipinos the independence to which they are entitled.

Mr. LENROOT. But my inquiry was, Should a question of such tremendous consequence to the future of the United States, as the Senator says, entirely changing the policy of the United States, be adopted at this time under these circumstances?

Mr. BORAH. I will say, in answer to that, that as I look upon the question of the principle of self-determination, it is nothing more than self-government, and while I have not brought in these amendments, I am not going to vote against the principle of self-government. There may be, when the time arises, peculiar and particular circumstances which reasonable people wish to apply, and which might postpone the actual application of the principle. But when you have before you the principle of self-government, certainly you can not take a position as a people that you are opposed to it. I am not willing to take that position.

Let me say further, Mr. President, that I think we have trimmed this reservation down until it is very discreditable to the United States Senate already. Here are Korea, Persia, Syria, Egypt, and these other countries, just as much entitled to a declaration of this principle as is Ireland. It is not a question of how many votes there are in this country; it is a question of honor and a question of principle, and we ought to apply it in such way that it will reach Egypt just as quickly as it will reach Ireland; that it will reach all alike. I venture to believe that the Irish people, of all people, would never ask anything which they would not accord to all other subject peoples.

Mr. LENROOT. I would like to ask the Senator from Delaware, if he is opposed to the amendment of the Senator from New York, whether it is his intention, so far as his vote is concerned, to declare a new policy upon the part of the United States that shall extend to the Hawaiian Islands, that shall extend to Porto Rico, that shall extend to the Philippine Islands, and even extend to the individual States of the Union?

Mr. WOLCOTT. Mr. President, I had thought that I might make a few remarks on this reservation before a vote was taken.

Mr. LENROOT. I yield the floor, then.

Mr. WOLCOTT. But I am perfectly willing to state to the Senator that I believe that if by reservation, resolution, or what not, the Senate of the United States undertakes to dispose of the territories of other nations, the decent and respectable thing for the United States to do is to measure out some degree of justice to the people subject to themselves. That is my position.

Mr. LENROOT. Mr. President, then do I understand the Senator from Delaware that he would apply that rule to each of the individual States of the Union, and that if any State desired to secede from the Union he is in favor of self-determination, so as to permit them to do so?

Mr. WOLCOTT. Mr. President, I thought the Senator was asking a serious question——

Mr. LENROOT. I was.

Mr. WOLCOTT. And not intending to ask anything ridiculous. Categorically, I answer the question no. I have not yet said, Mr. President, that I am in favor of this reservation. Unless I have a violent change of mind, I shall vote against the reservation, because I am unwilling to have the Senate of the United States undertake to dispose of the territory of Great Britain when it will not do anything to relieve the subject peoples within its own territory.

Mr. PHELAN. Mr. President, may I ask the Senator from Wisconsin a question: Has not the Supreme Court declared that this is an indestructible Union of indestructible States?

Mr. LENROOT. Yes; but the Senator, I take it, would now declare a policy upon the part of the Senate of the United States that would mean the destruction of the Union; and the Supreme Court after all merely carries out the Constitution as it exists. Evidently the Senator from California, in carrying out that policy, would be willing to amend the Constitution so as to permit any State to secede.

Mr. PHELAN. The Senator is entirely gratuitous in his assumption.

The PRESIDENT pro tempore. The question is upon the amendment of the Senator from New York [Mr. WADSWORTH], which the Secretary will state, so that every Senator may know what it is.

The ASSISTANT SECRETARY. After the word "self-determination," as printed on line 3 of the proposed amendment, insert the words "as heretofore applied by it," so that if amended it will read:

In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination as heretofore applied by it.

Mr. WADSWORTH. I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. SHEPPARD (when Mr. CULBERSON'S name was called). My colleague [Mr. CULBERSON] is necessarily absent. If he were present, he would vote "nay."

Mr. OVERMAN (when his name was called). Again announcing my pair with the Senator from Wyoming [Mr. WARREN], I withhold my vote.

Mr. CHAMBERLAIN (when Mr. OWEN'S name was called). The Senator from Oklahoma [Mr. OWEN] is unavoidably detained from the Senate. He is paired with the Senator from New Jersey [Mr. EDGE]. If present, the Senator from Oklahoma would vote "nay" on this proposition.

Mr. THOMAS (when his name was called). On account of the absence of my pair I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness, to the junior Senator from Alabama [Mr. COMER]. I ask that this announcement of my pair and its transfer may stand for the balance of the day. I vote "nay" on the pending proposition.

The roll call was concluded.

Mr. HENDERSON. I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK], which I transfer to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. CHAMBERLAIN (after having voted in the negative). The junior Senator from Pennsylvania [Mr. KNOX], with whom I am paired, is not in the Chamber. I must therefore withdraw my vote.

Mr. WARREN. I desire to inquire if the junior Senator from North Carolina [Mr. OVERMAN] has voted?

The PRESIDENT pro tempore. He has not voted.

Mr. WARREN. I am paired with that Senator, and I withhold my vote.

Mr. KELLOGG. I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I transfer that pair to the junior Senator from Michigan [Mr. NEWBERRY] and vote "yea."

The result was announced—yeas 36, nays 42, as follows:

YEAS—36.

Ball	Gore	Lodge	Smith, Ga.
Calder	Hale	McLean	Smoot
Capper	Harding	McNary	Spencer
Cummins	Henderson	Moses	Sterling
Dillingham	Jones, Wash.	Myers	Sutherland
Edge	Kellogg	New	Townsend
Elkins	Kenyon	Page	Wadsworth
Fernald	Keyes	Phipps	Walsh, Mass.
Frelinghuysen	Lenroot	Sherman	Watson

NAYS—42.

Ashurst	Glass	La Follette	Shields
Beckham	Gronna	McKellar	Smith, Md.
Borah	Harris	Norris	Smith, S. C.
Brandegee	Harrison	Nugent	Swanson
Colt	Hitchcock	Phelan	Trammell
Curtis	Johnson, Calif.	Pittman	Underwood
Dial	Johnson, S. Dak.	Pomerene	Walsh, Mont.
Fletcher	Jones, N. Mex.	Ransdell	Williams
France	Kendrick	Reed	Wolcott
Gay	King	Robinson	
Gerry	Kirby	Sheppard	

NOT VOTING—18.

Chamberlain	McCormick	Owen	Stanley
Comer	McCumber	Penrose	Thomas
Culberson	Nelson	Poindexter	Warren
Fall	Newberry	Simmons	
Knox	Overman	Smith, Ariz.	

So Mr. WADSWORTH'S amendment was rejected.

Mr. LODGE. Mr. President, I do not propose to discuss the amendment I am about to offer. My purpose being to limit the declaration of principle, which I have already discussed, and avoid a general declaration in this reservation, I move to insert, after the word "determination," the words "for the people of Ireland."

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Massachusetts.

The ASSISTANT SECRETARY. In line 3, after the word "determination," insert the words "for the people of Ireland."

Mr. LODGE. On that I ask for the yeas and nays.

Mr. REED. Let the reservation be reported as it would read if the amendment were agreed to.

The PRESIDENT pro tempore. The Secretary will report the reservation as it would read if the amendment should be agreed to.

The Assistant Secretary read as follows:

In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination for the people of Ireland and to the resolution of sympathy for the aspirations of the Irish people.

Mr. REED. May I make an inquiry, Mr. President? What does the expression "self-determination for the people of Ireland" mean?

Mr. LODGE. If the Senator can word it any better, very well. I think he probably grasps my meaning. We adhere to the principle of self-determination for the people of Ireland. It may not be clear, but if the Senator can make it any clearer, I shall be glad to have him do so.

Mr. BORAH. It is perfectly clear. It excludes everybody from the principle except Ireland.

Mr. LODGE. If the Senator will pardon me, it excludes everybody from the declaration of this reservation except the people of Ireland.

Mr. BORAH. Exactly. We insert "Ireland"——

Mr. LODGE. That is all the reservation applies to.

Mr. BORAH. But we withhold the principle from Egypt, from Korea, and from all other nations, and even from ourselves, notwithstanding the fact that we are proposing to join this league in which we will have to do with all those other peoples.

Mr. LODGE. All I want to do is to limit it to the subject of the reservation. I wish to say that we favor self-determination for the people of Ireland. If I have not said it clearly, some one else no doubt can make it more clear. My own belief is that I have stated it clearly. I do not want to delay the Senate, and I should like to have a vote.

Mr. BORAH. As I understand it, it is perfectly clear. I am not objecting to its ambiguity. It is its lack of ambiguity that I dislike.

Mr. THOMAS. If the text is now clear of all these other nations and all these other peoples, so that the reservation affects only Ireland, can we not take a vote upon it?

Mr. BORAH. Yes; we can; and perhaps get the votes in return for it. Since this debate started some 14 months ago, I have been very often criticized for being so strongly sympathetic with the Irish people, supposing that I was doing it for personal reasons, but I will not take a correct fundamental principle and apply it to one people and deny it to all others. I think we ought to leave the principle stand in its fullness. It will never bother us in the least when it comes to the practical proposition of using our intelligence and our reason at the time, because we have always done that and always will do so. Senators need not be uneasy about that. This is a proposition of the Senate of the United States, with nearly 20,000,000 people in the United States of Irish blood, just at the beginning of a political campaign, applying the great principle of self-government to no one except those who can vote. It is the most—I must say that language fails one when it comes to discussing such action upon the part of the Senate. Have we lost all self-respect and all sense of decency toward the world, that we shall withhold from the subject peoples who are oppressed and with whom we are to deal in the future under this league this great fundamental principle which has been a part of our faith for 150 years and placed there by the blood and suffering of our forbears? Why, if for no other reason on earth than that we are afraid to face the situation politically in the United States and deny to these people who have the vote that which we refuse to those who have not the vote?

Mr. KELLOGG. Mr. President, I am glad to find that once I am in accord with the Senator from Idaho. If the right of a part of a nation to secede and to be supported by the rest of the world is a great principle that ought to be announced, let us apply it to all the world. Let us not apply it to one country.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Massachusetts [Mr. LODGE].

Mr. REED. I call for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. SHEPPARD (when Mr. CULBERSON's name was called). My colleague [Mr. CULBERSON] is necessarily absent. If present he would vote "nay."

Mr. EDGE (when his name was called). Transferring my pair with the junior Senator from Oklahoma [Mr. OWEN] to the junior Senator from Michigan [Mr. NEWBERRY], I vote "yea."

Mr. KELLOGG (when his name was called). I transfer my pair with the Senator from North Carolina [Mr. SIMMONS] to the Senator from Washington [Mr. POINDEXTER] and vote "nay."

Mr. CHAMBERLAIN (when Mr. OWEN's name was called). The Senator from Oklahoma [Mr. OWEN] is unavoidably detained from the Senate. If present he would vote "nay." He is paired with the Senator from New Jersey [Mr. EDGE].

Mr. STANLEY (when his name was called). Making the same announcement as before with reference to my pair, I withhold my vote.

Mr. THOMAS (when his name was called). By reason of the absence of my pair, I withhold my vote. If at liberty to vote, I would vote "nay."

The roll call was concluded.

Mr. HENDERSON. Making the same announcement as before regarding my pair and transfer, I vote "yea."

Mr. OVERMAN. May I inquire if the Senator from Wyoming [Mr. WARREN] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. OVERMAN. I have a pair with that Senator. In his absence I withhold my vote.

The result was announced—yeas 26, nays 53, as follows:

YEAS—26.

Ball	Fernald	Lenroot	Spencer
Calder	Gore	Lodge	Sterling
Capper	Hale	McLean	Sutherland
Colt	Henderson	McNary	Wadsworth
Curtis	Jones, Wash.	New	Walsh, Mass.
Edge	Keyes	Page	
Elkins	Kirby	Phipps	

NAYS—53.

Ashurst	Gronna	Moses	Smith, Md.
Beckham	Harding	Myers	Smith, S. C.
Borah	Harris	Norris	Smoot
Brandegee	Harrison	Nugent	Swanson
Chamberlain	Hitchcock	Phelan	Townsend
Cummins	Johnson, Calif.	Pittman	Trammell
Dial	Johnson, S. Dak.	Pomerene	Underwood
Dillingham	Jones, N. Mex.	Ransdell	Walsh, Mont.
Fletcher	Kellogg	Reed	Watson
France	Kendrick	Robinson	Williams
Frelinghuysen	Kenyon	Sheppard	Wolcott
Gay	King	Sherman	
Gerry	La Follette	Shields	
Glass	McKellar	Smith, Ga.	

NOT VOTING—17.

Comer	McCumber	Penrose	Thomas
Culberson	Nelson	Poindexter	Warren
Fall	Newberry	Simmons	
Knox	Overman	Smith, Ariz.	
McCormick	Owen	Stanley	

So Mr. LODGE's amendment to Mr. GERRY's reservation was rejected.

The PRESIDENT pro tempore. The question now is upon the reservation proposed by the Senator from Rhode Island [Mr. GERRY].

Mr. McKELLAR. On that I call for the yeas and nays.

Mr. EDGE. Mr. President, I want to say just a word to make my position clear. If this reservation did not contain, as I feel convinced that it does, a very positive misstatement of the policy of this country, I would gladly vote for it. I do not feel that it is necessary in expressing our views in favor of Irish independence to go to this extent and to lumber the proposed reservations in this manner and make a statement as to policy which all know we are not carrying out with our own possessions. Therefore I shall vote against it.

Mr. WADSWORTH. Mr. President, as I indicated in my remarks a few moments ago, I believe the first portion of this reservation constitutes an exceedingly dangerous announcement of doctrine, which the United States will not follow in the future. I would cheerfully support a repetition of the expression of opinion made by the Senate of the United States on June 6, 1919, in regard to Ireland. But with this reservation carrying the objectionable declaration into the treaty itself, it is utterly impossible for me to vote for it.

The PRESIDENT pro tempore. The yeas and nays are requested. Is there a second?

The yeas and nays were ordered.

Mr. WOLCOTT. Mr. President, before the final vote is taken I desire, I confess for my own satisfaction rather than for the enlightenment of the Senate, to say just a few words as briefly as I can.

Mr. President, I regret that this subject is up at this particular time. As I view the matter, this reservation is not germane to the treaty of peace which is before us. I am interested in seeing the Senate give its advice and consent to the making of the treaty of peace by the President. In all the votes which I have cast and in all the thoughts which I have had since this debate started last year I have voted and thought with respect only to the welfare of the treaty. This reservation has no reference to any obligation that the treaty of peace imposes upon the United States; this reservation has no reference to any article in the treaty of peace.

Why, Mr. President, is it offered? The reservations, if I understand them correctly, are meant to notify the cosignatories to the treaty of our understanding, if the reservations be interpretive, or of our withholding, so far as we are concerned, our

assent to some of the terms of the obligation. What obligation is there in the treaty of peace that calls for this reservation? I am one of those who argued last fall, when the subject was then before the Senate, that the treaty of peace, the League of Nations covenant, in no wise committed us to contribute of our force or of our money to the continued enthralment, if you choose, of Ireland; on the contrary, I argued at that time that the League of Nations covenant provided a machinery whereby Ireland would get her day in court.

Mr. President, if my interpretation of the treaty is correct in that regard, I would be guilty of self-stultification should I vote for a reservation—for something which is named a reservation—which would seem to go on the assumption that the treaty of peace takes away from Ireland the aspiration which she so properly entertains. The reservation is here, not in any wise germane to the subject matter—I am compelled to speak in frankness, if I speak at all—the reservation is here to cater to Irish votes. I decline as a Senator of the United States, Mr. President, solely for the sake of political advantage in the pending election to cast a vote upon this great document, which ought to be considered seriously and solemnly by the Senate in the spirit of statesmen addressing themselves to the determination of the great question of peace and its terms.

In saying this I wish it distinctly understood that I am not to be numbered among those who would suppress the aspirations of Ireland. Rather than have any quarrel with the expressions of sympathy for that people, I indorse the sentiment of the resolution adopted by the Senate last June, in which this body recorded itself as sympathetic, in the language of the resolution, "with the aspirations of the Irish people for a government of its own choice." So any vote that I cast upon this reservation I cast in full sympathy with that announcement.

We are asked now to repeat that announcement made so recently as nine months ago. Is it necessary, I ask the Senate, for this body to make constant repetitions of the announcement put forth in solemn resolutions? Is it necessary that the Senate of the United States, with the rise of every morning's sun repeat what it said, so to speak, the day before? I decline to be a party, so far as my vote is concerned, to such a performance.

Mr. President, I am interested in seeing the Senate give a two-thirds vote to the ratification of the treaty.

I am convinced—I will modify that language—I feel strongly that this reservation, in part at least, is born out of a spirit of animosity and enmity to the treaty of peace. I have constantly voted against all amendments to the treaty; I have voted uniformly against every reservation which has been offered to the treaty upon the theory that if we made amendments the pathway of the treaty would be bestrewn with difficulties; that if we made reservations the pathway of the treaty would likewise be bestrewn with difficulties. So I have voted against some reservations which did not offend my judgment; some reservations which had it not been that I feared the result in the ultimate negotiation of the treaty would have obstructed its possible acceptance, I should have accepted and voted for. Now, I am asked by the pending reservation to cast a vote for a reservation out of line with that whole consistent policy throughout this entire debate which I have followed.

If a reservation which were reasonable or approached being reasonable would endanger the progress of the treaty, what, may I ask, is calculated to be the effect of this particular reservation? For this reservation presents the rather curious spectacle, if adopted, of the United States, through its President, depositing an instrument of ratification, giving his consent to a treaty on behalf of the United States inviting England, one of the cosignatories, to accept our assent; and in that very same breath notifying her that by that acceptance she has accepted our announcement that if not directly, at least indirectly, we are desiring to dismember, in part, her Empire.

If the reservation has anything upon which it can be reasonably predicated in connection with the treaty, it is upon the proposition that it recognizes the principle of self-determination of peoples; in my judgment, it has no other basis upon which to stand.

I am impressed with the fact, Mr. President, that if we are going to undertake by our action in this body to dispose of the territories of the cosignatories to this treaty, decency requires that we begin first to consider whether we ought not to measure out some degree of justice to those territories of our own which are inhabited by people who claim that they are subject races unwillingly living under our rule. Before we can see clearly to cast the mote out of England's eye, let us see if it be not possible to cast the beam out of our own eye. I have not discovered that we have been very much concerned, as regards our own action at least, with the principle of self-determination. Candor compels me to say that the principle of self-determination, so far as I have discovered it in the world heretofore, has been a principle very beautiful in its application to everybody but ourselves. The Hawaiians, I believe, if they do not aspire to independence of us, at least aspire to statehood; the Filipinos once fought us for independence; and, as pointed out by the Senator from Idaho, Congress rejected their plea of independence. I am not aware of a single, solitary instance in all of our history where we have applied, even in the minutest degree, the principle of self-determination to any portion of our territory.

Now, if this were a proposition, separate and distinct from the treaty and disentangled therefrom, to express sympathy with the Irish people in their struggle for independence, I would not withhold my vote; but, believing as I do, Mr. President, that this reservation, if adopted, will endanger the treaty of peace notwithstanding the fact that to some men it may seem to be an unpopular political vote that I cast, I shall unhesitatingly cast a vote against the reservation. By so doing I shall vote in the interest of the larger principle which is before us, and in the full and satisfying consciousness that thereby in this great controversy I have not cast my vote in obedience to the miserable plea of party advantage.

Mr. WALSH of Massachusetts. Mr. President, just a word before the vote upon this reservation is taken. I do not know what motive was behind the introduction of the reservation; but those mightily interested in the principle will know in good time. I do not know whether the motive was to kill the treaty, or whether it was to give an honest expression of sympathy to a great and inspiring cause. Before this reservation is defeated—if it is to be defeated—I wish to have the RECORD show that it may be due to the fact that there are two issues here involved, and that the failure of the Senate to eliminate and separate these issues may be the reason for its defeat. Those issues are, first, the allegation in favor of the general principle of self-determination, and, second, the expression of sympathy for the Irish cause.

Mr. President, no person representing the friends of this cause have asked for this reservation; no one has petitioned for it; no one at their request has presented it; no one has asked the Senate to take a position on it; but it is here. A negative vote means much harm, much injury throughout the world to this cause; and I ask the Senate to pause and think and reflect upon that aspect of this matter before we finally act.

I have voted for every motion to make it easier for Senators who have said, on the other side of the Chamber and on this side, that they wanted to vote for the general principle of sympathy to the Irish cause involved in this measure; and I say it is to be regretted that this cause is to be injured—and injured it may be—by notice to the world that the United States Senate does not sympathize with these people because of technicalities, because of amendments, because of phraseology, because of shifting motions back and forth. The American people who are interested in this cause will scan this day's RECORD, and they will be able to know who sincerely and honestly are in sympathy with the underlying principle contained in the reservation.

Mr. CHAMBERLAIN. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Oregon?

Mr. WALSH of Massachusetts. Certainly.

Mr. CHAMBERLAIN. The Senator expresses the belief that this reservation may be defeated. He expresses the belief that its defeat will injure the cause the world over. In view of that fact, does the Senator think the reservation ought to be withdrawn?

Mr. WALSH of Massachusetts. Mr. President, I did not offer the reservation. I did not ask to have it offered, but I am tremendously interested in preventing its defeat. I ask that the United States Senate take no action to injure and deny the moral support of the American people to a cause as worthy and as righteous as this cause. I said the reservation may be defeated—the vote will be very close. It appears so now, from declarations made upon one side and the other. I will not withdraw the reservation, but I want the American people to know why it may be defeated and what the cause will be for its defeat if it is not passed by a decisive majority. There are two propositions involved here that many Senators want separated. There are Senators in this Chamber in favor of both principles, some others are in favor of one and against the other, and there is not an opportunity for a clear, direct vote on the straight question of Ireland's aspirations for independence.

Mr. GERRY. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Rhode Island?

Mr. WALSH of Massachusetts. I do.

Mr. GERRY. I do not believe that the reservation is going to be defeated. I believe it is going to be adopted. I disagree with the Senator.

Mr. WALSH of Massachusetts. It will be adopted if the 42 Senators who voted to keep in the reservation "adhering to the principle of self-determination" record their votes "yea" when the reservation is voted on. If Senators only did that for the purpose of embarrassing Senators on the other side of the Chamber, and now change their votes, the reservation will be defeated, and it will be defeated because of difference over phrases and words to the possible injury of the great principle here involved. I want that clear in the RECORD. It will be carried if the 42 Senators in this Chamber who voted to keep in the reservation the principle of self-determination as a general policy support it. It will be defeated if any number of these 42 Senators change their votes.

I would not have said what I have, Mr. President, but for the fact—and I say it with great sincerity—that I do not want the world to understand by any possible adverse vote that the Senate has repudiated this cause or belittled it or ignored it; for it is a cause too dear to the hearts of the friends of these subject people to have it dragged in here, thrown from one side of the Chamber to the other, attacked by motion after motion, amendment after amendment, and then finally killed. The cause is worthy of something better, and I want the RECORD to show before the vote is taken at least that it is not the honest, true sentiment of the Senate if there is a negative vote. Let us meet this issue squarely and fairly with a direct application of this principle to the cause of these people. Let us adopt this reservation and not give a deadly blow to the cause of liberty by rejecting it. Let wavering Senators reflect upon what rejection may mean, especially after this long discussion and in view of the fact that the Senate has entered upon a consideration of the merits of this question.

The PRESIDENT pro tempore. The question is on the reservation offered by the Senator from Rhode Island [Mr. GERRY].

Mr. McKELLAR. I call for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays have been heretofore called for and ordered. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. SHEPPARD (when Mr. CULBERSON's name was called). My colleague, Mr. CULBERSON, is necessarily absent. If present, he would vote "yea."

Mr. EDGE (when his name was called). Transferring my general pair with the junior Senator from Oklahoma [Mr. OWEN] to the junior Senator from Michigan [Mr. NEWBERRY], I vote "nay."

Mr. HENDERSON (when his name was called). Making the same announcement as before relative to my pair and its transfer, I vote "yea."

Mr. JOHNSON of South Dakota (when his name was called). I have a general pair with the Senator from Maine [Mr. FERNALD]. Not being able to get a transfer, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. THOMAS (when Mr. OVERMAN's name was called). I was requested by the Senator from North Carolina [Mr. OVERMAN] to announce his necessary absence, and that he is paired with the senior Senator from Wyoming [Mr. WARREN].

Mr. STANLEY (when his name was called). I am paired with the senior Senator from Minnesota [Mr. NELSON], in whose absence I withhold my vote. If permitted to vote, I would vote "yea."

Mr. THOMAS (when his name was called). I am informed that if my pair were present he would vote as I intended to vote upon this reservation. I am therefore at liberty to vote, and vote "nay."

The roll call was concluded.

Mr. CHAMBERLAIN (after having voted in the affirmative). I am paired with the junior Senator from Pennsylvania [Mr. KNOX]. He is not here, and I have not been able to get a transfer. I am therefore compelled to withdraw my vote.

The Senator from Oklahoma [Mr. OWEN] is unavoidably detained from the Senate. He desired me to state that he is paired with the Senator from New Jersey [Mr. EDGE], and that if present he would vote "yea."

Mr. GLASS (after having voted in the negative). I am paired with the senior Senator from Illinois [Mr. SHERMAN]. I note that he is not in the Chamber and has not voted, and I withdraw my vote.

The result was announced—yeas 38, nays 36, as follows:

YEAS—38.

Ashurst	Capper	France	Gore
Borah	Colt	Frelinghuysen	Gronna
Brandegee	Curtis	Gerry	Harris
Harrison	La Follette	Phelan	Smith, S. C.
Henderson	McKellar	Pittman	Sutherland
Hitchcock	McLean	Ransdell	Walsh, Mass.
Johnson, Calif.	McNary	Reed	Walsh, Mont.
Jones, Wash.	Moses	Sheppard	Watson
Kendrick	Norris	Shields	
Kirby	Nugent	Smith, Md.	

NAYS—36.

Ball	Gay	Lodge	Sterling
Beckham	Hale	Myers	Swanson
Calder	Harding	New	Thomas
Cummins	Jones, N. Mex.	Page	Townsend
Dial	Kellogg	Phipps	Trammell
Dillingham	Kenyon	Pomerene	Underwood
Edge	Keyes	Robinson	Wadsworth
Elkins	King	Smith, Ga.	Williams
Fletcher	Lenroot	Spencer	Wolcott

NOT VOTING—22.

Chamberlain	Johnson, S. Dak.	Overman	Smith, Ariz.
Comer	Knox	Owen	Smoot
Culberson	McCormick	Penrose	Stanley
Fall	McCumber	Poindexter	Warren
Fernald	Nelson	Sherman	
Glass	Newberry	Simmons	

So Mr. GERRY's reservation was agreed to, as follows:

In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the Senate June 6, 1919, and declares that when such government is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

Mr. KELLOGG. I give notice that I shall ask for a separate vote in the Senate upon this reservation.

Mr. GORE. I offered a reservation a few days since, which I ask to have read.

The PRESIDENT pro tempore. The Secretary will read the proposed reservation.

The Reading Clerk read as follows:

The United States understands that no mandatory power shall, without the consent of the council, enjoy any monopoly, privilege, or preference in respect of the natural resources or the acquisition, development, and operation of the same in any territory placed under its control, influence, or mandate; and the United States further understands that no member of the league shall, without the consent of the council, enjoy any monopoly, privilege, or preference prejudicial to the equal rights and opportunities of any other member in respect of the natural resources or the acquisition, development, or operation of the same situate in any colony, dependency, or sphere of influence, its title or claim to which shall have been vested or confirmed by the treaty or by virtue of the action or authority of the league itself.

The PRESIDENT pro tempore. The question is upon agreeing to the reservation proposed by the Senator from Oklahoma.

Mr. GORE. Mr. President, it is not my intention to discuss this reservation. It is merely the purpose of the reservation to prohibit monopoly as to the natural resources of various countries placed under mandatories in pursuance of the authority of the league. Primarily, it is designed to protect the United States in respect to the petroleum resources of the world. That is its purpose, and it has no other object.

Mr. PHELAN. Mr. President, I would like to ask the chairman of the Committee on Foreign Relations whether this subject has been discussed by the committee, and whether it is not a meritorious reservation.

Mr. LODGE. It has not been before the Committee on Foreign Relations at all, so far as I know.

Mr. PHELAN. I would like to ask the opinion of the Senator on the subject. It is one with which I am very familiar, and I believe it is very meritorious.

Mr. LODGE. Of course, the United States is entirely protected by the clause in the reservation in regard to mandates. No mandate can be taken by the United States, except through action by Congress, and the natural resources of any country of which the United States accepts a mandate come within the control of Congress. This applies entirely to mandates held by other countries.

Mr. PHELAN. Mr. President, I so understand. The league is charged with the duty of awarding mandatories. I am under the impression that the league now, as an organized entity, is dealing in mandatories, and the United States not being represented, can not interpose a veto. Am I correct in that?

Mr. LODGE. I do not know whether they are dealing in mandates now or not. I do know that they divided up all the conquered territories long ago.

Mr. PHELAN. Mr. President, I think this amendment should prevail for the purpose of protecting the United States in the larger sense. The draft of the league prevents the United States, without the consent of Congress, from taking mandates. But this contemplates mandates given to foreign nations over conquered and other territory, in which the United States is largely interested, because under such mandates countries like England and Japan will take the natural resources, as petroleum, and the United States will be barred from participation in the work of exploitation and development.

I therefore urge the Senate to approve of this reservation, which the Senator in charge of the amendments on the other side seems to find no objection to. It is a matter of protection for the United States.

The PRESIDENT pro tempore. The question is on agreeing to the reservation proposed by the Senator from Oklahoma [Mr. GORE].

Mr. GORE. I ask for the yeas and nays.

The yeas and nays were not ordered.

On a division, the reservation was rejected.

The PRESIDENT pro tempore. The treaty is still in Committee of the Whole and open to amendment or reservation. If there be no further amendment and no further reservation to be offered, the treaty will be reported to the Senate.

The treaty was reported to the Senate with the reservations agreed to as in Committee of the Whole.

The PRESIDENT pro tempore. One reservation has been reserved for a separate vote, and if there be no objection the other reservations will be concurred in by the Senate.

Mr. UNDERWOOD. Mr. President, I do not wish any record vote, but I do not care to have them adopted by unanimous consent. I have no doubt that they will be concurred in at this time, but I ask that the Chair put a viva voce vote on the other reservations en bloc.

The PRESIDENT pro tempore. The Chair is of opinion that the Senator has a right to a vote. The question is, Shall the Senate concur in the reservations which have been agreed upon in Committee of the Whole, with the exception of reservation No. 15?

Mr. POMERENE. Mr. President, I do not care at this moment to discuss the proposition; neither shall I insist upon a vote; but I want to have it understood that I am opposed to some of these reservations.

The PRESIDENT pro tempore. As many as favor the reservations agreed upon in Committee of the Whole, with the exception of reservation No. 15, will say "aye"; contrary "no." The ayes seem to have it. The ayes have it, and the reservations, with the exception of reservation No. 15, are concurred in in the Senate. The question now is on concurring in reservation No. 15.

Mr. LODGE. We are now in the Senate, and I offer a resolution of ratification, the resolving clause, as it is called. I intend to offer to the resolving clause an amendment, and I should like, I think it is in fact necessary, that the reservations adopted in Committee of the Whole and concurred in in the Senate should be printed for the use of the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HITCHCOCK. Should not the resolution be read?

Mr. LODGE. Certainly. I can not call up at this time the change in it which I propose, because there are reservations to be dealt with.

The PRESIDENT pro tempore. The Secretary will report the resolution.

Mr. LODGE. Let the resolution be read and the modification which I propose.

Mr. WILLIAMS. Then please have it read as it would read if modified.

The ASSISTANT SECRETARY. It reads:

Resolved (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan.

To which the Senator from Massachusetts offers the following amendment:

After the word "accepted," on line 9, strike out the following words: "by an exchange of notes as a part and condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan," and in lieu of those words insert, after the word "accepted," the following:

"As a part and a condition of this resolution of ratification by the allied and associated powers, and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers."

So that if amended it will read:

Resolved (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted as a part and a condition of this resolution of ratification by the allied and associated powers, and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers.

Mr. BRANDEGEE. Mr. President, I send to the desk and offer as an amendment to the resolving clause the following.

The PRESIDENT pro tempore. The Secretary will report the proposed amendment.

The ASSISTANT SECRETARY. After the words "United States," in line 7 of the resolving clause, add the following: "unless the instrument of ratification shall have been filed within 60 days after the adoption of the resolution of ratification by the Senate nor," so that it will read:

Resolved (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States unless the instrument of ratification shall have been filed within 60 days after the adoption of the resolution of ratification by the Senate nor until the said reservations and understandings adopted by the Senate have been accepted—

And so forth.

The PRESIDENT pro tempore. The proposed amendment will be printed and lie on the table.

Mr. LENROOT. Mr. President, a parliamentary inquiry. I do not understand from the Senator from Massachusetts that this is proposed, except to be printed and lie on the table, until it is properly in order.

Mr. LODGE. Of course, it will not come up until after the reservations.

The PRESIDENT pro tempore. The question before the Senate is upon concurring in reservation number 15.

Mr. REED. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LODGE. I believe I had the floor, Mr. President. I wanted to say that I should like to have printed with the reservations already adopted the ratifying resolution, showing the amendment proposed by me and the amendment proposed by the Senator from Connecticut [Mr. BRANDEGEE]. Of course, I can not take up the ratifying resolution for action and perfecting amendments until after the other reservations are finally disposed of, including any new reservations that may be offered.

The PRESIDENT pro tempore. It will be so ordered.

Mr. LODGE. The reserved reservation that it is proposed to take up is the one that has just been acted on in Committee of the Whole, and it seems to me that it is only reasonable and fair that we should allow it to come up to-morrow before we dispose of the ratifying resolution. My intention was to move that we take a recess until 11 o'clock to-morrow, and I make that motion.

Mr. ASHURST. Let us stay here and dispose of it to-night.

Mr. SMITH of Georgia. I had desired to reserve for a separate vote the fourth reservation, and, at the request of the Senator from North Carolina [Mr. SIMMONS], the second reservation. I do not know that any——

Mr. LODGE. They have already been concurred in.

Mr. SMITH of Georgia. I know. I stepped out for a moment, and it passed into the Senate during that time.

Mr. LODGE. I have no objection to unanimous consent being given to reconsider.

Mr. SMITH of Georgia. I would like to ask that those be reserved. It may be that nothing will be done.

Mr. LODGE. Without objection, I ask that the vote be reconsidered, and that reservations 2 and 4, as well as reservation 15, be reserved for separate action in the Senate.

Mr. WILLIAMS. A parliamentary inquiry. Does it require unanimous consent to enable that to be done?

Mr. LODGE. I have asked unanimous consent to reconsider. Of course, I can move to reconsider.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent for a reconsideration of the vote by which all reservations except No. 15 were concurred in in the Senate. Is there objection?

Mr. WILLIAMS. I object.

Mr. LODGE. Then I move to reconsider the vote by which they were concurred in.

The PRESIDENT pro tempore. The Senator from Massachusetts moves to reconsider the vote by which the reservations, aside from No. 15, were concurred in in the Senate.

Mr. WILLIAMS. Let us have the yeas and nays.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. The Senator from Mississippi asks for the yeas and nays.

Mr. LODGE. Mr. President, calling for the yeas and nays does not cut off debate. If the Chair will pardon me, I want

to say a word, in the hope that the Senator from Mississippi may be willing not to press for a vote upon the question and thus lead to discussion.

The Senator from Georgia [Mr. SMITH] has come in and said there was a reservation concurred in which the Senator from North Carolina [Mr. SIMMONS] desires to have reserved. He had spoken to me about it, but it escaped my mind. The Senator from Georgia said there was another one which he wished to reserve himself. He was absent and the Senator from North Carolina was absent when the treaty was reported to the Senate. It seems to me merely a matter of courtesy to allow them a separate vote on those reservations, but if it is desired to have the yeas and nays on it, of course we can have them.

The PRESIDENT pro tempore. Does the Senator from Mississippi demand the yeas and nays?

Mr. WILLIAMS. As I understand the situation, we will be traveling over old ground again. I think that everybody is tired of it. Let it be settled one way or the other. It may be settled adversely to my own views, but I am not willing to give unanimous consent to anything that continues the debate.

Mr. WALSH of Montana. May I inquire of the Senator from Massachusetts whether in view of the fact that the vote has been reconsidered——

Mr. LODGE. It has not been reconsidered yet.

The PRESIDENT pro tempore. A motion to reconsider is pending.

Mr. LODGE. I asked unanimous consent and the Senator from Mississippi [Mr. WILLIAMS] objected. I now move to reconsider.

Mr. WILLIAMS. Upon that I ask the yeas and nays.

The PRESIDENT pro tempore. Is the request seconded?

The yeas and nays were not ordered.

Mr. BRANDEGEE. I desire to ask, in order that I may vote intelligently, what is the subject of the two reservations?

Mr. LODGE. Article 10, and domestic questions.

Mr. SMITH of Georgia. The word "commerce" is the word I have in mind.

Mr. BRANDEGEE. I should like to know what is the use of reconsidering the reservation to article 10?

Mr. ASHURST. Oh, to waste a week or two.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from Massachusetts to reconsider the vote by which all reservations except No. 15 were concurred in in the Senate.

The motion to reconsider was agreed to.

Mr. SMITH of Georgia. Mr. President, I ask that reservations numbered 2 and 4, as well as the last reservation, numbered 15, be reserved for separate votes in the Senate.

The PRESIDENT pro tempore. The Secretary will state the request of the Senator from Georgia.

The ASSISTANT SECRETARY. The Senator from Georgia [Mr. SMITH] requests that reservations known as reservations 2 and 4 agreed to in Committee of the Whole shall be reserved for separate votes in the Senate.

The PRESIDENT pro tempore. The question is whether the reservations agreed to in Committee of the Whole, with the exception of reservations 2, 4, and 15, shall be concurred in in the Senate.

The reservations were concurred in.

Mr. KELLOGG. Reservations 2, 4, and 15 are reserved?

Mr. LODGE. Yes. The question comes first on reservation 2. Reservation 2 is the one covering article 10, which I trust we shall be able to dispose of without further debate. It has been debated for nearly a year. I shall be glad to let it go over until to-morrow.

Mr. WILLIAMS. Let us vote to-night.

Mr. LODGE. It was reserved in order to give the Senator from North Carolina [Mr. SIMMONS] an opportunity to present his amendment to it.

Mr. WILLIAMS. He can present it now.

Mr. LODGE. He is not here.

Mr. OVERMAN. My colleague was not well and he went home. He did not think any action was going to be taken on the reservation to-night. I think the Senate owes this courtesy to my colleague, and I hope Senators will not ask for a vote on the reservation to-night.

Mr. REED. Other Senators have made engagements to go away. It seems to me that we can dispose of other matters and the Senator from North Carolina can be communicated with.

Mr. WALSH of Montana. Mr. President, I feel that we ought not to require the presence of the Senator from North Carolina [Mr. SIMMONS] here to-night in view of the fact that he is not well and left on that account, but I see no reason why we should defer the vote on reservation No. 15, so called. I trust we will not recess to-night until we take a vote on that, reserving the vote on Nos. 2 and 4 for to-morrow.

Mr. LODGE. As I understand it, under the rule we must take up the reservations in their order, as we take up amendments to a bill.

The PRESIDENT pro tempore. Unless the Senate otherwise orders.

Mr. LODGE. Unless the Senate by unanimous consent agrees otherwise.

Mr. WALSH of Montana. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Montana will state the parliamentary inquiry.

Mr. WALSH of Montana. On what ground is the contention made that unanimous consent is necessary?

Mr. LODGE. By a vote of the majority, then.

Mr. WALSH of Montana. Then I move——

Mr. LODGE. I do not see how you are going to set aside——

Mr. WALSH of Montana. I move that the Senate proceed to the consideration of so-called reservation No. 15.

Mr. LENROOT. I make the point of order that that is not in order. The reservations must be taken in order and either disposed of or postponed to a day certain, as the Vice President held, as the Senator well remembers, when the treaty first came up.

Mr. WALSH of Montana. No; I have no recollection of that. I see no reason why this should not be done. There was certainly no unanimous consent, so far as I am aware, that the reservations were to be taken up in the order of their number; but if that were the case, we have now agreed by unanimous consent to carry over No. 2 and No. 4 until to-morrow, so that those have temporarily gone over.

Mr. LENROOT. No; we have not yet agreed to that.

Mr. WALSH of Montana. I hope the Senator will bear in mind that the Senator from Massachusetts secured the consent of the Senate to postpone consideration of article 10 until——

Mr. LENROOT. No; he did not.

Mr. WALSH of Montana. Until the others have been disposed of.

Mr. LENROOT. I think the Senator made no such request.

Mr. SWANSON. Mr. President, the rule referred to by the Senator from Wisconsin [Mr. LENROOT] has reference to proceedings in Committee of the Whole and not when the treaty is in the Senate. Rule 37 reads:

> When a treaty is reported from a committee, with or without amendment, it shall, unless the Senate unanimously otherwise directs, lie one day for consideration, after which it may be read a second time and considered as in Committee of the Whole, when it shall be proceeded with by articles—

That is, in Committee of the Whole—

> and the amendments reported by the committee shall be first acted upon, after which other amendments may be proposed; and when through with, the proceedings had as in Committee of the Whole shall be reported to the Senate, when the question shall be, if the treaty be amended, Will the Senate concur in the amendments made in Committee of the Whole? And the amendments may be taken separately or in gross, if no Senator shall object; after which new amendments may be proposed.

There is nothing in that which says when it comes to the Senate we shall proceed article by article. That applies to proceedings in Committee of the Whole. Consequently when we come to the Senate for the adoption of the amendments proposed in the Committee of the Whole, as I understand it, we proceed as we do in other matters, and it seems to me there ought not to be any objection to considering the reservation. There is nothing that requires unanimous consent by which it should be considered. It seems evident that a majority could move, and, if carried, it would be in order to consider any amendment as it comes up under the general law authorizing the Senate to have control of what it will consider.

Mr. LENROOT. Mr. President, it seems to me this is entirely clear. The rule provides that in the Committee of the Whole amendments shall be considered in their order. The Vice President held, and I think properly held, that in Committee of the Whole amendments could not be passed over except by unanimous consent unless a motion was made to postpone the consideration of those amendments to a day certain. That was debated at some length here in the Senate. After the treaty comes out of the Committee of the Whole and into the Senate, of course, the same rule must prevail because the same reason prevails for the rule.

It is exactly the situation with reference to any bill. If the bill comes out of the Committee of the Whole into the Senate and there have been any amendments adopted, the amendments are taken in their order as a matter of course, unless a motion be made to postpone the consideration of the amendments in their order to a time certain. The Vice President has

held that squarely, and it seems to me very plain that the same rule must now prevail. There is one way by which this can be reached. If a motion shall prevail to postpone consideration of all the amendments as they are reached to a time certain, that motion would be in order.

Mr. SWANSON. If the Senator will permit me, the rule requires that a treaty in Committee of the Whole shall be considered article by article. The Senator is right when he says the Vice President properly held that when it comes up it must be disposed of in that way in Committee of the Whole. You could dispose of it by voting for or against it, or you could dispose of it by voting to postpone it, but the Senate has absolute control of its business, and when a motion is made to consider a matter it is properly before it except so far as it is precluded by the rules of the Senate.

We are only precluded from making a motion to consider any matter which comes up when the treaty is being considered as in Committee of the Whole. That is the limitation; that is the extent of it. We can not consider the treaty article by article because some articles were adopted without amendment; there is no amendment pending to some articles in the treaty which is now pending in the Senate. If the contention of the Senator is correct, every article of the treaty from the beginning to the end would have to be considered in the order in which they came up in Committee of the Whole, unless unanimous consent were given to pass them over.

Mr. LENROOT. Mr. President, let us see. Whether it be a treaty or a bill when it is reported from the Committee of the Whole to the Senate, what is the pending question? The pending question is the first amendment reported from the Committee of the Whole, and the only way that that question can be gotten rid of is either by adopting or rejecting the amendment or postponing it. That is very clear.

Mr. SWANSON. The Senator is mistaken in that. Under the rules of the Senate, if a bill is pending here and a motion is made and agreed to to consider another matter, that displaces the bill for immediate consideration; it is not necessary to move that its consideration be postponed. So a motion could be made to take up another matter than the pending treaty. When the time comes, a motion could properly be made to take up one of the amendments, and that would naturally postpone the consideration of the others until the one taken up should have been disposed of.

As I understand, the Senator from Montana moved to proceed to the consideration of reservation No. 15. If that motion is carried, it necessarily postpones the consideration of the other reservations. It is not necessary to displace a bill or other matter by moving to postpone it. All that is necessary is to make a motion to take up another matter, and if the motion is agreed to it naturally postpones the pending matter. It seems to me that if the motion of the Senator from Montana is adopted, it properly postpones the consideration of other reservations.

Mr. LENROOT. I desire to ask the Senator from Virginia, who is a good parliamentarian, if a question is pending before the Senate, a bill or a treaty, how can any motion be in order to take up another amendment until the pending amendment shall have been disposed of?

Mr. SWANSON. If the Senator will permit me, a motion may be made at any time when a bill is pending to take up another bill.

Mr. LENROOT. To take up another measure, and, if agreed to, that displaces the pending measure; but whenever the measure comes back——

Mr. SWANSON. There is nothing in the rule which says that when one amendment is pending a motion may not be made to take up another amendment.

Mr. LENROOT. But that is the general parliamentary rule. The Senator from Virginia must be aware of that.

Mr. HITCHCOCK. Mr. President, a parliamentary inquiry. Would it be in order to move to postpone until to-morrow the consideration of reservations 2 and 4?

The PRESIDENT pro tempore. The Chair understands that that is the very question which is now raised by the point of order.

Mr. LENROOT. It is admitted that a motion to postpone to a day certain would be in order.

Mr. LODGE. And to take up reservation 15.

Mr. LENROOT. That may not be included in the same motion.

Mr. HITCHCOCK. I move that the Senate postpone until to-morrow the consideration of reservations 2 and 4.

Mr. ASHURST. If that motion is debatable, I want to be heard.

Mr. LODGE. Pending that motion——

Mr. ASHURST. I wish to be heard.

The PRESIDENT pro tempore. The Senator from Arizona.

Mr. ASHURST. Mr. President, I do not wish to say anything unpleasant or to appear to be a disturbing factor, but I will read from the RECORD what occurred last evening when we were confronted by the same situation that is presented here now.

The PRESIDENT pro tempore. The Chair trusts the Senator from Arizona will confine his observations to the point of order.

Mr. ASHURST. If a point of order is pending, it is not debatable, Mr. President, and, of course, I will sit down. I thought a debatable motion had been made, and I wish to be heard. Of course, I am not going to debate a point of order.

The PRESIDENT pro tempore. The Chair does not understand that there is any motion pending.

Mr. HITCHCOCK. I made a motion.

The PRESIDENT pro tempore. Will the Senator from Nebraska restate his motion?

Mr. HITCHCOCK. I moved to postpone until to-morrow the consideration of reservations 2 and 4.

Mr. LODGE. Mr. President——

Mr. ASHURST. Upon that I wish to be heard. It is a debatable question.

The PRESIDENT pro tempore. The Chair recognizes the Senator from Arizona.

Mr. ASHURST. Mr. President, about this hour last night an impasse was reached because the Senator from North Carolina [Mr. SIMMONS], whom we all respect and love, had gone home, being ill. It was desired that he might have notice that commencing to-day the Senate would remain in continuous session until we finished all the reservations. The Senator from North Carolina had full notice, and I will read from the RECORD what then occurred.

Mr. HITCHCOCK. Will the Senator yield?

Mr. ASHURST. I can not yield at this time.

Mr. HITCHCOCK. The Senator has plenty of time.

Mr. ASHURST. Very well, I yield.

Mr. HITCHCOCK. I desire to call the Senator's attention to the fact that the limitation as to time related only to the consideration of the matter in Committee of the Whole.

Mr. ASHURST. I will read from the RECORD. The Senator from Massachusetts [Mr. LODGE], with the assiduity and industry that characterize all his labors, when some of us were pressing for immediate action and urging that Senators stay here and transact the public business, as will be found on page 4462 of the RECORD of March 17, said:

> I thought it was only fair, and I think the Senator will agree with me, that before holding a night session I should give notice of it.
>
> A polite and gentlemanly thing to do—
>
> I shall give notice, and I give it now, that to-morrow I shall ask the Senate to remain in session until all reservations, both in the Committee of the Whole and in the Senate, are disposed of.

That was the statement made by my learned friend from Massachusetts.

Mr. President, it so happens that I have no business elsewhere; I have no engagements elsewhere; but I am authorized to speak for a number of Senators whom I know have sat patiently on these benches whilst speeches were made, reiterating what had been previously said two hundred times on this floor, and some of those Senators have engagements that may not be broken without serious inconvenience to themselves.

Mr. President, every citizen of this country is a stockholder of this Republic; we are the board of directors of this giant corporation—the United States. We ought to be here diligently attending to the business of this corporation—the United States. We, as a board of directors, ought to stay here and do the business of the country; and I hope my learned friend from Massachusetts will stand by the splendid words he used last night when he announced—and all of it went into the RECORD—that we would hold a night session to-night; that he would ask Senators to remain here until all the reservations, both in Committee of the Whole and in the Senate, were disposed of; for it must be obvious to all that, if they are not disposed of to-night, the resolution of ratification can not be voted upon until Saturday. That means serious inconvenience to more than 10 Senators, some of them on one side of the Chamber and some of them on the other.

As to my distinguished friend from North Carolina [Mr. SIMMONS], there is not a man here of whom I think more. I would not be guilty of discourtesy toward him, but he had notice that there would be a night session. The same plea for delay was urged here last night that is now being urged to-night, to wit, that he was absent. So I appeal to Democrats and I appeal to Republicans either to take this treaty with a pair of tongs and throw it into the Potomac River or ratify it, and thus dispose of it one way or the other. The country is tired of hearing anything more about the Senate's discussion of the

treaty; the people want the treaty voted up or voted down. [Manifestations of applause in the galleries.] It must be obvious to the dullest intellect that the country wants us to proceed to serious domestic questions.

Mr. President, in conclusion, we ought manfully to stay here and finish the reservations, so that on to-morrow we may vote on the resolution of ratification.

Mr. BRANDEGEE. Where will you get the tongs?

Mr. ASHURST. I can not furnish them.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. ASHURST. I do.

Mr. LENROOT. Do I gather from the Senator that his plea is that we hold a night session so that on Friday and Saturday a large number of Senators may be able to absent themselves from the business of the country?

Mr. ASHURST. When the Senator is here for a year or so longer, I should say, he will learn that after Senators have sat here for a year, as many Senators have sat here, and have never been absent at all, they may be pardoned when they go away for a few days upon business that is extremely important to the country and to them.

Mr. LODGE. Mr. President——

Mr. ASHURST. I am through.

Mr. LODGE. I think I am as anxious as any Senator in this body can be to finish the treaty and finish it as quickly as possible. I will say to the Senator from Arizona that I have not been out of this city since the present Congress assembled, and I have been here every day but one, when I was laid up with a cold; so that I do not think that my record for attendance is bad.

Mr. ASHURST. Will the Senator yield?

Mr. LODGE. Yes.

Mr. ASHURST. I said in the beginning of my remarks that the industry and assiduity of the Senator from Massachusetts in attending to public business were beyond the range of praise; they are; he has been here all the time.

Mr. LODGE. I was not looking for a compliment from the Senator because I have stayed here. I do not wish to be unreasonable with other Senators; I am very anxious, if I can, to give those who have important engagements an opportunity to get away, and I should be willing to agree on a time to take a final vote, but we can not do that properly, I think, until the resolution of ratification is dealt with.

Mr. WILLIAMS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. LODGE. I yield.

Mr. WILLIAMS. Would the Senator be willing to agree that we vote to-morrow upon all reservations pending and to be proposed and upon the final question of ratification?

Mr. LODGE. I would be willing to agree to a final vote on the reservations, but I can not agree to a final vote on the resolution of ratification, because I do not know what reservations it is going to carry.

Mr. WILLIAMS. Then, would the Senator be willing instead of voting on the next calendar day to agree that during the next legislative day we shall continue the session until we have voted upon all reservations proposed and upon the resolution of ratification?

Mr. LODGE. I thought the Senator was trying to fix a certain hour. I should like, if I could, to fix an hour, so that I might assure Senators who wish to go away when they can do so.

Mr. WILLIAMS. As the Senator said a moment ago, he can not fix an hour——

Mr. LODGE. I can not fix it for the final vote on the resolution of ratification, but that will come immediately as soon as the reservations are disposed of.

Mr. WILLIAMS. The Senator can not fix an hour, I understand, for the simple reason he does not know what may precede the hour.

Mr. LODGE. I do not.

Mr. WILLIAMS. But the Senator can fix the legislative day, and why not fix to-morrow, and remain in continuous session until we have finished this thing?

Mr. LODGE. We are proceeding in a legislative day now.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Missouri?

Mr. LODGE. Yes.

Mr. REED. Mr. President, the question before the Senate is this: Shall we now adjourn, because the Senator from North Carolina has gone home with full notice of the fact that the Senate would stay in session to-night until the reservations were disposed of? I have the utmost respect for the Senator from North Carolina, but his convenience alone ought not to hold up the Senate when he is in the city. There are a number of Senators here who have made engagements of very great importance to them, and made them upon the assumption that this business would be concluded to-day.

Mr. KING. The Senator means the reservations?

Mr. REED. Yes. The Senator from North Carolina can be reached by telephone and brought here. We were notified that we would conclude this matter to-night, and we have made our plans accordingly. Why not proceed with reservation No. 15 now, and while the discussion, if any, and the vote upon that reservation proceed, the Senator from North Carolina can probably reach here. His purpose in coming here, we are advised, is to offer a substitute for the reservation to article 10. He has offered four or five of them. The question has been exhausted. I would be willing, if it were necessary, to take a recess for an hour in order to give him a chance to get here, but I should like to have reservation 15 voted on. Let us get rid of it, and while we are at it let us get the Senator from North Carolina here. I do not think the Senator from North Carolina ought to adjourn the Senate by going home when he goes with full notice.

Mr. OVERMAN. Mr. President, I want to say to the Senator that my colleague has gone home unwell. He lives 15 miles in the country, and I do not think it is possible to get him here to-night. I am very sorry that he is not here. I am sure that if he had known this matter was coming up to-night he would have been here.

Mr. REED. Did the Senator hear the Senator from Arizona [Mr. ASHURST] read the RECORD, in which he repeated the words of the Senator from Massachusetts on yesterday, giving express notice that he would hold the Committee of the Whole and the Senate in session to-night until all reservations had been disposed of?

Mr. OVERMAN. I was not here, and I did not hear it. I know that was said, though. I do not know, however, whether my colleague heard it, or knew of it, or not.

Mr. REED. He ought to have known of it. I have engagements, and other Senators have engagements.

Mr. OVERMAN. He is not well, and he went home. He lives 15 miles out of the city.

Mr. LODGE. Mr. President, if the Senator from Nebraska will allow me, it seems to me we might pass over reservation 2, if necessary—I am sorry it has to go over, because if we reopen the debate on article 10 to-morrow there is no knowing when anybody will get away—but the Senator from Georgia [Mr. SMITH], who has reserved reservation 4, is here, and we might as well dispose of that.

Mr. REED. Mr. President, I move that the consideration of reservation 2 be postponed until after the consideration of reservations 4 and 15.

The PRESIDENT pro tempore. There is a motion pending, made by the Senator from Nebraska, which must be disposed of before another question is put.

Mr. REED. I move that as a substitute.

Mr. KELLOGG. I make the point of order that that can not be done except by unanimous consent.

Mr. SWANSON. Mr. President, I would suggest to the Senator from Massachusetts that as I understand the general idea was that to-day we would dispose of all the reservations in the Committee of the Whole and in the Senate, and that to-morrow we would consider the resolution of ratification. Under the rules of the Senate it has to go over one day.

Mr. LODGE. I wanted to complete the matter if I could, but the absence of the Senator from North Carolina makes it impossible to conclude the matter to-night.

Mr. SWANSON. My suggestion was that consequently the understanding last night was that to-morrow the entire treaty would be disposed of.

Mr. LENROOT. There was no such understanding.

Mr. LODGE. There was no understanding of any kind.

Mr. SWANSON. Could we get unanimous consent—it seems to me that there is no rule prohibiting it—to meet at 11 o'clock to-morrow, and stay in session to-morrow night until the entire treaty is disposed of?

Mr. LODGE. I am not going to make any unanimous-consent agreement to vote on the resolution of ratification until I know what is in it.

Mr. CURTIS. Mr. President——

Mr. SWANSON. The Senator would object to an arrangement to stay in session to-morrow until we had considered all the reservations?

Mr. LODGE. No; I have no objection to any agreement on reservations.

Mr. SWANSON. But to include also the resolution of ratification? Many Senators have made engagements that are important to them. Many of them are candidates for reelection.

Mr. LODGE. If the Senate will dispose of the reserved reservations, so that there can be no more, and the door is closed to any more, then I will make an agreement to vote.

Mr. ASHURST. Let us dispose of them.

Mr. SWANSON. The Senator knows practically what the resolution of ratification will be. There is no question about it.

Mr. LODGE. No; I mean the reservations that are going to be incorporated in it.

Mr. SWANSON. I mean the resolution of ratification to give effect to the treaty and the reservations that have been adopted. It seems to me that if we could reach an agreement to-night—which I am satisfied we could do, by unanimous consent—we could meet to-morrow and stay in session to-morrow night until the entire treaty is disposed of, and that would accomplish the purpose for which we are here to-night.

Mr. LODGE. Why should we not go on now and dispose of article 4? The Senator from Georgia [Mr. SMITH] is here.

Mr. SWANSON. I have no objection to that, but I should like to have an agreement to dispose of the entire matter to-morrow.

Mr. LODGE. I will stay here and dispose of them all if it is necessary. We waste so much time in talking about agreements and arguing futile points. Here are the reservations. The Senator who has reserved reservation 4 is here. The Senator who has reserved reservation 15 is here. I am very sorry the Senator from North Carolina is not here, or has not placed his reservation in the hands of some other Senator.

Mr. WILLIAMS. Mr. President, in order to test the sense of the Senate, I ask unanimous consent that during the legislative day beginning to-morrow at 12 o'clock the Senate shall consider all pending and all proposed reservations and the question of the ratification of the treaty.

Mr. LODGE. That would involve taking an adjournment, and losing two hours in the morning. I want to take a recess when we go. I will agree to any reasonable time to vote on reservations, but I will not agree to take the final vote on the resolution of ratification until I know what it is carrying.

Mr. WILLIAMS. Mr. President, I wish to offer my request for unanimous consent—that the Senate, upon the beginning of the legislative day to-morrow, after we recess to-night instead of taking an adjournment, shall take up and dispose during the legislative day of all pending and proposed reservations and the question of ratification.

Mr. LODGE. Mr. President, if we take a recess to-night, it will be the same legislative day to-morrow.

Mr. HITCHCOCK. Mr. President——

Mr. WILLIAMS. I ask unanimous consent that the Senate shall take a recess until to-morrow at 11 o'clock, and that when it reassembles after the recess it shall proceed with the consideration of all pending and proposed reservations and amendments, and shall, during the legislative day which began this morning and will be continued to-morrow, finish the consideration of reservations, amendments, and the ratification of the treaty.

Mr. GERRY. Mr. President——

The PRESIDENT pro tempore. The Secretary will state the proposed unanimous-consent agreement, if he can.

Mr. CURTIS. Mr. President, the Secretary need not state it. I object to it, so there is no use of his stating it. If Senators want to make the agreement so as to submit these reservations and vote on them to-morrow without debate, I would be willing to consent to it, but not otherwise.

Mr. WILLIAMS. I will offer the request, and make it that the vote shall be taken without debate. I will put it that way. I ask unanimous consent that when the Senate takes a recess to-night it shall, during the balance of the legislative day which began this morning, consider and decide all pending and proposed reservations and the question of the ratification of the treaty, and that all this shall be done without further debate.

Mr. SMITH of Georgia. Oh, Mr. President, we object to that.

Mr. HITCHCOCK. Mr. President, I should like to modify the motion I made so that it will read that reservation 2 be postponed until to-morrow for consideration. That will enable us to consider reservation 4, the Senator from Georgia being here, and we can consider that and dispose of it at once.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from Nebraska.

Mr. KELLOGG. Mr. President, will the Senator from Nebraska include reservation 15 in that?

Mr. HITCHCOCK. No; I move simply to postpone reservation 2 and take up reservation 4 as the next one.

Mr. KELLOGG. Of course the one the Senator from Nebraska wants to vote on to-night is reservation 15. He does not care anything about the rest.

Mr. HITCHCOCK. Reservation 4 will come first. Let us take up reservation 4 first. That is in the usual order.

Mr. KELLOGG. Of course, if we would agree to vote on reservation 15, they would postpone the others any length of time. That is what the Senator is driving at.

Mr. HITCHCOCK. I am taking the suggestion of the Senator from Massachusetts that we postpone the consideration of reservation 2 until to-morrow on account of the absence of the Senator from North Carolina. We can then go on with the consideration of reservation 4.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from Nebraska.

Mr. KELLOGG. I move to amend the motion of the Senator from Nebraska by adding reservation No. 15.

Mr. REED. Mr. President, I think that exposes the situation. The real effort to adjourn is on account of reservation 15, not on account of the absence of anybody.

Mr. HITCHCOCK. I ask for a vote upon my motion.

Mr. KELLOGG. I ask for a vote on my amendment.

The PRESIDENT pro tempore. The Secretary will state the motion made by the Senator from Nebraska and the amendment proposed by the Senator from Minnesota.

The ASSISTANT SECRETARY. The Senator from Nebraska moves that the consideration of reservation No. 2 be postponed until after the consideration of reservation No. 4.

The PRESIDENT pro tempore. The Chair desires to inquire of the Senator from Nebraska if he changed his motion so as to defer the consideration of reservation No. 2 until to-morrow?

Mr. HITCHCOCK. I did.

Mr. REED. Let it be stated, then.

Mr. KELLOGG. And I moved to amend by inserting reservation 15.

Mr. FRANCE. On that amendment I ask for the yeas and nays.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Minnesota to the motion of the Senator from Nebraska.

Mr. FRANCE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMITH of Georgia. Mr. President, may the question that is now being submitted be stated to the Senate? There were two or three, and I could not hear them all.

The PRESIDENT pro tempore. If the Senate would be in order, Senators could hear the question. The Chair will attempt to state it if Senators will be in order.

The Senator from Nebraska [Mr. HITCHCOCK] moved that the consideration of reservation No. 2 in the Senate be postponed until to-morrow, which motion the Senator from Minnesota [Mr. KELLOGG] moved to amend by adding reservation No. 15. So the question now is upon the amendment of the Senator from Minnesota. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. HENDERSON (when his name was called). Making the same announcement as before with reference to my pair and its transfer, I vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer my pair to my colleague, the Senator from North Carolina [Mr. SIMMONS], and vote "nay."

Mr. THOMAS (when his name was called). I am informed that my pair, if present, would vote as I desire to vote upon this motion, and I therefore vote. I vote "yea."

Mr. WOLCOTT (when his name was called). Did the senior Senator from Indiana [Mr. WATSON] vote?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. WOLCOTT. I have a general pair with that Senator, and in his absence I am not at liberty to vote.

The roll call was concluded.

Mr. EDGE. Making the same announcement as to my pair and its transfer, I vote "yea."

Mr. CHAMBERLAIN. Again announcing my pair, in the absence of the junior Senator from Pennsylvania [Mr. KNOX], I withhold my vote. If at liberty to vote, I would vote "nay."

Mr. STANLEY. Not being able to obtain a transfer of my pair, I withhold my vote.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], who has not voted. I am not able to obtain a transfer, and therefore I withhold my vote.

The result was announced—yeas 29, nays 46, as follows:

YEAS—29.

Ball	Hale	McNary	Sterling
Beckham	Harding	New	Thomas
Calder	Jones, Wash.	Page	Townsend
Cummins	Kellogg	Phipps	Trammell
Dillingham	Keyes	Pomerene	Wadsworth
Edge	King	Smith, Ga.	
Elkins	Lenroot	Smoot	
Frelinghuysen	Lodge	Spencer	

NAYS—46.

Ashurst	Glass	Kirby	Sheppard
Borah	Gore	La Follette	Shields
Brandegee	Gronna	McKellar	Smith, Md.
Capper	Harris	Moses	Smith, S. C.
Colt	Harrison	Norris	Sutherland
Curtis	Henderson	Nugent	Swanson
Dial	Hitchcock	Overman	Underwood
Fernald	Johnson, Calif.	Phelan	Walsh, Mass.
Fletcher	Johnson, S. Dak.	Pittman	Walsh, Mont.
France	Jones, N. Mex.	Ransdell	Williams
Gay	Kendrick	Reed	
Gerry	Kenyon	Robinson	

NOT VOTING—21.

Chamberlain	McCumber	Penrose	Warren
Comer	McLean	Poindexter	Watson
Culberson	Myers	Sherman	Wolcott
Fall	Nelson	Simmons	
Knox	Newberry	Smith, Ariz.	
McCormick	Owen	Stanley	

So Mr. KELLOGG's amendment to Mr. HITCHCOCK's motion was rejected.

The PRESIDENT pro tempore. The question now is upon the motion of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. REED. Mr. President, please state the motion again.

The PRESIDENT pro tempore. The Senator from Nebraska moves that the consideration of reservation No. 2 be postponed until to-morrow.

Mr. REED. Mr. President, before we vote on the motion, I want to make a statement to the Senate. I just talked a few minutes ago with the Senator from North Carolina [Mr. SIMMONS] over the phone, and advised him that the Senate is in session considering these propositions, and that it was likely that article 10 would be disposed of to-night. I told him we could undoubtedly arrange to hold it long enough for him to get here, and asked him if he would come. He replied that he was much obliged for the information, and that he would see. So he has had notice, and he is within reach, and I am not in favor of agreeing to a motion to postpone the consideration of article 10 under those circumstances. We have been over article 10 in every phase than can be conceived of. I do not want to vote on that article until the Senator from North Carolina has had abundant time to reach here. I want to extend him every courtesy. But there are others who ought to be considered, and I am in favor of disposing of these reservations to-night. Then we will have to-morrow to dispose of the general resolution.

It is not necessary to incorporate in this motion that we will postpone the consideration of reservation 2 until to-morrow. All that is necessary to do is to move to postpone it until after the consideration of reservations 4 and 15, and I hope the Senator will change his motion so that that can be done and we can clean up this business to-night while we are here in the humor to do it.

The PRESIDENT pro tempore. The question is upon the motion of the Senator from Nebraska.

Mr. REED. Mr. President, I move to amend so that the motion will read that reservation 2 be postponed until after the Senate has acted upon reservation 4.

Mr. HITCHCOCK. I accept that amendment.

The PRESIDENT pro tempore. The Senator from Nebraska now moves that action on reservation No. 2 be postponed until the Senate has acted upon reservation No. 4.

The motion was agreed to.

The PRESIDENT pro tempore. The question now is upon concurring in reservation No. 4.

Mr. SMITH of Georgia. I ask that the reservation now be stated.

The PRESIDENT pro tempore. The Secretary will report reservation No. 4.

The reading clerk read as follows:

4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the League of Nations, or any agency thereof, or to the decision or recommendation of any other power.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). The question is upon concurring in the reservation.

Mr. SMITH of Georgia. Mr. President, I move to strike the word "commerce" from the reservation.

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. On line 15 of the reservation strike out the word "commerce," so that it will read:

Including immigration, labor, coastwise traffic, the tariff, the suppression of traffic in women and children,

And so forth.

Mr. SMITH of Georgia. This reservation is a reservation stating what constitute domestic problems. The object of the reservation is to protect our domestic problems from consideration by the council under article 15 and to prevent the council from having the right to determine, under rules of international law, what subjects are solely domestic.

I am thoroughly in favor of most of the reservation, of all the balance of it. I think it utterly indefensible to leave the covenant as it reads. I am in favor of nullifying the provision in article 15, which places the right to pass on domestic questions in the league, because it ought to be nullified. Article 15 as it reads carries to the council the right to pass upon all problems or disputes except domestic problems, but leaves it also to the council to determine whether a question is or is not a domestic question. They can only cease the consideration of a question which we claim to be domestic if they find under the rules of international law that the question is solely domestic.

I am thoroughly against that provision in the covenant. I am unwilling for any nation or any council or any board of arbitration to pass upon any of our domestic questions and I am equally unwilling for any council to have the right to determine what is or is not a domestic question. I believe the United States, whenever our duly constituted authorities regard a question as domestic, should decide for itself that it is domestic and then refuse to allow any foreign council or foreign organization to overrule our decision and hold a problem that we consider to be domestic to be semi-international.

I do not mind saying that we nullify that part of article 15. We ought to nullify it. I am not frightened by the suggestion that we are nullifying something in this covenant. I would not vote to ratify the treaty unless a number of things in the covenant were nullified. They are dangerous to American rights, and should be stricken, and this is one of them.

The preservation of control, without foreign interference, of our domestic problems is essential, and when by this reservation we take ourselves out from under the rights of this council to determine whether questions are domestic or not, to that extent we nullify the covenant and we ought to nullify the provisions that would give a foreign board the right, over our protest, to decide and pass upon domestic problems pertaining to this country alone.

Mr. President, this reservation covers that question by saying that—

the United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the League of Nations, or any agency thereof, or to the decision or recommendation of any other power.

All of this reservation is right except one word. That is the word "commerce." The reason that is wrong is we can not possibly claim all commercial questions are domestic. The very term "commerce," in its broad sense, implies international exchange and international transactions of trade. When the commerce is domestic we have the privilege of saying so and excluding it from arbitration. When it is international, if we intend to carry out the scheme of adjustment of disputes, we ought not to withdraw it. The first part of the reservation says, broadly, that—

the United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction.

So that, without naming commerce, whenever the commercial transaction is a domestic transaction, the United States will so declare and not permit arbitration or consideration by the council. When the United States determines it is an international problem and not a domestic problem, then the United States would say, "We will let it take its course for adjustment, as in other international problems, under the terms of the covenant."

There is no defense for putting the word "commerce" in this reservation. There is not a Senator who does not know that many commercial transactions are international and in no sense domestic, and when we say that all problems of commerce are domestic we can not defend ourselves.

Now, remember, the first part of the reservation gives broadly the right to our Government to determine what is and what is not domestic. We can save from the league council all commercial transactions that are domestic.

But to name all commercial transactions as domestic goes beyond the truth, and if we really want in this reservation to conform to the truth we ought to leave out the word "commerce" and leave it to our Government to withdraw all commercial questions when we regard them as domestic.

I like the use of the word "immigration," because I am in favor of saying, whether the immigration problem could be strictly considered as domestic or not, we do not intend to permit any country to have anything to do with determining who we will allow to come into the United States and live with us and who we will not or who we will allow to stay here and who we will not.

My motion to strike the word "commerce" is simply in the interest of having the reservation carry truthfully the fact that some commercial transactions may be domestic and some international, and that where they are domestic we will so declare and keep them out of the consideration of the council of the league, but where we ourselves determine that they are international we will not withdraw them on the ground that they are domestic.

Mr. WATSON. Mr. President, I appreciate the argument of the Senator from Georgia [Mr. SMITH], but this is a question that was fully debated in Committee of the Whole and is fully understood. Therefore I move to lay the amendment on the table.

Mr. SMITH of Georgia. On that I ask for the yeas and nays.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Glass	Lodge	Smoot
Borah	Gronna	McKellar	Spencer
Brandegee	Hale	Moses	Sterling
Capper	Harris	Myers	Sutherland
Chamberlain	Harrison	New	Swanson
Colt	Henderson	Norris	Thomas
Curtis	Hitchcock	Nugent	Trammell
Dial	Johnson, S. Dak.	Overman	Underwood
Dillingham	Jones, N. Mex.	Page	Wadsworth
Edge	Jones, Wash.	Phelan	Walsh, Mass.
Fernald	Kellogg	Phipps	Warren
Fletcher	Kenyon	Robinson	Watson
France	Keyes	Sheppard	Wolcott
Frelinghuysen	King	Shields	
Gay	Kirby	Smith, Ga.	
Gerry	La Follette	Smith, S. C.	

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. There is a quorum present.

The Senator from Georgia asks for the yeas and nays on the motion of the Senator from Indiana to lay the amendment on the table.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I am compelled to withhold my vote.

Mr. EDGE (when his name was called). Making the same announcement as previously, concerning my pair and its transfer, I vote "yea."

Mr. THOMAS (when his named was called). In the absence of my pair, I withhold my vote.

Mr. WILLIAMS. I transfer my general pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Alabama [Mr. COMER] and vote "nay."

The roll call was concluded.

Mr. HENDERSON. Making the same announcement as before relative to my pair and its transfer, I vote "nay."

Mr. KELLOGG (after having voted in the affirmative). I transfer my pair to the Senator from Washington [Mr. POINDEXTER], and will let my vote stand.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from California [Mr. PHELAN] and vote "nay."

Mr. UNDERWOOD (after having voted in the negative). I desire to inquire whether the Senator from Ohio [Mr. HARDING] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. UNDERWOOD. Then I withdraw my vote, as I have a general pair with that Senator.

The result was announced—yeas 40, nays 33, as follows:

YEAS—40.

Ball	Elkins	Keyes	Reed
Borah	Fernald	La Follette	Smoot
Brandegee	France	Lenroot	Spencer
Calder	Frelinghuysen	Lodge	Sterling
Capper	Gronna	McNary	Sutherland
Colt	Hale	Moses	Townsend
Cummins	Johnson, Calif.	New	Wadsworth
Curtis	Jones, Wash.	Norris	Walsh, Mass.
Dillingham	Kellogg	Page	Warren
Edge	Kenyon	Phipps	Watson

NAYS—33.

Ashurst	Gay	Harris	Hitchcock
Dial	Gerry	Harrison	Johnson, S. Dak.
Fletcher	Gore	Henderson	Jones, N. Mex.
Kendrick	Overman	Shields	Walsh, Mont.
King	Pittman	Smith, Ga.	Williams
Kirby	Pomerene	Smith, Md.	Wolcott
McKellar	Ransdell	Smith, S. C.	
Myers	Robinson	Swanson	
Nugent	Sheppard	Trammell	

NOT VOTING—23.

Beckham	Harding	Newberry	Simmons
Chamberlain	Knox	Owen	Smith, Ariz.
Comer	McCormick	Penrose	Stanley
Culberson	McCumber	Phelan	Thomas
Fall	McLean	Poindexter	Underwood
Glass	Nelson	Sherman	

So the motion to lay on the table the amendment of Mr. SMITH of Georgia was agreed to.

The PRESIDING OFFICER. The question is on concurring in the reservation No. 4, which was adopted as in Committee of the Whole.

Mr. MCKELLAR. I call for the yeas and nays.

The yeas and nays were not ordered.

The reservation made as in Committee of the Whole was concurred in.

The PRESIDING OFFICER. According to the recollection of the Chair, the motion of the Senator from Nebraska [Mr. HITCHCOCK] was that reservation No. 2 be postponed until after reservation No. 4 had been disposed of. Therefore, according to the understanding of the Chair, reservation No. 2 is the next reservation to be considered.

Mr. REED. On that I ask for the yeas and nays.

Mr. SMITH of Georgia. Mr. President, I had a message from the Senator from North Carolina [Mr. SIMMONS] a few moments ago calling me to the telephone to speak to him, but I was then in the midst of the effort to strike out the word "commerce" from the fourth reservation. I therefore could not leave. It seemed to me I was doing such valuable service by removing that objectionable word from the fourth reservation that I should remain and attend to it. So I do not know what it was the Senator from North Carolina desired to say. If the Senate is going to proceed now to the consideration of reservation No. 2, I wish to offer a substitute for it that I understand the Senator from North Carolina would offer if he were here.

Mr. JONES of New Mexico. Mr. President, a parliamentary inquiry. Did I understand the Chair to announce that the question before the Senate at this time was whether the Senate should take up for consideration reservation No. 2 or reservation No. 4? What is before the Senate at the present time?

The PRESIDING OFFICER. The Chair did not make such an announcement. The Chair announced that his understanding was that the question before the Senate was on concurring in reservation No. 2, reservation No. 4 having been disposed of in accordance with the motion of the Senator from Nebraska.

The Secretary will now state the reservation presented by the Senator from Georgia on behalf of the Senator from North Carolina in the nature of a substitute for reservation No. 2.

The Reading Clerk read as follows:

The United States agrees to use its friendly offices, when requested so to do, under the provisions of article 10, in assisting to procure a just and peaceful settlement of territorial or political controversies between nations or to protect any member of the league from external aggression; but it does not assume any obligation to use its military or naval forces or its financial or economic resources for the purpose of intervention in the controversies or conflicts between nations or to protect the territorial integrity or political independence of any nation under the provisions of article 10, unless in any particular case the Congress, in the exercise of full liberty of action and in the light of full information as to the national justice and human rights involved, shall by act or joint resolution so provide.

Mr. SMITH of Georgia. Mr. President, I have received a message that the Senator from North Carolina [Mr. SIMMONS] left his home 15 minutes ago and is now on his way here. Of course, I could take up 15 minutes under the rule in talking about the reservation, and by that time he would be here.

Mr. LODGE. I certainly do not want to force the consideration of reservation No. 2 now, if the Senator from North Carolina is on his way here.

Mr. REED. Mr. President, I ask unanimous consent that we may proceed now to the consideration of reservation No. 15.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. REED. Reservation 15 is the other one that is pending, is it not?

The PRESIDING OFFICER. It is.

Mr. SHEPPARD. I call for the yeas and nays.

Mr. CALDER. Mr. President, I offer a substitute for the reservation.

The PRESIDING OFFICER. The Senator from New York offers a substitute for reservation 15, which will be stated.

The Reading Clerk read as follows:

In consenting to the ratification of the treaty with Germany the United States adheres to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the

Senate June 6, 1919, and declares that when self-government is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

Mr. CALDER. Mr. President, this is identical with the original reservation offered by the Senator from Rhode Island [Mr. GERRY], excepting that on lines 2 and 3 the language "to the principle of self-determination and" is stricken out.

I ask for a vote on the substitute.

Mr. THOMAS. Mr. President, it is very evident that the reservation adopted in Committee of the Whole will be readopted in the Senate. The comments made upon that reservation this afternoon by the senior Senator from Delaware [Mr. WOLCOTT] meet with my hearty approval. The Senate of the United States is exercising its constitutional prerogative of passing upon a great State paper—a proposed treaty between itself and all the leading and many of the minor nations of the world. I have had occasion heretofore to speak of the supreme importance which that attribute of senatorial authority occupies as compared with its general routine duties, and I have at all times deprecated the intrusion of partisan politics into the exercise of the treaty-making power or into its determination to ratify or to reject a given instrument.

I had hoped until to-day that the final disposition of this treaty by the Senate would be upon its merits, without regard to petty political considerations. I call them so because it plainly appears from the proceedings of to-day that the purpose sought to be accomplished by many of those who support this reservation is to secure, if possible, some political advantage in the next presidential election. Others have supported it because they feel convinced that its addition to these reservations means the rejection of the treaty, and still others because they have been unable to secure a vote of unconditional ratification. These motives do not commend themselves to the judgment of candid men.

Mr. President, the conduct of the Senate, not on this occasion alone but upon others in the exercise of its treaty-making power, has been criticized and the wisdom of the framers of the Constitution in endowing the Senate with this power has been condemned. If anything were needed to justify that criticism and to approve that condemnation, it is supplied by the record of the Senate of the United States on the 18th day of March, 1920, a record as humiliating as it was unexpected.

I offered this morning an amendment to this reservation including the people of Korea in our general expression of sympathy and of hope, not because I approved of it, but because I could not consent to the application of the so-called principle to a single nation. It was voted down; and yet some of the Senators who voted against that amendment supported and will support the reservation when it was shorn of the amendment. I am unable to comprehend any system of reasoning which attempts to reconcile these positions. It is impossible. When, in addition to that, we reflect that this proposed reservation could command a majority vote of the Senate only when shorn of every other consideration except that relating to the people of Ireland, the conclusion is inevitable that the sole purpose of its introduction and of its adoption is to make political capital for the approaching presidential election. That is a sad commentary upon the wisdom of the Senate and as well of open executive session. I trust this is the last one which the Senate will ever hold for the consideration of a treaty, however unimportant the document.

Because the galleries have been crowded, we have frequently taken occasion, in the discussion of this treaty to indulge in vehement and offensive language against every great power in the world, and to express our contempt for most of the smaller ones. I do not recall a country which has escaped some criticism during these discussions. This is deplorable. We have been talking to the galleries, and have justified in large degree criticisms of the wisdom of that provision of the Constiution which divides the treaty-making power between the executive and the Senate. If any Member of this body still holds the opinion that open executive sessions are wise, or even politic, I trust the spectacle which the Senate of the United States has to-day presented to the people of the United States will serve to disillusion him. And if anyone longer imagines that any issue submitted to this body for determination, however great, will escape the contamination of a sordid and humiliating partisanship, let him read the CONGRESSIONAL RECORD in the morning and be undeceived.

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from New York [Mr. CALDER] to reservation 15.

Mr. FERNALD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gay	Lodge	Smith, Md.
Ball	Gerry	McCormick	Smith, S. C.
Borah	Glass	McKellar	Smoot
Brandegee	Gronna	McNary	Spencer
Calder	Hale	Moses	Sterling
Capper	Harris	Myers	Sutherland
Chamberlain	Henderson	New	Swanson
Colt	Johnson, S. Dak.	Norris	Thomas
Cummins	Jones, N. Mex.	Nugent	Townsend
Curtis	Jones, Wash.	Overman	Trammell
Dial	Kellogg	Page	Underwood
Dillingham	Kendrick	Phelan	Wadsworth
Edge	Kenyon	Phipps	Walsh, Mass.
Elkins	Keyes	Ransdell	Warren
Fernald	King	Reed	Watson
Fletcher	Kirby	Robinson	Wolcott
France	La Follette	Sheppard	
Frelinghuysen	Lenroot	Shields	

The PRESIDING OFFICER. Seventy Senators having answered to their names, a quorum is present.

Mr. THOMAS. Mr. President, for the purpose of limiting further discussion on the subject, I move to lay the substitute of the Senator from New York [Mr. CALDER] on the table.

The PRESIDING OFFICER. The Senator from Colorado moves to lay on the table the amendment offered by the Senator from New York.

Mr. REED. Mr. President, may the question be stated so that some of us who have been out of the Chamber may know what the question is?

The PRESIDING OFFICER. The Secretary will state the pending question.

The READING CLERK. The substitute offered by the Senator from New York reads as follows:

In consenting to ratification of the treaty with Germany the United States adheres to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice, adopted by the Senate June 6, 1919, and declares that when self-government is attained by Ireland, a consummation, it is hoped, is at hand, it should promptly be admitted as a member of the League of Nations.

Mr. REED. A parliamentary inquiry, Mr. President. There was a motion made to lay that on the table, was there not?

The PRESIDING OFFICER. There was.

Mr. REED. If that is carried, will it carry the original proposition?

The PRESIDING OFFICER. The Chair does not so understand. The question is upon the motion of the Senator from Colorado.

Mr. THOMAS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], but he releases me on reservation 15. I therefore vote "yea."

Mr. EDGE (when his name was called). Making the same announcement of my pair and transfer, I vote "nay."

Mr. THOMAS (when his name was called). I am informed that my pair, the Senator from North Dakota [Mr. MCCUMBER], if present, would vote in favor of this motion. I am therefore at liberty to vote and vote "yea."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Alabama [Mr. COMER] and vote "yea."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. STANLEY. I transfer my pair to the Senator from Mississippi [Mr. HARRISON] and vote "yea."

The result was announced—yeas 51, nays 30, as follows:

YEAS—51.

Ashurst	Gerry	McCormick	Sheppard
Beckham	Glass	McKellar	Shields
Borah	Gronna	Moses	Smith, Md.
Brandegee	Harris	Myers	Smith, S. C.
Capper	Hitchcock	Norris	Smoot
Chamberlain	Johnson, Calif.	Nugent	Stanley
Colt	Johnson, S. Dak.	Overman	Swanson
Curtis	Jones, N. Mex.	Phelan	Thomas
Dial	Kendrick	Pittman	Underwood
Fernald	Kenyon	Pomerene	Walsh, Mont.
France	King	Ransdell	Williams
Frelinghuysen	Kirby	Reed	Wolcott
Gay	La Follette	Robinson	

NAYS—30.

Ball	Hale	McNary	Townsend
Calder	Harding	New	Trammell
Cummins	Henderson	Page	Wadsworth
Dillingham	Jones, Wash.	Phipps	Walsh, Mass.
Edge	Kellogg	Smith, Ga.	Warren
Elkins	Keyes	Spencer	Watson
Fletcher	Lenroot	Sterling	
Gore	Lodge	Sutherland	

NOT VOTING—15.

Comer	Knox	Newberry	Sherman
Culberson	McCumber	Owen	Simmons
Fall	McLean	Penrose	Smith, Ariz.
Harrison	Nelson	Poindexter	

So Mr. CALDER'S substitute was laid on the table.

The PRESIDING OFFICER. The question now is upon the adoption of the reservation.

Mr. STERLING. I offer the following amendment to the reservation: In lines 6 and 7 of the reservation I move to strike out the words "a consummation it is hoped is at hand."

The PRESIDING OFFICER. The Secretary will report the amendment.

The ASSISTANT SECRETARY. On lines 6 and 7 strike out the words "a consummation it is hoped is at hand" and the comma.

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from South Dakota [Mr. STERLING].

Mr. STERLING. Just a word in regard to this amendment. The whole reservation, of course, is a strange thing in connection with anything contained in the treaty or in the covenant. It is absolutely foreign to any provision, to any stipulation, or to any agreement of the treaty or the covenant. But this particular language, Mr. President, expresses the hope that self-government for Ireland will speedily be attained. To whom is the hope addressed? If it is to Great Britain it will not hasten proceedings in Britain by a day. British statesmen will consider this question and consider it in the interests of England and Ireland together, and looking to the best interests of all the people.

Is this meant as a recognition of the new Irish republic, of which Mr. de Valera is the president, self-constituted, or chosen without any lawful or constitutional authority for his assuming that position? Is that the idea? What is to be accomplished by language of this kind put in this amendment, "a consummation it is hoped is at hand"?

Mr. President and Senators, I sympathize with what has been said here from time to time in regard to the motives that have influenced some Senators in their votes upon this particular reservation and in their attitude in regard to it. Senators have occupied absolutely inconsistent positions, first declaiming against a treaty and a covenant that would lead us to interfere with the affairs of other nations, and yet insisting with all their eloquence and all their power that we must here pass a reservation of this kind.

Of course, the belief must be that this will be unacceptable to somebody in the end and will lead to a defeat of the treaty and the covenant.

In regard to others it has been intimated that they are influenced by the effect it may have in certain States of the Union. I think both are, if I may say so, entirely unworthy motives. I had hoped that the treaty and covenant would be ratified with reseravtions, of course, that would Americanize it, that would protect America's vital interests. Those reservations we have adopted in Committee of the Whole. Now, here in the last hours of the discussion is an attempt, connived at, I think, by the leader upon the other side, for the purpose of defeating the treaty, Americanized as it is.

It will not do to say at this late day that the treay with these reservations will be unacceptable to the Allies. Great Britain, France, and Italy will gladly welcome us into this League of Nations, not that we shall participate in everything as we might be required under some of the articles with regard to which we have passed strong reservations, but that they may have the great moral weight of America's influence in an effort to promote the peace of the world. It seems to me that ought to be the spirit that should actuate us now rather than the motives which I have mentioned and which are unworthy such a cause.

This reservation, Senators, I think, presents another barrier to the ratification of the treaty and I believe it should be defeated, but if adopted it should be with the words I have named stricken out.

Mr. McKELLAR. Mr. President, I move to lay the amendment of the Senator from South Dakota on the table.

Mr. STERLING. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). Making the same announcement as made when I last voted—and this announcement I desire to stand with reference to reservation 15—I vote "yea."

Mr. STANLEY (when his name was called). I transfer my pair with the Senator from Minnesota [Mr. NELSON] to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. THOMAS (when his name was called). Being at liberty to vote on this motion, I vote "nay."

The roll call was concluded.

Mr. MYERS. I am unable to obtain a transfer of my pair with the Senator from Connecticut [Mr. McLEAN], who is absent. I therefore withhold my vote.

The result was announced—yeas 70, nays 11, as follows:

YEAS—70.

Ashurst	Gerry	McCormick	Shields
Ball	Glass	McKellar	Simmons
Beckham	Gore	McNary	Smith, Md.
Borah	Gronna	Moses	Smith, S. C.
Brandegee	Harding	New	Smoot
Calder	Harris	Norris	Spencer
Capper	Harrison	Nugent	Stanley
Chamberlain	Henderson	Overman	Sutherland
Colt	Hitchcock	Owen	Swanson
Cummins	Johnson, Calif.	Page	Townsend
Curtis	Johnson, S. Dak.	Phelan	Underwood
Dial	Jones, N. Mex.	Phipps	Wadsworth
Elkins	Jones, Wash.	Pittman	Walsh, Mass.
Fernald	Kendrick	Pomerene	Walsh, Mont.
Fletcher	King	Ransdell	Watson
France	Kirby	Reed	Wolcott
Frelinghuysen	La Follette	Robinson	
Gay	Lodge	Sheppard	

NAYS—11.

Dillingham	Kenyon	Sterling	Warren
Hale	Keyes	Thomas	Williams
Kellogg	Smith, Ga.	Trammell	

NOT VOTING—15.

Comer	Knox	Myers	Poindexter
Culberson	Lenroot	Nelson	Sherman
Edge	McCumber	Newberry	Smith, Ariz.
Fall	McLean	Penrose	

So Mr. STERLING'S amendment was laid upon the table.

Mr. TRAMMELL. Mr. President, I was one among those upon this side of the Chamber who supported the reservation providing that the other members of the league shall not interfere with the internal and domestic affairs of our country. I believed in that policy and therefore supported the reservation carrying out the idea. I find, however, quite a few of my fellow Senators who did not think it was necessary for this country to make it plain that we were going to preserve our rights and control over our domestic problems, who are now voting to interfere in the affairs of another nation, who are proposing to settle here in a treaty a question which has nothing to do with the treaty and should not be injected into the covenant of the League of Nations. It is peculiarly a political question. You can take it in Ireland, or you can take it in England, but a political question is a political question there just as it is here in America.

I do not think that this is the place to settle the Irish question. Therefore I have opposed this reservation. Just think of the consistency of a great many in having tried to settle the Irish question in this way, who voted against settling the question in Egypt, the question in Korea, and other nations. They did not think we should have anything to do with those. I have supported the League of Nations; I have been sincerely hopeful that those who claim they were the friends of the treaty would not so cripple the broad, commendable purpose so as to make it of no avail whatever. Even some of them say now that the reservations which have been adopted defeat the main purpose and object of the league. I suppose they want to put on another reservation to help make more pronounced the defeat of the treaty. I am surprised to see those who claim to be the friends of the League of Nations forcing this Irish question at this time. Do they want to befriend the Irish or is it their purpose to kill the treaty?

In my opinion those who think that for us to defeat this reservation would be of any particular discouragement to Ireland are very much mistaken in that conclusion. I think that we should defeat it, and that we should make it plain we do not propose to have brought in here merely for political purposes something that is not relevant; that has nothing whatever to do with the question under consideration. I have always thought that the best way to avoid the possibility of defeat on a proposition that was irrelevant was to let it alone.

Who was it that brought in for consideration the question of Ireland and her independence? It was those who wanted the United States to try to influence England in agreeing to Ireland's independence. I do not propose to discuss the question of Ireland's independence one way or the other; I think the people over there are more capable of determining the question for themselves; they are more familiar with it than we on this side of the ocean can possibly be. I hope the reservation will be defeated.

Although I did not support all of the reservations which have been adopted to the treaty, in my anxiety to have the great purposes and objects that are promulgated in the League of

Nations given a trial, I have hoped that the situation would be such that I could support the resolution of ratification even with the reservations, some of which I opposed; but I submit, Mr. President, if we go on putting on additional reservations, reservations upon subjects that have nothing to do with it, we shall lessen the possibility of the League of Nations ever becoming effective. The great work done by our great President will be lost.

I appeal to those who claim that they are friends of the idea of disarmament, that they are friends of the idea of world peace, who are supposed to want to have the treaty and the League of Nations covenant left in such form that it will meet the Executive approval, not to keep on making it more difficult for us to adopt the covenant of the League of Nations and the treaty. A great many of the Senators gave as an excuse for their opposition to reservations that we should not adopt certain reservations because they would not meet Executive approval, not because they particularly disapproved of them themselves. There are a number of Senators on the floor who do not particularly disapprove of certain reservations, yet they do not want them adopted because they fear they will not meet the Executive approval. Do they think that this will meet the Executive approval, Mr. President? Do they think that they are doing something that will meet with the Executive commendation in taking up and trying to settle the Irish question? Do they not think that the Executive might have done that himself if he had thought it was proper in the preparation of the League of Nations and in framing the treaty?

My position is, regardless of the merits, one way or the other, as to whether Ireland should have her freedom, regardless of the contentions that are made, pro and con, by one element in Ireland and another contention that is made by another element that we have not anything to do with this foreign question, and that this is no place for us to try to settle the Irish issue. As a matter of fact, I do not think the Senate is the proper place to settle it, even if we were not trying to tack it on to the League of Nations, because I think we should accord to the other nations the same rights which we claim for ourselves.

We should at least be a little consistent. We have declared that we would not permit others to interfere with our internal or domestic affairs. It would be about as much of an affront, I should think, to Great Britain for us to try to settle the Irish question for them as it would to the United States if Great Britain should endeavor to settle the Philippine question for us. If she attempted to do that, there would be Senator after Senator who would stand on this floor and condemn Great Britain for her interference. I say, Mr. President, we should at least be consistent in dealing with these questions. We have said to the other nations, "When it comes to our domestic problems, we warn you now that you must 'keep off the grass.'" Let us pursue the same course in dealing with them and practice what we preach.

Mr. REED. Mr. President——

Mr. McKELLAR. I ask for the yeas and nays.

Mr. REED. If the Senate is ready to vote, I will not delay it a minute.

The PRESIDENT pro tempore. The Senator from Tennessee asks for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The question is upon concurring in reservation No. 15. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. STANLEY (when his name was called). I transfer my pair with the senior Senator from Minnesota [Mr. NELSON] to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. THOMAS (when his name was called). Making the same announcement as to my pair and its transfer as heretofore, I vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Alabama [Mr. COMER] and vote "nay."

The roll call was concluded.

Mr. MYERS. I am unable to obtain a transfer of my pair with the Senator from Connecticut [Mr. McLEAN] and therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. SHEPPARD. I wish to state that my colleague [Mr. CULBERSON] is unavoidably absent. If present, he would vote "yea."

The result was announced—yeas 45, nays 38, as follows:

YEAS—45.

Ashurst	Curtis	Gronna	Johnson, S. Dak.
Borah	Fernald	Harris	Jones, Wash.
Brandegee	France	Harrison	Kendrick
Capper	Frelinghuysen	Henderson	Kirby
Chamberlain	Gerry	Hitchcock	La Follette
Colt	Gore	Johnson, Calif.	McCormick
McKellar	Page	Shields	Walsh, Mass.
McNary	Phelan	Smith, Md.	Walsh, Mont.
Moses	Pittman	Smith, S. C.	Watson
Norris	Ransdell	Smoot	
Nugent	Reed	Stanley	
Owen	Sheppard	Sutherland	

NAYS—38.

Ball	Glass	New	Thomas
Beckham	Hale	Overman	Townsend
Calder	Harding	Phipps	Trammell
Cummins	Jones, N. Mex.	Pomerene	Underwood
Dial	Kellogg	Robinson	Wadsworth
Dillingham	Kenyon	Simmons	Warren
Edge	Keyes	Smith, Ga.	Williams
Elkins	King	Spencer	Wolcott
Fletcher	Lenroot	Sterling	
Gay	Lodge	Swanson	

NOT VOTING—13.

Comer	McCumber	Newberry	Smith, Ariz.
Culberson	McLean	Penrose	
Fall	Myers	Poindexter	
Knox	Nelson	Sherman	

So reservation No. 15 was concurred in.

The PRESIDENT pro tempore. The question now is upon agreeing to reservation No. 2.

Mr. SMITH of Georgia. Mr. President, I have offered the substitute which was offered by the Senator from North Carolina [Mr. SIMMONS] near the close of the discussion upon this subject at the time that reservation No. 2 was adopted by the Senate as in Committee of the Whole.

Mr. SIMMONS. Mr. President, I shall detain the Senate only a few moments in what I have to say with reference to this substitute for the amendment of the Senator from Massachusetts. I discussed this substitute at some length when this matter was in the Committee of the Whole. I do not think it necessary to detain the Senate long in this second presentation.

I am induced to present it a second time, because, if it shall fail of adoption, as I assume it will, I shall have laid the foundation for some amendments which I intend to offer to the substitute of the Senator from Massachusetts later, in case it shall fail of adoption; and I can just as well discuss those amendments in connection with this substitute as discuss them when I offer them separately.

Mr. President, I am afraid that Senators did not fully appreciate some of the provisions of this substitute at the time of the former vote. It was then sought on the part of Senators representing the majority to show that this substitute did not materially differ from the substitute offered by the Senator from Massachusetts. I think it very fundamentally differs from the substitute offered by the Senator from Massachusetts, but does not differ in such a way that the majority in this body can logically refrain from giving their support to it by reason of that difference.

The substitute of the Senator from Massachusetts embraces two separate and distinct propositions. The first part of that substitute declares that the United States assumes no obligation to preserve by the use of its Army, its resources, and the boycott, the territorial integrity and political independence of other nations. The second proposition in that substitute provides that the United States shall not interfere in any way in controversies between nations, including controversies relating to territorial integrity and political independence. It does not provide in the latter case that it shall not interfere by the use of its Army and its Navy and its resources, as it does in the first portion of the reservation, but it provides that in the second case it shall not interfere in any way whatsoever with controversies between other nations. It is therefore perfectly manifest that the second part of the reservation of the Senator from Massachusetts, in effect, nullifies the qualification contained in the first part of that reservation. So that the first part of the substitute of the Senator from Massachusetts is, in effect, nugatory, and his proposition stands before the Senate a bare, naked proposition that the United States shall not in any case interfere in controversies between nations, including those with reference to territorial integrity and political independence, unless Congress acts and so provides.

That is the character of the Senator's reservation. By accepting the amendment which he injected at the instance of the Senator from Idaho [Mr. BORAH], whose purpose throughout this debate has been to defeat this treaty, he has destroyed the first part of his substitute and made it innocuous and inactive and ineffective; and while his amendment is held up here as a proposition that we shall not interfere by the use of the Army and Navy, by the juggling of words suggested by the ingenuity of the Senator from Idaho and yielded to by the Senator from Massachusetts in this case, as in every case where that Senator has objected to anything that the Senator from Massachusetts proposed or wanted to do, he has destroyed that part of his reservation.

Now, Mr. President, my proposition is—and that is the fundamental difference between it and the proposition of the Senator from Massachusetts—that both as to interference with controversies growing out of questions relating to territorial integrity and political independence, and as to controversies of any other character between nations, the provision shall be that we shall not interfere with our Army or with our Navy in either case. If the Senator from Massachusetts and his colleagues upon the other side of the Chamber are willing to stand by the proposition that the United States shall not assist in preserving the territorial integrity and political independence of members of the league by the use of its Army and its Navy, why do they object in the case of interference in other controversies to the qualification as to the use of our Army and Navy without the consent of Congress? Why should they object to placing that qualification on both propositions?

Why do they object to the same qualification as to controversies relating to political independence and territorial integrity and general interference including in the language "territorial integrity and political independence"? Is there any reason why that qualification should be placed upon its interference in the one case and not placed upon its interference in the other case?

I say not. If the Senator from Massachusetts will change his amendment in that particular, and provide that we shall not assume an obligation to preserve the territorial integrity and political independence of members of the league by the use of our Army and Navy without the consent of Congress, and then add that we shall not interfere by the use of our Army and Navy, and so forth, in controversies between other nations, including those relating to territorial integrity and political independence, his reservation will appeal much more strongly to me, and I think it will appeal very much more strongly to other Senators on this side of the Chamber. I think if the Senator will change his reservation so as to place this qualification upon both classes of controversies, it will very largely tend to remove the objections which it is said are entertained against his substitute at the other end of the Avenue.

Of course, I do not undertake to say that it would entirely remove those objections, but I do believe that the chief trouble at the other end of the Avenue with reference to agreeing to this reservation arises out of the fact that it contains the broad proposition that this Government shall not interfere in any way whatsoever with controversies between other nations unless Congress so provides. I believe that if this is qualified with the language of the first part of the Lodge reservation, so as to provide that it shall not interfere in these controversies by the use of its Army and Navy, and so forth, that objection will be very largely removed.

Mr. President, I do not mean to be understood as contending that this provision of the substitute offered by the Senator from Massachusetts abrogates the great national policy known as the Monroe doctrine, but I do undertake to say that in its present form it may be, to say the very least, an embarrassment in connection with the enforcement of that great national policy which the Senators on the other side of this Chamber have, with ringing eloquence, declared and reiterated was an inviolate policy of the United States. Controversies may arise under the Monroe doctrine which are embraced under article 10, and an assault by Great Britain or by Spain or by Germany upon any of the Republics to the south of us in their efforts at colonization or in their efforts at conquest would constitute an external aggression such as is contemplated in article 10.

Yet, Mr. President, under the spirit and the letter of this reservation the United States might find itself somewhat embarrassed, at least, in a speedy effort to relieve those countries against the pressure that might be brought to bear upon them. According to the language of the reservation we assume no obligation to interfere in any way in controversies between nations under article 10 unless Congress shall so declare. Mr. President, I do not know how far it might interfere with that great doctrine, but I can see some danger in it.

The PRESIDENT pro tempore. The time of the Senator from North Carolina has expired.

Mr. LENROOT. Mr. President, the Senator from North Carolina has just stated that the amendment of the Senator from Idaho [Mr. BORAH] accepted by the Senator from Massachusetts [Mr. LODGE] destroyed this reservation, and that it was a surrender to the bitter enders.

Mr. SIMMONS. I said it nullified the first part of it. I did not say "surrender."

Mr. LENROOT. But, Mr. President, the Senator from Montana [Mr. WALSH] last Monday moved to strike that language out of the reservation and gave as his reason that it was merely a repetition; that it was all covered by the language of the Senator from Idaho. This is what he said:

> I move to strike from the substitute offered by the Senator from Massachusetts the following words, found in lines 6 and 7 of the printed copy thereof, namely, "including all controversies relating to territorial integrity or political independence." This is, to my mind, simply absurd tautology, and I must confess some surprise that such a master of English as the Senator from Massachusetts should have the thought of marring the reservation tendered by him by the introduction of this language. The original draft read:
>
> "The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination, or to interfere in any way in controversies between nations."
>
> The reservation provided that the United States would not interfere in controversies between nations, and there is no limitation on the controversies at all—all the controversies; any controversy.

And the Senator from Montana therefore moved to strike that language out as being merely repetition; and now the Senator from North Carolina says that this was a vital amendment, a surrender to the bitter enders.

Mr. SIMMONS. Mr. President, of course I know the Senator from Wisconsin does not desire purposely to misrepresent me; but my contention was that the language of the second part of the reservation practically eliminated that part of the first which relates to the use of the Army and the Navy.

Mr. LENROOT. I understand that. But the Senator did say that the acceptance by the Senator from Massachusetts of the amendment of the Senator from Idaho was a surrender of the position he had occupied.

Mr. SIMMONS. I think so yet.

Mr. LENROOT. And yet the Senator from Montana stated that there was no difference at all, that it added nothing to it, but was mere repetition; and it was mere repetition, Mr. President.

Now that we are at the last reservation, perhaps it is opportune to say that this reservation was accepted to save the faces of the bitter enders. They saw the untenable position they were in. They saw they could not make out a case of obligation under the substitute reservation, and they saw that every time they made an assault upon it, unsuccessful in getting Republican votes, they were aiding in ratifying the treaty by giving you gentlemen on the other side of the aisle an excuse to vote for ratification. So they wanted to save their faces, and the Senator from Idaho suggested that amendment in order to do so. We were perfectly willing to have the bitter enders save their faces, just as we are perfectly willing to have Senators on the other side of the aisle save their faces if they desire to do so.

Now, I want to ask the Senator from North Carolina, aside from the obligation to use our good offices, what is the difference in obligation between the substitute which he now proposes and the reservation as it stands?

Mr. SIMMONS. The difference in obligation does not exist. It is a difference in the qualification to the obligation.

Mr. LENROOT. How can there be a difference in qualification of the obligation if the obligation does not exist?

Mr. SIMMONS. I qualify the second obligation, which is that we will not interfere in controversies between other nations. I qualify that, just as you qualify the first by saying that we will not interfere with the Army, the Navy, and so on.

Mr. LENROOT. Then, may I ask the Senator, what obligation remains under his reservation that does not remain under the pending reservation?

Mr. SIMMONS. I do not pretend to say, and have not argued that the obligation was different, except as to carrying out the obligation in the one case by the Army and not in the other.

Mr. LENROOT. The Senator does not mean to say that under either of the reservations as they stand there is any obligation to employ the Army?

Mr. SIMMONS. Neither of these amendments does more than to say that the United States does not assume an obligation. The Lodge reservation says it does not assume an obligation to use the Army and Navy for one purpose, but when it gets to another purpose it leaves out that qualification as to the Army and the Navy.

Mr. LENROOT. Yes; but what is the effect of leaving out the qualification, in the Senator's mind?

Mr. SIMMONS. The effect is very great. If there is any other way by which this obligation could be enforced except by the Army and Navy, it would still exist.

Mr. LENROOT. Can the Senator think of any other way?

Mr. SIMMONS. Yes; I can think of several other ways; for instance, diplomatic interference.

Mr. LENROOT. I said "good offices." The Senator already has enumerated that.

Mr. SIMMONS. That is in my reservation.

Mr. LENROOT. Then, the Senator does not think there is any difference in the two except the obligation to use good offices?

Mr. SIMMONS. I think there is a difference. I have insisted, and all the minority members of the bipartisan conference insisted, during the whole conference, that the obligation should be qualified and limited to the use of the Army and Navy and the economic boycott, so far as they apply in this case. As to the preservation of the territorial integrity, I am contending only for the same principle that was contended for in the bipartisan conference, with reference to territorial disputes, and as to any other character of dispute.

Mr. LENROOT. As to that principle, of course, the Senator contended in the bipartisan conference that all obligations should be left upon Congress instead of upon the United States, as recommended.

Mr. LODGE. Mr. President, I know the Senate is as impatient as I am to have a vote upon this reservation. It is a reservation which, if reopened, would lead to endless debate, and unquestionably to the defeat of the treaty.

I only want to say that there is one very great distinction between these two reservations to which the Senator from North Carolina did not call attention, unless I failed to hear him. Senators will observe that in the reservation adopted by the Senate it says:

> The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations, whether members of the league or not, under the provisions of article 10—

And then comes the language—

> or to employ the military or naval forces of the United States under any article of the treaty for any purpose.

Those words are omitted from the Senator's reservation. That is an absolutely vital change.

Mr. President, I do not want to be disrespectful, but I think all Senators desire to bring this to an end. I think they are very material differences, and I am going to move to lay the amendment of the Senator from North Carolina on the table.

Mr. BORAH. Mr. President, will the Senator yield just a moment before he does that?

Mr. LODGE. Very well; I yield.

Mr. BORAH. The Senator from Wisconsin [Mr. LENROOT] has referred to the reason why the amendment offered by the Senator from Idaho was accepted. I only desire to say that, when this contest is over and the history of it is written, I will leave it to the judgment of the future to determine who have saved their faces and who have not.

Mr. LODGE. I renew my motion.

The PRESIDENT pro tempore. The Senator from Massachusetts [Mr. LODGE] moves to lay the amendment of the Senator from North Carolina [Mr. SIMMONS] on the table.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], and in his absence I withhold my vote.

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON], which I transfer to the junior Senator from Michigan [Mr. NEWBERRY] and vote "yea."

Mr. STANLEY (when his name was called). Again announcing my pair with the senior Senator from Minnesota [Mr. NELSON], I withhold my vote.

The roll call was concluded.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. In his absence I withhold my vote.

Mr. CHAMBERLAIN. I transfer my pair with the junior Senator from Pennsylvania [Mr. KNOX] to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS]; and

The Senator from Montana [Mr. MYERS] with the Senator from Connecticut [Mr. MCLEAN].

The result was announced—yeas 45, nays 34, as follows:

YEAS—45.

Ball	Dillingham	Hale	Lenroot
Borah	Edge	Harding	Lodge
Brandegee	Elkins	Johnson, Calif.	McCormick
Calder	Fernald	Jones, Wash.	McNary
Capper	France	Kellogg	Moses
Colt	Frelinghuysen	Kenyon	New
Cummins	Gore	Keyes	Norris
Curtis	Gronna	La Follette	Page
Phipps	Spencer	Wadsworth	Williams
Reed	Sterling	Walsh, Mass.	
Shields	Sutherland	Warren	
Smoot	Townsend	Watson	

NAYS—34.

Ashurst	Henderson	Owen	Smith, Md.
Beckham	Hitchcock	Phelan	Smith, S. C.
Chamberlain	Jones, N. Mex.	Pittman	Swanson
Dial	Kendrick	Pomerene	Trammell
Fletcher	King	Ransdell	Underwood
Gay	Kirby	Robinson	Walsh, Mont.
Gerry	McKellar	Sheppard	Wolcott
Harris	Nugent	Simmons	
Harrison	Overman	Smith, Ga.	

NOT VOTING—17.

Comer	Knox	Newberry	Stanley
Culberson	McCumber	Penrose	Thomas
Fall	McLean	Poindexter	
Glass	Myers	Sherman	
Johnson, S. Dak.	Nelson	Smith, Ariz.	

So Mr. SIMMONS's amendment was laid on the table.

Mr. SIMMONS. Mr. President, I wish to offer a further amendment. I move to strike out, in line 5, the words "in any way" and insert, in line 7, after the word "independence," the words "by the employment of its military or naval forces, its resources, or any form of economic boycott."

Mr. LODGE. I understand those amendments perfectly. They seem to me quite destructive of the purposes of the reservation, and if the Senator has no objection and does not desire to argue them at length I move to lay them on the table.

Mr. SIMMONS. Mr. President, I do not desire to detain the Senate in the discussion of the amendments I have offered further than to say that I am honestly and sincerely desirous of securing such a change in this vital reservation offered by the Senator from Massachusetts as would justify me in voting finally in favor of the resolution of ratification.

I can not, as I now see it, vote for that resolution if the substitute of the Senator from Massachusetts remains unchanged, because I think the substitute of the Senator is nothing more than that we shall not interfere in any controversy whatever in any way whatsoever, even by the exercise of our good offices, unless the Congress shall first so provide. I think that is going a little too far. I would appeal to the Senator to consent to this amendment, so as to put both propositions in the reservation, as it would go very far toward removing my objection to the substitute as it now stands. I would then very seriously consider whether I would vote for the resolution of ratification.

Of course, I know that my appeal to the Senator will fall upon deaf ears. I have appealed to him repeatedly during these long-drawn-out negotiations. A persistent effort has been made on the part of the friends over here to get together with the friends of the treaty on the other side. I have appealed to him to put this reservation in such a form that we could conscientiously vote for it. Twice I have supposed that we had just about reached a point where the Senator would consent to that sort of a change, when he was interfered with by the irreconcilables on the other side of the Chamber and at once he lost his courage and receded from his former position.

I had hoped that before we came to a final vote there would be a change of the anomalous situation which exists on the other side of the Chamber, a situation which I do not believe ever existed in a legislative body before, a situation in which the friends of a measure can not vote as they would like to vote because the enemies of that measure will not permit them to vote for the measure. It is a strange tying of the hands of the majority on the other side of the Chamber.

Mr. LENROOT. Will the Senator yield?

Mr. SIMMONS. I have only a few minutes. The Senator from Massachusetts is practically giving me his time and I am taking advantage of it.

Mr. LENROOT. I would like to ask the Senator if there would not be votes enough on the other side of the Chamber to ratify the treaty if President Wilson would permit it?

Mr. SIMMONS. No; I do not think this side of the Chamber allows President Wilson to control its conscience. I do not think it allows President Wilson to control its action as much as the Senators on the other side who are in favor of the treaty allow those who are opposed to it to control their consciences and their votes.

Twice we could have compromised this matter, in my judgment, and twice the friends of the treaty on the other side of the Chamber were ready to get together with the friends on this side of the Chamber, when, by reason of an iron-bound agreement of some sort, which they solemnly entered into at the very inception of this controversy, they found themselves in such position that they could not vote their own convictions unless

they got the consent of Senators who disagreed with them fundamentally and in every particular.

It is a case, as has been repeatedly stated in the newspapers of the country and as is known to every Senator here, where more than two-thirds of this body are eager and anxious to ratify the treaty, assuming that those who claim to be mild reservationists on the other side are earnest and sincere, and I do not question that. More than two-thirds of this body stand here ready and anxious to ratify the treaty, and yet the majority on the other side of the Chamber are gagged and bound hand and foot by a contract that they made with Senators whose whole purpose and object is to kill the treaty.

Mr. LODGE. Mr. President, I should like to ask if all this comes out of my time? [Laughter.]

Mr. SIMMONS. I appeal to Senators on the other side again, as I appealed the other day, and I am deeply in earnest about this matter. I will make many concessions in order to get myself in a position where I can vote for the ratification of the treaty. I think it would be a crime against civilization and against humanity not to ratify it, and I would vote for it if there were any chance for me to do so consistently with my judgment and conscience.

I appeal to the friends of the treaty upon the other side to forcibly break loose from this "body of death" and meet us halfway and let us join hands, and, shoulder to shoulder, let us do this great work for humanity. An unholy alliance from the foundation of society on this earth has never amalgamated with purity.

Mr. BORAH. Does that term apply to the irreconcilables?

Mr. SIMMONS. I leave that to the Senator's own interpretation. But here we have a great fundamental, world-wide propositon, and we find the friends and the enemies of that proposition on the other side of the Chamber in close coalition, neither being able to do anything to which the other does not agree. That is a conspiracy of death; and yet those Senators taunt us with the assertion that we are here bound hand and foot by the edict of the President, when in the face of the world they stand here, each one of them who claims to be a friend of the treaty, bound hand and foot to the enemies of the treaty. That is the situation which, were it not so tragic, would be very absurd and ridiculous.

Mr. LODGE. Mr. President, I know that the Senator from North Carolina has been thoroughly sincere in all his efforts; that I have never questioned for a moment, nor do I inquire into the motives of anyone; but let me correct him on one or two points.

There has been no conspiracy on this side from the beginning. If there had been, it would have saved one Member on this side a great deal of trouble. We have been endeavoring to act together. Those Senators who are "irreconcilables," numbering 15 or 16, are among the ablest Senators of this body, men of deep convictions on this subject, and they have exercised the influence which their numbers, their ability, and their character entitled them to wield in our councils—that and no more.

Mr. President, we can not conduct matters on this side in the way they are conducted on the other side, for we have no one to write us letters, no one to pen the word "unacceptable" across the reservations as they come up.

Mr. SIMMONS. It is not necessary that letters should be written. The Senator from Idaho has only to tell you what to do and what not to do.

Mr. LODGE. The Senator from Idaho, I have no doubt, appreciates the compliment and knows just how much it is worth.

Mr. BORAH. I wish to say to the Senator from North Carolina that he ought not so seriously to attack the Senator from Idaho when he is standing shoulder to shoulder with the President to assist him in every way he can to defeat the treaty.

Mr. SIMMONS. If any such alliance has been made, certainly I shall not assist in carrying it out.

Mr. BORAH. There is just exactly the kind of an alliance, based only on a common aim, though, of course, for different reasons; and there is just as much of an understanding between the President of the United States and myself as there is between the Senator from Massachusetts and myself in regard to the treaty.

Mr. SIMMONS. If the Senator from Massachusetts will permit me, I want to say to the Senator from Idaho that one of the great reasons why I am so anxious to vote for the resolution of ratification is that I do not wish to be allied with the "irreconcilables" in my vote on the treaty.

Mr. BORAH. I do not share with the Senator in that view. I am willing to vote with any patriot in so righteous a cause.

Mr. LODGE. Mr. President, I am extremely glad to cooperate with Democrats or irreconcilables or other Republicans on this side, with any good men, who will use their votes and their influence to prevent the imposition of this league, unprotected, upon the United States. That would be a disaster to the country, a betrayal of its future, and the longer this treaty is contemplated the worse the prospect seems.

Mr. President, we have gone as far as we possibly could. I said that we would not stand out on the President's position of not crossing a "t" or dotting an "i"; I said we would be ready to consider modifications; that we could not yield principles; but that we would not defeat the treaty on mere phraseology. We have pursued that course; we have reached the limit. I am sorry we have come to the parting of the ways with my friend from North Carolina, but the parting of the ways has come; and if Senators on the other side can not supply the necessary votes to ratify the treaty as it now stands, with the reservations as they now stand, let them beat it, and on their heads be its fate. We will take it to the tribunal of the American people, and we do not fear to do so.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from North Carolina.

Mr. LODGE. I move to lay the amendment on the table.

Mr. BORAH and Mr. REED called for the yeas and nays, and they were ordered.

The Reading Clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. FERNALD (when his name was called). Making the same announcement as heretofore in regard to the transfer of my pair to the junior Senator from Michigan [Mr. NEWBERRY], I vote "yea."

Mr. GLASS (when his name was called). Repeating the announcement I made on the previous vote as to my pair with the senior Senator from Illinois [Mr. SHERMAN], I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the junior Senator from Alabama [Mr. COMER], and vote "nay."

The roll call was concluded.

Mr. MYERS. I am unable to obtain a transfer of my pair with the Senator from Connecticut [Mr. MCLEAN], who is absent, and therefore withhold my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS]; and

The Senator from Minnesota [Mr. NELSON] with the Senator from Kentucky [Mr. STANLEY].

The result was announced—yeas 44, nays 35, as follows:

YEAS—44.

Ball.	Fernald	Keyes	Reed
Borah	France	La Follette	Shields
Brandegee	Frelinghuysen	Lenroot	Smoot
Calder	Gore	Lodge	Spencer
Capper	Gronna	McCormick	Sterling
Colt	Hale	McNary	Sutherland
Cummins	Harding	Moses	Townsend
Curtis	Johnson, Calif.	New	Wadsworth
Dillingham	Jones, Wash.	Norris	Walsh, Mass.
Edge	Kellogg	Page	Warren
Elkins	Kenyon	Phipps	Watson

NAYS—35.

Ashurst	Henderson	Owen	Smith, Md.
Beckham	Hitchcock	Phelan	Smith, S. C.
Chamberlain	Jones, N. Mex.	Pittman	Swanson
Dial	Kendrick	Pomerene	Trammell
Fletcher	King	Ransdell	Underwood
Gay	Kirby	Robinson	Walsh, Mont.
Gerry	McKellar	Sheppard	Williams
Harris	Nugent	Simmons	Wolcott
Harrison	Overman	Smith, Ga.	

NOT VOTING—17.

Comer	Knox	Newberry	Stanley
Culberson	McCumber	Penrose	Thomas
Fall	McLean	Poindexter	
Glass	Myers	Sherman	
Johnson, S. Dak.	Nelson	Smith, Ariz.	

So Mr. SIMMONS's amendment was laid on the table.

Mr. SMITH of Georgia. I move to amend the reservation by striking out, beginning with the first of line 5 down to the words "or not," in line 8, so that the reservation will read:

> The United States assumes no obligation to preserve the territorial integrity and political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination under the provisions of article 10—

And so forth.

Mr. President, let us see what the words are that I have moved to strike out. Frankly, I think them of no importance; I do not regard them as of serious consequence in connection with the reservation; but there are Senators upon this side of the Chamber

who do. I understand that the "battalion of death" regard them as important; but their support we can never get, and therefore gratifying them is no step toward the ratification of the treaty.

I wish to state why I think these words are of no importance. First, the words are:

Or to interfere in any way in controversies between nations, including all controversies relating to territorial integrity or political independence, whether members of the league or not.

I believe that nothing is left under the language preceding these words but moral influence, moral interference, moral suasion; that what is included covers all force, all money, all economic pressure.

There is nothing left that could be done except the use of our good offices to help adjust differences and prevent war. Without any obligation under article 10, I regard that as the obligation of every civilized nation—to use its influence wherever possible to dissuade disputants, to dissuade nations on the point of engaging in war from doing so; and without article 10 I believe that obligation does rest upon the United States, and, growing out of other provisions of the league covenant, I think it rests upon it; and declaring in this reservation that we will not, under article 10, assume this responsibility is really amounting practically to nothing.

I do not mind its being there, because I do not consider that it relieves the United States in any way under the balance of the treaty, wherever it can, of the obligation to interpose its good offices in the interests of peace. I think the loss of it under article 10 is immaterial, so I think the presence of it is immaterial. It will get you no votes from the "battalion of death" on the other side to keep those words in the reservation, while it may bring a number of votes to ratification on this side if the words are left out.

It is for that reason that I make the motion, and I press the proposition that it is not of real importance to those who are determined that this league shall not place obligations upon the United States of a character that involves our armies, our navies, our finances, or otherwise, except where Congress in the free exercise of its judgment upon each particular occasion as it arises determines that it is wise and proper for the United States to intervene.

Mr. LODGE. Mr. President, I am sorry I can not agree with my friend the Senator from Georgia, but I regard the lines which he proposes to take out as full of meaning and very important; and as he says he does not mind them himself, because he does not think they add anything, I will say that I think they mean a great deal, and I should mind very much having them stricken out. In fact, I am certain that the proposal could not receive support from this side, at least; and I move to lay it on the table.

Mr. REED. I call for the yeas and nays on the motion.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Massachusetts to lay on the table the amendment offered by the Senator from Georgia. On that question the yeas and nays are demanded.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. CHAMBERLAIN (when his name was called). Making the same transfer as before, I vote "nay."

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "yea."

Mr. GLASS (when his name was called). Repeating the announcement that I made a while ago, I withhold my vote.

Mr. WILLIAMS (when his name was called). I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Alabama [Mr. COMER] and vote "yea."

The roll call was concluded.

Mr. MYERS. I am paired with the Senator from Connecticut [Mr. MCLEAN], who is absent, and I am unable to obtain a transfer. I therefore withhold my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS]; and

The Senator from Minnesota [Mr. NELSON] with the Senator from Kentucky [Mr. STANLEY].

The result was announced—yeas 45, nays 34, as follows:

YEAS—45.

Ball	Dillingham	Hale	Lenroot
Borah	Edge	Harding	Lodge
Brandegee	Elkins	Johnson, Calif.	McCormick
Calder	Fernald	Jones, Wash.	McNary
Capper	France	Kellogg	Moses
Colt	Frelinghuysen	Kenyon	New
Cummins	Gore	Keyes	Norris
Curtis	Gronna	La Follette	Page
Phipps	Spencer	Wadsworth	Williams
Reed	Sterling	Walsh, Mass.	
Shields	Sutherland	Warren	
Smoot	Townsend	Watson	

NAYS—34.

Ashurst	Henderson	Owen	Smith, Md.
Beckham	Hitchcock	Phelan	Smith, S. C.
Chamberlain	Jones, N. Mex.	Pittman	Swanson
Dial	Kendrick	Pomerene	Trammell
Fletcher	King	Ransdell	Underwood
Gay	Kirby	Robinson	Walsh, Mont.
Gerry	McKellar	Sheppard	Wolcott
Harris	Nugent	Simmons	
Harrison	Overman	Smith, Ga.	

NOT VOTING—17.

Comer	Knox	Newberry	Stanley
Culberson	McCumber	Penrose	Thomas
Fall	McLean	Poindexter	
Glass	Myers	Sherman	
Johnson, S. Dak.	Nelson	Smith, Ariz.	

So the amendment of MR. SMITH of Georgia was laid on the table.

The PRESIDENT pro tempore. The question now is on concurring in reservation No. 2.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. SHEPPARD (when Mr. CULBERSON'S name was called). My colleague, the Senator from Texas [Mr. CULBERSON] is necessarily absent. If present he would vote "nay."

Mr. FERNALD (when his name was called). Making the same announcement as before of my pair and its transfer, I vote "yea."

Mr. GLASS (when his name was called). I have a general pair with the Senator from Illinois [Mr. SHERMAN]. I am told that I may transfer my pair to the Senator from Texas [Mr. CULBERSON]. This I do, and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Minnesota [Mr. NELSON] with the Senator from Kentucky [Mr. STANLEY]; and

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS].

The result was announced—yeas 54, nays 26, as follows:

YEAS—54.

Ashurst	France	La Follette	Reed
Ball	Frelinghuysen	Lenroot	Shields
Borah	Gerry	Lodge	Smith, Ga.
Brandegee	Gore	McCormick	Smoot
Calder	Gronna	McNary	Spencer
Capper	Hale	Moses	Sterling
Chamberlain	Harding	New	Sutherland
Colt	Henderson	Norris	Townsend
Cummins	Johnson, Calif.	Nugent	Wadsworth
Curtis	Jones, Wash.	Page	Walsh, Mass.
Dillingham	Kellogg	Phelan	Warren
Edge	Kendrick	Phipps	Watson
Elkins	Kenyon	Pittman	
Fernald	Keyes	Pomerene	

NAYS—26.

Beckham	Hitchcock	Ransdell	Trammell
Dial	Jones, N. Mex.	Robinson	Underwood
Fletcher	King	Sheppard	Walsh, Mont.
Gay	Kirby	Simmons	Williams
Glass	McKellar	Smith, Md.	Wolcott
Harris	Overman	Smith, S. C.	
Harrison	Owen	Swanson	

NOT VOTING—16.

Comer	Knox	Nelson	Sherman
Culberson	McCumber	Newberry	Smith, Ariz.
Fall	McLean	Penrose	Stanley
Johnson, S. Dak.	Myers	Poindexter	Thomas

So reservation No. 2, reported by the Committee on Foreign Relations, was concurred in.

The PRESIDENT pro tempore. The treaty is in the Senate and open to amendment or to further reservations. The Chair inquires now, are there any further amendments, reservations, interpretations, or suggestions to be made? The Chair hears none, and so declares that there are none.

Mr. LODGE. Mr. President, I want to say, first, that it is necessary in order to comply with the rule that we take an adjournment, because the rule provides that the resolution of ratification shall be proposed on a subsequent day, which I think requires that there should be another legislative day. Before making a motion to adjourn I am going to ask the Senate to give unanimous consent that the vote on the resolution shall be taken not later than 3 o'clock to-morrow.

Mr. LENROOT. Mr. President, I object.

Mr. REED. I hope the Senator from Massachusetts will try to get consent for some time to-morrow.

Mr. LODGE. I should be only too glad to get consent for any reasonable time to-morrow, for I know that there are Senators on both sides who have engagements of the utmost importance

to keep. Of course, there will be no amendments to vote on and no reservations. It will be a simple vote on the resolution of ratification.

Mr. McCORMICK. Will the Senator suggest 5 o'clock?

Mr. BRANDEGEE. Mr. President, may I ask the Senator from Wisconsin if there is any particular hour to-morrow that would be agreeable to him, or does he object to fixing any time?

Mr. LENROOT. I object to the fixing of any time to-morrow.

Mr. HITCHCOCK. Mr. President, let me suggest to the Senator from Massachusetts that, as a preliminary, a request be made for unanimous consent that all speeches be limited to one hour. I think there would be very few which would be of that length, and I would prefer to suggest 30 minutes, but I know of one or two Senators who would perhaps like to discuss the matter for an hour.

Mr. LODGE. I did not know there would be any speeches of an hour. Would not half an hour do?

Mr. HITCHCOCK. It would suit me admirably; 25 minutes would suit me better, and 20 minutes better still; but the Senator from Georgia [Mr. SMITH] advises me that he would like to speak for an hour. I would be willing to make the agreement that all speeches shall be limited to 30 minutes, except that of the Senator from Georgia, who might have an hour. I will make that request. I ask unanimous consent that all speeches be limited to 30 minutes, except the speech of the Senator from Georgia.

Mr. LODGE. Oh, no; we can not make exceptions.

Mr. SMITH of Georgia. I am not willing to be limited to less than an hour. I may not use that amount of time, but there is something I want to say, and under the rules of the Senate I have the right to do so.

Mr. LODGE. Unquestionably. I am very sorry that we can not get some agreement, for I know there are several Senators on both sides to whom it is of great importance to get away, and there are some Senators who are making a great effort to remain here.

Mr. HITCHCOCK. Let me suggest to the Senator from Massachusetts that an adjournment be taken until 10 o'clock to-morrow. However, I believe there is a meeting of the Foreign Relations Committee to-morrow morning.

Mr. WILLIAMS. I do not think we can meet to-morrow at 10 o'clock. There is very important business to come before the Committee on Foreign Relations to-morrow morning.

Mr. LODGE. Then I will strike a happy medium between the regular hour and the suggestions of the Senator from Mississippi and the Senator from Nebraska, and will move that the Senate adjourn until 11 o'clock to-morrow.

Mr. REED. Mr. President, is it not possible to arrive at some kind of a conclusion about the time for a vote to-morrow? Does the Senator from Wisconsin occupy the position that he will consent to no time for a vote?

Mr. LENROOT. Mr. President, if the Senator from Massachusetts will yield, I merely want to say to the Senator from Missouri that if he and his colleagues did not feel certain that this treaty would be defeated, we would have to have a cloture rule in order to shut off debate on the part of the Senator from Missouri and his colleagues.

I have no desire to delay. I am willing to have it proceed in the usual order; I am willing to have the speeches limited to an hour, but I do not agree further than that.

Mr. REED. Then I ask unanimous consent that speeches on the resolution of ratification shall be limited to an hour, and that no Senator shall be permitted to speak more than one hour in all.

The PRESIDENT pro tempore. The Secretary will state the proposed agreement.

Mr. UNDERWOOD. Mr. President, I desire to ask a question of the Senator from Massachusetts, who is in charge of the resolution. I understand that an agreement was stated on the floor that all absent Senators should be paired so as to represent their expressed views. I think that should be included in the agreement.

Mr. LODGE. No agreement can be made, Mr. President. I will say to the Senator that the Senator from Kansas [Mr. CURTIS] can tell him about the pairs. I think they are covered.

Mr. CURTIS. They are all covered except one. This side has furnished six of the pairs, and we have asked the other side to furnish two to cover one of their absentees.

Mr. UNDERWOOD. I think before we make an agreement, as this is a very vital question, we should have an understanding about the pairs.

Mr. LODGE. There has been that understanding, and every effort has been made. If the Senators on the other side will furnish us with two more, they will be covered. We have furnished six already.

Mr. UNDERWOOD. I do not think there will be any difficulty.

Mr. WILLIAMS. Pairs on the question of ratification?

Mr. LODGE. I am speaking of the double pairs.

Mr. UNDERWOOD. I think that can be arranged.

The PRESIDENT pro tempore. The Secretary will state the proposed agreement.

Mr. UNDERWOOD. Mr. President, before we enter into an agreement to vote—and I shall be glad to enter into any agreement to vote—the important question is the question of pairs, and I think the understanding should be included in the agreement. It has been done in the Senate before, and before we reach a vote an arrangement should be made, which I have no doubt can be made, that the absentees shall be paired to represent their position in the matter.

Mr. LODGE. I agree with the Senator from Alabama that that ought to be done, and it must be done. We must make that arrangement, as we did on the suffrage vote.

Mr. UNDERWOOD. If I understand from the Senator from Massachusetts that no vote will be insisted on until the pairs are made, of course, he being the leader of the majority party in the Senate, I accept that.

Mr. LODGE. I have not undertaken to make any agreement on anything, because there have been objections to everything, and I can not make an agreement on that.

Mr. UNDERWOOD. If I have an understanding with the Senator from Massachusetts, the leader of the majority party, that before we come to a final vote we will pair the absentees, then we can come to an agreement such as has been proposed.

Mr. LODGE. I can only say that that is my purpose and intention.

Mr. CURTIS. Mr. President, I wish to state that when the question of pairs came up, it was understood that the other side would furnish, or try to furnish, one-half.

Mr. WILLIAMS. Just what does the Senator mean by "the other side"?

Mr. CURTIS. The Democratic side.

Mr. WILLIAMS. This is not a question of party. The Senator means that every man who votes against the ratification will be entitled to two pairs in favor of ratification?

Mr. CURTIS. Certainly. In going over the situation we found that the other side was unable to furnish the number of pairs they thought they could. To-night we found that we on this side could furnish six of the eight required, and I have requested Senators on the other side with whom I have been negotiating for two or three days to furnish those two pairs to take care of one absentee on the other side who is away unpaired.

Mr. LODGE. Mr. President, if the Senator will yield to me a moment, I want to say to the Senator from Alabama he will see the impossibility of making an absolute agreement on that point, because in that case either side could postpone a vote indefinitely.

Mr. UNDERWOOD. I do not ask the Senator from Massachusetts to agree to something that would be impossible. As I stated before, if we have a clear understanding that before a vote shall reach its final consummation we will arrange the pairs so that the absentees may be properly represented that is all I ask. But I want that understood before we enter into any agreement.

Mr. LODGE. I can not undertake to enter into an agreement of that sort. In that case we might never reach a vote. One side or the other would have nothing to do but to refuse pairs.

Mr. UNDERWOOD. I can assure the Senator that gentlemen on this side of the aisle are just as anxious to reach a conclusion as gentlemen on the other side. The only thing I want to be sure about is that all the absentees shall be properly represented on the vote.

Mr. LODGE. I can only assure the Senator that that is my desire, and I shall do everything in my power to bring it about.

Mr. BRANDEGEE. Mr. President, replying to the Senator from Alabama, it is impossible for anybody to press the Senate to a vote. That can only be done by putting on the cloture rule, which requires a two-thirds vote. The matter of pairs, of course, is a matter for each Senator, and no unanimous-consent agreement here can compel an individual Senator to pair with an absentee if he does not want to do it.

Mr. LODGE. That is the precise point.

Mr. UNDERWOOD. I realize that, but if there is an understanding that the pairs will be furnished I think it can be arranged.

Mr. BRANDEGEE. I hope we can. If the Senator proposes a unanimous consent agreement that the other side of the Chamber shall furnish pairs and there is no objection to it

then there is the unanimous consent agreement of the Senate that that shall be done, and it is going to be done.

Mr. HITCHCOCK. If the Senator will permit me, I believe the matter is in course of adjustment. There has been some difficulty here in securing Senators who propose to vote for ratification to pair with an absent Senator who proposes to vote against ratification, but one Senator has already volunteered to do so and I think by early to-morrow morning the arrangement will be made for the other.

Mr. LODGE. Then, Mr. President, I move that the Senate adjourn until 11 o'clock to-morrow.

The motion was agreed to; and (at 11 o'clock p. m.) the Senate adjourned until to-morrow, Friday, March 19, 1920, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 18, 1920.*

The House met at 11 o'clock a. m., and was called to order by the Speaker pro tempore (Mr. WALSH).

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We invoke Thy blessing, Almighty Father, upon this legislative body, that its Members may be inspired by the clearest and most patriotic conception of the task before them, that its legislative acts may be highly conducive to peace and prosperity, that good government may more and more obtain, and our Republic become the beacon light to guide the weary, warring nations in the Old World to the better way; in Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

NORMAN E. IVES.

Mr. IRELAND. Mr. Speaker, by direction of the Committee on Accounts, I ask consideration of the privileged resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois presents a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 460.

Resolved, That there be paid out of the contingent fund of the House $1,200 to Norman E. Ives for extra and expert services to the Committee on Invalid Pensions during the first and second sessions of the Sixty-sixth Congress as assistant clerk to said committee, by detail from the Bureau of Pensions, pursuant to law.

Mr. CLARK of Missouri. Mr. Speaker, is this the usual appropriation that is made for the man who is detailed from the Pension Bureau for the assistance of the Committee on Invalid Pensions?

Mr. IRELAND. Yes. It has been the custom to appropriate $1,200 to each of these appointees from the Pension Bureau for the long session and $800 for the short session. Last year, by some mistake and for no apparent reason, the two men were given $2,600 and $2,400, respectively. This resolution contemplates only $1,200, and it is proposed to appropriate $800 for the next session.

Mr. MANN of Illinois. As I understand, this covers the present session of Congress.

Mr. IRELAND. It covers the extraordinary session and this session.

Mr. MANN of Illinois. It is usual to bring these resolutions in toward the end of the session of Congress, I think.

Mr. IRELAND. As to the exact date I am not informed.

Mr. MANN of Illinois. This will cover the balance of this session of Congress?

Mr. IRELAND. Yes.

Mr. MANN of Illinois. I do not know that it makes any difference when it is brought in, except that the man might be detailed elsewhere.

Mr. CLARK of Missouri. How did they happen to give $2,600 last year?

Mr. IRELAND. I am unable to say why that was. I think it occurred simply because they carelessly followed the resolution offered in the previous session.

Mr. CLARK of Missouri. Does this raise the amount?

Mr. IRELAND. Oh, no. It will cut it down $600 and $400, respectively, for the entire Sixty-sixth Congress.

Mr. CLARK of Missouri. These clerks earn their money, anyway.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

WAYNE W. CORDELL.

Mr. IRELAND. Mr. Speaker, by direction of the Committee on Accounts, I ask consideration of the following privileged resolution, which is of the same nature.

The SPEAKER pro tempore. The gentleman from Illinois presents another privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 462.

Resolved, That there shall be paid out of the contingent fund of the House $1,200 to Wayne W. Cordell for extra and expert services rendered to the Committee on Pensions during the first and second sessions of the Sixty-sixth Congress as assistant clerk to said committee, by detail from the Bureau of Pensions, pursuant to law.

The SPEAKER pro tempore. The question is upon agreeing to the resolution.

The resolution was agreed to.

H. M. VANDERVORT.

Mr. IRELAND. Mr. Speaker, by direction of the Committee on Accounts, I ask consideration of the following further resolution of the same nature.

The SPEAKER pro tempore. The gentleman from Illinois presents a further privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 461.

Resolved, That there be paid out of the contingent fund of the House $1,200 to H. M. Vandervort for extra and expert services to the Committee on Invalid Pensions during the first and second sessions of the Sixty-sixth Congress as assistant clerk to said committee, by detail from the Bureau of Pensions, pursuant to law.

Mr. IRELAND. I move the adoption of the resolution.

Mr. BLANTON. Mr. Speaker, I desire to ask the chairman of the Committee on Accounts a question.

Mr. IRELAND. I yield to the gentleman from Texas.

Mr. BLANTON. How many special clerks does this make for this particular committee?

Mr. IRELAND. One for the Committee on Pensions and two for the Committee on Invalid Pensions.

Mr. BLANTON. In addition to how many other clerks that they have?

Mr. IRELAND. I think they are allotted a chief clerk, an assistant clerk, a stenographer, and a messenger.

Mr. BLANTON. And they are all necessary?

Mr. IRELAND. It is so represented to our committee.

Mr. CLARK of Missouri. If the gentleman will yield to me a minute, I will explain to the gentleman from Texas about these clerks. Every pension bill introduced in the House has to be investigated and the records in the Pension Office carefully gone over. There is a general impression in the country that we pension anybody who asks for it. That is not true at all. This committee have each one of these claims investigated as to the record in the Pension Office, and there is an immense amount of work to be done, and the clerk of the Pensions Committee could not do it to save his life.

Mr. BLANTON. Mr. Speaker, the gentleman from Missouri, I think, was probably present—because he is here most of the time—when it developed a short time ago that this committee does not investigate a single one of these cases itself; that it merely takes the recommendation of the chairman of the committee, based upon the report of some clerk, as to whether each particular pension should be granted. So, after all, these clerks are doing the work that the committee are supposed to do, I presume.

Mr. CLARK of Missouri. When I first came here it happened that among other things I was put on the Committee on Pensions, and I never did harder work in my life, and no committee ever did harder work. These expert clerks detailed from the Pension Office are absolutely indispensable to the work of these two committees.

The SPEAKER pro tempore. The question is upon agreeing to the resolution.

The resolution was agreed to.

CORRECTION OF A NAME.

Mr. IRELAND. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read as follows:

Resolved, That the Clerk of the House is hereby authorized to correct the resolution (H. Res. 361) adopted by the House December 18, 1919, by striking out the word "Angeline" and inserting the word "Angela."

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. IRELAND. Mr. Speaker, the original resolution was adopted for the purpose of paying the usual amount to the widow of a deceased House employee, and when the voucher came back to the Clerk it was signed "Angela" instead of "Angeline." This is simply to correct the resolution in accordance with that fact.

The SPEAKER pro tempore. The question is upon agreeing to the resolution.

The resolution was agreed to.

THE VALUE OF SERVICE IN CONGRESS.

Mr. BRYNES of South Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing some extracts from a letter written by the gentleman from Ohio, Gen. SHERWOOD, to his home paper, on the subject of the value of service in the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The extract is as follows:

THE VALUE OF SERVICE.

Some college and high school fraternities are now debating political subjects, including the question, How long should a Congressman serve to reach his highest usefulness to his constituents? Some districts—notably the fourth Ohio—have established the two-term system on the theory that the honor should go around in order to give each of the six counties in the district the opportunity to name a Congressman. This district is now represented by the Hon. BENJAMIN F. WELTY, of Lima, who is the ranking Democratic member in the Committee on Railroads and Canals and is now on his second term. In my humble judgment a Congressman should be selected on his merit without regard to his habitation. And his value as a sponsor for his constituents depends largely upon his experience, his industry, and his ability to grasp the vital questions before Congress. Under the complicated rules of parliamentary procedure of the House of Representatives, the most complicated of any parliamentary body around the world, a new Member is hardly able to command attention on the floor of the House in debate during his first term and is not able to secure a chairmanship of an important committee under the rules until he has served at least three terms. Hence the intrinsic value to any constituency of a Member whose influence is measured by his holding an important chairmanship. During the past 75 years the South has held an important position in legislation by keeping experienced and trained Members in Congress. For instance, in the present Congress the South has 1 Member who has served 26 years continuously, 2 who have served 24 years continuously, 10 who have served 20 years, and 6 who have served 16 years. The North has a list of 60 Members who are serving their first term and a list of 70 Members who are serving their second term. The balance of the 435 Members of Congress have served two terms or more. The two longest-service Members are JOSEPH G. CANNON, of Illinois, 44 years, and FREDERICK H. GILLETT, of Massachusetts, Speaker, 28 years.

ARMY REORGANIZATION BILL.

Mr. KAHN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12775, the Army reorganization bill.

The SPEAKER pro tempore. The gentleman from California moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army reorganization bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TILSON in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916.

SEC. 44. That section 89 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 89. Animals for National Guard: Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase, under such regulations as the Secretary of War may prescribe, of animals conforming to the Regular Army standards for the training of the National Guard, said animals to remain the property of the United States and to be used solely for military purposes.

"The number of animals so issued shall not exceed 32 for each battery of field artillery or troop of cavalry, and a proportionate number for other mounted organizations, under such regulations as the Secretary of War may prescribe; and the Secretary of War is further authorized to issue, in lieu of purchase, for the training of such organizations, condemned Army animals which are no longer fit for service, but which may be suitable for the purposes of instruction, such animals to be sold as now provided by law when said purposes shall have been served."

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. The other day I offered an amendment providing for compulsory universal military training of the citizens of America of the prescribed age of 19 years. At that time I stated that it was practically the proposition made by the gentleman from California [Mr. KAHN]. There were some differences of view among men in favor of universal military training. I hold an opinion that the matter should be amended in certain respects, and in order that my views on the subject, or rather the modifications I had in mind may be set out in debate, I would like to have them printed in the RECORD as a part of my remarks.

Mr. KAHN. The gentleman has the right to do that under the order of the House.

Mr. CALDWELL. I understand I have the right to do it, and I was doing it under that right.

Mr. McKENZIE. Will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. McKENZIE. Will this be practically in line with the speech which the gentleman made in general debate?

Mr. CALDWELL. I hope so.

Mr. McKENZIE. I desire to say that if the gentleman will examine the Chicago Tribune of Tuesday last he will find an editorial commending the gentleman's effort very highly.

Mr. CALDWELL. I thank the gentleman for calling my attention to it.

The following is the extension referred to by Mr. CALDWELL:

"SEC. —. Military training of citizens: Beginning with the fiscal year 1923 the Secretary of War is directed to provide for the military, physical, and vocational training and education of persons hereinafter designated, who shall be inducted into the Army for this purpose and shall not be counted as a part of the enlisted strength of the Regular Army. The period of training shall be four months, with such additional time as may be necessary for enrollment, mobilization, and demobilization, and may, with the consent of the individual, be extended for a further period of not exceeding two months. Persons undergoing training shall receive transportation, clothing, laundry, shelter, subsistence, and medical attendance, and pay at the rate of $5 a month.

"Beginning with the fiscal year 1923 an annual registration shall be made of all male citizens of the United States who during the calendar year of registration will attain the age of 19 years and who reside within the continental limits of the United States, Hawaii, Porto Rico, and the Panama Canal Zone, with the exception of persons on active duty in the Army, Navy, Marine Corps, National Guard, or Coast Guard. In order to carry out the provisions of this section relative to registration and induction so much of the provisions of the act of May 18, 1917, entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States' as may be necessary and appropriate are hereby extended and made applicable for this purpose. The President shall make regulations necessary to carry out the provisions of this section, and shall fix the compensation of members of local and district boards and their necessary employees.

"There shall annually be inducted in the Army for training, first, persons between the ages of 17 and 21 years who have had no service in the Army or training under the provisions of this section who are physically qualified for enlistment in the Regular Army and who enlist voluntarily for training; second, all persons registered in that year, with the exception of those mentally, morally, or physically incapable of profiting by such training, those in a status with respect to persons dependent upon them for support, which renders their exemption advisable, as may be prescribed by regulations, and members of the Army Reserve; third, all persons registered in the next preceding calendar year who are exempted from training under the provisions of this section and in whose case the cause for exemption has ceased to exist.

"*Provided*, That no exemption shall be granted to any person of the prescribed age who shall upon his examination by the local board be found unable to read, write, or speak the English language, except said inability is caused by reason of mental or physical defect, nor shall an exemption be granted to any such person found to be suffering from a physical defect or disease which military training or treatments would be expected to overcome: *And provided further*, That the period of training herein provided for shall be at such time in the year as will, in the opinion of the local board, least interfere with business, industry, agriculture, and education in the locality.

"The Secretary of War shall appoint a civilian superintendent for each post, camp, and cantonment where military training is undertaken pursuant to the foregoing provisions who shall have such power of supervision, control, regulation, and review as the Secretary of War may from time to time generally or specifically delegate to him."

The Clerk read as follows:

SEC. 46. That section 109 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 109. Pay for National Guard officers: Captains and lieutenants belonging to organizations of the National Guard shall receive compensation at the rate of one-thirtieth of the monthly base pay of their grades as prescribed for the Regular Army for each regular drill or other period of instruction authorized by the Secretary of War, not exceeding five in any one calendar month, at which they shall have been officially present for the entire required period, and at which at least 50 per cent of the commissioned strength and 60 per cent of the enlisted strength attend and participate for not less than one and one-half hours. Captains commanding organizations shall receive $240 a year in addition to the drill pay herein prescribed. Officers above the grade of captain shall receive $500 a year, and officers below the grade of major, not belonging to organizations, shall receive four-thirtieths of the monthly base pay of their grades for satisfactory performance of their appropriate duties under such regulations as the Secretary of War may prescribe. Pay under the provisions of this section shall not accrue to any officer during a period when he shall be lawfully entitled to the same pay as an officer of corresponding grade in the Regular Army."

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. In the early part of this bill I made a few remarks on the question of transportation of the Army and the matter of the organization of a transportation service. Friendly criticism is always valuable, and particularly when it is constructive. It so happens that this morning's Washington Post has a friendly criticism of the Republicans on their attitude, and under the leave granted to me to extend my remarks——

Mr. MADDEN. I object to that; it does not give leave to print an editorial.

Mr. CALDWELL. If the gentleman objects to printing an editorial from a Republican newspaper, all right. I think I have the right——

Mr. MADDEN. I do not think the gentleman has the right; I do not care what the newspaper is.

Mr. McKENZIE. Will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. McKENZIE. I desire to ask the gentleman if it is not true that he also favored giving rank to nurses in addition to favoring the support of a transportation corps?

Mr. CALDWELL. Yes.

Mr. McKENZIE. And the editorial comments on that.

Mr. CALDWELL. Yes.

Mr. LITTLE. I would like to call the attention of the gentleman to the fact that there are no newspaper men in the press gallery.

Mr. CALDWELL. That makes no difference; I want to put it in the RECORD, which has the largest circulation of any newspaper in the country.

Mr. MANN of Illinois. The gentleman from New York made some remarks in the House the other day, and although I think there were no newspaper men in the press gallery at the time, I notice that the greatest paper in the world, the Chicago Tribune, commented on the gentleman's remarks in a very favorable and complimentary editorial. I hope the gentleman will look it up.

Mr. CALDWELL. I thank the gentleman.

Mr. LITTLE. I think that paper has a representative in Congress, so they always know what is going on.

Mr. WOOD of Indiana. Mr. Chairman, I move to strike out the last word. Mr. Chairman, within a few days the Committee on Military Affairs will translate the bill we are now proposing to enact into law into dollars and cents. At that time we will have some idea of the cost of this reorganized Army to the taxpayers of the United States. I think, perhaps, it is well at this juncture to call the attention of the committee to a situation now exising in the city of Washington that will be aggravated if some of the proposals in this bill are finally enacted into law, and especially the so-called Sanford amendment.

We have in this city to-day 722 officers of the Regular Army. Their average monthly base pay is $300 a month, or a total of $216,000. Their average commutation of quarters is $75 a month, or $54,150. Longevity pay $75 a month, or $54,150. Heat and light $25 a month, or $18,650, or a total of $342,950 a month, which for the year amounts to $4,115,400.

In addition to these officers of the Regular Army we have in the city of Washington 1,090 emergency officers. Their average base pay per month is $200, or a total of $218,000 per month. Their commutation of quarters is $50 per month, or a total of $54,500 per month. Their longevity pay is $10 a month, or $10,800. Their average heat and light is $20, or a total of $21,800, making a total monthly pay of $305,100, and a total for one year of $3,665,200.

The total for the Regular Army officer and emergency Army officer in the city of Washington is $7,780,600. The average clerk hire for these officers is $1,500 per year, and I expect if the truth were known that it is twice $1,500 per year; but making the calculation of $1,500 per year for clerk hire for these officers it amounts to $2,718,000, making a grand total of $10,498,600. I am informed by officers of long experience, not only in the city of Washington but throughout the country and abroad, that 200 men would be amply sufficient to discharge all the official duties incumbent upon officers of the Army in the city of Washington.

If this is correct and allowing these 200 officers the same base pay, the same commutation of quarters, the same longevity pay, the same heat and light, given to Regular Army officers first mentioned, the total expenses of these officers and the clerk hire will amount to $1,140,000 per year. Deducting this from the total expenditure of $10,498,600 it would leave $9,058,600, which is practically thrown away. Now, if these officers are not needed, and I am convinced they are not needed in the city of Washington, and they are certainly not needed anywhere else or they would be taken some place else, we are to-day paying for this aristocratic Military Establishment that they may live in the city of Washington more than nine and a half million dollars of the people's money that had better be thrown away for this reason, that in addition to the expense I have called attention to they have established here quartermaster corps furnishing food products, clothing, and so forth, to these officers and their families practically at cost with a sufficient amount above cost to cover overhead expense, and that means the employment of hundreds of men to conduct those quartermaster establishments.

It means the employment of many trucks to deliver the goods, with chauffeurs to run those trucks, and, in addition to that, these officers, most of them—I dare say the majority of them—to-day are running at the expense of the Government an automobile, together with a chauffeur, so that the items I have called attention to in all probability would not cover half the expense incident, if you please, to these Army officers in the city of Washington who are here performing no good purpose, are absolutely useless, so far as conducting business is concerned. Not only that, but they are occupying, of necessity, together with their families, quarters in apartment houses and rented houses scattered all over the city, if you please, that could better be used for people who do have to stay in Washington in the performance of their duty.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOOD of Indiana. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WOOD of Indiana. In consequence, they are making the cost of living of the citizens of the city of Washington higher than otherwise in the increased cost of rent and everything else pertaining to life. Now, then, I call the attention of the committee to this fact, in order that you may know something that is going to transpire if this bill is enacted into law: If the so-called Sanford amendment is permitted to remain as a part of this bill, it will mean another increase of officers, not only in the city of Washington but all over this country. At every one of these little posts, of necessity, there must be established an independent and separate construction officer, together with all of his deputies and clerical hire, that will swell, if you please, this army of officers far beyond what it is to-day. So it is worth while, I think, in considering what our action shall be in the final determination of this thing, what it means in cost when we provide for a force of 376,000 men, when there is not expected ever to have an Army of more than 180,000, with a complement of officers twice as great as an Army of this size requires. Is it not time we should halt and take notice of what we are doing and that we shall consider the expense we are entailing on the people in carrying out such a program?

Mr. ANDREWS of Nebraska. Can not we have the record disclose these facts from official sources?

Mr. WOOD of Indiana. I have it right here, so far as this roster of Army officers is concerned; and, in addition, they are so numerous that they have gotten out an independent telephone directory of the city of Washington showing the number of the telephone and where they live as large as the telephone directory of an ordinary city.

The CHAIRMAN. The time of the gentleman has again expired. Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. MADDEN. Mr. Chairman, I rise to oppose the amendment. Mr. Chairman, I am heartily in accord with the recommendations made by the provisions of the bill just read in respect to the compensation to be paid to the National Guard, and in this connection I wish to call the attention of the committee to a few facts which have been disclosed to me in a letter just

received from a man who served at the front. We have a great deal of agitation for increased compensation for men in the Army and Navy just now, and it might be interesting if I should read a letter which I just received for the information of this body, as I think it will be illuminating, and I think the letter, perhaps as strongly as anything else could, indicates the fact that there is no necessity for increasing the compensation of these men in the Regular Establishment to keep them in the service. This letter is dated the 14th of March. I am not going to use the name of the man who wrote it. He says:

Sitting in my local union hall this afternoon I heard about 20 men discussing recent events in Congress, and unanimously you were acclaimed for your fearless and patriotic talk recently on increased compensation for Government employees versus taxes. Chicago must be proud of its Representative from the first Illinois district.

[Applause.]

We hope to elect Representatives of like patriotic caliber from Maryland.

Mr. YATES. What is the reference to other Members?

Mr. MADDEN (reading):

Mr. OLNEY is impregnated with the virus of Army, Navy, Marine Corps, Coast Guard, Public Health Service increase-of-pay propaganda.

[Applause.]

I desire to say right here that Mr. OLNEY injected remarks in a speech of mine the other day, and I expect that is why reference is made to him.

Those five services wear uniforms and propagandize together, for any special legislation benefiting one of them is sooner or later made applicable to the other four. He is a member of the Military Affairs Committee and could easily learn that the large number of officers resigning are mostly—90 per cent—reserve officers whose private affairs demand their attention, and entered the service only for the period of the war.

Mr. CALDWELL. Will the gentleman yield?

Mr. MADDEN. No; not now.

Mr. CALDWELL. Right there——

Mr. MADDEN. I decline to yield. He says:

They should have been released before now, just as Regular officers who were promoted from one to five grades on the temporary lists should have been demoted before now, and for like reason (economy's sake) thousands of civil employees should have been separated entirely from the Government service.

The very small number of Regular Army and Navy officers who have resigned—Representative OLNEY and Senator WADSWORTH to the contrary notwithstanding—will in no wise affect the services. Some few resigned because of lucrative positions outside, some because of grouches, and some because they could not pass pending examinations.

It is regrettable that there has been so much legislation in behalf of compensation for our Army and Navy that members of committees pertaining to those affairs think of only the base pay. One of the members of our union has a brother who is a major in the Regular Army and is 34 years old. He says that a lieutenant commander in the Navy gets the same pay as his brother, and some perquisites, excepting horse feed——

Mr. MONDELL. Of the horse marines? [Laughter.]

Mr. MADDEN. He says:

excepting horse feed. He was not dead sure about "horse feed," because he says Marine Corps officers get "horse-feed" allowance and generally the Navy get whatever the Marine Corps does, and vice versa. His brother, the major, is in charge of an ammunition depot——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I ask for five additional minutes or such time as I may need to finish the reading of this letter.

The CHAIRMAN. The gentleman from Illinois asks five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. He says:

His brother, the major, is in charge of an ammunition depot, and has one sergeant and two privates under him and six or more civilian employees. So, this mighty major has a "battalion" of nine men. He lives in a $21,000 brick house, built at taxpayers' expense, and has fuel and electric light and water furnished free. At the depot is a five-passenger touring car (and chauffeur) for "Government use only," but, however urgent, no one but the major or his family rides in it. His duties—signing reports, typed by the sergeant—require as much as 10 minutes on some days. His pay is the following:

Annual base pay	$3,000
Longevity (10 per cent for every 5 years' service, including 4 years at Military Academy—he graduated 12 years ago)	900
Provender for two horses (which are used by his children—the major can not ride)	432
Total compensation	4,332

Taking into consideration his duty and age, it does not appear the major "should worry." He isn't; for he is sensibly economical, and with savings from his salary is buying real estate here in Baltimore. Now, remember, by act of Congress this major pays no income tax whatever, because all officers are exempted whose salary is less than $3,500, and in addition he is allowed the exemption of $2,000 for a married man—a total of $5,500.

Yes; that is true; that is the law.

He says further:

Were not the major living in a War Department residence, he would be allowed $720 annually for rent and about $250 for fuel and lights. If his rent and fuel and lights were only half those amounts, he nevertheless would be paid $970 in cash. When traveling he receives 8 cents per mile. He has been ordered to Presidio Barracks, Calif., three times in two years, each trip netting him a nice sum. For service outside the United States, he receives another 10 per cent; and if he enters the Aviation Service he will receive 50 per cent additional. At all times he receives medical attention, medicines, and hospital privileges free. And if at any period of his career he is no longer able to function, he goes on the retired list at three-quarters pay.

There are scores of generals and admirals—most of the former who never saw a division of troops and most of the latter who never commanded a fleet—are drawing more pay to-day than are Members of Congress. Those men don't deserve—yea, don't need—an increase of 31 per cent in salaries. The salary list of our Army and Navy needs revision downward!

Mr. KAHN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: On page 60, line 20, after the word "Army," insert: "*Provided*, That section 9 of an act amending the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States, approved May 18, 1917,' approved August 31, 1918, shall also apply to the purchase of uniforms and accouterments and equipment for cash by officers of the National Guard and National Guard Reserve whether in State or Federal service, on proper identification, and under such rules and regulations as the Secretary of War may prescribe."

Mr. KAHN. Mr. Chairman, this amendment simply extends to National Guard officers the right to purchase from the Government their uniforms and accouterments.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MONDELL. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MONDELL. I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Wyoming is recognized.

Mr. MONDELL. Mr. Chairman, I do not know what our Military Establishment is going to cost. I am afraid it is going to cost more than the American people want to pay. The naval appropriation bill has just been introduced, carrying, I believe, $425,000,000. That is approximately $225,000,000 below the estimates—$225,000,000 below what the department wants and insists upon—and yet it is nearly half of the total annual expenditure of the Government prior to the Great War. The Army bill will come in in a few days. I do not see how it is going to be possible to keep that bill much below $400,000,000, and I am afraid it will go above that before we get through. Eight hundred million dollars to $850,000,000 seems to be about the least sum we can bring our military expenditures within for the coming fiscal year. No nation ever expended such sums prior to the World War in time of peace for its military establishment. Imperial Germany in its palmiest days of preparation never spent that amount. Of course, it costs us very much more to do the same thing in a military way than it costs anyone else, and I am not complaining about that. We do not have the same standards, thank God, that some other people have been compelled to live under. We have heard a good deal about the inadequacy of Army pay, and yet the pay of our commissioned personnel has always been much higher than that of any other army in the world. And I am not complaining about that. Just now we are being asked, among other things, to increase that pay very greatly, increases that would add to this military expense anywhere from $60,000,000 to $90,000,000 annually. If we agree to the increases that are asked, and if the naval bill shall not be reduced below what it now carries, and if the Army bill shall be kept as low as we hope it will, we shall be looking forward to a military expenditure running close to $900,000,000 in the days when we are talking about leagues of nations and peace treaties and peace on earth and good will to men generally.

Mr. KAHN. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman from California.

Mr. KAHN. Does the gentleman believe that the League of Nations, even if it were adopted, would prevent war?

Mr. MONDELL. I do not know. I am not as wise as a lot of people claim to be. I do not know. I do not think that the League of Nations that has been proposed would prevent war; no. You can not avoid war by inviting yourself into participation in the settlement of the quarrels of all the world; but I do not want to discuss it at this time. God knows we have problems enough of our own here without taking up what are, for the time being, other folks' problems. But I want to call attention to our problems, our own problems. Do the best we can, reduce the administration's estimates by half, and we are facing a military program at the time when men are hoping and praying for peace threatening to cost within 10 per cent of the total cost of running all of the Government establishments prior to the outbreak of the Great War.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Now, Mr. Chairman, I do not know how much of this we can avoid. But I have said what I have to call attention to the fact that we keep adding to and adding to and adding to and adding to these costs a little at a time—a little at a time—without appreciating it, and in ways that, I am frank to say, it is a little bit difficult for one to oppose or criticize. Now, we are proposing to add a little more right here, just a little more; nobody knows just how much. It is a curious thing that when we talk about the pay of the officers of the Army——

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. In a moment; when we talk about the pay of the officers of the Army we seldom take into consideration the benefits which they secure through their opportunities to trade at the quartermaster stores; and yet that privilege, for a man having a family of five, in my opinion, must be worth from $500 to $1,000 a year.

Mr. HULL of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes; in a moment.

Mr. HULL of Iowa. We do not sell at cost at these Army stores. We sell below actual total cost. We sell at the exact wholesale cost at the time and place of purchase.

Mr. CALDWELL. Plus.

Mr. MONDELL. Plus nothing.

Mr. CALDWELL. Plus 3 per cent.

Mr. KAHN. Plus 10 per cent.

Mr. MONDELL. When?

Mr. KAHN. Always.

Mr. MONDELL. I want to be accurate. Is there any plus?

Mr. CALDWELL. Yes. There is a plus.

Mr. MONDELL. What is it?

Mr. CALDWELL. My understanding is that it is 3 per cent. The gentleman from California may be right. It is either 3 or 10 per cent. I think it is 3 per cent.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KAHN. I want to state that I was at the stores here in Washington a few days ago and asked the very question, whether any of the material was sold at actual cost, without any increase, and I was told, no; that there was an advance over the actual cost.

Mr. MONDELL. Well, now, that may be; but I doubt it. My understanding is the regulations provide for sales to officers at original cost. I think that in the main these articles are sold for exactly what they cost at the place of purchase, without transportation added, without consideration of loss or deterioration, and without charge for the handling or the delivery of the goods. Now, there may be a very slight per cent put on, but if there is, it is very inconsiderable, and it is a wonderful advantage. Just go to one of these stores and price their goods. I happen to be familiar, through friends who have the good fortune to be able to trade at these stores, with the fact of the very low prices which they pay for things compared with the ordinary retail price.

Now, recently we have enlarged that privilege to include the purchase by officers of their uniforms. Now we are are proposing to extend that privilege to the officers in the National Guard. I do not see how you can very well put that plan into operation as a practical matter. The National Guard is scattered all over the country. Unless we are going into the business of establishing Government stores all over the country, in which we shall sell to privileged people at cost, I think we had better begin to carefully consider what we are doing.

The other day on a conference report, and without any discussion, we gave the privilege of purchase of the Quartermaster Department to the Coast Guard. There are no Army stores in the vicinity of the Coast Guard. It will entail a large additional expense. If the pay of the Coast Guard is not high enough, let us raise it, increase it, but these unconsidered ways of increasing pay, these additions here and there, are very, very questionable. I do not know how much they amount to or how much they cost.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Wyoming has again expired.

Mr. MONDELL. If I may have two minutes more I will yield.

Mr. McKENZIE. You can answer my question in one minute.

Mr. MONDELL. I ask for one minute, Mr. Chairman.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. McKENZIE. I simply wanted to call to the attention of the gentleman from Wyoming the fact that the pending amendment does not have anything to do with these stores. It has reference to the uniforms of the officers in the National Guard.

Mr. MONDELL. The purchase of uniforms at wholesale from the Government.

Mr. McKENZIE. It simply puts them on the same basis as officers of the Regular Army.

Mr. MONDELL. That is what I said.

Mr. McKENZIE. It does not require any stores.

Mr. MONDELL. Perhaps you can handle goods without stores. Let us strike out the word "stores" if the gentleman does not like it. There must be some place where these goods are handled. If the word stores is not proper in military parlance I will strike it out; but somewhere these goods have to be handled, and they cost money. I do not know where it is going to stop. I am not opposing this particular extension of privilege, for I am not sufficiently informed to do so, but I would like to know about how much additional cost it will entail. Nobody knows, and in the words of a song very popular just now, nobody seems to care.

The CHAIRMAN. The time of the gentleman from Wyoming has again expired.

Mr. KAHN. Mr. Chairman, I would like to be recognized.

The CHAIRMAN. The gentleman from California is recognized.

Mr. KAHN. Mr. Chairman, the statement was frequently made on this floor before we got into the World War that wars past and preparation for wars to come cost the taxpayers of this country 70 per cent of all the taxes paid into the Treasury of the United States. That was probably true, but we failed to properly prepare our country against war, and in the 19 months of war in which we were engaged we have had to pay $33,000,000,000, a sum so staggering that the taxpayers of this Nation are groaning under the burden.

We recognize the fact that the cost of our Military Establishment and our Naval Establishment in this country is infinitely greater than it is in any other country on earth, because we give our officers and men much larger pay than is received by those in the armies of the other countries. In the European nations the pay before the war to the average soldier was from 2 to 5 cents a day, except in England, where he was paid practically $8 a month. We paid our enlisted men $15 a month before we got into the war. Does anyone want our officers and men to be treated niggardly? Does not everyone recognize that we must, in order to uphold our position as a Nation, uphold our national honor and prestige, maintain our Military and Naval Establishments on a scale commensurate with our position in the world? God knows I am as much opposed to war as any man on this floor. I do not want war. I have seen what occurred in Europe. God forbid that anything of that kind should ever happen in this country.

We speak of the cost; unfortunately we always refer to monetary costs; but we do not refer ordinarily to the 80,000 young Americans who sleep the sleep everlasting on foreign soil because their country was unprepared to defend its rights. [Applause.] We do not mention the 206,000 men who were wounded, 80,000 of whom are practically crippled for life, and who have a right to expect this country to make proper compensation for their losses. That is going to run, in my opinion, into the hundreds of millions of dollars in the future, all due to our unpreparedness.

Mr. CLEARY. Mr. Chairman, may I ask the *gentleman* a question?

Mr. KAHN. Yes.

Mr. CLEARY. How about all the people who were killed in the German Army? They were prepared, were they not?

Mr. KAHN. Yes; they were prepared.

I want to call the attention of the gentleman from New York to the fact that for 43 years Germany had no war. It was a peace period that was much greater than the peace period of the United States. It was a much greater peace period than was known by France, or England, or Russia, or Italy, or any of the other powers of Europe.

Mr. WINGO. Will the gentleman yield for a question?

Mr. KAHN. Yes.

Mr. WINGO. Does the gentleman mean to convey the impression or make the argument that he believes the Prussian military system maintained the peace of Europe for 43 years?

Mr. KAHN. No; far from it. I have never believed in the Prussian military system and I do not now. I differentiate greatly between that system—which by the way is also followed by France and by Holland and by quite a number of other countries in Europe—and a system of universal training

such as I favor. I have never maintained that we ought to establish the Prussian system in this country.

Mr. WINGO. Will the gentleman yield for one other question?

Mr. KAHN. Yes.

Mr. WINGO. What particular factor in the Prussian preparedness was it that maintained peace?

Mr. MANN of Illinois. The gentleman simply stated the fact.

Mr. KAHN. In the first place Germany upbuilt her industries and maintained her army, and no other country in Europe dared attack her.

Mr. WINGO. So the gentleman thinks the maintenance of a large army by Germany prevented other countries attacking her?

Mr. KAHN. I said that Germany was prepared to defend her rights, and that no country in Europe interfered with her rights for 43 years.

Mr. WINGO. The question on which I want to get the gentleman's judgment is what particular factor of Prussian preparedness maintained the peace of Europe.

Mr. MANN of Illinois. The gentleman did not make that argument.

Mr. WINGO. If the gentleman from Illinois will maintain his soul in patience, he is not the only Member of the House. I am entitled to some information from the chairman of the Military Affairs Committee. I am not arguing with the gentleman from California. I am getting his judgment as to what particular feature of German preparedness it was that the gentleman thinks maintained European peace? The gentleman from California has given study to the subject. What particular factor in your opinion was it that made other nations afraid to attack her?

Mr. KAHN. We know that Germany had an army that was able to defend her rights, and no other nation in the world attempted to interfere with her rights.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. OLNEY. Mr. Chairman and members, I am in favor of the amendment offered by the chairman of the committee.

In view of the fact that in a letter sent to the distinguished gentleman from Illinois by a member of a certain local union, I was criticized by some of the local members of this union for advocating increases in pay for the officers of the Army, Navy, and Marine Corps of the United States and the Public Health Service, I wish to explain my position to those gentlemen and to the Members of the House.

I have always been consistent in advocating remedial conditions and legislation for all Government employees, whether they were letter carriers or officers in the Army and Navy. I have also advocated increases, too, for the enlisted men. The salaries of officers in the Army and Navy have been stationary since 1908, 12 years, and if their salaries were fair at that time and the cost of living has increased at least 100 per cent since then, you can not consistently deny them what is advocated in the Wadsworth bill, a reasonable increase of not more than 33 per cent.

Mr. BLACK. Will the gentleman yield for a question?

Mr. OLNEY. Yes.

Mr. BLACK. How much additional pay do officers in the Army get by reason of their seniority in service? I understand their pay is raised so much for a certain number of years' service. I do not recall the law on that.

Mr. WINGO. Ten per cent every five years.

Mr. BLACK. We have no such rule as that in civilian employment. Does not the gentleman think that makes a good deal of difference?

Mr. OLNEY. No; I do not consider it so. Furthermore, statements have been made here that this increased pay would involve an extra appropriation of three or four hundred million dollars. As a matter of fact, as far as the Army officers go, it means an extra appropriation of about $25,000,000, and as to the Navy, Army, Marine Corps, and Public Health Service, it means a total increase in appropriations of $59,000,000. My good friend from Michigan [Mr. KELLEY], an able member of the Committee on Naval Affairs, I understand has this matter under consideration, and immediately after this bill is completed will take up the increase for officers of the Army, Navy, Marine Corps, and the United States Public Health Service.

As I have said, my position is absolutely consistent. I have advocated, aided, and assisted in placing upon the statute books practically all laws fathered by NOLAN and other Members establishing remedial conditions for all Government employees. I was a member of the original minimum-wage commission of Massachusetts, which placed the minimum-wage law on the statute books of that State, which takes care of the wages of all industry, particularly oppressed. Therefore I think I am entirely consistent in advocating not only increased pay for all Government employees, and remedial conditions for them, but also for those men who guide the machinery of government.

Mr. KAHN. Mr. Chairman, I move that all debate on this section and amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from California moves that all debate on this section and all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. LITTLE. Mr. Chairman, this is an amendment to put the National Guard officers on the same footing as the Regular Army officers, and I think it ought to pass. That does not indicate that I am opposed to the spirit of economy, or that I am in favor of any Prussian military system, which is the subject of this debate. The gentleman animadverts eloquently to the fact that we spent some $30,000,000,000 in this war, and he tells us that 80,000 young Americans were killed, and his argument is that if we had had preparedness they would not have been killed. I fail to see the logic of that. A man gets killed just as quickly if he is prepared as he does if he is not if an enemy bullet hits him. I do not think the gentleman from California [Mr. KAHN] really meant that. That would be an insult to the intelligence of the House, to presume that the war would have produced less than 80,000 deaths of American soldiers if we had been prepared. If Germany had not been prepared we would not have lost 80,000 men, and Germany would not have lost 800,000 men. But there is another feature of his argument that I want to address you on. He calls attention to the fact that we were not prepared like Russia was, like Austria was, like Germany was, or we would have had the splendid results that they have achieved. Millions upon millions spent for 50 years, and look at the magnificent achievements of their mighty armies! Their victories star the skies, and their flags float in the air of every capital—do they? Look at the splendid results in Russia! From end to end of that mighty Empire, where every man was trained and prepared for war, peace and quiet reign, peace and security are in every household, peace and quiet in every village—thanks to the preparedness of the Czar. What is actually the outcome of Russian preparedness?

Every man in Russia to-day is a fighting man, and every one of them is fighting. There is no man doing anything else, as far as anybody can learn. [Laughter.] No man dares raise his hand anywhere for any sensible purpose but some dictator at St. Petersburg sends a soldier to arrest him. Lenin's soldiers were drilled by the Czar. With them he enforces his decrees, confiscates all property, conscripts all labor, and breaks up all homes. The gentleman wants us to prepare an army for some Lenin here.

Look at Germany. They had a Government of brilliant geniuses with thousands of soldiers trained for 50 years, and now it is hammered down and toppled in the dust. We might have the same result if we spent millions on the same plan. Their trained soldiers marched in Berlin two days ago, overthrew their Republic, and they fight in the streets of 100 cities to-day.

Look at Austria. If it had not been for that big army they raised in Austria by 50 years of preparedness, you would not find the millions of her people knocking at your door begging for a crust of bread for their babies. Look at Austria, look at Russia, look at Prussia, and yet men come here and tell us that if we will spend our billions as they did, upon armies instead of putting the boys to work, we would be better off. Great God! What are they thinking of? Are we non compos mentis, that men come here with such talk? This is the Congress of the United States, and we are sent here to legislate for a hundred millions of people, and yet men come here before us on the very morning that the telegraph wire tells us that in Prussia, where men were prepared and trained for war, they are marching up and down the streets destroying the Government, killing the workmen, and in response the workmen have struck and put a stop to business all over the land as the result of the military system. And yet men come here and want us to spend our money in the same way. Has it come to this, that our intelligence is to be presumed upon? You could hear the knocking at the doors as you rose this morning, of the German military dictator overthrowing government, as did the prepared veterans of Bonaparte and Monk. But yesterday you could hear the roar of their guns as they rattled down the streets of Berlin. But yesterday you could hear the people rise up, fighting with bare hands, and stamping down a rebellion in order to put back a representative government. And yet men come here this morning and tell us

that we ought to get ready to do the same thing. This country is a whole lot better prepared for war than for peace right now. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. MANN of Illinois. Mr. Chairman, I think the gentleman from Kansas [Mr. LITTLE] somewhat misapprehended what was meant by the gentleman from California in what he said to the House. I am not a militaristic man, but I am inclined to think that if Germany had believed at the time the war situation became acute and the President called Congress in special session for the purpose of declaring war, that if Germany had believed at that time that this country was prepared to put a large army into the field within the course of several months peace would have been declared before we ever sent a man across the water, on terms quite as favorable as were finally entered into. [Applause.]

The gentleman from Massachusetts [Mr. OLNEY] a moment ago, advocating an increase in the pay of commissioned officers of the Army and Navy, laid down what appeared to be a most logical proposition—that the pay was the same now that it was 12 years ago, and if fair at that time it must be much too small because of the increase in the cost of living.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN of Illinois. No; not now. That looks like a logical proposition on its face, but it neglects to take into account a most important feature which certainly must have occurred to every Member of the House and to every one of the commissioned officers, and which I have not heard referred to in debate.

The Navy, with the coming of war and the preparation for war, has been tremendously enlarged, so that every man in the Navy, practically, among the commissioned forces has received an advance in rank and grade and pay on account of the enlargement of the Navy. Under the old normal conditions a man might remain a second lieutenant in the Navy quite a while, and as first lieutenant a long time, and if he ever got to be a captain before he was retired he was probably in luck. Now these men who were second lieutenants will soon be captains in the Navy with a very great increase of pay as well as of rank.

And by this Army bill, which proposes materially to increase the number of commissioned officers in the Army, a man who is now in the lower grade will soon be commissioned to a much higher grade, and thereby have not only the rank but his pay and emoluments largely increased. It is not the normal condition. They get an increase in pay from what they would have got under normal conditions. There were many men in the Army for years before the proposed enlargement who had received but little in the way of promotion. All of these men will receive decided promotion much more quickly than they would have received it under normal conditions. That is a proper thing to take into consideration when discussing the question of salaries for commissioned officers.

Mr. CRAGO. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. CRAGO. We still have just as many second lieutenants and first lieutenants in the Army as we ever had.

Mr. MANN of Illinois. Oh, but they are younger men.

Mr. CRAGO. And they are still men who have to live and maintain their families.

Mr. MANN of Illinois. Most of the second lieutenants do not have families. Everywhere else we take into consideration the length of service and the age of people when considering their pay, and these men who were in the service 12 years ago, to whom the gentleman refers, will all be paid very much higher salaries after this reorganization bill becomes a law.

Mr. CRAGO. The individuals will; yes.

The CHAIRMAN. The time of the gentleman from Illinois has expired. All time has expired. The question is on the amendment offered by the gentleman from California, which, without objection, will be again reported.

There being no objection, the Clerk again reported the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 47. That section 110 of said act be, and the same is hereby, amended by striking out the first paragraph and inserting the following in lieu thereof:

"SEC. 110. Pay for National Guard enlisted men: Each enlisted man belonging to an organization of the National Guard shall receive compensation at the rate of one-thirtieth of the initial monthly pay of his grade in the Regular Army for each drill ordered for his organization where he is officially present and in which he participates for not less than one and one-half hours, not exceeding five in any one calendar month: *Provided*, That no enlisted man shall receive any pay under the provisions of this section for any month in which he shall have attended less than 60 per cent of the drills or other exercises prescribed for his organization: *Provided further*, That the proviso contained in section 92 of this act shall not operate to prevent the payment of enlisted men actually present at any duly ordered drill or other exercise: *And provided further*, That periods of any actual military duty equivalent to the drills herein prescribed (except those periods of service for which members of the National Guard may become lawfully entitled to the same pay as officers and enlisted men of the corresponding grades in the Regular Army) may be accepted as service in lieu of such drills when so provided by the Secretary of War."

Mr. KAHN. Mr. Chairman, I offer the following committee amendments, which I send to the desk.

The Clerk read as follows:

Page 61, line 5, after the word "five," insert in lieu thereof the word "eight."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the other committee amendment.

The Clerk read as follows:

Page 61, line 6, after the word "month," insert the words "and not exceeding 60 drills in one year."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KAHN. Mr. Chairman, I move that all debate upon this section be now closed.

Mr. CALDWELL. Will the gentleman reserve that for a moment, until I can submit a request for unanimous consent?

Mr. KAHN. Very well.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent to print the article to which I referred this morning, it being a friendly criticism of the bill which we are about to complete.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting therein an editorial from the Washington Post of this morning. Is there objection?

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

Mr. WINGO. Mr. Chairman, reserving the right to object——

Mr. BLACK. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Texas objects.

Mr. KAHN. Mr. Chairman, I renew my motion that all debate upon this section do now close.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

Mr. DENT. Mr. Chairman, will the gentleman from California yield?

Mr. KAHN. Has the gentleman from Alabama an amendment which he desires to submit?

Mr. DENT. I hope the gentleman will not make that motion at this time. I have a five-minute speech on this bill that I want to get rid of, and then I am through with it.

Mr. KAHN. May I suggest to the gentleman that he take the time on the next section?

Mr. DENT. Very well.

Mr. KAHN. Mr. Chairman, I move that all debate on the section do now close.

Mr. LITTLE. Mr. Chairman, can not I get the floor to move to strike out the last word?

The CHAIRMAN. The gentleman from California has a right to move that debate close. The question is on the motion of the gentleman from California.

Mr. LITTLE. Then I shall have to make the point of order that there is no quorum present, if we can not have free debate upon this.

The CHAIRMAN. The gentleman from Kansas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and ten Members present, a quorum. The question is on the motion of the gentleman from California to close debate upon the section.

The question was taken, and the motion was agreed to.

The Clerk read as follows:

SEC. 48. That section 111 of said act be, and the same is hereby, amended by adding thereto the following: "Upon the discharge from the military service of the United States of any enlisted man of the National Guard drafted into the Army under the provisions of this section, or of any other law, he shall, unless released by the State, resume his membership in the militia, and shall be held to service in the National Guard for that portion of his enlistment which had not been completed at the date of his draft."

Mr. KAHN. Mr. Chairman, I offer the following amendment——

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 61, line 21, after the words "Sec. 48," strike out all of lines 21, 22, 23, 24, and 25, and on page 62, all of lines 1, 2, 3, and 4, and insert in lieu thereof the following: That section 111 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 111. National Guard when drafted into Federal service: When Congress shall have authorized the use of the armed land forces of the United States for any purpose requiring the use of troops in excess of those of the Regular Army, the President may, under such regulations, including such physical examination as he may prescribe, draft into the military service of the United States, to serve therein for the period of the war or emergency, unless sooner discharged, any or all members of the National Guard and of the National Guard Reserve. The status of all persons so drafted shall be changed automatically on the date such draft takes effect from service under the dual oath to an exclusive United States service. On the termination of the emergency, all former National Guard officers and men shall be relieved from service under the draft, and upon being relieved shall revert automatically to their previous National Guard status, and shall be credited on their National Guard service for all time served in the Army of the United States. They shall from said date of draft be subject to such laws and regulations for the government of the Army of the United States as may be applicable to members of the Army, and shall be organized into units corresponding as far as practicable to those of the Regular Army or shall be otherwise assigned as the President may direct. The commissioned officers of said organization shall be appointed from among the members thereof; officers with rank not above that of colonel to be appointed by the President alone, and all other officers to be appointed by the President by and with the advice and consent of the Senate. Officers and enlisted men while in the service of the United States under the terms of this section shall have the same pay and allowances as officers and enlisted men of the Regular Army of the same grades and the same prior service."

Mr. KAHN. Mr. Chairman, I may say that this amendment is intended to take the place of section 48 as printed in the bill. The purpose is to enable the National Guard organizations to revert to their former status at the end of any war or emergency. Under the national-defense bill and existing legislation the National Guard organizations were drafted into the service of the United States, and when they were discharged from that service they went out of existence. Of course, in many States it proved to be a very serious matter. It is the hope of the committee that by the adoption of this section, if the National Guard organizations in the future are drafted into the service of the United States, that immediately they are discharged they shall begin operation again under their enlistment as National Guard in the various States from which they came. The committee felt that this was an exceedingly important provision, and that it ought to be adopted.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. KAHN. Yes.

Mr. McKENZIE. The amendment, however, provides that the length of service as the guardsman renders to the Federal Government shall be counted on his period of enlistment in the National Guard.

Mr. KAHN. That is very true.

Mr. MANN of Illinois. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. I ask for two additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN of Illinois. The language in the bill was "shall be held to service in the National Guard," and so forth.

Mr. KAHN. Yes.

Mr. MANN of Illinois. I think that is not in the proposition now proposed—that is, in that language.

Mr. KAHN. It is not put into the——

Mr. MANN of Illinois. That would put a man back into the National Guard who had been discharged because a leg was lost.

Mr. KAHN. The amendment proposed to put a man who has been discharged from his Federal service back into the National Guard for the balance of the period of his National Guardsman enlistment.

Mr. MANN of Illinois. Well, is it regardless of what he is discharged for? He might be discharged because he had been stealing and court-martialed.

Mr. KAHN. Of course, if he has been discharged for any reason of that kind he would not go back into the National Guard.

Mr. MANN of Illinois. He would under the terms of the bill.

Mr. GREENE of Vermont. If my colleague will allow me, that deals with the discharge from the service of the unit and not the personnel.

Mr. MANN of Illinois. It says, "drafted from the military service." It does not make any difference how he is discharged.

Mr. CALDWELL. Mr. Chairman and gentlemen of the committee, I was not present at the committee meeting this morning when this committee amendment was agreed to. The proposition covered by this amendment, however, was discussed in the committee one day when I was present. The trouble with the amendment is that the drafters of the amendment have forgotten we have a Constitution, or at least they have disregarded it whether they have forgotten it or not. The Constitution of the United States provides that the militia shall be forever under the control of the States, and the National Guard is about all the militia we have. Now, this amendment seeks to put the militia in the Army and when you get through give it back to the States. You can not do that under the Constitution. When the United States Government wants the militia, we draft it and take it away from the States. We can draft a man because he has blue eyes or because he has red hair, or because he is 6 feet 2 inches tall, or for any other reason we please. We have a perfect right to say that we will draft every man enlisted in the National Guard and we will take them, but we have not any constitutional authority to do what this amendment proposes to do.

Mr. McKEOWN. Will the gentleman yield?

Mr. CALDWELL. In a moment. If you pass this amendment, you are going to destroy the National Guard section of the national-defense act. You have already torn up the Army, you have thrown away your reserves and refused to train your citizenry, and now under this amendment you are trying to destroy the National Guard. I now yield to the gentleman.

Mr. McKEOWN. Do the National Guard members have any choice under this proposed amendment to express their wishes as to whether they shall go into the Army or not?

Mr. CALDWELL. No.

Mr. McKEOWN. Do not they do that now?

Mr. CALDWELL. As I was saying——

Mr. GREENE of Vermont. If the gentleman will permit, when a man is enlisted in the National Guard for his first enlistment and subsequent reenlistments he takes a dual oath to support his State and the National Government.

Mr. CALDWELL. He takes a dual oath that he will support either one——

Mr. GREENE of Vermont. Both.

Mr. CALDWELL. Yes; but the trouble is the oath is unconstitutional, too.

Mr. GREENE of Vermont. But it seemed to work first rate——

Mr. CALDWELL. Because the men who joined the National Guard did so because if there was going to be fighting they were willing to stand by their oath, but there is not anything in the Constitution——

Mr. MANN of Illinois. Will the gentleman yield?

Mr. CALDWELL. I have yielded over here.

Mr. McKEOWN. I want to know whether or not this amendment would preclude giving an opportunity to the national guardsman to make his election when he went into the national service?

Mr. CALDWELL. As I understand this amendment it provides, first, that when a man gets into the National Guard he takes a dual oath, and when we get into war he will be drafted by the President and put into the war. When he gets through with the war, whether he has been fed up in the service or not, it makes no difference whether his condition has changed and he is needed at home, he goes back to the National Guard whether he will or no, and I say that is unconstitutional, and you are destroying the National Guard in trying to do it.

Mr. MANN of Illinois. I was inclined to think just what the gentleman has just said in reference to the original provision of the bill. The National Government can not determine about enlistments in the National Guard or service?

Mr. CALDWELL. No, sir.

Mr. MANN of Illinois. But when we read the amendment which was offered that did rather cover the subject——

Mr. CALDWELL. I do not think it does. I am of the opinion the amendment would make the whole National Guard organization unconstitutional. If this House wants to destroy the National Guard, they can vote for the amendment.

Mr. DENT. Mr. Chairman, I do not wish to be interrupted during my five minutes.

Mr. Chairman and gentlemen of the committee, I shall oppose this bill and, if I have the opportunity and can get recognition for that purpose, I shall make a motion to recommit it to the Committee on Military Affairs. I would like, therefore, at this time to state specifically some of the reasons why it is impossible for me to support this measure in its present form. They are as follows:

First. Under this bill the composition of each arm and branch of the service is left to executive authority, the surrender of a right Congress has heretofore always exercised.

Second. The bill fixes the total number of officers, leaving their assignment with restrictions as to the total number in each arm or branch to War Department discretion.

Third. The bill gives a much larger number of officers to the General Staff in Washington than any exigency in peace can possibly require.

Fourth. The number of officers provided for in the bill is far beyond the increase in the enlisted strength.

Fifth. The percentage of higher officers is too large. It provides for 4 per cent of colonels and 4½ per cent lieutenant colonels, whereas 2 per cent and 2½ per cent would be sufficient.

Sixth. The difference in the number of officers under this bill and the Senate bill, which provides for universal compulsory training, is only 348.

Seventh. The staff corps or department provisions simply fix the number of officers in grades from highest to lowest, so that one corps or department may be overloaded with officers of high rank and another with subordinate officers. To illustrate—not that I am charging that it will be done—in The Adjutant General's Department there are 100 officers in grades from colonel to captain. Under this section—and it applies to the other sections of the bill—there may be 96 colonels, 1 lieutenant colonel, 1 major, and 1 captain. This may not be done, but why grant such authority which may result in favoritism? This authority may apply to the Judge Advocate General's Department, the Inspector General's Department, the Ordnance, the Signal Corps, and so forth, and so on.

Eighth. When we reach the sections relating to the Infantry, Cavalry, and Field and Coast Artillery we find that the total number of officers and men is fixed in each grade from the highest to the lowest, but with authority in the War Department to organize one at the expense of the other and to fix a large number of higher rank in one branch of the service to the detriment of another. Under this bill the Infantry has 4,200 officers in grades from colonel to second lieutenant. The Infantry could be organized so as to have 1 colonel, 1 lieutenant colonel, 1 major, and all of the other 4,200 officers as captains, first and second lieutenants, provided there are sufficient places for the total number of colonels.

Ninth. Then we reach section 23 with its provisions for filling vacancies, providing for promotions, the classification of officers, and so forth; we find it is as long as the moral law, and I doubt if anyone really understands its effect. The single list is a beautiful idea, and if it could be put into practical effect I would support it. You can not correct the inequalities of the past. If a single list is ideal, then let it begin from now on, so as to give promotion according to length of service.

Tenth. I have some objections to the miscellaneous sections, but I understand the committee will offer amendments to correct them. I also object to several other features of the bill, but it is unnecessary now to mention them.

Now, Mr. Chairman, I wish to say that if I get recognition for the purpose of offering a motion to recommit the bill, I should like very much to make a specific motion providing specific objections to the bill, but I find when I undertake to write a motion of that kind that there are so many specific objections that I would be undertaking to rewrite the bill in the form of a motion to recommit, and I therefore think that it is far better that the bill be sent back to the Committee on Military Affairs of the House for further consideration. I have concluded at the present time that that is a better form of motion. and if the House should happen to adopt it every Member who votes to recommit would not thereby be confessing that the balance of the bill is correct. I shall move to recommit the bill at the proper time to the Committee on Military Affairs of the House in view of the various objections that I have to many of its features. [Applause.]

Mr. McKENZIE. Mr. Chairman, I shall not detain the committee, but I want to call your attention to the matter suggested by the gentleman from New York [Mr. CALDWELL] on the amendment that is now pending in relation to the National Guard. The purpose of that amendment is to aid the National Guard. Under the law we have the power to call a National Guard regiment into the service. When the war is over they are discharged from the service, and in many of the States we found ourselves without any National Guard. The national guardsmen of a number of the States are desirous of having this done, but, after all, the power will remain in the States. But I do feel that as a matter of courtesy to the members of the National Guard who are called into the Federal service, while they are serving their country their places ought not to be taken by other officers who may be commissioned by the governor in their absence, and when they come back find their places taken. I feel that they should have the option, at least; that is all this does.

Mr. HARRELD. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. HARRELD. Where do you get your authority for saying that when the National Guard are mustered out of the Federal service they are also then mustered out of the National Guard?

Mr. McKENZIE. I am not talking about the authority. I am merely stating the fact that this was done.

Mr. HARRELD. Unless there is a provision to that effect in the national defense act——

Mr. CRAGO. They stand discharged.

Mr. HARRELD. Then, Mr. Chairman, I can see the importance of this amendment, and I shall vote for it.

Mr. CALDWELL. Mr. Chairman, I will ask the gentleman from Illinois to state whether he is familiar with the decision of the Supreme Court in construing the provision of the Constitution of the United States, which prescribes that the powers of Congress are, among other things, "to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress"? I will ask the gentleman if that opinion of Mr. Justice Washington does not oppose, flat-footed, this proposition?

Mr. McKENZIE. That was before the national defense act was passed; but we decided to pass what we deemed to be a practical military program, regardless of the decisions of the Supreme Court or anybody else, and in my judgment we acted properly.

Mr. CALDWELL. The gentleman no doubt will remember that in the Sixty-fourth Congress, when the Hay bill was under consideration, the question was raised, with Mr. Secretary of War Garrison before the committee, as to whether or not this Congress had the authority to do this very thing that you are trying to do with this amendment, and it was there agreed by that committee that we could not do it, and consequently we passed the statute as it appears in section 111 of the national defense act.

Mr. McKENZIE. I ask unanimous consent to insert, as a part of my remarks, two letters bearing on the subject of military service.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to insert the letters referred to. Is there objection?

There was no objection.

Following are the letters referred to:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Wednesday, March 17, 1920.

Maj. Gen. HARRY L. ROGERS, Quartermaster General,
Director of Purchase and Storage, United States Army,
Washington, D. C.

MY DEAR GENERAL: 1. As you know, the Secretary of War has recently reiterated his previous recommendations that all construction work for the Army should be turned over to the Corps of Engineers in the reorganization bills now under consideration by Congress. Your views are requested for presentation to the military committees of the Senate and House upon this matter.

2. It is regarded as advisable to have this work of construction and the major maintenance work involving important alterations of structures placed under the Corps of Engineers, in order to prevent overlapping and duplication of construction activities in peace and war, and to furnish this most valuable means of training for our Engineer officers in peace for their construction duties in war. It is believed that this work should be turned over to the Corps of Engineers and the operation of utilities left with the various services principally concerned therein; for instance, the utilities within the arsenals by commanding officers thereof, those within the posts, such as bakeries, fire protection, laundries, and so on, by the post quartermaster, as was done previous to the war.

3. I am firmly convinced that the consolidation of the various activities of transportation, motor transport, finance, and operation of utilities at posts under the Quartermaster will be far more advantageous and economical than the present multiplicity of agencies with their unnecessary overhead and expense.

Yours, respectfully,
LANSING H. BEACH,
Major General, Chief of Engineers.

—

MARCH 17, 1920.

Maj. Gen. LANSING H. BEACH,
Chief of Engineers, United States Army, Washington, D. C.

MY DEAR GENERAL: I am pleased to acknowledge receipt of your letter of the 17th instant, in which you voice the opinion that the consolidation of the various activities of transportation, motor transport, finance, and the operation of utilities at posts, under the Quartermaster Corps, will be far more advantageous and economical to the Government than would be the separation of these activities, with the consequent unnecessary overhead expense.

I have carefully considered the suggestion contained in the second paragraph of your letter, and in view of the recent recommendation of the Secretary of War, I am of the opinion that the interests of the service will be as well served if all original and new projects of construction work formerly carried on by the Quartermaster Corps and lately by the construction division were turned over to the Engineer

Corps. This would leave with the Quartermaster Corps the handling of all utilities and maintenance at Army posts and depots and other activities of the Quartermaster Corps.

For the sake of economy and the utilization of supplies and personnel already available in the Quartermaster Corps at Army posts, depots, and other activities of the Quartermaster Corps, it is deemed essential that maintenance and repairs and utilities at such places should be, as heretofore, included in the duties of the Quartermaster Corps.

The necessity for the operation of utilities being left with the bureau or service responsible for the activity is beyond argument. The functions which have been recently ascribed to utilities officers of the construction division are absolutely essential at both arsenals of the Ordnance Department and depots of the Quartermaster Corps, as part of the responsibility of the commanding officers thereof in the economical and efficient management of their plants.

Yours, respectfully,

H. L. ROGERS,
Quartermaster General, United States Army.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to revise and extend my remarks on the bill.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 50. That said act be, and the same is hereby, amended by inserting after section 127 a new section, to be numbered 127a, and to read as follows:

"SEC. 127a. Miscellaneous provisions: Hereafter no detail or assignment of an officer shall carry advanced rank, except as otherwise specifically provided herein.

"Officers now carried as additional numbers shall be included in the numbers provided for by this act, and shall no longer be additional, and any officer hereafter appointed, under the provisions of law, to a grade in which no vacancy exists, shall be an additional number in that grade until absorbed, and no longer.

"In time of war retired officers may be employed on active duty, in the discretion of the President, and when so employed they shall receive the full pay and allowances of their grades.

"The President is authorized to detail not more than five officers of the Medical Department for duty with the military relief division of the American National Red Cross.

"Authority is hereby given to the Secretary of War to grant permission, by revocable license, to the American National Red Cross to erect and maintain on any military reservations within the jurisdiction of the United States buildings suitable for the storage of supplies, or to occupy for that purpose buildings erected by the United States, under such regulations as the Secretary of War may prescribe, such supplies to be available for the aid of the civilian population in case of serious national disaster.

"In determining relative rank and increase of pay for length of service, and, in the case of officers of the Regular Army, in determining rights of retirement, active duty performed while under appointment from the United States Government, whether in the Regular, provisional, or temporary forces, shall be credited to the same extent as service under a Regular Army commission.

"In time of war any officer of the Regular Army may be appointed to higher temporary rank without vacating his permanent commission, but all other appointments of officers in time of war shall be in the Officers' Reserve Corps.

"Unless special assignment is made by the President under the provisions of the one hundred and nineteenth article of war, officers of the Regular Army holding temporary commissions in any grade, and reserve officers on active duty in that grade, shall all take rank according to date, which, in the case of an officer of the Regular Army, is that stated in his commission, and, in the case of a reserve officer, is that on which he was placed on active duty in that grade. When dates of rank are the same, relative rank shall be determined by length of active commissioned service as an officer of the United States, and when length of commissioned service is the same, by age.

"Any officer of the Regular Army who has held the permanent grade of colonel on the active or retired list and who has heretofore held a higher grade than that of colonel in the temporary forces of the United States during the World War may, in the discretion of the President, when retired, have the rank and retired pay of the grade next higher than that held by him in the Regular Army at the time of his retirement.

"Hereafter any retired officer who has been or shall be detailed on active duty shall receive the rank, pay, and allowances of the grade, not above that of colonel, that he would have attained in due course of promotion if he had remained on the active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed to active duty since his retirement.

"When any member of the National Guard becomes entitled, for a continuous period of less than one month, to Federal pay at the rates fixed for the Regular Army, whether by virtue of a call by the President, of attendance at school or maneuvers, or of any other cause, he shall receive such pay for each day of such period, and the thirty-first day of a calendar month shall not be excluded from the computation."

Mr. KAHN. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The gentleman from California offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. KAHN: Page 62, line 11, after the word "detail," insert "rating."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. KAHN: Page 62, line 12, after the word "herein," insert "*Provided*, That in lieu of the 50 per cent increase of pay provided for in this act any officer or enlisted man upon whom the rating of junior military aviator, or military aviator, has heretofore been conferred for having specially distinguished himself in time of war in active operations against the enemy shall, while on duty which requires him to participate regularly and frequently in aerial flights, continue to have the rank, pay, and allowances and additional pay provided by the act of June 3, 1916, and the act of July 24, 1917."

Mr. KAHN. Mr. Chairman, the purpose of this amendment is to allow six or seven officers in aviation who have earned these ranks in actual conflict with enemy fliers to continue under the proposed law with their rank and extra allowances.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. MANN of Illinois. Are these sections of the law repealed by this act?

Mr. KAHN. Yes. There are only eight officers involved.

Mr. MANN of Illinois. I understand; but the language of the amendment would not give them what the gentleman wants to do. I move to insert the word "now."

Mr. KAHN. I accept that amendment.

The CHAIRMAN. Will the gentleman indicate where that could be inserted?

Mr. MANN of Illinois. This act, when it takes effect, repeals these former provisions. If you refer to these acts, what you mean to refer to are these acts which existed before they were amended; but they are still acts after they are amended. They may not both be amended.

Mr. KAHN. Those acts provided for this additional rank and pay for these flying officers who came into actual conflict with enemy flyers.

Of course, the war being over, there will be no other officers of that rank created.

Mr. GREENE of Vermont. Will my colleague yield?

Mr. KAHN. Yes.

Mr. GREENE of Vermont. Really the effect of the thing is that certain men have under existing law been given a grade from which they will be demoted if this bill passes without amendment.

Mr. KAHN. Yes; unless this amendment is agreed to.

Mr. GREENE of Vermont. Therefore, this amendment is simply intended to prevent the demotion of the only people who apparently, from our study of the subject, will be demoted by the passage of this bill.

Mr. KAHN. Yes.

Mr. MANN of Illinois. I offer an amendment.

The CHAIRMAN. Does the gentleman from California yield the floor?

Mr. KAHN. Yes.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois to the committee amendment: Insert after the word "pay" in the next to the last line of the committee amendment the word "now."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

Mr. CONNALLY. Mr. Chairman, during the consideration of this bill I have been somewhat active in debate and have occupied the floor rather frequently, but my course has been dictated by a sincere desire to contribute what I might to framing a measure which while meeting the military needs of the United States would make more democratic the Army, would not place onerous and oppressive taxation upon the people, nor would contain the germs of the military spirit which too often in the history of the past has begotten dreams of conquest or established military caste or inspired devotion to warlike ambitions. It has been deeply gratifying to me that five amendments to the bill proposed by me so appealed to the judgment of the House that they were approved and adopted.

As we are now about to come to a vote upon the measure, I solicit your indulgence that I may briefly point out the course which, it seems to me, is sanctioned by wisdom and the national welfare. Under the terms of the bill authorization is made for an Army of 299,000 enlisted men and 17,820 officers, and 1,575 warrant officers constituting a grade between the enlisted men and officers. The total authorized strength of the Army if fully recruited would be 318,395 officers and men.

It is estimated that the maintenance of such a force will cost the United States from $450,000,000 to $600,000,000. This sum equals one-half of all of the annual expenditures of the Government of the United States prior to the war, including the maintenance of the Army, the Navy, the Coast Guard, the Government departments, and all of the varied activities of the Federal Government.

My own view is that the bill should be returned to the Committee on Military Affairs with instructions to the committee to report a bill so drawn as to provide for an Army of not exceeding 200,000 enlisted men and not exceeding 14,000 officers. A reduction in personnel of that magnitude will save to the people of the United States annually $150,000,000 to $200,000,000 in taxes. The grinding burdens of taxation are even now, though borne cheerfully and patriotically by the mass of our people, proving hazardous to the commerce, industry, and agriculture of the United States. The staggering sums expended in the prosecution of the war constitute a debt of honor and must be repaid. The billions of dollars borrowed from the people of the United States by the sale of Liberty bonds must be redeemed with interest by the Government. Each Liberty bond, whether owned by the rich investor or purchased by the citizen of modest means as an act of patriotism at the sacrifice of comfort and convenience, each war-savings stamp of the frugal housewife, each thrift stamp of the ragged little newsboy, bears upon its face the solemn covenant of our country. That covenant as to everyone, even unto the utmost penny, must be fulfilled. The Government must, of course, raise the necessary funds for the redemption of its debts by taxation. With this great volume of indebtedness to be discharged, the most rigid economy should be practiced by the Congress in appropriating the public moneys.

Is it not worth while to save $150,000,000 to $200,000,000 to the taxpayers? Let me ask the Republican leader, the gentleman from Wyoming [Mr. MONDELL], who has repeatedly announced that his party, now in control of both the House and Senate, stands for economy in public expenditures, if a clear-cut, tangible, apparent, and real saving of $150,000,000 to $200,000,000 annually would not afford more convincing proof of economy than mere verbal professions, mere declarations, and high-sounding phrases unaccompanied by acts of real retrenchment?

An Army of 200,000 enlisted men and 14,000 officers will provide a military force larger than any ever heretofore provided in time of peace in the history of the Republic. Under the national defense act of 1916, enacted when war threatened, a peace-time Army of only 175,000 men was authorized. An Army of 200,000 men and 14,000 officers will constitute a force almost twice as large as the size of the Army actually in service at the outbreak of the war. Then the world was in arms, with drums beating and flags fluttering; now it lies battered and bleeding from its suppurating wounds. With the nations of Europe struggling desperately to maintain themselves even in peace, with their resources paralyzed and wasted, with their credit so shattered as to render difficult the reestablishment of their industries, to say nothing of maintaining war establishments, there is little portent that America and her sons will soon be challenged to grasp their weapons and march out on the fighting fields to defend American rights.

An Army of 200,000 men and 14,000 officers will provide a force entirely sufficient to police our overseas possessions, defend the Mexican border, man the coast defenses, and garrison the Panama Canal Zone, and insure an ample number of men and officers to train the National Guard and the Reserve Officers' Training Corps at the approved schools and colleges, and a force will always be at hand commensurate with the national needs in times of peace.

The World War demonstrated that no great power can depend solely upon its regular army in time of war. The reserve, composed of the entire man power of the Nation of military age, must ever constitute the great reservoir of strength upon which the United States must rely if ever again it should become engaged at arms with one of the great powers. Germany and Russia and France, though each maintained large standing armies prior to 1914, found that such forces, though great as compared to those of Great Britain and the United States, could not meet their military needs in the martial contest that devastated the continent of Europe and hungrily devoured millions of men. They had to fall back upon their reserves. Just as the United States wisely resorted to the draft on the declaration of war, so it must once more if ever another issue of such moment or a danger so imminent as those we then faced shall force us again to draw the sword. It is absolutely impracticable to maintain a standing army commensurate with war purposes without establishing a military system as odious and intolerable as those against which we have hurled our thundering denunciations since first our institutions were fashioned and our political ideals defined.

Then it may be said that the functions of the army in peace time are to defend the border posts, police the overseas possessions, garrison the Panama Canal Zone, man the coast fortifications, train the National Guard and the reserve, and afford a nucleus around which a larger force may be built up when a threat of war may appear. These purposes may be properly served by an army of the proportions already indicated.

There are objections to details of the bill other than the size of the force authorized which may with justice be urged. One feature to which attention is directed is the increase in officers in the higher grades—colonels and generals. Under its specific terms there shall be 21 major generals of the line and 11 of the staff, and 46 brigadier generals of the line and 14 of the staff. Among this number are 22 staff positions carrying with them the rank of general officer, which may be filled by appointment of colonels of the line or the staff instead of detailing general officers for such duties. It will thus be observed that 92 general officers may be appointed. Under the present law only 60 are authorized. Ten major generals are to be designated as commanders of divisions, when, gentlemen of the House, in times of peace there will probably never be mobilized at one place a force of more than one-half a division.

However, the 10 division commanders will receive the rank, pay, and emoluments of office, though the divisions which they are theoretically to command may be scattered throughout a half-dozen Army posts. So it is with 18 brigadier generals who are provided to command brigades. Before the war, I am told, there were only three posts in the United States at which organizations as large as a brigade were stationed. Yet the bill creates 18 brigadier generals to command brigades which in part will exist only on paper. Few of the division and brigade commanders will have any useful service or function to perform. The bill should have provided that such officers, when not in actual command of divisions or brigades mobilized at posts or operating as tactical units in the field or in training, should be detailed as chiefs of bureaus, for other staff duty, or duty at the Army service schools where the junior officers are to be trained and instructed. The division and brigade commanders mentioned do not include the 9 major generals who are to command territorial departments. To anyone who has served in the Army it will not be necessary to suggest that each time a general is created by law two other commissioned officers must be created to act as his aids-de-camp. Their chief duties are more of a personal and social character than of a military nature. When one general officer is created, not only are two aids also to be created, but under existing military practice enlisted men must be found to act as orderlies to the general and his aids. Other officers will likewise be detailed to act as division and brigade staff officers. The increase in the number of major generals and brigadier generals builds up an expensive and ceremonious overhead machinery larger than can profitably be employed. I also cite the fact that the bill largely increases the percentage of field officers over previous military legislation. I call attention to the following table appearing in the report of the committee:

The following table shows for purposes of comparison the percentages in each field grade and the total for all field grades:

	Line of Army at present.	Medical Corps at present.	Corps of Engineers at present.	This bill.
	Per cent.	*Per cent.*	*Per cent.*	*Per cent.*
Colonel	2.6	3.2	4.6	4.0
Lieutenant colonel	2.9	5.4	6.0	4.5
Major	7.7	23.7	14.3	15.0
Total field grades	13.2	32.3	24.9	23.5

It will be seen that as to line officers the percentage of colonels is increased from 2.6 per cent to 4 per cent, of lieutenant colonels from 2.9 per cent to 4.5 per cent, and of majors from 7.7 per cent to 15 per cent. Including both line and staff, under the present law the percentage of colonels in the Army was less than 3 per cent; under this bill it is 4 per cent. Under the present law the percentage of lieutenant colonels is 3½ per cent; under this bill 4½ per cent. Under the present law the percentage of majors is about 11 per cent; under the proposed bill 15 per cent.

The bill provides for something like 17,820 officers. Under the present law the commissioned personnel of the Army is 11,445 officers. This is an increase of about 60 per cent in the number of officers, although the enlisted strength of the Army is increased only by 75,000 men, an increase of about 42 per cent. Not including the Medical Department, the bill provides for 599 colonels, 674 lieutenant colonels, and 2,245 majors. Under existing law only 337 colonels are authorized. It will become apparent upon examination that the larger increase in officers is in the grades above captain.

As to many of the other details of the bill, I have heretofore during the debate on amendments given expression to my views, and I shall not here restate them, but shall be content with the submission of these observations as to the general policy and features of the proposed legislation.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CONNALLY. Mr. Chairman, the people of the United States are willing to bear any burdens or suffer any sacrifice necessary for the defense or the safety of their country. They have during the recent past, on a stage where all the world might witness their actions, given immutable and irrefragable testimony to their patriotism and attachment to their country. But, Mr. Chairman, it is our duty, as their servants, to lighten those burdens as measurably and invoke those sacrifices as sparingly as may be done without impairment of the national defense. A wise and prudent policy of economy in public expenditures should ever actuate the Congress, but at this critical period such a course is imperative, if serious consequences are to be averted. Let me plead with you to keep in the Treasury the $150,000,000 or $200,000,000 which may be safely cut from the Army Establishment for the next fiscal year. Decreased appropriations will in time enable the Congress to lower the taxes—something for which the country is anxiously looking.

Gentlemen who declaim against extravagance, who fervently protest belief in and affection for economy, I invite you to embrace this opportunity to save at least $150,000,000 to the people of the United States. Here is a plain, concrete example capable of mathematical demonstration. The Republican leader has loudly in the House, and spaciously in the newspapers, proclaimed that this Congress under his guidance would retrench and reduce appropriations. While the echoes of his strident and insistent tones in behalf of economy still linger in this Hall he scatters their pleasing memories by his vote for this bill.

In any sudden and unexpected conflict with a powerful nation the Navy must in the very nature of things, by reason of our geographical location and separation by water from the strong and militant powers, always constitute our "first line of defense." With an enemy held at bay for a time we may mobilize and prepare the reserve land forces to meet an emergency. Today the American Navy is second only to that of Great Britain, and if the 1916 program of naval construction is to be completed, by the end of 1924 we may expect to possess a Navy which, in strength, in fighting power, in efficiency as an engine of war, shall have no superior upon the seven seas. With this majestic and mighty marine patrolling the highways where the law of the road is force and the code of conduct is prowess, we may not tremble nor yet be afraid lest any flag that flies shall command greater respect or its folds shall insure greater security to its nationals than that for whose violation on the high seas America shot the thunderbolts of her wrath against our late enemy from Cantigny and Chateau-Thierry and Soissons and St. Mihiel and all the brilliant battles in which our troops participated to that crushing climax amidst the forests and hills and valleys and ravines of the Argonne, where American boys with American bayonets in their hands set the American flag so high that monarchs can not fail to see it, and, seeing it, to respect it, and so covered it with glory and wrapped it in radiance that men in the silent and distant corners of the earth will adore it and bless it and venerate it.

Let us recommit this bill with instructions to the committee to bring back a bill carrying not over 200,000 enlisted men and 14,000 officers, and cutting from the Military Establishment one-third of its entire cost, and say to the world that we are going back to peace and not to war. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. MANN of Illinois. Mr. Chairman, I know that some Army officers think that it is no more dangerous to go up in the air in a flying machine than it is to serve in some other branches of the Army. I think that the man who serves in the flying service is in the most hazardous occupaton in the world at this time. I notice one gentleman shaking his head; he would not do it himself.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. MANN of Illinois. I did not refer to the gentleman from Mississippi.

Mr. HUMPHREYS. I want to say that the records of the War Department show that the casualties to lieutenants in the Infantry were greater than the casualties of the flying officers. That is why I was shaking my head.

Mr. MANN of Illinois. I am sorry the gentleman has taken up so much of my time, but perhaps I can get more, for I have something that I want to say. I repeat the statement, however. I do not think it would be fair myself, after Congress has invited these men to enter the flying service—and it is voluntary on their part—on a certain basis of pay, to then sneakingly take it away from them. [Applause.] I am not a welsher myself, no matter what it costs. I do not believe in the Government welshing on its obligations, even if it takes a little money. [Applause.]

The other day an Army officer went up in a flying machine somewhere in Ohio, I believe. I can not give the officer's name.

Mr. LONGWORTH. Maj. Shroeder.

Mr. MANN of Illinois. He went up 5 miles in height and nearly lost his life. It seemed to me when I read it that it was an unquestionably foolhardy thing to do, and as I did not suppose that this service would be engaged in any unnecessarily useless hazardous experiment, I made some inquiry about it. What I learned was this: Everyone knows that it is not possible to run a boat in the water at the rate of 60 miles an hour because of the resistance of the water. Everyone knows that it is quite possible to run an airplane in the air at a much higher rate than 60 miles an hour, and the reason is because there is so much less resistance in the air than there is in the water. Now, it might be supposed that what I will term the "kick," being similar in both cases, would have the same effect. But the fact is that it is possible for an engine to run much faster in the air, owing to the less resistance in the air, than it is in the water, owing to the greater resistance of the water.

As we get higher the air becomes thinner and has less resistance. These aeroplane men have developed this theory, which may prove practical. They believe that if we can get up high enough in the air, where the air is less dense, it will be possible to very greatly increase the speed, with the same motive power. The difficulty is that when you get high in the air, owing to the thinness of the air and the lack of oxygen, it is not easy to keep the gasoline sufficiently furnished with oxygen. To overcome this they have developed a little engine which operates from the exhaust of the gas engine, and which runs at a rapidity of 2,000 or so revolutions to the minute, which condenses the air and furnishes a sufficient amount of oxygen, and while the air at that height is extremely cold and it would not be possible, under conditions now existing in the construction of airships, for men to live and travel there, yet it is the belief, not merely the hope, that if they can make the ascent in these machines to a height of a number of miles, it will be possible, owing to the decrease in the density of the air, not to go at a speed of 100 miles an hour but at a speed of from five to six hundred miles an hour, and that it will be possible to construct planes which can operate at that height where people will be protected from the cold. I have watched the Air Service pretty closely ever since it began, and I do not doubt, old, crippled-up man that I am, that I shall live to see the day when you can eat breakfast in New York and luncheon in London. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. All time has expired.

Mr. GREENE of Vermont. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. That motion is not now in order. Debate is closed on the amendment to the amendment. The question is on agreeing to the amendment of the gentleman from Illinois to the amendment.

The question was taken, and the amendment to the amendment was agreed to.

Mr. GREENE of Vermont. Mr. Chairman, I renew my motion to strike out the last word.

The CHAIRMAN. The gentleman from Vermont is recognized.

Mr. GREENE of Vermont. Mr. Chairman, I do not intend to trespass upon the patience of the House with a long explanation of this matter, but our friend from Texas [Mr. CONNALLY] has volunteered the information that the committee has written this bill with certain individuals in mind and has disregarded wholly, apparently, its duty to legislate for an institution and not for men. I do not know what ouija board he has been fingering which brought him that message; but, as far as I am concerned, I do not so understand our policy or action.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. CONNALLY. If that were not true, why is it necessary to bring in an amendment? Why did you not fix this in the bill when you drew it?

Mr. GREENE of Vermont. I am going to show the gentleman, because, not being omniscient, and not having the gentleman's ouija board, we overlooked a few things.

Mr. CONNALLY. That is remarkable.

Mr. GREENE of Vermont. If the gentleman will turn to the law that is known as Public No. 29, approved July 24, 1917—and, by the way, that is the $640,000,000 aviation bill which we passed at that time—and will turn to section 6 of that act he will find that the law there set up this language:

No person shall receive the rating of military aviator or military aeronaut until he shall have served creditably for three years as an aviation officer with the rating of junior military aviator, or the rating of junior military aeronaut, except that in time of war any officer or enlisted man—

And there was no favoritism business about that—

who specially distinguished himself in active service may, on the recommendation of the Chief Signal Officer of the Army, be rated as a junior military aviator or a junior military aeronaut without regard to examination or the length of service.

And there are several other similar provisions involved in that law. What happened? Certain men were so cited and so promoted under the terms of this law which this House passed. They were given a wholly authorized grade with its emoluments, and were given it on the terms of the specific exception to the general rule, that they had distinguished themselves in the service.

I agree with the gentleman from Texas [Mr. CONNALLY] that men in the line, infantrymen, cavalrymen, and others no doubt distinguished themselves, but the law did not provide such a special reward for those men, unhappily. This it did provide, and this in good faith these men took. The question now is whether the Government's good faith is to continue, or whether when they have earned it under the terms laid down in this law, we are to turn around and say, "Oh, well, in making the Army over now we will disregard any promise under which you gained something at the risk of your life."

Mr. OLNEY. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. OLNEY. It is a fact, of course, that aviation is most dangerous in war, but is it not also true that it is the most hazardous form of training in the Army in time of peace?

Mr. GREENE of Vermont. Yes; I think it is regarded as the most dangerous in the training period.

Mr. HUMPHREYS. But the fact is that the records furnished by the War Department show the percentage of battle casualties among Infantry officers, company officers, was greater than it was among the aviators. Is not that true?

Mr. GREENE of Vermont. I understand that it is true, or that that is the effect of those figures; but that, of course, does not enter into this.

Mr. HUMPHREYS. No; that is just in response to the statement of the gentleman from Massachusetts [Mr. OLNEY] that it is the most hazardous in time of war.

Mr. GREENE of Vermont. Every arm of the service prides itself upon being that.

Mr. HUMPHREYS. But the records show that the percentage of battle casualties is higher among the Infantry officers than among the aviators.

Mr. GREENE of Vermont. Yes; I know. But the gentleman also is mathematician enough to understand that it all depends upon the base upon which you reckon your figures and ratio. If a man has one cow and gets one more he has made a gain of 100 per cent, and yet he may not have so many cows all told as another man who has only three and who did not make any gain at all.

Mr. HUMPHREYS. But the percentage is the same.

Mr. GREENE of Vermont. It is if it is figured on the same base.

The CHAIRMAN (Mr. HICKS). The time of the gentleman from Vermont has expired.

Mr. FISHER. Mr. Chairman, it is unfortunate that every time the question of aviation comes up there is an effort made to prevent the Congress of the United States from holding a forward step that has been taken by the Congress. When we declared war we had practically no air service. Gen. Pershing has testified that the few planes that we had were wrecked on the Mexican border, and that there were very few aviators in the Army.

Congress, in the national defense act in 1916, created the special aviation ratings to encourage officers and enlisted men to enter this hazardous service. In the act of July 24, 1917, Congress provided additional inducements and these special ratings were given to those aviators who specially distinguished themselves in active service against the enemy. This was a distinct promise of reward offered by the Congress. A special board of officers was appointed to pass on the qualification and merits of flying officers who had distinguished themselves in action, and awards were made. The Air Service was then, and is now, the most hazardous of all services. The death rate for battle and accidents among flying officers who served overseas was over five and one-half times that of officers of all other services. It is the most dangerous of services in training as well as in active combat.

We have heard it stated repeatedly that our men at the beginning of the war, as well as throughout the war, were compelled to fly in "flaming coffins." The development of the aerial plane in this country has been sadly neglected. Congress knew that something had to be done and something extraordinary in the shape of reward had to be offered to induce men to go into this line of service. It was a distinct obligation on the part of Congress to the officers and enlisted men of the Army who entered the Air Service. In other words, these officers and enlisted men who as aviators had distinguished themselves in action were promised that they would be rated as junior military aviators or military aviators, and that that rating would carry the increases of pay or rank stipulated in the law. The officers and men who in good faith complied with the terms of the law should not now have the rating taken away from them. Those who entered this service sacrificed all insurance except the small amount which was later provided for under the war-risk insurance act. An officer or enlisted man who had a family had obligations which were sacred to him to see that they were taken care of. The increase of pay and additional rank was a compensation to him and enabled him to carry out the sacred obligations in looking after his family which he lost when he sacrificed his insurance. I hope that this committee will not go back on the pledge which was made to these men. Out of the 33 that were decorated only 8 are left in the service. The others have either resigned or have lost their lives. I beg of you, do not take away this war decoration. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the committee as amended.

The committee amendment as amended was agreed to.

Mr. KAHN. Mr. Chairman, there are several more committee amendments.

Mr. CRAGO. Mr. Chairman, on the next amendment to strike out the paragraph beginning with line 9, on page 64, I am offering a perfecting amendment to the paragraph, but let the amendment be read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 64, line 9, strike out all down to and including line 16.

Mr. CRAGO. Mr. Chairman, I offer the following perfecting amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 64, line 11, after the word "who," strike out the words "has heretofore" and insert "On December 1, 1918"; line 12, after the word "States," strike out "during the World War"; line 14, after the word "grade," insert the words "not above that of brigadier general," so that as amended the paragraph will read:

"Any officer of the Regular Army who has held the permanent grade of colonel on the active or retired list and who, on December 1, 1918, held a higher grade than that of colonel in the temporary forces of the United States may, in the discretion of the President, when retired, have the rank and pay of the grade not above that of brigadier general next higher than that held by him in the Regular Army at the time of his retirement."

Mr. CALDWELL. Will the gentleman yield for a question, so that I may understand the gentleman's amendment? Why does the gentleman fix the time of December 1, 1918, rather than November 11, 1918?

Mr. CRAGO. For the following reason: There were several cases where they thought it would be unfair to grant this additional grade to men who were tried out as brigadier generals, who were some of the younger colonels, but who were demoted because of the fact that their service had not been entirely satisfactory as brigade commanders. But these demotions were all prior to December 1, 1918; some of these demotions had not been made November 11, 1918.

Mr. CALDWELL. Was one of those the case of a man—a brigadier general—whose stars were taken off him on the boat coming from France to the United States?

Mr. CRAGO. No, sir; none of the men, as far as I know, who gave satisfactory service were reduced in rank prior to December 1, 1918.

Mr. CALDWELL. Now, were these reductions the gentleman refers to made by the commander in chief in France or were they made by the Chief of Staff in the United States?

Mr. CRAGO. They were made in France. The Chief of Staff in the United States would have nothing to do with promotions or demotions on the other side.

Mr. CALDWELL. But he did demote a man coming across on the boat?

Mr. CRAGO. I will say to the gentleman this amendment would not include any man demoted as he indicates. None were brought back before that time.

Mr. MANN of Illinois. Will the gentleman yield for information?

Mr. CRAGO. Yes.

Mr. MANN of Illinois When a major general in the Army is retired it is not intended to retire him at the grade of a brigadier?

Mr. CRAGO. No, sir.

Mr. MANN of Illinois. Would not that be the effect of the gentleman's amendment?

Mr. CRAGO. This does not affect any officer in the Army except a man who held the permanent grade of colonel.

Mr. MANN of Illinois. But at some time he held the permanent grade of colonel; any man who gets to be major general has usually held that grade?

Mr. CRAGO. He shall have the rank and retired pay of the grade not above that of brigadier next higher than that held by him.

Mr. MANN of Illinois. Any man who has been a colonel and who is retired afterwards with certain provisions shall have the grade not higher than brigadier general——

Mr. CRAGO. Oh, no.

Mr. MANN of Illinois. That is what it says.

Mr. CRAGO. Not above that of brigadier general next higher than that held by him in the Regular Army at the time of his retirement.

Now, if he was a major general at the time of his retirement he would retire as a major general; if he was a brigadier general at the time of his retirement, he would retire as a brigadier general, notwithstanding the provisions of this act; but if he was only a colonel at the time of his retirement he could retire one grade higher, namely, that of brigadier general.

Mr. MANN of Illinois. I can see what the gentleman wants to accomplish, and very likely he may be right about it. That is not the way it reads to me. It says that any man who has held the grade of colonel when retired shall have rank and retired pay of the grade not above brigadier general, next higher than that held by him. That says he can not be retired at a higher grade than brigadier general. Now, that is what the gentleman wants to do, but it includes everybody who has had a permanent grade of colonel.

Mr. CRAGO. I will say if such a construction could be put on it and this section would be left in the bill, I would be glad to change it.

Mr. MANN of Illinois. I do not know what the Comptroller of the Treasury would do, but that is what it says. It is usually advisable to make these things so clear that it is easy to determine what they mean.

Mr. CRAGO. I think the paragraph as amended says exactly what I meant.

I want to say these few words: Of course, I intend to support this Army bill, not because I believe in all the provisions of it but because I think it is a great step in advance of anything we have ever had. And I want to say in answer to some of the criticisms made here that I think one of the great outstanding benefits of this bill is the increased list of officers for which we are providing in the bill, a larger list than we have heretofore carried, because the officers of the Regular Establishment are the only really permanent part of the Regular Army. They are in the Army permanently. Now, in answer to the criticism as to the number of enlisted men we have provided for in this bill, I am not fooling myself with the thought that we are going to secure that number of enlisted men during days of peace, but I do not consider that an argument, even, for our placing the number of enlisted men in the Army lower than we have placed it in this bill, for this reason, if for no other: That at the beginning of the war in Europe and for two years thereafter this Government was afraid to make any move to authorize an increase in our Army and our Navy, for fear it would be construed either by the Central Powers or some other powers as an intention on our part to get ready for war.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CRAGO. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAGO. And that very fear on the part of our Government kept us from taking advantage of the situation that then existed.

Now, with the personnel provided in this bill we can, if the stress of events shows that we are facing danger, automatically, without any additional legislation or without any Executive action, build up a force with which we can at least begin to train an army, and that, too, without criticism on the part of any other Government, because we will be only filling up the units of an organization already authorized by law.

Now, as to other provisions in the bill. We have provided in it for relative rank for the nurses of the Army. I think that is a serious mistake. But it looks as though we would have to try it out in order to find out definitely whether it is a mistake or not. I believe we have struck a serious blow at the discipline of the Army in doing that, and I believe it can serve no good and useful purpose. But a majority of the committee thought best to insert that in the bill, and that does not prevent me from voting for the bill. I do not know what action we may take regarding some of these separate services in the Army. Whatever action we take, I am willing to vote for the bill in spite of that; and now when it comes to a section like this, which I am asking to amend, I want to say in explanation that, while I was perhaps responsible for the principle involved in the insertion of this section, I was not responsible for the language in which it was inserted, and I want to make it plain what I wanted to do, and I want it thoroughly understood by the committee what the provision would do, and then, if in the judgment of this whole committee it should not be a part of our reorganization bill, I will be content; but I want the situation clearly put before the House at this time.

Now, what does it do? The general officers of our Army, where they were not general officers already, were taken from civil life, the National Guard, or the Regular Army, but principally from the Regular Army. Men were made general officers and commanded brigades and divisions over in France and led troops in battle who had been colonels in the Regular Army for years and years and who had no chance under the ordinary course of events to ever become general officers. Many of those men were the men at the top of the list of colonels. The men who made a success of that work were in commission as general officers on December 1, 1918. The men who had not been successful had been put back for one cause or another to their former grade. Now, this provision will take care of the men who have been put on the retired list since December 1, 1918, or who will go on the retired list as colonels before they will ever have a chance under this bill to become general officers.

Now, the great majority of the colonels who were serving as brigadier generals over on the other side will under the provisions of this bill, before they reach the retirement age, have reached the grade of a general officer. All of the lieutenant colonels, practically, will have become colonels, all of the majors will have become lieutenant colonels, and all of the captains majors, and so on down the line will have their advanced grades. We are by this bill providing for practically every officer who remains in the Army, but these older men, who after years of distinguished service and who after having exercised these higher commands, are one by one being placed on the retired list, and they have no chance to take advantage of the general provisions of this bill. They gain nothing by it. And from my reading of the list, while I know none of these men personally, I am convinced, unless we insert some such section in this bill, we are going to do an injustice to some 30 or 40 colonels on the list.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Chairman, the committee moved to strike out this paragraph because, upon interpreting the language, we found it conferred the right of retirement upon every colonel of the Regular Army who came to retirement age, at an advanced rank, upon every brigadier general, upon every major general, and it even gave to every man who held the rank of lieutenant colonel during the war the right to the rank of general in the Regular Army.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield right at that point?

Mr. ANTHONY. I yield.

Mr. CONNALLY. Does the gentleman from Kansas contend that this language would enable a major general to retire with the rank of lieutenant general?

Mr. ANTHONY. I do.

Mr. CONNALLY. There is no rank of lieutenant general in the Regular Establishment.

Mr. ANTHONY. Then it probably would not, but might be so construed; but it undoubtedly gives to these officers the right to retire at an advanced rank. I would say this in regard to the amendment offered by the gentleman from Pennsylvania

[Mr. CRAGO]: It confines this right to retire at the advanced rank to those officers who retire at the grade of a colonel.

Mr. CRAGO. Yes.

Mr. ANTHONY. And I want to remind the gentleman and the House that the Regular officers who fought in the Civil War waited 40 years before Congress conferred upon them the right to retire at an advanced grade, and I do not think we should do this at this time.

Mr. CALDWELL rose.

Mr. KAHN. I move that all debate on this paragraph and all amendments thereto close in five minutes.

Mr. BLACK. Reserving the right to object, Mr. Chairman, is the gentleman from New York in favor of the amendment of the gentleman from Pennsylvania?

Mr. CALDWELL. No; I am opposed to it.

The CHAIRMAN. The gentleman from California moves that all debate on this paragraph and all amendments thereto close in five minutes. The question is on agreeing to that motion.

The motion was agreed to.

Mr. HARRELD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARRELD. I have an amendment to strike out certain words in this section. I do not know "where I am at." I want to offer an amendment to strike out certain words in this section.

Mr. KAHN. The gentleman can offer the amendment, but he can not debate it.

The CHAIRMAN. The gentleman from New York [Mr. CALDWELL] is recognized for five minutes.

Mr. CALDWELL. Mr. Chairman, I believe the whole section ought to be stricken out, and I do not believe the amendment of the gentleman from Pennsylvania [Mr. CRAGO] would cure the defects that I find in the section.

It is not fair to single out a man who has been a colonel and spends his life in the Army and say, "You shall have an extra grade because of the fact that you were over there and got your promotion because of your seniority," and at the same time say to a man who was a little lower down in grade and who also was over there and who not because of seniority, but because of ability, was picked out and given a brigadier general's commission and fought the enemy and defeated him, "You must go back as a captain and not receive any recognition," as would be the case if the amendment of the gentleman from Pennsylvania were adopted.

I have in mind two very distinguished cases. One of them was Maj. Moses, who went across and who was promoted to brigadier general. The other day he was demoted to lieutenant colonel. Another was Paul D. Malone, who went on the other side and stood in the face of the hottest fire ever faced by American forces in the history of the country, and he acquitted himself with such honor and credit that he is now recognized in the Army as one of the greatest men produced in this war. Yet under the amendment of the gentleman from Pennsylvania he would stay lieutenant colonel.

Mr. CRAGO. Evidently the gentleman from New York did not hear my explanation of what the amendment would accomplish. Gen. Malone and Gen. Moses, undoubtedly, when they retire, will retire as brigadier generals, and I hope when they retire it will be as major generals.

Mr. CALDWELL. Oh, they are both Democrats, and they do not stand much chance of being promoted if the Republicans are successful in the next election. [Laughter.]

Mr. CRAGO. Oh, they talk with too much sense to be branded in that way by the gentleman from New York. [Laughter.]

Mr. CALDWELL. They must have talked very little to the gentleman if they did not tell him what they were.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. CRAGO].

The question was taken; and on a division (suggested by the Chair) there were—ayes 7, noes 47.

So the amendment was rejected.

Mr. HARRELD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HARRELD: Page 64, line 14, after the word "grade," strike out "next higher than that."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the next committee amendment.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. MANN of Illinois. Mr. Chairman, I ask for a division.

The CHAIRMAN (Mr. TILSON). The gentleman from Illinois asks for a division.

The committee divided; and there were—ayes 71, noes 2.

So the amendment was agreed to.

Mr. KAHN. Mr. Chairman, I offer another committee amendment.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. KAHN: Page 65, between lines 8 and 9, insert a new paragraph, as follows:

"Retired enlisted men who have served honorably as commissioned officers of the United States Army at some time between April 6, 1917, and November 11, 1918, including those who have been placed on the retired list during the World War and who have been or may hereafter be discharged from their temporary commissions shall receive the retired pay and allowances of warrant officers on the retired list, as provided in this act."

Mr. KAHN. Mr. Chairman, the purpose of this amendment is to do justice to a fairly large number of enlisted men and noncommissioned officers of the Army who were on the retired list of the Army at the time we entered the World War. These men were called back, taken back, and commissioned as officers. They helped to train the troops. They led troops in the war. Gradually their services were no longer required, and they were discharged from their commissioned rank and went back again on the enlisted men's retired list. To take care of those men similarly situated and who still continue in the Army the bill provides for the grade of warrant officer. These retired men can not receive that recognition, and it is proposed by this amendment to put them on the retired list in the grade of a warrant officer in recognition of the splendid services they performed during the World War.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 51. That all laws and parts of laws in so far as they are inconsistent with this act are hereby repealed.

Mr. CALDWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. Is it not now proper to return to those sections that we have passed over?

Mr. KAHN. We have not finished the bill.

The CHAIRMAN. The Clerk has read the last section of the bill.

Mr. KAHN. There is a committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 65, line 10, insert a new section, "51a," as follows:

"SEC. 51a. Unless an earlier date is designated by the President, the provisions of an act entitled, 'An act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government,' approved May 20, 1918, so far as they pertain to the Military Establishment, shall cease to be of force and effect on and after the date of the passage of this act."

Mr. CALDWELL. Mr. Chairman, I make the point of order that this amendment is not germane to the bill. It is a provision to repeal an entirely different act, and the bill itself, according to the Chair's own ruling, is nothing else than an amendment to the Hay bill.

Mr. GREENE of Vermont. What does the gentleman say to this proposition, that in order to have this act take effect when it becomes a law certain provisions of another act must be repealed, or else you will pass nothing that has any effect?

Mr. KAHN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from California?

Mr. CALDWELL. Yes; I yield.

Mr. KAHN. The purpose of this is to repeal the Overman Act, so far as it relates to the Military Establishment.

Mr. CALDWELL. I know; but a very easy way to repeal the Overman Act would be for the Senate to pass the peace treaty.

Mr. KAHN. That would not repeal it, because for six months after the proclamation of peace the Overman Act would still continue in force.

Mr. GREENE of Vermont. Exactly.

Mr. KAHN. And, of course, whatever we do in this bill could possibly be nullified by continuing the Overman Act in force for six months after the treaty of peace.

Mr. McKENZIE. Mr. Chairman, we have just adopted a section providing for the repeal of all laws and parts of laws inconsistent with this act, and the only purpose in offering the amendment for the specific repeal of the Overman Act as affecting the Military Establishment is so that when this law is enacted it may begin to function at once, and thereby save the country hundreds of thousands, if not millions, of dollars that we are now compelled to expend under the provisions of that act.

Mr. CALDWELL. Mr. Chairman, I do not believe it will save anything, and I insist on my point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KAHN. Mr. Chairman, we have finished the reading of the bill, and I suggest that we return to page 22, line 16.

The CHAIRMAN. The Clerk will report the section which was passed over.

The Clerk read as follows:

SEC. 14. That section 15 of said act be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 15. Chaplains: There shall be 1 chaplain for every 1,200 officers and enlisted men of the Regular Army, exclusive of the Philippine Scouts and the unassigned recruits, authorized from time to time in accordance with law and within the peace strength authorized by this act. Chaplains shall hereafter have pay and allowances, but not rank, according to length of service, as follows: Less than 5 years, first lieutenant; 5 to 14 years, captain; 14 to 20 years, major; over 20 years, lieutenant colonel. Of the vacancies existing on July 1, 1920, such number as the President may direct shall be filled by appointment on that date of persons under the age of 54 years who served as chaplains at some time between April 6, 1917, and November 11, 1918. All vacancies remaining or thereafter occurring shall be filled by the appointment of persons duly accredited by some religious denomination or organization and of good standing therein between the ages of 23 and 45 years. Chaplains shall have the same rights of retirement as other officers of the Army."

Mr. KAHN. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The gentleman from California offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 22, line 24, after the word "have," insert the word "rank" and a comma.

Mr. KAHN. I ask for a vote on that amendment.

Mr. CALDWELL. Let us have a statement about it.

Mr. KAHN. It speaks for itself. The purpose of the amendment is to give the chaplains of the Army rank. They have had rank under existing law until the Overman Act deprived them of it.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Committee amendment: Page 22, line 25, after the word "allowances," strike out "but not rank."

Mr. GREENE of Vermont. Mr. Chairman, I rise in pro forma opposition to the amendment, just simply to call to the attention of the House a rather interesting experience which is not unusual here. For the last eight days during which this bill has been debated, if anything has been emphasized now and then, it is the very earnest opinion of certain gentlemen here that there is a barrier between commissioned officers and enlisted men in the Regular Army; that military rank makes that barrier; and that by men having commissioned rank and being thereafter for disciplinary purposes expected to keep at a distance from enlisted men there is an evil effect on the morale of the Army. Yet this same House, and many of the same men who advanced that idea, either publicly or privately, that commissioned rank makes an unjust social barrier between officers and enlisted men, have just now voted to maintain the rank of the one man of all men in the Army who does not need rank, because he does not have any military authority whatever, thereby establishing what gentlemen claim is a barrier between him and the enlisted men whom he is seeking to improve in their spiritual and moral character.

Mr. REAVIS. Why did not the gentleman tell us that before?

Mr. GREENE of Vermont. That, to my mind, is one of the most inconsistent things imaginable. Now, I want to be clearly understood about this thing. There is no question in my mind of the immeasurable value of a first-class, manly chaplain, and that he needs no rank. He is a man standing upon his own personality and his own personal power and influence over men, so that he is respected as a chaplain, with just the emblem of his divine office upon his shoulder—no more. He needs no rank, and I have known a regiment where the chaplain had more real authority down in the hearts and consciences of the soldiers than the old colonel himself. There is no question about that.

Mr. KITCHIN. Why did not the gentleman make that speech before we voted on it?

Mr. GREENE of Vermont. Because I have been run over by a train before, and I did not want to be trifling with one when I knew beforehand what it would do.

Mr. KITCHIN. Let the gentleman move to reconsider it.

Mr. GREENE of Vermont. Oh, no.

Mr. KITCHIN. If the gentleman had made the speech the vote might have been different.

Mr. GREENE of Vermont. Let the gentleman from North Carolina make his speech in his own time.

Mr. KITCHIN. I think the gentleman and the committee who investigated the matters and got up the totals ought to tell us what is in the bill.

Mr. GREENE of Vermont. Let the gentleman criticize the committee in his own time.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. KAHN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 23, line 7, after the figures "1918," change the period to a comma and insert "and such appointments may be made in grades above the lowest under the same restrictions as to age and rank as are hereinafter prescribed for original appointments in other branches of the service. For purposes of future promotion, persons so appointed shall be considered as having had, on the date of appointment, sufficient prior service to bring them to their respective grades under the rules of promotion established in this section."

Mr. KAHN. The purpose of that amendment is obvious—to bring the chaplains into the same relationship in the matter of promotion as other officers in the Army.

Mr. JONES of Texas. Will the gentleman permit me to withdraw my amendment, which I sent to the desk, along the same line?

Mr. KAHN. Certainly.

Mr. JONES of Texas. Mr. Chairman, I withdraw my amendment.

Mr. UPSHAW. Will the gentleman from California yield?

Mr. KAHN. Certainly.

Mr. UPSHAW. I would like to ask the chairman of the committee for a bit of information concerning this point. An amendment was offered during the war legislation providing for chaplains at large of the Hebrew faith.

Mr. KAHN. No; there was no amendment of that kind; there was an amendment for chaplains of representative minor denominations.

Mr. UPSHAW. The thing I want to ask now is, Is there any provision here, or has the Secretary of War the right now, to appoint a Hebrew chaplain at large?

Mr. KAHN. He has the right to appoint a chaplain of any denomination that he may see fit to appoint, but not at large. He can appoint them as chaplains of various organizations.

Mr. UPSHAW. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the House, I was profoundly impressed a few days ago with a conversation I had with Maj. C. C. Bateman, the honored dean of the chaplains of the whole Army. He has given 30 years to service as an Army chaplain. Being a Baptist himself and trained in the foundation principles of individual responsibilty to God and the competence of each soul in religion, that grand old man told me he had witnessed with positive pain the religious loneliness of the Hebrew soldier. Whatever may be said of the many other faiths they all represent some phase of Christianity. But the Hebrew soldier, representing that splendid contingent of our citizenship that has made such a priceless contribution to our patriotism and our commercial prowess, is, as he expressed it, "neither flesh, fish, nor fowl" in the recognition of the religious life of the Army.

Mr. CANNON. Will the gentleman yield?

Mr. UPSHAW. Yes.

Mr. CANNON. The Hebrews are Unitarians, and so are the Unitarians that are not Hebrews.

Mr. UPSHAW. I would remind my honored friend that it is not the province of this Government to be a patron of any particular form of religion, but recognizing the place of religion in establishing morale in the citizen and the soldier, it is the duty of the Government to encourage any religion that inspires reverence for God and makes for morality.

Mr. CANNON. If the gentleman will allow me, I am of that view. I am not antagonizing that view.

Mr. UPSHAW. And for that reason I wish to emphasize this fact: If it is the duty of this Government to pay our honored Chaplain to pray in this House every morning for the good influence it has—and he is a Christian minister, because the Christian religion is the dominant faith of the Members of

this House; if it is the duty of this Government to provide a chaplain of the religious faith that is dominant in our Army, whether Protestant or Catholic, I do not think the Government can afford to maintain an attitude toward the Hebrew that can mean but one of two things—either religious neglect or religious coercion. I had prepared an amendment to offer directing the Secretary of War to appoint five Hebrew chaplains at large, but if he has the right already to do this thing, then I would like to go on record as favoring an appointment in the Regular Establishment of enough Hebrew chaplains to minister to our Jewish soldiers. Manifestly there are so few of them it would not be practicable to have one for each unit.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. UPSHAW. Yes.

Mr. NEWTON of Minnesota. During the war they did have Hebrew chaplains. I had the pleasure of meeting one overseas myself.

Mr. UPSHAW. Yes; but they were emergency war-time appointments. I am speaking of chaplains that shall be permanent, and so located geographically that they can minister to the Hebrew soldier, who otherwise would be neglected. I am thinking now of an honest Polish Hebrew, bending beneath his peddler's pack, who used to visit my father's home, bowing always with the family around the family altar at the hour of evening worship. Kindness won his heart, and he came at last to acknowledge Christ as his own Redeemer; and I say this as my last word, that personally, as a Christian man myself, I would that every honest Hebrew would see in the Hebrew Christ the Messiah who has already come and who has meant so much to me in my own heart and life, but until he does, as long as the Hebrew soldier wishes his own rabbi as his teacher, then, in the name of the God of Abraham, the God of Isaac, the God of Jacob, and the God of American freedom, I say let the voice of the Hebrew soul be heard. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KAHN. Mr. Chairman, we also agreed to go back to the item relating to chemical warfare, on page 20, section 11. I understand that the gentleman from Alabama desires to offer an amendment.

The CHAIRMAN. Section 11 has been read.

Mr. DENT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 20, line 24, after the words and figures "Sec. 12a," strike out all of the balance of lines 24 and 25, on page 20, and all of lines 1, 2, 3, and 4, on page 21, and insert in lieu thereof the following:

"SEC. 12a. Chemical Warfare Service: The Chemical Warfare Service is hereby created as a bureau of the War Department, and like other bureaus of such department, shall be under the immediate supervision and control of the Secretary of War, and shall not form part of any bureau, office, or other organization; and shall consist of 1 brigadier general, who shall be chief of Chemical Warfare Service; 5 colonels; 6 lieutenant colonels; 18 majors; 37 captains; 35 first lieutenants; 22 second lieutenants; 1 band leader; 12 master chemical engineers (senior grade); 20 master chemical engineers (junior grade); 1 regimental sergeant major; 1 regimental supply sergeant; 3 battalion sergeant majors; 3 battalion supply sergeants; 13 first sergeants; 38 sergeants (first class); 1 sergeant bugler; 2 color sergeants; 1 assistant band leader; 4 band sergeants; 4 musicians (first class); 76 sergeants; 10 stable sergeants; 13 supply sergeants; 13 mess sergeants; 8 horseshoers; 6 band corporals; 6 musicians (second class); 156 corporals; 2 corporal buglers; 12 musicians (third class); 10 saddlers; 30 mechanics; 13 buglers (first class); 34 wagoners; 34 cooks; 337 privates (first class); 13 buglers; and 674 privates. The duties of the Chemical Warfare Service shall comprise the investigation, development, manufacture, or procurement and supply to the Army of all smoke and incendiary materials, all toxic gases, and all gas-defense appliances; the research, design, and experimentation connected with chemical warfare and its matériel; and chemical projectile filling plants and proving grounds; the supervision of the training of the Army in chemical warfare, both offensive and defensive, including the necessary schools of instruction; and the organization, equipment, training, and operation of special gas troops."

Mr. KAHN. Mr. Chairman, I have a preferential amendment which I desire to offer.

The CHAIRMAN. The gentleman from California offers a preferential amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 21, line 4, after the word "men," insert: "The duties of the Chemical Warfare Service shall comprise the investigation, development, manufacture, or procurement and supply to the Army of all smoke and incendiary materials, all toxic gases, and all gas-defense appliances; the research, design, and experimentation connected with the chemical warfare and its matériel; and chemical projectile filling plants and proving grounds; supervision of the training of the Army in chemical warfare, both offensive and defensive, including the necessary schools of instruction; reorganization, equipment, training, and operation of special gas troops."

Mr. KAHN. Mr. Chairman, this amendment that I have offered is the latter part of the amendment just offered by the gentleman from Alabama [Mr. DENT]. It fixes the duties of the Chemical Warfare Service without reference to the personnel.

Mr. DENT. Mr. Chairman, I stated the other day when we reached this section of the bill that the Chemical Warfare Service was recognized as a new service in the Army, but that there was no provision in the bill prescribing its duties, and that the bill itself really did not fix the number of organizations within that service. By unanimous consent of the Committee of the Whole this section was passed for the purpose of allowing me to offer an amendment perfecting it. I have offered the amendment, and the gentleman from California [Mr. KAHN] accepts that portion of the amendment describing the duties, powers, and functions of the Chemical Warfare Service. I stated the other day that if we recognized the existence of the Chemical Warfare Service without prescribing its functions or fixing the organization, in view of the testimony of the Chief of Staff before the Committee on Military Affairs that the Chemical Warfare Service may never accomplish what Congress intended, I think Congress should certainly fix the personnel of the organization of this service as well as prescribe its duties if this service is to be continued.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. EMERSON. I notice that the amendment provides for a band. What need has the Chemical Warfare Service for a band?

Mr. DENT. Mr. Chairman, many organizations of this kind have a band organization if they have a regiment. It would take me a long time to explain to the gentleman exactly the necessity of the details of the organization. The object of this organization is to provide a regiment, a complete regiment, for the purpose of carrying the chemical warfare development into actual operation and effect. Chemical warfare service involves offensive and defensive warfare. The Chemical Warfare Service involves scientific chemical research. The Chemical Warfare Service involves the training of men in the use of gas masks and in the use of gas, both offensively and defensively, so that it ought to have an organization not only that will develop and engage in research, but it ought to have an organization that will train the Army how to use gas both offensively and defensively. Under my amendment there is a provision for the organization of a complete regiment in accordance with the general plan of organization in the Army.

I confess that I became acquainted largely with the details of the great work that this service has performed from my friend Gen. William L. Sibert [applause], who organized the service and who has recently been removed from it. I have no personal interest in the service, but am strongly convinced of its value. Why Gen. Sibert was removed I do not know, but I trust the committee will be patient in allowing me to submit the record that Gen. Sibert has made in the Army of the United States.

A native Alabamian, William L. Sibert graduated from West Point with high distinction. He was assigned to the Corps of Engineers. He performed valuable river and harbor work upon the Ohio River in particular. Without any political pull, when the Panama Canal was to be constructed, President Roosevelt selected him as one of the commissioners to build the canal. He was assigned to the specific duty of constructing the Gatun Dam and Locks. He dammed the Chagres River when the late Senator Morgan, of Alabama, who for years had advocated some form of transcontinental canal, said that that river could not be dammed. After his service there the Congress of the United States, along with the other members of that commission, extended to him its thanks, authorized a promotion above the grade that he occupied, and further authorized his voluntary retirement before reaching the age of 64. This he has continuously refused to accept. After his work with the Panama Canal he was assigned to the Pacific coast in charge of the Coast Artillery as a line officer. He succeeded well and ably in that work. When the war broke out he was assigned to the organization and training of the first division that went to France.

He organized it, trained it, and carried it to France. He commanded that division in France and was for a time placed second in command to Gen. Pershing. For some reason he was returned to this country and placed temporarily in command of the Southeastern Department at Charleston, and then when the Chemical Warfare Service was established the Secretary of War very properly called Gen. Sibert to take charge of the organization and development of that branch of the service. Gen. Sibert took charge of it, developed it during the war, and has made out of it, in my humble judgment, one of the greatest developments that the war established. [Applause.]

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. DENT. I will yield to the gentleman.

Mr. JOHNSON of Washington. I want to ask the gentleman if Gen. Sibert was not being pursued at the time he was sent

back from France, just as he is now being pursued when removed from the Chemical Warfare Service?

Mr. DENT. I will state to the gentleman I hope not. I will state to the gentleman that while Gen. Sibert has been made a full major general of the line and could to-day under act of Congress retire as a major general he feels that he is so active that he should accept any order issued by the War Department and has agreed to take charge of a camp at Camp Gordon, Ga.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY. Mr. Chairman, I ask that the gentleman have five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. KAHN. To try to close debate.

The CHAIRMAN. Does the gentleman yield?

Mr. KAHN. I move that all debate on this section be closed in five minutes.

The CHAIRMAN. The gentleman from Alabama has been recognized for five minutes.

Mr. KAHN. Well, in 10 minutes.

Mr. DENT. I hope the gentleman will wait until I have finished.

Mr. MONDELL. Mr. Chairman——

The CHAIRMAN. The gentleman from Alabama has been recognized for five minutes.

Mr. MONDELL. Mr. Chairman, I trust——

The CHAIRMAN. Does the gentleman yield to the gentleman from Wyoming?

Mr. DENT. I yield to the gentleman for a suggestion or a question.

Mr. MONDELL. I trust debate will continue on lines within the rule. It is very interesting to review and hear reviewed the history of these distinguished gentlemen, but we have been on this bill a long time and it seems to me we should close the debate pretty soon, unless gentlemen desire to discuss the bill.

The CHAIRMAN. Without objection, the gentleman from Alabama will proceed.

Mr. DENT. Mr. Chairman, I had practically finished all that I desired to say. What I have said with reference to Gen. Sibert was not intended as any criticism of anybody, but I think his record will justify that statement and I believe that those who know him on either side of this House will not object to the matter appearing in the RECORD.

Mr. SANFORD. Will the gentleman yield for just a second? Was not Gen. Sibert one of the first men who testified in the Senate committee against the half a million men Army for the next fiscal year?

Mr. DENT. He was the very first.

Mr. SANFORD. And he told the truth about it?

Mr. DENT. I think he is one of the ablest men in the Army, and I think he knows as much, if not more, about military legislation than any man in the Army. I think he is perfectly fearless in stating his views.

Mr. SANFORD. Did not the trouble start after his statement made over there?

Mr. DENT. I can not answer that question. That is a conclusion the gentleman might draw himself.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. DENT. I will.

Mr. HUMPHREYS. Under the gentleman's amendment, if agreed to, Gen. Sibert can not be then placed in command again of the Chemical Warfare Service?

Mr. DENT. No; I do not think Gen. Sibert expects to; he has accepted the situation that has been presented to him.

Mr. HUMPHREYS. I think it is a great misfortune he can not be put back.

Mr. DENT. Personally I agree with the gentleman from Mississippi, and I think that the Chief of the Chemical Warfare Service, one of the greatest developments of the war, ought to be a major general, and I would vote for it personally myself.

Mr. HUMPHREYS. But if the amendment makes it a major general it excludes Gen. Sibert?

Mr. DENT. If the gentleman from Mississippi will read my amendment, he will see I amended my amendment in order to meet the views of the Committee on Military Affairs, which made the chief a brigadier general. I really think he ought to be a major general. Now, Mr. Chairman and gentlemen of the committee, I know that this provision of my amendment relative to the personnel is contrary to the theory upon which this bill has been written, because the theory upon which this bill has been written has been to fix the total number of officers in each branch of the service from the grades of colonel down to whatever lower rank they are and leave to the War Department the fixing of the number in the different grades. This is a new service, a development of the war, and if it has any unfriendly administration we all know that unless the personnel is fixed as a new service that the service itself is liable to prove a failure. It is for that reason I have provided the personnel of this service. I admit, of course, that I have gotten the strength of the different branches of the service, the total number of enlisted men, from men who are interested in this service. The only difference between the number of officers in my amendment and in the bill as proposed is that my amendment provides for 124 officers and the committee bill provides for something less than 100—93 I believe it is. The number of men is 1,500 in the committee bill, and mine is 1,571.

Mr. CONNALLY. Will the gentleman yield?

Mr. DENT. I will.

Mr. CONNALLY. I would like to ask this question. Now, expert chemists and others will be required. How are you going to get those? Are you going to put commissioned officers in or civilians from the outside, or how are you going to get these expert chemists? You will have to have a lot of these expert chemists, will you not?

Mr. DENT. You do have to have a lot of expert chemists, and unless they get men from the outside I do not see how they will get them.

Mr. CONNALLY. How can they do it under this bill when it requires they shall have served during the war in order to be entitled to a commission?

Mr. DENT. I do not think you could do it under this bill, and for that reason I think this bill ought to be recommitted to the Committee on Military Affairs, which motion I propose to make, because it has so many defects in it. Now, Mr. Chairman, that is all I have to say. [Applause.]

Mr. HULINGS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. HULINGS. To strike out the last word.

Mr. KAHN. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from California moves that all debate on this section and all amendments thereto close in five minutes.

Mr. CALDWELL. Mr. Chairman, I ask that the gentleman change that to six minutes. I want just one minute of time.

Mr. KAHN. All right. Make it six minutes.

The CHAIRMAN. The gentleman from California moves that all debate on this section and amendments thereto close in six minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Pennsylvania [Mr. HULINGS] is recognized for five minutes.

Mr. HULINGS. Mr. Chairman, I find myself somewhat embarrassed in connection with this bill, because I know how earnestly the gentlemen of the Committee on Military Affairs have labored on it. And yet, sir, I can not help but think that they have made mistakes in more directions than one. I believe that they have made this standing Army a great deal larger than there is any use for in this country or liable to be any use for in this country for some time to come. Instead of 299,000 enlisted men we ought to have not to exceed 150,000 men. The bill provides for 17,820 commissioned officers, very many of them in the high ranks. The bill is top-heavy with major generals and brigadier generals. I think you are loading up a military expense bill for this country far greater than there is any necessity for. [Applause.] I believe this bill from its foundation has been built up around one central figure, and that is the Chief of Staff. I do not see any reason why the Chief of Staff should appoint all the officers in the Army. I do see why he should be enabled at will to appoint in active service, on full pay, retired officers or reserve officers. By the terms of this bill, of course, the Chief of Staff is under the Secretary of War, but you know where the Secretary of War has been with the present Chief of Staff. I believe the suggestion of the gentleman from Alabama [Mr. DENT] that the bill should be referred to the committee in order that it make changes that have been indicated by the temper of the House.

For instance, you put in a construction corps and you have thrown out the transport service. This ought to be exactly the reverse. There have been so many Members on this floor to whom I have spoken about this bill, whose approval the bill does not meet, that I think the suggestion of the gentleman from Alabama, that the bill should go back to the committee and be returned here again with some of these conditions modified or taken out of the bill, should be followed.

Mr. KAHN. Will the gentleman yield?

Mr. HULINGS. Certainly.

Mr. KAHN. The gentleman knows that in all stages of the country's history the military laws established a much larger army than Congress provided for by appropriations. So this is no exception to the rule under the law as it prevails.

Mr. HULINGS. It may be of the 299,000 men authorized you would get only 200,000, but I see the bill provides they can go on and expend all the money required up to the limitation of the appropriation for these people, by appointing other reserve or retired officers. So that if the enlisted force does not come up to the 299,000 men, and money is saved out of the appropriation, the Chief of Staff can appoint as many reserve or retired officers on full pay as he chooses, which will use up any savings, and so your appropriation will be used up, even if you do not have 299,000 enlisted men.

You have not treated the National Guard properly. There is very grave doubt as to the constitutionality of the action in respect to them. The National Guard is a part of the militia, and the President of the United States has authority as Commander in Chief over the militia when called into service, but until that time he has no authority under the Constitution over the militia. I know Congress, under another clause of the Constitution, has the right to raise an army, but can not raise it out of anything except the militia.

Mr. ANTHONY. The gentleman says we have not given the National Guard enough. What more would the gentleman give the Guard than this bill does?

Mr. HULINGS. The bill does not preserve the right of the State to appoint the officers and train the troops.

Mr. ANTHONY. We have given the guard practically all of that.

Mr. HULINGS. No; by your bill the National Guard now is swallowed up by the Regular Army. For 25 years the Regulars have tried to destroy the National Guard. It would not be killed, and now they propose to swallow it in this bill. Every shred of the authority of the State to appoint the officers or train the militia is taken away in this bill and the whole business vested in a military autocracy stationed here at Washington.

Mr. CALDWELL. Mr. Chairman, I favor the proposition of the gentleman from California so far as the Chemical Warfare Service is concerned, but I want to say that I can not vote for this bill, for several reasons. One is that we have failed to take advantage of the lessons we have learned in the war; and, second, we have again put off the question of preparing the country; and, third, the bill we have now prepared in this committee is clearly unconstitutional in one respect at least. And I do not feel that, under my oath as a Member of Congress, after having read the Constitution and the decisions of the Supreme Court, which clearly hold that the National Guard section just adopted is unconstitutional, I can not in conscience vote for the bill, and therefore I intend to vote against it.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from California—the perfecting amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment of the gentleman from Alabama [Mr. DENT] striking out the section and inserting the matter which has been read at the Clerk's desk.

The question was taken, and the amendment was rejected.

Mr. KAHN. Mr. Chairman, the committee also agreed to go back to the first section of the bill.

Mr. CALDWELL. I suggest we pass that over and let the conferees take it up. On the division of the question before the House, on the vote to be taken on it, if it is knocked out of the bill it will not be in here. I therefore ask unanimous consent——

Mr. MANN of Illinois. You can arrange in the House by unanimous consent to vote on the two amendments together.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from California [Mr. KAHN].

The Clerk read as follows:

Amendment by Mr. KAHN: Page 2, line 6, after the word "Department," insert "construction corps."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MONDELL. Mr. Chairman, after having heard the varied views of the gentlemen on the minority side, I am almost persuaded that this bill is not absolutely perfect. Not that I expected that it would be, not that anyone else expected that it would be, not that any piece of legislation which this House has ever passed or ever will pass has been or will be perfect. But it would seem from what gentlemen on the other side say that this is really quite an imperfect piece of legislation.

I am reminded of the old Quaker who, as I recall it, talking with his wife, said, "I sometimes think, my dear, that all the world is queer, saving thee and me," and as I recall it on second thought he concluded that "thee might be just a little queer also at times."

That seems to be the attitude of the opposition on the minority side. There seem to be five official views in regard to this bill on the part of the minority, and as many more unofficial views as there are Members of the minority. There are some Members of the minority who agree with the majority. Then there were four Members of the minority that, more or less, and to a certain extent, and with certain reservations, agreed with each other; and then there was another gentleman of the minority that, after having read the minority report, with which he thought he agreed, concluded that he had to make some further reservations, which he did under his signature. And there was still another member of the minority who entirely disagreed with all the minority and all the majority. The bill was not large enough; it did not provide for enough either of officers or men, and he must vote against it under his oath, owing to that fact, as he just recently announced to us.

Now, what is the situation? In matters of legislation we must be guided——

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CALDWELL. I am sure the gentleman did not want to misrepresent my position. I take it that he was referring to my remarks.

Mr. MONDELL. I heard the gentleman say something about his oath, and I understood him to say that under his oath he could not support this bill.

Mr. CALDWELL. The gentleman has not quoted me as I have stated my view in my report.

Mr. MONDELL. I will be glad to put the gentleman's report in my remarks if that will straighten the matter out so as to exactly suit him.

Mr. CALDWELL. Very well. That will be satisfactory.

Mr. MONDELL. In order that the gentleman may not be misunderstood, here or elsewhere, now or at some future time, here are his minority views:

VIEWS OF MR. CALDWELL.

There are many reasons why I can not support this bill, a full statement of which would take more space than usually occupied by a minority report. Suffice it to say, however, that the bill is not an Army reorganization bill in any sense, but can only be considered as a bill to amend the Hay bill, commonly referred to as the national-defense act, in the drafting of which in many instances I supported the proposition with the idea that they were to be followed by a provision incorporating universal military training for which a majority of the whole committee, at one time, voted and for which never less than half of the committee expressed their approval until this bill was completed.

The bill is not constructive but destructive, for under it it will be impossible to have as large or as efficient a force as can be secured under the Hay bill without amendment. While the bill in terms authorizes 299,000 enlisted strength by the change in term of enlistment and the repeal of the provisions authorizing an enlisted reserve, it makes it impossible for the Government to have under its control at any time more than 125,000 men and consequently be in a position where it would not have use for more than 5,000 or 6,000 officers, 10,000 at the outside, while the bill provides for 18,000 officers.

Under the bill as framed, the annual expense will be practically twice that incurred when the Hay bill was in operation and will produce about half the results.

The bill establishes a single list for promotions, which is a step in the right direction and has my approval. In that respect it should have been established many years ago, and though the arrangement specified in the bill does not get rid of all the inequalities caused by prior legislation, it is an advance.

Following the Civil War, under Republican control, the Army was reduced from over a million men to something like 25,000, and now following the World War, under Republican control, it is sought to reduce the Army from 4,200,000 to what will actually approximate 100,000 men, the average length of service of which, under the one-year enlistment plan, will be approximately six months, while one-half of the actual enlisted strength of the Army will have on the average three months' training in the event of war. With these modifications producing these results, the committee has very appropriately taken rank away from men chaplains and given it to female nurses.

Mr. Chairman, what was the situation when the committee took up the preparation of an Army reorganization bill? In a matter of this kind, while we all have our views and some imagine that we know about what a military organization should be, after all, as Members of Congress, we must, to a certain degree at least, listen to the experts and pay some attention to what the department and the administration has to say.

What did the administration propose? What was the official pronouncement, which ought to have some little binding effect on the gentlemen of the administration party? What was the official pronouncement relative to an army? The Secretary of War proposed an army of 576,000 officers and men, an army of just about twice the size of the maximum army provided in this bill, and in support of that recommendation, made with the expectation on the part of the administration, I assume, that the League of Nations was going to be approved, came a correspond-

ing estimate lacking just a few pennies of $1,000,000,000 as the sum estimated by the administration as the amount essential for the support of the military organization the coming year.

In addition to that, the administration proposed, suggested, and advised a system of universal compulsory military training, and that, of course, whatever its cost might have been, would have been above and in excess of the $1,000,000,000 that was estimated as the cost of the regular establishment proposed. Now, that was the official pronouncement.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes additional.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MONDELL. That was the official program before the committee when it took up the necessary and essential work of reorganizing the Army. The committee has brought in a bill providing for an army which at its maximum will be about half the size of the army asked for by the administration, a bill which makes no provision for universal compulsory military training or service—and it was service training that was proposed by the Secretary of War.

The administration bill provided for an army of approximately 30,000 officers, and the bill before us provides for a little less than 18,000 officers. The administration's proposal, which would have cost $1,000,000,000 without the universal training, is matched by a bill under which an appropriation of approximately $400,000,000, possibly less, will make adequate provision for the peace-time strength of the organization proposed. So the committee reduced the Army by half compared to that proposed by the administration.

I have no doubt the committee will bring in an appropriation bill carrying considerably less than half of the departmental estimate for the support of the Army. Yet some gentlemen on the other side say it is too large. Well, I am willing to agree with gentlemen on either side, that in my opinion we do not need just at this time all of the officers or all of the men provided for in this organization. I do not think anyone anticipates or expects that we will have in the immediate future or in normal peace times all of the officers or all of the men provided as the maximum of this organization. But we have gone through a great war. New methods of warfare have been developed in that war. We have the Chemical Warfare Service, a branch of the Army not even dreamed of at the beginning of that war, and now for the first time provided for. We have the Air Service, a service insignificant at the outbreak of the war, but now one of the most important and one of the most expensive branches of the Army. The lessons of the war relative to transport make it necessary and essential that we have a larger transport corps, a larger number of men and officers devoted to transport than heretofore. One of the lessons of the war was in the use of artillery, and so we are providing for a larger use of artillery, requiring a much larger personnel in that branch than heretofore, compared with the number of rifles. The rifle or rather the line strength of the Army is increased in this bill, as I understand, only 45,000 men, but these new services and increases in old branches of the service, mostly staff corps, the importance of which have been accentuated by recent experiences, bring the total to something like 80,000 men above the maximum of the present establishment. No one ever accused me of being in favor of an unnecessarily large Military Establishment, but my opinion is that it would be very difficult indeed to frame an Army bill so as to provide for all the essential branches and reduce the maximum very much below that provided for in this bill, although I think that maximum will not be filled in normal peace times.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. May I have one minute?

Mr. KAHN. I ask that the gentleman have one minute more.

The CHAIRMAN. The gentleman from California asks unanimous consent that the time of the gentleman from Wyoming be extended one minute. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, I should like to ask the distinguished gentleman from Wyoming whether he has taken steps to give us a record vote on what is known as the Sanford amendment, which gives an entirely new and unnecessary corps?

Mr. MONDELL. The chairman of the committee will take care of that.

Mr. KAHN. I desire to ask the gentleman from Wyoming if he does not know that under the national defense act as it exists it is capable of raising an Army of 220,000 men, so that the increase in this bill is not much above that.

Mr. MONDELL. That was my impression, that there was a total possible increase of officers and men of something like, perhaps, 80,000. I do not pretend the bill is perfect, but it does represent the judgment of a considerable majority of a committee which has given much time and earnest study to the subject. We shall not appropriate for the maximum strength provided for, but it did seem necessary to provide for approximately the organization which is contemplated by this bill.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KAHN. There is an additional committee amendment.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 13, after the word "department," where used the first time, insert the words "construction corps."

Mr. BLANTON. I desire to be heard on the amendment.

Mr. KAHN. I move that all debate on this amendment close in 10 minutes.

The CHAIRMAN. That motion is not in order. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, I want to call attention to the fact that I agreed with the gentleman from Wyoming when, after the passage of the Sanford amendment creating a new construction corps, he appeared on the floor suddenly and very appropriately told us that a wrong action had been taken. I sincerely hope that in the past few days which have elapsed since the passage of that amendment, when this new and unnecessary separate and distinct corps, which the Secretary of War has said is unnecessary, was created by the Committee of the Whole House on the state of the Union, and which entails an enormous unnecessary expense to the Government, I hope that the distinguished leader of the majority, the gentleman from Wyoming, has been able to gather sufficient strength, so that upon a roll call, a record vote, he will be able to defeat the amendment when we get into the House. If he does not do it—I hate to make the assertion—if he does not do it, I am afraid that somebody has been asleep on the job during all this time. He said that it should not have been passed. He is the leader of the majority; he is all powerful here; he is supposed to speak what his side of the House, at least, ought to do, and I think when we get authority of that kind on the floor of the House, telling us what should have been done, he ought to be able to change it in the House, as I can assure him he will get a few votes from this side. I want him to tell us what excuse he is going to give the country in case the Sanford amendment carries when we get back into the House, because I am going to see to it that a record vote is had on the matter.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. KAHN. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore (Mr. WALSH) having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER pro tempore. Under the rule the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. ANTHONY. Mr. Speaker, I ask for a separate vote on the Sanford amendment creating a separate construction corps and all amendments pertaining thereto.

The SPEAKER pro tempore. The gentleman from Kansas asks for a separate vote on the amendment creating a separate construction corps and all amendments thereto.

Mr. MANN of Illinois. That is the amendment of Mr. SANFORD for a separate construction corps and the two amendments which have been agreed to, offered by the chairman of the committee.

Mr. SANFORD. There were two amendments which I offered pertaining to the construction corps, which makes four amendments altogether.

Mr. MANN of Illinois. Two amendments on page 16, one on page 4, and one on page 2.

Mr. SANFORD. Yes; one on page 16 and another on pages 16 and 17, and the two adopted, one on page 4 and one on page 2, making four in all.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment?

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent that the vote may be taken together on the four amendments relating to the construction corps, whenever it is taken.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the vote on the amendments relating to the construction corps may be taken en bloc. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the other amendments.

The other amendments were agreed to.

The SPEAKER pro tempore. The question now is on the amendments relating to the construction corps, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SANFORD: Page 16, after line 13, insert a new paragraph, as follows:

"SEC. 8a. Construction service: The construction service shall consist of one chief of construction with the rank of brigadier general, 250 officers of the grades from colonel to captain, inclusive, and 8,000 enlisted men. The chief of construction, under the authority of the Secretary of War, shall be charged with construction, maintenance, and repair of buildings, structures (other than fortifications), and utilities, and the preparation of plans therefor, in accordance with the requirements of the several arms, corps, bureaus, and services of the Army of the United States, and with the operation of utilities in connection therewith and with acquirement of real estate and issuance of licenses in connection with the military reservations under the jurisdiction of the War Department."

Page 16, line 20, strike out the words "one thousand and fifty" and insert in lieu thereof the following: "eight hundred"; same page, line 22, strike out the word "twenty" and insert in lieu thereof the word "twelve"; same page, line 19, strike out the word "three" and insert the word "two" in lieu thereof; also, on page 17, strike out the following, beginning with the word "with," on line 3, to and including the word "reservations," line 10.

Page 2, line 6, after the word "department," insert the words "construction corps." Page 4, line 13, after the word "department," insert the words "construction corps."

Mr. ANTHONY. Mr. Speaker, on this vote I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 159, nays 170, answered "present" 2, not voting 95, as follows:

YEAS—159.

Ackerman	Dyer	McArthur	Reavis
Andrews, Nebr.	Eagan	McGlennon	Reed, N. Y.
Aswell	Echols	McKeown	Reed, W. Va.
Babka	Emerson	McKiniry	Riordan
Bacharach	Evans, Mont.	McKinley	Rogers
Baer	Fisher	MacCrate	Rucker
Benham	Flood	MacGregor	Sanders, La.
Benson	Gallagher	Magee	Sanford
Blackmon	Ganly	Major	Sears
Bland, Mo.	Garland	Mann, S. C.	Sherwood
Bland, Va.	Garrett	Martin	Siegel
Bowers	Goodwin, Ark.	Mead	Sims
Brand	Goodykoontz	Merritt	Slemp
Browning	Griffin	Michener	Smith, Idaho
Brumbaugh	Hadley	Miller	Smith, N. Y.
Byrnes, S. C.	Harrison	Minahan, N. J.	Smithwick
Byrns, Tenn.	Hernandez	Mooney	Snell
Caldwell	Hersman	Moore, Va.	Snyder
Campbell, Pa.	Hicks	Morgan	Steele
Carew	Holland	Mott	Stephens, Miss.
Carss	Houghton	Mudd	Stevenson
Casey	Hull, Tenn.	Murphy	Stiness
Clark, Mo.	Husted	Nelson, Wis.	Stoll
Cleary	Igoe	Newton, Minn.	Sullivan
Coady	Ireland	Newton, Mo.	Taylor, Ark.
Copley	Jacoway	Nicholls, S. C.	Tillman
Crago	Johnson, S. Dak.	Nichols, Mich.	Tinkham
Crisp	Johnson, Wash.	O'Connell	Upshaw
Cullen	Kearns	Oldfield	Venable
Dallinger	Kelly, Pa.	Olney	Vinson
Darrow	Kinkaid	Overstreet	Webster
Davis, Tenn.	Lankford	Park	Whaley
Dempsey	Larsen	Parker	Wilson, La.
Dewalt	Lazaro	Pell	Wilson, Pa.
Dickinson, Mo.	Lee, Ga.	Peters	Wingo
Dominick	Lehlbach	Phelan	Wise
Donovan	Lesher	Rainey, J. W.	Woods, Va.
Dooling	Linthicum	Raker	Wright
Dunn	Lonergan	Ramsey	Yates
Dupré	Luce	Rayburn	

NAYS—170.

Almon	Browne	Doughton	Fuller, Ill.
Andrews, Md.	Buchanan	Dowell	Garner
Anthony	Burdick	Dunbar	Godwin, N. C.
Ashbrook	Burroughs	Eagle	Goldfogle
Ayres	Butler	Elliott	Good
Barbour	Candler	Elston	Graham, Ill.
Begg	Cannon	Esch	Green, Iowa
Bell	Classon	Evans, Nebr.	Greene, Mass.
Black	Cole	Evans, Nev.	Greene, Vt.
Bland, Ind.	Collier	Fairfield	Griest
Blanton	Connally	Fess	Hardy, Colo.
Boies	Cooper	Focht	Hardy, Tex.
Box	Currie, Mich.	Fordney	Harreld
Briggs	Dale	Foster	Haugen
Britten	Davis, Minn.	Frear	Hawley
Brooks, Ill.	Dent	Freeman	Hays
Brooks, Pa.	Dickinson, Iowa	French	Heflin
Hersey	Luhring	Randall, Calif.	Thomas
Hickey	McCulloch	Randall, Wis.	Thompson
Hoch	McKenzie	Reber	Tilson
Hoey	McLaughlin, Mich.	Rhodes	Tincher
Hulings	McLaughlin, Nebr.	Ricketts	Towner
Hull, Iowa	McPherson	Robinson, N. C.	Treadway
Humphreys	Madden	Robsion, Ky.	Vaile
Hutchinson	Maher	Rodenberg	Vestal
James	Mann, Ill.	Romjue	Voigt
Jefferis	Mansfield	Rowe	Volstead
Johnson, Miss.	Monahan, Wis.	Rubey	Wason
Jones, Pa.	Mondell	Scott	Watkins
Jones, Tex.	Montague	Sells	Watson
Juul	Moore, Ohio	Shreve	Weaver
Kahn	Moores, Ind.	Sinclair	Welling
Keller	Nelson, Mo.	Sisson	Wheeler
Kelley, Mich.	Ogden	Small	White, Kans.
Kendall	Oliver	Smith, Mich.	White, Me.
Kiess	Padgett	Steagall	Williams
King	Parrish	Stedman	Wilson, Ill.
Kitchin	Pou	Stephens, Ohio	Wood, Ind.
Kleczka	Purnell	Strong, Kans.	Woodyard
Kraus	Quin	Summers, Wash.	Young, Tex.
Lanham	Radcliffe	Sweet	Zihlman
Layton	Rainey, H. T.	Swope	
Little	Ramseyer	Taylor, Tenn.	

ANSWERED "PRESENT"—2.

Longworth	Moon

NOT VOTING—95.

Anderson	Ferris	Knutson	Rose
Bankhead	Fields	Kreider	Rouse
Barkley	Fuller, Mass.	Lampert	Rowan
Bee	Gallivan	Langley	Sabath
Booher	Gandy	Lea, Calif.	Sanders, Ind.
Brinson	Gard	Lufkin	Sanders, N. Y.
Burke	Glynn	McAndrews	Schall
Campbell, Kans.	Goodall	McClintic	Scully
Cantrill	Gould	McDuffie	Sinnott
Caraway	Graham, Pa.	McFadden	Smith, Ill.
Carter	Hamill	McLane	Steenerson
Chindblom	Hamilton	Mapes	Strong, Pa.
Christopherson	Hastings	Mason	Sumners, Tex.
Clark, Fla.	Hayden	Mays	Tague
Costello	Hill	Morin	Taylor, Colo.
Cramton	Howard	Neely	Temple
Crowther	Huddleston	Nolan	Timberlake
Curry, Calif.	Hudspeth	O'Connor	Vare
Davey	Johnson, Ky.	Osborne	Walters
Denison	Johnston, N. Y.	Paige	Ward
Doremus	Kennedy, Iowa	Platt	Welty
Drane	Kennedy, R. I.	Porter	Winslow
Edmonds	Kettner	Rainey, Ala.	Young, N. Dak.
Ellsworth	Kincheloe	Riddick	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. LONGWORTH (against) with Mr. LUFKIN (for).

Until further notice:

Mr. TEMPLE with Mr. BANKHEAD.

Mr. WALTERS with Mr. HASTINGS.

Mr. MAPES with Mr. BEE.

Mr. WINSLOW with Mr. CARTER.

Mr. DENISON with Mr. BRINSON.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. LAMPERT with Mr. GARD.

Mr. GOODALL with Mr. WELTY.

Mr. KENNEDY of Rhode Island with Mr. TAGUE.

Mr. ANDERSON with Mr. MAYS.

Mr. CAMPBELL of Kansas with Mr. HOWARD.

Mr. KNUTSON with Mr. BARKLEY.

Mr. STEENERSON with Mr. FERRIS.

Mr. BURKE with Mr. SUMNERS of Texas.

Mr. GRAHAM of Pennsylvania with Mr. TAYLOR of Colorado.

Mr. CHINDBLOM with Mr. LEA of California.

Mr. YOUNG of North Dakota with Mr. MOON.

Mr. EDMONDS with Mr. SABATH.

Mr. CHRISTOPHERSON with Mr. BOOHER.

Mr. CROWTHER with Mr. DRANE.

Mr. KENNEDY of Iowa with Mr. GALLIVAN.

Mr. OSBORNE with Mr. HAYDEN.

Mr. TIMBERLAKE with Mr. NEELY.

Mr. COSTELLO with Mr. JOHNSTON of New York.

Mr. SMITH of Illinois with Mr. O'CONNOR.

Mr. CRAMTON with Mr. ROWAN.

Mr. SANDERS of Indiana with Mr. HUDSPETH.

Mr. MCFADDEN with Mr. GANDY.

Mr. PLATT with Mr. KETTNER.

Mr. SINNOTT with Mr. RAINEY of Alabama.

Mr. STRONG of Pennsylvania with Mr. CANTRILL.

Mr. CURRY of California with Mr. MCLANE.

Mr. HAMILTON with Mr. CARAWAY.

Mr. ELLSWORTH with Mr. HAMILL.

Mr. KREIDER with Mr. MCDUFFIE.

Mr. VARE with Mr. FIELDS.

Mr. FULLER of Massachusetts with Mr. DOREMUS.

Mr. SANDERS of New York with Mr. MCANDREWS.

Mr. GLYNN with Mr. DAVEY.
Mr. MORIN with Mr. MCCLINTIC.
Mr. PAGE with Mr. SCULLY.
Mr. ROSE with Mr. JOHNSON of Kentucky.
Mr. PORTER with Mr. HUDDLESTON.

Mr. LONGWORTH. Mr. Chairman, I am paired with the gentleman from Massachusetts, Mr. LUFKIN. I voted "nay," and desire to withdraw my vote and answer "present," understanding that Mr. LUFKIN is in favor of the amendment.

The name of Mr. LONGWORTH was called, and he answered "Present."

The result of the vote was announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SINNOTT (at the request of Mr. HAWLEY), indefinitely, on account of death of his brother.

To Mr. SANDERS of Indiana (at the request of Mr. PURNELL), indefinitely, on account of illness.

To Mr. DRANE, for an indefinite time, on account of important business.

ARMY REORGANIZATION.

The SPEAKER pro tempore. The question is on ordering the bill to be engrossed and read the third time.

The bill was ordered to be engrossed and read a third time; was read the third time.

Mr. DENT. Mr. Speaker, I offer the following motion to recommit.

The SPEAKER pro tempore. The gentleman from Alabama offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. DENT moves to recommit the bill H. R. 12775 to the Committee on Military Affairs with instructions to report the same back with amendments providing for—

First. That the total enlisted force of the line of the Regular Army, excluding the Philippine Scouts and the enlisted men of the Quartermaster Corps and of the Medical Department and of the Signal Corps and the unassigned recruits, shall not at any time except in actual or threatened war exceed 185,000 men.

Second. That the commissioned personnel of the Regular Army shall not exceed 14,000 officers, divided in grades not to exceed the following percentages: Colonels, 2½ per cent; lieutenant colonels, 3 per cent; majors, 7½ per cent; captains, 30 per cent; first lieutenants, 29 per cent; second lieutenants, 28 per cent.

Third. That the War Department General Staff within the District of Columbia be limited to not exceeding 50 officers.

Mr. KAHN. Mr. Speaker, on that I move——

Mr. MANN of Illinois. Mr. Speaker, I make a point of order against the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois will state his point of order.

Mr. MANN of Illinois. I do not know I shall insist upon it if it is a good point of order. The motion to recommit directs the Committee on Military Affairs to report back immediately the bill in a way that is not indicated. If the motion should be put it would be a physical impossibility to comply with it. It does not set out the amendment at all that it is proposed to have reported back by the Committee on Military Affairs, but is merely a direction to that committee to prepare amendments to conform with the direction, and it would probably take I do not know how many amendments but a great many different amendments under the provisions of the bill and could not be complied with. After having stated that, I will withdraw the point of order.

Mr. KAHN. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER pro tempore. The gentleman from California moves the previous question on the motion to recommit.

Mr. CLARK of Missouri. Has the Chair passed on the point of order?

The SPEAKER pro tempore. The gentleman from Illinois withdrew his point of order.

Mr. CLARK of Missouri. A very good thing he did.

Mr. MANN of Illinois. It is a good point of order.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER pro tempore. The question now comes on the motion offered by the gentleman from Alabama to recommit the bill to the Committee on Military Affairs with certain instructions.

The question was taken, and the Speaker pro tempore announced the noes appeared to have it.

Mr. DENT. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Alabama demands the yeas and nays. Evidently there is a sufficient number and the yeas and nays are ordered.

The question was taken; and there were—yeas 115, nays 222, answered "present" 1, not voting 88, as follows:

YEAS—115.

Almon	Doughton	McClintic	Sears
Ashbrook	Eagle	McKeown	Sherwood
Aswell	Evans, Nev.	McKinley	Sims
Ayres	Flood	Maher	Sinclair
Baer	Ganly	Major	Sisson
Bell	Garner	Mann, S. C.	Small
Black	Garrett	Mansfield	Smithwick
Blackmon	Godwin, N. C.	Mays	Steagall
Blanton	Goldfogle	Mead	Stedman
Box	Goodwin, Ark.	Moon	Stephens, Miss.
Brand	Griffin	Nelson, Mo.	Stevenson
Briggs	Hardy, Tex.	Nicholls, S. C.	Stoll
Brumbaugh	Heflin	O'Connell	Taylor, Ark.
Buchanan	Hoey	Oldfield	Thomas
Byrnes, S. C.	Hulings	Oliver	Tillman
Byrns, Tenn.	Hull, Tenn.	Overstreet	Upshaw
Candler	Humphreys	Padgett	Venable
Carss	Jacoway	Park	Vinson
Casey	Johnson, Miss.	Parrish	Watkins
Clark, Mo.	Jones, Tex.	Pou	Weaver
Collier	Keller	Quin	Whaley
Connally	Kitchin	Randall, Calif.	Wilson, La.
Crisp	Kraus	Rayburn	Wilson, Pa.
Cullen	Lanham	Riordan	Wingo
Davis, Tenn.	Lankford	Robinson, N. C.	Wise
Dent	Larsen	Romjue	Wood, Ind.
Dewalt	Lee, Ga.	Rubey	Wright
Dickinson, Mo.	Lesher	Rucker	Young, Tex.
Dominick	Little	Sanders, La.	

NAYS—222.

Ackerman	Fairfield	Lazaro	Reber
Anderson	Fess	Lehlbach	Reed, N. Y.
Andrews, Md.	Fisher	Linthicum	Reed, W. Va.
Andrews, Nebr.	Focht	Lonergan	Rhodes
Anthony	Fordney	Longworth	Ricketts
Babka	Foster	Luce	Robsion, Ky.
Bacharach	Frear	Luhring	Rodenberg
Barbour	Freeman	McArthur	Rogers
Begg	French	McCulloch	Rowe
Benham	Fuller, Ill.	McGlennon	Scott
Benson	Gallagher	McKenzie	Sells
Bland, Ind.	Good	McKinley	Shreve
Bland, Mo.	Goodykoontz	McLaughlin, Mich.	Siegel
Bland, Va.	Graham, Ill.	McLaughlin, Nebr.	Slemp
Boies	Green, Iowa	McPherson	Smith, Idaho
Bowers	Greene, Mass.	MacCrate	Smith, Mich.
Britten	Greene, Vt.	MacGregor	Smith, N. Y.
Brooks, Ill.	Griest	Madden	Snell
Brooks, Pa.	Hadley	Magee	Snyder
Browne	Hardy, Colo.	Mann, Ill.	Steele
Browning	Harrison	Martin	Steenerson
Burroughs	Haugen	Merritt	Stephens, Ohio
Butler	Hawley	Michener	Stiness
Caldwell	Hays	Miller	Strong, Kans.
Campbell, Pa.	Hernandez	Minahan, N. J.	Sullivan
Cannon	Hersey	Monahan, Wis.	Summers, Wash.
Carew	Hersman	Mondell	Sweet
Classon	Hickey	Montague	Swope
Cleary	Hicks	Mooney	Taylor, Tenn.
Coady	Hill	Moore, Ohio	Thompson
Cole	Hoch	Moore, Va.	Tilson
Cooper	Holland	Moores, Ind.	Tincher
Copley	Houghton	Morgan	Tinkham
Costello	Hull, Iowa	Mott	Towner
Currie, Mich.	Husted	Mudd	Treadway
Dale	Hutchinson	Murphy	Vaile
Dallinger	Igoe	Nelson, Wis.	Vestal
Darrow	Ireland	Newton, Minn.	Voigt
Davis, Minn.	James	Newton, Mo.	Volstead
Dempsey	Jefferis	Nichols, Mich.	Wason
Dickinson, Iowa	Johnson, S. Dak.	Ogden	Watson
Donovan	Johnson, Wash.	Olney	Webster
Dooling	Jones, Pa.	Parker	Welling
Dowell	Juul	Pell	Wheeler
Dunbar	Kahn	Peters	White, Kans.
Dunn	Kearns	Phelan	White, Me.
Dupré	Kelley, Mich.	Platt	Williams
Dyer	Kelly, Pa.	Purnell	Wilson, Ill.
Eagan	Kendall	Radcliffe	Winslow
Echols	Kettner	Rainey, H. T.	Woods, Va.
Elliott	Kiess	Rainey, J. W.	Woodyard
Elston	King	Raker	Yates
Emerson	Kinkaid	Ramsey	Young, N. Dak.
Esch	Kleczka	Ramseyer	Zihlman
Evans, Mont.	Knutson	Randall, Wis.	
Evans, Nebr.	Layton	Reavis	

ANSWERED "PRESENT"—1.

Sanford

NOT VOTING—88.

Bankhead	Davey	Hamilton	McDuffie
Barkley	Denison	Harreld	McFadden
Bee	Doremus	Hastings	McLane
Booher	Drane	Hayden	Mapes
Brinson	Edmonds	Howard	Mason
Burdick	Ellsworth	Huddleston	Morin
Burke	Ferris	Hudspeth	Neely
Campbell, Kans.	Fields	Johnson, Ky.	Nolan
Cantrill	Fuller, Mass.	Johnston, N. Y.	O'Connor
Caraway	Gallivan	Kennedy, Iowa	Osborne
Carter	Gandy	Kennedy, R. I.	Paige
Chindblom	Gard	Kincheloe	Porter
Christopherson	Garland	Kreider	Rainey, Ala.
Clark, Fla.	Glynn	Lampert	Riddick
Crago	Goodall	Langley	Rose
Cramton	Gould	Lea, Calif.	Rouse
Crowther	Graham, Pa.	Lufkin	Rowan
Curry, Calif.	Hamill	McAndrews	Sabath

Sanders, Ind.	Sinnott	Tague	Vare
Sanders, N. Y.	Smith, Ill.	Taylor, Colo.	Walters
Schall	Strong, Pa.	Temple	Ward
Scully	Sumners, Tex.	Timberlake	Welty

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. GARD (for) with Mr. LAMPERT (against).

Mr. BANKHEAD (for) with Mr. TEMPLE (against).

Mr. MCDUFFIE (for) with Mr. SCULLY (against).

Until further notice:

Mr. HARRELD with Mr. BARKLEY.

Mr. GARLAND with Mr. CARTER.

Mr. LUFKIN with Mr. FERRIS.

Mr. MORIN with Mr. JOHNSTON of New York.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question now comes on the passage of the bill.

Mr. KAHN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 245, nays 92, not voting 89, as follows:

YEAS—245.

Ackerman	Fess	Linthicum	Reber
Anderson	Fisher	Lonergan	Reed, N. Y.
Andrews, Md.	Focht	Longworth	Reed, W. Va.
Andrews, Nebr.	Fordney	Luce	Rhodes
Anthony	Foster	Luhring	Ricketts
Ashbrook	Frear	McArthur	Riordan
Ayres	Freeman	McCulloch	Robsion, Ky.
Babka	French	McGlennon	Rodenberg
Bacharach	Fuller, Ill.	McKenzie	Rogers
Baer	Gallagher	McKeown	Rowe
Barbour	Ganly	McKiniry	Scott
Begg	Garland	McKinley	Sells
Benham	Godwin, N. C.	McLaughlin, Mich.	Shreve
Benson	Goldfogle	McLaughlin, Nebr.	Siegel
Black	Good	McPherson	Slemp
Bland, Ind.	Goodykoontz	MacCrate	Small
Bland, Mo.	Graham, Ill.	MacGregor	Smith, Idaho
Bland, Va.	Green, Iowa	Madden	Smith, Mich.
Boies	Greene, Mass.	Magee	Smith, N. Y.
Bowers	Greene, Vt.	Maher	Snell
Brooks, Ill.	Griest	Mann, Ill.	Snyder
Brooks, Pa.	Griffin	Martin	Steenerson
Browne	Hadley	Mead	Stephens, Ohio
Browning	Hardy, Colo.	Merritt	Stiness
Burdick	Harreld	Michener	Strong, Kans.
Burroughs	Harrison	Miller	Sullivan
Butler	Hawley	Minahan, N. J.	Summers, Wash.
Campbell, Pa.	Hays	Monahan, Wis.	Sweet
Cannon	Hernandez	Mondell	Swope
Carew	Hersey	Montague	Taylor, Tenn.
Casey	Hersman	Mooney	Thompson
Classon	Hickey	Moore, Ohio	Tilson
Cleary	Hicks	Moore, Va.	Tincher
Coady	Hoch	Moores, Ind.	Tinkham
Cole	Holland	Morgan	Towner
Cooper	Houghton	Mott	Treadway
Copley	Hull, Iowa	Mudd	Upshaw
Crago	Husted	Murphy	Vaile
Cullen	Hutchinson	Nelson, Wis.	Vestal
Currie, Mich.	Igoe	Newton, Minn.	Vinson
Dale	Ireland	Newton, Mo.	Voigt
Dallinger	James	Nichols, Mich.	Volstead
Darrow	Jefferis	Nolan	Wason
Davis, Minn.	Johnson, S. Dak.	O'Connell	Watson
Dempsey	Johnson, Wash.	Ogden	Weaver
Dewalt	Jones, Pa.	Olney	Webster
Dickinson, Iowa	Juul	Overstreet	Welling
Donovan	Kahn	Parker	Wheeler
Dooling	Kearns	Pell	White, Kans.
Dowell	Kelley, Mich.	Peters	White, Me.
Dunbar	Kelly, Pa.	Phelan	Williams
Dunn	Kendall	Platt	Wilson, Ill.
Dupré	Kettner	Purnell	Wilson, Pa.
Dyer	Kiess	Radcliffe	Winslow
Eagan	Kinkaid	Rainey, H. T.	Woods, Va.
Echols	King	Rainey, J. W.	Woodyard
Elliott	Kleczka	Raker	Yates
Elston	Knutson	Ramsey	Young, N. Dak.
Emerson	Layton	Ramseyer	Zihlman
Esch	Lazaro	Randall, Calif.	
Evans, Nebr.	Lee, Ga.	Randall, Wis.	
Fairfield	Lehlbach	Reavis	

NAYS—92.

Almon	Davis, Tenn.	Johnson, Miss.	Oliver
Aswell	Dent	Jones, Tex.	Padgett
Bell	Dickinson, Mo.	Keller	Park
Blackmon	Dominick	Kitchin	Parrish
Blanton	Doughton	Kraus	Pou
Box	Eagle	Lanham	Quin
Brand	Evans, Mont.	Lankford	Rayburn
Briggs	Evans, Nev.	Larsen	Robinson, S. C.
Brumbaugh	Flood	Lesher	Romjue
Buchanan	Garner	Little	Rubey
Byrnes, S. C.	Garrett	McClintic	Rucker
Byrns, Tenn.	Goodwin, Ark.	Major	Sanders, La.
Caldwell	Hardy, Tex.	Mann, S. C.	Sanford
Candler	Heflin	Mansfield	Sears
Carss	Hoey	Mays	Sherwood
Clark, Mo.	Hulings	Moon	Sims
Collier	Hull, Tenn.	Nelson, Mo.	Sinclair
Connally	Humphreys	Nicholls, S. C.	Sisson
Crisp	Jacoway	Oldfield	Steagall
Stedman	Taylor, Ark.	Watkins	Wise
Stephens, Miss.	Thomas	Whaley	Wood, Ind.
Stevenson	Tillman	Wilson, La.	Wright
Stoll	Venable	Wingo	Young, Tex.

NOT VOTING—89.

Bankhead	Ellsworth	Kennedy, R. I.	Rowan
Barkley	Ferris	Kincheloe	Sabath
Bee	Fields	Kreider	Sanders, Ind.
Booher	Fuller, Mass.	Lampert	Sanders, N. Y.
Brinson	Gallivan	Langley	Schall
Britten	Gandy	Lea, Calif.	Scully
Burke	Gard	Lufkin	Sinnott
Campbell, Kans.	Glynn	McAndrews	Smith, Ill.
Cantrill	Goodall	McDuffie	Smithwick
Caraway	Gould	McFadden	Steele
Carter	Graham, Pa.	McLane	Strong, Pa.
Chindblom	Hamill	Mapes	Sumners, Tex.
Christopherson	Hamilton	Mason	Tague
Clark, Fla.	Hastings	Morin	Taylor, Colo.
Costello	Haugen	Neely	Temple
Cramton	Hayden	O'Connor	Timberlake
Crowther	Hill	Osborne	Vare
Curry, Calif.	Howard	Paige	Walters
Davey	Huddleston	Porter	Ward
Denison	Hudspeth	Rainey, Ala.	Welty
Doremus	Johnson, Ky.	Riddick	
Drane	Johnston, N. Y.	Rose	
Edmonds	Kennedy, Iowa	Rouse	

So the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. TEMPLE (for) with Mr. BANKHEAD (against).

Mr. DENISON (for) with Mr. BRINSON (against).

Mr. SCULLY (for) with Mr. MCDUFFIE (against).

Until further notice:

Mr. GOULD with Mr. BARKLEY.

Mr. HAUGEN with Mr. CARTER.

Mr. MASON with Mr. SMITHWICK.

Mr. COSTELLO with Mr. STEELE.

The result of the vote was announced as above recorded.

On motion of Mr. KAHN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COMPENSATION OF LABORERS, CUSTOMS SERVICE.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that House bill 11309 be taken from the Speaker's table, and the Senate amendment concurred in.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that House bill 11309, with a Senate amendment, be taken from the Speaker's table and the amendment concurred in. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 11309) to authorize the Secretary of the Treasury to fix the compensation of certain laborers in the Customs Service.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

Mr. CALDWELL and Mr. RAMSEYER rose.

The SPEAKER pro tempore. For what purpose does the gentleman from New York rise?

Mr. CALDWELL. I rise to direct the attention of the leadership on that side of the House to the fact that it is late, and we have worked pretty hard on the passage of the Army reorganization bill, and I think we ought to adjourn now. I dislike to make the point of no quorum.

The SPEAKER pro tempore. Will the gentleman withhold that for a moment?

Mr. CALDWELL. Yes.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. JOHNSON of Washington, for Friday and Saturday, on account of important business.

To Mr. BEE (at the request of Mr. GARNER), for to-day, on account of important business.

To Mr. MACGREGOR, indefinitely, on account of sickness in his family.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker pro tempore signed the same:

H. J. Res. 299. Joint resolution extending the term of the National Screw Thread Commission for a period of two years from March 21, 1920.

EXTENSION OF REMARKS.

Mr. VAILE rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Colorado rise?

Mr. VAILE. I rise to ask unanimous consent to extend my remarks in the RECORD on two subjects, the soldiers' bonus pay and national highways.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD on the subjects of soldiers' bonus pay and national highways. Is there objection?

There was no objection.

OFFICERS' PAY BILL.

Mr. CALDWELL. Mr. Speaker, I want to make an inquiry: When will they bring in a rule on the question of the officers' pay bill?

Mr. MANN of Illinois. The committee has not acted on it.

NAVAL APPROPRIATION BILL.

Mr. BUTLER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13108, known as the naval appropriation bill.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13108, the naval appropriation bill.

Mr. BUTLER. And, pending that, Mr. Speaker, I would like to have the attention of my colleague from Tennessee [Mr. PADGETT] to see if we can arrange for the time of general debate.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. BUTLER. Yes.

Mr. BLANTON. I would like to ask the gentleman, Mr. Speaker, whether we may expect this bill up for consideration in the House to-morrow?

Mr. BUTLER. Yes, sir. I hope the Speaker will permit us to go into Committee of the Whole for that purpose to-morrow at 12 o'clock, or soon after that.

I will ask my colleague about how much time he thinks we will need for general debate? On this side they have asked for three hours. Shall we say that the general debate shall not exceed six hours, and that one-half of the time shall be controlled by the gentleman from Tennessee and one-half by myself, and if the gentleman does not have use for all the time over there I am sure he will observe the same generous disposition he has always shown and give us five or six hours.

Mr. PADGETT. Say, six hours.

Mr. BUTLER. Mr. Speaker, pending the motion to go into Committee of the Whole, after conferring with my colleague, the gentleman from Tennessee [Mr. PADGETT], I will ask that the general debate be limited to six hours, one-half of that time to be controlled by the gentleman from Tennessee [Mr. PADGETT] and one-half by the gentleman from New Jersey [Mr. BROWNING].

The SPEAKER pro tempore. Pending the motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill, the gentleman from Pennsylvania [Mr. BUTLER] asks unanimous consent that the general debate be limited to six hours, one-half to be controlled by the gentleman from Tennesseee [Mr. PADGETT] and one-half by the gentleman from New Jersey [Mr. BROWNING]. Is there objection?

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Pennsylvania if he is trying to get any kind of an order for the House to meet at 11 o'clock.

Mr. BUTLER. Mr. Speaker, I very much wish that the House would consent to that. I have not yet talked to Mr. MONDELL about it.

Mr. CLARK of Missouri. Well, I am opposed to it.

Mr. BUTLER. Very well, then. I will make no effort to get that agreement. It would have to be done by unanimous consent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania as to the limitation and control of the time for general debate?

There was no objection.

The SPEAKER pro tempore. The question is on the motion that the House resolve itself into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] will take the chair. [Applause.]

Mr. MANN of Illinois took the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of a bill which the Clerk will report.

The Clerk read the title of the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

On motion of Mr. BUTLER the committee rose; and the Speaker pro tempore having resumed the chair, Mr. MANN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the naval appropriation bill (H. R. 13108) had come to no resolution thereon.

COOPERATIVE PERSONAL RURAL CREDIT.

Mr. GOODWIN of Arkansas. Mr. Speaker, the bill (H. R. 12678) introduced by the gentleman from Pennsylvania [Mr. MCFADDEN] to establish a cooperative rural credit system based on personal security is one of vital importance to the whole country. If that bill were enacted into law, it would place our farmers on the same footing respecting productive credit as the European farmers have enjoyed for years.

This bill proposes to create two corporations by special charters, a rural credit society and general insurance league. The broad scope of this measure forces me to limit my discussion to two articles of the rural credit charter, to article 2, defining the powers of the corporation, and article 7, providing for its control by responsible farmers for the production of agriculture. That charter is divided into articles, the articles being divided into sections, the sections into paragraphs, and the paragraphs being divided into subparagraphs. There is a headnote at the beginning of each article which indicates the general subject treated in the whole article, while the headnote of the sections, paragraphs, and subparagraphs indicates the special subject treated in each. Only one subject is treated in a paragraph, and when a subject is once introduced it is fully treated in an orderly sequence, and if the same subject is treated in another article reference is made to it. A reader of ordinary intelligence may obtain a fairly accurate understanding of the bill by merely reading those headnotes, as the text is only the legal phraseology of the headnote. It is impossible to conceal a joker in a bill so drawn.

POWERS OF THE RURAL CREDIT SOCIETY.

The meat of the rural credit charter is contained in articles 2 and 7. Article 2 grants to the corporation the broad power to do a general banking and credit business. There are but two limitations on its power to do such business. One of such limitations is a prohibition against its issuance of bank notes or currency, a privilege enjoyed exclusively by the Federal reserve banks, and the other prohibits its local associations or communes from receiving deposits. It is to be observed, therefore, that there is no limitation of the rural credit society's authority to pursue the ancient practice of "banking with bills."

THE THREE SYSTEMS OF BANKING.

To fully appreciate this provision of the charter I shall make a few observations on the ancient practice of banking with bills of exchange, or, as it is commonly termed, "banking with bills." Gilbart, the highest authority on banking and ablest banker that ever wrote on the theory of banking, says:

> Banking is a kind of trade carried on for the purpose of getting money. The trade of a banker differs from other trades, inasmuch as it is carried on chiefly with the money of other people.
>
> The trading capital of a bank may be divided into two parts—the invested capital and the banking capital. The invested capital is the money paid down by the partners for the purpose of carrying on the business. This may be called the real capital. The banking capital is that portion of the capital which is created by the bank itself in the course of its business, and may be called the borrowed capital.
>
> There are three ways of raising a banking or borrowed capital. First, by receiving deposits; secondly, by issuing of notes; thirdly, by the drawing of bills.

HISTORY OF ANCIENT SYSTEM OF "BANKING WITH BILLS."

The system of "banking with bills" is the oldest system of banking, antedating the other two systems in Europe by more than 18 centuries, of which we have authentic history. Gibbins, in his "History of Commerce in Europe," in referring to the Greek colonies, says, "Bills of exchange were freely used in the

fourth century B. C." And in treating of the same subject at a later period the same author says:

Certainly, bills of exchange were current among the commercial States of Italy in the early part of the fourteenth century, and they were also known about the middle of the same century in England. The use of foreign bills is said to have preceded that of inland. At first used only as a means of remittance, they gradually came to serve many other purposes as their use became better understood and their utility recognized; so that, in time, they formed a paper currency of great utility.

Hazlitt, the historian of the Venetian Republic, contends that this system of "banking with bills" "long remained in universal vogue" before either of the other two banking systems made its advent into Europe. British commerce was financed exclusively with bills of exchange until the seventeenth century, when the king confiscated the merchants' gold in the Tower of London, where it was held for the liquidation of their bills of exchange. In the year 1613 the Court of King's Bench, in the case of Oaste against Taylor, Three hundred and sixth Modern King's Bench reports, held none but merchants or traders could either draw or accept a bill of exchange; and in 1702 the same court, in Buller against Crips, held a promissory note to be a nonnegotiable instrument, thus giving to the producers and distributors of commerce a monopoly in the creation of negotiable instruments. Sir Josiah Child, that eminent man of business and economist, in an excellent essay on trade published in London in 1678, charges the "new-fashioned" bankers, as the deposit and note-issue banks were then termed, with causing the interest rate in England to be 2 per cent higher than in Holland, due to their practice of paying 6 per cent on deposits.

France, even to this day, permits none but commercial men and farmers, actual producers and distributors of commerce, to accept or draw bills of exchange, or to "bank with bills"; and previous to the establishment of the Credit Agricole—the French personal rural credit system—the commercial men of France enjoyed a monopoly of this ancient banking practice, and it is admitted by all monetary writers that France has the soundest credit institutions, and their soundness is attributable largely to the fact that none but producers can "bank with bills."

SUPERIORITY OF "BILLS" OVER PROMISSORY NOTES.

The form of the bill of exchange differs little from the form of the promissory note, except that a bill of exchange carries upon its face abundant proof that it represents a real productive transaction. Credit used for production not only enriches the borrower but becomes a wealth-producing factor to the community and nation as well, while credit used for consumption not only impoverishes the borrower but is detrimental to the community and nation where practiced, and where consumptive or speculative credit is practiced on an extensive scale it will cause the whole banking or credit system to break down. The man who obtains productive credit has on pay day not only the principal but frequently the principal is multiplied manyfold. The farmer with only a spade can produce but little agriculture compared to what he could with a good team of horses and suitable plows; therefore it is to the interest of the Republic, and to every citizen of the Republic, to have its energetic, honest, and frugal men supplied with the tools necessary to make their efforts productive. The curse of America since colonial days has been consumptive credit; that is, buying something to eat or wear on credit. In Europe consumptive credit is well-nigh prohibited, while every encouragement is offered to productive credit. Section 1 of article 9 of the rural-credit charter properly safeguards the credit instruments of the proposed system by requiring the purpose of each credit to be stated in each instrument.

THE ECONOMY OF MANAGEMENT OF PROPOSED CREDIT SYSTEM.

The expense of management of every banking or credit system must be paid by the borrowers, and deposit banking is the most expensive of all banking or credit systems. The deposit bank is usually situated in the business center, where real estate is high. It is equipped with expensive furniture and fixtures, so as to make a display of wealth, and it is managed by high-salaried officers, tellers, bookkeepers, and clerks, all for the purpose of selling credit, not money. Now, all this expense, as I have said, must eventually be borne by the borrowers. Contrast that awfully expensive system with the inexpensive system proposed by the McFadden bill. Only seven farmers are required to organize a community association or commune. Those seven farmer members must meet yearly to elect officers. Those officers would meet once, let us say, every two weeks to pass on the application of members for loans. The officers would meet in the home of a member, schoolhouse, church, or back room of a store for an hour or two, and thereby eliminate all office rent, furniture, and fixtures. The only paid official of the commune is the scribe, and, as it would require but three to five hours of his time per month, his salary would be nominal. In Europe school-teachers and ministers frequently act as scribes free of charge in order to keep in touch with the people of their communities. But under the proposed system the scribe would doubtless be the daughter of an officer or member, or a clerk or bookkeeper in a store, if the meeting place of the officers be in a town. The scribe would conduct the correspondence for the commune and become the custodian of the blank bills of exchange, chattel mortgages, and applications for insurance policies. As I have remarked, the whole expense of managing the commune would be nominal. The total expense of managing the communes in the Province of Silesia, Germany, for the year 1909 was but $62.50, and that for the whole of Germany only $152 to the commune, compared to $44,700 for managing the average national bank in this country, according to the 1915 report of the Comptroller of the Currency; and the total turnover of the German rural credit societies exceeded 15,000,000,000 marks in 1909, or nearly $4,000,000,000.

THIS SYSTEM WOULD BROADEN MARKET FOR PRODUCTIVE FARM CREDIT.

The farmer, of all producers of wealth, needs the broadest market for the sale of his productive credit, because he gambles on the seasons, the sunshine, rain, and frosts; yes, on the very seeds he sows; and yet our farmers have the narrowest credit market of all producers. The credit requirements of our commercial men are so large that it is an invitation to private capital to organize such credit agencies as Dun and Bradstreet, but the credit requirements of the average farmer are so small that it is out of the question to enlist private capital in such a credit agency, and without such an agency that would give our farmers national credit, they will continue to be dependent on the local credit institutions. This is not the case on the Continent of Europe. To illustrate the benefits of such an organization, I shall cite but one instance. In 1906 the frost killed the grape crop in the Rheims section of France, the Champagne grape section. So those vineyardists applied to their respective communes of the Credit Agricole—the French personal credit system—and drew bills of exchange for 11,000,000 ($2,200,000) francs, which were negotiated at the rate of 3½ per cent interest. By reason of such credit facilities those vineyardists limited their loss to the one crop, but without such credit facilities their loss might have been incalculable. Had they been dependent on the local banks and credit institutions, as is the case with the farmers in the United States, they could not have taken the proper care of those vines as they did. But by distributing that credit paper throughout the Republic of France it was absorbed by investors without working an inconvenience anywhere, and while it directly preserved an important industry which was centuries in developing, it indirectly prevented the failure of the local banks and credit institutions of the immediate section visited by such disaster. That was not Government credit. The Government had nothing to do with it, except provide the credit machinery, including $35,000,000 of capital for the central bank furnished by the Government, through which that business was done. Contrast that policy of enlightened statesmanship with the "root-hog-or-die" policy, or lack of policy, in this country when a similar disaster occurs in some community. Under such a condition our farmers flock to Congress begging for alms when we should create the machinery through which they could finance themselves.

HOW THE PROPOSED SYSTEM WOULD WORK.

In order to show the actual operation of the proposed system, let us suppose that a farmer member of a community association or commune at Hope, Ark., should desire $240 with which to buy a dairy cow. That is a credit which would reproduce or liquidate itself in monthly installments in from 1 to 24 months. So that farmer would apply to his commune at Hope, and if his application were approved by the officers, that farmer would draw 24 $10 bills of exchange on the commune, payable $10 monthly for 24 months. The officers of the Hope commune, if they accepted those 24 bills, would take a chattel mortgage on that cow and exact such other security as they deemed necessary for the protection of the commune.

Those 24 bills, together with the chattel mortgage and other security and insurance policies, would be forwarded to the Arkansas branch of the rural credit society, located, let us say, in Little Rock. The manager of the Little Rock branch would draw a check on some one of its depositaries, a State or national bank, in which it kept a balance, payable to the seller of that cow, and forward it back to the Hope commune, to be delivered to the seller of the cow.

If the Little Rock manager of the rural credit society did not have sufficient funds in its depositary banks to meet that $240 check, he would wire the central bank of the rural credit society, in Chicago or wherever located, and obtain authority to draw a short-time draft on the central bank, which draft

would be discounted by the manager in one of the Arkansas depositary banks to create a credit with which to meet that $240 check. Those 24 bills would then be indorsed by the Little Rock branch of the rural credit society and forwarded to the central bank at Chicago to be indorsed by it and placed on the open market to be sold to the insurance companies, savings banks, private investors, and wage earners of our industrial centers. The life insurance companies should carry that class of liquid paper to meet their banking obligations, and the fire insurance companies should carry it to meet their conflagration losses. The late James J. Hill testified before the "Money Trust" investigating committee of the Sixty-second Congress that one of the causes of the 1907 panic was the fact that the fire insurance companies had to throw $360,000,000 of their permanent investments on the market to realize the cash with which to meet their conflagration losses in the San Francisco fire of 1906. Congress may legislate till doomsday on banks, but unless we create a class of liquid paper to meet the banking obligations of our life insurance companies and conflagration losses of our fire insurance companies we will continue to be cursed with periodical panics.

The central bank of the rural credit society would keep in touch with the money market, and therefore would be in a position to say to the branches what length of time their short-time drafts should be made for. If the central bank had applications on file for such paper, then the short-time drafts would be for only a very few days. It will be necessary, therefore, for the branches to be located in the financial centers of the several States which have ample banking facilities.

The branches would not have to wire in each individual case for such authority to draw on it, for in all probability the communes of each State would meet on the same day—say, every other Saturday. So that by the following Monday the Little Rock branch would be in receipt of all applications throughout Arkansas, and after ascertaining the total credit requirements of Arkansas for that day the manager of the Little Rock branch would wire the central bank in Chicago his exact credit status and obtain authority to make such short-time drafts on the central bank as would meet all the credit requirements of Arkansas at that time. The seller of that cow would have to wait three or four days to get his $240 check.

CONTROL OF THE RURAL CREDIT SOCIETY BY RESPONSIBLE FARMERS.

I now come to my second proposition, the control of the rural credit society by responsible farmers, as provided in article 7. That article is divided into three sections. One section treats of the national officers and legislators, the next of the State, and the last treats of the local officers and legislators of the rural credit society. It will be observed that section 2 appears twice in article 7, an error which is quite apparent. The first section 2 should be paragraph 12 of section 1, and paragraphs 1, 2, 3, 4, 5, and 6 of the first section 2 should be paragraphs 13, 14, 15, 16, 17, and 18, respectively, of section 1, as all the last-named paragraphs treat of the national officers and legislators, while the second section 2 treats of the State officers and legislators, and section 3 treats of the local officers and legislators. I have called Mr. McFADDEN's attention to this error, and he agrees with me and says he will amend the bill to conform to what I have just said. Therefore, in my discussion of the bill I shall refer to the charter just as if this correction were made; that is, I shall refer to section 1 of article 7 as having 18 instead of 11 paragraphs.

FRENCH AND ENGLISH CREDIT SYSTEMS CONTRASTED WITH THOSE OF GERMANY.

In order to fully appreciate this rural credit charter one must contrast the credit systems of France and England with those of Germany. The credit institutions of France and England are the soundest in the world, because they are free from Government fetters, while Germany has the weakest credit system, because it is cursed with paternalism. "Ferboten" (forbidden) is the keynote of German credit legislation, while "freedom" is the keynote in France and England. Dr. André Liesse, the eminent French scholar and monetary writer, in "A Century's Evolution of French Credit, 1800–1900," contends the soundness of such institutions is attributable to the acts of 1863 and 1867 of the French Parliament creating "bank parliaments" for their banking and credit institutions. That principle was first adopted by the great Napoleon in 1800, when he applied it to the control of the Bank of France, and it was nearly three-quarters of a century before the French Parliament applied it to all French banks. In this connection I beg to read an excerpt from the statement of the governor of the Bank of France to the Monetary Commission we sent abroad in 1909. I give the question and answer:

Question. Is the Bank of France ever attacked in the controversies between political parties?

Answer. No charge has ever been made that the bank favored or aided any political party. There is never any claim that politics enters in any degree into the management of the bank. Except for the renewal of the charter in 1897, no legislation affecting the bank has been enacted since 1857. There is no sentiment for any change in banking methods nor for any new legislation. It should be added that neither the governor nor deputy governor (of the bank) is permitted to be a member of either body of parliament.

It is a revelation to the average American to learn that so important a corporation should operate for 40 years without legislative interference by the parliamentary body which created it. And what an eventful period those 40 years were! During that time France had a war with Germany in which she lost two of her fairest Provinces—Alsace-Lorraine—and paid a billion dollars indemnity; and, added to this, France experienced a revolution during that period in which she changed the form of her government from a monarchy to a republic. As legislators for an enlightened people, Congress should profit by the legislative experience of France and England on credit institutions. The "bank parliament" of the Bank of France is composed of 15 regents, or, as we would call them, directors, who are elected by the bank's 200 largest stockholders, who are great merchants. Therefore those 200 electors are selfishly interested in having that great bank serve commerce, the prime object of its creation. They also elect three censors to inspect the officers and directors of the bank and see to it that they do no wrong. By that system of self-inspection they save the French Government the expense and annoyance of Government inspection.

And in this connection let me say that the same principle of self-government and self-inspection is applied to the personal rural credit systems of Europe. Let me quote from the able address of Wollemborg, the founder of the Italian personal rural credit system and the greatest living authority on that subject, to the commission we sent abroad in 1913 to study rural credit. He said:

But when the loans are strictly limited to people residing in the same locality all become vigilant and act as inspectors for their own protection. And you will find that inspection thus exercised by the members themselves is far superior to any Government inspection, since each man has rendered himself personally liable and is acting as inspector in his own behalf. As one of the farmers once said to me, "We are 100, all acting as spies on the others to see that nobody does anything wrong."

Another remarkable statement made in this address by that rural credit expert was that during the 32 years the system had been in operation in Italy only 2 per cent of the loans were unpaid at maturity. He claimed that the first principle of rural credit as practiced in Europe was the use of credit for production only, for the purchase of fertilizers, live stock—for work and breeding purposes—farm machinery, cooperative creameries and canneries, drain tile, silos, and such things as became a direct means of production, just as this proposed system provides. Those societies would not sell a penny of credit with which to buy something to eat or wear or to have pleasure with. That is denominated consumptive credit, and where that is prohibited the people will take butter, eggs, or cordwood to town to sell for those consumptive articles, and such people will not overconsume when they have to pay the cash for them.

ANALYSIS OF THE CONTROL OF THE PROPOSED RURAL CREDIT SOCIETY.

Let me now analyze the control of the proposed rural credit society; and, in considering the control of every corporation, we must go to the very source of control, to the voting unit which elects the corporation's legislative body, its directors. The charter provides for three legislative bodies for the corporation—National, State, and local. The National is denominated the board of directors (sec. 1 of art. 7), the State is called the advisory council (par. 3 of sec. 2 of art. 7), and the local is named the supervisors (par. 3 of sec. 3 of art. 7). The members of the board of directors shall reside in the several States, one for each State; and, to avoid the expense for too frequent meetings of so numerous and scattered a body, the charter creates an executive committee. (Par. 17 of sec. 1 of art. 7.) This feature of the executive committee corresponds with the practice of the Bank of England, another great public-service corporation. The charter of that institution vests the legislative authority in a "court of proprietors," a body of several hundred great English merchants, who under the charter are authorized to meet annually to elect a board of 24 directors, a governor and deputy governor, and to legislate for the bank; and they are also authorized by the charter to meet semiannually for the purpose of legislating for the bank. But the "court of proprietors" were found to be too numerous a body to legislate for the bank, so they delegated their authority to the board of directors, and they in turn delegated

their authority to a still smaller body, called the "bank court," which meets weekly, and during crises daily. But the charter vests that authority in the "court of proprietors," who may revoke it any time the two subordinate bodies fail to properly legislate for the bank, just as the board of directors may revoke the authority they delegate to the executive committee of the rural credit society. This decentralizes the control of the rural credit society by placing the supreme power in the several States of the Union, while their agents will be at the home office.

RESPONSIBLE FARMERS' CONTROL.

Let us now examine the responsibility of this control for the rural credit society. It will be observed that the directors, executive committeemen, and advisory councilmen must be members of communes of the first or second class—that is, communes whose members are unlimitedly liable for the payment of the obligations of their respective communes. The farmer who can not go out and find six farmer neighbors whom he is willing to trust, and who are willing to trust him, should not ask the privilege of legislating by enacting by-laws for farmers throughout the country who are willing to trust their neighbors. The communes of the first and second classes are nothing but partnerships, and the twentieth-century corporation is but the evolution of the first-century civil-law partnership. And the only justification for the twentieth-century corporation limiting the liability of its stockholders to their stock subscriptions is to raise capital from strangers—strangers to those who control the corporation. But we do not want strangers in those communes. Only farmers who are close neighbors, so that each may see that the others do nothing wrong, should form a commune.

No farmer can impose himself on the membership of a commune, for it is only by unanimous consent of all that a commune may be formed. The charter grants to the communes the right to enact by-laws, rules, and regulations for their self-protection the same as the farmer members of the European rural-credit societies legislate for themselves, and the same as the great merchants of England and France, who are legislators or directors of the Bank of England and Bank of France, legislate for those institutions.

It would never do for Congress to legislate on a personal productive rural-credit system as we did on the Federal Reserve System. In legislating for the latter we imposed so many restrictions on those in control that it was impossible for them to operate. Therefore the original act had to be amended before the system could be put in operation. And numerous other amendments to that act have been made from time to time by Congress, so that the amendments exceed the original act, and there are numerous other amendments now pending in Congress. That method of legislating for a farmers' credit institution would never do, as it would place them in politics, and force them to employ agents to remain here in Washington to secure amendments to the law. The bankers who have some $3,000,000,000 invested in that business have their paid agents here and they would be fighting any amendment to the rural-credit act. I therefore unreservedly commend that principle of the McFadden bill which gives full authority to the rural-credit society to "bank with bills" for the production of agriculture, and then creates legislative bodies through which those responsible farmers may carry on that business free from interference by Congress. Those farmers will make mistakes, to be sure, just like Congress has done time and again, but the experience in Europe, where this system of self-legislation has been thoroughly tried for more than a century, demonstrates that it is far safer and freer from mistakes than the attempt in this country to legislate the life out of every corporation we create. We have Germanized our credit institutions to the limit by hampering them with legislative restrictions, and it is time we consider the principles which prevail in Britain and France, whose credit institutions are far superior to those in Germany and this country.

CONCLUSION.

The Federal reserve act and the Federal farm loan law do not supply the want provided by the McFadden bill, because the former takes care of the commercial-credit needs, and the latter is to enable a man to buy a home, whereas the McFadden bill would enable the owner of that home to make it a profitable investment, and would open the door of opportunity to a vast number of men to capitalize their energy, honesty, and frugality for the production of agriculture. That is what Europe has done for their farmers, and we must follow the enlightened statesmanship of those countries that have banking and credit systems of proven success.

ADJOURNMENT.

Mr. BUTLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 39 minutes p. m.) the House adjourned until Friday, March 19, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on survey of Galveston Island and Galveston Channel, Tex. (H. Doc. No. 693); to the Committee on Rivers and Harbors and ordered to be printed, with five maps and two photographic illustrations.

2. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriations required by the Reclamation Service for additional expenses of the Okanogan project, Washington, and the Riverton project, Wyoming (H. Doc. No. 694); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of War, transmitting a tentative draft of a bill to exchange a certain tract of land, comprising a portion of the Puuloa Reservation, on the Island of Oahu, naval station, Pearl Harbor, Hawaii; to the Committee on the Territories.

4. A letter from the Postmaster General, transmitting schedule of papers and documents which are not needed in the transaction of public business and which have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LANKFORD: A bill (H. R. 13132) providing for the establishment in the Department of Agriculture of a bureau of producer to consumer exchange; to the Committee on Agriculture.

Also, a bill (H. R. 13133) providing for a complete survey and estimate of cost of a lock barge canal from the navigable waters of the Ocmulgee River of Georgia to the head of navigation of the Flint River of Georgia; to the Committee on Railways and Canals.

By Mr. LEE of Georgia: A bill (H. R. 13134) to provide for the utilization of the surplus waters of the Government dam at or near Mayo Bar on the Coosa River, in the State of Georgia; to the Committee on Water Power.

By Mr. HICKS: A bill (H. R. 13135) to amend the revenue act of 1918 with respect to power boats; to the Committee on Ways and Means.

By Mr. ROGERS: A bill (H. R. 13136) to protect the public against fraud by prohibiting the manufacture, sale, or transportation in interstate commerce of misbranded, misrepresented, or falsely described articles, to regulate the traffic therein, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HICKS: A bill (H. R. 13137) to amend the act of June 29, 1906, relating to naturalization; to the Committee on Immigration and Naturalization.

By Mr. PLATT: A bill (H. R. 13138) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916; to the Committee on Banking and Currency.

By Mr. SINCLAIR: A bill (H. R. 13139) for the sale of isolated tracts in the former Fort Berthold Indian Reservation, N. Dak.; to the Committee on Indian Affairs.

By Mr. HUSTED: Resolution (H. Res. 498) directing the Director of the Federal Board for Vocational Education to transmit certain facts to the House of Representatives; to the Committee on Education.

By Mr. SNELL: Resolution (H. Res. 499) for the appointment by the Speaker of conferees on House bill 11927, without intervening motion; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, favoring the repeal of restrictions on the freedom of speech, freedom of the press, and the right of free assemblage; to the Committee on the Judiciary.

By Mr. TAGUE: Memorial of the Legislature of the Commonwealth of Massachusetts, favoring the repeal of restriction on the freedom of speech, freedom of press, and the right of free assemblage; to the Committee on the Judiciary.

By Mr. TINKHAM: Memorial of the Legislature of the State of Massachusetts, favoring the repeal of restrictions on the freedom of speech, freedom of the press, and the right of free assemblage; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 13140) granting an increase of pension to John R. Bortles; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 13141) granting an increase of pension to General W. Carrell; to the Committee on Invalid Pensions.

By Mr. BROWNE: A bill (H. R. 13142) granting a pension to Carrie C. Fry; to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 13143) for the relief of Louisa Donnelly; to the Committee on War Claims.

By Mr. DICKINSON of Missouri: A bill (H. R. 13144) granting an increase of pension to William Griffith; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 13145) granting a pension to Minnie E. Cook; to the Committee on Invalid Pensions.

By Mr. HAYS: A bill (H. R. 13146) granting an increase of pension to Asa Iddings; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 13147) granting a pension to Frank C. Baylor; to the Committee on Pensions.

Also, a bill (H. R. 13148) granting a pension to Amanda Winters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13149) granting an increase of pension to Orville A. Benton; to the Committee on Invalid Pensions.

By Mr. HOUGHTON: A bill (H. R. 13150) granting a pension to Edward J. Conway; to the Committee on Pensions.

By Mr. LEA of California: A bill (H. R. 13151) granting an increase of pension to Sallie Justis; to the Committee on Invalid Pensions.

By Mr. McPHERSON: A bill (H. R. 13152) to correct the military record of Leroy S. Kiger; to the Committee on Military Affairs.

By Mr. THOMPSON: A bill (H. R. 13153) granting a pension to Amanda Kline; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 13154) granting an increase of pension to Frank L. Jewell; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2404. By the SPEAKER: Petition of the Massachusetts Society Sons of the American Revolution, asking that the Panama Canal be known as the Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

2405. By Mr. CAREW: Petition of Newton Post, No. 48, American Legion, relative to the $50 per month bonus; to the Committee on Ways and Means.

2406. By Mr. COLE: Petition of T. P. Johnstone Post, No. 329, of the American Legion, of Mount Gilead, Ohio, urging the consideration of the resolution adopted by the executive committee of the American Legion at Indianapolis, February 10, 1920; to the Committee on Ways and Means.

2407. Also, petition of Meuse-Argonne Post, No. 259, Forest, Ohio, urging support of the so-called American plan for bonus for ex-service men and women; to the Committee on Ways and Means.

2408. Also, petition of American Legion, Scarborough Post, No. 243, Galion, Ohio, urging support of the so-called American Legion plan for bonus for ex-service men and women; to the Committee on Ways and Means.

2409. Also, petition of Hardin County Farm Bureau, of Kenton, Ohio, asking support of an effective measure compelling proper labeling of fabrics; to the Committee on Interstate and Foreign Commerce.

2410. Also, petition of 12 citizens of Marion, Ohio, protesting against the passage of the Anderson bill, providing for the licensing or Government control of the meat industry; to the Committee on Agriculture.

2411. By Mr. CULLEN: Petition of the Padraic H. Pearce Branch of the Friends of Irish Freedom, relative to the action of Gov. Harding, of the Canal Zone; to the Committee on Railways and Canals.

2412. By Mr. DALLINGER: Petition of the Eastern Shook & Wooden Box Manufacturers' Association, praying for the repeal of all class legislation; to the Committee on the Judiciary.

2413. By Mr. FULLER of Illinois: Petition of Friends of Irish Freedom, La Salle and Peru, Ill., favoring House bill 3404; to the Committee on Foreign Affairs.

2414. By Mr. HILL: Petition of residents of New York City, for the enactment of House bill 10518, a bill to create a Federal urban mortgage bank; to the Committee on Banking and Currency.

2415. By Mr. JAMES: Petition of Alfred Branchine Post, No. 17, American Legion, of Iron River, Mich., favoring bonus legislation for soldiers of the World War; to the Committee on Ways and Means.

2416. By Mr. JOHNSTON of New York: Petition of the Chamber of Commerce of the State of New York, for the repeal of the excess-profits tax features of the revenue act of 1918, etc.; to the Committee on Ways and Means.

2417. By Mr. KELLEY of Michigan: Petition of Trent Longs and 45 other residents of Flint, Mich., favoring House bill 1112, for the parole of Federal prisoners; to the Committee on the Judiciary.

2418. Also, petition of Pauline M. Armstrong and other residents of Grosse Point Farms, Mich., favoring the Vestal maternity and infancy bill; to the Committee on Interstate and Foreign Commerce.

2419. Also, petition of the Pontiac (Mich.) Board of Commerce, in favor of the repeal of the fuel provisions of the Lever Act; to the Committee on Agriculture.

2420. By Mr. MACGREGOR: Petition of the Lackawanna Post, No. 63, of the American Legion, favoring the bonus of $50 per month for the ex-service men and women; to the Committee on Ways and Means.

2421. By Mr. O'CONNELL: Petition of the Tiger Post, No. 23, of the American Legion, of New York, urging favorable action on universal military training, etc.; to the Committee on Military Affairs.

2422. By Mr. ROWAN: Petition of the Tiger Post, No. 23, of the American Legion, New York, urging universal military training, etc.; to the Committee on Military Affairs.

2423. Also, petition of Percy E. Barbour, of New York, urging universal military training; to the Committee on Military Affairs.

2424. Also, petition of Percy E. Barbour, New York, relative to the Fuel Administration; to the Committee on Interstate and Foreign Commerce.

2425. By Mr. SNYDER: Petition of General William Floyd Chapter, Daughters of the American Revolution, Boonville, N. Y., indorsing the enactment of legislation insuring speedy suppression of dangerous and un-American propaganda; to the Committee on the Judiciary.

2426. By Mr. TAGUE: Petition of Harry E. Moore and others of the committee to represent 350 sick and wounded soldiers of the Parkerhill Hospital, urging the passage of the Mason bill, House bill 10365, etc.; to the Committee on Appropriations.

2427. Also, petition of C. F. and G. W. Eddy (Inc.), of Boston, Mass., urging the passage of House bill 13015; to the Committee on Ways and Means.

2428. Also, petition of Sons of the Revolution in the Commonwealth of Massachusetts, Boston, urging the passage of House bill 12482; to the Committee on Public Buildings and Grounds.

2429. Also, petition of John S. Cranston, of Boston, Mass., urging the passage of the Lehlbach-Sterling retirement bill; to the Committee on Reform in the Civil Service.

2430. Also, petition of Frank H. Briggs, of Boston, urging the passage of the act relative to the Olympic team traveling on transport; to the Committee on Military Affairs.

2431. By Mr. VARE: Petition of the American Legion, Post No. 136, Ardmore, Pa., urging the passage of the bill to compensate the ex-service men and women; to the Committee on Ways and Means.

2432. Also, petition of the Philadelphia Drug Exchange, asking for the rehabilitation of the United States merchant marine; to the Committee on the Merchant Marine and Fisheries.

SENATE.

FRIDAY, *March 19, 1920.*

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek Thy gracious favor as we come again in this honorable Senate to consider the mighty issues that confront us; that Thy blessing and favor may rest upon the deliberations of this body; that the final outcome of the deliberations may have the sanction of the divine approval; and above all that our hearts may be kept in constant touch with God, that we may realize that we are workers together with God in the great field of human endeavor into which He has called us. Fit us for the solemn duties of the day, and let Thy favor abide with us. For Christ's sake. Amen.

On request of Mr. CURTIS and by unanimous consent the reading of the Journal of the proceedings of the legislative day of Thursday, March 11, 1920, was dispensed with, and the Journal was approved.

CALLING OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Frelinghuysen	McCormick	Simmons
Ball	Glass	McKellar	Smith, Ga.
Beckham	Gore	McLean	Smith, Md.
Borah	Gronna	McNary	Smith, S. C.
Brandegee	Hale	Moses	Smoot
Calder	Harding	Myers	Spencer
Capper	Harris	New	Sterling
Chamberlain	Henderson	Norris	Sutherland
Colt	Hitchcock	Nugent	Swanson
Comer	Johnson, S. Dak.	Overman	Townsend
Culberson	Jones, Wash.	Owen	Trammell
Cummins	Kellogg	Phipps	Wadsworth
Curtis	Keyes	Pittman	Walsh, Mass.
Dial	King	Pomerene	Walsh, Mont.
Edge	Kirby	Ransdell	Warren
Elkins	La Follette	Reed	Williams
Fletcher	Lenroot	Robinson	
France	Lodge	Sheppard	

Mr. CURTIS. I wish to announce the absence of the Senator from Illinois [Mr. SHERMAN], the Senator from Vermont [Mr. DILLINGHAM], and the Senator from Mississippi [Mr. HARRISON] on business of the Senate.

Mr. McKELLAR. The Senator from Delaware [Mr. WOLCOTT], the Senator from California [Mr. PHELAN], the Senator from Rhode Island [Mr. GERRY], the Senator from Mississippi [Mr. HARRISON], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Tennessee [Mr. SHIELDS] are absent on official business.

The PRESIDENT pro tempore. Seventy Senators have answered to their names. There is a quorum present.

CIVILIAN EMPLOYEES AS COMMISSIONED OFFICERS (S. DOC. NO. 173, PT. 2).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in further response to a resolution of December 11, 1919, a statement showing the name, rank, and total compensation of every officer in the Navy Department who at the time they were commissioned were employed by a civil branch of the Government, etc.

Mr. SMOOT. I move that the communication and accompanying papers be printed and referred to the Committee on Naval Affairs.

The motion was agreed to.

THE RECLAMATION SERVICE (S. DOC. NO. 256).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 24th ultimo, a statement showing the total number of persons employed in the Interior Department, including the official personnel, etc., which, with the accompanying paper, was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the amendment of the Senate to the bill (H. R. 11309) to authorize the Secretary of the Treasury to fix compensation of certain laborers in the Customs Service.

The message also announced that the House had passed the bill (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a joint resolution (H. J. Res. 316) relating to the supervision of the Lincoln Memorial, in which it requested the concurrence of the Senate.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 299) extending the term of the National Screw Thread Commission for a period of two years from March 21, 1920, and it was thereupon signed by the President pro tempore.

WOMAN SUFFRAGE.

The PRESIDENT pro tempore. The Chair lays before the Senate a certified copy of a joint resolution passed by the Legislature of the State of West Virginia ratifying the Susan B. Anthony amendment to the Constitution, extending the right of suffrage to women, which will be filed.

PETITIONS AND MEMORIALS.

Mr. WARREN presented a petition of the Delta Neta Delphian Chapter, of Rock Springs, Wyo., praying for the enactment of legislation to amend the vocational education law, which was referred to the Committee on Education and Labor.

Mr. PHELAN presented a petition of Boyce Aten Post, No. 25, American Legion, of El Centro, Calif., praying for the enactment of legislation providing a bonus for ex-service men, which was referred to the Committee on Military Affairs.

He also presented a petition of the Local Branch, American Legion, Department of California, of San Francisco, Calif., praying for the enactment of legislation to fix the compensation of officers of the National Army who incurred disability while in the service, which was referred to the Committee on Military Affairs.

Mr. TOWNSEND (for Mr. NEWBERRY) presented petitions of Edwin F. Stiles Post, No. 153, American Legion, of St. Johns; of Jesse B. Cooley Post, No. 235, American Legion, of Brighton; of Ernest J. Stover Post, American Legion, of Berrien Springs; of Griswold-Gooch Post, No. 168, American Legion, of Fostoria; of McGowan Post, No. 68, American Legion, of Paw Paw; of Douglas K. McCloskey Post, No. 130, American Legion, of Carson City; of Evans-Swanson Post, No. 123, American Legion, of Kent City; of Lincoln Post, No. 258, American Legion, of Belleville; of Gerous Post, No. 11, American Legion, of Wakefield; of Thomas Uren Post, No. 50, American Legion, of Iron Mountain; of Carl O. Weaver Post, No. 194, American Legion, of Petoskey; of Ray E. Bostick Post, No. 94, American Legion, of Cadillac; and of Louis K. Hice Post, No. 170, American Legion, of Three Rivers, all in the State of Michigan, praying for the enactment of legislation providing a bonus for ex-service men, which were referred to the Committee on Military Affairs.

Mr. McLEAN presented petitions of the Mosaic Club, of Bridgeport; the Woman's Town Improvement Association of Westport; the Current Events Club of Bethel; the Woman's Club of Stamford; the Woman's Club of New Preston; the Wednesday Afternoon Musical Club of Bridgeport; the Killingly Woman's Club, of Danielson; and the Book Club of Mount Carmel, all in the State of Connecticut, praying for the enactment of legislation to provide for the promotion of vocational education, which were referred to the Committee on Education and Labor.

He also presented a petition of William McKinley Camp, No. 9, United Spanish War Veterans, of Norwalk, Conn., and a petition of C. B. Bowen Camp, No. 2, Spanish War Veterans, of Meriden, Conn., praying for the enactment of legislation providing a pension for Spanish-American war veterans, which were referred to the Committee on Pensions.

He also presented petitions of Burpee Post, No. 71, Grand Army of the Republic, Department of Connecticut, of Rockville, Conn., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of New Britain, Conn., praying that action be taken looking to the termination of outrages on the Armenian people by Turkey, which was referred to the Committee on Foreign Relations.

He also presented a petition of Thomas Ashe Branch, Friends of Irish Freedom, of Waterbury, Conn., praying for the official recognition of the republican government of Ireland by the United States, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. WOLCOTT, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (H. R. 685) for the relief of Frank S. Ingalls (Rept. No. 481); and

A bill (H. R. 687) for the relief of Frank Pinkley (Rept. No. 482).

CLAIMS OF EDWARD W. OWENS AND OTHERS.

Mr. WOLCOTT, from the Committee on Claims, reported the following resolution (S. Res. 334):

Resolved, That the claims of Edward W. Owens and others (S. 2719), Julia Dezera Stewart (S. 2868), and Lawrence S. Vandall (S. 3582), now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:
A bill (S. 4092) for the relief of the estate of Isabelle Thomson; to the Committee on Claims.
By Mr. HENDERSON:
A bill (S. 4093) for the relief of Fannie E. Turner; to the Committee on Claims.
By Mr. WATSON:
A bill (S. 4094) granting a pension to Lacy Ladd; to the Committee on Pensions.
By Mr. HALE:
A bill (S. 4095) granting an increase of pension to Mahala P. Berry (with accompanying papers); to the Committee on Pensions.
By Mr. CALDER:
A bill (S. 4096) for the relief of the Vindal Co. (Inc.); to the Committee on Claims.
A bill (S. 4097) granting a pension to Deborah J. Harris;
A bill (S. 4098) granting a pension to Anton Merk; and
A bill (S. 4099) granting an increase of pension to Milo D. Heath; to the Committee on Pensions.
By Mr. GLASS:
A bill (S. 4100) granting an increase of pension to Anne Gertrude Robinson; to the Committee on Pensions.
By Mr. CAPPER:
A bill (S. 4101) to pension survivors of certain Indian wars, disturbances, and campaigns, from January 1, 1859, to January 1, 1891; to the Committee on Pensions.
By Mr. SPENCER:
A bill (S. 4102) granting an increase of pension to Peter Noblet; to the Committee on Pensions.
By Mr. JOHNSON of California:
A bill (S. 4103) granting a pension to Frank Dixon; and
A bill (S. 4104) granting a pension to Angeline M. Preston; to the Committee on Pensions.
By Mr. OWEN:
A bill (S. 4105) granting an increase of pension to John S. Allison; to the Committee on Pensions.
By Mr. WADSWORTH:
A joint resolution (S. J. Res. 174) authorizing the completion of the Liberty Theater at Camp Knox, Ky.; to the Committee on Military Affairs.

ELECTION OF FEDERAL JUDGES.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to offer a joint resolution proposing an amendment to the Constitution of the United States providing for the election of Federal judges by direct vote. I ask that it be printed in the RECORD and referred to the Committee on the Judiciary.

The joint resolution (S. J. Res. 173) proposing an amendment to the Constitution of the United States providing for the election of Federal judges by direct vote was read twice by its title and referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following amendment to the Constitution is hereby proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

"ARTICLE —.

"SECTION 1. The judges, both of the Supreme and inferior courts, shall be elected by the people of the United States and shall hold their offices for a term of 10 years, but only during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office. The electors shall have the qualifications requisite for electors of the House of Representatives of the United States.

"SEC. 2. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

Mr. GORE submitted an amendment proposing to increase the appropriation to enable the Secretary of Agriculture to carry into effect the provisions of the act of April 26, 1910, relative to the manufacture, sale, or transportation of adulterated or misbranded Paris green, etc., from $85,000 to $117,000, intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. RANSDELL submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 316. Joint resolution relating to supervision of the Lincoln Memorial was read twice by its title and referred to the Committee on Appropriations.

NOMINATION OF BAINBRIDGE COLBY FOR SECRETARY OF STATE.

Mr. HITCHCOCK. Mr. President, I ask unanimous consent to present as in secret executive session a favorable report by the Committee on Foreign Relations upon the nomination of Hon. Bainbridge Colby to be Secretary of State. I ask that it go to the calendar.

The PRESIDENT pro tempore. Without objection, the report will be received as in secret executive session and placed upon the calendar.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. I move that the Senate proceed to the consideration of the treaty of peace with Germany as in open executive session.

The motion was agreed to, and the Senate in open executive session resumed the consideration of the treaty of peace with Germany.

Mr. LODGE. I desire to move the amendment which I proposed to the resolving clause, which is printed on pages 1 and 2, to change the provisions requiring the other signatories to agree to the reservations of the United States prior to the filing of ratification by the United States.

The PRESIDENT pro tempore. The proposed amendment will be stated.

The READING CLERK. The resolution reported by the Committee on Foreign Relations is as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan.

To which the Senator from Massachusetts offers the following amendment:

After the word "accepted," on line 9, strike out the following words: "by an exchange of notes as a part and condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan," and in lieu of those words insert, after the word "accepted," the following:

"As a part and a condition of this resolution of ratification by the allied and associated powers, and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers."

So that if amended the resolution will read:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted as a part and a condition of this resolution of ratification by the allied and associated powers, and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers.

Mr. LODGE. Mr. President, I can state very briefly the purpose of my amendment. I was never satisfied with the clause which was adopted. I will say that frankly. It did not seem to me to be the best way to confine the assent to three of the principal allied and associated powers. It seemed to me that the only safe way was to secure the acceptance of our reservations by all the signatories prior to our deposit of ratification.

That is the sole purpose of the amendment to the resolution of ratification which I offer. It requires the assent of every signatory to the treaty, and provides that if objection is not made prior to the deposit of ratification by the United States a failure to make objection on the part of the signatories shall be taken as a full and complete acceptance of all the reservations of the United States. That covers every signatory, and does it in a perfectly friendly manner, because it is customary when reservations are made for a tacit assent to be all sufficient, and that must come before our deposit of ratification. If objection is not made before that time, their acceptance is final and complete of all our reservations. If objection is made, the United States stays out until they are accepted.

Mr. NORRIS. Mr. President, I very heartily agree with the Senator from Massachusetts that the original language of the resolution was not satisfactory. It may be that there is not any objection to the amendment, but several things have suggested themselves to me, and I should like to get some information, if any can be given by the Senator from Massachusetts or any other Senator, concerning what appear to me to be some

objectionable features in the proposed language. The amendment provides:

And a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understanding by said powers.

It has occurred to me that such a possibility or contingency as I am about to describe might arise. There are a great many signatories to this treaty.

Mr. LODGE. There are 32, I think.

Mr. NORRIS. Yes; there are 32, I believe. Now, suppose that the President should immediately file the ratification as provided in the treaty, and that, as a matter of fact, perhaps, some of the powers would not have notice of just what the reservations were, and would not, perhaps, have time, as a matter of fact, to file any objections. It seems to me there might possibly arise a misunderstanding as to whether the other powers *really had* any notice which would afford them an opportunity to object if they desired to do so.

Mr. LODGE. Mr. President, of course, I have seen the danger of that possibility, but it seemed to me extremely remote. It is hardly conceivable that the President should deposit ratification so quickly that other powers would not have an opportunity to make objection. Of course, if the treaty is ratified, a statement of our action will go abroad and every power will at once be notified. I should think they would have plenty of time within which to make objections. The mere formalities incident to depositing the ratification will take some little time.

Mr. NORRIS. Of course, that would consume some time, but I do not know how the various governments would, under their laws, be required to take official action on a proposition of this kind. It may be that it would consume some time, on account of the method that would have to be followed or because of some law under which a government would be required to pass on the question of acceptance.

If such a proposition were presented to the United States, I presume it would be the duty of the President to lay the matter before the Senate, as a part of the treaty-making power, and have them pass on it before he could say whether or not the United States Government accepted or rejected the reservations. That might take even more than the entire time allowed in this instance.

Mr. LODGE. That has not been the practice. The acceptance of reservations has been accomplished by act of the Executive.

Mr. NORRIS. Without consultation with the Senate?

Mr. LODGE. Without consultation. In the case of the treaty with Denmark by which the Virgin Islands were acquired a reservation was adopted which required an exchange of notes. That treaty had been submitted to the people of Denmark by a plebiscite; it had also passed both houses of the Rigsdag. That procedure had been followed in the case of the treaty itself, but the exchange of notes took place entirely between the Executives. The executive power of Denmark notified the President of the acceptance of the reservation by note, and thereupon the President proclaimed the treaty, and stated that he had received the acceptance. I think that is the general practice; that in the matter of reservations they are not referred to the parliamentary bodies. Of course, in Great Britain treaties are ratified by the executive power, in any event, but in the case of other powers, where some sort of ratification by the parliamentary body is required in connection with the treaties, I think, so far as I have been able to learn from the practice, that the executive action is considered sufficient in the matter of reservations.

Mr. NORRIS. I should think, as a matter of law, in our Government a very serious legal question would be involved that would really affect the validity of a treaty if the President should act and acquiesce in a reservation coming from some other country without the consent of the Senate, which is, under the Constitution, a part of the treaty-making power; because reservations, as in the case of the reservations we have adopted, in my judgment, frequently involve very important propositions.

Mr. LODGE. In this instance they involve very important propositions, but they relate entirely to the United States.

Mr. NORRIS. I understand that.

Mr. LODGE. Reservations, however, are not amendments.

Mr. NORRIS. No; and yet they sometimes have the same effect.

Mr. LODGE. Reservations, as a practical matter, always are in the line of reserving power to the Government making them, and do not involve the other powers at all.

Mr. NORRIS. I was using our Government only as an illustration. Suppose this treaty came from Great Britain or from France or from some other country to us after they had passed on it and attached reservations, the President would pass on those reservations, as the Senator from Massachusetts no doubt correctly states has been the custom, without submitting them to the Senate. If the other country reserved something that was material, something that in working out in actual practice might have the same effect as an amendment to the treaty, and the President approved it without submitting it to the Senate, and a question afterwards arose in reference to it, I entertain serious doubt whether we would, as a matter of law, have a treaty at all. That, however, probably will not arise in this instance.

Mr. LODGE. Let me, if I may, call attention to a case which, though not exactly a parallel one, of course, is yet in point: Twice our representatives at The Hague convention attached a reservation before signing the treaty. In one case, as I recall, the Senate specifically, when called upon to ratify the treaty, mentioned the reservation and embodied the reservation which had been made by the delegates in the ratification of the treaty. In the other case, I think, they took no notice of it, but simply ratified the convention as it stood without saying anything about our own reservation. The reservations which we made in those cases and also in another treaty were, so far as I know, simply accepted by the other powers by silence; that is, by acquiescence.

Mr. NORRIS. I can see how acquiescence in a proposition would make it valid and, in fact, might make valid a contract that otherwise would be invalid; but we say they must dissent or their silence will be taken as a consent, and that they must act within a certain time, which time is mainly under our control to such an extent that it might be possible even for us to make it physically impossible for them to comply with our own proposition.

Mr. LODGE. That could be met by fixing a time before which deposit should not be made.

Mr. NORRIS. Yes.

Mr. LODGE. I saw no other way, and it seemed to me practically not of particular importance, because the practice is so well established.

Mr. LENROOT. Mr. President——

Mr. NORRIS. I yield.

Mr. LENROOT. The Senator suggested that if this were a case of Great Britain adopting like reservations and the Senate did not act upon them, it might invalidate the treaty; but I ask the Senator whether that could possibly be so in any case where acceptance may be by acquiescence through silence? The very failure to act constitutes an acceptance.

Mr. NORRIS. Yes; I agree to that proposition; but we say here that they must accept or reject before we do a certain thing or we will construe that their silence is acceptance. That is what this reservation says; and it still remains in our power to make it physically impossible for them, unless they act right offhand without much, if any, consideration, to comply with that condition.

Mr. LENROOT. May I suggest to the Senator that if the President of the United States should take such action, not giving the other parties an opportunity to object, they still would have a reasonable time after the deposit of ratification to object or we would not be in the treaty.

Mr. NORRIS. That would be a reasonable construction to put on it, but that would be contrary to what we are saying here. We can not, of course, bind another party to a contract by doing something ourselves that will make it physically impossible for the other party to comply with the stipulation that we lay down—that is true—and if such a situation should arise we would be in very serious difficulty in connection with this treaty, for in one view we would be in and in another view we would be out.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Massachusetts to the resolution of ratification. The Secretary will state the proposed amendment.

The READING CLERK. On pages 1 and 2, commencing in line 12, it is proposed to strike out "by an exchange of notes as a part and a condition of this resolution of ratification by at least three of the four principal allied and associated powers, to wit, Great Britain, France, Italy, and Japan," and insert "as a part and a condition of this resolution of ratification by the allied and associated powers and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers."

Mr. WALSH of Montana. Mr. President, I understand this amendment contemplates that before depositing the ratification

the President of the United States will communicate the reservations or the action of the Senate to the various allied and associated powers, giving them a reasonable time before the deposit of ratification to signify their objection, if they care to do so. I desire to inquire whether that is the understanding?

Mr. LODGE. Certainly; I proceeded on the assumption that of course a reasonable time would be given by the President.

Mr. WALSH of Montana. And that the President would communicate to the allied and associated powers the action of the Senate?

Mr. LODGE. Exactly. Of course, I presumed he would do that, and it seemed to me so obvious that he would do it that it did not require special provision.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Massachusetts to the resolution of ratification.

The amendment was agreed to.

Mr. BRANDEGEE. Mr. President, I now call up, if I may, the amendment that I offered to the ratification resolution.

The PRESIDENT pro tempore. The Senator from Connecticut offers an amendment to the resolution of ratification, which will be stated.

The READING CLERK. On page 1, line 7, after the words "United States," it is proposed to insert the following words:

Unless the instrument of ratification shall have been filed within 60 days after the adoption of the resolution of ratification by the Senate, nor.

Mr. BRANDEGEE. Mr. President, the amendment which I have offered would make the resolving portion of the resolution of ratification read as follows, so far as it relates to my proposed amendment:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States unless the instrument of ratification shall have been filed within 60 days after the adoption of the resolution of ratification by the Senate, nor until the said reservations and understandings adopted by the Senate have been accepted as a part and a condition of this resolution of ratification by the allied and associated powers—

And so forth.

It will be observed that under the language of the amendment adopted a few moments ago the ratification is not to take effect until the reservations and understandings have been accepted by the other powers; and, under the same amendment—

A failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers.

As the resolution stands, there is no provision by which either this country or the other members of the league or any other power in the world will know when we are to get into this league if the treaty should be ratified. No definite date is set. It is, while perhaps not confusing, a more or less uncertain provision. In order to constitute ratification, we have provided that the powers must accept the reservations, and they must accept them before ratification takes place, but no time is named after which ratification shall take place.

There is no desire upon my part in any way to limit the powers of the President, and, of course, we could not do that if we wished. There is no intention upon my part to trench upon his jurisdiction in any way. I do think, however, that in a matter of this importance the United States should know within two months whether we are in the league or whether we are out of it, since so many things of great importance in the world may turn upon that fact.

The question just asked by the Senator from Montana [Mr. WALSH] of the Senator from Massachusetts [Mr. LODGE], for instance, is suggestive. There is no provision in the resolution, of course, that the President shall notify the powers. I do not think it is necessary to put that in. I am perfectly satisfied that the action of the Senate upon this reservation of ratification will be known in every capital of the world within 10 minutes after the Senate has acted, and all the powers will know exactly what the reservations are. They probably know now, and they can easily enough make up their minds within two months whether or not they want to file a protest. That would give them time, if desirable in their opinion, to advise and consult among themselves if they desired to take any action in the premises, and also to advise and consult with our State Department; but inasmuch as their protest, if they do protest, which is equivalent to a refusal to accept our reservations, is to defeat ratification, there should be some time within which both they and we know that they have liberty of action.

If my amendment shall be adopted, it does not mean that we will have to wait two months. It simply provides that the reservation of ratification shall not be binding upon this country unless within two months the instrument of ratification is filed. I want to say in passing that perhaps I have not used the conventional word to express the act when I say "filed." Perhaps it should be "deposited." That is immaterial, however. So I think that in the orderly operation of things it is desirable that there should be a time within which the President should file the instrument of ratification, if he intends to do so; and I think 60 days is ample time, in these days of wireless telegraphy and cable communication.

Mr. HITCHCOCK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Nebraska?

Mr. BRANDEGEE. I yield.

Mr. HITCHCOCK. I should like to ask the Senator, in the improbable condition of this treaty going to the President, and in the improbable condition of his accepting it, what would happen if he should fail to deposit the instrument of ratification within the 60 days, and an emergency should thereafter arise which might require its ratification?

Mr. BRANDEGEE. We would not be bound by the instrument of ratification if he should wait more than two months.

Mr. HITCHCOCK. But suppose an emergency should arise, and it should become generally apparent that it was desirable to have ratification; what action could he take?

Mr. BRANDEGEE. I do not think he could take any action to get us into the league after two months. That is my interpretation of the amendment I have offered.

Mr. HITCHCOCK. Does the Senator hold that he could then return the treaty to the Senate and have a modification?

Mr. BRANDEGEE. I assume, from the form of the Senator's question, that he contemplates that the treaty would then have been returned to the President, and would be in his possession, and he could resubmit the treaty, I assume, either in the form in which he submitted it before, or in the form in which the Senate had ratified it, or in a modified form if the other parties agreed to it.

Mr. HITCHCOCK. One more question: Why does the Senator think that the Senate at this time is a better judge of when the treaty should be deposited for ratification than the Executive, who has always heretofore had that judgment and that responsibility?

Mr. BRANDEGEE. I do not know that I do think it is a better judge. What I mean by that is this: We are acting upon the treaty now. No such provision as this could be put into the treaty by the President. I would not say that we were a better judge, but we are the only parties who can act in this matter if it is desirable to act.

Mr. HITCHCOCK. This provision is meant to bind no one except the President. If the provision is omitted, the President can make the deposit of the instrument of ratification when he pleases, and this binds no one except him.

Mr. BRANDEGEE. I do not like the language in which the Senator couches his statement. It is not intended to bind the President. It is the statement of the Senate, as a condition of its ratification, that if the United States is to be put into the league, it shall be done within 60 days.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Utah?

Mr. BRANDEGEE. Certainly.

Mr. KING. I suggest to the Senator from Connecticut that the attitude of the Senator from Nebraska is rather strange. He states that it is improbable that the treaty itself will be ratified, and improbable, even if it were, that the President would approve of it. Why is it material, then, from his standpoint, what form of ratification we do adopt? He said, furthermore, that some contingency might arise which, as I understood, might occasion the President to change his mind. Obviously, if the Senator speaks by authority, and we are going to kill the treaty, but if we do not, the President will kill it, what matters it what the form of the resolution may be?

Mr. BRANDEGEE. I appreciate the force of the statement of the Senator from Utah, Mr. President; and yet, after all, in a matter of this great importance we must proceed in just as careful a manner in formulating the provisions of this great instrument as though we were sure it was to be ratified. Any other theory than that would be equivalent to saying that it did not matter what the Senate put in the treaty, and that all our talk about these reservations had been entirely immaterial. We must fix the document as our sound judgment tells us it should stand, on the assumption that it is going to be ratified. If we should reject the resolution of ratification, or if the President should think it was unwise to exchange ratifications after the action of the Senate, my present amendment would

then be seen to have been an useless prudential precaution; but allow me to say this, also: I do not mean this as a parallel case, but there is a certain analogy between the condition in which a proposed amendment to the Constitution is left after it has been adopted by a two-thirds vote of both branches of Congress and submitted to the several States, and no time limit has been fixed within which the States ought to act, and ratifying this treaty and then turning it loose with no time limit fixed within which either the Congress or the country or the world can know what is to become of it.

The question asked by the Senator from Nebraska is quite suggestive of the position in which we might be. It seems to me quite plain that I would not want to be placed in the position suggested by the Senator from Nebraska. I do not think that the country would, if it understood in advance what that position might develop into. The Senator asks, supposing the President should hold this treaty, ratified by the Senate, for two months, under the impression that he was not going to exchange ratifications, and then, owing to the happening of some event or a change in his opinion, or, if it could possibly be conceived, another occupant of the office at that time having jurisdiction over it, an entirely different result might obtain, and it might then be the opinion of the Executive that the ratifications ought to be exchanged. The same condition might obtain in three months or six months. It might be that it would occur to the President that his decision of whether this country should become a member of this league or not ought to be postponed until the action of the two great national conventions of the two parties. Then we would have ratified the treaty and would be sitting here from now until the middle of next June, over three months, wondering whether we were in the league or out of the league, and all the world would wonder also.

It might be that, owing to a certain situation in Europe or Asia, the President would think he should wait until the expiration of his term of office, on March 4, 1921, and then, in view of the national election result, decide whether this country should go into the league or not. I do not impute any such intentions to the President at all. Of course, I know he would do his duty as he saw it. In the meantime I know in what a state of mind the Senators and the public and business men of this and every country would be. A great many tremendous contracts and business proposals, international export propositions, perhaps millions of invested wealth and wealth to be invested, the establishment of great commercial international carriers, and all sorts of commercial and business projects may be held up dependent upon whether we are in the league or not.

Mr. HITCHCOCK. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. I notice that the Senator from Connecticut now objects to this matter being held in suspense until after the election. I was of the impression that the Senator from Connecticut and his associates were rather in favor of the idea of submitting the question to the decision of the American people in the forthcoming election; that they rather desired a referendum.

Mr. BRANDEGEE. The Senator was quite correct in his opinion of my attitude upon it. If there is any proposition made to press the consideration of this proposal to put this country into the league after the Senate shall have rejected it for the third time, if they do, and in a third form, I should think it ought to be submitted to the whole people. I am in favor of having that done.

Mr. HITCHCOCK. Would not the proposed amendment of the Senator limit the President so that he could not submit it to the decision of the people in the forthcoming election?

Mr. BRANDEGEE. No.

Mr. HITCHCOCK. The Senator proposes that if it is not deposited before the election, it can not be deposited at all, so that the people would be deprived of the opportunity of passing upon it in the election.

Mr. BRANDEGEE. Oh, no. Now, Mr. President, as I view it, see how illogical the Senator is. If we do not ratify the treaty, there is nothing more to be said about it. If we do not ratify the treaty there is nothing more to be said about this present treaty now, as it is pending in the Senate. It will stand rejected.

What is to be said about it is to be said if we do ratify it; and that is the condition of things to which my amendment applies. If the Senate rejects the treaty, I assume what the President means in his letter to the Jackson Day dinner, advocating the taking of the proposal before a great and solemn referendum of the people of the country, is not taking this treaty as the Senate has amended it, and submitting it to the country, either to the country or the Senate; but it is, as he said, the question of repudiating the judgment of the Senate, which, as he expressed it, does not express the view of the American people, and going to the country upon the treaty which he submitted to the Senate, which he said should stand, and from which he says we have cut the heart. That is the issue the President intends to make.

Mr. President, if this resolution passes just as it is, the President can put us into the league at any time within two months. He having withheld exchange of ratifications, if he still wants to make the issue to the country, he goes with his influence, as the leader of his party, to his great national convention, freshly elected from the people on this issue, and he shapes his own plank and submits it to his party leaders, and then, by the regular processes of committees on resolutions, and so forth, to the great national convention, the representatives of the people who are to vote in the solemn referendum, they state what the issue shall be as raised by the Democratic Party. But that does not apply to this treaty which the Senate has now amended; it applies to some other treaty.

I do not care to argue this question at length, Mr. President. While it seemed to me desirable, it is not a matter in which I am particularly concerned or about which I have any pride of opinion. It is simply my view of what is due to us, what is due to the country and the other members of the league and the world. The others are in the league. If no country had ratified the treaty and they were all coming together, that would be one thing. But it has been said to us from the beginning that time was of the essence of this thing, and that all sorts of calamities and disorder were being promoted in the world by our delay in the matter.

I do not think there was any merit in that, because we have held this matter continually before the Senate, and in my opinion the delay has resulted simply from the insistence of the President that he would not accept changes which changed the principle anywhere, his party standing back of him on that basis. That has been the cause of the delay.

But now our delay is about to terminate, if it can properly be called delay, and, in view of the contentions of the party press of my friends across the aisle about the inordinate length of time that it has taken this country to make up its mind as to whether it would get into the league or not, if we allow the President, for reasons of his own, to have two months more for making up his mind, if anybody thinks it is not made up now, and for the members of the league to make up their mind, it seems to me that that can not reasonably be said to be too short a time. I do not think that it can reasonably be demanded that this matter should be passed to the White House, and there left indefinitely, so that at any time during the next year, or the rest of the President's term of office, he may put us into the league or keep us out of it at his pleasure.

As you know, Mr. President, when people are anxious about a thing of this kind the feeling is deep and is based on principle, and it is based upon what we consider an abandonment, or at least a change, in the continuous foreign policy of this country, unanimously hitherto maintained by every President from Washington to Wilson. When you consider that, it seems to me that the deep feeling, both of the proponents and of the opponents of this treaty, is entirely justified. It is the most fundamental thing the country has ever had under consideration since it formed the great charter which is the fundamental law of the country and which created the Federal Government.

If it is wise that the treaty should be ratified in its present form, and if it is ratified by the Senate, we can make up our minds that the President has kept perfectly close track of the arguments that have been made about it, and he is not going to require two months to make up his mind. I have no doubt that it is made up now. If it is not, I have no doubt that it will be finally made up within a week, and he can notify the other powers immediately, if he is going to file it, and within another week they will notify him by cable that the reservations are satisfactory to them or that they are not. He may tell them, "I want to act on this matter, in view of the urgency of the occasion, within the next 30 days, and the quicker you let me know whether you intend to make any protest, under the terms of the requirements of this preamble, to the Senate reservations or not, the quicker I can get into the league, if you are willing to accept the reservations." They will all know. The two great powers have come pretty near to announcing already what their position is.

There is no attempt to reflect upon the President in the passage of any law by Congress. It ought to be provided when it shall take effect.

Mr. McKELLAR. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Tennessee?

Mr. BRANDEGEE. In just a moment I will yield to the Senator, for I am afraid I will forget the thought that is in my

mind. I forgot it once. The Constitution gives the President only 10 days to consider the most important bills, and then he must return it if he intends to veto it.

I started to say that it is more or less analogous to the indeterminate condition in which we leave an amendment to the Constitution which we have passed by two-thirds of both branches of Congress and launched on a career through the legislatures of 48 States, with no time limit fixed within which those legislatures must act. So the country never knows until the amendment has been acted upon by the last necessary State what the organic law of the country is to be. There are amendments now floating around the country that were adopted nearly a hundred years ago by Congress, and if a few States adopt them now they will become part of our fundamental law. That condition of things ought not to exist, and I have attempted to remedy it in a joint resolution, which the Judiciary Committee has reported favorably and which is on the calendar.

Here is an international constitution, creating a proposed new order of things for the whole world. Many of us think it is unconstitutional. There is doubt whether, simply because you call it a treaty of peace, there is any constitutional warrant for making such a great international new constitution. All these uncertain things should not be rendered more uncertain by launching this forth to the world, especially when the preamble already provides that everybody who protests must protest before the ratification is deposited, but does not name any date when the instrument of ratification must be deposited.

Now, I yield to the Senator from Tennessee.

Mr. McKELLAR. Under our Constitution the President has equal power and right with the Senate in making treaties. Suppose the President, when he sent the treaty to the Senate, had put a limitation of 60 days, and said, "Oh, well, you have been keeping up with the treaty as I negotiated it; the Senate unquestionably is a sensible body, many of them have already made up their own minds, and 60 days will be ample time for the Senate to act upon this treaty, and I make this statement, that unless it is acted upon in 60 days, I shall withdraw it." What would the Senator from Connecticut have said to such a statement placed in his message by the President when he sent the treaty to us?

Mr. BRANDEGEE. I would say that I cordially and sincerely approve of it.

Mr. McKELLAR. The Senator would?

Mr. BRANDEGEE. I would.

Mr. McKELLAR. If that is the case, why have not the majority acted upon this treaty in all the nine months, instead of two months as the Senator would want to confine the President?

Mr. BRANDEGEE. I think probably it is nearly 15 months that the matter has been under consideration. The President did have the power to say, "If this matter is not acted upon by the Senate within 30 or 60 or 90 days then I will withdraw the treaty." He can withdraw it to-day.

Mr. McKELLAR. Of course he can.

Mr. BRANDEGEE. I am not sure but that he will.

Mr. McKELLAR. But being a coordinate power, it would not have been becoming for the President to attempt to limit the Senate, and in like manner it would not be becoming in us to attempt to place a time limit upon the President for his action.

Mr. BRANDEGEE. Let us look at that. You must remember this whole treaty of 536 pages, printed in two languages, half that number of pages in each language, was made up by the President to satisfy himself. Nobody quarrels with him for that. That was his plain constitutional duty. He submitted it to us. He could have written into the treaty, if he had wanted to, that the treaty shall become effective, provided the Senate ratifies it within 90 days. He has formulated every one of the conditions under which we have been obliged to work. It is his treaty.

What we are doing is formulating the conditions under which we will agree to ratify the treaty, and, without the slightest idea or intention of trenching upon his authority, which I do not think this proposed amendment does, it seems to me clearly a proper condition precedent of the going into operation of the treaty to bind the United States, that we should say in the resolution of ratification that the treaty ratification must be filed within 60 days; that that is one of the conditions, together with the other reservations and understandings, that have been put on it; that this is practically one of the 15 or 16 understandings about it, and that the treaty does not go into effect and ratification—does not go into effect unless certain things are done.

I have no knowledge whether the provision is disagreeable to the President or not. I do not think it ought to be, and I do not think in practice it will have any effect unless, owing to some cause which I am unable to anticipate, but which I think is possible and ought to be provided against, the ratification should not be filed. I can see and I do see the difficulty of any business man or the people getting access to the President, almost the impropriety of their going to him and trying to get access to him to ask him whether it is his intention to file the resolution of ratification if it is passed.

Mr. FLETCHER. May I ask the Senator a question?

Mr. BRANDEGEE. They ought at least to know that if it is to be done, it is going to be done within 60 days. I yield to the Senator from Florida.

Mr. FLETCHER. I ask the Senator from Connecticut if he does not think 60 days is a very limited time to consider the matter and to get the copies made and do all the things necessary to formally carry out the steps needed to put the treaty in official shape? His purpose would be accomplished, it seems, if he made it 90 days, which would be a much more reasonable space of time. Would the Senator object to making it 90 days instead of 60?

Mr. BRANDEGEE. No; I do not. I do not think it is necessary, but I am not so sure of my own judgment as to be insistent about it. In view of the fact that our ocean greyhounds are constantly going back and forth over the ocean, like shuttles in a mill, consuming only five days for the trip, in view of the fact that the cables and wireless telegraph are working like lightning every five seconds, when I drafted the amendment, without at that time having considered that this question of time for the other signatories to make up their minds whether they would accept the reservations or not had arisen, I did think that 30 days would be sufficient, and I had that time specified in the amendment which I offered and had printed. But the Senator from Wisconsin [Mr. LENROOT] in conversation with me yesterday said, "I approve of the principle of your proposed amendment, but I think the time is too short in view of the fact that these other people have got to protest if they want to, and I think you ought to make it 60 days." I said, "I will do so." I am perfectly willing to make it 90 days, although I do not think it is necessary, but I do think that some reasonable time ought to be fixed. Ninety days will be one-quarter of a year. I presume the Senator from Florida himself thinks that that would be ample time. I will modify the amendment in that respect and make it 90 days.

Mr. WALSH of Montana. Mr. President——

Mr. BRANDEGEE. I yield to the Senator from Montana.

Mr. WALSH of Montana. There is much basis for the argument made by the Senator from Connecticut, and undoubtedly there is an element of uncertainty about the provision as it stands, but I want to submit for his consideration this thought.

Of course, telegraphic communication now extends to the ends of the earth, but obviously something in the nature of a formal communication would be necessary. In other words, no foreign government would be justified in acting upon a mere newspaper report or telegraphic advices. It could not reasonably be expected to act before it had the authentic document concerning which its assent was expected.

Aside from that, I want to say to the Senator that in the case of a great many of these countries action is necessary by their legislative bodies in order to bind the government in any wise whatever. I should very naturally think that the submission of these reservations to the various governments whose assent is required would provoke discussion in the legislative assemblies much after the manner that we have listened to in this body for a long time. Some particular nation might not be in a position to act within the limit fixed by the proposed amendment by reason of delays in assembling the legislative body or by reason of protracted debate in that body concerning the action which ought to be taken.

Suppose under those circumstances a nation should address a polite communication to the President of the United States advising him of the situation of affairs and saying to him that it was going on, but they expected to reach a definite conclusion in about 2 weeks or 30 days; the President of the United States would have no discretion in the matter at all, and the treaty would fail, would it not?

Mr. BRANDEGEE. The ratification could not be deposited after three months. I have not thought of it exhaustively, but I have given some consideration to the facts to which the Senator alludes. He says that in a great many of the countries legislative action is or may be necessary. I do not think that is so. My impression is that in by far the greater number of the countries their treaties are made by their chief executive and

their state department or their cabinet. There are one or two—I believe France is one—where the action of either their senate or their chamber of deputies is required.

Mr. WALSH of Montana. Let me inquire of the Senator whether even in the case of those in which the power does exist it is not altogether likely that the executive, particularly if he is a parliamentary executive, would want to have the views of the parliamentary body concerning the advisability of accepting the reservations?

Mr. BRANDEGEE. That may be quite so. It may be that some other country would. I do not think Great Britain would require any such thing, but there may be countries where some legislative opinion would be necessary. But we all know that in all the other countries that have parliamentary government it is the ministry which is in control, a ministry the stability of which depends upon its being backed and supported by a majority of its own belief in the legislative assembly. So Lloyd-George, in the negotiations of the treaty, being the leader of the House of Commons and the Premier of Great Britain, was able in no time at all to have whatever he did ratified by his party of which he was the leader. They consult with them in advance; they tell them, "Here, we are thinking about this"; they call in the leaders of the party on the floor, and they say, "This proposition is made; what attitude shall we take?" They agree upon it, and the minister walks in at the minister's bench and announces it, and the party O. K's it, and it is done, or else the Government falls.

Mr. WALSH of Montana. The Senator, of course, will remember that they have the power to interrogate the minister; that is, a member of the opposition to the ministry arises and asks the premier whether it is a fact that such a communication has been received from the President of the United States submitting the treaty and the reservations, and whether it is a fact that the premier intends to accept the treaty or file a protest, and immediately that precipitates debate in the House of Commons.

Mr. BRANDEGEE. It does, and the moment the leader of the ministerial forces on the floor has had enough of that debate he brings it to a vote. They do not have the unlimited debate which exists under the rules of the Senate.

Mr. REED. Mr. President——

Mr. BRANDEGEE. Just a moment, please. Whenever the party leader wants the question determined upon he either moves the previous question, or the Chair does not recognize the opposition; the debate comes to an end.

I also want to call to the Senator's attention the fact that in every one of those capitals there are diplomatic officials subject to the order of the President over the wireless immediately to communicate at once with the State Department or the office of foreign relations in those countries, and those things coordinated in that way, coming to a central office by cable instructions dispatched to our corps of ambassadors and ministers among those 32 signatory powers and getting answers to them in a day or two, they would take it right up, and in a week we would know, in my opinion, whether this was going to be accepted or not; and I say most of them will never be submitted to any legislative body at all.

I yield to the Senator from Missouri.

Mr. REED. Conceding that the Senator from Montana has in the illustration he used a moment ago presented a case of serious difficulty, does that illustration not make it manifest that it was unwise to abandon the language of the original Lodge resolution of ratification? That resolution required affirmative action. The present resolution proposes that ratification shall be taken by virtue of a mere failure to act. If, as the Senator from Montana anticipates, a long time may elapse during which the question is under discussion, does not that make it imperative that we should require affirmative action so that no nation hereafter can come in and say: "We did not file our protest because of certain conditions," such as the Senator has suggested?

Mr. WALSH of Montana. I will say to the Senator that that water has gone by the mill; we have already adopted an amendment that takes care of that; that is, the Senate has committed itself to the other view.

Mr. REED. Have we adopted any part of the Lodge resolution?

Mr. WALSH of Montana. Yes.

Mr. REED. That must have taken place very early in the session to-day, for I was here within 10 minutes after the hour of meeting.

Mr. BRANDEGEE. I will say to the Senator from Missouri, in reply to his inquiry, that it was not at my suggestion or with my advice and consent that the original Lodge resolution, as to how the acceptance of our reservations by the other signatory powers should be accomplished, was modified. I originally took the view that in a matter of this vital importance it was exceedingly desirable to obtain from the agreeing parties a positive statement from which there would be no escape, a writing deposited in their archives and in ours, stating that they accepted our reservations and were bound by them; but, Mr. President, it was stated that as to some of our reservations, while it was not known that other governments would protest against them, yet, owing to situations in their own governments, they did not want positively and in writing to say that they were acceptable to them. So, I presume, in order to be more polite to them, while at the same time following, perhaps, what was considered the equivalent of the other resolution, and in order to make it more persona grata and an easier task for the other signatories, the substitute was agreed upon.

I do not know as to that, and I am not satisfied that the doctrine of estoppel applies in international affairs to sovereigns as it does to litigants in a court. As the Senator from Oklahoma [Mr. GORE] suggests, the statute of limitations applies in a court but does not run against international obligations; but, however that may be, there is no use of our arguing, because it is merely our assertion that we will consider that the reservations have been accepted by the other powers unless they protest. We say, "Inasmuch as we told you in advance that we will consider that your silence gives consent, you are estopped." That is merely our construction of our own resolution; it is not their agreement.

It may be said with great force that inasmuch as we have said to them in advance what our understanding is, if they admit us to the league on those conditions, and proceed to execute a contract with any such provision, they could not deny it; but suppose they should; all we could say is "You are no gentlemen," or else we could get out of the league or adopt some other recourse that we might think appropriate.

Furthermore, the original resolution would have been much more expeditious, because it provided that by an exchange of diplomatic notes between the three or four principal allied and associated powers the reservations were to be accepted, and it was stated that if those three or four allied and associated powers, who had been our associates in the conduct of the war, agreed, that that was all we cared about; that they were the nations which had won the war, and if they agreed to our reservations we would take a chance about the others disputing it or differing from us. But, as the Senator from Montana [Mr. WALSH] stated to the Senator from Missouri [Mr. REED], that water has gone over the dam; we have agreed to the substitute amendment.

Now, I say that to me there is little objectionable force in the claim that the other signatories can not do whatever is necessary to make up their own minds or determine whether they will keep still within 90 days. All they have got to do, if they want to agree to the reservations under the language of the preamble, is to do nothing. Then we say, "You have not protested, and, under the terms of our proposition to you, you have accepted." It is only in the event they want to protest that it takes any time at all to formulate their protest. It must be borne in mind that if any one of the 32 signatories files a protest against these reservations the ratification is not to take place. If the ruler of Hedjaz or of Salvador, who may not like the information recently obtained about our interpretation of the Monroe doctrine, files a protest against our reservations, the treaty does not get ratified. Let me read the language.

Mr. McLEAN rose.

Mr. BRANDEGEE. I yield to my colleague.

Mr. McLEAN. Under the provisions of the amendment which has just been adopted, the protest must be filed prior to the deposit of ratification, and under the amendment suggested by my colleague the deposit must be made within 60 days.

Mr. BRANDEGEE. I have modified that, making it 90 days.

Mr. McLEAN. I was going to suggest that there might be cases where special sessions of the legislative branch of the Government might be necessary, which might require some notice, and it would seem to me that 90 days would be preferable.

Mr. BRANDEGEE. The suggestion is a wise one, and the change has been made.

Under the amendment just adopted to the original resolution the manner in which the powers shall give their consent and file their protest against the reservations is provided. Here is the language:

Which ratification is not to take effect or bind the United States—

Then I skip my proposed amendment—

until the said reservations and understandings adopted by the Senate have been accepted as a part and a condition of this resolution of ratification by the allied and associated powers.

That means all of the allied and associated powers; the ratification does not take effect until our reservations have been accepted by all the allied and associated powers, and upon the mere sending of a telegram by any one of them all these 15 months of treaty discussion have been rendered nugatory and futile. I am not complaining of that, because I am not anxious that ratification should take effect; but I believe the interpretation I have just given was stated by the Senator from Massachusetts, the author of this modification, on the floor this morning as his interpretation, and it has been agreed to by the Senate.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from South Carolina?

Mr. BRANDEGEE. I yield.

Mr. SMITH of South Carolina. I merely wish to ask the Senator his interpretation of this language. He said a moment ago that the amendment which had been adopted by the Senate—the amendment of the Senator from Massachusetts [Mr. LODGE]—as it reads requires the affirmative action of all the allied and associated powers. Does he not interpret the following——

Mr. BRANDEGEE. I beg the Senator's pardon; he has misunderstood me. I say the reservations will be accepted unless the other nations protest against them.

Mr. SMITH of South Carolina. Yes; and their silence or their failure to enter protest before the deposit of ratification is taken as acceptance and estops them from any further objection.

Mr. BRANDEGEE. Certainly; it is so stated in the amendment.

Mr. SMITH of South Carolina. The thought that I caught from the Senator's expression was that it took affirmative action on the part of all of the allied and associated Governments.

Mr. BRANDEGEE. No; I do not say it takes affirmative action. Let me again quote the language to the Senator, because this is important, and if I have made an incorrect statement I want to be corrected. The language is:

> Which ratification is not to take effect until the said reservations and understandings adopted by the Senate have been accepted as a part and a condition of this resolution of ratification by the allied and associated powers.

I say that means by all the allied and associated powers. It goes on and states:

> And a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers.

Mr. SMITH of South Carolina. Therefore the Senator's interpretation is that if there is no affirmative action nor any filing of any protest at the time of deposit the Government that has failed to act either by way of protest or by affirmation ipso facto acquiesces in the reservations.

Mr. BRANDEGEE. I say that is what we claim about it; that is what we state shall happen; but they have said nothing one way or the other, and are not required to do so. They may keep absolutely mum; and we state, "If you keep mum, it will be our interpretation of this instrument that you have accepted the reservations, and if you do not want to accept them, the only way you can prevent our considering that you have accepted them is by filing a protest before the ratifications are exchanged."

Mr. SMITH of South Carolina. If the Senator will allow me to interrupt him further, it seems to me, in view of the limitation effected by the Lodge amendment, that it would be fairer for all parties concerned in such a serious matter as this league covenant to say that when the United States shall have deposited the ratifications that is the final action and the final limit of time on our part. Then there will be no restriction as to the reservations, except the judgment of those who are the most vitally interested, namely, the United States, in reference to the nations to which they are sent; but if, on the other hand, we establish a 90-day limitation, it seems to me it would bear something of the aspect of saying, "We do not want this thing anyhow, and if you do not hurry and get in we are going to wash our hands of the whole business."

Mr. BRANDEGEE. Mr. President, I do not think we need be intimidated—I will not use that word—I do not think that we need be overanxious about fearing to give them the impression that we are unduly desirous of going into this thing. If I have any conception of the English language, a casual perusal of the reservations which we have already adopted might tend to induce a sensitive and oversuspicious partner to think that we were not actuated by an uncontrollable enthusiasm for his company.

Mr. SMITH of South Carolina. That we have some mental reservations.

Mr. BRANDEGEE. But there is no accounting for tastes, and they may be under the impression that we are burning up with the ardor of a young lover to re-form the alliance that was severed 140 years ago and now stretch our hands across the sea to abandon the independence of the United States of America and become a member of the grand congress of the rough riders and militarists of the world. But, as I say, that will be for them, and if they are able to control themselves against filing a protest on these reservations—and I think they will be—and if the President's mind should "go along" with the Senate's, and if the Senate should ratify the treaty, we will all be in together over there.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from South Dakota?

Mr. BRANDEGEE. I do.

Mr. JOHNSON of South Dakota. I simply want to ask the Senator whether I correctly understood him to state that if one of the various powers should file a protest it would operate to prevent the treaty from being put into operation?

Mr. BRANDEGEE. Why, of course. That is the language. That is what the Senator from Massachusetts stated on the floor—that the other reservations required the assent only of four of the principal allied and associated powers, and named them—Great Britain, France, Italy, and Japan—but that this required the consent of all of them; and when it says "the consent of the principal allied and associated powers" it can not mean anything else but all of the allied powers. If the action of one of them in filing a protest against the reservations did not break up the unanimity of the action of the allied and associated powers and the constructive consent, how many of them would it take to protest in order to break it up? It follows ex vi termini; it must be so.

Mr. President, I have spent a great deal longer time than I intended to spend on this very simple subject, and I do not care to occupy any more time upon it. I would not have taken so much except for the fact that I have had to answer questions that Senators desired to ask me.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the Senator from Connecticut [Mr. BRANDEGEE].

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Tennessee suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gerry	Lodge	Shields
Ball	Glass	McCormick	Simmons
Beckham	Gore	McKellar	Smith, Ga.
Borah	Gronna	McLean	Smith, Md.
Brandegee	Hale	McNary	Smith, S. C.
Calder	Harding	Moses	Smoot
Capper	Harris	Myers	Spencer
Chamberlain	Harrison	New	Stanley
Colt	Henderson	Norris	Sterling
Comer	Hitchcock	Nugent	Sutherland
Culberson	Johnson, Calif.	Overman	Swanson
Cummins	Johnson, S. Dak.	Owen	Thomas
Curtis	Jones, N. Mex.	Page	Townsend
Dial	Jones, Wash.	Phelan	Trammell
Dillingham	Kellogg	Phipps	Underwood
Edge	Kendrick	Pittman	Wadsworth
Elkins	Kenyon	Pomerene	Walsh, Mass.
Fernald	Keyes	Ransdell	Walsh, Mont.
Fletcher	King	Reed	Warren
France	Kirby	Robinson	Watson
Frelinghuysen	La Follette	Sheppard	Williams
Gay	Lenroot	Sherman	Wolcott

The PRESIDENT pro tempore. Eighty-eight Senators have answered to their names. There is a quorum present.

Mr. TRAMMELL. Mr. President, I hope the amendment offered by the Senator from Connecticut will not be adopted. To limit the President to 60 days in passing upon, transmitting, and filing the resolution of ratification is putting entirely too short a time limit upon him to act upon this matter of such great importance.

Mr. BRANDEGEE. Mr. President, the Senator knows, I assume, that I have changed it to 90 days?

Mr. TRAMMELL. I really did not know that. There was so much confusion in the Senate Chamber that it was rather difficult to keep up with what was going on in the Senate; but I do not believe that we should restrict the President at all. We have heard quite a good deal during the past several months in regard to alleged encroachments upon the part of the President upon the prerogatives of the Senate in dealing with this very problem—the treaty. Judging from their expressions, a great many Senators seem to think that the Executive should not be considered at all in dealing with the treaty. I do not, however, entertain so harsh a view. I entertain the

view that it is a matter where there should be cooperation as far as possible, and that the executive and legislative branches of the Government should endeavor to harmonize and to compromise their views where they have differences upon any important matter of this kind; but, of course, if they can not do that, then it is the duty of a United States Senator to vote his convictions—to stand up as a man—just the same as it is the duty of the Executive of the United States to stand firmly and courageously for his convictions. I admire a man who makes up his own mind and then has the courage of his convictions.

I do not see that it is properly within our prerogatives to try to hedge about the Executive in dealing with the final disposition of this subject after it has passed from the Senate. We have occupied months and months in its consideration; now, all at once, some want to get in haste. After taking some 8 or 10 months for consideration on the part of the Senate, we now say that we must make haste, but we do not propose to do it as far as the Senate is concerned, but we propose to tell the President: "You must act very quickly in the matter." I believe it would be another step that would probably make more impossible the ratification of the treaty.

While a good many reservations have been adopted that I did not support, and some that I did support, I have come to the conclusion that in order to try to preserve at least a part of the purpose and the object of the establishment of a League of Nations I shall vote for a resolution of ratification with these reservations, although some of them are objectionable to me.

I do this because I think, Mr. President, that we yet have something of the league left. The President, when he forced it and brought about this concerted effort on the part of the Nation to bring about a condition which it was hoped would result in peace for the Nation, result in a new order of affairs, instead of continuing the old order of settling your difficulties with a shotgun, performed a great service by his own country and by the nations of the earth.

It is true it has been changed more or less. I have favored some of the changes. But I still believe, Mr. President, that there remains enough of good in the plan of the League of Nations for us to give it a trial. I am opposed to putting anything else into it that would make more improbable the ultimate adoption of the treaty and of the League of Nations.

Therefore I hope that the limitation offered by the Senator from Connecticut will not be adopted.

The PRESIDENT pro tempore. The question is upon the amendment offered by the Senator from Connecticut [Mr. BRANDEGEE].

Mr. BRANDEGEE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Arizona [Mr. SMITH]. I ask that this announcement stand for the day. On this question I vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. In his absence I withhold my vote.

Mr. WILLIAMS (when his name was called). I have a general pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness, and I have been unable to secure a transfer of that pair. I therefore must withhold my vote. If permitted to vote, I would vote "nay."

The roll call was concluded.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], and in his absence I withhold my vote.

Mr. UNDERWOOD (after having voted in the negative). I notice from the recapitulation that the junior Senator from Ohio [Mr. HARDING] did not vote. I have a general pair with that Senator, which I transfer to the senior Senator from Texas [Mr. CULBERSON] and let my vote stand.

The result was announced—yeas 41, nays 42, as follows:

YEAS—41.

Ball	France	McCormick	Smoot
Borah	Frelinghuysen	McLean	Spencer
Brandegee	Gronna	McNary	Sterling
Calder	Hale	Moses	Sutherland
Capper	Johnson, Calif.	New	Wadsworth
Colt	Kellogg	Norris	Walsh, Mass.
Curtis	Kenyon	Page	Warren
Dillingham	Keyes	Phipps	Watson
Edge	La Follette	Reed	
Elkins	Lenroot	Sherman	
Fernald	Lodge	Shields	

NAYS—42.

Ashurst	Cummins	Gay	Gore
Beckham	Dial	Gerry	Harris
Comer	Fletcher	Glass	Harrison
Henderson	McKellar	Ransdell	Swanson
Hitchcock	Myers	Robinson	Townsend
Johnson, S. Dak.	Nugent	Sheppard	Trammell
Jones, N. Mex.	Overman	Simmons	Underwood
Jones, Wash.	Owen	Smith, Ga.	Walsh, Mont.
Kendrick	Phelan	Smith, Md.	Wolcott
King	Pittman	Smith, S. C.	
Kirby	Pomerene	Stanley	

NOT VOTING—13.

Chamberlain	Knox	Penrose	Williams
Culberson	McCumber	Poindexter	
Fall	Nelson	Smith, Ariz.	
Harding	Newberry	Thomas	

So Mr. BRANDEGEE's amendment to the resolution of ratification was rejected.

Mr. LENROOT. Mr. President, we are once more to vote on a final resolution of ratification of the peace treaty. Once more we have a combination between President Wilson's followers in the Senate and the irreconcilable foes of the treaty, which is said to be sufficiently strong to defeat ratification.

Who would have thought a year ago that the time would come when the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Idaho [Mr. BORAH] would be found fighting together to defeat this treaty?

The Senator from Idaho and the Senator from Missouri [Mr. REED] have made a great fight to defeat the treaty, but President Wilson is the man who defeats it if it is defeated to-day.

The course followed by President Wilson and his followers in the Senate commands the admiration of no one. They propose, if they can, to kill the entire treaty and maintain a state of war with Germany for another year, because the majority of the Senate, representing an overwhelming majority of the American people, will not permit them to destroy the liberties and the independence of the people of the United States.

When this treaty was presented to us by President Wilson we were told that failure of the Senate to ratify it would break the heart of the world. But now that reservations have been adopted which our principal associates in the war are willing to accept, and are eager for ratification with such reservations, President Wilson declares that unless obligations are incurred by the United States that are not insisted upon by others, we must not ratify, even though "the heart of the world be broken."

I wish now to review very briefly our status in the League of Nations if the treaty be now ratified as proposed with the pending reservations:

Beginning with the league covenant, we read articles 1, 2, 3, 4, 5, 6, and 7. The reservations we have adopted do not affect any of these seven articles except in two particulars. The reservation regarding the right of withdrawal affects the first article, but this reservation is in exact accord with the interpretation given the article by the Senator from Virginia [Mr. SWANSON] and many other Democratic Senators who are following President Wilson.

The fourteenth reservation also affects these articles, but if President Wilson desires to take the position that the treaty is nullified unless we agree that the British Empire shall have 6 votes to bind us when we have only 1 vote to bind them, we are willing that a solemn referendum be had upon that question and let the people decide.

The next article is 8, which is affected by our tenth reservation, which provides that the United States, when engaged in war or threatened with invasion, shall have the right to increase its armament without the consent of the council of the league, if it has adopted the plan for disarmament recommended.

Who is there opposed to that? What Senator is there who would dare to face an American audience and say he opposed the ratification of the treaty because we reserved the right to increase our armament in time of war?

We next come to article 9, which the reservations do not affect in the slightest degree.

The next is article 10. President Wilson insists that we must solemnly obligate ourselves with all our man power and all our resources to protect the territorial integrity and political independence of every other member of the league against external aggression. He says this is the bulwark of the league covenant, and without it he states the covenant might be nothing more than a scrap of paper. He explicitly says we must assume the obligation and agree to contribute all of our moral and material resources to its fulfillment. Here is the crucial issue in the contest. Shall we obligate our boys to fight and to die in every quarrel that may arise in every part of the globe? Shall we obligate ourselves to finance every war that may hereafter occur in Europe or in Asia? President Wilson, gratuitously insulting France, says the military party is now in control there. He also charges Italy with imperial designs. Strangely enough, it is only the British Empire and Japan, who are actually carry-

ing out imperialistic designs, who do not meet with his condemnation!

The President says this article 10 is the heart of the covenant. He prefers to see the whole treaty defeated rather than have our boys relieved from the obligation to go to war across the seas; rather than have us released from the obligation to finance one side or the other in all the wars of the future. And—God save the mark—he says this is the essence of Americanism.

Was it for this that Washington fought and thousands died?

If we follow President Wilson, we must banish the Star-Spangled Banner and America from our national songs. For if article 10 be accepted each of these great anthems will breathe a lie. For nearly 150 years freedom—liberty—has been the foundation of our greatness. Each Congress has had freedom of action under the Constitution. To bind future Congresses to make war against the will of the people is a monstrous proposition. To engage to protect tyranny from peoples fighting for liberty is contrary to every principle upon which our Government is founded.

On November 19 last I said in this Chamber that I would resign my seat in the Senate before I would vote to ratify this treaty with the obligations imposed by article 10. I repeat that statement to-day.

Article 11 is the next article of the league covenant. The reservations do not affect in any degree that article. It is to my mind one of the most important articles in the league covenant, because under it we as a member of the league agree that we will meet and discuss in the council or the assembly matters affecting the peace of the world, but there is no authority vested in either league or assembly to bind or obligate anyone.

President Wilson, before he became so isolated from the world, said of this article:

I want to call your attention, if you will turn to it when you go home, to article 11, following article 10, of the covenant of the League of Nations. That article, let me say, is the favorite article in the treaty, so far as I am concerned.

Then he proceeds to detail the very great benefits to be derived by the world because of the presence of that article in the treaty. As I have said, the reservations leave article 11 intact.

President Wilson's illness seems to have affected either his recollection or his judgment, or both.

The next articles in the treaty are 12, 13, 14, 15, and 16, and they are all grouped together and relate to arbitration, compulsory inquiry concerning disputes, the agreement not to go to war within nine months after the submission of a dispute, and economic boycott for the violation of any of the provisions of articles 12, 13, or 15.

These articles, Mr. President, warrant the United States in entering the League of Nations, and with these articles great progress will be made toward the prevention of war. The articles to which I have just referred are not affected by the pending reservations except in two particulars: The fourth reservation reserves to the United States the right to decide for itself what are domestic questions not to be submitted to the league, and the eleventh reservation permits us to trade, notwithstanding the economic boycott, with nationals of a covenant-breaking State residing within the United States or in neutral countries. In all other respects these articles are left intact by the reservations.

What was the view of President Wilson before his illness of the importance of these articles?

On September 4 last, at Indianapolis, he said, speaking of the league covenant:

The great bulk of the provisions of that covenant contain these engagements and promises on the part of the States which undertake to become members of it: That in no circumstances will they go to war without first having done one or the other of two things—without first either having submitted the question to arbitration, in which case they agree to abide by the result, or having submitted the questions to discussion by the council of the League of Nations, in which case they will allow six months for the discussion, and engage not to go to war until three months after the council has announced its opinion upon the subject under dispute. The heart of the covenant of the league is that the nations solemnly covenant not to go to war for nine months after a controversy has become acute.

Is it possible that the President Wilson who uttered these words is the same man who now says the heart of the covenant is in article 10, and this provision that he then said constituted the heart of the covenant will be only a scrap of paper? Has President Wilson changed his mind or has his mind changed him?

To the followers of the President, who propose now to vote to reject this treaty, I remind them that they vote to reject a treaty the very heart of which, according to President Wilson before his illness, is unaffected by the reservations.

Articles 17, 18, 19, 20, and 21 are not affected by the reservations.

Article 22 is affected by the third reservation, which provides that no mandate shall be accepted by the United States without the consent of Congress.

In voting to reject this treaty, do the Senators who are following the President take the position that they are against the treaty because they want the President of the United States to accept a mandate for Armenia, a mandate for Turkey, or a mandate for any other country, without the consent of Congress?

Who among you will be foolhardy enough to take that position before the American people?

The next article is 23. That article is not affected except by our fourth reservation, which excludes our own labor problems from the jurisdiction of the league.

Articles 24, 25, and 26 are not affected in the slightest degree by these reservations.

I have now briefly reviewed our status in the League of Nations if the treaty is ratified with these reservations.

The heart of it, as denominated by President Wilson last September, will be left. The beneficial articles for the settling of disputes by arbitration and inquiry will be left intact. What is it that will be taken away so far as the United States is concerned? Obligations only—obligations imposed by this covenant contrary to the principles of this Republic; obligations that no American citizen ought to be willing for a moment to have imposed upon the United States.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. WATSON in the chair). Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LENROOT. I yield for a question only.

Mr. REED. That I may give my question a meaning——

Mr. LENROOT. Last night the Senator desired a vote at the earliest possible moment. I do not wish to occupy any further time of the Senate than is absolutely necessary. So I must request the Senator to put his interrogatory pointedly.

Mr. REED. Having understood the Senator to say that until the President became ill he had never declared that article 10 was the heart of the covenant, I want to ask him if he does not know that on September 11 in his speech at Helena, Mont., the President said these words:

Then comes article 10——

Mr. LENROOT. I do not yield further. I am ready to answer the question; yes.

Mr. REED. And he said that it was the heart of the covenant then, did he not?

Mr. LENROOT. Yes. The heart of the covenant changed its place many times on that western trip of the President of the United States, but never before his illness did the President say that what he said at Indianapolis was the heart of the covenant would be nothing but a scrap of paper, which he has since said.

Mr. FRANCE. I desire to ask the Senator a question.

Mr. LENROOT. I yield for a question.

Mr. FRANCE. Does the Senator think the treaty ever had a heart? [Laughter.]

Mr. LENROOT. I think speculation upon that point perhaps would not be very valuable to either the Senator from Maryland or myself. I have already stated what I believed to be the beneficial part of the league covenant that, in my judgment, well warrants us in entering the league, provided the other obligations are not assumed.

Now, I wish hastily to review the reservations themselves. The first one, as I have said, relates to withdrawal and provides that the United States shall be the sole judge of whether its international obligations have been fulfilled entitling us to withdraw from the league. In other words, we deny any power in the League of Nations to keep us there against our will if we desire to withdraw. This reservation was adopted by a vote of 45 to 20—35 Republicans and 10 Democrats voting for it, and 20 Democrats voting against it.

The next reservation relieves us of all obligations under article 10 except the obligation to respect the territorial integrity and political independence of other members of the league. It relieves us from any obligation to go to war, to use our resources, or interfere in any way in controversies of other nations relating to territorial integrity or political independence. In other words, it leaves the people of the United States free to determine for themselves what if any action they will take in these matters in the future.

This reservation was adopted by a vote of 56 to 26. Forty-two Republicans and 14 Democrats voted for it, and 26 Democrats voted against it.

In this connection, Mr. President, I ask unanimous consent to insert as a part of my remarks the pending resolution of ratification.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LENROOT. Mr. President, the third reservation relates to mandates. I discussed that a moment ago. Under it a mandate can not be accepted without the consent of Congress.

It was adopted by a vote of 68 to 4—39 Republicans and 29 Democrats voting for it, and 4 Democrats against it.

The fourth reservation relates to domestic questions. It declares that the United States alone will determine what are domestic questions, and that no question which it determines to be such shall be submitted to the league. Without this reservation, the league could determine this and might undertake to interfere with our domestic problems of vital importance to us. President Wilson and his followers insist that the league shall be given this power. This is one of the matters upon which the President desires a great and solemn referendum; but I venture to say that if so submitted there are very few Democrats who would dare support the President's position, or face an audience and advocate it.

The vote on this reservation was 56 to 25—42 Republicans and 14 Democrats voting for it, and 25 Democrats voting against it.

The fifth reservation relates to the Monroe doctrine, and the same observation can be made with respect to this that I have made with respect to the fourth reservation. The United States has always interpreted the Monroe doctrine. President Wilson and his followers would submit the interpretation to the League of Nations.

This reservation was adopted by a vote of 58 to 22—41 Republicans and 17 Democrats voting for it, and 22 Democrats against it.

The sixth reservation withholds our assent from the cession of Shantung by Germany to Japan.

President Wilson insists that we shall condone—not only condone but participate in this great wrong. He evidently has one rule of conduct for Europe and a different rule for Asia. He threatened to withdraw the treaty from the Senate if Italy was given her claims on the Adriatic concerning which there are honest differences of opinion, but insists that we assent to the robbery of China, which no one defends.

The vote on this reservation was 48 to 21—39 Republicans and 9 Democrats voting for it, and 21 Democrats against it.

What do the Senators think would be the result of a solemn referendum upon this reservation?

The seventh reservation covers the appointment of representatives of the United States in the League of Nations, and the various agencies under its jurisdiction, and upon the various commissions provided for in the treaty.

It was adopted by a vote of 55 to 14—38 Republicans and 17 Democrats voting for it, and 14 Democrats against it.

The eighth reservation relates to the reparation commission and provides that we will not submit to the control of our commerce with Germany by that commission without the consent of Congress.

It was adopted by a vote of 41 to 22. It was supported by 35 Republicans and 6 Democrats, 22 Democrats voting against it.

The ninth reservation provides that the United States shall not be obligated to contribute to the general expenditures of the league unless appropriations therefor are made by Congress.

It was adopted by a vote of 46 to 25. Of the 46 votes for it, 38 were Republicans and 8 were Democrats. Twenty-five Democrats voted against it.

The tenth reservation relates to disarmament and provides that if any plan for disarmament recommended by the council is adopted by Congress the United States reserves the right in time of war or when threatened with invasion to increase such armanent without the consent of the council of the League of Nations.

I have already discussed this reservation. It was adopted by a vote of 49 to 26. Forty Republicans and 9 Democrats voted for it, and 26 Democrats voted against it.

The eleventh reservation reserves from the economic boycott under article 16 the right to permit commercial relations with nationals of the covenant-breaking State residing in the United States and in countries other than the covenant-breaking nation.

This reservation was adopted by a vote of 44 to 28. Thirty-nine Republicans and 5 Democrats voted for it, and 28 Democrats voted against it.

The twelfth reservation relates to the rights of American citizens in property claimed to be of German ownership. It was adopted by a vote of 45 to 27. Thirty-seven Republicans and 8 Democrats voted for it, and 27 Democrats voted against it.

The thirteenth reservation withholds our assent to the labor provisions of part 13 of the treaty, but leaves Congress free to accept them in the future if it desires so to do.

The purpose of this reservation is the protection of American labor. Our labor standards are the highest in the world. We should be careful that there be no tendency to lower our standards by joining with other nations to agree upon a uniform standard which would be certain to be lower than our own. Moreover, American labor is patriotic, devoted to our American institutions. Europe is in chaos and turmoil. Whether Bolshevism and anarchy shall dominate the labor of Europe we do not know. We do know they will never dominate the labor of America. Is it not the part of wisdom to wait and find out what kind of a labor combination will be formed before we go into it?

This reservation was adopted by a vote of 44 to 27. Thirty-eight Republicans and 6 Democrats voted for it. Twenty-seven Democrats voted against it.

The fourteenth reservation is the voting-equality reservation, whereby the United States assumes no obligation until the league covenant is so amended as to give us a number of votes equal to that of any other power, to be bound by any action of the council or the assembly where any member having self-governing dominions or colonies has in the aggregate cast more than one vote, or, where the United States and that power are parties to the dispute, any of them have voted at all.

Do you who are following President Wilson desire a solemn referendum to decide whether the British Empire shall have six votes to bind us when we have only one vote to bind them? Candidly, how many votes do you think President Wilson would get upon such a referendum?

It should be observed that the reservation does not deny the colonies the right to vote. If this treaty is ratified with these reservations, Canada will have the undoubted right to vote upon every question that she would have without the reservation. It relates only to binding us when an unequal number of votes is cast.

This reservation was adopted by a vote of 57 to 20. It was supported by 41 Republicans and 16 Democrats. Twenty Democrats voted against it.

The next and last reservation, Mr. President, is the fifteenth reservation, adopted on yesterday, relating to Ireland. We were afforded a most curious spectacle in the Senate during the long hours of debate on yesterday. It was well known that there was practically no opposition to an expression of sympathy for the aspirations of Ireland for freedom and independence, but upon the other side of the aisle Senators insisted upon coupling with that expression a doctrine of self-determination entirely new to the United States; a doctrine which it was frankly admitted by the Senator from Idaho and others had never been upheld by the United States in the past; a contention, Mr. President, that it took four long years of war to settle, and we had supposed that it was settled for all time. If I had voted against the amendment to strike from that reservation the principle of self-determination I would not know what answer to make to those few remaining, now very nearly at the sunset of life, who fought through the Civil War to preserve this Union against the doctrine of secession and self-determination.

Mr. KING. Mr. President, will the Senator yield?

Mr. LENROOT. Yes.

Mr. KING. I think the only answer that can be made is that the men of the South chose the wrong word; instead of calling it "secession" they ought to have called it "the assertion of the right of self-determination."

Mr. LENROOT. I think so; they are exactly the same.

Mr. FRANCE. Mr. President, I desire to ask the Senator a question.

Mr. LENROOT. I yield.

Mr. FRANCE. Does the Senator make no distinction between the War of the Revolution and the War of the Rebellion?

Mr. LENROOT. Yes, I do; but the doctrine, as was admitted by everyone who spoke in its favor yesterday, was not the doctrine of the Revolution; it was the doctrine of secession; the right of self-determination of a people belonging to or forming a part of a nation; and if it is true, the same doctrine must be applied to-day to the right of New York or the right of California to secede from the Union, if they desire, under the doctrine of self-determination.

Mr. FRANCE. I see that the Senator makes no distinction between the two.

Mr. LENROOT. The Senator can draw his own conclusions. I voted against this reservation yesterday because of its inclusion of this new and dangerous doctrine. The Senate never would have thought for one moment of adopting it if it had not been for the belief that there would be some party politics involved in it. They thought they would put somebody in a hole. But that was a declaration of policy, so far as the United States was concerned; and, as I have said, so far as the reservation concerned Ireland there was no opposition. I have gone upon record as against this policy, this destructive policy of self-determination that Senators voted for. Having gone on record, I am going to vote to ratify the treaty to-day with this fifteenth reservation in it.

Mr. President, there were many pretended friends of Ireland upon the floor of the Senate yesterday. We will find out where the friends of Ireland are to-day. The Senator from Nebraska

[Mr. HITCHCOCK] made a very touching appeal of sympathy for Ireland and advocated this reservation. The Senator, and those associated with him, were willing to make some motions that would amount to nothing; but when it is placed in the treaty, where, if the treaty is ratified, it would have some effect in securing freedom for Ireland, I am afraid we are going to find most of these pretended friends of Irish freedom voting against the treaty and destroying the reservation that they so eloquently defended yesterday.

Mr. PHELAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from California?

Mr. LENROOT. Yes; the Senator from California is one of them, I am afraid. I hope not.

Mr. PHELAN. The Senator from Wisconsin should not anticipate my action. However, I am in a position which I suppose the Senator will commend, at any rate, of being perfectly——

Mr. LENROOT. If the Senator will permit me, I said to the Senator from Missouri [Mr. REED] that I could only take time for the propounding of a question, and I must ask that that request be observed, because I do not wish to occupy the time of the Senate unduly.

Mr. PHELAN. I have no intention of trespassing upon the Senator's time, but I wish to ask him this question: He said that when certain Senators voted yesterday on the resolution recognizing the principle of self-determination, especially as it applied to Ireland, it was the intention to make political capital or "put somebody in a hole." I ask the Senator now whether he is aware that on the final vote 25 Democrats voted in the affirmative and 20 Republicans, while 20 Republicans voted in the negative and 18 Democrats? So, when he makes that accusation, he necessarily includes some Members on the other side of the aisle.

Mr. LENROOT. Oh, I do. Upon this matter there is not a party alignment, as the Senator from California well knows. There are divisions upon the other side, and there are divisions upon this side; and it is the desire of a considerable number of Senators upon this side to add any reservation that they think will assist in defeating the treaty. There are also Senators upon the other side, who heretofore have pretended to be the best friends of the treaty, who are now bending every effort to defeat it. I am not referring to the Senator from California.

Mr. KING. Mr. President, will the Senator yield?

Mr. LENROOT. Yes.

Mr. KING. I am inclined to think that perhaps we may have another "battalion of death," and it may be recruited on this side.

Mr. LENROOT. I think so, too. I think, when the vote is taken, that will be absolutely determined.

Mr. President, I have gone over these reservations that President Wilson says nullify the treaty. These are the reservations because of which his followers in the Senate propose to reject the treaty to-day.

Mr. President, these reservations that relate to the treaty do nothing more than Americanize this treaty for us. They do nothing more than preserve the liberties and the independence of the American people.

Last November the Senator from Nebraska [Mr. HITCHCOCK] made much of the fact that the reservations then made a part of the resolution of ratification could not have been adopted without the votes of the "bitter-enders"—the enemies of the treaty. I call his attention now to the fact that every one of these reservations except the last has been adopted not only by a large majority of the Senate but they have received the support of a majority of the Senators who in some form or other have voted for ratification. These reservations, therefore, represent not only the views of a majority of the Senate but a majority of the friends of the treaty; and while last November the Senator from Nebraska taunted Senators upon this side with being in combination with the "bitter-enders," the Senator from Nebraska himself to-day has an open combination with those same "bitter-enders" that he so bitterly derided last November, and he knows that without that combination of the "bitter-enders" this treaty would be ratified to-day with the reservations adopted by a majority of the friends of the treaty in this Chamber.

The President says he wants a solemn referendum. We are willing. Why not vote to ratify this treaty with these reservations and then let us go before the country and settle the question of whether the American people approve these reservations or desire to accept the treaty unconditionally? If President Wilson is right in his belief that he is supported by the American people in his position, the next Congress can assume every one of these obligations which we decline to assume now. Why keep the United States in a continued state of war with Germany when we can terminate that war now with these reservations attached to the treaty? The other nations are eager to have the treaty ratified with these reservations. Who proposes to "break the heart of the world" to-day?

Mr. President, if I were considering political advantage I would welcome the rejection of the treaty to-day by those who are supporting President Wilson. If you on the other side insist upon taking the question into the campaign you insure an overwhelming Republican victory. But, Mr. President, from the standpoint of the welfare of the country, we ought not to continue in a state of war, technical though it be, for another year. We should resume commercial relations with Germany as quickly as Great Britain and France do. The present condition is not healthful. We can not resume a normal national life so long as we are in a state of war. To continue it because of the stubbornness of President Wilson is indefensible, and any Senator who follows him upon that question will, in my judgment, meet with the condemnation of the American people.

You need not reject the treaty to have a solemn referendum, if you insist upon that. Let the people decide whether they favor these reservations. If they do not, but are in accord with President Wilson, you will have the opportunity of securing victory in the campaign. Whether you do or do not, every Senator voting against the treaty because of their adoption must render an account to the people of the United States. We will meet you as Americans. You must meet us as internationalists. We will meet you as being for America first. You must meet us as advocates of the surrender of Americanism.

I hope there will be a sufficient number of votes to-day to ratify this treaty with these reservations. But whether there are or not, we declare by these reservations that the sacrifices for our liberties, from Bunker Hill down through the years to the battle fields of France, where lie thousands of our boys, shall not have been made in vain.

These reservations free us from obligations which are contrary to American principles and the spirit of our institutions, and through all the years to come the people of the United States will thank God for the American Senate that protected their liberties against those who would sacrifice their independence upon the altar of internationalism.

Following is the resolution of ratification:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted as a part and a condition of this resolution of ratification by the allied and associated powers, and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers:

1. The United States so understands and construes article 1 that in case of notice of withdrawal from the League of Nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled, and notice of withdrawal by the United States may be given by a concurrent resolution of the Congress of the United States.

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination, or to interfere in any way in controversies between nations, including all controversies relating to territorial integrity or political independence, whether members of the league or not, under the provisions of article 10, or to employ the military or naval forces of the United States, under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall, in the exercise of full liberty of action, by act or joint resolution so provide.

3. No mandate shall be accepted by the United States under article 22, Part I, or any other provision of the treaty of peace with Germany, except by action of the Congress of the United States.

4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the League of Nations, or any agency thereof, or to the decision or recommendation of any other power.

5. The United States will not submit to arbitration or to inquiry by the assembly or by the council of the League Nations, provided for in said treaty of peace, any questions which in the judgment of the United States depend upon or relate to its long-established policy, commonly known as the Monroe doctrine; said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said League of Nations and entirely unaffected by any provision contained in the said treaty of peace with Germany.

6. The United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy which may arise under said articles.

7. No person is or shall be authorized to represent the United States, nor shall any citizen of the United States be eligible, as a member of any body or agency established or authorized by said treaty of peace with Germany, except pursuant to an act of the Congress of the United States providing for his appointment and defining his powers and duties.

8. The United States understands that the reparation commission will regulate or interfere with exports from the United States to Germany, or from Germany to the United States, only when the United States by act or joint resolution of Congress approves such regulation or interference.

9. The United States shall not be obligated to contribute to any expenses of the League of Nations, or of the secretariat, or of any commission, or committee, or conference, or other agency, organized under the League of Nations or under the treaty or for the purpose of carrying out the treaty provisions, unless and until an appropriation of funds available for such expenses shall have been made by the Congress of the United States: *Provided*, That the foregoing limitation shall not apply to the United States proportionate share of the expense of the office force and salary of the secretary general.

10. No plan for the limitation of armaments proposed by the council of the League of Nations under the provisions of article 8 shall be held as binding the United States until the same shall have been accepted by Congress, and the United States reserves the right to increase its armament without the consent of the council whenever the United States is threatened with invasion or engaged in war.

11. The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in article 16 of the covenant of the League of Nations, residing within the United States or in countries other than such covenant-breaking State, to continue their commercial, financial, and personal relations with the nationals of the United States.

12. Nothing in articles 296, 297, or in any of the annexes thereto, or in any other article, section, or annex of the treaty of peace with Germany shall, as against citizens of the United States, be taken to mean any confirmation, ratification, or approval of any act otherwise illegal or in contravention of the rights of citizens of the United States.

13. The United States withholds its assent to Part XIII (arts. 387 to 427, inclusive) unless Congress by act or joint resolution shall hereafter make provision for representation in the organization established by said Part XIII, and in such event the participation of the United States will be governed and conditioned by the provisions of such act or joint resolution.

14. Until part 1, being the covenant of the League of Nations, shall be so amended as to provide that the United States shall be entitled to cast a number of votes equal to that which any member of the league and its self-governing dominions, colonies, or parts of empire in the aggregate shall be entitled to cast, the United States assumes no obligation to be bound, except in cases where Congress has previously given its consent, by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire in the aggregate have cast more than one vote.

The United States assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

15. In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the Senate June 6, 1919, and declares that when such government is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

Mr. POMERENE. Mr. President, the other day I took the time to reduce to writing a few thoughts bearing upon the subject of the ratification of this treaty. They were dictated before the adoption of reservation No. 15.

I am not quite clear in my own mind as to what the final result of the adoption of this reservation will be when it comes to the ultimate exchange of the ratifications. I voted against that reservation, not because of my wanting in sympathy with Irish aspirations, for I have looked forward to the time when the Irish might realize their national hopes. But as in part controlling my vote on this subject I had this thought uppermost in my mind: When we adopted reservation No. 4 we sought to guard very jealously our domestic rights and privileges, and it seems to me that it is hardly consonant with propriety for us in a great instrument of this kind to insist upon one rule of action for ourselves and adopt an entirely different rule when it applies to our allies in the Great War through which we have just struggled to a conclusion.

We can hardly say that the domestic affairs of this country are ours to look after to the exclusion of all other nations and at the same time insist upon taking a hand in the domestic affairs of Great Britain.

If it be a matter of political advantage, which some Senators had in mind when they voted upon this subject, whether they are Democrats or Republicans, let me remind them that the people of America are almost uncanny in their ability to weigh a situation and separate facts from fiction. The American people have ears and they can hear; they have eyes and they can see; they have an understanding and they will understand.

Mr. President, I have been the subject of conflicting emotions in the last few days. I have been hoping against hope, almost, for the ratification of this treaty. I still hope we shall succeed in ratifying it; but if we do not the responsibility will be equally divided between those who have been irreconcilably against the treaty from the beginning and those who have pretended to be its friends. Let us not mistake that situation. The conclusion has not yet been reached, but when it is reached experts in the Bertillon system will examine the thumb prints and they will be able to determine the responsibility. Strange, is it not, that those who want no treaty and those who insist on unconditional ratification should join hands in an enterprise which threatens to destroy the treaty—"the hope of the world"?

The treaty of peace with Germany was presented to the Senate on the 10th day of July, 1919, and was referred to the Committee on Foreign Relations. It was reported back to the Senate on the 10th day of September, 1919. For several months prior to its presentation to the Senate it was the subject of much consideration and debate, and has been constantly before the Senate and the public ever since. Whatever differences of opinion exist among us, I think all must agree that the treaty should be disposed of without further delay.

I have been one of those who early in the consideration of the treaty came to the conclusion that it would be best to ratify it without amendment and without reservations. I say this not because I approve all of its provisions, and particularly of the covenants for a League of Nations, but because I keep in mind the treaty in relation to the spirit of unrest which prevails throughout the world, and particularly in Europe.

We entered and fought the war to save the world from military autocracy; and my belief has been and now is that we should make peace in such a way as to save the world from military autocracy.

Selfishness did not control us in declaring or waging war. Selfishness ought not to control us in making peace.

If unselfishness was a virtue in making and declaring war, it ought not to be a vice in making peace.

It must be borne in mind that the covenants for a League of Nations are not permanent in character. They are only temporary. We can ratify the treaty and within two years, by serving notice of our intention so to do, withdraw from the league, provided that all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of the withdrawal.

The success of the league is going to depend largely upon whether the United States is a member or not. The world knows this; and if amendments are desired, the United States will always be in a position to demand them, and if they are not granted, to diplomatically withdraw.

My belief has been and is that as a member of the family of nations in this world crisis, we should not hesitate to join hands with the associated powers in preserving the world's equilibrium until normal conditions should resume their sway. We were not slackers in time of war, and we must not be slackers in time of peace.

Great Britain, France, Italy, Japan, have already ratified the treaty, and have resumed their international relations with Germany. Of all the great powers associated with the World War, the United States alone is, legally speaking, still in a state of war with Germany. Until the treaty is ratified German trade is forbidden to our nationals, while their competitors are enjoying the usufruct of peace with Germany.

Why should be not adjust our differences of opinion as to the form of ratification of the treaty and thereby do our bit toward the restoration of peace in the world and the stabilization of political, social, and industrial conditions?

To my way of thinking the question before each Senator who believes in ratification is not what he thinks should be done, but what can be done so as to secure the approval of the necessary constitutional two-thirds of the Senators.

It is perfectly clear to me that those who believe in ratification ought not to be so tenacious of their personal opinions as to be unwilling to make concessions sufficient to secure ratification. If each one of us is to insist arbitrarily upon maintaining the supremacy of his own individual views, there never can be ratification, and there never can be peace with Germany.

Compromise is nothing new in either the ratification of treaties or in the enactment of legislation, and if the treaty is thus ratified I can not believe that the President will not submit it to the other signatory powers with the urgent request that it be accepted.

The President has a very solemn duty to perform, but the duty of the Senators is no less solemn; and as there should be concessions among Senators who believe in ratification, so I believe that as between the President and the Senate there should be similar concessions. The fathers of the country, in my humble judgment, so intended, otherwise they would not have provided by the Constitution that the President's power to make treaties should be "by and with the advice and consent of the Senate."

The Constitution does not say that the Senate shall approve treaties which the President may make. It is as free to act in giving its advice and consent as the President is to negotiate; and it is just as important that the Senate shall give its advice and consent as it is that the President shall negotiate the treaty. The action of both is necessary to give vitality to the treaty. One can not do it without the concurrence of the other.

I want it to be clearly understood that in my own judgment it would be the best policy to ratify this treaty as it came to the Senate; and because it is perfectly clear to my own mind that this can not be done, the duty of the hour requires that we shall ratify it upon the best terms possible, and I appeal not only to Senators but to the President and the Senators to adjust their differences in the interests of world peace and stability.

If we were assured in advance by the foreign powers that the reservations which we may adopt would not be accepted, then there might be some excuse for our refusing to proceed to final action on the treaty; but it is perfectly clear to my mind that while our associated powers may feel disappointed that we do not unconditionally ratify this treaty, as they have done, they would much prefer that we ratify the treaty with these reservations than not to ratify it at all.

The public prints of the last few months have indicated that France would accept any reservations which the Senate of the United States might see fit to incorporate in the resolution of ratification; and Lord Grey, speaking, it is true, as an individual, in his letter to the London Times, written under date of January 31, 1920, said:

> If the outcome of the long controversy in the Senate will be to offer cooperation in the League of Nations, it would be the greatest mistake to refuse that cooperation because of the conditions attached to it.

And added:

> When that cooperation is accepted let it not be accepted in a spirit of pessimism.

The public prints indicate that while this letter was written as an expression of his personal views it had the substantial approval of the British authorities; at least, that is my understanding.

Do not Senators, therefore, have sound reason for believing that if the substance of the reservations which have already been approved by the Senate—and those which probably will be approved and incorporated in the resolution of ratification—will, if submitted to our associated powers, be accepted, even though they are disappointed that the ratification has not been unconditional and unqualified?

Do not Senators think that under these conditions we should proceed with the ratification, return the treaty to the President with the resolution of ratification which we shall adopt, if we adopt one, so that he may submit it to our allies for their action? If they accept it, the United States ought not to complain, and if they do not accept it we shall know authoritatively their views, and we can then take such further action as the circumstances may justify.

If it were possible to secure promptly unconditional ratification, then I would mark out a different course from that which I have made up my mind to pursue.

But that is wholly out of the question. Unconditional ratification can not be brought about. The treaty can be defeated either by those who insist upon unconditional ratification or by those who are irreconcilably against any League of Nations or by the joint action of the two. I very respectfully decline to follow the leadership of either, and thereby lend my help to a continuance of a state of war. Those who take the one position or the other can not escape their responsibility in part for a continuance of world unrest.

And where will their position lead us? To this: France and Great Britain, as I have indicated, show a disposition to accept ratification with the substance of such reservations as are now before the Senate. If the Senate thus ratifies this treaty and the President should refuse to exchange ratifications, it will put this country in the attitude of insisting upon giving to our associated powers more than they have indicated they are willing to accept.

Can this course be defended? Can any Senator go before the people and say to them: "I thought we should assume greater responsibilities than we do under the resolution of ratification. And though I have reason to believe that our associated powers would accept the ratification of the treaty with the reservations adopted, I insist that we shall not assume any responsibilities unless I can give to them more than they are ready to accept. And this is my position, notwithstanding the fact that it will continue the present state of war and the frightful spirit of unrest which pervades the entire civilization of the world"?

No, Senators, that course can not be defended.

Mr. KING. Will it interrupt the Senator if I ask a question at this point?

Mr. POMERENE. I yield to the Senator from Utah.

Mr. KING. I want to invite the attention of the Senator to the fact that a league of nations, if one is established, is needed now more than ever before, and will be needed now more than it will be needed perhaps in several years from now.

Mr. POMERENE. I thank the Senator for the suggestion. It is my judgment that if the treaty had been promptly ratified it would have helped to quiet world conditions, and if we are going to leave it an open question for months in the future it will add fuel to the flames.

Mr. KING. Let me suggest to the Senator that whatever step is necessary now to bring peace to a distracted world and to bring order out of chaos in Europe can be taken under the treaty, even with the reservation to article 10, just the same as if article 10 were there unabridged or unqualified or without any reservation.

Mr. POMERENE. Undoubtedly so. I expect to discuss that question a little later on.

Much has been said about the nullification of the treaty. If we are to give to this word the significance which usually accompanies it in the history of the United States, it can hardly be said to be either a happy or appropriate term to apply to the reservations adopted by the Senate.

To "nullify," as I understand it, means "to render of no legal effect that which has already been adopted by some other legal authority." Has the league been adopted, so far as the United States is concerned? Is it therefore nullification to modify that which is not yet adopted? In the history of the United States—I quote from the Century Dictionary—to nullify means, "The action of a State, intended to abrogate within its limits the operation of a Federal law, under the assumption of absolute State sovereignty." Or, to express the same thought in another form—and again I quote from the Century Dictionary—"The doctrine of nullification, the doctrine that the power of a State to nullify acts of Congress is an integral feature of American constitutional law and not revolutionary, was elaborated by John C. Calhoun and applied by South Carolina in 1832." Benton says, "Nullification is 'the assumed right of a State to annul an act of Congress.'"

Surely the German treaty negotiated by the President can have no legal effect until it receives the advice and consent of the Senate and there has been an exchange of ratifications.

The Senate is wholly within its constitutional rights when it seeks to adopt reservations. It is not thereby nullifying the treaty, because there is no treaty. It is exercising its constitutional function; and in so doing its action can not be criticized except from the standpoint of policy.

We might just as well say that the United States Senate nullifies a law because it refuses to concur in a bill which has passed the House of Representatives as to say that the Senate nullifies a treaty which has been negotiated by the President simply because it refuses to concur fully therein.

Most of the discussion, both in and out of the Senate, has centered around article 10. Personally I would much prefer that it remain intact. It is urged with very great vehemence that if the Senate accepts it without reservation, and later the Congress of the United States, when called upon, would refuse to furnish its Army and Navy, it would be guilty of bad faith.

On a former date I discussed this subject, and I do not intend now to enter upon it again further than to say I can not accept this conclusion. The signatory powers, when they negotiated this treaty and ratified it, fully understood that they were dealing with a nation whose sovereign powers were divided among different agencies, and the powers of each agency were limited. They knew that our treaty-making power was vested in the President and the Senate and that our war-making power was vested in the Congress of the United States. They knew full well that a contingency might arise whereby a future Congress might refuse to carry out the obligations entered upon by the treaty-making power. It might result in a breach of contract, but certainly it could not be a breach of faith if the Congress refused to respond.

Of course, I do not want our country to be put in such an attitude; I want it at all times to be beyond suspicion. And certainly there can be no objection, if my position is right—and I think it is—to say in the reservations in substance, "It is understood that the execution of the obligation contained in article 10 is always within the jurisdiction of the Congress."

I shall not pause to point out the line of discrimination which may or may not exist between the first and the second so-called Lodge reservations, or between them and the Hitchcock reservation, or between the Lodge reservation and the Simmons reservation, or between any one of them and the res-

ervation drafted by the bipartisan committee. I say this because I would vote to ratify this treaty under present conditions either with or without article 10.

I wish to say to my friend the distinguished and able Senator from North Carolina [Mr. SIMMONS] that if he can vote for the treaty with his own reservation adopted, I do not see how he can refuse to vote for it with the Lodge reservation in it. In the administration of this subject by the League of Nations, I submit to all fair-minded men that they can not point out a real distinction between the two reservations.

But let us assume for the sake of the argument that some reservaton is adopted which eliminates entirely article 10. I can not consent to the assertion that it takes the heart out of the treaty. Even if the United States should refuse to accept in whole or in part the provisions of article 10 the covenants for the League of Nations as they have been ratified by our associated powers unconditionally, and by the United States with such reservations as may be adopted, they will constitute the greatest peace treaty ever devised by the nations of the world. Let me enumerate some of the results which will be accomplished:

First. The league will be an established fact, even if the United States should only be considered an advisory member under the Lodge reservations, which may be adopted.

Second. Under article 11, any war or threat of war, whether affecting any of the members of the league or not, is declared to be a matter of concern to the whole league; and the league can "take any action that may be deemed wise and effectual to safeguard the peace of nations." This will be true whether the ratification of the treaty by the United States is unconditional or with article 10 eliminated.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I yield.

Mr. KING. The Senator uses the words "with article 10 eliminated." I invite his attention to the fact that the reservation to article 10 does not propose to eliminate, but leaves unimpaired the great obligation, moral and legal, to respect the territorial integrity and political independence of every signatory of the league.

Mr. POMERENE. In substance the Senator is right, but I am basing my argument on the assumption of the entire elimination of article 10 in order that I may better show the virtue and the efficiency of the other provisions in the covenants for the league.

Third. Any member of the league will have the "friendly right * * * to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends." Such concerted action in the cause of peace will have a restraining effect if nothing more.

Fourth. The members agree to submit to arbitration all disputes which the parties thereto recognize to be suitable for submission to arbitration and which they can not satisfactorily settle by diplomacy.

Among these disputes generally regarded as suitable for submission to arbitration are (a) disputes as to the interpretation of a treaty; (b) disputes as to any question of international law; (c) disputes concerning any fact which if established would constitute a breach of any international obligation; (d) disputes as to the extent and nature of reparation to be made for such breach. The members agree to carry out in full good faith any award that may be rendered, and that they will not go to war against any member of the League which complies therewith.

Fifth. All other disputes which are likely to lead to a rupture, and which are not submitted to arbitration, they agree to submit to investigation and report.

If a settlement is effected, "a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the council may deem appropriate."

If it is not settled, the council, either unanimously or by a majority, may make and publish a report containing a statement of the facts of the dispute and the recommendations which are regarded just and proper. If their report is not unanimous, the members of the league reserve to themselves the right to take such action as they consider necessary for the maintenance of right and justice. If it is unanimous, the members agree not to go to war with any party to the dispute which complies with the recommendation of the report.

Sixth. All hostilities are suspended pending the arbitration or inquiry and for a period of three months after the award by the arbitrators or the report of the council.

Seventh. Should any member of the league resort to war in disregard of the covenants under articles 12, 13, or 15, it shall be deemed to have committed an act of war against all other members of the league, and they agree to subject it to a severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, as well as the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State.

Eighth. They agree that they will mutually support one another in the financial and economic measures which are taken under article 16, in order to minimize the loss and inconvenience resulting from the adoption of the measures just described.

Ninth. A plan for international disarmament is provided.

Tenth. The cause of peace is given all of the advantages which are to be derived from the public discussion of international controversies and the suspension of hostilities during investigation, thereby giving the blood time to cool and reason the opportunity to resume its sway.

Eleventh. That pregnant source of war, the secret treaty, is abolished.

These are some, and perhaps the most important, advantages to be gained by the league and the treaty. They are a long step in advance of any method of settlement of international disputes heretofore devised.

With these provisions in the treaty, how can it be seriously urged that the heart is taken out of the treaty if the substance of article 10 is not approved by the Senate?

Are they not all vital forces looking toward the protection of the "territorial integrity and existing political independence" of all the signatory powers against external aggression?

Can any Senator justify himself in voting to reject the treaty which contains so many provisions looking to the preservation of international peace because he can not get all he wants?

Shall we, by rejecting the treaty, thereby continue a state of war because we are not doing as much in the interests of the peace of the whole world as we think we ought to do?

If that be our position, how can we escape our share of responsibility for continuing the present state of unrest in the world?

We might as well say to the starving man, "We will not give you a half loaf because you need a whole loaf." As well might we say to the physician, "You shall not go to the relief of the man who is bleeding to death because you do not have all the appliances you think you need," as to say to the stricken world, "We shall not give you the benefit of any of this treaty because we can not give it all to you."

The duty of the hour requires that we do all we can.

My soul rebels at the thought that "I shall do nothing because I can not do all that I feel I ought to do."

Now is the accepted time for action. Already the ratification of this treaty has been too long delayed, and those who may be responsible for further undue delay will be held to strict accountability before the bar of public opinion.

Eighty-two Senators out of 96 have indicated by their votes here in the Senate that they believe this treaty should be ratified. To them the people of the country and of the world are looking for an adjustment of their differences of opinion, to the end that the peace of the world may be restored. Shall we disappoint them? Or does it not rather devolve upon us to ratify the treaty and bring to a realization, so far as we can, the hopes and the prayers of a war-weary world?

Mr. EDGE. Mr. President, I have been giving much thought to the rather confusing events of yesterday, and have reached the conclusion that, perhaps, after all, the adoption of the Irish reservation was the only possible way, in view of the situation, in which the treaty could be ratified.

Friends of the League of Nations have nothing to lose and all to gain by at least submitting it to the powers. Unless they vote for the treaty, the desire for ratification of those who were supposed to be its greatest friends is not as strong as the desire to "play politics." When the issue of the Irish vote appeared, then the real friends of the treaty were discovered.

It is not surprising that the irreconcilables smilingly favored the Irish reservation, as they recognized that that was the surest way to "ditch" it forever. However, perhaps I am wrong—and I hope that I am—in my interpretation that the passing of the Irish reservation was simply a political bluff, and that those who have insisted through so many weary months that they wanted to ratify the treaty are going to vote to-day to do so and show the real sincerity of their interest in the future of the Irish. Certainly, the Irish will not be much impressed with the spectacle of Senators one day adopting a reservation and the same Senators the next day refusing to vote for

it when it really means something. In other words, for the reservation to be effective this treaty must be ratified, and then our representative in the League of Nations, with the power and force of the United States back of him, takes part in the council of the League of Nations, committed to Irish independence.

Therefore the vote to-day will demonstrate to the world whether the Irish vote yesterday was sincere or otherwise. I voted against the Irish reservation yesterday because I was a sincere friend of the effort to try to prepare a way for the United States to be a part of the concord of nations, and I feared its adoption would make the treaty that much more difficult of acceptance by nations abroad; but now that it is a part of the reservations I am going cheerfully to vote for it, and that is the vote that means something. I voted against it not because I did not have full sympathy for the people of Ireland in their struggle but because the reservation as worded gave a wrong impression of America's policy. However, I have endeavored to meet the different phases of this weary controversy in a spirit of compromise, and in that same spirit I gladly accept this reservation and hope that the treaty will be ratified, so that among other benefits it can be of material help to the Irish people.

Either you gentlemen on the other side who have been working for ratification meant your vote yesterday or you did not. If you meant it you will finish it to-day and not "scrap" the treaty. Certainly you do not want it to be said that your vote yesterday was in the nature of an Indian gift or that you were "handing a lemon" to the Irish people. Otherwise to-day you will cast a vote that counts and thus finally put it up to the powers across the sea. Yesterday's action is useless if not officially ratified.

I congratulate the irreconcilables on both sides for their clever alliances. The Republicans last evening were strongly criticized by the Senator from North Carolina [Mr. SIMMONS] for playing with them and being in partnership with them in adopting various reservations that he believed would kill the treaty. Without Democratic help an alliance with the "irreconcilables" was the only way we could get the treaty Americanized. On the other hand, are we to assume that the Democrats on the other side who voted for this most important Irish reservation were in partnership with the "irreconcilables" to kill the treaty, or are they going to follow their vote of yesterday by an affirmative vote to-day? That is the only way they can demonstrate their sincerity. If they are sincere the adding of this reservation will assure the ratification of the treaty, as the same votes on the other side will be more than sufficient for that purpose. In fact, I have noted that several of the Democrats who voted for the Irish reservation have never voted for any other reservation. Therefore it must be assumed that that means their approval. I do not think that the Irish will be satisfied by a mere expression of sentiment by the United States Senate on one day which is reconsidered the next. If all they wanted was an expression, that the Senate gave unanimously last June. The Irish have been fed up on camouflage and political expediency on the part of their supposed friends for many, many years. I thoroughly realize that the Irish have opposed the treaty, but now the condition has changed. Why should not every Irishman welcome into the League of Nations the United States, with all its power and influence, to represent their ambitions? If we do not ratify the treaty Ireland will not have the benefit of our voice and power in the league.

Mr. President, I have endeavored through these many months to assume and to maintain a consistent attitude. I feel that I have done so. I admire very much the speech just delivered by the Senator from Ohio [Mr. POMERENE]. As the various amendments have been suggested I have voted against every one of them, but have voted for all reservations which I thought were necessary to Americanize the treaty and positively to protect the independence and sovereignty of our own country. I voted against amendments because it is my conviction that we, as Senators of the United States, are not particularly concerned as to what shall govern other nations; our responsibility is what will govern us. When we amend the treaty we change it textually, and, of course, such a change applies to all nations; but when we ratify the treaty, stating that we do so under certain conditions and understandings, while we ought not refuse other nations an opportunity to do likewise, we are simply protecting our own position so that the world can not misunderstand us. That is the reason why I have voted against all amendments and have voted for most of the reservations.

I am positive that America, which evaded no responsibility during the war, will evade none in times of peace. League of Nations or no League of Nations, America will do her full duty at any time that any questions arise, internationally or otherwise, which require action on her part. I have, however, always been a firm believer in the results possible through what might be termed "round-table conferences," and with our country's independence as thoroughly protected as we feel confident it has been I believe that the United States owes it to the world to take part in those round-table conferences and to use her influence, her force, and her power in order to try to help solve the questions that are now engaging the attention of the entire world. If we look at the subject simply from a selfish standpoint, we can not continue the prosperity to which we have been accustomed by doing business alone with ourselves. I am not an internationalist in the sense that that term is usually understood, but I hope that I am not so extremely narrow as to entertain the view that this country should not do business with all the countries of the world, hold intercourse and carry on commerce with them, and be of every possible benefit we can be to all the nations of the world.

Therefore, properly protected, we should take our position at the table and help consider all big questions. I feel that this great country, with its power and its force and its wealth, can contribute greatly to help solve these great problems. Therefore I shall be very much disappointed if those on the other side are not prepared at this critical moment by their votes to permit the trial to be made.

The treaty has been Americanized. Our interests have been amply protected. They need our advice and our power and our force. We owe the world something from a selfish standpoint, again may I repeat. We want their alliance along many lines of industry. We have all to lose if we view it that way—you Senators particularly on the other side—and nothing to gain by defeating the treaty to-day. We have no information from abroad that would lead us to believe, so far as I have been informed, that they would not accept the treaty as we have surrounded it with reservations. Then why should we assume that they will not do it? Why assume that they are going to object to our Americanizing the treaty and protecting our own interests? We do not deny them the same privilege. I can not analyze the mind of a Senator who truly and squarely is for the adoption and ratification of this treaty who under present conditions and understandings is not willing at least to test it out. Without the Americanizing reservations, without the positive protection, no; but with them, what can possibly be the answer? As the Senator from Ohio [Mr. POMERENE] very properly said, We have one responsibility; the President has another. Our responsibility is to use our own judgment, and his responsibility is, of course, to use his.

I do not question, I do not know—I will not say I do not care, because I do—what he may do, but I do say and reiterate and emphasize that if Senators on the other side really believe that we owe this cooperation to humanity—and properly protected, I believe we do—then I can not understand how they can vote against the treaty to-day. Certainly they do not object to America protecting itself, especially if nations abroad do not. Let us dispose of this question that has taken so many weary hours of our time that should have been devoted to other responsibilities. Let us ratify the treaty, and let England and France say we are selfish if they want to, rather than our deciding it ourselves; and let us clear the decks here, so that we can assume the responsibilities for which we were elected and try to solve some of the pressing domestic problems the uncertainty of which is holding back every type of home development.

Mr. WALSH of Montana. Mr. President, it is not an uncommon thing for legislators to be confronted with the necessity of determining which of two alternatives they ought to accept, both of them being in a high degree distasteful. Such is the embarrassing predicament in which Democratic Senators now find themselves. They may vote to reject the treaty, at least for the present, or they may vote to ratify it with reservations that emasculate, if they do not destroy, features of the covenant that, in their judgment, are in no small degree essential to insure its successful operation as a means of averting war. They may join with the implacable foes of the treaty or they may unite with its fair-weather friends, determined to end the contest, so far as the Senate is concerned, taking the best that, in the unfortunate situation confronting them, can be secured.

The situation should not be mistaken. The treaty has had no ardent support on the Republican side of the Chamber. Friends there are there who approve the general plan of the covenant; a few of them, woefully few, might vote for it, if driven to the choice of voting for it as it came to the Senate, or rejecting it, but most of them have been cautiously restrained in their commendation of the instrument and profuse in their criticism of features they believed ought to be modified. Others who, upon one consideration or another, gave reluctant assent to the project for a league and voted for the resolution of ratification embracing the so-

called Lodge reservations, have been hypercritical in their attitude toward it, if not openly denunciatory. No one who heard and no one who reads the speech of the senior Senator from Massachusetts of August 12, 1919, can regard it as having been uttered with any purpose except to discredit the whole idea of a League of Nations and bring about the rejection of the treaty because of the covenant. The impassioned remarks with which he closed the debate last night clearly revealed that he does not now regard it with any higher degree of favor. A third class, constituting a considerable and influential minority, able and respected Senators, as is well known, have been unceasing and unyielding in their opposition to the whole plan of preserving peace by concerted action of the nations, as contemplated in the covenant. They were represented, out of all proportion to their numbers, on the Committee on Foreign Relations which reported the Lodge reservations, none of which would have been or could have been adopted by the committee without the votes of the members of the "bitter-end" class.

Probably none of them will deny that they entertained the confident hope that the Democratic Members would vote with them to reject the treaty so qualified, and that thus the odium of its defeat would be cast upon the party of which the President who negotiated it is the leader. How far that hope was shared by those who heretofore voted for the resolution of ratification qualified by the Lodge reservations must remain a matter of speculation, but the circumstances attending the breaking up of the sessions of the bipartisan conference committee and the obduracy exhibited in the face of efforts to change even the form of some of the reservations, though the substance was in no wise affected, lead to the conclusion that such joy on the Republican side of the Chamber as would attend the success of a resolution of ratification would be, generally speaking, over a supposed party victory rather than over the advancement of the cause of world peace through the retransmission of the treaty to the President. I am confirmed in this belief by the fact that not the slightest disposition has been exhibited so to frame the resolutions in mere matter of form as to make them less objectionable to the President. He has been bitterly assailed, and I am not saying that some of the criticism was not without justice, for insisting, as it has been expressed, on the ratification of the treaty without dotting an "i" or crossing a "t"; and yet the very Senators who have been unrestrained in their criticism of him for his alleged obstinacy in that regard have been at least as obdurate in insisting that the so-called Lodge reservations must stand unaltered even as to the matters of form. Again and again they have taunted the great majority of Democratic Senators with servility, intellectually and morally, because they have concurred in their views, or have accommodated them to those of the President, the leader of their party, in whose acumen and wisdom they have had abundant cause to confide, and yet it is notorious that on their side of the Chamber are no inconsiderable number who upon one consideration or another have voted with unfailing regularity upon matters connected with the treaty as their party leader, the senior Senator from Massachusetts, has directed, or in some manner indicated he desired they should.

Notwithstanding the considerations to which I have adverted, I have no hesitancy whatever in arriving at a satisfactory conclusion as to the course I ought to take on the resolution of ratification now before us. I shall vote for it, because, after every reasonable effort, the resolution, qualified as it is, is the best that can be secured. I regret exceedingly that if we are to participate in the effort to preserve the peace of the world on the new plan as members of the League of Nations, it should be weakened in important features as is proposed, but as we are compelled to take what is offered or to take nothing, I am prepared to accept what can be had, and to trust to the future to strengthen the system by amendment should such a course seem necessary or advisable.

I am constrained to take the course indicated, because I am unable to find any good ground to hope that we shall at any time in the future be able to secure the necessary two-thirds vote in the Senate for ratification without reservations substantially like those now adopted by the Senate. Some there are who counsel going to the country on the issue. But on what issue can the judgment of the sovereign people be taken? The Republican Party will undoubtedly declare in the platform adopted at its national convention in favor of ratification with the Lodge reservations. The irreconcilable Senators and their partisans throughout the country will struggle in that convention for the adoption of the policy of rejection, but they will go down before the general demand for ratification. One of the ablest among them, the distinguished senior Senator from Idaho, who declares his purpose of raising the issue of total rejection in some manner, whatever may be the action of the Republican convention, asserted on the floor of the Senate that its attitude is certainly foreshadowed in the resolutions of the convention of the State of New York declaring for ratification with the Lodge reservations. The Democratic convention, on the other hand, will declare in favor of ratification without reservations or with interpretative reservations such as those offered by the senior Senator from Nebraska. The issue will accordingly be, not whether the treaty shall be ratified or rejected but whether it will be ratified without reservations or with interpretative reservations only, or be ratified with the Lodge reservations.

I venture no prediction upon the result of such a test before the American people. If the Republicans win, the situation is not improved. But suppose the Democrats win? Suppose the party to which I belong, in whose success I am most deeply concerned, in whose achievements in peace and in war under the leadership of President Wilson I take profound pride, should prevail at the ensuing election, regain control of the Senate, and elect the President; how, then, would the situation be changed? The best we can hope to do, so far as the Senate is concerned, is to make a net gain of five seats. The lessons of history forbid that we expect any results more favorable, so that we can not honestly entertain the belief that we shall have more than 52 Senators on the Democratic side when the new Congress assembles after March 4, 1921. One of these will certainly vote against ratification and as many as three may. It will be impossible to muster more than 50 votes on the Democratic side of the Chamber, so that it will be necessary to go across the aisle for at least 14 votes. Sixteen would be a safer estimate. We shall be obliged to make compromises in order to get any such number. The Members on that side who could be induced to vote for ratification without reservations may be counted on the fingers of one hand, if, indeed, there are any such.

It may be argued that should the Democratic Party be successful in the coming campaign the result of the election will or may be regarded by Republican Senators as the verdict of the country, and as in the nature of an instruction to vote for ratification without reservations, which they could not ignore. But such a hope is vain. The newly elected Republican Members will feel pledged by the platform on which they ran to vote against ratification except the resolution is qualified by the Lodge reservations, and the hold-over Members will be confirmed in their attitude by the platform declaration.

Moreover, it is rare that the result of any national election can be regarded as an unequivocal indorsement of any particular issue, even though it be in some quarters regarded as the paramount issue. It is evident that Republican political managers intend making a general assault on what they call Democratic extravagance and incompetency. Notwithstanding the magnificent record made by the Treasury in financing the war and the wonderful way in which the men and the resources of the country were marshaled for its successful prosecution, some people may be induced to take stock in such a fly-specking campaign who are quite favorably impressed with the covenant as it stands. Republics are proverbially ungrateful, and many people will forget that under the guidance and direction of a Democratic administration, as Ibanez expressed it, this Nation "created armies with a rapidity and put forth efforts never equaled in history."

The autocratic powers with which the President was invested by a Democratic Congress, rarely without Republican concurrence, for the more vigorous prosecution of the war, are made the object of much declamation, though the present Republican Congress has in no instance, though it has been operating almost continuously for a year, attempted vainly, because of his veto, or in any conspicuous instance attempted at all, to deprive him of such powers. Indeed, as to some of them which have been allowed to pass into a state of innocuous desuetude, a very considerable demand has recently been made that, by reason of distressing and unanticipated conditions, their exercise in all their fullness should in the public interest be resumed. And yet it is apparently confidently expected that votes will be marshaled against Democratic candidates because President Wilson has been given autocratic power.

On the other hand, the Democrats will insist that the Republican purpose is to restore, and that Republican success means the restoration, to power of the reactionary forces of the country unhorsed in 1912 through a revolt in the Republican Party, occasioned by bitter resistance within its ranks to the policies and practices of the then and now dominant faction therein. It is easily conceivable that many who give little thought to the treaty, or to the differences such as there may be between

the parties with reference thereto, may vote for the Democratic candidates upon the issue last referred to or upon other issues. Some there are who insist that the "wet" or "dry" question will be an important one. It will be easy for a Republican Senator who is opposed to the treaty without reservations, such as the platform of his party commends, to convince himself that the result was not decisive as between ratification with the Lodge reservations, on the one hand, or ratification without reservations or with interpretative reservations on the other.

I did not observe that any Democratic Senator was influenced in his attitude on pending public questions by the result of the congressional election of 1918, or that it was by any such regarded as a repudiation by the country of any specific policy of the administration. Even in those countries in which, under their peculiar systems of government, the opinion of the country can be much more accurately taken upon specific issues, it is rare that members of the losing party in their legislative bodies conform to what is believed to be the verdict. They remain in opposition sometimes from settled conviction and a conscientious devotion to duty, sometimes because they desire to conform to the views of their constituents, even though they run counter to those announced by the country at large.

I repeat, it is vain to hope for ratification during even the next Congress, should anyone feel justified in deferring final action on the treaty for another year, unless substantial concessions are made in order to gain Republican votes to make up the necessary two-thirds of the Senate. Indeed, there is reason to fear that such a state of chaos will by that time prevail in Europe, should we so long defer action and decline to participate in the attempt to compose or decide the multitudinous differences that have arisen and that will arise out of the new order of affairs brought about by the war and the peace, in the solution of which our assistance is so imperative, that the total failure of the league plan, so confidently predicted by its enemies, is quite probable.

Nor is there any ground, in my opinion, for the belief, should anyone entertain it, that meanwhile the pressure of public opinion and the overwhelming demand for the restoration of a state of peace between this country and Germany and her allies will compel the requisite number of Republican Senators to yield in any important particular, much less to constrain them to vote for ratification without reservations or with reservations that are interpretative only. They will construe the growing demand as a call to the Democratic Members to accept the Lodge reservations, rather than to them to vote for unqualified ratification.

Like the orator of the Revolution, I have but one lamp by which my feet are guided, and that is the lamp of experience. I voted against the resolution of ratification embracing the Lodge reservations on November 19 in the belief, at least in the hope, that a sorely disappointed public would force opinionated and refractory Senators into some kind of a compromise. The sad story of the failure of every effort in that direction need not be retold. But it is not improper to note that no advances from the Democratic side of the Chamber for conferences with the friends of the treaty on the other side of the aisle got anywhere, except upon condition that the senior Senator from Massachusetts should approve and participate.

How the bipartisan conference was proceeding satisfactorily with its work, and how, laboring to effect a compromise on the reservation in relation to article 10, on which it had made some progress, it suspended operations to permit the Republican members to confer, and how, when the conference reassembled, it found itself unable to proceed, owing to the fact that the Senator from Massachusetts was in session with the Republican irreconcilables, following which the Senator announced as an ultimatum to the bipartisan conference that no change whatever could be made in the reservation then under consideration by it, is a story familiar to all who have followed the debates in the Senate. Apparently the so-called mild reservationists would not proceed without the concurrence of the Senator from Massachusetts, and the Senator from Massachusetts found himself obliged to conform to the counsel or advice of the irreconcilables. I know it has been stated upon the floor that the Democratic members had been advised before the conference committee met that the Republican members would not consent to any change whatever of substance in the reservation in relation to article 10. I had not been so advised and did not know that any such attitude was taken, and if the information had already been conveyed to the Democratic Senators, why did the Senator from Massachusetts deem it necessary to declare, following his conference with the Republican irreconcilable Senators, that no change whatever in article 10 would be tolerated, and why should deliberations touching that reservation and the efforts to accomplish a modification that would be mutually satisfactory, or at least acceptable, have been entered upon at all?

I regret to say that, so far as I was able to learn, the disappointment on the Republican side of the Chamber at the collapse of the effort through the bipartisan conference to compose the differences between the friends of the treaty was neither widespread nor poignant. No one conversant with the situation can help but be impressed with the view that such influence as public opinion exerted after the rejection of the various resolutions of ratification voted on in November operated to incline Democratic Members to accept, if necessary, the Lodge reservations rather than to induce Republican Members to yield in any degree with respect to the same. It is not strange that it should be so, since the Democratic Senators, as a rule, have shown themselves solicitous for the ratification of the treaty, profoundly desirous of it, while a powerful contingent on the Republican side is uncompromisingly hostile to it, an insignificant few sincerely friendly, and the remainder affected with varying degrees of indifference.

The increasingly critical situation of the country and the world consequent upon the delay in the ratification of the treaty since November 19, 1919, and the insistent demand for peace have mollified Democratic opposition to ratification of the treaty with the Lodge reservations instead of weakening the purpose of their supporters to maintain them. I am confident that a similar result would attend a further postponement.

A supporter of the principle of a League of Nations would not, of course, be justified in voting for the pending resolution of ratification believing that the reservations adopted by the Senate nullify the treaty or the covenant. No one seriously contends, I suppose, that they nullify the treaty, and I am unable to subscribe to the view that they nullify the covenant. No vital principle of the treaty is seriously affected by any of them except that embodied in article 10.

With all due respect to the opinions of those who may choose to believe that article 10, interpreted in the light of the Constitution, is not seriously affected by the reservation touching that feature of the covenant, I can not accept that view. In my judgment article 10 is destroyed, so far as the United States is in any sense whatever obligated by it, except in an unimportant particular, namely, in that our country obligates itself to *respect* the territorial integrity and political independence of all other members of the league. But the article has been eviscerated and its value destroyed, so far as the United States was by it made a factor in the preservation of the peace of the world. Article 10 is not eliminated from the covenant; we simply decline to assume its obligations. All other members do, save as those hereafter ratifying may, following our example and that of Switzerland, relieve themselves by reservations. The article in question is intact as between the great, powerful nations which have already ratified. They have all assumed all the perils it involves, so luridly pictured in the debate, obligating themselves to send their boys to the ends of the earth to engage in wars in which they have no direct interest, to use language which the debate has made familiar. That will help some toward deterring predatory wars, even though the United States does not assume a like obligation. They agree, it will be noted, to preserve the territorial integrity and political independence of all members against external aggression—even the United States.

Senators have declaimed upon the imminent deadly peril in which we stand from Japan. Scarcely a week goes by but some one raises a scare about the acquisition by Japan of a naval base in Lower California or elsewhere along the western coast of Mexico, or about some mysterious mission from one of those countries to the other, implying some sinister designs to subjugate America. If Japan should at any time, with a fatuity that outdid the Kaiser's obsession, undertake the conquest of the United States, all other members of the league are bound to come to our aid—Great Britain, France, Spain, Italy, the Scandinavian countries—all must rally to our side. We do not need their help. There is no enemy on earth we need fear, but the Japanese jingoes may not think so; they might, under other conditions, be willing to attempt the impossible, but they will hesitate to try their prowess against us, protected as we are by article 10. No informed American has any occasion to dread the outcome of such a contest, from a military point of view, should it be precipitated. No American who loves his country can contemplate it except with horror.

A few days ago the Senator from Connecticut, in the course of a speech delivered in his inimitable style, inquired what the "royal American farmer" is thinking about the treaty, and whether he, the said "royal American farmer," is thinking of how, if the natives of India rose against the rule of Great Britain, and Russia were to go to their aid, he, the "royal American

farmer," would have to send his boys to India to uphold British rule. I imagine not. If he reflects upon the subject at all, I dare say he reasons that if Russia should invade India on the occasion of a native uprising it will be because of a recrudescence of her ancient lust for territory, and that, in the event of her success, the Indians will simply exchange an English for a Russian master. And the more he reflects on the subject the more the "royal American farmer" will be certain to conclude that as under article 10 Russia must meet a world in arms, not, of course, including the United States, should she invade India, she probably will repress her land hunger and stay at home, where she is likely to have problems for some time, at least.

She would be confirmed in that purpose if the United States, too, were obligated to go in. If she should appear determined in her purpose to renew the Afghan war and again set the world ablaze, the council would sit to consider what ought to be done. Our member would confer with the representatives of the other States, all of whom, except the United States and possibly some of the lesser powers, equally reluctant to bear their fair share of the burden and protected by reservations, would be obligated to "go the limit." One would think the member from the United States would have some delicacy about offering any advice under the circumstances, just as it would be expected that the Senate of the United States, declining to assume any of the burden of article 10, would renounce any possible benefit from it. But the process through which we are going of Americanizing the treaty—God save the mark—so highly extolled by the Senator from New Jersey [Mr. EDGE], who has just addressed the Senate, would perhaps leave him no choice in the discharge of his duties, humiliating though it be.

But quite aside from the considerations heretofore canvassed, the covenant is not, in my judgment, a vain thing without article 10. Indeed, I am satisfied upon mature reflection that I myself originally attached to it undue importance. I believe it can be demonstrated that almost, if not quite all, that is or will be accomplished by article 10 is secured to the world by other provisions of the covenant. By article 12 each member agrees that in the event of any dispute with another likely to lead to a rupture it will submit the matter either to arbitration or to inquiry by the council. By article 15 it is provided that in case any dispute is not submitted to arbitration it will be referred to the council for investigation and report. If the report is not unanimous, the parties are at liberty to proceed to war, if either cares to take that course; if the report is unanimous, the members agree that they will not go to war with any member which complies with the recommendations of the report. Then by article 16 it is provided that should any member resort to war in disregard of its covenants under articles 12, 13, or 15, it shall not only be deemed to have committed an act of war against every other member, but each member is required to set up at once against it and its nationals a complete economic boycott. Every possible commercial and financial pressure is to be brought to bear from every quarter of the globe to constrain it to keep the peace or to render abortive its resort to arms.

Many advocates of a league of nations insist that the certainty of commercial isolation will alone coerce any first-class power into a peaceful settlement of any international dispute in which it may be involved, and that a provision for resort to arms in a covenant to preserve the peace of the world is wholly unnecessary. A league boycott against Great Britain would reduce her people to a state of starvation in a month.

Moreover, under both article 16 and article 11, the council immediately proceeds to consider the situation and to recommend to the powers what action ought to be taken in the premises. If it arrives at the conclusion that the terrible enginery of the world boycott will not be effective, or will be too dilatory, it may recommend war as a last resort against the nation which, by the solemn recital of the covenant, has raised its hand against all mankind and become an outlaw in the society of nations.

The troops of the nation assailed with those of any other coming to its aid and moving to counter against the common enemy would be entitled to free passage across the territory of any member, and each stands obligated by article 16 to come to the relief of any against which special measures may be directed by the covenant-breaking nation.

I find it impossible to conceive of a case under which the obligation imposed by article 10 would become active that would not be a violation of articles 12 and 15, entailing the penalties prescribed by article 16. Certainly no war of aggression directed against or threatening the territorial integrity or political independence of any member could be carried on consistently with the provisions of the articles referred to. Austria would have been in violation of article 15, had it then been operative as against her, by her invasion of Serbia. She would have been required by its terms to take her dispute with that country to Geneva and to refrain from making war, however just her cause, until a report should be made. If Serbia complied with an award against her, Austria would still be restrained from attacking her by all the consequences that would be visited upon her under article 16, should she, in that event, resort to war. It is perhaps conceivable, and yet hardly so, that a nation should make aggressive warfare without having any dispute such as is contemplated in articles 12 and 15, but no nation has ever so flouted the public opinion of the world as to wage an utterly causeless war of conquest without setting up some claim it pretended to assert or defend. Marauding savages sometimes do so, but nations, never.

Germany demanded of Belgium the right to cross the territory of the latter to reach France. The bold King of the Belgians declined and a dispute was thus precipitated between them. While, then, a nation contemplating offending against article 10 would not find a world obligated to take up arms against her, she would be confronted with the certainty that she would be commercially and financially isolated, pressed on all sides by the irresistible force which such a condition in the marvelous interdependence of nations in our time implies. But more, its course would bring the other nations of the earth at once together through their representatives in the council to consider what steps in addition to the boycott, which would automatically go into effect, should be taken to coerce the recalcitrant nation. If the council should recommend warlike measures the member nations would be under no obligation to comply, but the moral force of such a recommendation would be great. The risk which any nation would incur in making aggressive warfare would be immeasurably increased, the league being in operation even without article 10, and the likelihood that it would precipitate a conflict correspondingly remote.

I venture to assert that three-fourths, if not nine-tenths, of the virtue of article 10 is found in the other provisions of the covenant, a condition which makes it difficult to understand why anyone should, on the one hand, determine to wreck the treaty if article 10 stays in, or, on the other hand, to reject the treaty if it goes out.

I regret that article 10 does not remain in full vigor so far as we are concerned, chiefly because my pride as an American suffers at proposing to the other leagued nations that we become entitled to any benefits accruing under the system, but decline to assume our proportionate share of its burdens. At least, we ought to absolve the other nations from any obligation to us under article 10. Decency demands no less. Therein lies the chief objection harbored by Democratic Senators to the reservations adopted by the Senate, as a whole.

Scarcely without exception they propose that we enjoy some advantage not shared by the other members of the league or escape some obligations which they have assumed, each in its due proportion. I forbear to canvass the reservations severally at present to point out this characteristic. It was sufficiently disclosed in the long debate.

Mr. FLETCHER. May I ask the Senator a question?

Mr. WALSH of Montana. Certainly.

Mr. FLETCHER. Continuing the thought about the many things remaining in the treaty after the reservations have been concurred in, does not the Senator find items of great value with respect to reduction of armaments, with respect to secret treaties, and with respect to a world court of arbitration?

Mr. WALSH of Montana. I intended to confine myself to those provisions which, in my judgment, compensate us for the destruction of article 10, but that there are other admirable provisions in the treaty tending to promote peace and to avert war is indisputable.

Much has been said about Americanizing the treaty. The expression will doubtless serve the purpose for which it was invented—to do service on the stump. If I enter into a contract with a number of gentlemen, including an agent of the Vice President who acts, subject to the approval of the latter, it is easy for him to "Marshallize" the contract by changing it so as to relieve himself from a good share of the obligations it imposes and to secure benefits not enjoyed by the other parties to it. Obviously, his alterations will not be effective nor will he be bound by any of the terms of the contract, unless the changes he proposes are assented to or others are agreed upon. If he does not care whether or not he enters into the contract, he may be quite reckless in the modifications he proposes; if he is intensely desirous of seeing it go into operation, he will naturally be more restrained lest the entire project fall through. That explains

why the irreconcilables are perfectly agreeable to any reservation it may be desired to attach to the treaty.

The process of Americanizing the treaty, as Republican Senators have delighted to call their treatment of it, has gone on as though there were no other parties to be considered instead of as though the representatives of forty or more nations were sitting just beyond the walls of the Chamber in the marble room, for instance, every one of whom must be appeased. Senators seem to have forgotten their presence as much as they have closed their eyes to the fact that the President of the United States must give his approval to any changes proposed, even though they be denominated reservations. The idea has been conveyed that it rests with the Senate to fix up the treaty in any way it sees fit, without regard to the views of anyone on earth, and that opposition of any sort demonstrates a want of patriotism. It is held up as a virtue that any advantage of which the situation admits is improved to secure terms for the United States, according it privileges denied to and releasing it from obligations incurred by the other members. Some of us are restrained by our pride in the American character from voluntarily proposing such a covenant, and more believe that the United States abandons her position of primacy and leadership among the nations by entering into the league upon the conditions proposed. It is of no consequence to me that some of the leading powers may have signified their willingness, considering the desperate plight of the world, to accede to the terms upon which the Senate proposes we enter the league. I have no disposition to see my country dealing in this great crisis with the other powers, much less the feeble nations which have become members of the league, in the spirit of the conscienceless usurer, and I shrink from having it classed with those which even in the field of diplomacy find that—

> The good old rule
> Sufficeth them, the simple plan
> That they should take who have the power,
> And they should keep who can.

I indulge in these reflections to expose the considerations which have moved me to oppose consistently the reservations proposed. I regret the adoption of most of them, but they are supported stoutly by men as high-minded as I can claim to be, no less jealous of the honor of the country, confided for a time in large part to the Members of this body. They see, apparently, no impropriety in tendering to the other associated nations our membership in the league upon the considerations set out in the reservations. Reluctantly I yield my judgment to theirs on that point, and, having dismissed it, the path of duty is perfectly clear to me—so clear that in my conviction there is "no variableness, neither shadow of turning."

Mr. RANSDELL. Mr. President, we are about to take a final vote on the treaty of peace with Germany, including the covenant of the League of Nations, adopted at Versailles on the 28th of last June. It is 16 months since the armistice was signed, and the treaty has been under discussion in the Senate for more than 12 months. Personally, I was satisfied with it as framed by the 28 nations which signed it after six months of intense labor, and have voted consistently to secure its ratification without change by opposing all amendments, though I have voted for several interpretative reservations. It is very unfortunate for mankind that the treaty could not have been ratified promptly without serious change, but fate decreed otherwise, and the reservations which have been adopted by the Senate amend it in several material points, some of which are doubtless wise. The question now is whether to vote in favor of the treaty as amended or against it; we are obliged to take it as it is, or reject it wholly; there is no middle ground.

The treaty as presented to us was "far from being a perfect document; it was made in a time of world demoralization—shell shock—it represents the fears and greeds of the nations as well as the hopes and aspirations. But the hopes and aspirations are there—put there by President Wilson, and no one else"; and in its present emasculated form the "treaty contains the new machinery, the new principles for world reconstruction on a broader basis of justice and right than was ever known before."

The covenant of the league, though greatly changed and in some respects much weakened, is a powerful instrument for good and still entitled to be called an international charter for peace. Its provisions are unchanged in regard to: (a) The assembly—a parliament of man—which finds the facts in disputes between nations and brings to bear on them the force of world public opinion; (b) Submission to arbitration of all matters likely to lead to rupture, and an agreement not to resort to war in any case until three months after award of arbitrators; (c) Establishment of a permanent court of international justice; (d) Invoking an international boycott against a covenant-breaking State; (e) Mutual support for many proper purposes among members of the league; and (f) Reduction of national armaments subject to our right to increase them if threatened with war. Indeed, the covenant of the league creates a union or federation of all the nations of the earth for peace; and, even if faulty in many respects and subject to the mistakes in execution which attend worldly affairs, it is bound to result in incalculable good to humanity if carried out even partially in the spirit of its conception.

If the treaty be not ratified the war with Germany will continue indefinitely, though the last gun was fired 16 months ago, and innumerable problems will confront us in connection therewith. Great unrest and disquietude in our own country and throughout the world will prevail. We will lose the position of friend and "big brother" to many suffering peoples which our wealth, power, and manifest duty direct us to assume. In fact, we will be very remiss in our obligations to mankind if we do not become a party to the League of Nations. Under these circumstances, Mr. President, I deem it my plain duty to vote in favor of the ratification of the treaty.

Mr. MYERS. Mr. President, it is with very grave reluctance and much misgiving that I announce my determination to vote again for the ratification of the proposed treaty of peace with Germany. In the beginning I favored framing and consideration of the peace treaty and the League of Nations separately. I believed then and believe now that that would have been the wiser course. I think we should have had a quick treaty of peace with Germany and her allies. Then we could have taken all the time desired to effectuate a League of Nations. However, as the decision was that we must consider the peace treaty and the League of Nations covenant together, I accepted that decision, and in the beginning of our consideration thereof I was strongly in favor of ratification of the joint document. I am not so strongly impressed with it now as I was then.

Already the League of Nations is beginning to show signs of failure and of inefficiency in operation. Among the provisions of the treaty is one which I find on page 90 of the printed document, article 227, which I now read:

ARTICLE 227.

The Allied and Associated Powers publicly arraign William II of Hohenzollern, formerly German Emperor, for a supreme offence against international morality and the sanctity of treaties.

A special tribunal will be constituted to try the accused, thereby assuring him the guarantees essential to the right of defence. It will be composed of five judges, one appointed by each of the following Powers: namely, the United States of America, Great Britain, France, Italy and Japan.

In its decision the tribunal will be guided by the highest motives of international policy, with a view to vindicating the solemn obligations of international undertakings and the validity of international morality. It will be its duty to fix the punishment which it considers should be imposed.

The Allied and Associated Powers will address a request to the Government of the Netherlands for the surrender to them of the ex-Emperor in order that he may be put on trial.

While, of course, the United States has not been allowed to take any part in that proceeding, the other nations mentioned have undertaken to do so, and they have utterly failed to carry it into effect. They have made a demand on Holland for the surrender of the most monstrous criminal of all the ages, only to be met with defiant refusal, and there the matter seems to end. The nations composing the League of Nations, as now constituted, seem to be afraid to undertake to carry out this solemn provision of the great instrument to which they have become parties—one of the most important provisions, I think, in the interest of justice that the entire document contains. The nations that constitute the League of Nations appear either to feel that they are powerless to carry out that provision or to be unwilling to undertake it. They either seem to think they are unable to cope with Holland, reinforced as she might be by Germany and all of the Central Powers, or else they are indifferent to carrying out one of the main provisions of the League of Nations covenant.

Mr. KING. Mr. President, will the Senator yield?

Mr. MYERS. I yield, with pleasure.

Mr. KING. Does the Senator think that the provision of the treaty to which he has just called attention is of paramount importance? Does not the Senator think—if I may be permitted another question—that the public sentiment in Great Britain and in some parts of France is against the execution of that provision of the treaty, and that the Allies themselves feel that if they attempted to take the Kaiser and try him by a court as contemplated by the League of Nations they would be making a martyr out of him and would be helping the cause of imperialism, as represented by the Kaiser's government, rather than advancing the cause of peace and carrying out the purposes for which the league was established?

Mr. MYERS. It is of supreme importance that justice be done, and justice can not be done in the matter of the most monstrous crime in the history of the world without some punishment. Justice can not be done without punishment where there is crime and wrongdoing. The entire structure of jurisprudence in all civilized nations in the world is based upon the theory that in order to obtain justice there must be some punishment for wrongdoing; and if there ever was a wrong in the history of all the world that demanded severity and certainty of punishment, I think the wrong done by this monster of iniquity, the Emperor of Germany, demands punishment.

Mr. KING. Mr. President, will the Sentor yield again?

Mr. MYERS. With pleasure.

Mr. KING. I do not think the Senator ought to draw the inference that the league is inefficacious or has ceased to function, or is weakened, because it has failed to take possession of the Kaiser and try him, and possibly execute him. While conceding the Senator's general academic statement as to the processes of justice and the necessity of administering justice, he knows that frequently a Government will pass a criminal statute and some person who has violated the law flees and takes refuge in some unknown country, and it is impossible to execute the law. It ought not to be said that the law is a failure, or that the Government is weak and inefficacious in the administration of justice, because it does not happen to execute the law against that particular culprit.

Mr. MYERS. That is because there is no power of extradition; but this is a world offense, and there should be no asylum in all the world for this monster of iniquity. The only way in which it should be possible for him to escape the clutches of justice should be for him to remove himself from the universe, and thereby put it beyond the power of the League of Nations to lay the hand of justice upon him. In this particular the League of Nations has not yet begun to function. It has not made a beginning. It has made a failure, right at the beginning, to function in one of its most important provisions. If it was not intended to carry out this provision, the framers should not have put it in the league covenant.

Mr. KING. Mr. President, will the Senator yield once more?

Mr. MYERS. I yield, with pleasure.

Mr. KING. If the Senator will pardon me for making this observation, I do not think he ought to say that the League of Nations has ceased to function in this particular. The League of Nations was organized for the purpose of preserving international law. Holland was not a member of the League of Nations. She was not a party to the treaty. Under the well-known principles of international law established by a great Dutchman more than 200 years ago, she had a right, not being a member of the league, to deny the demands of the League of Nations for the turning over to them of the Kaiser; and because the League of Nations did not resort to military pressure against an unoffending nation, such as Holland is, I do not think the Senator ought to say that the League of Nations has ceased to function, at least in this respect. I think that the League of Nations in respecting the attitude of Holland, regrettable though it may be in the eyes of many, has exemplified a regard for international law and justice that in the end must be the basis of any League of Nations, and which regard must obtain if there shall ever be a League of Nations perpetuated.

Mr. MYERS. The League of Nations has not ceased to function in this particular. It never began to function in this particular. It could not cease until it made a beginning and it has not made a beginning. No citizen of a country has a right to harbor a criminal and shield him from justice, and no nation of the world has a right to harbor an international criminal who is indicted for a supreme offense against international morality and the sanctity of treaties. Holland should be taught that she has no right to protect the greatest criminal of the world, that she making herself particeps criminis when she does so, and is shielding a criminal from just punishment and defying the constituted authorities of the world. The League of Nations, if necessary, should invade Holland, should go into Holland, get this infamous wretch, and drag him before the bar that was constituted by this provision, and try him for his gross crimes and supreme offenses against international morality and the sanctity of treaties.

I find here, in the league covenant, further, articles 228, 229, and 230. I read them:

ARTICLE 228.

The German Government recognizes the right of the Allied and Associated Powers to bring before military tribunals persons accused of having committed acts in violation of the laws and customs of war. Such persons shall, if found guilty, be sentenced to punishments laid down by law. This provision will apply notwithstanding any proceedings or prosecution before a tribunal in Germany or in the territory of her allies.

The German Government shall hand over to the Allied and Associated Powers, or to such one of them as shall so request, all persons accused of having committed an act in violation of the laws and customs of war, who are specified either by name or by the rank, office or employment which they held under the German authorities.

ARTICLE 229.

Persons guilty of criminal acts against the nationals of one of the Allied and Associated Powers will be brought before the military tribunals of that Power.

Persons guilty of criminal acts against the nationals of more than one of the Allied and Associated Powers will be brought before military tribunals composed of members of the military tribunals of the Powers concerned.

In every case the accused will be entitled to name his own counsel.

ARTICLE 230.

The German Government undertakes to furnish all documents and information of every kind, the production of which may be considered necessary to ensure the full knowledge of the incriminating acts, the discovery of offenders and the just appreciation of responsibility.

Under those provisions, the League of Nations, as now constituted and operating, made out a list of a number of generals and officials of Germany whom it indicted as having committed acts in violation of the laws and customs of war, and made a demand for their surrender by the German Government. That demand was defiantly and impudently refused, and not one of the offenders has been surrendered to the duly constituted authorities of the League of Nations, upon the demand of the league; and there the matter seems to end. The League of Nations does not seem disposed to do one thing toward carrying out its demands. It seems to have simply backed down, to have surrendered, abdicated its rights under this provision of the League of Nations covenant, and there the matter rests. Germany has announced that she will not surrender one of the numerous persons demanded, but that she will proceed to try them by her own tribunals and in her own way, and will do as she may please to do with them. So I am greatly disappointed about the efficacy and the functioning of the League of Nations. My fond hope of its efficiency, efficacy, and successful operation has received a sad blow; and I do not have nearly so much confidence in the benefits of the League of Nations as I had when the subject first began to receive consideration at the last preceding session of the Congress.

What a farce to contemplate, what a grotesque farce, what a monstrosity, for Germany to say that she will try her own accused in her own courts and in her own way, and will pay no attention whatever to the demands of the League of Nations for the surrender of well-known criminals!

Germany try them? You might as well put a bootlegger on trial before a jury of bootleggers. You might as well put on trial a man who is charged with selling liquor in violation of law and do it before a jury of bartenders.

You might as well try a horse thief before a jury of 12 horse thieves. You might as well try a rapist before a jury of 12 rapists. Nobody expects anything to come of these mock trials in Germany. They are simply travesties on justice. They are already starting out to make a travesty on the powers of the League of Nations.

The nations which now constitute the League of Nations seem either to be afraid of Germany or indifferent to their own provisions. They either fear that they are not able to cope with Germany in the matter of the enforcement of their demands, or they think these provisions amount to nothing. If they amount to nothing, they should not have been put in the league covenant.

It has been claimed on the floor of the Senate in the last few months that the provisions of the peace treaty with Germany are too severe on Germany. That claim has been made here as an objection to the ratification of the treaty and League of Nations. I think the terms of the peace treaty are entirely too lenient with Germany. It is one of my chief objections to the peace treaty and League of Nations combined that the terms are entirely too lenient with Germany.

We have been too lenient with Germany from the beginning. We have heard very much talk to the effect that the people of Germany were not to blame for the war, that they were merely led about by a sort of a process of hypnotism, and were led into this war and its extravagancies and cruelties by the German Kaiser and a score of war lords. I think the people of Germany are just as much to blame as are the Kaiser and the German war lords. The German Kaiser and his war lords could not have declared this war and could not have carried it on in all of its frightfulness and monstrosity if it had not been backed by the spirit and will of the German people.

For generations the people of Germany have been taught in drinking toasts to each other to drink to "Der Tag," the day when Germany would wage war against all of the world and conquer the world.

In the first place, I do not think there should have been any armistice with Germany and the Central Powers. I think the

armistice was a grave mistake. I think it was the greatest mistake in the history of the world in a thousand years, and it has had most deplorable results. The people of Germany do not believe they have been whipped. The people of Germany feel that they have not been defeated. The people of that country feel that they are still supreme, and that is one reason why the present Government of Germany refuses to surrender to the authorities of the League of Nations the criminals who have been indicted by authority of that league and whose surrender has been demanded. That is one reason why they refuse to make any move toward the surrender of the Kaiser or any of his war lords who were joint criminals in his offenses.

I contend that when Germany made application for an armistice there should have been but one answer, and that answer should have been "unconditional surrender." This war should have been prosecuted upon German soil to a termination of unconditional surrender by the German armies and their allies. It should have been carried to German soil and the Germans should have been given a taste of their own warfare. In that event I believe that unconditional surrender would have come about in less than 30 days more. I have talked with many returned officers and soldiers who saw service in France and who were stationed along the Rhine in Germany after the armistice went into effect, and almost without exception they say that if an answer of unconditional surrender had been given to the application for an armistice and if the war had been prosecuted to a termination of unconditional surrender it could not have lasted 30 days longer; that the Germans were ready to capitulate, their morale was gone, their supplies were gone, and that a large part of their army could have been encompassed and captured in less than 30 days.

Had that been done, instead of finding a defiant Germany right now, at the beginning of the operations of the League of Nations, defying the constituted authorities of the League of Nations, refusing to comply with demands made upon her; instead of that we could have had a League of Nations capable of doing justice and carrying out without serious resistance its mandates in the interest of justice. As it is, I look for further trouble with Germany. The Entente Allies have already backed down from two of their demands on Germany. They have already been successfully defied twice by a defiant Germany, by a Government which feels that it is not conquered, and by a people who feel that they are still supreme, and that an armistice was only brought about by negotiation and by some mistake on the part of their officers.

Instead of that, the spirit of Germany should have been crushed; it should have been ground into atoms. Germany should have been brought to the earth and ground into the dust of the earth, so she would not have any spirit to revive in defiance of constituted authorities for a thousand years to come. The German nation should have been dismembered, the States that composed it should have been separated and forbidden, in my opinion, to constitute any longer a central power under one general government.

Had that been the case we would not find the defiance that now exists in Germany and that confronts the League of Nations in the first demands that have been made upon Germany, in the very first steps that they have taken to carry out provisions of the League of Nations, and which have been met with abject refusal right at the threshold of the door of the better day for which we had hoped.

More than that, in line with this spirit which I contend shows entirely too much leniency for Germany and which shows a disposition to back down from the very first demands that are made upon her, we hear very serious talk in the United States and among the Entente Allies to the effect that we must help Germany to get on her feet; that we must extend help to Germany. The idea of extending help to Germany, the nation that has brought on all of the misery and wretchedness and woe that exists in the world to-day as a result of the great war that shook civilization to its foundations and came perilously near to destroying the civilized world.

Help Germany! It is the first time I ever heard advocated the doctrine that if a brute of a monster ravishes your wife and your daughter, cuts their throats, burns down the building over them and incinerates their bodies, when he is arrested and put in jail it is your duty to go around to the jail and see that he has a comfortable bed to lie upon at night and plenty of food to eat. That is a new doctrine to me. It is analogous, too, to the case of Germany. Germany did all of those things and more, too.

We have, too, another proposition that will apparently follow in the wake of the League of Nations. When the League of Nations is perfected and gets into complete operation, it appears to be the design to take Germany in as one of the members of the League of Nations, and that feature of it is highly repugnant to me. I never before heard, if a brute of a monster ravishes your wife and daughter, when he is arrested for it and it is proven on him, that you should invite him into your home and to your dinner table—invite him to sit in your family as a guest. That is entirely a new doctrine to me, and I think it repugnant to every sense of decency, every principle for which the war against German militarism, brutality, and Prussianism was waged. I am not in sympathy with that manifest tendency which seems to pervade the League of Nations, as at present constituted, to extend help to Germany and to extend help also to Bolshevist Russia. We have it from newspaper reports that the powers that be in Great Britain are now actually contemplating extending help, through the League of Nations, and recognition to the Bolshevist government in Russia. If that is to be the tendency of the League of Nations, I am sadly disappointed at it. To extend help to a class of people who have violated and are violating every instinct of decency, every rule of morality; who have committed every crime known to the decalogue; who have done everything in their power to pull down the smoldering remains of the world, after the mightiest conflagration in the history of all time, and to bring them to a condition of complete destruction, anarchy, and chaos, is to me unthinkable. I do not believe in helping such people. I believe that the heavy hand of power and extermination should be applied to such people as rule Russia to-day, as well as those in Germany who have defied the plain mandate of the League of Nations to carry out plain provisions of the league.

It has already been announced by authorities in Germany that they will comply with only so many of the provisions of the peace treaty and League of Nations, so many of the terms imposed upon Germany, as they may see fit to carry out and may consider not detrimental to the welfare of Germany. The new government, which has lately assumed the rôle of governing power in Germany and which has undertaken to overthrow the government that was established a few months ago, has already come out boldly, frankly, openly with that statement; and I think, if we are to get anything at all out of Germany in accordance with the terms imposed—that is, when I say "we" I mean the United States and the Entente Allies, if the United States goes into the League of Nations—that the League of Nations may consider itself fortunate in obtaining compliance with any of the terms imposed upon Germany—any at all.

It looks very much now as if there might be revolution and counter-revolution in Germany, and for a long time to come conflict waged upon her territory by contending forces, each contending to be the true government, and neither one willing to bow in submission to the terms imposed upon Germany by the League of Nations. In fact, I rather suspect that the present revolution is the result of a preconceived agreement among the people of Germany merely to plunge Germany into internecine warfare, chaos, and anarchy in order that they may say, "We have no responsible government to comply with your terms; there is no responsible government here to comply with any agreement."

It is a good deal as if you sold goods to the firm of Jones, Smith & Brown and are told, "That firm is dissolved; its members are no longer operating together; Jones is out of it, Smith is out of it, Brown is out of it; you can not recover for your goods; you can not get any judgment against the firm for the firm is not in existence."

It seems to me the people of Germany are preparing to say that there is no Government there against which the league can enforce any judgment; that the Government which was in existence at the time terms were imposed upon and agreed to by Germany has gone out of existence. I look for the German people to say, "That Government has been wiped out of existence; it is not here any more; we are a new Government; we do not know anything about the terms to which the former Government subscribed." It seems to me that occurrences are simply leading up to that state of affairs, and I surmise very strongly that it is by agreement among the people of Germany.

Furthermore, and in addition to what I have said, there are provisions in the covenant of the League of Nations which do not have my approval and to which I am stoutly opposed. There are reservations on the resolution of ratification which do not have my approval and which I think have no proper place in a resolution of ratification, and which I think should have nothing to do with the League of Nations. Yet in spite of all that, I have some hope that if the United States should ratify the League of Nations and become a member of it we might be able to brace up the wavering spirit of the nations which are now in the League of Nations and encourage them, stimulate them, perhaps, to stand firmly, stoutly, resolutely, and unwaver-

ingly for the rights of humanity and for the enforcement of justice.

I want to get the peace treaty out of the way. I want to be done with it. I believe the people of the country want it out of the way, and I am willing once more to vote for ratification in the hope that when the United States becomes a member of the league conditions may become better and that we may be able to rescue what seems to be the failing ability or disposition of the League of Nations to enforce justice and inflict a modicum of punishment for wrongs that have been done, and to bring the world out of the chaos which now prevails and the abyss into which it is rapidly sinking deeper and more hopelessly.

Should the great and powerful United States Government join the League of Nations I have some hope that it may help to bring order out of chaos and to stop the downward career of the civilization of the world from the course of destruction upon which it now seems to be launched.

So I have determined once more to vote for ratification of this pact. I have voted for it twice, and I am going to vote for it once more, and if it fails of ratification this time I do not know whether or not I shall ever vote for it again. If I should have occasion to vote for it again, as I hope I may not, for I hope it may be ratified this time, I think now I would have to have some proof, more than I have had, of the efficacy of the League of Nations in operation.

I look with regret upon the prospect of having to wait one whole year before there can be another effort for ratification of the League of Nations, if it should be rejected at this time. There is no telling what might happen in 12 months more of time in the present state of affairs, the present tendency of the world, the present unsettled condition of affairs, the apparent impotency of the League of Nations as now constituted to enforce its decrees. There is no telling what might happen to the world in the next 12 months, and I look with alarm upon the prospect of having to remain in this state of uncertainty and indecision for 12 months more. Therefore, though I am not at all satisfied so far with the workings of the League of Nations, and am not satisfied with the pact itself, nor with all of the reservations which have been put upon the resolution of ratification, yet, in the hope of bettering conditions, I shall once more cast my vote for ratification.

Mr. SMITH of Georgia. Mr. President, for the second time we are approaching a vote upon the ratification, with reservations, of our peace treaty with Germany and the covenant of the League of Nations. I regard it as of utmost importance that the resolution of ratification be approved by the requisite number of Senators. If this is not done now I have no hope that favorable action will take place for 12 months. The natural thing for us to do, and the proper thing, if the requisite two-thirds vote is not cast for ratification, would be to return the treaty at once to the President with notice to him that the Senate has failed of ratification and let the responsibility be upon him for future action.

THE NEED OF COMMERCIAL RELATIONS WITH GERMANY.

I can not conceive that it would be useful for us to retain the treaty after two ineffectual efforts at ratification. We must then remain in a technical state of war with Germany. We have no representatives in Germany, consuls or otherwise. Great Britain, France, Italy, and Japan have resumed their full commercial relations with Germany. The United States alone of the great powers is at least neglecting its commercial interests in this respect.

If we fail to ratify the treaty we fail to place our representative with the council in Europe upon the reparation commission and in position to represent our country in the adjustments that are still pending, of vast importance to our own business and to the interests of European countries; we fail to give our influence fully to help quiet the still disturbed conditions of Europe and to lessen the danger of economic chaos that threatens that great continent and which, happening there, will affect us most seriously.

THE PRESIDENT'S OBJECTIONS UNSOUND.

If we looked upon it only from a selfish standpoint, if we did not realize our duty to the troubled and suffering people of Europe, which, of course, we do, the treaty should be ratified without further delay. I regret that it was not ratified last November. I regretted at the time the letter of the President which seriously interfered with ratification. I think that letter was a mistake. I think the ground upon which he put it was entirely unsound.

He declared that the reservations nullified the treaty. Why, Mr. President, this was a most unfortunate expression on account of its entire lack of accuracy. Nullify the treaty? Not at all. Certain provisions of the treaty were denied operation upon our country but the real heart of the treaty was left in full operation.

I maintain, Mr. President, that the provisions in these reservations which relieve the United States from the operation of certain features of the treaty are essential and right. No one can successfully contest the proposition that each of those reservations, where the United States is freed from the effect of a provision of the league covenant, is a reservation essential to Americanism, essential to the preservation of the plan of government handed down to us by our forefathers and to which we are all devoted. I have the privilege of knowing that three of my ancestors fought for the freedom of the Colonies, one from Virginia, one from North Carolina, one from Massachusetts. They helped give us, at the risk of their lives, the system of government that blesses this country, and if God spares my life I will never cast a vote knowingly to sacrifice our plan of government, but I will seek to hand it down to my descendants.

Let us see whether the treaty was nullified. Mark it. I insist that if the President had said certain provisions of the treaty were nullified he would have been right; and I add that they ought to have been nullified; but when the President says the treaty was nullified he used an unfortunate and inaccurate expression.

ARBITRATION PRINCIPLES ARE "HEART" OF TREATY.

What is left in the treaty? That has already been so splendidly presented to you by Senators who have preceded me that I hesitate to state. I heard the Senator from Montana and the Senator from Ohio, and it would be impossible for me to equal their convincing presentation of the valuable provisions of the treaty which are untouched by reservations. Still I shall refer to them briefly.

The treaty provides that both the assembly and the council shall deal at their meetings "with any matter within the sphere of action of the league or affecting the peace of the world." It places the responsibility both upon the council and upon the assembly of considering all problems which may affect the peace of the world. It places upon them the responsibility of using their moral influence, and thus all members of the league must use their good offices and moral influence and to adjust differences and prevent war. It goes further and obligates them to adjust differences and requires nations to refrain from war pending adjustments and for three months thereafter. Let me call your attention to article 11, which the President at one time said was dearer to him than any article in the treaty:

ARTICLE 11.

Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the secretary general shall on the request of any member of the league forthwith summon a meeting of the council.

It is also declared to be the friendly right of each member of the league to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

Article 12 provides:

The members of the league agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the council.

To article 13 and article 14 there are no reservations; article 15 is changed in but one respect. Article 15 provides that whenever a dispute arises and is not submitted to arbitration it shall be submitted to the council unless the dispute is claimed by one of the parties to involve a domestic question, in which case provision is made for the council to determine whether it is domestic. By a reservation we decline to submit to that clause of article 15 we change, and we ought to have declined.

Article 16 provides:

Should any member of the league resort to war in disregard of its covenants under articles 12, 13, or 15, it shall ipso facto be deemed to have committed an act of war against all other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

It shall be the duty of the council in such case to recommend to the several Governments concerned what effective military, naval, or air force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

In the meantime the commercial boycott is enforced.

MORAL AND NOT PHYSICAL FORCE SHOULD CONTROL.

Mr. President and Senators, when the President of the United States was in Paris and accepted a degree from the French Academy he declared his conception of a League of Nations to be:

My conception of the League of Nations is just this: That it shall operate as the organized moral force throughout the world, and that whenever and wherever wrong and aggression are planned or contemplated this searching light of conscience will be turned upon them, and men everywhere will ask, What are the purposes you hold in your hearts against the fortunes of the world?

Thus it was the President's plan to organize a League of Nations where moral force was to control. There seemed to be no thought then of a resort to physical force. There seemed not to have been in his mind when those words were spoken any desire to put an obligation upon this country to send our boys to the wars of the world without independent action by Congress at the time they were to be sent.

All the moral power that this covenant could have given is retained in it—the obligation to arbitrate; the obligation to refer questions to the council; the obligation to refrain from war for three months after the award is made; the obligation to accept the award or at least not to go to war at all if one of the parties to the arbitration did accept the decision, and then if one nation goes to war despite this obligation, it is declared to be an act of war against all the remaining members of the league, and the warring nation is at once to be punished by commercial boycott. The league is left with just as much power as I would dare have it left with. If I hesitate in my judgment, it is as to whether there is not too much power still left to the league.

Now, let us see what has been eliminated; let us consider some of the reservations. No one who believes in the League of Nations, no one who believes in the power of associated nations to adjust differences in order to prevent war, can question that there is left in the league covenant a vast power for good. Those who do not believe in it at all may object, but those who advocate a league find here provisions stronger than we have ever before contemplated. I believe it may do good; I believe in the moral power, the suspension of action, the agreement to refrain from going to war, the opportunity for cooling time, and the probability that we may prevent war by substituting negotiation and adjustment.

WHAT THE VARIOUS RESERVATIONS MEAN.

Now, let us see what are the reservations and why any friend of the covenant should hesitate to vote for them. I can not understand how any one who believes in the covenant can for a moment now hesitate to support ratification. First, we know that there will be no chance to modify these reservations in any substantial way in 12 months. We know that at the end of that time there are 36 Senators who will remain in the Senate for two years longer who will oppose modifying the reservations in any substantial way. We know, furthermore, if we are willing to look the truth in the face, that there will be just as many of the Senators elected this fall who will be in favor of vigorous reservations as there are now here.

Mr. McCORMICK. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Illinois?

Mr. SMITH of Georgia. I yield.

Mr. McCORMICK. I would like to ask the Senator if he recalls having recently said that, with the lapse of time, the league and the treaty became progressively more unpopular in this Chamber and in the country?

Mr. SMITH of Georgia. I did not say that. I will repeat what I did say. I said that when the instrument first reached the United States there were many more people in favor of ratification without reservations than there are now, but that the conviction that reservations were necessary has grown stronger and stronger with the lapse of time; and I repeat that statement now.

I believe a large majority of the American people favor ratification of the league covenant with substantially the reservations that are now presented. I believe there is a small minority that would reject it altogether, and perhaps a small minority that would be willing to take it without reservations at all; but I believe that the middle ground is sound and that it represents the thought of a large majority of the people of the United States.

RESERVATION NO. 1 AND THE RIGHT OF WITHDRAWAL.

Now, Mr. President, I take up the first reservation. What objection has any friend of the treaty to it? It is the reservation declaring that if we enter the league and give two years' notice of withdrawal we alone shall pass upon the question as to whether we have fulfilled our obligations and have the right to withdraw. Let us see what first came to us in March of last year. There was then no provision for withdrawal at all, but we were told that, of course, any country could withdraw if it wanted to at any time it wished.

Some of us recalled, however, that the 13 Colonies once joined together and formed the United States, and that the theory was for a long time held that any one of them could withdraw whenever its citizens desired. When the President went back to Paris instead of promptly adding a provision that any nation or member could withdraw at pleasure the privilege of withdrawing was limited by a two-year notice, with the further provision that the nation then could not withdraw unless all its obligations had been fulfilled, so that it was not at first intended that any nation could withdraw at pleasure. Now, under the language of the league covenant who would determine whether the withdrawing nation had performed all of its obligations? It does not say that the nation seeking to withdraw shall decide that question for itself; it leaves the question to be decided necessarily by the council or the assembly of the league, and as there is no provision for less than a unanimous vote on this subject under the terms of the covenant, every member must vote that the member desiring to withdraw has performed its duties or the right of withdrawal would be denied.

Are we willing to base our right of withdrawal upon any such situation? We add to our rights by declaring that we join this league with the distinct reservation that if we give the two years' notice of intention to withdraw we will ourselves alone determine the question as to whether we have fulfilled our obligations, and we will not leave that question to the council or to the assembly of the League of Nations. I concede that the provision contained in that reservation is in addition to anything in the league covenant; but it ought to be there, and we ought to require it, and I do not believe there is a Senator on this side of the Chamber who does not deem it proper to require it.

I discussed a few minutes ago article 15, and I called attention to its importance. I stated that it was left without change, excepting in one regard.

OUR RIGHT TO DECIDE WHAT ARE DOMESTIC QUESTIONS.

Articles 12, 13, and 15 require members either to arbitrate all differences or to refer them to the council. The eighth paragraph of article 15 provides that if a member with a dispute brought before the council claims that the dispute involves a domestic question the council shall consider the question to determine whether it is domestic or not, and if it finds that under international law "it is solely a domestic question"—I quote the language—then the council shall not proceed; but unless the council finds that by rules of international law the question is "solely a domestic question," then the council goes on and acts upon it.

I am unwilling, the American people are unwilling, for any council of seven foreigners to determine for us whether a problem which we insist is domestic is in fact domestic or international; and our reservation provides that the United States alone will pass upon domestic questions, and the United States alone will determine for itself whether a particular dispute involves a domestic or an international question; and if the United States determines that it is domestic, the council and the league shall not touch it, and the reservation goes further and names immigration as a domestic question which we will not allow the council or the assembly to touch.

I admit that this reservation nullifies a provision in article 15, and it ought to be nullified. Without nullifying it, I could not vote to ratify this treaty. It is no new question in the United States or in the Senate of the United States. In the winter of 1911 and 1912 we had up for consideration the universal arbitration treaty with Great Britain. In it there was the broadest language for the arbitration of disputes. In it there was a provision that if a dispute arose as to whether a particular question should be arbitrated, a board was to pass upon it. I remember the deep interest of my then colleague, the senior Democratic Senator upon the Committee on Foreign Relations, Mr. Bacon, in placing upon that treaty a reservation declaring that we would allow no arbitration of our domestic questions, and we would allow no board to decide for us what were domestic questions, but that the United States would for itself decide what was a domestic question, and, having so decided, would permit no interference by any country with such a question; and when the final vote was had every Democrat voted for the reservation, and a considerable majority upon the Republican side of the Chamber voted for the reservation, though able Republican Senators had championed the treaty.

The only thing we take out of article 15 is the authority for the council to determine for us whether a particular question,

which we claim to be domestic, is or is not domestic; and the language of the covenant does not allow the council to hold that it is a domestic question, unless the council finds, by international law, that it is "solely a domestic question." There are many questions which we regard as domestic that might not be established by rules of international law as "solely domestic," and we provide wisely in one of these reservations that the council shall not determine for us whether a question is domestic or international, but if our Government decides that a question is domestic, we withdraw it from arbitration or from consideration by the council.

Mr. KING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMITH of Georgia. I do.

Mr. KING. I want to invite the Senator's attention, with his permission, to the fact that the asservation was made constantly, if not by Mr. Wilson, at least by many who were at the peace conference, that there was no intention that any article of the projected league—this was before the treaty was formed, and even afterwards—or any article of the projected covenant—and, after the covenant was formed, no article in the covenant—should restrict any signatory to the treaty in the exercise of control over its proper and legitimate domestic affairs. Obviously, those men who were at the peace conference knew that no nation would commit to an international tribunal the determination of its domestic and internal affairs. Does not the Senator think that the provision in the treaty which seems to commit to the international tribunal the determination of whether it is domestic or not is in violation of the preconvention understanding of what the terms of the treaty should be, and in contravention of the constant affirmations after the conference of Versailles as to what the objects and purposes of the treaty were? And does not the Senator believe that it was the intention of Mr. Wilson, and the intention of all those who participated in that great convention, not to restrict the signatories to the treaty in any of their proper and legitimate domestic and internal affairs?

Mr. SMITH of Georgia. I thank the Senator for asking me the question. He states correctly, as I recall it, the discussion made public before the covenant was written, and the information brought to us as to the purposes of the council with reference to domestic questions. The difficulty is that when it was written down in black and white, it carried something that we did not expect it to carry. If the President had been conferring with the Senate and taking advice from the Senate at the time this language was written, he would quickly have had called to his attention the fact that in March, 1912, every Democrat in the Senate committed himself by his vote to a reservation that declined to allow any tribunal to decide for us what was and what was not a domestic question, and declined to allow any tribunal to pass upon any American domestic question.

Those who made our Constitution were wise when they provided that the President should negotiate a treaty with the "advice" of the Senate. For the welfare of our country this "advice" is most important.

Unfortunately he was not in touch with the Senate. Unfortunately he did not have the benefit of the advice that the Constitution offered him, if it did not require him to take. If he had used it, he would promptly have been told that this language could not be ratified by a Senate of the United States, that the American people would not stand for it, and that the Senate was committed upon the proposition with reference to domestic questions, and he would have been "advised" to omit it from the treaty.

I say that reservation does change a provision of the treaty. It nullifies the authority—if you use that word—of the council to determine whether a question which we claim to be domestic is or is not domestic, and anything less ought not to be contained in a reservation when we ratify this treaty.

NO MANDATORIES WITHOUT APPROVAL OF CONGRESS.

I come now to the reservation with reference to mandatories. We expressly declare in the reservation that no mandatory shall be placed upon the United States without the approval of Congress. Now, let us think about that a moment. Why, even Lord Grey understood the necessity for such a reservation. The original framework of this instrument, the league covenant, was the work of Gen. Smuts, an English citizen from South Africa. He naturally had in view the English system, where the ministry acts free from any interference by Parliament in all foreign matters; but the ministry must conduct its foreign relations as the House of Commons approves, or a vote of censure retires the ministry. The ministry in Great Britain is at all times subject to the House of Commons, and must resign or go to the country with an election if the House of Commons disapproves an act of the ministry. So that the whole people of Great Britain at all times speak in the action of the ministry. As drawn, and as the President's interpretation indicates, the representative of the United States on the council, one man 3,000 miles away, acting with the approval of the President, could accept a mandatory. And we would be setting up one-man government instead of popular government in the United States. We would be substituting for popular government practically a dictator, in the shape of the President. Our system of popular government is through the Senate and the House of Representatives, especially through the House of Representatives, who must go back to the people every two years and return to Washington voicing the wishes of the people, with the power of the people to change them every two years. Our plan of government contemplates government by the people of the United States, not by a single dictatorship of one man, and not even by the Senate and the House, because the House must go back to the people every two years, and appropriations can not be continued for the Army or Navy, unless each two years they voice the wishes of the American people.

What will a mandatory cost? Perhaps a billion a year and 250,000 boys policing some foreign country. Yet as drawn, while finally the appropriations must come from Congress, acceptance could be made through one man in Switzerland, speaking the wishes of the President.

I am not referring to the present President at all. There have been past Presidents and there will be future Presidents. I am referring to our system of government. I am unwilling for the instrument to be left in such shape that one man in Switzerland, following the direction of one man in the United States, can commit this country in grave and most important problems. I believe in keeping our representative who goes into this council and our members who go into the assembly close to the people and subject to the will of the American people, not only in connection with the mandatory, but in connection with the whole scheme of service. This can only be accomplished by requiring their authority fixed and directed by the Congress.

I am not prepared to say that as drawn the member of the council, acting for the President, could not accept an amendment to the covenant of the league. His powers are broad. They were modeled after the English plan of foreign representation, which, as I said before, is always subject to popular will, because the ministry must at once retire when the House of Commons disapproves the action of the ministry. But not so here. Our system is entirely different, and the framers of our Constitution never meant to put the powers in the President or in our foreign representatives that the English system places upon their ministry and foreign representatives. We Americanize the league covenant by providing that those who represent us abroad, growing out of this league, shall act in compliance with legislation passed by the Congress of the United States. My plea is not so much for the Congress as for the people, because the Congress constantly must respond to the wishes of the people.

THE TREATY'S LABOR PROVISIONS.

I come to another reservation. Part XIII of the treaty, a part of the League of Nations, creates an international labor organization with complicated and legislative authority. Just the limit of its authority I am not prepared to declare. It goes to the extent of the right to cite a government before it for an explanation of its conduct. Who would be the members of that international labor congress? We have been trying in recent months to get out of the United States some foreign labor agitators. What will be their scheme? What will they do? What confusion will they add to our domestic situation?

One of the powers of this labor organization is to print a paper at the expense of the Government and distribute it throughout the respective countries. I believe in American labor as a body. The worst troubles we have had, I concluded from the testimony presented before the Committee on Education and Labor in the steel investigation, were produced by foreign agitators. Yet we are to transfer our labor problems largely to an international labor organization. I am utterly opposed to going into that international labor organization, and a reservation declares that the United States will not participate unless hereafter Congress determines that it is wise to do so.

Do you not all know that the representatives of most of the foreign countries in that labor congress will be socialists or worse? In the interest of the labor of the United States, I would keep out. In the interest of the industries of the United States, I would keep out. And a reservation does this for us. This treaty could not command the votes of one-third of the Senate with Part XIII in it. It is unfortunate that the President did not keep in touch with the Senators and take their advice before he consented to put that provision in this treaty.

I have not heard a Senator open his lips to defend it. If it has had a friend on the floor, I can not recall it.

Mr. HITCHCOCK (in his seat). Oh, yes.

Mr. SMITH of Georgia. Who?

Mr. HITCHCOCK. Senator HENDERSON and myself.

Mr. SMITH of Georgia. Defended that?

Mr. HITCHCOCK. You mean the labor part?

Mr. SMITH of Georgia. I do.

Mr. HITCHCOCK. Yes.

Mr. SMITH of Georgia. I will say to the Senator from Nebraska that I am sorry to add to his other faults the fact that he defended this labor organization in the treaty. I do not know whether that was one of the ways by which he wished to kill the treaty, because he advocated the retention of provisions that never could have received the support of half the Senate. I think the Senator from Nebraska, unfortunately, in the opening of the discussion committed himself to the treaty without any reservations, and explained to us a number of times upon the floor, and to the public through the press, that it would certainly be passed without any reservations.

Mr. HITCHCOCK. No; never.

Mr. SMITH of Georgia. Well, I understand that two Senators defended it.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Oklahoma?

Mr. SMITH of Georgia. Yes.

Mr. GORE. Those two Senators are perhaps like the 16-year-old girl when she was kissed by her 80-year-old sweetheart. She said nothing made her sick.

Mr. SMITH of Georgia. Certainly that provision can not possibly stand in a ratified treaty. I do not believe a representative of a labor organization in my State approves it.

The natural effect of such an organization would be to seek to equalize the pay of labor all over the world, and as ours are the best paid the equalizing process would pull them down.

WE SHOULD HAVE AS MANY VOTES AS BRITAIN.

Let us turn for a moment to the reservation with reference to Great Britain's six votes to our one. None of us object to Canada's coming in, but really I think New York or Texas might just as well have a representative, also. Are not New York and Texas to as complete an extent self-governing States as Canada? Six votes to the British Empire, with her representatives, and one to the United States! Some one in the conference was looking after British interests.

There is a reservation modifying that provision. I want Canada to have a vote. I want Australia to have a vote. I just want America to have as many votes in some way as the British Empire has; that is all. I am not uneasy about their treating us unfairly. They will trade us out of our boots if we do not watch. But if we have not sense enough in trade to take care of ourselves, we ought to take the consequences.

But when it comes to a final assembly, with power almost of legislation, I want as many votes when our affairs are concerned as Great Britain has.

I believe in the closest relations between Great Britain and the United States. I believe in standing up for each other in trouble, and, just as the English vessels at Manila cleared for action when the German vessels threatened Admiral Dewey, I would have our vessels ready all over the world, with directions, if the British were in danger, to clear and stand by them. But you know even your brother, when you trade with him, sometimes needs to be watched, unless you want to give him all you have; and Great Britain usually beats us trading.

You can not go before the American people and defend the proposition that you want the British Empire to have six votes and the United States only one. I do not know how they will fix it, but they ought to fix it.

IS ARTICLE 10 THE HEART OF THE LEAGUE?

Now, I come to the real reservation which causes dispute. I pass by a number that guarantee control through legislation of our representative in the council and prevent him from becoming the one-man representative of this entire country with the vast powers carried through the league covenant. We keep him by reservations in touch and under direction of the Senate and the House of Representatives, the latter of which every two years must respond to their constituents. Thus we seek to preserve government by the people and avoid mere one-man power.

I come to article 10. Let us see what is in it:

> The members of the league undertake to respect and preserve against external aggression the territorial integrity and political independence of all members of the league.

We do not propose to remove the word "respect." The United States always has respect for the governments and territory of other countries. What I object to is the obligation to "preserve," not for 1 year, not for 2 years, not for 10 years, but until we get out of the league, the territory and government of every member. It is an obligation not put upon us and our children alone; if we stay in the league it is put upon our grandchildren and our great-grandchildren; it is put upon children still unborn. What are we undertaking to do? We are undertaking to decide now that we will obligate generations unborn to furnish their boys and their money to intervene in practically every war that will come upon the earth. There is no heart in it at all. It is war. It is iron and steel and shells and battleships that we are pledging. That is not the League of Nations which the President talked about before the French Academy. There, as I showed you, he believed in a league with moral power, nothing more. This is a league pledged to war.

But let me show you once more, as I have already done, how the principle the President started with has been abandoned. In his first draft he used this language:

> The contracting parties unite in guaranteeing to each other political independence and territorial integrity, but it is understood between them that such territorial readjustments, if any, as may in the future become necessary by reason of changes in present racial conditions and aspirations or present social and political relationships, pursuant to the principle of self-determination, and also such territorial readjustments as may, in the judgment of three-fourths of the delegates, be demanded by the wellfare and manifested interest of the peoples concerned, may be affected, if agreeable to those peoples.
>
> The contracting powers accept without reservation the principle that the peace of the world is superior in importance to every question of political jurisdiction or boundary.

Now, there was heart, but the council did not accept it. They struck it all out; they struck out every provision for considering the condition of subject people. The President is mistaken when he says article 10 is the heart of the league. Article 10 had heart before the council struck it out, but it is gone. There was a provision in it by which Egypt could have been heard, or Ireland could have been heard, or Korea could have been heard. Instead of that they now add a subject people by giving Shantung to Japan; they add a subject people by Great Britain taking Mesopotamia; they add a subject people by France taking Syria, and with 600,000,000 subject people governed by nations of the league we pledge ourselves to furnish our boys to preserve their territorial and political integrity, not for to-morrow, not for five years, but forever.

We have the word of the President in his address before the peace conference on January 25, 1919, that the conditions left by the peace treaty will bring wars. At that time and place he used this language:

> We are here to see that every people in the world shall choose its own masters and govern its own destinies, not as we wish, but as they wish. We are here to see, in short, that the very foundations of this war are swept away. * * * Those foundations were the holding together of empires of unwilling subjects by the duress of arms, and nothing less than the emancipation will accomplish peace.

Now, we are told that this kind of a pledge means peace; that with this kind of military organization, this powerful military alliance in the league pledged to mutual support, no other country would dare to fight. Why, Senators, do we forget history?

It was about 100 years ago that the great league of peace of England, France, Germany, Austria, and Russia was formed, and it was then claimed with this great and powerful league of peace wars were to end, for its power was so great that no one nation would dare, against its will, to engage in war; and yet old Adam was still in the people of these nations. Before the end of 10 years they were fighting each other. This league with us in it would not be as powerful relative to the strength of the balance of the world as was the one 100 years ago. It did not stop war.

Why, Mr. President, the States of the United States were tied together under the greatest Constitution, the greatest form of government God ever helped man to make. They got into a fight among themselves. I will not say that it was over a difference of construction of the instrument. I feel sure the Southern States felt they had the constitutional right to quit.

The New England States thought at one time they had the constitutional right, held their celebrated Hartford Convention, and came very near quitting. They had a little better judgment than the folks down my way. They concluded the best thing was not to quit, and thank God there is not anyone in the United States now a citizen of the United States who does not love the Stars and Stripes and who does not prefer to be one of the citizens of a State of the United States than to be anywhere else in the world.

You will never stop war until you eradicate human nature from the human mind and the human body and human heart.

Again, they say, suppose these nations had been in a league when Germany raided Belgium; Germany and Austria would not have dared to go to war. What an absurd statement. Did not Germany, with Russia, Italy, France, and England on her

neck, fire on the vessels of the United States and drive us into the war, too? Why would she have refrained before when she voluntarily drove us into it during the war?

The time to preserve peace among men is before they entirely lose their tempers. The time to preserve peace among nations is to teach the rule of negotiation, teach the rule of conference, develop the habit of conference, the habit of arbitration, and the real heart of this league, from which I hope for good, is in the provisions other than article 10—the provisions for conference, for consideration of national differences, for arbitration of national differences, the agreement not to go to war until three months after the award is made, and the agreement not then to go to war if one of the parties tenders compliance with the terms of the award. That is a splendid conception, that has the elements of peace, that has the elements of adjustment of differences. I regard it as one hundred fold more valuable than a threat of a fight made by article 10.

Mr. President, I wish to show that the provisions objected to now by Senators in this reservation to article 10 do not amount to anything. The provisions seriously objected to are:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination under article 10.

That part of the reservation was presented substantially by my colleagues on this side of the Chamber as their offer at the bipartisan conference. It was either contained in the original bipartisan conference proposition or in the proposition of the Senator from North Carolina [Mr. SIMMONS]. What is it that Senators object to?

They seem to be disturbed because the reservation to article 10 makes this statement:

The United States assumes no obligation to interfere in any way in controversies between nations, including all controversies relating to territorial integrity or political independence, whether members of the league or not, under the provisions of article 10.

I ask the Senators, seriously, if they think this proviso a matter of any importance? It was useles to insert it. Its insertion can not affect the treaty. The balance of the treaty, other than article 10, places the duty of members of the league to interfere and use their good offices in all controversies, whether the controversies relate to territorial integrity or political independence, and whether they are members of the league or not?

You can cut out article 10 and find in the balance of the articles provisions covering the portion of article 10 stricken by reservations. All through the balance of the treaty, in articles not touched by reservations, we find ample provisions requiring the United States to do all in the direction of seeking to adjust controversies and prevent wars by negotiations which was contained in article 10. So there is no reason why anyone who was willing to vote for the Simmons substitute, or bipartisan substitute, should not vote for this reservation.

The real substance to the reservation to article 10 is the provision that the United States shall not be obligated to preserve the territorial integrity or political independence of other countries by the employment of its military or naval forces, its resources, or any form of economic discrimination, unless in any particular case Congress, in the exercise of full liberty of action, by act or joint resolution so provides.

This reservation is essential, or the United States should never enter the league. We can not pledge our boys for all time to the wars of the world. We can not even pledge future generations to furnish the money for the conduct of wars all over the world.

Article 10 carries this pledge unless the reservation is made.

CONGRESS SHOULD DECIDE EACH CASE AS IT ARISES.

It can hardly be claimed that under our Constitution it was ever contemplated that such an obligation should be made. Our Constitution does not allow Congress to appropriate money for the Army and the Navy for longer than two years. Why? Because the people are to have a chance at their Representatives every two years; they are to have a chance to put somebody else in their places if they spend money for armies and navies in a way which the people do not approve. Every two years, under the spirit of our Constitution, Congress is to have the chance to stop war, to stop armies, and to stop navies by stopping the appropriations; and yet this obligation in article 10 would put upon all future Congresses, so long as we are members of the league, the duty to enter the wars of the world and to send our boys to foreign lands, whether our people approve the particular war or disapprove it.

I insist that each Congress should consider each case as it arises; I insist that the American people will never be satisfied to submit to an obligation looking forward to the future indefinitely pledging our boys to war; pledging our purse to war. I ask again, can we not trust the future? Can we not trust future Congresses? Can we not trust our descendants? If there is a real call to serve the world, if there is a real call to protect some oppressed people, must we bind future Congresses now, because otherwise we will not trust them? Will not our boys and our grandsons and granddaughters, as they assume the responsibility for government, will not the men and women of this country, as they jointly assume the responsibility of government as the years roll on, be as loyal as are we? Will they not love their fellow men the world over as much as we do? Can we not leave them to decide whether a particular case is just; whether the aggression from the outside which threatens existing territory is a righteous or an unrighteous aggression?

Suppose the Chinese became sufficiently powerful to menace the holding of Korea by Japan; under this obligation we would go there and help Japan drive the Chinamen back. Frankly, we would not do it; Congress would break the obligation before it would do it. I am unwilling to enter into an obligation of a character which, I think, Congress, on account of its repulsive nature, would break. Suppose the Chinese, who are a peaceful people, became sufficiently well trained for war and went into Korea to help the Koreans drive the Japanese out; under this obligation of article 10 we would send our boys to Korea to help keep the Japanese in control. Suppose some outside people sought to aid the Egyptians in winning their liberty; we would send our soldiers there to help keep Egypt in subjugation. Or let us go back to our own Revolution, when the French came here to help us; if the League of Nations embodying article 10, had then been in existence, every member of the league would have been obligated to come here and help Great Britain keep the United States a subject colony.

Do we propose to assume such an obligation? Does anybody believe the American people will approve it? I want to warn my associates on this side not to take that issue to the American people. They will never approve it. I have never known anything politically except to be a member of the Democratic Party, and I should dislike to see the crushing defeat that party would receive if it undertook to carry on a campaign in this country on the proposition that we insisted upon assuming all the obligations of article 10. I presume I would have to do as I did when my party declared for the free and unlimited coinage of silver at the ratio of 16 to 1—I voted the ticket, but publicly stated that I hoped I would never live long enough to see such a heresy enacted into legislation. I am sorry my friend the Senator from Colorado [Mr. THOMAS] is sitting so near me. If I had thought for a moment that he was honoring me with his presence, I would not have made that statement.

Mr. THOMAS. Oh, Mr. President, an honest confession is good for the soul. We had a great many of that sort of Democrats in 1896.

Mr. SMITH of Georgia. That is all right; but I voted the ticket. When you do not like much that is in the platform and yet vote the ticket, it is standing up about as strong as a man can.

Mr. THOMAS. Taking the sacrament and repudiating the Christ does not make much of a Christian.

Mr. SMITH of Georgia. But, unfortunately, free silver at 16 to 1 was not the Christ.

Mr. THOMAS. No; that was the sacrament.

Mr. SMITH of Georgia. That was the sacrament?

Mr. THOMAS. Yes; and the Senator took the sacrament by voting the ticket.

Mr. SMITH of Georgia. What was the Christ? The Senator said "repudiating the Christ."

Mr. THOMAS. Christ was the Democratic Party. [Laughter.]

Mr. SMITH of Georgia. Oh, the party—I thought the Senator meant that Bryan was the Christ when I voted the ticket.

Mr. THOMAS. No, Mr. President; I have said a great many things in my life, but I have never been accused of saying that.

Mr. KING. Mr. President, will the Senator yield?

Mr. SMITH of Georgia. Yes.

Mr. KING. I wish to assure the Senator that no man is the Democratic Party, whether it is Mr. Bryan or anybody else, and that no declaration by the Democratic Party of any particular doctrine or dogma constitutes the great precepts and principles of the Democratic Party as they were enunciated by Jefferson, and, as in the main, they have been accepted and followed by the Democratic Party.

Mr. THOMAS. Mr. President, the little colloquy between the Senator from Georgia and myself was a mere pleasantry.

Mr. KING. And my contribution was a pleasantry also.

Mr. SMITH of Georgia. Mr. President, I accept the view of the Senator from Utah. I utterly deny that if the convention at San Francisco should indorse this treaty without reservations it would be sound Democratic doctrine; on the contrary, I

believe it would assert a doctrine that invaded the Constitution of the United States, and that every real good Democrat ought to regret such an action.

I agree further with the Senator from Utah that no one man constitutes any party. If a party is loyal to principle, the great body of people members of the party constitute the party.

Mr. GORE. Does the Senator think everybody knows more than anybody?

Mr. SMITH of Georgia. I have frequently thought that in multitude of counsel there is wisdom, and from the lack of counsel there come blunders.

Mr. President, I will not proceed further to discuss the constitutional right to interfere with the authority of Congress in declaring war. I am disposed to believe that we could put an obligation upon the Congress, and that if we adopted article 10 without reservation we would put an obligation on Congress by which it would be bound; and that is why I can not, and will not, vote to ratify this treaty without eliminating that provision of article 10 which obligates us to preserve the territory and the government of member nations.

THE AMERICAN PEOPLE CAN BE TRUSTED.

Mr. President, I have discussed this subject longer than I had intended. I wish to urge that the reservations are not, as a rule, objectionable. The majority of them are wise and necessary. I may differ from their language; I may feel that here and there a change should be made, but in a matter of this sort no one man can have his way. If we are going to legislate as a whole, the legislation must be made up of mutual concession. The question is, taking the reservations all together, Shall we ratify the treaty or shall we decline to ratify it? Shall we leave our country at war indefinitely? Shall we take no part in adjusting the strife in Europe? Shall we undertake to throw this whole question into a political contest and allow it to continue to interfere with our important domestic problems?

Mr. President, let me say again, with regard to the reservation which has caused so much dispute, that we ought not to undertake to fasten the burden of war upon future generations. We can leave to them the privilege of determining what should be done as the occasion arises. I have confidence in the American people. If the time should come when the United States is again needed to help crush a foe of the human race, to help crush a grasping, tyrannical government, which seeks to destroy the rights and absorb the territory of the other nations of the world, or even if, in a less important case, it was necessary for us to contribute to check aggression upon the weak, our people and the Congresses of the future can meet the responsibility. I am willing to trust to those who will do the voting a few years hence and to those who will represent them a few years hence to decide what should be done. I entirely resent the view that it is for us now to withdraw from future Congresses and from the people of the future the right to pass upon emergencies and responsibilities as they arise. I have confidence that the American people will always be ready to do their duty.

Article 10 would bind in chains the Congresses of the future and require them to send our boys into and spend our resources for the wars of the world, whether the cause for which they fought was deemed by them right or wrong.

When the cause is just and the call is one which should be heeded we may trust the people of our country and their descendents to do a full part. The citizens of the United States now living and unborn need no present chains to bind them to a future record as glorious as the record of the past. At this hour the American people need no declaration of obligation. They will always answer with national conduct as exalted as when we went with majestic power to the rescue of liberty on the fields of France.

This reservation only means that we would leave our people and their representatives to determine, as a crisis might arise, how we should act. We know they would be true to themselves, to the world, and to their glorious past.

Senators, we must trust the American people and their representatives in the future. We must leave it to them to decide when the sacrifice will be needed. We must not chain them with obligations now. We must trust them. They will never consent that governments of the people, by the people, and for the people may perish from the face of the earth.

Mr. OWEN. Mr. President, the resolution of ratification is now before the Senate with reservations—

Safeguarding the right of withdrawal for the United States (sec. 1).

Forbidding the acceptance of a mandate except by act of Congress (sec. 3).

Protecting the domestic affairs of the United States from interference (sec. 4).

Safeguarding the Monroe doctrine (sec. 5).

Reserving full liberty of action as to Shantung (sec. 6).

Forbidding persons to represent the United States under the peace treaty except by authority of Congress (sec. 7).

Withholding assent to any interference in the business between Germany and the United States by the reparation commission, except with the approval of Congress (sec. 8).

Forbidding expenses to be incurred without the previous consent of Congress (sec. 9).

That the limitation of armaments is subject to congressional action (sec. 10).

Reserving the right to permit foreign citizens under article 16 to do business in the United States (sec. 11).

Protecting the rights of the citizens of the United States in Germany (sec. 12).

Withholding assent to the labor provisions of the treaty unless Congress acts (sec. 13).

Withholding assent to decisions of the council or assembly unless the United States be given six votes, or a vote equal to any other country (sec. 14).

Expressing sympathy for Ireland (sec. 15).

There is no great harm in any of them. There is, perhaps, advantage in some of them.

There is considerable partisan politics in some of them; but, on the whole, they will meet the fears of many who have been led to believe that without such reservations our interests might possibly be interfered with or injured.

The only reservation of great controversy is No. 2, relating to article 10, which is as follows:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination, or to interfere in any way in controversies between nations, including all controversies relating to territorial integrity or political independence, whether members of the league or not, under the provisions of article 10, or to employ the military or naval forces of the United States, under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall, in the exercise of full liberty of action, by act or joint resolution so provide.

On this reservation the Senate gave its approval by a two-thirds vote—54 to 26. All of the Republicans and half of the Democrats voted for it.

Besides this, at least 11 Senators, known to favor this reservation, did not vote, making 65 Senators who are known to favor it, more than two-thirds of the entire Senate. And there are over 80 Senators who are known to be willing to ratify the covenant with reservations, but who decline to reconcile their differences and permit the enemies of the treaty to defeat it by joining with Democratic Senators who refuse the Lodge reservations.

The opinion of the Senate, speaking through a more than two-thirds vote, is entitled to respect.

Mr. President, the Senate of the United States under the Constitution of the United States is, jointly with the President, the treaty-making power, established by the people of the United States.

The Constitution in fixing the powers of the President declares:

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

In the interpretation of the Constitution Presidents Washington, Adams, Jefferson, Jackson, Lincoln, Grant and various of his successors sought the advice of the Senate in pursuance of the Constitution before framing treaties. In the case of the pending treaty the advice of the Senate was not sought or invited. But the instrument has been framed with the advice and under the powerful influence of various foreign diplomatic representatives, representing Great Britain, France, Italy, and other countries, without the Senate being permitted to participate in the framing or in advising the President in the framing of the most important treaty ever drawn in the history of the world.

I thought it was well drawn considering the very great difficulties under which it was framed, and I was, and am now, willing to give my assent to it, and certainly during its formation without being invited I presumed to volunteer advice on numerous occasions in the hope of being of service. Some of the friendly counsel might have served a useful purpose if it had been accepted.

I advised the President not to ignore the Senate in framing the peace treaty. I advised him to invite with him representative Senators. I advised him to keep the Senate fully advised of the steps taken at Paris through the State Department. I do not mention these things in criticism of the President but merely to put in the RECORD the truth that I did what I could as his friend and associate to safeguard the President from the complications which I thought might ensue.

The President had a task of enormous difficulty, which I keenly realized, and I believe he went to the limit of his powers and of his understanding to serve the people of the United States and the people of the world in framing this great treaty.

If the treaty prove not to have been perfect, it should be remembered that the influences and the powers which the President had to meet in a foreign land were very powerful.

I think, however, that the opinion of 65 United States Senators, representing the various States of the Union, is now entitled to the respect of the President, and that he should not weigh lightly or contemptuously their expressions of opinion as recorded in their votes.

The President, in his letter to Senator HITCHCOCK on March 8, 1920, said:

I have been struck by the fact that practically every so-called reservation was in effect a rather sweeping nullification of the terms of the treaty itself. I hear of reservationists and mild reservationists, but I can not understand the difference between a nullifier and a mild nullifier.

Every Senator comes under the sweeping condemnation of the President of the United States, because every single Senator, without exception as far as I know, has voted for reservation after reservation.

And here let me pause a moment to point out the astounding similarity of the Republican and Democratic reservation to article 10, over which an irreconcilable partisan conflict has been waged. Here is the so-called Lodge reservation:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination, or to interfere in any way in controversies between nations, including all controversies relating to territorial integrity or political independence, whether members of the league or not, under the provisions of article 10, or to employ the military or naval forces of the United States, under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall, in the exercise of full liberty of action, by act or joint resolution so provide.

And what does the reservation for which all the Democrats voted provide? This is the Simmons resolution:

The United States agrees to use its friendly offices, when requested so to do, under the provisions of article 10, in assisting to procure a just and peaceful settlement of territorial or political controversies between nations, or to protect any member of the league from external aggression—

We have that right, anyway. We do not have to put that in the treaty. That is an international right. That is the international law. But, now, listen to the balance of the Democratic reservation, if you please—

but it does not assume any obligation to use its military or naval forces or its financial or economic resources for the purpose of intervention in the controversies or conflicts between nations, or to protect the territorial integrity or political independence of any nation under the provisions of article 10, unless in any particular case the Congress, in the exercise of full liberty of action, and in the light of full information as to the national justice and human right involved, shall by act or joint resolution so provide.

This language is identical in meaning with the Lodge reservation. The omission of the phrases of the Lodge reservation, to wit—

or to employ the military or naval forces, under any article of the treaty for any purpose—

And—

which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States—

does not change the meaning except in the mind of an expert metaphysician and skilled wrangler. As far as article 10 is concerned the Simmons reservation, for which all the Democrats stood, is the same as the Lodge reservation.

I say that the difference between those reservations is nothing. It is a case of tweedledum and tweedledee, unworthy of the respect of the country; and to tell me that I should be called on, as a matter of party loyalty, to defeat this treaty because of the difference between the Simmons reservation and the Lodge reservation, I denounce as unmitigated nonsense. I will not stultify myself by pretending that there is any substantial difference. There is none; and yet this RECORD is here showing that the Democrats voted for the Simmons reservation, and wish to make a great distinction about it. The differences are negligible.

The Simmons reservation was disposed of by a motion to lay on the table by Mr. LODGE, by the following vote:

The result was announced—yeas, 45, nays 34, as follows:

YEAS—45.

Ball	Cummins	France	Johnson, Calif.
Borah	Curtis	Frelinghuysen	Jones, Wash.
Brandegee	Dillingham	Gore	Kellogg
Calder	Edge	Gronna	Kenyon
Capper	Elkins	Hale	Keyes
Colt	Fernald	Harding	La Follette
Lenroot	Norris	Spencer	Warren
Lodge	Page	Sterling	Watson
McCormick	Phipps	Sutherland	Williams
McNary	Reed	Townsend	
Moses	Shields	Wadsworth	
New	Smoot	Walsh, Mass.	

NAYS—34.

Ashurst	Henderson	Owen	Smith, Md.
Beckham	Hitchcock	Phelan	Smith, S. C.
Chamberlain	Jones, N. Mex.	Pittman	Swanson
Dial	Kendrick	Pomerene	Trammell
Fletcher	King	Ransdell	Underwood
Gay	Kirby	Robinson	Walsh, Mont.
Gerry	McKellar	Sheppard	Wolcott
Harris	Nugent	Simmons	
Harrison	Overman	Smith, Ga.	

NOT VOTING—17.

Comer	Knox	Newberry	Stanley
Culberson	McCumber	Penrose	Thomas
Fall	McLean	Poindexter	
Glass	Myers	Sherman	
Johnson, S. Dak.	Nelson	Smith, Ariz.	

So Mr. SIMMONS's amendment was laid on the table.

* * * * * * *

Then the Lodge reservation was solemnly concurred in by the following vote:

The result was announced—yeas 54, nays 26, as follows:

YEAS—54.

Ashurst	France	La Follette	Reed
Ball	Frelinghuysen	Lenroot	Shields
Borah	Gerry	Lodge	Smith, Ga.
Brandegee	Gore	McCormick	Smoot
Calder	Gronna	McNary	Spencer
Capper	Hale	Moses	Sterling
Chamberlain	Harding	New	Sutherland
Colt	Henderson	Norris	Townsend
Cummins	Johnson, Calif.	Nugent	Wadsworth
Curtis	Jones, Wash.	Page	Walsh, Mass.
Dillingham	Kellogg	Phelan	Warren
Edge	Kendrick	Phipps	Watson
Elkins	Kenyon	Pittman	
Fernald	Keyes	Pomerene	

NAYS—26.

Beckham	Hitchcock	Ransdell	Trammell
Dial	Jones, N. Mex.	Robinson	Underwood
Fletcher	King	Sheppard	Walsh, Mont.
Gay	Kirby	Simmons	Williams
Glass	McKellar	Smith, Md.	Wolcott
Harris	Overman	Smith, S. C.	
Harrison	Owen	Swanson	

NOT VOTING—16.

Comer	Knox	Nelson	Sherman
Culberson	McCumber	Newberry	Smith, Ariz.
Fall	McLean	Penrose	Stanley
Johnson, S. Dak.	Myers	Poindexter	Thomas

So reservation No. 2, reported by the Committee on Foreign Relations, was concurred in.

Mr. President, if the treaty is ratified and the President approves it, it will throw the weight of the United States on the side of the covenant of the league with all its many safeguards for the conservation of peace.

The covenant of the league provides—

Every conceivable means for preserving the peace of the world,

Such as settling disputes by conference and by diplomacy;

By conciliation;

By arbitration;

By an international high court;

By the council;

By the assembly;

By public opinion;

By delay;

By the pledge to respect each other's territorial integrity and political independence;

By the pledge to preserve each other's territorial integrity and existing political independence from external aggression;

By the avoidance of secret treaties;

By disarmament;

By the control of war supplies;

By an embargo on and blockade of an outlaw nation;

By using the military and naval forces against an outlaw nation, if such a nation should by any conceivable possibility appear;

By the prescription under unanimous consent of the reasonable rules governing international relations; and

By protecting weak nations under the highest principles of humanity and justice.

All the nations of the world have agreed to these principles except the United States.

I pointed out the only alleged important difference between Senators on the one side and on the other side, and these differences are negligible.

Venezuela has not as yet come in.

Mr. KING. Venezuela has come in now.

Mr. OWEN. I am informed that Venezuela has come in. That leaves only the Teutonic allies, who are not permitted to come in, and who are anxious to come in, and poor, distracted Russia.

The one great outstanding factor of the war is the overthrow of monarchy—the rule by divine right—the overthrow of military dynasties. The Hohenzollerns, the Hapsburgs, the Romanoffs have followed the Bourbons to complete ruin and decay. The principles of the American Declaration of Independence are now recognized throughout the world that all men—

Are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.

That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

That whenever any form of government becomes destructive of these ends it is the right of the people to alter or to abolish it and to institute new government.

This process is going on in Russia, in Germany, in Austria, in Bulgaria, and Turkey, and it would arise in other countries under the conditions which provoked the destruction of the Governments under the Hohenzollerns, the Hapsburgs, the Romanoffs.

All the nations of the world, moreover, have agreed to the covenant of the league and pledged themselves—

To promote international cooperation.

To achieve international peace and security by their acceptance of obligations not to resort to war.

By the prescription of open, just, and honorable relations among nations.

By the firm establishment of the understandings of international law as the actual rule of conduct among Governments.

And by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another.

It was and is the noblest dream of all mankind; it has been actually established and it awaits the entry of the United States. The United States will in due time enter and will do its honest part faithfully and truly, either with or without article 10; either with or without the reservations to article 10.

I sympathize with the Democratic Senators who desire to retain by implication the obligation *to preserve* jointly with all the nations of the world the territorial integrity and political independence of each; but whether it is retained or not the moral obligation remains from the acceptance of the covenant as a whole, and Congress, representing the ideals of the American people, can be relied on to do its full part whenever the occasion arises, if it ever should arise. I do not believe that it ever will arise when the covenant has been established. No nation in the world, no people in the world, would be willing to commit the wanton, desperate act of violating article 10 in the face of the united peoples of the earth. That is the value of article 10, because it strengthens the conviction of the impossibility of any nation defying the military, naval, and economic forces of the whole earth.

I approve article 10 as it is. I want the United States to enter this covenant on terms of full equality, prepared to do its full duty and not being afraid of the common honesty and common sense of the representatives who will meet around the assembly table or the council table at Geneva.

I sympathize with Senators who fear article 10 on the ground that it would preserve the right of member nations to control subject nations and deny subject nations like Egypt, Ireland, Korea, and Porto Rico any future escape from tyranny. But I do not agree with them that the remedy is to reject the treaty.

The seeds of liberty and the fundamental self-evident truths embedded in the souls of men which were declared in the Declaration of Independence July 4, 1776, have grown into a world force under whose protection the nations of the earth may find peace, security, and prosperity. The confessed or belligerent autocracies of the world are humbled to the dust. The great autocracies of Russia, Prussia, Austria, and France, who in 1822 pledged themselves by the treaty of Verona to destroy the democracies of earth, have been utterly destroyed. France has become a great Republic. Russia has swung from monarchy to Bolshevism and will react into a democracy. Germany and Austria are setting up democracies, and the Catholic Church, at that time the friend of autocracies, has recently declared through His Holiness the Pope that in future the just powers of government would be regarded as coming from the people.

So that we have the sanction of all of the democracies of the world, and we have the sanction of the Catholic Church behind the democracies of the world; and it is a great addition to the powers of democracy in the world.

Great Britain, which in 1776 was in charge of Tory forces, against whom the indictment of the Declaration of Independence was drawn, has gone through a great change. Liberty and justice have steadily grown in Great Britain, have grown into a force controlling public opinion. Such noble, progressive, democratic Commonwealths as New Zealand, Australia, South Africa, Canada, have grown up; England itself presents such progressive leadership as that of Asquith and Lloyd-George.

I realize perfectly well that in the foreign office of Great Britain there are many men of Tory tendencies, trained for diplomatic careers, who think in terms of imperialism, always pleading that it is better for the subject people that the English foreign office govern them. I realize that under such management the Irish people have been grievously oppressed; that the people of Egypt have been denied their just liberties; but, Mr. President, the education of mankind proceeds slowly, and with the establishment of the covenant of the league and the meeting of the assembly, and the meeting of the council, representing a spirit of progressive democracy, which is moving the whole world, I can not doubt that the same principles which are written in the covenant of the league in article 22, providing for mandatories, will develop into complete liberty for all the subject nations in the world as rapidly as they can be taught to stand by themselves under the strenuous conditions of the modern world.

Article 22 declares—

That the well-being and development of such peoples form a sacred trust of civilization, and that securities for the performance of this trust should be embodied in this covenant.

It provides for freedom of conscience, freedom of religion, prohibition of slavery, prohibition of liquor traffic, and requires an annual report to the assembly to be made by the mandatories who undertake to develop the weaker peoples of earth.

Mr. President, democratic self-government by the peoples of the world is the outgrowth of the printing press, the modern newspaper, the modern magazine, of the free schools, and of the realization of men that compulsory education is essential to self-government. When we speak of the right of self-determination we do not speak of the right of uninformed savages to organize a modern democracy. They have no capacity. What we do mean is that as rapidly as people develop the intelligence necessary for self-government they should have the right to govern themselves when such governments are justified on the standards fixed by existing nations.

I have no doubt that democracy under this covenant of the league has established itself forever upon the earth, because all of the factors which have developed modern democracy not only remain but are growing like the green bay tree, increasing from year to year, and the elements of opposition to the growth of democratic government have been largely destroyed.

I am not willing to postpone the ratification of the peace treaty for many other reasons.

First. The people of the United States have a right to the repeal of all the war statutes, which automatically end only after the declaration of peace. These statutes are numerous. I attach to my remarks, without reading, an abstract of them, including the war powers of controlling food and fuel; the war powers to commandeer the railroads, telegraph, and telephones; the war powers to interfere with business by embargoes of all kinds and priority orders; the war powers to expand the Army and Navy; the espionage act, with its spies all over the country; the right to arrest men and imprison them and hold them without trial under war powers; the right to confiscate property and commandeer goods. I ask leave to have them inserted in the RECORD at the end of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. OWEN. All of these statutes ought to terminate. We ought to have our peace.

If the world is not to have peace and disarmament, our taxes must double in the competitive race of preparedness for the next war. We must have universal military training if we are not to have world peace.

The United States should, with great resolution, address itself to the reconstruction problems which are urgent and pressing. I know the anxiety of the people of the country to find the means of adjusting themselves to the increased cost of living. I sympathize with the fathers and mothers who are distressed in finding the means to give proper clothing and food and shelter and education to their children and to properly provide themselves with the necessities of life. I know what the factors are that have caused the high cost of living, and I know that very much can be done to relieve the distress of the people over the high cost of living.

On the 7th of last August, I introduced Senate resolution 159 providing for a committee from this body to study the high cost of living and to report the means by which it should be dealt with. I ask leave to insert that resolution in the RECORD without reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution is as follows:

"*Resolved*, That the President of the Senate be, and he is hereby, directed to appoint from the membership of this Senate a select committee of five Members, for the Sixty-sixth Congress, and which said committee is hereby authorized to fully investigate the high cost of living; and, in addition to the powers herein conferred, shall have the same powers and authority as are now conferred by the rules of the Senate upon the standing committees of the Senate. Said committee is hereby authorized to employ counsel, to send for persons and papers, to administer oaths and affirmations, to take testimony, to employ stenographers at a cost not exceeding $1 per printed page to report such hearings as may be had in connection with any subject which may be pending before said committee or its subcommittees, to sit during the sessions of the Senate and during any recess which may occur during its sessions, and may meet at such places as said committee deems advisable. Said committee is also hereby authorized and empowered to appoint such subcommittees as it may deem advisable, and such subcommittees, when so appointed, are hereby authorized to send for persons and papers, to administer oaths and take testimony, and to meet at such times and places as said committee shall from time to time direct; further

"*Resolved*, That said select committee shall report to the Senate in one or more reports, as it may deem advisable, the result of its investigations, with such recommendations as it may care to make; further

"*Resolved*, That the President of the Senate is hereby authorized to issue subpœnas to witnesses, upon the request of said committee or any subcommittee thereof, during any recess of Congress during the sessions; further

"*Resolved*, That the Sergeant at Arms of the Senate be directed to serve all subpœnas and other process put into his hands by said committee or any subcommittee thereof."

Mr. OWEN. I introduced the resolution in the hope that the Senate would address itself to this duty. Nothing whatever has been done to relieve the condition. Six months have passed by, with endless debate on the treaty, and now we are invited to throw this treaty into the next campaign, where it will be discussed on a thousand rostrums and the attention of the people diverted as if by a smoke screen from the real obstacles to their peace and happiness, the monopolies and the profiteers of this, our great country.

It is of the most extreme importance to stimulate production in the United States, and our great industrial enterprises can be wonderfully stimulated by proper governmental action. They can be served and can be made to serve the people as greatly as the banks of the country were taught how to serve the people of this country by the Federal reserve act, to the benefit both of the country and of the banks themselves.

I am not willing to have the treaty of peace postponed, not only for the sake of America but for the sake of the world, because the reconstruction of Europe makes it of supreme consequence that our moral force and our available convenient resources should be employed in helping to put Europe upon a productive basis, so necessary for the happiness of Europe and for our own welfare, so necessary to stop the terrible social unrest of Europe which is threatening the civilization of the world with the madness of Bolshevism.

They owe our Government and our people now nearly $14,000,000,000 which would greatly lower our taxes if this money were paid back. We can help them pay back by helping restore the peace of the world so their soldiers can go to work.

Mr. President, on the 5th of February last I took occasion to present to my State the wonderful accomplishments of the Democratic Party of the last seven years. (Cong. Rec. Feb. 27, 1920.) The cap sheaf was the German peace treaty and the covenant of the League of Nations. I will not give my approval to the defeat of this covenant. I will not promote an anticlimax, and I am not willing to defend a course of conduct which I think is indefensible. I do not believe there is a single Democratic Senator who would not vote for this resolution of ratification if it were not for the belief of such Senators that the President of the United States desires them to defeat the resolution of ratification now pending and would regard their failure to do so as a refusal to follow his view as party leader.

For many years I have strenuously devoted myself to the service of the country and to the service of the Democratic Party. But it is not to the interest of the country; it is not to the interest of the Democratic Pary to defeat this ratification. I am convinced that the people of my State overwhelmingly desire ratification, and that they will be content with the reservations that two-thirds of the Senate insists upon. I am satisfied that the people of the United States desire the ratification of the treaty with the reservations desired by two-thirds of the Senate, and I am satisfied that the Democrats of the country will overwhelmingly approve the ratification now without delay, notwithstanding the reservations, which after all do not very greatly impair the force of the covenant.

Mr. President, I am told it will be to the advantage of the Democratic Party to join in with the enemies of this treaty and defeat it. Mr. President, if the present interest of the Democratic Party were at stake I would not sacrifice the interests of the people of this country in order to gain an unjust party advantage. As an American Senator, mindful of my duty to the Senate and to the Constitution of the United States, deeply conscious of my duty to the people of our beloved country, I shall vote for the resolution of ratification and for immediate peace.

Those who advise the defeat of the resolution may take their own responsibilities.

EXHIBIT A TO SENATOR OWEN'S REMARKS.

"IMPORTANT MEASURES LIMITED TO THE PERIOD OF THE WAR ON THE FACE OF THE STATUTES PROVIDING FOR THEM.

"Sixty-fifth Congress, first session.

"Public act 23, making appropriations to supply deficiencies for 1917.

"PRESIDENT'S PROCLAMATION TO DECLARE WHEN WAR HAS TERMINATED.

"SEC. 4. That the service of all persons selected by draft and all enlistments under the provisions of the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, shall be for the period of the war, unless sooner terminated by discharge or otherwise. Whenever said war shall cease by the conclusion of peace between the United States and its enemies in the present war, the President shall so declare by a public proclamation to that effect, and within four months after the date of said proclamation, or as soon thereafter as it may be practicable to transport the forces then serving without the United States to their home station, the provisions of said act, in so far as they authorize compulsory service by selective draft or otherwise, shall cease to be of force and effect.

"Public act 23, making appropriations to supply urgent deficiencies in appropriations on account of war expenses for the fiscal year 1917, and for other purposes.

"UNITED STATES SHIPPING BOARD AND EMERGENCY FLEET CORPORATION.

"The emergency shipping fund provision of June 15, 1917, at paragraph 10, provides that 'all authority granted to the President therein, or by him delegated, shall cease six months after a final treaty of peace is proclaimed between this Government and the German Empire.'

"Under section 11 of public act No. 268 of the Sixty-fourth Congress, known as the United States shipping act, the United States Shipping Board was authorized, in order to carry out the purposes of the act, to form under the laws of the District of Columbia one or more corporations for the purchase, construction, equipment, lease, charter, maintenance, and operation of merchant vessels in the United States. Section 11 goes on in the last paragraph to provide that 'at the expiration of five years from the conclusion of the present European War the operation of vessels on the part of any such corporation in which the United States is then a stockholder shall cease, and the said corporation shall stand dissolved. The date of the conclusion of the war shall be declared by proclamation of the President. The vessels and other properties of any such corporation shall revert to the board (Shipping Board).'

"Public act 24, to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes, known as the 'espionage act.'

"TITLE I.

"SEC. 3. Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies, and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished by a fine of not more than $10,000 or imprisonment for not more than 20 years, or both.

"TITLE VII.

"SECTION 1. Whenever during the present war the President shall find that the public safety shall so require, and shall make proclamation thereof, it shall be unlawful to export from or ship from or take out of the United States to any country named in such proclamation any article or articles mentioned in such proclamation, except at such time or times, and under such regulations and orders, and subject to such limitations and exceptions as the President shall prescribe, until otherwise ordered by the President or by Congress: *Provided, however*, That no preference shall be given to the ports of one State over those of another.

"The appropriations for the War Trade Board are based upon authority contained in this and the trading-with-the-enemy act.

"Public act 26, to authorize condemnation proceedings for lands for military purposes.

"Hereafter the Secretary of War may cause proceedings to be instituted in the name of the United States, in any court having jurisdiction of such proceedings, for the acquirement by condemnation of any land, temporary use thereof or other interest therein, or right pertaining thereto, needed for certain military purposes * * *.

"(No limitation.)

"Public act 29, authorizes the President to increase temporarily the Signal Corps of the Army and to purchase, manufacture, maintain, repair, and operate airships, and to make appropriations therefor, and for other purposes, for and during the present emergency.

"Public act 40, to provide for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products.

"SEC. 12. That the provisions of this act shall cease to be in effect when the national emergency resulting from the existing state of war shall have passed, the date of which shall be ascertained and proclaimed by the President; but the date when this act shall cease to be in effect shall not be later than the beginning of the next fiscal year after the termination, as ascertained by the President, of the present war.

"Public act 41, to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel.

"SEC. 24. That the provisions of this act shall cease to be in effect when the existing state of war between the United States and Germany shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President * * *.

"Public act 48, to create the Aircraft Board and provide for its maintenance.

"SEC. 3. That said board and tenure of the members thereof shall continue during the pleasure of the President, but not longer than six months after the present war.

"Public act 91, to define, regulate, and punish trading with the enemy, and for other purposes, known as the trading-with-the-enemy act.

"Nearly all activities authorized in this act cease upon the termination of the war, except certain duties of the Alien Property Custodian in handling property in his possession.

"The appropriations for the Alien Property Custodian, the War Trade Board, and for censorship are based wholly or in part upon authority contained in this act."

"Sixty-fifth Congress, second session.

"Public act 102, to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire, and to sell or otherwise dispose of improved or unimproved land, houses, buildings, and for other purposes, and provide housing facilities for its employees.

"(No limitations.)

"Public act 107, to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes.

"SEC. 14. That the Federal control of railroads and transportation systems herein and heretofore provided for shall continue for and during the period of the war and for a reasonable time thereafter, which shall not exceed one year and nine months next following the date of the proclamation by the President of the exchange of ratifications of the treaty of peace: *Provided, however*, That the President may, prior to July 1, 1918, relinquish control of all or any part of any railroad or system of transportation, further Federal control of which the President shall deem not needful or desirable; and the President may at any time during the period of Federal control agree with the owners thereof to relinquish all or any part of any railroad or system of transportation. The President may relinquish all railroads and systems of transportation under Federal control at any time he shall deem such action needful or desirable. No right to compensation shall accrue to such owners from and after the date of relinquishment for the property so relinquished.

"SEC. 16. That this act is expressly declared to be emergency legislation enacted to meet conditions growing out of the war; and nothing herein is to be construed as expressing or prejudicing the future policy of the Federal Government concerning the ownership, control, or regulation of carriers or the method or basis of the capitalization thereof.

"Public act 121, to provide further for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to provide credits for industries and enterprises in the United States necessary or contributory to the prosecution of the war, and to supervise the issuance of securities, and for other purposes, known as the war-finance corporation act.

"TITLE I. WAR FINANCE CORPORATION.

"That the Secretary of the Treasury and four additional persons (who shall be the directors first appointed as hereinafter provided) are hereby created a body corporate and politic in deed and in law by the name, style, and title of the 'War Finance Corporation' (herein called the corporation), and shall have succession for a period of 10 years: *Provided*, That in no event shall the corporation exercise any of the powers conferred by this act, except such as are incidental to the liquidation of its assets and the winding up of its affairs, after six months after the termination of the war, the date of such termination to be fixed by proclamation of the President of the United States.

"TITLE II. CAPITAL ISSUES COMMITTEE.

"SEC. 200. That there is hereby created a committee to be known as the 'Capital Issues Committee,' hereinafter called the committee, and to be composed of seven members to be appointed by the President of the United States, by and with the advice and consent of the Senate. At least three of the members shall be members of the Federal Reserve Board.

"The terms during which the several members of the committee shall respectively hold office shall be determined by the President of the United States.

"SEC. 206. That this title shall continue in effect until, but not after, the expiration of six months after the termination of the war, the date of such termination to be determined by a proclamation of the President of the United States, but the President may at any time by proclamation declare that this title is no longer necessary and thereupon it shall cease to be in effect.

"Public act 149, to authorize the President to provide housing for war needs.

"SEC. 5. That the power and authority granted therein shall cease with the termination of the present war, except the power and authority to care for, sell, or rent such property as remains undisposed of and to conclude and execute contracts for the sale of property made during the war. Such property shall be sold as soon after the conclusion of the war as it can be advantageously done: *Provided*, That before any sale is consummated the same must be authorized by Congress.

"All moneys received by the United States in carrying out the act entitled 'An act to authorize the President to provide housing for war needs,' approved May 16, 1918, may be used as a revolving fund until June 30, 1919, for further carrying out the purposes of the said act. (Additional urgent deficiency act for fiscal year 1918.)

"Public act 152, authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government.

"For the national security and defense, for the successful prosecution of the war, for the support and maintenance of the Army and Navy, for the better utilization of resources and industries, and for the more effective exercise and more efficient administration by the President of his powers as Commander in Chief of the land and naval forces, the President is hereby authorized to make such redistribution of functions among executive agencies as he may deem necessary, including any functions, duties, and powers hitherto by law conferred upon any executive department, commission, bureau, agency, office, or officer, in such manner as in his judgment shall seem best fitted to carry out the purposes of this act, and to this end is authorized to make such regulations and to issue such orders as he may deem necessary, which regulations and orders shall be in writing and shall be filed with the head of the department affected and constitute a public record: *Provided*, That this act shall remain in force during the continuance of the present war and for six months after the termination of the war by the proclama-

tion of the treaty of peace, or at such earlier time as the President may designate: *Provided further*, That the termination of this act shall not affect any act done or any right or obligation accruing or accrued pursuant to this act and during the time that this act is in force: *Provided further*, That the authority by this act granted shall be exercised only in matters relating to the conduct of the present war.

"Public act 181, making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

"NATIONAL DEFENSE.

"For the national security and defense, and for each and every purpose connected therewith, to be expended at the discretion of the President, $50,000,000.

"WAR EMERGENCY SERVICES.

"To enable the Secretary of Labor during the present emergency to furnish such information and to render such assistance in the employment of wage earners throughout the United States as may be deemed necessary in the prosecution of the war and to aid in the standardization of all wages paid by the Government of the United States and its agencies, including personal services in the District of Columbia and elsewhere, per diem in lieu of subsistence at not exceeding $4, traveling expenses, rental of quarters in the District of Columbia and elsewhere, heat and light, telegraph and telephone service, supplies and equipment, and printing and binding, $5,500,000: *Provided*, That no money now or hereafter appropriated for the payment of wages not fixed by statute shall be available to pay wages in excess of the standard determined upon by the War Labor Policies Board.

"To enable the Secretary of Labor during the present emergency to carry on the work of war-labor administration, including mediation and conciliation in labor disputes, the working conditions of wage earners in the most essential war industries, the acquiring and diffusing of information on subjects connected with labor, the employment of women in industry, and the training and dilution of labor, including personal services and rent in the District of Columbia and in the field, per diem in lieu of subsistence not to exceed $4, traveling expenses, law books, books of reference, periodicals, newspapers, supplies and equipment, and contingent and miscellaneous expenses, in amounts not exceeding the following: Commissioners of conciliation, $300,000; working conditions service, $45,000; information and education service, $225,000; woman in industry service, $40,000; investigation and inspection service, $300,000; personnel service, $15,000; training and dilution service, $150,000; Secretary's office, $110,000; printing and binding for all services, $150,000; in all, $1,335,000.

"Public act 193, making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

"CHAPTER XXI.

"Power of the President to increase the drafted Army: That the authority conferred upon the President by the act approved May 18, 1917, entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' is hereby extended so as to authorize him during each fiscal year to raise by draft as provided in said act and acts amendatory thereof the maximum number of men which may be organized, equipped, trained, and used during such year for the prosecution of the present war until the same shall have been brought to a successful conclusion.

"Public act 220, to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply.

"SEC. 10. Upon the proclamation of peace the President shall proceed as rapidly as possible to wind up and terminate all transactions under this act, and to dispose as fast as practicable of all property acquired thereunder, and after said proclamation of peace no contracts shall be made, property acquired, or other transaction performed under this act except such as shall be necessary for the purpose of this section and incidental thereto, and two years after such proclamation of peace this act shall cease to have effect and all powers conferred thereby shall end: *Provided*, That the termination of this act shall not prevent the subsequent collection of any moneys due the United States, nor shall it affect any act done or any right or obligation accrued or accruing, or any suit or proceeding had or commenced before such termination, but all such collections, rights, obligations, suits, and proceedings shall continue as if this act had not terminated, and any offense committed or liability incurred prior thereto shall be prosecuted in the same manner and with the same punishment and effect as if this act had not terminated.

"Public resolution 38, to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

"The President during the continuance of the present war is authorized and empowered, whenever he shall deem it necessary for the national security or defense, to supervise or to take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, which supervision, possession, control, or operation shall not extend beyond the date of the proclamation by the President of the exchange of ratifications of the treaty of peace: *Provided*, That just compensation shall be made for such supervision, possession, control, or operation, to be determined by the President; and if the amount thereof, so determined by the President, is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code: *Provided further*, That nothing in this act shall be construed to amend, repeal, impair, or affect existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transmission of Government communications, or the issue of stocks and bonds by such system or systems."

Mr. MCKELLAR. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gerry	Lodge	Simmons
Ball	Glass	McCormick	Smith, Ga.
Beckham	Gore	McKellar	Smith, Md.
Borah	Gronna	McLean	Smith, S. C.
Brandegee	Hale	McNary	Smoot
Calder	Harris	Moses	Spencer
Capper	Harrison	New	Stanley
Chamberlain	Henderson	Norris	Sterling
Colt	Hitchcock	Nugent	Sutherland
Comer	Johnson, Calif.	Overman	Swanson
Culberson	Johnson, S. Dak.	Owen	Thomas
Cummins	Jones, N. Mex.	Page	Townsend
Curtis	Jones, Wash.	Phelan	Trammell
Dial	Kellogg	Phipps	Underwood
Dillingham	Kendrick	Pittman	Wadsworth
Edge	Kenyon	Pomerene	Walsh, Mass.
Elkins	Keyes	Ransdell	Walsh, Mont.
Fernald	King	Reed	Warren
Fletcher	Kirby	Robinson	Watson
France	Knox	Sheppard	Wolcott
Frelinghuysen	La Follette	Sherman	
Gay	Lenroot	Shields	

The PRESIDENT pro tempore. Eighty-six Senators have answered to their names. There is a quorum present. The question is on agreeing to the resolution of ratification as amended.

Mr. MCKELLAR. I call for the yeas and nays.

Mr. LODGE. The yeas and nays must be called on a two-thirds vote.

The PRESIDENT pro tempore. The yeas and nays will necessarily be called. The Secretary will call the roll.

The Secretary proceeded to call the roll.

The PRESIDENT pro tempore (when Mr. CUMMINS's name was called). I am paired with the Senator from Washington [Mr. POINDEXTER], who is unavoidably absent. If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea."

Mr. GERRY (when his name was called). I am paired with the Senator from Arizona [Mr. SMITH]. If permitted to vote, I would vote "yea." If present, the Senator from Arizona [Mr. SMITH] would vote "nay." That Senator is absent on business of the Senate.

Mr. CURTIS (when Mr. HARDING's name was called). I have been requested to announce that the junior Senator from Ohio [Mr. HARDING], in order to facilitate a vote on this question, agreed to pair with the senior Senator from Pennsylvania [Mr. PENROSE], who is absent on account of illness. If at liberty to vote, the Senator from Ohio [Mr. HARDING] would vote "yea" and the Senator from Pennsylvania [Mr. PENROSE] would vote "nay."

The Senator from Minnesota [Mr. NELSON] joins with the Senator from Ohio [Mr. HARDING] in pairing with the Senator from Pennsylvania [Mr. PENROSE] on this question. Were the Senator from Minnesota [Mr. NELSON] present, he would vote "yea."

Mr. JONES of New Mexico (when his name was called). I received a telegram to-day from the Senator from Arizona [Mr. SMITH], who is absent on business of the Senate, requesting that I join with the Senator from Rhode Island [Mr. GERRY] in forming a pair with him upon this question. As has already been announced, if the Senator from Arizona [Mr. SMITH] were present, he would vote "nay." If not paired and at liberty to vote, I would vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. Through an understanding reached with that Senator before he left the city I am at liberty to vote on this question. I therefore vote. I vote "yea."

Mr. McNARY (when Mr. McCUMBER's name was called). The senior Senator from North Dakota [Mr. McCUMBER] is absent on account of illness in his family. He is paired with the senior Senator from Colorado [Mr. THOMAS]. If present, the Senator from North Dakota would vote "yea."

Mr. CURTIS (when Mr. NEWBERRY's name was called). The Senator from Michigan [Mr. NEWBERRY] and the Senator from North Dakota [Mr. McCUMBER] have paired on this question with the Senator from New Mexico [Mr. FALL]. If the Senator from Michigan [Mr. NEWBERRY] were present, he would vote "yea," the Senator from North Dakota [Mr. McCUMBER] would vote "yea," and the Senator from New Mexico [Mr. FALL] would vote "nay."

Mr. THOMAS (when his name was called). The announcement made by the Senator from Kansas [Mr. CURTIS] regarding my regular pair with the Senator from North Dakota [Mr. McCUMBER] leaves me at liberty to vote. I therefore vote. I vote "nay."

Mr. TOWNSEND (when his name was called). I am paired with the junior Senator from Washington [Mr. POINDEXTER], which pair I made in order to accommodate him. If he were present, the Senator from Washington [Mr. POINDEXTER] would vote "nay." If at liberty to vote, I would vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], but, in addition to the fact that it would require a double pair upon this particular vote, I am informed that that Senator, if present, would vote as I am about to vote. For these two reasons I feel at liberty to vote. I vote "nay."

The roll call having been concluded, it resulted—yeas 49, nays 35, as follows:

YEAS—49.

Ashurst	Gore	Myers	Spencer
Ball	Hale	New	Sterling
Beckham	Henderson	Nugent	Sutherland
Calder	Jones, Wash.	Owen	Trammell
Capper	Kellogg	Page	Wadsworth
Chamberlain	Kendrick	Phelan	Walsh, Mass.
Colt	Kenyon	Phipps	Walsh, Mont.
Curtis	Keyes	Pittman	Warren
Dillingham	King	Pomerene	Watson
Edge	Lenroot	Ransdell	Wolcott
Elkins	Lodge	Smith, Ga.	
Fletcher	McLean	Smith, Md.	
Frelinghuysen	McNary	Smoot	

NAYS—35.

Borah	Gronna	McCormick	Shields
Brandegee	Harris	McKellar	Simmons
Comer	Harrison	Moses	Smith, S. C.
Culberson	Hitchcock	Norris	Stanley
Dial	Johnson, Calif.	Overman	Swanson
Fernald	Johnson, S. Dak.	Reed	Thomas
France	Kirby	Robinson	Underwood
Gay	Knox	Sheppard	Williams
Glass	La Follette	Sherman	

NOT VOTING—12.

Cummins	Harding	Nelson	Poindexter
Fall	Jones, N. Mex.	Newberry	Smith, Ariz.
Gerry	McCumber	Penrose	Townsend

The PRESIDENT pro tempore. Upon agreeing to the resolution of ratification the yeas are 49 and the nays are 35. Not having received the affirmative votes of two-thirds of the Senators present and voting, the resolution is not agreed to, and the Senate does not advise and consent to the ratification of the treaty of peace with Germany.

The resolution of ratification voted upon and rejected is as follows:

Resolution of ratification.

Resolved (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of the treaty of peace with Germany concluded at Versailles on the 28th day of June, 1919, subject to the following reservations and understandings, which are hereby made a part and condition of this resolution of ratification, which ratification is not to take effect or bind the United States until the said reservations and understandings adopted by the Senate have been accepted as a part and a condition of this resolution of ratification by the allied and associated powers and a failure on the part of the allied and associated powers to make objection to said reservations and understandings prior to the deposit of ratification by the United States shall be taken as a full and final acceptance of such reservations and understandings by said powers:

1. The United States so understands and construes article 1 that in case of notice of withdrawal from the League of Nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled, and notice of withdrawal by the United States may be given by a concurrent resolution of the Congress of the United States.

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country by the employment of its military or naval forces, its resources, or any form of economic discrimination, or to interfere in any way in controversies between nations, including all controversies relating to territorial integrity or political independence, whether members of the league or not, under the provisions of article 10, or to employ the military or naval forces of the United States, under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall, in the exercise of full liberty of action, by act or joint resolution so provide.

3. No mandate shall be accepted by the United States under article 22, part 1, or any other provision of the treaty of peace with Germany, except by action of the Congress of the United States.

4. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating wholly or in part to its internal affairs, including immigration, labor, coastwise traffic, the tariff, commerce, the suppression of traffic in women and children and in opium and other dangerous drugs, and all other domestic questions, are solely within the jurisdiction of the United States and are not under this treaty to be submitted in any way either to arbitration or to the consideration of the council or of the assembly of the League of Nations, or any agency thereof, or to the decision or recommendation of any other power.

5. The United States will not submit to arbitration or to inquiry by the assembly or by the council of the League of Nations, provided for in said treaty of peace, any questions which in the judgment of the United States depend upon or relate to its long-established policy, commonly known as the Monroe doctrine; said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said League of Nations and entirely unaffected by any provision contained in the said treaty of peace with Germany.

6. The United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy which may arise under said articles.

7. No person is or shall be authorized to represent the United States, nor shall any citizen of the United States be eligible, as a member of any body or agency established or authorized by said treaty of peace with Germany, except pursuant to an act of the Congress of the United States providing for his appointment and defining his powers and duties.

8. The United States understands that the reparation commission will regulate or interfere with exports from the United States to Germany, or from Germany to the United States, only when the United States by act or joint resolution of Congress approves such regulation or interference.

9. The United States shall not be obligated to contribute to any expenses of the League of Nations, or of the secretariat, or of any commission, or committee, or conference, or other agency, organized under the League of Nations or under the treaty or for the purpose of carrying out the treaty provisions, unless and until an appropriation of funds available for such expenses shall have been made by the Congress of the United States: *Provided*, That the foregoing limitation shall not apply to the United States proportionate share of the expense of the office force and salary of the secretary general.

10. No plan for the limitation of armaments proposed by the council of the League of Nations under the provisions of article 8 shall be held as binding the United States until the same shall have been accepted by Congress, and the United States reserves the right to increase its armament without the consent of the council whenever the United States is threatened with invasion or engaged in war.

11. The United States reserves the right to permit, in its discretion, the nationals of a covenant-breaking State, as defined in article 16 of the covenant of the League of Nations, residing within the United States or in countries other than such covenant-breaking State, to continue their commercial, financial, and personal relations with the nationals of the United States.

12. Nothing in articles 296, 297, or in any of the annexes thereto or in any other article, section, or annex of the treaty of peace with Germany shall, as against citizens of the United States, be taken to mean any confirmation, ratification, or approval of any act otherwise illegal or in contravention of the rights of citizens of the United States.

13. The United States withholds its assent to Part XIII (articles 387 to 427, inclusive) unless Congress by act or joint resolution shall hereafter make provision for representation in the organization established by said Part XIII, and in such event the participation of the United States will be governed and conditioned by the provisions of such act or joint resolution.

14. Until Part I, being the covenant of the League of Nations, shall be so amended as to provide that the United States shall be entitled to cast a number of votes equal to that which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate shall be entitled to cast, the United States assumes no obligation to be bound, except in cases where Congress has previously given its consent, by any election, decision, report, or finding of the council or assembly in which any member of the league and its self-governing dominions, colonies, or parts of empire, in the aggregate have cast more than one vote.

The United States assumes no obligation to be bound by any decision, report, or finding of the council or assembly arising out of any dispute between the United States and any member of the league if such member, or any self-governing dominion, colony, empire, or part of empire united with it politically has voted.

15. In consenting to the ratification of the treaty with Germany the United States adheres to the principle of self-determination and to the resolution of sympathy with the aspirations of the Irish people for a government of their own choice adopted by the Senate June 6, 1919, and declares that when such government is attained by Ireland, a consummation it is hoped is at hand, it should promptly be admitted as a member of the League of Nations.

Mr. LODGE. Mr. President, I send to the desk a resolution, which I ask may be read.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, as follows:

Resolved, That the Secretary of the Senate be instructed to return to the President the treaty of peace with Germany, signed at Versailles on the 28th day of June, 1919, and respectfully inform the President that the Senate has failed to ratify said treaty, being unable to obtain the constitutional majority therefor.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HITCHCOCK. Mr. President, I desire to inquire whether this is a debatable matter?

The PRESIDENT pro tempore. The Chair is of the opinion that the question is debatable.

Mr. HITCHCOCK. I hope the consideration of the resolution may be deferred for a little more mature consideration. So long as the treaty remains in the Senate there is a possibility of action upon it. When we send it to the White House that possibility is probably at an end. Under those circumstances why not take a day or two in which to consider the matter? Why so precipitately act upon it at this time?

It seems to me that the sincere friends of ratification of a real treaty, those who sincerely desire to make the last effort to bring together the presidential mind and the mind of the Senate, ought to be willing to defer action upon the matter at this time.

Mr. LODGE. Mr. President, I have offered this resolution, which has been the customary resolution in most cases where a treaty has been rejected by the Senate, because it seemed to me that after a year devoted to the discussion of the treaty and after the Senate had twice refused by more than a one-third vote to advise and consent to its ratification, the time had come to end it. The hope that we can again take the treaty up and discuss it in the present Senate is a vain one, and we have no right to bring it again before the Senate and interfere with all the public business of the country for another two months. Personally I have gone as far as I think I am justified in going in the effort to get the treaty ratified. I think, in justice to the country and the business of the country and our public duty, we should officially inform the President of the action of the Senate.

In the first instance I did not present the resolution but withheld it, but I think to keep it here a day or two longer, drag it on and precipitate further debate, would be simply a failure to perform our duty.

Mr. HITCHCOCK. Mr. President, it is possible that the motion as made by the Senator from Massachusetts may be adopted with practical unanimity. What I am asking now is that it may be deferred until to-morrow. It is not important to take the action to-night.

SEVERAL SENATORS. Vote!

Mr. WILLIAMS. Mr. President, the President of the United States, having performed his constitutional duty, having negotiated the treaty and having sent it to the Senate, and the Senate having performed its constitutional duty, having considered the treaty and having rejected it, ordinary courtesy and comity between one branch of the Government and another demand upon this occasion, as was demanded upon the former occasion when the treaty was rejected, but when we did not pursue the ordinary course of courtesy and comity, that the President should be advised of the result of the action of this body, being the other body designated by the Constitution to deal with treaty matters. I therefore hope that the motion of the Senator from Massachusetts will carry. I do not see how else we can be courteous to a coordinate branch of the Government charged with an equal duty.

Mr. LODGE. Mr. President, I wish to modify the resolution so that it shall read "has failed to advise and consent to the ratification of the treaty" instead of saying "has failed to ratify."

The PRESIDENT pro tempore. The resolution will be modified accordingly.

Mr. HITCHCOCK. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Nebraska will state it.

Mr. HITCHCOCK. The rules of the Senate provide that a Senate resolution shall lie over one day on objection. Does that apply to this resolution?

The PRESIDENT pro tempore. The Chair is of the opinion——

Mr. LODGE. Mr. President, if I may be permitted to interrupt, I have looked at all the cases of the ratification of treaties and in every instance where such a resolution was passed—and I think they have been passed in all but one or two cases—it was passed immediately after the vote and as a part of the proceedings.

Mr. HITCHCOCK. Mr. President, I dare say that might be done unanimously, but in case of an objection it seems to me that Rule XIV of the Senate applies.

The PRESIDENT pro tempore. The Chair is of the opinion, unless otherwise informed by some precedent, that the resolution offered by the Senator from Massachusetts is so connected with the German treaty and its disposition by the Senate that it is in order at this time.

Mr. LODGE. It is part of the res gestae.

Mr. HITCHCOCK. I ask that the resolution may be stated.

The PRESIDENT pro tempore. The Secretary will again state the resolution.

The Assistant Secretary read as follows:

Resolved, That the Secretary of the Senate be instructed to return to the President the treaty of peace with Germany signed at Versailles on the 28th day of June, 1919, and respectfully inform the President that the Senate has failed to advise and consent to the ratification of the said treaty, being unable to obtain the constitutional majority therefor.

Mr. HITCHCOCK. Mr. President, I cite the Chair to the last paragraph of Rule XIV, which reads as follows:

All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

I object to the consideration of this resolution.

The PRESIDENT pro tempore. The Chair is of the opinion that the resolution is in order.

Mr. LODGE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LENROOT. Mr. President, I wish to say just one word.

I shall support this motion, because it is very evident that this treaty can not be ratified with these reservations until such time as the President of the United States gives his consent to Senators upon the other side that they may vote so to ratify. That being true, and the President having the authority to resubmit the treaty at any time, it had better be sent there, and when the President is willing to have his followers vote to ratify it he can resubmit it to the Senate.

The PRESIDENT pro tempore. The question is on the resolution of the Senator from Massachusetts. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. As he is absent, I withhold my vote.

Mr. WILLIAMS (when his name was called). I understand that my pair, the senior Senator from Pennsylvania [Mr. PENROSE], if present would vote "yea" on this question. Conceiving myself under the circumstances to be at liberty to vote, I vote "yea."

The roll call was concluded.

Mr. OVERMAN. I have been requested to announce that the Senator from Colorado [Mr. THOMAS] is unavoidably absent, and is paired with the Senator from North Dakota [Mr. MCCUMBER].

Mr. GLASS (after having voted in the negative). I rise to inquire if the Senator from Illinois [Mr. SHERMAN] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. GLASS. I have a general pair with the Senator from Illinois, and therefore withdraw my vote.

The result was announced—yeas 47, nays 37, as follows:

YEAS—47.

Ball	France	La Follette	Shields
Borah	Frelinghuysen	Lenroot	Smoot
Brandegee	Gore	Lodge	Spencer
Calder	Gronna	McCormick	Sterling
Capper	Hale	McLean	Sutherland
Colt	Johnson, Calif.	McNary	Townsend
Cummins	Jones, Wash.	Moses	Wadsworth
Curtis	Kellogg	New	Walsh, Mass.
Dillingham	Kenyon	Norris	Warren
Edge	Keyes	Page	Watson
Elkins	Kirby	Phipps	Williams
Fernald	Knox	Reed	

NAYS—37.

Ashurst	Harrison	Overman	Smith, Md.
Beckham	Henderson	Owen	Smith, S. C.
Chamberlain	Hitchcock	Phelan	Stanley
Comer	Johnson, S. Dak.	Pittman	Swanson
Culberson	Jones, N. Mex.	Pomerene	Trammell
Dial	Kendrick	Ransdell	Walsh, Mont.
Fletcher	King	Robinson	Wolcott
Gay	McKellar	Sheppard	
Gerry	Myers	Simmons	
Harris	Nugent	Smith, Ga.	

NOT VOTING—12.

Fall	McCumber	Penrose	Smith, Ariz.
Glass	Nelson	Poindexter	Thomas
Harding	Newberry	Sherman	Underwood

So Mr. LODGE'S resolution was agreed to.

Mr. ROBINSON. Mr. President, I move to reconsider the vote by which the Senate refused to agree to the resolution

advising and consenting to the ratification of the treaty of peace with Germany.

Mr. WATSON. I move to lay that motion on the table.

Mr. ASHURST. Mr. President, will the Senator from Indiana withhold his motion until I can speak, say, two minutes?

The PRESIDENT pro tempore. The motion is not debatable.

Mr. ROBINSON. I call for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Arizona [Mr. SMITH] and vote "nay."

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. He is absent and I withhold my vote.

The roll call was concluded.

Mr. GLASS (after having voted in the negative). I have a general pair with the Senator from Illinois [Mr. SHERMAN], and I note that he did not vote. I therefore withdraw my vote.

Mr. FLETCHER (after having voted in the negative). I have a general pair with the Senator from Delaware [Mr. BALL], who is not present. I transfer my pair to the senior Senator from Texas [Mr. CULBERSON] and allow my vote to stand.

Mr. MYERS (after having voted in the negative). I inquire if the Senator from Connecticut [Mr. MCLEAN] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], and I am not able to obtain a transfer. Therefore I withdraw my vote.

The result was announced—yeas 34, nays 43, as follows:

YEAS—34.

Borah	France	McCormick	Spencer
Brandegee	Frelinghuysen	Moses	Sterling
Calder	Gronna	New	Sutherland
Capper	Johnson, Calif.	Norris	Wadsworth
Cummins	Jones, Wash.	Page	Walsh, Mass.
Curtis	Kenyon	Phipps	Warren
Dillingham	Knox	Reed	Watson
Elkins	La Follette	Shields	
Fernald	Lodge	Smoot	

NAYS—43.

Ashurst	Harris	Lenroot	Sheppard
Beckham	Harrison	McKellar	Simmons
Chamberlain	Henderson	McNary	Smith, Ga.
Colt	Hitchcock	Nugent	Smith, Md.
Comer	Johnson, S. Dak.	Overman	Smith, S. C.
Dial	Jones, N. Mex.	Owen	Stanley
Edge	Kellogg	Phelan	Swanson
Fletcher	Kendrick	Pittman	Trammell
Gay	Keyes	Pomerene	Walsh, Mont.
Gerry	King	Ransdell	Wolcott
Hale	Kirby	Robinson	

NOT VOTING—19.

Ball	Harding	Newberry	Thomas
Culberson	McCumber	Penrose	Townsend
Fall	McLean	Poindexter	Underwood
Glass	Myers	Sherman	Williams
Gore	Nelson	Smith, Ariz.	

So the Senate refused to lay on the table Mr. ROBINSON's motion to reconsider.

Mr. ROBINSON. I move that the Senate adjourn.

Mr. BRANDEGEE. On that I demand the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. BALL], which I transfer to the Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. GERRY (when Mr. UNDERWOOD's name was called). The Senator from Alabama [Mr. UNDERWOOD] is necessarily absent from the Senate. He is paired with the Senator from Ohio [Mr. HARDING].

The roll call was concluded.

Mr. GLASS. I desire to inquire whether the Senator from Illinois [Mr. SHERMAN] has voted?

The PRESIDENT pro tempore. He has not voted.

Mr. GLASS. I withhold my vote, being paired with that Senator.

Mr. OVERMAN. I again announce that the Senator from Colorado [Mr. THOMAS] is paired with the Senator from North Dakota [Mr. MCCUMBER].

The result was announced—yeas 35, nays 42, as follows:

YEAS—35.

Ashurst	Harrison	Nugent	Smith, Ga.
Beckham	Henderson	Overman	Smith, Md.
Chamberlain	Hitchcock	Owen	Smith, S. C.
Comer	Johnson, S. Dak.	Phelan	Stanley
Dial	Jones, N. Mex.	Pittman	Swanson
Fletcher	Kendrick	Pomerene	Trammell
Gay	King	Robinson	Walsh, Mont.
Gerry	Kirby	Sheppard	Wolcott
Harris	McKellar	Simmons	

NAYS—42.

Borah	France	La Follette	Shields
Brandegee	Frelinghuysen	Lenroot	Smoot
Calder	Gore	Lodge	Spencer
Capper	Gronna	McCormick	Sterling
Colt	Hale	McNary	Sutherland
Cummins	Johnson, Calif.	Moses	Wadsworth
Curtis	Jones, Wash.	New	Walsh, Mass
Dillingham	Kellogg	Norris	Warren
Edge	Kenyon	Page	Watson
Elkins	Keyes	Phipps	
Fernald	Knox	Reed	

NOT VOTING—19.

Ball	McCumber	Penrose	Thomas
Culberson	McLean	Poindexter	Townsend
Fall	Myers	Ransdell	Underwood
Glass	Nelson	Sherman	Williams
Harding	Newberry	Smith, Ariz.	

So the Senate refused to adjourn.

Mr. BRANDEGEE. Mr. President, I rise to a question of order. I make a point of order on the motion of the Senator from Arkansas [Mr. ROBINSON] that the Senate having returned the treaty to the President, a motion to reconsider the action by which it was rejected is not in order, under the precedents of the Senate.

Mr. ROBINSON. Mr. President, plainly, under the law of the Senate and parliamentary usage, the motion to reconsider which I made, namely, a motion to reconsider the vote by which the Senate refused to agree to the resolution of ratification, is in order, and was in order at the time it was made. Under the precedents, the effect of this motion will be to abate action on the resolution that has been agreed to, directing the Secretary of the Senate to notify the President that the resolution of ratification was rejected, until after the motion to reconsider has been disposed of. I have not the precedents at hand, but I recall from memory that that has been the practice of the Senate. A motion to reconsider within the time fixed by the rules of the Senate can not be precluded by the resolution adopted at the instance of the Senator from Massachusetts [Mr. LODGE] so long as the treaty itself is actually in the custody of the Senate, which is the fact in this case.

Two days are given by the rule in which to make a motion to reconsider, and while the treaty is yet in the actual possession of the Senate it is not necessary to request the President to return the treaty. A motion to reconsider is plainly in order.

Mr. WALSH of Montana. Mr. President, I should like to present for the consideration of the Chair the second subdivision or clause of Rule XIII dealing with the subject of reconsideration. Of course, the final vote having been taken in the Senate upon a bill, it goes out of the possession of the Senate automatically and goes to the House; but that does not by any means prevent a motion to reconsider. That is taken care of by subdivision 2 of Rule XIII, namely:

> When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same, which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

So by a like course of reasoning, even if the resolution had been acted upon and the treaty had actually gone out of the possession of the Senate, a motion to reconsider could still be made, and by parity of reasoning it might be accompanied by a motion to return the treaty to the Senate. Obviously, the fact that the papers have gone out of the possession of the Senate does not cut off the right to reconsider within the two days' limit fixed by the rule, nor can the right to reconsider thus accorded by the rule be cut off by a resolution which passes the papers beyond the control of the Senate.

Mr. BRANDEGEE. Mr. President, it seems to me that the present situation is not at all analogous to that which arises when action is had upon a bill. The bill is still here, and a motion to consider, then, under the rule can be made within two days. In the present situation we have acted upon a treaty, and having rejected the treaty the Senate has voted to notify the President that the treaty has been rejected, and the matter is no longer before the Senate. The President is notified, as the Senator from Mississippi [Mr. WILLIAMS] has stated, that the Senate has performed its constitutional duty in the premises.

The treaty is constructively out of the possession of the Senate, of course. To move to reconsider something that is not here at all, and even the resolution to agree to which has been defeated, when the Senate has notified the President of that fact, in my opinion is clearly out of order, and I make the point of order against it.

Mr. WILLIAMS. Mr. President, the Senator has quoted me, which permits me, I suppose, to interrupt him. I am of the opinion that when the President has performed his constitu-

tional function and the Senate has performed its constitutional function, that ends the thing, and the treaty must go back to the President as a matter of comity and ordinary politeness; but when the matter is still subject to a motion to reconsider, if it is subject to that motion—I have not yet heard the ruling of the Chair—then, of course, the Senate has not fully performed its constitutional function until the motion to reconsider has been voted upon.

Mr. BRANDEGEE. The Senator has stated right over again what I thought I had stated. Of course, it is subject to reconsideration if it is subject to reconsideration. The question is, Is it? I claim that it is not, because it is not here. The Senate has performed its constitutional duty in the premises and has rejected the treaty, and has so notified the President. It has done all that it can. Under those circumstances the rule which would be applicable to an ordinary bill within two days after it was acted upon does not apply, in my opinion.

Mr. WILLIAMS. The Senator says the treaty is not here. The mere fact that the Senate has passed a resolution to send the treaty back to the President has not deprived the Senate of the possession of the treaty, because the possession by the Senate of the treaty depends upon the motion to reconsider. As an absolute bodily fact, the Senate is still in the possession of the treaty until the motion to reconsider has been disposed of.

I do not see any particular sense or use in much of this, but we must pursue the ordinary course of conduct as a parliamentary body. Every parliamentary body has a right to reconsider a resolution which it has previously made, and the motion to reconsider has of a right itself to be considered and to be decided upon by the Senate. Until the Senate does decide not to reconsider and until the treaty has been bodily conveyed to the White House, it is still here, subject to the action of the Senate. Although I will have no vote upon the proposition, because I am paired with the senior Senator from Pennsylvania [Mr. PENROSE], and while this, I imagine, is perhaps not a part of the resolution of ratification, it seems to me that ordinary fairness and ordinary courtesy suggest that the Senate shall vote upon the motion to reconsider before it deprives itself of the possession of the document.

Mr. ROBINSON. Mr. President, further with respect to the point of order, I point out that the right to move a reconsideration is not confined to the ordinary legislative work of the Senate, but embraces any question decided by the Senate. The language of the rule governing the subject is as broad as it can well be. The language is as follows:

> When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration.

It is undoubtedly true that this language embraces a vote on a resolution of ratification. The phrase, "when a question has been decided by the Senate," involves every subject matter upon which the Senate may pass by a vote of its Members. There is no exception stated and no exception is implied.

Clearly, then, the motion to reconsider the vote by which the resolution advising and consenting to the ratification of the treaty of peace with Germany was not agreed to is in order at any time within two days of actual session after the vote was taken.

Mr. CURTIS. May I interrupt the Senator?

Mr. ROBINSON. I yield to the Senator from Kansas.

Mr. CURTIS. I might state that that question was raised in reference to confirmation when by vote of the Senate it was decided that if the papers were out of the hands of the Senate the motion was out of order, even though made within two days. It seems to me the real question in this case is whether or not the motion to notify the President took the papers out of the hands of the Senate.

Mr. ROBINSON. Now, the Senator by his statement has anticipated the exact point that I was coming to. The second clause of the rule is:

> When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same.

While that rule does not apply expressly to treaties and to such a resolution as the Senate adopted upon the motion of the Senator from Massachusetts [Mr. LODGE], by clear implication, since the motion to reconsider applies to the vote on the resolution of ratification and may be made at any time within two days, it should be accompanied with a request to the President to return the papers if the papers have actually gone out of the Senate. But that is not the case here. While the resolution instructing the Secretary of the Senate to return the papers to the President has passed the Senate, the papers are still within the actual possession of the Senate and it is not necessary to accompany my motion for reconsideration with the request that the papers shall be returned by the President.

I will state that if the Chair should take the view of the matter that notwithstanding the fact that the treaty is lying there on the desk and is still in the actual possession of the Senate, it is constructively at the White House, I will accompany my motion for a reconsideration with a request that the President return it to the Senate, where it is now in fact.

The PRESIDENT pro tempore. Does the Senator make that motion?

Mr. ROBINSON. No; I do not care to make that motion unless the Chair holds that the motion which I have already made is not in order, in which case I will ask the privilege to present the other motion. I think the motion I have made is clearly in order for the reasons already stated.

The PRESIDENT pro tempore. The Chair recognizes that the question is one upon which there may be fair differences of opinion, and any ruling that he makes he will assume that it is simply a prelude to the determination of the matter in another way.

If the relation between the President of the United States and the Senate were the same as the relation between the Senate and the House of Representatives, so that the rule cited by the Senator from Arkansas [Mr. ROBINSON] applies to the case in hand, the Chair would have no doubt whatever. But the Chair feels that the relation between the Senate and the President is not the same as the relation between the House and the Senate.

If the German treaty had passed physically out of the possession of the Senate and was in the hands of the President, under the resolution which has been adopted by the Senate, the Chair would feel no doubt whatever that it would be beyond the power of the Senate to recall the German treaty from the President. It would be entirely within the discretion of the President as to whether he would put the Senate again in possession of the treaty.

The Chair is therefore inclined to believe that the rule which has been cited by the Senator from Arkansas does not apply, and while the Chair renders the decision with some doubt in his own mind, the Chair is inclined to hold that the motion is not in order and therefore sustains the point of order made by the Senator from Connecticut [Mr. BRANDEGEE].

Mr. LODGE. Mr. President, I think all this controversy has arisen from the desire of some Senators to have a second vote on the question of ratifying the treaty. If that is what is desired by any Senators here, I shall make no objection to a motion to reconsider, if it can be understood that we may take the vote without debate. I should like, if possible, to finish this business to-night. There are many Senators to whom it is the utmost inconvenience to remain here and who have remained at great personal inconvenience. There has been a decisive vote on the main question; but I am perfectly willing to have it repeated; and I ask unanimous consent that the vote be reconsidered and that another vote be taken without further debate upon the ratification of the treaty.

Mr. BRANDEGEE. It seems to be necessary to take several votes on this matter every time it comes up. I have no objection whatever, if Senators who have gone home, thinking that having rejected the treaty again it was really rejected, may be covered, but my colleague [Mr. MCLEAN] has gone home, and, although he did not vote on the same side of the question that I did, I think he ought to be entitled to his pair, as should any other Senators who have left the Chamber. If the pair clerks say that all Senators who were here and voted who do not respond upon the roll call will be covered, I have no objection whatever to taking the vote over again.

Mr. HITCHCOCK. Mr. President, I do not see that there is anything to be gained by voting again immediately on what we have just voted on. My idea was that by having a motion to reconsider pending we might have a day or two to cool off in, and there might possibly be some adjustment.

Mr. MCCORMICK. Senators on the other side must be getting pretty cool.

Mr. LODGE. I think after a year of debate we might at least ask for an end of the controversy. I think the country is entitled to it; I think the Senate is entitled to it; and I think the President is entitled to it. To keep the treaty here to fool with it for a day or two more would seem to me to be futile.

Mr. BORAH. Mr. President, of course I have no objection to voting just as long as the Secretary can call the roll; but I want to know before this proposal goes any further whether or not Senators are here. Senators have gotten up and left the Chamber; two of them, I understand, have left the city; and I, of course, do not propose to have a vote under those circum-

stances, if I have to stay here on the floor all night. I suggest the absence of a quorum.

Mr. HITCHCOCK. I do not think the Senator need do that.

The PRESIDENT pro tempore. The Secretary will call the roll.

Mr. BORAH. I withdraw my suggestion for just a moment.

The PRESIDENT pro tempore. The Senator from Idaho withdraws his suggestion of the absence of a quorum.

Mr. HITCHCOCK. I suggest that the Senator from Idaho withdraw that time-killing motion, as I understand the Chair has ruled out of order the motion to reconsider.

Mr. LODGE. Yes.

Mr. HITCHCOCK. That settles that.

The PRESIDENT pro tempore. The Chair sustained the point of order made by the Senator from Connecticut [Mr. BRANDEGEE].

Mr. HITCHCOCK. Then there is nothing before the Senate.

Mr. NORRIS. There is a request for unanimous consent before the Senate.

Mr. FLETCHER. Mr. President——

The PRESIDENT pro tempore. The Senator from Florida.

Mr. FLETCHER. I was wondering if we could not by unanimous consent arrive at a situation like this: That the motion to reconsider be allowed to be pending and that we agree to take a vote on the motion to reconsider to-morrow at 12 o'clock without debate?

Mr. McCORMICK. No, sir.

Mr. LODGE. I made an offer; I want the matter settled and settled to-night. I should like to have a vote. If Senators want to discuss it during the night, all right, but I think some of us are entitled to ask for a decision.

Mr. BORAH. I am perfectly willing to have a decision, but I am not willing to have it in the absence of Senators who have gone away on the supposition that there had been a decision reached.

Mr. LODGE. I agree to that.

Mr. NORRIS. Mr. President, pending the request of the Senator from Massachusetts for unanimous consent, I suggest the absence of a quorum, in order to ascertain whether Senators are present.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Glass	La Follette	Shields
Beckham	Gore	Lenroot	Simmons
Borah	Gronna	Lodge	Smith, Ga.
Brandegee	Hale	McCormick	Smith, Md.
Calder	Harris	McKellar	Smith, S. C.
Capper	Harrison	McNary	Smoot
Chamberlain	Henderson	Moses	Spencer
Colt	Hitchcock	Myers	Stanley
Comer	Johnson, Calif.	New	Sterling
Cummins	Johnson, S. Dak.	Norris	Sutherland
Curtis	Jones, N. Mex.	Nugent	Swanson
Dial	Jones, Wash.	Page	Trammell
Dillingham	Kellogg	Phelan	Wadsworth
Elkins	Kendrick	Phipps	Walsh, Mass.
Fernald	Kenyon	Pittman	Walsh, Mont.
Fletcher	Keyes	Pomerene	Watson
France	King	Reed	Williams
Gay	Kirby	Robinson	Wolcott
Gerry	Knox	Sheppard	

The PRESIDENT pro tempore. Seventy-four Senators have answered to their names. There is a quorum present.

Mr. LODGE and Mr. ROBINSON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Arkansas.

Mr. ROBINSON. I move that the President of the United States be requested to return to the Senate the treaty of peace with Germany and that the Senate reconsider the vote by which it refused to advise and consent to the ratification of said treaty.

Mr. President, I announced when the motion to reconsider was under debate that if it were held that notwithstanding the fact that the treaty is actually in the Senate, it has constructively passed out of the possession of the Senate, I would accompany the motion to reconsider with a request that the President return the papers. While I have not the precedents before me, I am so morally certain that there is no precedent to the contrary that I assert that if the papers are in the actual possession of the Senate it is not necessary to accompany the motion to reconsider with a request for their return; but since it has been held that the papers, while actually in the possession of the Senate, are at the White House, I modify my motion, and request that the President be requested to return the treaty.

There are in the precedents many cases where this course has been pursued. There is not a single case where the Senate or any presiding officer of the Senate has held that a motion to reconsider it not in order, or, if the papers have actually gone to the White House, that a motion to reconsider accompanied by a request for their return is not in order.

I know that the present occupant of the Chair does not desire to disregard the rules of the Senate; I know that he does not intend to ignore the precedents of the Senate——

Mr. LODGE. I rise to a point of order.

The PRESIDENT pro tempore. The Senator from Massachusetts will state his point of order.

Mr. LODGE. If we are to observe the precedents of the Senate, I suggest that the motion of the Senator from Arkansas to reconsider the vote by which the Secretary was directed to send the papers to the President is not in order, because the Senator from Arkansas did not vote on the prevailing side.

Mr. ROBINSON. I have made no such motion as that to which the Senator refers.

Mr. LODGE. Then I misunderstood the Senator.

Mr. ROBINSON. I have again moved to reconsider the vote by which the Senate refused to agree to the resolution advising and consenting to the ratification of the treaty of peace with Germany, and I have accompanied the motion for such reconsideration——

Mr. LODGE. Precisely——

Mr. ROBINSON. With a request that the President return to the Senate the treaty of peace. I have not made a motion to reconsider the vote by which the resolution offered by the Senator from Massachusetts was agreed to.

Mr. CURTIS. I make a point of order against the motion as presented by the Senator from Arkansas. A similar question arose in the case of the nomination of the Comptroller of the Currency. The Senate on the 12th day of April rejected the nomination and so notified the President. On the 14th day of April in the Senate it was moved to reconsider, but the Senate, by a unanimous vote, sustained the point of order that after the President had been notified the motion to reconsider came too late. As the Chair has well said, this is not a case like that of a bill passing this body and going to the House of Representatives.

Mr. ROBINSON. Mr. President, will the Senator yield to me for a moment?

Mr. CURTIS. Certainly.

Mr. ROBINSON. I withdraw the motion to reconsider.

Mr. LODGE. Mr. President, I understand that the motion to reconsider is withdrawn. I ask unanimous consent to take another vote, if it is so desired, on the ratification resolution of the treaty, provided that all votes are covered, of course.

The PRESIDENT pro tempore. Is there objection?

Mr. CURTIS. Mr. President, on the question of pairs, the Senator from Illinois [Mr. SHERMAN] is absent, so I am advised; the Senator from Delaware [Mr. BALL] is absent; and the Senator from Connecticut [Mr. McLEAN].

Mr. LODGE. The Senator from Delaware is on the train on his way to Wilmington.

Mr. CURTIS. So with those absentees there would be two for the measure and one against it, and that could be taken care of. The Senator from Colorado [Mr. THOMAS] is absent, as I understand. The President pro tempore, if he desires, could transfer his pair, and that would take care of the Senator from Colorado. I do not know whether there are any other absentees or not. Those are all that I have notice of.

Mr. HITCHCOCK. Mr. President, under the circumstances I think I shall object to unanimous consent to taking any vote to-night. If it can not be allowed to be pending, I shall object to voting to-night.

Mr. LODGE. Mr. President, I understand that the motion to reconsider was withdrawn.

The PRESIDENT pro tempore. The Chair so understands.

Mr. LODGE. Then I move that the Senate, as in legislative session——

Mr. KNOX. Mr. President——

Mr. LODGE. I yield to the Senator from Pennsylvania.

WAR WITH GERMANY.

Mr. KNOX. I move that the Senate proceed to the consideration of Senate joint resolution 139, repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany.

Mr. ROBINSON. Mr. President, I move that the Senate adjourn.

Mr. LODGE. Mr. President, I trust that while a request is being made, and I held the floor at the time and yielded to the Senator from Pennsylvania, the floor will not be taken away from me while I am holding it. It has been refused to me. I should like to hold it while I have it.

The PRESIDENT pro tempore. The Senator from Massachusetts has the floor.

Mr. LODGE. I have the floor. The Senator from Pennsylvania——

Mr. ROBINSON. Mr. President, a point of order. The Senator from Massachusetts yielded the floor to the Senator from Pennsylvania, who made a motion.

Mr. LODGE. I did not. I yielded to the Senator simply to make a motion, which is constantly done. I did not yield the floor.

Mr. ROBINSON. The Senator knows well that he can not take recognition and parcel it out to other Senators.

Mr. LODGE. I am perfectly aware of that, and I am not parceling it out; but I know I can yield the floor long enough to allow a Senator to make a motion or introduce a bill and not lose possession of it.

The PRESIDENT pro tempore. The Senator from Massachusetts has the floor. He has yielded to the Senator from Pennsylvania for the purpose of making a motion, which is that the Senate proceed to the consideration of Senate joint resolution 139.

Mr. LENROOT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Wisconsin will state it.

Mr. LENROOT. That motion is debatable, I take it?

The PRESIDENT pro tempore. The motion is debatable.

Mr. LENROOT. Mr. President, I wish to say with reference to this motion that I think the Senate should proceed in the very near future to take up the subject which is covered by the Senator's joint resolution. I do not think the Senate ought to vote to take it up to-night, however, and therefore I shall vote against it.

Mr. SWANSON. Mr. President, did I understand the Chair to rule that the Senator from Massachusetts still has the floor, while the Senate is voting on this motion?

Mr. LODGE. I ask to be recognized now.

Mr. ROBINSON. Mr. President——

Mr. SWANSON. We are about to take a vote. Do I understand that the Senator from Massachusetts holds the floor while the Senate is taking a vote?

Mr. LODGE. I am asking to be recognized. I believe I have a right to do that.

The PRESIDENT pro tempore. The Senator from Massachusetts asks for present recognition, and the Chair recognizes him. The Senator from Massachusetts.

ADJOURNMENT TO MONDAY.

Mr. LODGE. I move that the Senate adjourn until Monday next at 12 o'clock.

The motion was agreed to, and (at 7 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, March 22, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 19, 1920.*

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore (Mr. WALSH).

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father of our fondest hopes, our purest aspirations, our highest ideals, be with us yet to guide us as individuals and as a people to higher attainments. Theories are fine, but practice is finer. The goal of the Christian religion is brotherly love. Give us the courage, fortitude, and grace to put it into practice in our daily intercourse with our fellow men until we all come unto the measure of the stature of the fullness of Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

CLERKS TO COMMITTEES.

Mr. IRELAND. Mr. Speaker, by direction of the Committee on Accounts, I present a privileged resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 413.

Resolved, That the Committee on Expenditures in the Department of Commerce be, and is hereby, allowed a clerk at a salary at the rate of $1,500 per annum, from December 1, 1919, to be paid out of the contingent fund of the House until otherwise authorized by law.

With the following committee amendment:

Strike out all after the word "*Resolved*" and insert the following:

"That there shall be paid out of the contingent fund of the House of Representatives compensation at the rate of $150 per month during the second session of the Sixty-sixth Congress for the services of one clerk to each of the following committees: Committee on Expenditures in the Department of Commerce, Committee on Expenditures in the Department of Agriculture, Committee on Expenditures in the Treasury Department, and Committee on Railways and Canals, said compensation to commence from the time such clerk entered upon the discharge of his duties, such time to be ascertained and evidenced by a certificate signed by the chairman of the said committee."

Mr. IRELAND. Mr. Speaker and gentlemen of the House, the Committee on Accounts, if my memory serves me correctly, has granted but six additional clerks to committees this session. It has been customary in the past to grant 13 to 17. I have the record of the appointment of clerks to the several committees named in this resolution, numbering four, and if it is desirable I can give them. If any Member desires to propound any of the time-honored interrogatories concerning these clerks, I will yield to the chairmen of the several committees involved and they can defend their own resolutions.

Mr. BLANTON. Mr. Speaker, I desire to ask the gentleman a question: Did these several committees have clerks during the Sixty-fifth Congress?

Mr. IRELAND. Yes, all; except during the third session.

Mr. BLANTON. What particular emergency at this time, when the distinguished gentleman from Wyoming is so arranging affairs, despite the contrary report in the Washington newspapers, for us to get away by June 5, has arisen that would necessitate the appointment of these clerks?

Mr. IRELAND. I can not go over all the testimony before the committee which the chairmen of the several committees offered, but they all assured the Committee on Accounts that they were in dire need of the services of these clerks.

Mr. BLANTON. I happened to be a member of the Committee on Railways and Canals during the Sixty-fifth Congress, and that committee had about four meetings of sufficient importance to be designated "meetings," principally on one measure. Nothing was ever done with the bill. I presume there would not be much more work in that committee during the remainder of the session than there was during the Sixty-fifth Congress. Is there any special necessity for a clerk for the Committee on Railways and Canals?

Mr. IRELAND. I think the chairman of the committee is here, and he can answer.

Mr. BLANTON. That is one of the fictitious committees, as you might say, in the House from which all, or nearly all, of its jurisdiction has been taken away and given to other committees. I think we ought to do away with the committee entirely.

Mr. IRELAND. I can heartily agree with the gentleman that perhaps half the clerks appointed to these committees serve no good purpose.

Mr. BLANTON. Then, why do we keep appointing them? Is it because we can not turn down the claims and demands of the chairmen of these small committees? It is inconsistent with the line of procedure reported to have been adopted by the great steering committee and the distinguished gentleman from Wyoming trying to economize during the session.

Mr. IRELAND. I hope the gentleman will not confuse the important Committee on Accounts with the steering committee.

Mr. BLANTON. Well, I suppose they are working in conjunction with each other.

Mr. IRELAND. Mr. Speaker, I move the adoption of the resolution.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. CLARK of Missouri. I am not going to ask the time-honored question, but I am going to ask a new one. This resolution provides that these people begin to draw their pay from the time they begin to discharge their duties?

Mr. IRELAND. Yes.

Mr. CLARK of Missouri. When do they begin?

Mr. IRELAND. I am unable to give the date as to each committee, but it has to be certified to by the chairman of the committee. I know that some of the clerks have been employed and have been going on with the work prior to the reporting of this resolution.

Mr. CLARK of Missouri. Did they ever begin service?

Mr. IRELAND. I have not been around to watch them, but I am told so by the chairman of the committee.

Mr. CLARK of Missouri. When I was Speaker I undertook to resurrect this Committee on Railways and Canals, so that they would have some work to do. There are many bills that might be assigned to it. I sent for the chairman of the com-

mittee and told him I would deflect certain bills and send them to his committee if he would agree to get the committee together and go to work. He promised to do it, but he never did do it, and they have never done anything since, and I do not believe they ever will do anything. It is an absolute waste of money.

Mr. BLANTON. Will the gentleman from Illinois yield me a minute?

Mr. IRELAND. I will yield a minute to the gentleman.

Mr. BLANTON. During that minute I want to say that I think we ought to stop granting these numerous requests simply because they come from our colleagues, to whom we would like to grant favors, and whose requests we hate to turn down. On this resolution I am going to try to get a record vote, even if my own is the only vote against the resolution, to let it stand as a solemn protest against this kind of action of keeping on voting unnecessary clerks to useless committees.

Mr. KNUTSON. Will the gentleman yield?

Mr. BLANTON. I have not the floor.

Mr. IRELAND. I will yield to the gentleman.

Mr. KNUTSON. The gentleman from Texas has asked for information as to legislation pending before the Committee on Railways and Canals. Let me say to him that there is a bill (H. R. 13133) providing for a barge canal from the Altamaha River, in Georgia, to the head of the Flint River, in Georgia. There is also a bill (H. R. 10483) providing for the construction of a waterway from the Ohio River to Lake Erie. There is also a joint resolution 156, providing for a survey for a canal across the State of Florida. H. R. 10919 provides for a survey for a canal from Cumberland Sound to the mouth of the Mississippi River. Hearings will be held on this measure. H. R. 9449 provides for a canal across Florida. House resolution 201 is to ascertain the cost of transporting coal by water as compared to cost by rail.

Mr. BLANTON. Will the distinguished Republican whip yield? What is the use of calling over these various pieces of proposed legislation, when the gentleman is aware of the fact that the steering committee will probably blue pencil every one of them when it comes to a show-down.

Mr. KNUTSON. The gentleman is conjuring up something that does not exist.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. IRELAND. Yes.

Mr. WOOD of Indiana. Mr. Speaker, my observation and information from inquiries made by the Committee on Appropriations into this subject of clerks to committees have disclosed the fact that we are paying out hundreds of thousands of dollars to clerks of dead or nearly dead committees. Take this Committee on Railways and Canals and several of the Committees on Elections and various committees on expenditures as examples. It is possible that at some time during the session they may need a clerk for two or three days or two or three weeks at the most. Our system of paying for these clerks for these committees annually which function only occasionally and very rarely should be stopped. If this Committee on Railways and Canals has anything to do, it has not been demonstrated since I have been a Member of Congress. It has done nothing that would warrant the employment of a clerk regularly. The Clerk of this House has a contingent fund out of which clerical help may be provided when it is temporarily needed for these committees, and I think it is about time to draw a halt upon giving clerks to every one of these committees when there is absolutely no need for them at all. [Applause.] It was demonstrated before the Committee on Appropriations that there are many other committees in similar situation. Take the Committees on Elections. Some of them never have a contest before them, and there are several of these expenditures committees which never have a meeting from the beginning of a session to the end of it. I think it is an outrage upon the Congress and an outrage upon the taxpayers of this country that this habit continues.

Mr. BRUMBAUGH. Mr. Speaker, will the gentleman from Illinois yield to me?

Mr. IRELAND. Mr. Speaker, I yield to the gentleman from Ohio.

Mr. BRUMBAUGH. Mr. Speaker and gentlemen of the House, I came upon the floor of the House just as our distinguished ex-Speaker, the gentleman from Missouri [Mr. CLARK], was making his statement. I am sure the gentleman from Missouri did not intend to make an incorrect statement, and I am sure that after I call his attention to the facts of the case he will correct the part of the statement that refers to the time when I served as chairman of the Committee on Railways and Canals. I was a member of that committee for four years, when it did not have a single meeting, to my knowledge. In the regular routine of resignations I became chairman of the committee.

I came upon the floor of the House when I became chairman and told the House that I intended to make it an active committee, that I wanted the House either to give me a clerk or to abolish the committee. I did not care to act as the perfunctory chairman of a dead committee. Myself and a majority of the members of the committee waited on the Speaker of the House, Mr. CLARK, and asked him to refer bills to the committee. He promised to do so. We had bills of great importance referred to the committee. We had delegations from Chicago, from Fort Wayne, from Toledo, from Cincinnati, and from Dayton and other cities appear before us concerning the bill for a barge canal to be run through the State from Cincinnati to Toledo through the channel of the old canal. We considered another canal project, connecting Pittsburgh with Toledo, and one through Columbus, Ohio; also another canal from Defiance to Chicago. The minutes of the meetings of the committee will show that there were held possibly a dozen meetings of that committee. We had more meetings, I think, than the average committee of this House, and at almost every meeting we had foreign delegates appearing before us. After calling the Speaker's attention to these facts, I feel that he will correct his statement in justice to me. I did not seek the chairmanship of the committee; it came to me, and my position was this: I wanted to make it a working, active committee, or to have it abolished, and so stated to the House. The House gave me a clerk one session and denied me a clerk another session; but, nevertheless, we kept on with the business of the committee, and the members of the committee—and there are several of them present—will substantiate what I have said.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. BRUMBAUGH. Yes.

Mr. KNUTSON. How many times did this committee meet during the Sixty-fifth Congress?

Mr. BRUMBAUGH. I am unable to say without referring to the minutes.

Mr. KNUTSON. Approximately?

Mr. BRUMBAUGH. Possibly 10 or 12 times.

Mr. KNUTSON. The gentleman from Texas [Mr. BLANTON] stated only three or four times.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. BRUMBAUGH. Yes.

Mr. BLANTON. I was a member of that committee during the Sixty-fifth Congress. The gentleman from Ohio, I think, is in error when he says that at each one of the meetings there were foreign delegates. I am sure I can remind the chairman of several meetings that were just perfunctory meetings, with nothing to do, and not entitled to be designated as a "committee meeting." Six or eight of us would be present in his office here in the Capitol, and besides discussing ways and means to keep the committee alive we would do nothing but adjourn; but the four meetings that I mentioned of any importance were the meetings when we had these delegates, and one of those meetings we held in the big caucus room over in the House Office Building. They were the four meetings I referred to of importance. The balance were just merely meetings to try to get the committee together and to have a committee wait on Speaker CLARK to get something referred to us to keep us from dying.

That was more the purpose of most of these little meetings, and I am sure the gentleman will admit that fact. I was a member of the special committee that went to see Speaker CLARK. The question I propounded to the gentleman from Illinois [Mr. IRELAND] was after all that there was nothing accomplished, after we had all of these meetings, after we had these hearings, after we reported a bill, nothing was accomplished, and there will be nothing accomplished from this committee in this Congress.

Mr. BRUMBAUGH. Mr. Speaker, I feel that the gentleman having made two or three speeches on this already should let me finish my statement.

Mr. POU. Mr. Speaker, if the gentleman will permit, I would suggest to the gentleman from Ohio [Mr. BRUMBAUGH] that possibly great good might have been accomplished in not presenting some of the bills that were insisted upon. Possibly a great deal was saved to the Treasury. It does not mean that a committee does nothing simply because it does not report some of the bills that are before it.

Mr. BRUMBAUGH. We used our judgment, and the same suggestion might be made to some bills reported by the gentleman's committee. I do not suppose he claims his committee is infallible. Mr. Speaker, what the gentleman from Texas [Mr. BLANTON] says in a measure is true. Whenever we met we would consider a bill or arrange for something of that kind. The minutes will show, and they are open for anyone to make examination who cares to inspect them. We had several meetings at which it happened that the gentleman was not present, and

at some time some other member was not present. I do not think we had many meetings when all of the members were present; but we did try to make it a working committee, and I did not care to serve as the chairman of it unless it would be a working committee. We so stated to the Speaker, and the Speaker promised to send us bills. We had several Members of the House who desired to take bills from other committees and have them referred to this committee. I have no interest in the matter, for I am no longer chairman of the committee nor am I a member of it.

Mr. IRELAND. Mr. Speaker, I yield five minutes to the gentleman from Vermont [Mr. DALE].

Mr. DALE. Mr. Speaker and gentlemen of the House, I do not know anything about the other committees which have been discussed, but I know a little something about the Committee on Expenditures in the Treasury Department. The first thing that impresses me in this discussion is that those who are opposed to this resolution are talking about the meetings of the committees. It has been my experience since I have been chairman of the Treasury Committee that a committee may have very few meetings but may have a very great deal of work to do.

I signed in my office yesterday afternoon in one batch 67 letters for the Committee on Expenditures in the Treasury Department, and that is not an extraordinary day at all for that committee. I sign day after day 50 to 100 letters which that committee has had to write. That committee has supervision of the War Risk Bureau, and we have been investigating that bureau for weeks and for months, and while the House may think there have not been many public hearings, yet there have been a good many. We have had a hearing every day for a week or 10 days—every single day, and many before that. We had a long list of meetings. But the work of the committee does not depend upon meetings. Some of the members of that committee have to go to the War Risk Bureau and spend hours and days at a time. I have been there and spent half a day at a time day after day investigating these matters. Now, the ex-service men from all over the country are writing to that committee because of its relation to the War Risk Bureau. They are writing thousands and thousands of letters. We have probably replied to letters from that committee—say, 20,000 or 30,000 letters—coming from ex-service men. Now, when we started with the investigation in the Treasury Department we understood very well that the time was coming when that committee would be brought up here and criticized for the large amount of money that we had expended, and it would be said that we had wasted money in this investigation. We had a resolution passed through this House authorizing us to make it and employ help and employ counsel, summon witnesses, and go into the question of expenditures; but we agreed as a committee that in this investigation we would try not to spend any more money than our clerk hire amounted to. Now, we have had experts in the department; we have had men paid high prices in the bureau to make this investigation. Ever since last summer, beginning the last of July, from time to time we have had men in there investigating. Now, the Committee on Expenditures in the Treasury Department has not spent since they began their investigation last July an amount of money equivalent to the hire of a clerk at $150 a month, and yet we have done the work, and although we have done the work, gentlemen, we have not had so much as a clerk to that committee since this House convened at the beginning of this second session. Perhaps we are not entitled to one. I do not know but that you will think we ought to pay these expenses out of our own pockets. With all the men we have had and all the days we have spent and the experts we have used the money paid out would not amount to $150 a month since we began. That is, briefly, the condition so far as the Committee on Expenditures in the Treasury Department is concerned.

Mr. IRELAND. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. WILLIAMS].

Mr. CLARK of Missouri. Will the gentleman yield me one minute?

Mr. WILLIAMS. I will yield the gentleman one minute.

Mr. CLARK of Missouri. Mr. Speaker, the gentleman from Ohio [Mr. BRUMBAUGH] is not the chairman I was talking about, he was not the chairman I harnessed up on it and put to work. It is true, as the gentleman from Ohio states, that he and some of his conferees on the committee did come to me and ask me to refer a bill, which I did, and a very important one was that canal—never be built, in all human probability—from Pittsburgh to the Great Lakes, and I am perfectly willing to take his statement as to what happened when he was chairman of that committee. He was not the man I was talking about.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for four minutes.

Mr. WILLIAMS. Mr. Speaker, I suppose that I might say that I am unfortunate enough to be chairman of one of these committees included in the resolution, the Committee on Expenditures in the Department of Commerce. It is my idea, and has been all along, and it has been, I think, the idea of the members of the committee, to faithfully perform the work which ought to be done by that committee, and we have been trying to do that. We have not had a great many meetings, but we have had meetings; but the Secretary of Commerce has furnished to the committee and to the House as provided by law a comprehensive and detailed statement of the expenditures of that department for the last fiscal year. We have been going over that, not on the theory there was anything wrong, but that it was the duty of that committee to analyze and audit those reports and render, if possible, some helpful service to this department. For this year the Department of Commerce under the Bureau of Census has a lump appropriation of $15,000,000 for the census. I think it is important that the Congress of the United States at least audit and supervise this tremendous expenditure, go into it and investigate it and see how the money is expended, and we have been trying to do that. I have been paying a clerk of that committee myself since the beginning of the session. I assumed when I was appointed chairman of this committee that it would have a clerk. Since I have been here every time a resolution has been offered to give a clerk to these committees I have always supported it. These committees have important work to do and should receive the same treatment as other committees of the House. They should be equipped as other committees or be abolished, one or the other. Now, it is up to Congress whether they furnish this clerk. Of course, I am not able to pay a clerk myself during the entire session, and I do not intend to do it, but I do say we have performed the work that this committee was created to perform, and the committee is entitled to a clerk.

Mr. RAMSEYER. Will the gentleman yield?

Mr. WILLIAMS. I will.

Mr. RAMSEYER. Do you ask for a clerk for the rest of the session or the rest of the Congress?

Mr. WILLIAMS. The rest of the session, I understand; that is the purport of the resolution.

Mr. IRELAND. For the remainder of the second session?

Mr. RAMSEYER. It would not be over three or four months.

Mr. SNELL. We can not tell yet.

Mr. WILLIAMS. Well, of course, I want to be reimbursed for what I paid the clerk already, and I think the resolution provides for that. I do not see why the chairman of the committee should be expected to pay the clerk of the committee. It either ought not to have a clerk or it ought to be furnished one as a matter of course.

Mr. RAMSEYER. I understand up to date the gentleman has not received clerk hire?

Mr. WILLIAMS. Not this session. This resolution has been reported out of the Committee on Accounts, but could not be reached in the House for consideration for some time. I understand it was unanimously reported from the Committee on Accounts.

Mr. VAILE. I might say in justice to my friend, the chairman of the Committee on Expenditures in the Treasury Department, that he has been paying the clerk of his committee. He omitted to make that statement himself, but it should be made in justice to him.

Mr. WILLIAMS. I think the chairmen of other committees have done the same. This resolution should have been acted on early in the session. That is all I have to say.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. STEVENSON. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. STEVENSON. I just wanted a minute or two.

Mr. IRELAND. I yield two minutes to the gentleman.

Mr. STEVENSON. I want to indorse what was said by the gentleman from Ohio [Mr. BRUMBAUGH] about the Committee on Railways and Canals. I was on that committee during the Sixty-fifth Congress. We had a number of meetings and had under consideration one of the most important commercial developments—one that concerns the Middle West—in this country. The committee met faithfully, and, as the gentleman who is now chairman of this committee was always there, I have no doubt he has faithfully discharged his duties now, and I think the committee ought to have a clerk.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER pro tempore. The question now reverts upon the passage of the resolution.

The committee divided; and there were—ayes 94, noes 11.

Mr. BLANTON. Mr. Speaker, the House having divided, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas makes the point of no quorum. Evidently no quorum is present. The Doorkeeper will close the doors and the Sergeant at Arms will notify the absentees. Those in favor of the resolution will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 243, nays 54, answered "present" 2, not voting 127, as follows:

YEAS—243.

Ackerman	Elliott	Lehlbach	Ramseyer
Anderson	Elston	Lesher	Randall, Calif.
Andrews, Md.	Emerson	Lonergan	Randall, Wis.
Andrews, Nebr.	Esch	Longworth	Rayburn
Aswell	Evans, Mont.	Luce	Reavis
Ayres	Evans, Nebr.	Lufkin	Reber
Babka	Fairfield	McArthur	Reed, N. Y.
Baer	Fisher	McClintic	Reed, W. Va.
Barbour	Flood	McGlennon	Rhodes
Bee	Focht	McKenzie	Ricketts
Begg	Fordney	McKeown	Riddick
Benham	Foster	McKinley	Riordan
Blackmon	Freeman	McLaughlin, Nebr.	Robsion, Ky.
Bland, Ind.	French	McPherson	Rodenberg
Bland, Mo.	Fuller, Ill.	MacCrate	Rogers
Bland, Va.	Gallagher	MacGregor	Romjue
Boies	Gard	Madden	Rubey
Bowers	Garland	Magee	Rucker
Britten	Garrett	Maher	Sanders, N. Y.
Brooks, Ill.	Goodwin, Ark.	Major	Scott
Brooks, Pa.	Graham, Ill.	Mann, Ill.	Sears
Browne	Green, Iowa	Mann, S. C.	Shreve
Browning	Green, Mass.	Mansfield	Siegel
Brumbaugh	Greene, Vt.	Mays	Sims
Buchanan	Griest	Mead	Sinclair
Burdick	Griffin	Merritt	Slemp
Burroughs	Hadley	Michener	Smith, Idaho
Butler	Hardy, Colo.	Miller	Smith, Mich.
Byrnes, S. C.	Harrison	Minahan, N. J.	Snell
Caldwell	Haugen	Monahan, Wis.	Snyder
Carss	Hawley	Mondell	Stedman
Casey	Hays	Mooney	Steenerson
Chindblom	Hernandez	Moore, Ohio	Stephens, Miss.
Classon	Hersey	Moores, Ind.	Stephens, Ohio
Cleary	Hersman	Morgan	Stevenson
Coady	Hickey	Mott	Stiness
Cole	Hicks	Mudd	Stoll
Collier	Hoch	Murphy	Strong, Kans.
Connally	Hulings	Nelson, Wis.	Summers, Wash.
Cooper	Hull, Iowa	Newton, Minn.	Sweet
Copley	Hull, Tenn.	Newton, Mo.	Thompson
Crago	Humphreys	Nicholls, S. C.	Tilson
Cullen	Husted	Nolan	Tincher
Currie, Mich.	Igoe	O'Connell	Upshaw
Dale	Ireland	O'Connor	Vaile
Dallinger	Jefferis	Ogden	Vinson
Darrow	Jones, Pa.	Oldfield	Voigt
Dempsey	Juul	Olney	Ward
Dewalt	Kearns	Overstreet	Watson
Dickinson, Mo.	Keller	Padgett	Whaley
Dickinson, Iowa	Kelley, Mich.	Parker	Wheeler
Dominick	Kelly, Pa.	Parrish	White, Kans.
Donovan	Kendall	Peters	Williams
Dooling	Kettner	Phelan	Wilson, Ill.
Dowell	Kiess	Platt	Wilson, La.
Dunbar	King	Pou	Wilson, Pa.
Dunn	Kinkaid	Purnell	Wingo
Dyer	Knutson	Rainey, H. T.	Wright
Eagan	Lankford	Rainey, J. W.	Young, N. Dak.
Eagle	Lazaro	Raker	Zihlman
Echols	Lee, Ga.	Ramsey	

NAYS—54.

Almon	Dent	Linthicum	Steagall
Ashbrook	Doughton	Lubring	Taylor, Ark.
Bell	Evans, Nev.	Montague	Thomas
Black	Garner	Moon	Tillman
Blanton	Godwin, N. C.	Nelson, Mo.	Venable
Box	Good	Oliver	Watkins
Brand	Hardy, Tex.	Park	Weaver
Briggs	Heflin	Pell	Welling
Byrns, Tenn.	Jacoway	Quinn	Wise
Candler	James	Robinson, N. C.	Wood, Ind.
Caraway	Johnson, Miss.	Sanders, La.	Woods, Va.
Carew	Jones, Tex.	Sherwood	Young, Tex.
Clark, Mo.	Kraus	Sisson	
Cramton	Larsen	Smithwick	

ANSWERED "PRESENT"—2.

Cannon Goodykoontz

NOT VOTING—127.

Anthony	Burke	Costello	Denison
Bacharach	Campbell, Kans.	Crisp	Doremus
Bankhead	Campbell, Pa.	Crowther	Drane
Barkley	Cantrill	Curry, Calif.	Dupré
Benson	Carter	Davey	Edmonds
Booher	Christopherson	Davis, Minn.	Ellsworth
Brinson	Clark, Fla.	Davis, Tenn.	Ferris
Fess	Johnson, Ky.	Martin	Steele
Fields	Johnson, S. Dak.	Mason	Strong, Pa.
Frear	Johnson, Wash.	Moore, Va.	Sullivan
Fuller, Mass.	Johnston, N. Y.	Morin	Sumners, Tex.
Gallivan	Kahn	Neely	Swope
Gandy	Kennedy, Iowa	Nichols, Mich.	Tague
Ganly	Kennedy, R. I.	Osborne	Taylor, Colo.
Glynn	Kincheloe	Paige	Taylor, Tenn.
Goldfogle	Kitchin	Porter	Temple
Goodall	Kleczka	Radcliffe	Timberlake
Gould	Kreider	Rainey, Ala.	Tinkham
Graham, Pa.	Lampert	Rose	Towner
Hamill	Langley	Rouse	Treadway
Hamilton	Lanham	Rowan	Vare
Harreld	Layton	Rowe	Vestal
Hastings	Lea, Calif.	Sabath	Volstead
Hayden	Little	Sanders, Ind.	Walters
Hill	McAndrews	Sanford	Wason
Hoey	McCulloch	Schall	Webster
Holland	McDuffie	Scully	Welty
Houghton	McFadden	Sells	White, Me.
Howard	McKiniry	Sinnott	Winslow
Huddleston	McLane	Small	Woodyard
Hudspeth	McLaughlin, Mich.	Smith, Ill.	Yates
Hutchinson	Mapes	Smith, N. Y.	

So the resolution was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. TEMPLE with Mr. BANKHEAD.

Mr. OSBORNE with Mr. HAYDEN.

Mr. WALTERS with Mr. HASTINGS.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. WHITE of Maine with Mr. CARTER.

Mr. MAPES with Mr. FERRIS.

Mr. KLECZKA with Mr. SUMNERS of Texas

Mr. TIMBERLAKE with Mr. SABATH.

Mr. CROWTHER with Mr. SCULLY.

Mr. STRONG of Pennsylvania with Mr. HUDSPETH.

Mr. DENISON with Mr. BRINSON.

Mr. KENNEDY of Rhode Island with Mr. TAGUE.

Mr. CAMPBELL of Kansas with Mr. BARKLEY.

Mr. EDMONDS with Mr. CAMPBELL of Pennsylvania.

Mr. GOODALL with Mr. DRANE.

Mr. DAVIS of Minnesota with Mr. BOOHER.

Mr. COSTELLO with Mr. GALLIVAN.

Mr. MORIN with Mr. NEELY.

Mr. ROWE of New York with Mr. LANHAM.

Mr. SANDERS of Indiana with Mr. McDUFFIE.

Mr. TREADWAY with Mr. KITCHIN.

Mr. VESTAL with Mr. GANLY.

Mr. CHRISTOPHERSON with Mr. McKINIRY.

Mr. GRAHAM of Pennsylvania with Mr. STEELE.

Mr. RADCLIFFE with Mr. TAYLOR of Colorado.

Mr. WOODYARD with Mr. LEA of California.

Mr. JOHNSON of Washington with Mr. MARTIN.

Mr. McLAUGHLIN of Michigan with Mr. HOLLAND.

Mr. GLYNN with Mr. JOHNSTON of New York.

Mr. KREIDER with Mr. SULLIVAN.

Mr. PAIGE with Mr. WELTY.

Mr. ROSE with Mr. RAINEY of Alabama.

Mr. McFADDEN with Mr. MOORE of Virginia.

Mr. KAHN with Mr. CRISP.

Mr. BACHARACH with Mr. DOREMUS.

Mr. SELLS with Mr. JOHNSON of Kentucky.

Mr. HAMILTON with Mr. FIELDS.

Mr. WASON with Mr. HUDDLESTON.

Mr. SANFORD with Mr. DAVEY.

Mr. FESS with Mr. BENSON.

Mr. ANTHONY with Mr. SMALL.

Mr. HARRELD with Mr. DUPRÉ.

Mr. TOWNER with Mr. HOWARD.

Mr. WINSLOW with Mr. DAVIS of Tennessee.

Mr. HUTCHINSON with Mr. CANTRILL.

Mr. JOHNSON of South Dakota with Mr. SMITH of New York.

Mr. YATES with Mr. HOEY.

Mr. VARE with Mr. ROWAN of New York.

Mr. SINNOTT with Mr. McLANE.

Mr. LAMPERT with Mr. McANDREWS.

Mr. PORTER with Mr. GANDY.

Mr. FULLER of Massachusetts with Mr. GOLDFOGLE.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. A quorum is present. The Doorkeeper will open the doors.

INCREASED COMPENSATION, NAVY AND COAST GUARD.

Mr. SNELL. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER pro tempore. The gentleman from New York submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 499.

Resolved, That immediately upon the adoption of this resolution the Committee of the Whole House on the state of the Union shall be discharged from the consideration of the bill H. R. 11927 entitled "An act to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation," and the Senate amendments thereto; that the said Senate amendments be, and hereby are, disagreed to by the House; the conference requested by the Senate on the disagreeing votes of the two Houses on the said bill be, and hereby is, agreed to by the House, and the Speaker shall immediately appoint the conferees without intervening motion.

Mr. SNELL. Mr. Speaker, the resolution fully explains its purpose. It is for the purpose of sending the House bill 11927 to conference.

This bill was passed in the House on January 23 under a special order. The final vote on the bill was 310 for, 11 against. Your Committee on Rules are unanimously of the opinion that they are carrying out the expressed wish of the majority of the Members of the House when they ask you to adopt this rule and send this bill to conference.

That is all I desire to say. Does the gentleman from North Carolina desire some time?

Mr. POU. I would like to have 10 minutes, part of which I will yield.

Mr. SNELL. I yield to the gentleman 10 minutes.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. CRAGO].

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for five minutes.

Mr. CRAGO. Mr. Speaker, I want first, if I can, to get some information about this proposed rule for a conference, and I would like to ask the gentleman who reported the rule if there is any understanding between the Committee on Rules and the steering committee of the House as to the personnel of these conferees?

Mr. SNELL. In answer to the gentleman I will state that I do not know personally who the conferees will be.

Mr. CRAGO. I would like to know if the gentleman has any knowledge as to the purpose of this rule in the way of the appointment of these conferees?

Mr. SNELL. So far as the conferees are concerned, I can not tell the gentleman who they will be.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. MONDELL. This is a bill from the Committee on Naval Affairs, and under the universal practice of the House the members of the conference committee on the part of the House will, of course, be members of the Committee on Naval Affairs.

Mr. CRAGO. I will say to the gentleman that in case they are, it would appear to me to be in violation of the arrangement between the chairman of the Committee on Naval Affairs and certain members of the Committee on Military Affairs when this matter was under consideration.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. CRAGO. Yes, sir.

Mr. BUTLER. I positively deny the statement. I have never had any conversation with Senator WADSWORTH, the chairman of the Committee on Military Affairs on the subject of this bill.

Mr. CRAGO. Does the gentleman deny the fact that when this bill came back from the Senate he said to several members of the Committee on Military Affairs, "Now, we will have a conference committee composed of members of both committees, just as they have in the Senate"?

Mr. BUTLER. I said I would consult the members of the Committee on Naval Affairs as to a division of the conferees between the Committee on Naval Affairs and the Committee on Military Affairs. I consulted my colleagues, and they unanimously declined to join.

Mr. CRAGO. In other words, the Committee on Naval Affairs refuse at this time to agree that any one from the Committee on Military Affairs should be on this conference committee?

Mr. BUTLER. The Committee on Naval Affairs, I think, with 17 members present, unanimously agreed that the conferees upon what is known as the Kelley bill, which is involved in this measure that we now have before us, should be appointed from the Committee on Naval Affairs.

Mr. CRAGO. Now, then, that is all I wanted to find out about the situation, and I think that is sufficient. Here is the situation: It was represented to the Committee on Rules that the Committee on Military Affairs had not, as I get it from the Committee on Rules this morning, presented this bill to the House. On the calendar you will find two bills coming from that committee, providing for an increase of 20 per cent and other increases to the enlisted personnel of the Army and Navy and Marine Corps and the officers up to a certain grade. After those bills were reported from our committee—and they were reported unanimously—we tried to get a rule and an agreement as to some disposition of these bills. When this Kelley bill was presented to the House it was represented to the Commitee on Military Affairs, "Let this bill go through and we will see to it that before its enactment into law," or words to that effect, "the noncommissioned officers and officers of the Navy, Army, Marine Corps, and Public Health Service would be taken care of."

In the Senate, when the Kelley bill was considered, it was amended by substituting the so-called Wadsworth bill, which is a bill which provides, in addition to the 10 per cent increase in the base pay, for a ration increase. That came back from the Senate, and the Senate notified the House that they had appointed conferees to adjust the difference between the two Houses. The conferees in the Senate are composed of members of the Committee on Military Affairs and members of the Committee on Naval Affairs, and it was our understanding, until two days ago, that that was the course which would be followed in the House, and that the conferees, representing these two arms of the service, would get together on a proper bill providing for an increase of the pay of the officers and men of the Navy, the Army, the Marine Corps, and the Public Health Service.

Now, what that increase shall be I have no set opinion; I have no determination. But I do know this, gentlemen, that it is just as important that the enlisted personnel of the Army and the commissioned personnel of the Army should have some increase at this time as it is that the enlisted personnel and lower officers of the Navy shall have some increase at this time. In spite of all that has been said in the interest of economy and against this increase, you are facing this proposition in the Army and Navy. Nothing more nor less than the business proposition whereby a young man has no other source of income than his salary is compelled to get out of the Army or Navy, and only the men who are subsidized by some estate or by their parents can afford to remain in either branch of the service, just as it is in the English Army and in the English Navy.

We take these young men from the high schools of our country who have no other income, send them to West Point, and they serve 10, 15, or 20 years in the service and find themselves with wives and families for whom they must care with the pay which comes to them with the rank of captain, and you know that the teachers in the high schools of this country, even though they may have no family obligations, can not live on anything of that kind.

Now, those are only a few of the conditions that we are facing, and the only alternative we have here to-day is either to amend this rule to provide that men shall be on that conference committee who represent these different arms of the service, or else defeat the rule; because, if we are to believe the press reports—and I am not very strong on press reports—this rule could not be gotten out of the Rules Committee until the leaders on this side of the House had an understanding with the Naval Committee that nothing would be considered in this conference except the Kelley bill, and the Kelley bill provides for nothing except an increase of the pay of the noncommissioned personnel of the Navy; and you know that it is simply an indirect way of shutting the door on this House and preventing it considering any proposition on its merits to make a proper increase in the pay of the noncommissioned personnel of the Army, the Navy, and the Marine Corps, or such officers of that service as need this increase of pay. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. POU. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. PELL].

Mr. PELL. Mr. Speaker, all the officers of the Navy to-day are men very highly trained, very highly educated, men of the greatest loyalty. It would be absolutely impossible to extemporize a group of men as good as they are. There is a general feeling among the American people, which is unfortunate, that you can take almost any man and tie a sword on him and he becomes amply able to command a regiment; but there is not that idea concerning the Navy. The whole people of this country realize that it is most necessary for us to maintain an efficient naval organization. It would take generations to build up such a body of men as we have now in the Navy. There has never been a time when they have been called upon for any service to this country that they have not responded loyally, intelligently, and bravely.

Mr. HARRISON. Will the gentleman yield?

Mr. PELL. Yes.

Mr. HARRISON. I will ask the gentleman if that same thing can not be said about the officers of the Army?

Mr. PELL. Absolutely the same thing can be said of the Army.

Mr. HARRISON. Then why draw a distinction between the Navy and the Army?

Mr. PELL. The Army is in the same condition. This bill, however, is for the naval officers only. I should say exactly the same thing in favor of the officers of the Army. The gentleman is quite right about that. The distinction should not be made. Every person here who has known officers of either the Army or the Navy intimately realizes that those officers are to-day making very serious sacrifices for the good of their country; that they would be in almost every case able to get very much larger pay than they are now receiving, and they would be able to live better. The condition is becoming more than that of mere sacrifice. It is becoming a condition of martyrdom. Now, to allow these men to go and to replace them with others as we need them quickly would mean that the organization which has been built up for more than a hundred years would be shattered. You can not extemporize institutions. You can not extemporize an organized body. You can gather the individuals, you can teach them, but you do not get that greatest thing of all, the loyalty of the individual to his organization and to his group.

I trust that in the near future we are to have a long peace, and that will mean very slow promotions. It will mean the slow rise of all these officers. Unless we treat them generously we will not be able to get the type of men that we want.

Now, we have been accustomed in the past to draw our officers from the very best types of young men, of the highest intelligence, the best ideals, and the noblest characters. I believe we should continue to do so. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. SNELL. I yield five minutes more to the gentleman from Pennsylvania [Mr. CRAGO].

Mr. CRAGO. Mr. Speaker, I do not want to weary the House with my continual talk on this proposition. I would simply like to ask if it is possible to have this rule amended so that both committees can be represented from the House, as they are represented from the Senate? Will the chairman of the Naval Committee agree to that?

Mr. BUTLER. With all my great liking for my friend, I positively say no, because I was instructed by my committee to say no.

Mr. CRAGO. Will the Rules Committee agree to an amendment to this rule by which both committees can be represented?

Mr. SNELL. The chairman of the Rules Committee thinks it would not be proper at this time.

Mr. CRAGO. Then, gentlemen of the House, I think there is only one thing to do.

Mr. BEE. Will the gentleman yield?

Mr. OLNEY. Will my colleague yield?

Mr. CRAGO. I yield to my colleague on the committee.

Mr. OLNEY. Does not the gentleman from Pennsylvania believe that if we do not defeat this resolution, then under the circumstances the officers' pay bill will be practically shelved, and that while the enlisted men and the noncommissioned officers will be taken care of there will be nothing done during this session to increase the pay of officers in the Army, Navy, Marine Corps, and Public Health Service?

Mr. CRAGO. Only the noncommissioned officers of the Navy will be taken care of. I agree with the gentleman that it is just another step to tie the hands of the House to prevent it from being able to take any action, whether favorable or not, on a bill to increase the pay of the commissioned officers in the Army, Navy, and Marine Corps, and the Public Health Service.

Mr. CANNON. Will the gentleman yield?

Mr. CRAGO. The gentleman from Texas [Mr. BEE] asked me first.

Mr. BEE. I understand from the gentleman from Pennsylvania that if we adopt this rule there will be no opportunity for the consideration of a measure to increase the pay of the enlisted men and officers of the Army, but only of the Navy?

Mr. CRAGO. That is true if the powers on this side of the House have their way.

Mr. RUCKER. What does the gentleman mean by "this side of the House"?

Mr. CRAGO. The Republican side, my own side.

Mr. CANNON. Will the gentleman yield?

Mr. CRAGO. Gladly.

Mr. CANNON. Is there anything to prevent the Committee on Military Affairs from considering a bill that will care for the situation?

Mr. CRAGO. We have considered it and we had started the consideration of a combination bill providing increase for all branches of the service with the approval of the Naval Committee, and some leaders of the House represented to the Military Committee that representatives of the Naval Committee would agree practically to a bill which was reported from the Military Affairs Committee——

Mr. CANNON. If this rule is adopted, is there anything to prevent the Committee on Military Affairs from presenting a bill that will care for the Army, without saying anything about the merits of the bill?

Mr. CRAGO. Nothing to prevent our presenting such a bill, but there is something to prevent its consideration. They are trying to get the advantage of slipping this through because they think that then there would be no disposition to do anything for the Army, and I do not believe there would.

Mr. CANNON. But a majority of the House has the power to pass any bill.

Mr. CRAGO. If they get the chance.

Mr. CANNON. You will have the same chance that other people have.

Mr. CRAGO. With all due deference to the gentleman and his legislative wisdom, this is an attempt to shut the doors on this kind of legislation. Once we adopt this rule, we will never get any action of this House on this other matter. I want to call attention to the fact that the vote was 300 to 11 in favor of the Kelley bill, but that was after it was understood that that was not the end of this matter.

Mr. CANNON. As one Member of the House, not on either committee, I am not bound by what a few members on the Naval Committee and the Military Committee may agree with reference to the rules of the House.

Mr. CRAGO. That is absolutely correct, and the gentleman should not be bound.

Mr. DEWALT. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. DEWALT. Am I correct in understanding the gentleman from Pennsylvania to say that as a member of the Military Affairs Committee he made an appeal to the so-called steering committee of the Republican side for fair treatment for the Army and it was refused?

Mr. CRAGO. I would qualify that; we spent one hour with them trying to show them that it was absolutely necessary to do something to increase the pay of the Army, Navy, and Marine Corps and did not succeed.

Mr. DEWALT. Your request was not granted?

Mr. CRAGO. It was not granted.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. NEWTON of Minnesota. As I understand it, if this resolution is adopted the net result will be that the conferees will be able to increase the compensation payable to the officers of the Navy, but will be powerless to do anything in the way of increasing compensation to officers in the Army.

Mr. CRAGO. That is true; only this does not apply to the officers except the noncommissioned officers. I want to say that if we defeat this rule there will be some way to take care of all of them hereafter.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, I take it that the House will not be surprised to learn that there were some members of the Committee on Rules who were not consulted by the steering committee in regard to this rule. The minority members have not had any conversation with the steering committee and they have not had any conference with the prospective conferees in the Senate. They have no knowledge whatever of what is to be the final result. As this matter stands, as it presented itself to the minority members, this rule offered the simplest and easiest method to secure rapid action in a regular, decent, and parliamentary way upon a matter which was brought before the House and passed as an emergency proposition.

The bill came originally from the Committee on Naval Affairs, and it was urged upon the House by the gentleman from Michigan [Mr. KELLEY] as being very necessary to protect the Navy in securing reenlistments, and it was very largely on that idea that the House rapidly passed the measure. It went to the other body, and that body—well apparently if there was anything they did not put on it it was something that they forgot. So it comes back with a confused jurisdiction. The minority proceeded along the plain simple lines of letting the matter go to conference in order to expedite legislation.

Now, having said that much, in view of what was said by the gentleman from Pennsylvania [Mr. CRAGO] as to the leader of the majority suppressing future action, I think it is proper to

say a little more. If it be true that the steering committee, as the gentleman has stated, has reached that frame of mind where no opportunity is to be given to consider legislation from the Committee on Military Affairs to increase pay of Army men in the regular way, and there are a sufficient number in the House who desire to consider it at this time, I can suggest to you a method whereby it can be done—not by defeating the rule, because the steering committee might not let the majority bring in another rule.

You have the rule before you now, and if you will vote down the previous question you can amend the rule to do whatever you desire to do. [Applause.] We minority men have no particular pride nor any responsibility about this matter; we are glad to do our part in giving the House the opportunity to do whatever the majority of its Members want to do.

Mr. CRAGO. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. CRAGO. That is exactly what I intend asking the House to do.

Mr. WHEELER. Will the gentleman yield?

Mr. GARRETT. Yes.

Mr. WHEELER. I understand the rule can not be amended except the previous question is voted down, and then the House can amend it.

Mr. GARRETT. It can.

Mr. TINCHER. Will the gentleman yield?

Mr. GARRETT. I will.

Mr. TINCHER. If the rule is amended to comply with the ideas of the gentleman from Pennsylvania, the salaries of the officers of the Army may be increased without this House ever having a right to consider the matter at all, except the conference committee.

Mr. GARRETT. That might be. As far as the rule is concerned that might be done. The rule does not prevent anything of the sort. The minority knows nothing about the secret collaborations that are going on, but took things at their face value.

Mr. POU. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has four minutes.

Mr. POU. Mr. Speaker, there is one suggestion which I desire to submit to the House with regard to this rule. I think it is unfortunate that the rule is so drawn that the House can not instruct the conferees. The great Health Department of the Government is in a most unfortunate condition because of the inadequate salaries paid to those in the Health Service. I think it is unfortunate that the conferees can not take care of those salaries along with the other salaries they have jurisdiction of under this rule. I therefore venture to hope that the House may have some assurance that in the near future the Public Health Service will receive consideration at the hands of the proper committee.

Mr. PADGETT. They are in the Senate amendment.

Mr. POU. I know they are; but unfortunately the Senate amendment can not be considered under the gentlemen's agreement which we hear has been entered into. I am told that doctors in the Health Service are resigning; that that service is losing some of its best men; and that unless something is done within the near future the service faces chaos and disorganization. I throw out this suggestion for what it is worth.

As the gentleman from Tennessee [Mr. GARRETT] has suggested, there is one way by which the House can take charge of this matter, and that is by voting down the previous question. If the previous question is voted down, then the rule is open for amendment, and those who believe the Senate amendments should be considered will have opportunity to move to instruct the conferees.

Mr. SNELL. Mr. Speaker, I desire to take just one minute to make a very short statement, and that is, that there is nothing whatever in this rule that prevents us at some future time from considering the Army pay bill, which has not been considered in the House, and when it has been considered there will be plenty of time to take up the proposition of conference. So far as I am concerned, I am not opposed to a proposition for the Army similar to this, and there is nothing in this resolution to prevent it. I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I am just a little surprised that the minority members of the Committee on Rules, having reported a rule, and reported a rule approvingly, as everybody understood it, thinking that by so doing they might start a little trouble in the House, should now propose to the gentlemen of the majority that perhaps it would be well to now amend the rule which they have presented. What is the situation? This is a rule in accordance with the regular practice of the House. The only thing it does is to send this bill to conference. What the gentleman from Pennsylvania [Mr. CRAGO] wants is a violation of, or at least a departure from, the usual and, I think, universal and unbroken rule of the House, to have conferees appointed from the committee that considered the legislation in the House. He wants conferees appointed from another committee, and why? Because in the Senate there was placed on the bill certain amendments not in the jurisdiction of the committee that reported the legislation in the House. We would get ourselves into a fine pickle if we started in doing that sort of thing. Suppose the Committee on Ways and Means reports a bill and that bill is passed through the House. The bill goes to the Senate, and the Senate, having seen fit to do so, should place on the bill certain amendments within the jurisdiction of half a dozen committees of the House, and it then should be demanded in the House that in the naming of the conferees every committee which might have jurisdiction over some one of the Senate amendments, if they had originated in the House, should be represented on the conference committee. The mere statement of the situation shows how ridiculous the proposal is. We have followed a certain rule in the matter of conference committees here since the beginning, since the establishment of this Congress.

Mr. CRAGO. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. And I do not think Congress wants to depart from it at this time. I yield to the gentleman from Pennsylvania.

Mr. CRAGO. If we had followed the usual rule, we would not be considering this resolution at this time, but we would simply have sent the bill to conference without a special rule.

Mr. MONDELL. The only way to send it to conference without a rule is by unanimous consent, and the gentleman evidently believes a number of gentlemen in the House would refuse unanimous consent, for neither he nor anyone else has asked unanimous consent. Therefore a rule becomes essential. This is a rule to send legislation to conference without instructing the conferees in any way, leaving the entire matter in their hands under the ordinary usual practice of the House, and I am sure the House does not want to depart from that practice in the method suggested by the gentleman from Pennsylvania [Mr. CRAGO].

What the gentleman from Pennsylvania really wants is this, that there shall be a representative of another committee on the conference in order that that representative may insist that the conferees shall bring into the House legislation involving great expenditures in a matter that the House has never considered. That is what the gentleman wants. That is his only object in insisting upon having a conferee from another committee.

Mr. REAVIS. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. REAVIS. If this special rule should pass, and conferees should be appointed in accordance with it, would they not have jurisdiction of all legislation that has been passed by this House on that question?

Mr. MONDELL. They would have jurisdiction of the House bill, and of the Senate amendments. They would have just as much jurisdiction as though there was on the conference committee a representative from the Military Affairs Committee of the House. The insistence on the part of the gentleman from Pennsylvania grows out of the fact that he hopes or would like to have on the conference a representative of the Military Affairs Committee, who would insist upon the House taking the Senate bill, including a number of matters that the House has never considered.

Mr. REAVIS. That is, if the gentleman will permit, to permit the conferees to legislate in conference for the House.

Mr. MONDELL. That is the idea exactly. That is the purpose. The ordinary practice of the House should not be overturned by any such procedure.

The SPEAKER pro tempore. The time of the gentleman from Wyoming has expired.

Mr. SNELL. Mr. Speaker, I move the previous question on the resolution to final passage.

The question was taken.

Mr. SNELL. Mr. Speaker, I demand a division.

The House proceeded to divide.

Mr. BRITTEN (while the House was dividing). Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. The gentleman from Illinois demands the yeas and nays. As many as are in favor of taking the vote by the yeas and nays will rise and stand until counted. [After counting.] Eighty-seven Members have risen, a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 136, nays 153, answered "present" 1, not voting 136, as follows:

YEAS—136.

Ackerman	Eagan	Kettner	Ramsey
Anderson	Echols	Kinkaid	Ramseyer
Andrews, Md.	Elliott	Knutson	Reavis
Andrews, Nebr.	Esch	Kraus	Reed, N. Y.
Ayres	Evans, Nebr.	Little	Reed, W. Va.
Baer	Fairfield	Longworth	Riddick
Begg	Foster	Luce	Riordan
Benham	Frear	Lufkin	Rodenberg
Black	Freeman	Luhring	Shreve
Bland, Ind.	French	McGlennon	Siegel
Blanton	Fuller, Ill.	McKenzie	Sinclair
Boies	Good	McKinley	Sisson
Britten	Goodykoontz	McLaughlin, Nebr.	Smith, Idaho
Browne	Graham, Ill.	McPherson	Smith, Mich.
Browning	Green, Iowa	MacGregor	Snell
Burroughs	Greene, Mass.	Madden	Snyder
Butler	Griest	Maher	Steenerson
Cannon	Hadley	Mann, Ill.	Stephens, Ohio
Carew	Hardy, Colo.	Mead	Strong, Kans.
Chindblom	Harreld	Merritt	Summers, Wash.
Classon	Haugen	Monahan, Wis.	Sweet
Cole	Hays	Mondell	Swope
Cooper	Hernandez	Montague	Thompson
Cramton	Hickey	Morgan	Tilson
Cullen	Hicks	Mott	Tincher
Currie, Mich.	Hoch	Mudd	Venable
Dale	Holland	Nelson, Wis.	Volstead
Dallinger	Hulings	Newton, Mo.	Ward
Darrow	Husted	O'Connell	Wheeler
Dempsey	Ireland	Oliver	White, Kans.
Dickinson, Iowa	James	Padgett	Wilson, Ill.
Dooling	Juul	Parker	Winslow
Dowell	Kelley, Mich.	Peters	Young, N. Dak.
Dunn	Kendall	Purnell	Zihlman

NAYS—153.

Almon	Eagle	Lesher	Rhodes
Ashbrook	Elston	Linthicum	Ricketts
Aswell	Emerson	Lonergan	Robinson, N. C.
Babka	Evans, Mont.	McClintic	Robsion, Ky.
Barbour	Fisher	McKeown	Romjue
Bee	Flood	Magee	Rubey
Bell	Focht	Major	Rucker
Blackmon	Gallagher	Mann, S. C.	Sanders, La.
Bland, Mo.	Gard	Mansfield	Sanders, N. Y.
Bland, Va.	Garland	Martin	Sanford
Bowers	Garner	Mays	Scott
Box	Garrett	Michener	Sears
Brand	Godwin, N. C.	Miller	Sims
Briggs	Goodwin, Ark.	Minahan, N. J.	Slemp
Brooks, Ill.	Greene, Vt.	Moon	Smithwick
Brumbaugh	Griffin	Mooney	Steagall
Buchanan	Hardy, Tex.	Moore, Ohio	Stedman
Burdick	Harrison	Moores, Ind.	Stevenson
Byrnes, S. C.	Hawley	Murphy	Stiness
Byrns, Tenn.	Heflin	Nelson, Mo.	Stoll
Caldwell	Hersey	Newton, Minn.	Taylor, Ark.
Candler	Hersman	Nolan	Thomas
Caraway	Hull, Iowa	Ogden	Upshaw
Carss	Hull, Tenn.	Oldfield	Vaile
Casey	Humphreys	Olney	Vinson
Clark, Mo.	Igoe	Overstreet	Watkins
Collier	Jacoway	Park	Watson
Connally	Johnson, Miss.	Parrish	Weaver
Copley	Johnson, S. Dak.	Pell	Welling
Crago	Jones, Pa.	Phelan	Whaley
Davis, Tenn.	Jones, Tex.	Platt	Wilson, La.
Dent	Kearns	Pou	Wingo
Dewalt	Keller	Quin	Wise
Dickinson, Mo.	Kelly, Pa.	Rainey, H. T.	Woods, Va.
Dominick	King	Rainey, J. W.	Wright
Donovan	Lankford	Raker	Young, Tex.
Doughton	Larsen	Randall, Calif.	
Dunbar	Lazaro	Rayburn	
Dyer	Lee, Ga.	Reber	

ANSWERED "PRESENT"—1.

Langley

NOT VOTING—136.

Anthony	Ferris	Kennedy, R. I.	Porter
Bacharach	Fess	Kiess	Radcliffe
Bankhead	Fields	Kincheloe	Rainey, Ala.
Barkley	Fordney	Kitchin	Randall, Wis.
Benson	Fuller, Mass.	Kleczka	Rogers
Booher	Gallivan	Kreider	Rose
Brinson	Gandy	Lampert	Rouse
Brooks, Pa.	Ganly	Lanham	Rowan
Burke	Glynn	Layton	Rowe
Campbell, Kans.	Goldfogle	Lea, Calif.	Sabath
Campbell, Pa.	Goodall	Lehlbach	Sanders, Ind.
Cantrill	Gould	McAndrews	Schall
Carter	Graham, Pa.	McArthur	Scully
Christopherson	Hamill	McCulloch	Sells
Clark, Fla.	Hamilton	McDuffie	Sherwood
Cleary	Hastings	McFadden	Sinnott
Coady	Hayden	McKinley	Small
Costello	Hill	McLane	Smith, Ill.
Crisp	Hoey	McLaughlin, Mich.	Smith, N. Y.
Crowther	Houghton	MacCrate	Steele
Curry, Calif.	Howard	Mapes	Stephens, Miss.
Davey	Huddleston	Mason	Strong, Pa.
Davis, Minn.	Hudspeth	Moore, Va.	Sullivan
Denison	Hutchinson	Morin	Sumners, Tex.
Doremus	Jefferis	Neely	Tague
Drane	Johnson, Ky.	Nicholls, S. C.	Taylor, Colo.
Dupré	Johnson, Wash.	Nichols, Mich.	Taylor, Tenn.
Edmonds	Johnston, N. Y.	O'Connor	Temple
Ellsworth	Kahn	Osborne	Tillman
Evans, Nev.	Kennedy, Iowa	Paige	Timberlake
Tinkham	Vestal	Webster	Wilson, Pa.
Towner	Voigt	Welty	Wood, Ind.
Treadway	Walters	White, Me.	Woodyard
Vare	Wason	Williams	Yates

So the previous question was not ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. FORDNEY with Mr. CLEARY.

Mr. WILLIAMS with Mr. HAMILL.

Mr. KIESS with Mr. SHERWOOD.

Mr. LEHLBACH with Mr. DAVEY.

Mr. ROGERS with Mr. NICHOLLS of South Carolina.

Mr. TINKHAM with Mr. STEPHENS of Mississippi.

Mr. MCLAUGHLIN of Michigan with Mr. COADY.

Mr. MCARTHUR with Mr. TILLMAN.

Mr. WOOD of Indiana with Mr. SMITH of New York.

Mr. BROOKS of Pennsylvania with Mr. O'CONNOR.

Mr. KENNEDY of Iowa with Mr. EVANS of Nevada.

Mr. GOULD with Mr. WILSON of Pennsylvania.

Mr. JOHNSON of Washington with Mr. DUPRÉ.

Mr. LANGLEY. Mr. Speaker, I desire to inquire if Mr. CLARK of Florida voted on this roll call?

The SPEAKER pro tempore. The gentleman did not vote.

Mr. LANGLEY. I voted "aye," but I have a general pair with him on account of his absence due to illness and I desire to withdraw my vote and answer "present."

The name of Mr. LANGLEY was called and he answered "present."

Mr. EVANS of Nevada. Mr. Speaker, I desire to vote "no."

The SPEAKER pro tempore. Was the gentleman in the Hall listening when his name was called?

Mr. EVANS of Nevada. No.

The SPEAKER pro tempore. The gentleman does not qualify.

Mr. CLEARY. Mr. Speaker, I desire to vote.

The SPEAKER pro tempore. Was the gentleman in the Hall listening when his name was called?

Mr. CLEARY. I just came in and was unable to answer to my name; I was in the door.

The SPEAKER pro tempore. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The previous question is not agreed to and the gentleman from North Carolina [Mr. POU] is entitled to recognition. [Applause.]

Mr. POU. Mr. Speaker, I offer a substitute.

The SPEAKER pro tempore. The gentleman from North Carolina offers a substitute, which the Clerk will report.

The Clerk read as follows:

Mr. POU offers the following substitute for House resolution 499:

"*Resolved*, That immediately upon the adoption of this resolution the Committee of the Whole House on the state of the Union shall be discharged from the consideration of the bill H. R. 11927, entitled 'An act to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation,' and the Senate amendments thereto; and it shall be in order to move that the House disagree to the Senate amendments and agree to the conference requested by the Senate, and the Speaker shall appoint the conferees: *Provided*, That during the consideration of same it shall be in order to make all motions in order under the general rules of the House."

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, the difference between this resolution and the resolution that was proposed by the gentleman from New York [Mr. SNELL] is that the effect of the resolution offered by the gentleman from New York would have been to have immediately, without intervening motion, sent the measure to conference, and the conferees would have been appointed without any opportunity for instruction. Under the resolution offered by the gentleman from North Carolina [Mr. POU], if it be adopted, and the House proceeds to the consideration, as it will under the rule, of the bill mentioned, it will be in order for any gentleman at the proper time to make such motion with reference to the instruction of the conferees—of course, carrying germane matter in his motion—as he may desire to make.

Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The gentleman yields back three minutes.

Mr. POU. Mr. Speaker, I move the previous question on the adoption of the substitute.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. KNUTSON. Division, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Minnesota demands a division. All in favor of ordering the previous question will rise and stand until counted.

Mr. KNUTSON. Mr. Speaker, I withdraw the request.

The SPEAKER pro tempore. The ayes have it, and the previous question having been ordered, the question now is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER pro tempore. The question now is on the resolution as amended.

The resolution as amended was agreed to.

Mr. MANN of Illinois. Mr. Speaker, I move to concur in the Senate amendments.

The SPEAKER pro tempore. The gentleman from Illinois moves to concur in the Senate amendments.

The question was taken, and the motion to concur was rejected.

Mr. MANN of Illinois. Mr. Speaker, I move that the House agree to the conference asked for by the Senate.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will announce the conferees.

The following conferees were announced:

Mr. BUTLER, Mr. BROWNING, Mr. KELLEY of Michigan, Mr. PADGETT, and Mr. RIORDAN.

NAVAL APPROPRIATIONS.

Mr. BUTLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13108, the naval appropriation bill.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13108, the naval appropriation bill, with Mr. MANN of Illinois in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

Mr. BROWNING. Mr. Chairman, I yield 40 minutes to the gentleman from Wisconsin [Mr. NELSON].

Mr. PADGETT. Mr. Chairman, I also yield 20 minutes to the gentleman from Wisconsin.

The CHAIRMAN. The gentleman from Wisconsin is recognized for one hour.

Mr. NELSON of Wisconsin. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

THE ST. LAWRENCE ROUTE THROUGH THE GREAT LAKES TO THE SEA—A NATIONAL AND INTERNATIONAL PROJECT—THE KEY TO THE SOLUTION OF THE TRANSPORTATION PROBLEM OF THE GREAT WEST AS WELL AS THE KEY TO THE FUEL AND POWER CRISIS OF THE EASTERN SEABOARD.

Mr. NELSON of Wisconsin. Mr. Chairman and gentlemen of the committee, in the time allotted me I desire to call your attention to the proposed development of the international water route from the Great Lakes through the St. Lawrence River to the sea, jointly with the Dominion of Canada, that will accommodate ocean-going vessels. I believe, Mr. Chairman, that we are quite agreed that one of the greatest and most important problems in the economy of our national life to-day is the problem of adequate transportation at reasonable cost to both producer and consumer. The greatest need of America and of the world to-day is a larger production from the farm, mine, and factory, and from the general industries of the essentials and necessities of life, a larger development of all our natural resources. The world is pleading for food and for the necessities of life. This need should and must be met. America must and will do her share in supplying it. Our railroads and our inland waterways are the arteries through which must flow our ever-increasing production and expanding traffic. They are the highways of the future prosperity and happiness of our people.

THE PROJECT.

The project is one of national and international importance. It has two important phases—transportation and water power. I desire to discuss the need and importance of both. I wish to give full credit for facts and figures upon which I base my arguments to the Bureau of Foreign and Domestic Commerce, the Geological Survey, and the Army engineers.

STATES OF THE TIDEWATER ASSOCIATION.

The Great Lakes and St. Lawrence Tidewater Association is a voluntary association of 14 member States, including Wisconsin, Minnesota, Michigan, Illinois, Indiana, Ohio, Iowa, North Dakota, South Dakota, Idaho, Montana, Wyoming, Colorado and Nebraska. The first three of these States have aided the movement through State commissions created by their respective legislatures. These States are to-day in a voluntary cooperative effort attempting to impress this Nation and Congress with the urgent need of adequate transportation facilities at reduced rates, to be provided by the proper development of our inland waterways. And I wish to impress upon Congress and this Nation to-day the fact that these great Western States between the Rockies and the Alleghenies, constituting the very

THE HISTORY OF THE PROJECT.

heart of the United States, are to-day banded together in this voluntary association because of a common national need and a common national interest in one of the greatest and most far-reaching enterprises of the century in affording this vast territory of industry and production a proper outlet to the Atlantic seaboard by way of the Great Lakes.

The feasibility and desirability of the development of this project has been discussed for several decades. Progress was interrupted in 1914 by the great World War. But on March 2, 1919, my colleague, Senator IRVINE L. LENROOT, of Wisconsin, whose deep and farseeing statesmanship is always alert to the best interests of our Nation, had incorporated into the rivers and harbors act a provision requesting the International Joint Commission "to investigate what further improvement of the St. Lawrence River, between Montreal and Lake Ontario, is necessary to make the same navigable for ocean-going vessels, together with the estimated cost thereof, and report to the Government of the Dominion of Canada and to the Congress of the United States, with its recommendations, for cooperation by the United States with the Dominion of Canada in the improvement of said river."

The following letter from the former Secretary of State, Hon. Robert Lansing, to the International Joint Commission, and the instructions to the field engineers by the engineers in charge on the part of the two Governments will be of interest:

DEPARTMENT OF STATE,
Washington, D. C., January 21, 1920.

INTERNATIONAL JOINT COMMISSION,
Washington, D. C.

GENTLEMEN: I have the honor to inform you that the Governments of the United States of America and of the Dominion of Canada, under the provisions of article 9 of the treaty of the 11th of January, 1909, between the Governments of the United States and Great Britain, herewith refer certain questions, as set forth below, "involving the beneficial use of the waters of the St. Lawrence River, between Montreal and Lake Ontario, in the interests of both countries, and in general the rights, obligations, or interests of either in relation to the other, or to the inhabitants of the other along their common frontier."

It is desired that the said questions be made the basis of an investigation to be carried out by the International Joint Commission, to the end that the said commission may submit a report to the two countries covering the subject matter of this reference, together with such conclusions and recommendations as may be considered pertinent in the premises.

Question I: What further improvement in the St. Lawrence River, between Montreal and Lake Ontario, is necessary to make the same navigable for deep-draft vessels of either the lake or ocean going type? What draft of water is recommended and what is the estimated cost?

In answering this question the commission is requested to consider:

(a) Navigation interests alone, whether by the construction of locks and dams in the river; by side canals with the necessary locks; or by a combination of the two.

(b) The combination of navigation and power interests to obtain the greatest beneficial use of the waters of the river.

Question II: Which of the schemes submitted by the Government or other engineers is preferred, and why?

Question III: Under what general method of procedure and in what general order shall the various physical and administrative features of the improvement be carried out?

Question IV: Upon what basis shall the capital cost of the completed improvement be apportioned to each country?

Question V: Upon what basis shall the costs of operation and maintenance be apportioned to each country?

Question VI: What method of control is recommended for the operation of the improved waterway to secure its most beneficial use?

Question VII: Will regulating Lake Ontario increase the low-water flow in the St. Lawrence ship channel below Montreal? And if so, to what extent and at what additional cost?

Question VIII: To what extent will the improvement develop the resources, commerce, and industry of each country?

Question IX: What traffic, both incoming and outgoing, in kind and quantity, is likely to be carried upon the proposed route both at its inception and in the future, consideration to be given not only to present conditions but to probable changes therein resulting from the development of industrial activities due to availability of large quantities of hydraulic power?

Pending the receipt of plans, estimates, and other engineering data necessary for the final consideration of this reference, the commission is requested to hold such public hearings as may be considered necessary or advisable in order to obtain all information bearing directly or indirectly on the physical, commercial, and economic feasibility of the project as a whole.

To facilitate the preparation of the desired report each Government will, from its official engineering personnel, appoint an engineer with full authority to confer with a similar officer of the other Government for the purpose: First, of acquiring, each in his own country, such data as may be found necessary to supplement the existing engineering data and surveys; and, second, of preparing complete outline plans for and estimates of the cost of the proposed improvement, including the value of all property, easements, damages, and rights connected therewith. These

plans and estimates are to be submitted to the commission as soon as practicable, but not later than one year from the date of appointment, and the commission is requested to forward to the two Governments its final report, with recommendation not later than three months thereafter. A copy of the instructions furnished these engineers is attached hereto.

I am, gentlemen,
Your obedient servant, ROBERT LANSING.

INSTRUCTIONS TO ENGINEERS IN CHARGE ST. LAWRENCE RIVER, MONTREAL TO LAKE ONTARIO, NAVIGATION PROJECT.

You are hereby designated to take charge of the survey of the St. Lawrence River, Montreal to Lake Ontario, for the purpose of preparing plans and estimates for its further improvement to make the same navigable for deep-draft vessels of either the lake or ocean-going type, and to obtain the greatest beneficial use from these waters.

The surveys, plans, and estimates are to be submitted to the International Joint Commission within 12 months, and are to assist the commission in answering the questions of a reference to the matter under the provisions of article 9 of the treaty of the 11th of January, 1909, between the United States and Great Britain. (A copy of the letter of reference is inclosed for your information.)

It is desired to expedite the completion of the duty confided to you by utilizing all available surveys and other reliable information, whether derived from public or from private sources. That a proper basis of procedure may be agreed upon in the first instance and the field work and the preparation of plans and estimates promptly and efficiently carried on thereafter, you are requested to confer fully and freely with (name of individual to be inserted), who has been designated to take charge of corresponding duties on behalf of the (name of country to be inserted), to arrange for the division of the field work, and for cooperation in the preparation of the desired plans and estimates. While it is clear that the field work necessary to complete existing information may properly and advantageously be divided, cooperation and unity in the preparation of plans and estimates seem preferable.

It will be noted that the reference to the joint commission contemplates four different general schemes or methods of improvements, as follows:

(a) By means of locks and navigation dams in the river.
(b) By means of locks and side canals.
(c) By a combination of the two preceding methods.
(d) By means of locks and power dams.

The plans and estimates should definitely cover these four general schemes or methods of improvement, but other variations of them may be considered and, if deemed desirable, also presented to the commission.

The channels to be considered are to be of 25 and 30 feet depth at low water, and the plans and estimates should be prepared correspondingly. A choice between them will, under the terms of the reference, be made by the commission.

As detailed plans can not be prepared within the time limit of one year fixed for this work, it is desired that merely outline plans and lump-sum estimates, based upon experience from similar work, such as the enlargement of the Welland Canal and power development at Niagara Falls, should be submitted.

The general schemes should be furnished to the commission showing: First, the best for navigation alone; and, second, for the most efficient utilization of the waters of the St. Lawrence for navigation and power, together with the approximate costs thereof.

As the handling and disposal of ice is a fundamental difficulty on the St. Lawrence River, the arrangements regarded as being necessary for this purpose should be discussed as well as those recommended for ice disposal during the construction period and thereafter.

Regulation of the levels of Lake Ontario so as to equalize the discharge of the St. Lawrence may be desirable in the interest of navigation, of ice disposal, and of power development. If the plans include any provisions for such regulation, an explanation should be furnished to make clear just what is proposed.

Finally, you are requested to keep the International Joint Commission fully advised of your progress and to maintain close and sympathetic touch with it so as to insure complete coordination.

C. KELLAR.
WM. J. STEWART.

A circular letter under date of February 16, 1920, by Hon. Whitehead Kluttz, secretary of the Joint Commission, gives us the information that the engineers appointed by the two governments are now engaged in the making of surveys and the preparation of plans and estimates for the information of the commission. It also states that the commission purposes holding a series of public hearings, at which all interested parties for or against the proposed development will be given an opportunity of expressing their views. As a preliminary step the commission is now requesting all National, State, provincial, municipal, commercial, transportation, and other bodies interested in the development of trade routes from the Great Lakes to the Atlantic seaboard to submit for its information a concise statement, to be supplemented later at the public hearings by more detailed statements, of their views as to the desirability or otherwise of the suggested deep waterway; its probable effect on the development of commerce in the Great Lakes and between Lake ports and ocean ports; what influence it would have on industrial development on either side of these boundary waters, particularly on the upper St. Lawrence; what its effect would be, if established, on existing or other projected water routes between the Great Lakes and the Atlantic; and the advantages and disadvantages of combining power development with the improvement of navigation on the upper St. Lawrence.

A NATIONAL PROJECT.

That the consideration of this project is national in scope and most opportune in time can scarcely be denied when one is reminded that this great project has been thoroughly discussed by our most prominent engineers and engineering bodies and always admitted as a most feasible water route and a development much to be desired as a relief to our overburdened transportation facilities, and as a needed hydroelectric power in our seaboard industries.

The following comprehensive statements upon this subject by the Hon. Josephus Daniels, Secretary of the Navy; the Hon. John Barton Payne, chairman of the United States Shipping Board and now Secretary of the Interior; Maj. Gen. Leonard Wood of the United States Army; and Hon. Franklin K. Lane, ex-Secretary of the Interior, show that this subject is of the largest national importance and has their most hearty and unqualified indorsement:

THE NEXT GREAT TASK.

The supreme duty of America lies with reference to water and ocean transportation. Before the war the business of the railroads was much greater than could be handled, and it was necessary, when the stress of war came, for the Government to take them over in order to transport the soldiers, supplies, munitions, and materials to the seaboard. The business of our country will continually expand, and it is our duty to secure the lowest transportation costs possible.

The railroads will have all they can do to haul the lighter freight from and to inland towns, and we must look to water transportation for the heavy freight.

To this end our waterways should be improved and our merchant marine should be strengthened; and our rivers and harbors should be deepened.

This country has always had a vision of some great enterprise—as evidence, the Panama Canal and the Alaskan Railroad, which were in keeping with the spirit of our country when we built the great transcontinental railroad. Now, the big thing is water transportation.

A thorough study should be made of inland transportation, and I believe one of the most important improvements is to make it possible to have water transportation for large ships through the Lakes from the Atlantic and by barges down the Mississippi River.

Sincerely, yours,

JOSEPHUS DANIELS,
Secretary of the Navy.

GREAT LAKES FLEETS IN THEIR INFANCY.

Referring to the deep waterway between the Lakes and the Atlantic Ocean, you are right in stressing the importance of such a waterway. The importance of Chicago alone, not only as a manufacturing and packing center, but also as a clearing house for shippers generally west of Illinois, argues strongly for bringing to the highest possible state of accessibility and efficiency all means of freight transportation.

The study which you are making of inland-water transportation in the United States should substantiate the contention that the Great Lakes transportation system, important as it is at present, is in its infancy, and that delay in its development will cost producers, shippers, and consumers millions of dollars yearly.

JOHN BARTON PAYNE,
Chairman United States Shipping Board.

ST. LAWRENCE ROUTE ESSENTIAL.

We must amplify, and in a measure reshape, our transportation system. We must improve our waterways to the greatest possible limit. Congestion of freight during the war demonstrated the need of increased transportation facilities. The railroads did excellent work under heavy handicap, but the demand of the situation exceeded at times their capacity.

In any comprehensive scheme of development the line of water communication from the Great Lakes to the sea via the St. Lawrence is an essential element. It is but an extension of the Great Lakes highway upon which our products may move to market at the most advantageous rates. If we can complete the system, it will be the shortest and most direct route to northern Europe. It will furnish most economical transportation of foodstuffs and raw materials and will furnish a readily available line for transportation to the Atlantic seaboard in case of need.

Added transportation facilities means added trade and a better opportunity to compete with oversea markets.

LEONARD WOOD,
Major General, United States Army.

NEW SOURCE OF ENERGY.

The St. Lawrence deep waterway project is of great importance to the United States for the reason that 113 miles of this waterway is international boundary, in which we have a one-half interest in any power development that may result from the work necessary to render the river navigable. Our interest in the commerce which would pass through this improved waterway would probably be much greater than one-half.

It is recognized that the only present obstacle to sea-borne commerce is the existing unnavigable condition of the river from Montreal to Lake Ontario. The Welland and Soo Canals, now in course of reconstruction, will accommodate probably 90 per cent of ocean-going vessels. It is possible that some minor improvement will be necessary between Lake Erie and Lake Huron in order to accommodate vessels of 10,000 tons. Vessels of less tonnage may be accommodated by the present depth of water at that point.

It has been truly stated that when this work is completed the Great Lakes will be an American Mediterranean Sea for at least eight months of the year, and important Lake cities would become practically seaports, relieving the railroads of a tremendous burden of traffic and enabling the wheat growers of the Middle West to have quicker dispatch to foreign markets at a saving of at least 5 cents per bushel in freight charges.

My interest has been chiefly directed, however, to the wonderful development necessarily involved in this project for the improvement of navigation. Under favorable conditions of power load factor and of river regulation by Lake storage, it would appear that full utilization would give to the United States 420,000,000 kilowatt hours a month in addition to the 30,000,000 already developed on the St. Lawrence. Translated into terms of fuel conservation, this new power would exceed by nearly 50 per cent the present output of fuel-generated electricity in the public utility plants of New York State.

This new source of energy for the continuous use of industry appeals to the imagination, and while the development necessary to make this power available is a great work, that need not block the project. It is

said that private capital is available to undertake the navigation improvement in consideration of grant of the power privileges. No doubt this is true, and no doubt no such foolish bargain will be made.

I hope, for the reasons above stated and for many others which might be specified, that this work may soon be jointly undertaken by the United States and Canada.

FRANKLIN K. LANE,
Secretary of the Interior.

The Hon. Herbert Hoover, United States Food Administrator, and the Hon. Julius H. Barnes, chairman of the United States Grain Corporation, also recommend and indorse this project as essential and necessary to our economic welfare, and as a route that would put millions of dollars annually into the pockets of the farmers and producers of the great Middle and Western States. They are agreed that it is essential to increased production and as an aid to reduction in the high cost of living, as it will relieve the annual congestion caused by the shortage of railroad cars, which often amounts to a stricture in the free flow of commodities from the farmer and producer to the consumer. In other words, the farmer and the producer make sacrifices in the price of their commodities sold in the local glutted market, while the consumer, at the other end, is compelled to pay increased prices for foodstuffs, due to the shortage of cars in movement.

THREE CLASSES OF WATERWAYS.

The three classes of waterways which are desirable and economical to improve at almost any cost are: (a) short canals, with locks and dams, which will cut off thousands of miles in sea distances, as do the Suez and the Panama Canals; (b) waterways which by means of locks and dams form short links in long natural waterway courses connecting larger bodies of water to give easy access to ports such as the Soo, the Welland, and the proposed St. Lawrence; and (c) artificial canals or deep channels that give inland cities direct access to the sea like Manchester, Amsterdam, Hamburg, Bremen, Rotterdam, Antwerp, and others without transfer of cargo.

ENGINEERING DATA FROM GOVERNMENT REPORTS CONCERNING FEASIBILITY AND COST OF THE ST. LAWRENCE ROUTE.

The report of the United States Deep Waterway Commission is printed in House Document No. 192, Fifty-fourth Congress, second session. After considering the subject in its various aspects, the Deep Waterway Commission reported, among other things, as follows:

That it is entirely feasible to construct such canals and develop such channels as will be adequate to any scale of navigation that may be desired between the several Great Lakes and to the seaboard and to conduct through the same domestic and foreign commerce. * * *.

The estimates of the Board of Engineers on Deep Waterways for those portions of the routes which would form a part of a deep waterway via the St. Lawrence River were as follows, based on a regulated surface:

	30-foot channel.	21-foot channel.
Lake Superior to Lake Erie	$33,539,869	$6,961,818
Lake Erie to Lake Ontario	73,435,350	42,393,203
Lake Ontario to St. Regis	35,514,438	21,027,113
	142,489,657	70,382,134

Since that report was submitted the Dominion of Canada has adopted a project for the enlargement of the Welland Canal to provide a preliminary depth of 25 feet at extreme low water in Lake Erie, namely, 568 feet above mean tide at New York, a stage about 2.8 feet below the datum plane of adopted projects for improvement by the United States on Lake Erie. Recent estimates for a waterway 25 feet deep on the American side between Lake Erie and Lake Ontario indicate that such a waterway following the route preferred by the Board of Engineers on Deep Waterways from La Salle to Lewiston would cost about $120,000,000, or about the cost of three battleships. However, in considering a through route by way of the St. Lawrence River, the greater part of which will be in Canadian waters, it is not essential to include a canal on the American side between Lakes Erie and Ontario, which would be merely a duplication of facilities to be provided on the Canadian side.

The report of this project by the Army engineers, published in House Document No. 1591, Sixty-fifth Congress, third session, gives us the information that the depth proposed by the district engineer, as fulfilling the requirements for a ship canal, was 25 feet. He reported that the plans of the Board of Engineers on Deep Waterways are acceptable to meet the inquiry of Congress, with certain modifications necessary to meet the changed conditions in the 17 miles immediately above St. Regis, resulting from the existence of important water-power developments. With these modifications he estimated the cost of a 25-foot waterway at $33,962,772.47. No official estimate has been made of the cost of improving the section from St. Regis to Montreal, but a recent unofficial estimate places the cost at $65,000,000, making a total cost of approximately $100,000,000 for improvement of the St. Lawrence River to afford a depth of 25 feet between Lake Ontario and Montreal.

It should be borne in mind, however, that the plans of the Board of Engineers on Deep Waterways were designed to provide a waterway primarily for navigation and are insufficient to afford opportunity for development of the important water-power resources of the river. With a mean discharge of 241,000 cubic feet per second and a fall of 222 feet between the foot of Lake Ontario and Montreal, it will be realized that in this flow there lies an enormous undeveloped resource, and that the regularity of the flow, which varies scarcely 25 per cent between the minimum and the maximum, affords an unusual opportunity for successful power development. It has been estimated that in the sections above St. Regis, having a total fall of 92 feet, the theoretical power available amounts to 2,520,000, and assuming an efficiency of only 70 per cent, this would furnish 1,764,000 horsepower, having a value in that section of at least $10 to $12 per horsepower annually, or $17,640,000. The coal required to produce this amount of power in local power plants such as are usually found in connection with general manufacturing would be about 25,000,000 tons, valued at more than $100,000,000 annually, or practically the full cost of the improvement above Montreal for navigation purposes. [Applause.]

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. NELSON of Wisconsin. Yes; I yield to the gentleman from Illinois.

Mr. GALLAGHER. A great amount of that power on our side would go to the benefit of the State of New York, would it not?

Mr. NELSON of Wisconsin. Yes; that is absolutely true, as I shall show before I close.

The total developable water power of the Great Lakes drainage basin is estimated at 10,000,000 horsepower. The power already developed within this area is roughly 1,000,000 horsepower in the United States and 1,500,000 horsepower in Canada.

At present the United States has no water-power policy. The general dam act of June 23, 1910, contains provisions covering the development of power by private companies on the navigable waterways of the country, designed to protect the interests of navigation, but the provisions of this act are not such as to encourage water-power development. The restrictions therein contained are such as to render water-power development generally unattractive to private capital, notwithstanding the fact that one of our most urgent requirements at the present time is an abundance of cheap power.

Gen. Charles Keller, Corps of Engineers, representing the United States, and Mr. William J. Stewart, chief hydrographer, representing the Dominion of Canada, have had several conferences, and have submitted recommendations to their respective Governments relative to the scope of the investigation. It may be proper to state that the recommendations include the making of such field investigations as may be required to develop plans and estimates of cost for channels 25 and 30 feet deep.

AGRICULTURAL PROMOTION BY THIS PROJECT.

Agriculture is more vital to our Nation's life and welfare and to future generations than all the other industries combined. It is the foundation stone for our entire financial and commercial structure and the motive spring for the advancement of our civilization and national life. Hence the development of the rich agricultural area of the great West tributary to the Great Lakes is our first and most pressing need. This vital need can only be enhanced by cheaper and more adequate transportation facilities. Wheatless, meatless, and heatless days are not necessary in our American economy if we open the Great Lakes waterway to the Atlantic. [Applause.]

The standard rate for wheat shipped from Superior or Duluth to Liverpool was formerly 14 cents per bushel, divided approximately as follows:

From Superior or Duluth to Buffalo, 980 miles, including loading into elevator, 2.5 cents; from Buffalo to New York, 450 miles by rail or barge canal, including terminal charges, 6.5 cents; from New York to Liverpool, 3,000 miles, 5 cents. But it is no longer possible for the farmer to ship his grain to Liverpool at this rate. The cost now exceeds 50 cents per bushel, and there is no prospect of a reduction to anything like former rates. The savings by an all-water route amount to one-third of the charges by any other method, indicating a saving of about $12,000,000 to $15,000,000 annually, based on prewar freight rates, and several times as much, based on present rates. These large savings would go into the pockets of the farmers.

Mr. SHREVE. Mr. Chairman, will the gentleman yield for a question?

Mr. NELSON of Wisconsin. Yes. I yield to the gentleman from Pennsylvania.

Mr. SHREVE. Representing, as I do, one of the inland deep-water cities, I am interested in the gentleman's discussion, and I would like to ask him this question: Would the power that the gentleman has mentioned be available in Pennsylvania?

Mr. NELSON of Wisconsin. It would. At the present time the power of Niagara Falls is distributed to the east. This could then be released to Erie. Pennsylvania on Lake Erie will have tremendous advantages from this great development. Pennsylvania, as well as New York, will be benefited by the opening of this great waterway to the sea.

Mr. SHREVE. Here is another question: Is it the gentleman's thought that an ocean going ship would load at Chicago or Duluth or Buffalo or Toledo or Erie or any other port on the Great Lakes and be able to engage in ocean going commerce?

Mr. NELSON of Wisconsin. Yes; every port on the Great Lakes would become an ocean port.

Mr. DONOVAN. Mr. Chairman, will the gentleman yield for a question?

Mr. NELSON of Wisconsin. Yes. I yield to the gentleman from New York.

Mr. DONOVAN. Do I understand that the proposed water route is through the Lakes and out the St. Lawrence and thence to the ocean?

Mr. NELSON of Wisconsin. Yes.

Mr. DONOVAN. What does the gentleman say about the St. Lawrence and the bay being open in winter to navigation?

Mr. NELSON of Wisconsin. It is open eight months for navigation, and it would be open all the time for water power. The eight months of open navigation is sufficient to carry all peak loads and relieve our present congested traffic conditions.

More efficient methods of distribution which in the end increase the net income of our farmers will make farming more attractive and add to the number who will make agricultural producers in our Nation. Larger production and better and cheaper distribution of our farm products will tend to check the high cost of living and at the same time increase the net income of our farmers, which in turn will produce larger production. Poor transportation facilities will underpay the farmer or producer and overcharge the consumer. The spread between producer and consumer to-day is too large, and it hits the farmer, the laborer, and the general public alike. Mounting prices and undue profiteering must be stopped if our social unrest and economic chaos are to be adjusted. The large agricultural interests of the Middle West demand the open route to the Atlantic Ocean by the St. Lawrence River through the Great Lakes. [Applause.]

Mr. Herbert Hoover has said in his exhaustive study of the food and transportation question that "one of the first things which an engineer in surveying this problem would advise would be the creation of a waterway all the way from the Great Lakes to the sea by way of the St. Lawrence River. By this arrangement the crops of the Middle West would have direct, expeditious, and economic access to the ocean. An engineer knows that this could be done at a lesser expense than would be involved in increasing our railroad facilities to care adequately for our marketing. Since the prices of this production are made at the other end in world competition, the cheapening of its transmission to the world's markets would go into the pockets of the farmer."

The profits of the farmer during the abnormal conditions brought on by the war have been encouraging to our agricultural production, but it is easy to see that short hours and high wages for labor, high cost of machinery and farm equipment plus inadequate and high cost of transportation will soon make it impossible for the farmer to produce at a sufficient and sustaining profit the large production necessary for our home and foreign demand. And let me say that what affects the farmer soon affects the entire structure of our economic and social life. The farm is still the foundation stone of our national as well as world wealth. The tilling to its highest efficiency the farms of our Nation becomes a vital reconstructive problem, worthy of our deepest study and concern.

The tide of immigration and migration is west, but the flow of the products of the farm, mine, and factory is eastward and across the sea. More than that, our rapidly growing population produces a commerce that flows both east and west and will tax to its utmost our transportation and power facilities. To help us a kind Providence has placed in the very heart of our continent the golden chain of Great Lakes, with transportation and power facilities and natural resources far exceeding that of any equal area in all the world. In our vision of the future, we can see in this project the Mediterranean of America, the great artery of commerce, the great storehouse of never-failing hydroelectric energy for our expanding industries. [Applause.]

THIS PROJECT SHOULD MEAN NOT COMPETITION BUT COOPERATION BETWEEN THE EAST AND WEST.

The only opposition to this project so far has come from Montreal, in Canada, and New York, in the United States. Montreal argues, "Why should Montreal give up her prestige for the benefit of ports of the United States on the Great Lakes and a few Canadian villages on the north shore?" Meantime New York argues, "Why should we spend our money to develop a waterway through Canada and promote the commerce of foreign ports and lessen the commerce of the port of New York?" Both are wrong; both are selfish. It is merely a case of selfish monopoly by reason of strategic position on the seaboard against the welfare and happiness of the entire people. [Applause.] Superior, Duluth, Ashland, Washburn, Racine, Milwaukee, Chicago, Toledo, Detroit, Cleveland, Buffalo, and Erie have just as much right to have ocean steamers load and unload at their ports as do New York and Montreal. New York will always continue to have the advantage. She will always grow. She will always be the commanding port of the continent. This commanding commercial position no project can or will take away from her, nor would we care to do so. But let me say right here, New York in place of blocking this noble project should whole-heartedly support it, remembering that she owes to the great West and its development her own wonderful growth and place. The great West has helped New York; New York should aid the great West in return in a project of nation-wide mutual interest. Only in a spirit of cooperation of the development of our entire Nation in all its commercial possibilities and latent powers can lie our real American commercial supremacy over the other nations of the world.

Our Nation as a whole, and the great Middle West in particular, should not be sacrificed to the selfish and narrow provincialism of any one port or any one State or terminal. Such a narrow and contracted provincial vision will not mean the highest development of our Nation's supremacy in commerce and industry. New York, when she sees this project in its broadest aspect, will, I believe, enthusiastically support it. The opposition, I believe, is very limited, and the rank and file of the people of the great State of New York will overwhelmingly support this project when they realize the tremendous advantages to be derived for New York. She will win in hydroelectric power and teeming industrial life many times more than she will lose by the through cargoes on the St. Lawrence River, much of which will still continue to land in the New York port by this route.

Anyone in New York or in the eastern seaports inclined to oppose this most important economic project should read and clearly visualize the significant statement made by the broad-minded, farsighted, and constructive statesman, the Hon. Franklin K. Lane, in his annual report of 1919, when he states that "over 70 per cent of the available water power is west of the Mississippi, whereas over 70 per cent of the total horsepower now installed in prime movers is east of that river. Therefore unless the East is to lose its industrial supremacy it must press, and press hard, for the development of all water-power possibilities." New York and the Atlantic seaboard should, therefore, because of self-interest and for their future growth and welfare, join most heartily with the great Western States in a mutual program of giving to the West an outlet to the sea and to themselves their needed water-power development. The continued neglect of improving the Great Lakes waterway to the sea is nothing short of a national economic crime. [Applause.]

DIRECT BENEFITS OF THE PROJECT TO THE STATE OF NEW YORK.

If within 10 years the major portion of the available horsepower could be utilized at the present prices of coal, the total cost of the entire project would be saved in two years. The project of removing the St. Lawrence barrier to give the Great Lakes access to the sea is not an expenditure to encourage navigation but an investment in hydroelectric power that promises to pay large dividends.

Consider the importance of this hydroelectric development to the State of New York. High-tension transmission is at present practical over a radius of 260 miles. From the 20 or 30 miles of power developments along the international boundary the million horsepower would be distributed in an arc extending from Rochester down to Geneva, just north of Ithaca and south of Albany, taking in the great central area of New York State and the Champlain canal system, which grew rich and prosperous along the old Erie Canal.

This particular portion of the State is that which is farthest removed from the power of the Niagara Falls development, now entirely utilized by thriving industrial plants. The State of New York has built its magnificent new barge canal at a cost of about $160,000,000. This canal, throughout most of its length, is along a new location and its banks are empty of industrial

development. The movements of cargo on the canal to date have been very slight. There are several reasons for this, but upon analyzing the figures of the old Erie Canal it will be seen that in the most prosperous days of the Erie Canal 73 per cent of the tonnage on the canal was local tonnage, or way tonnage, serving the industrial plants that had grown prosperous and great because of the transportation facilities afforded by the canal. Only 27 per cent of the traffic on the canal was through traffic; that is, ex-Lake traffic going to New York or return. The future of the canal, its greatest usefulness, and its greatest return to the State that spent so much energy and treasure in building it, will come from the development along the new location of new and thriving and prosperous industry. With freight rates increasing and the cost of coal mounting, the State can offer to new industries both cheap water transportation and cheap electric power from the St. Lawrence development to locate along the banks of the new canal. Could there ever be a more auspicious combination? Through traffic brings little revenue to the State, but the industries that would grow up with cheap transportation and cheap power would give the State a great return.

OUR RAILROAD FACILITIES NOW INADEQUATE—REMOVE RAIL AND WATER COMPETITION.

The railroads are not now and have not for years been able to cope with our growing transportation demands, especially for grain and farm products in season. It is also quite evident that our railroads can not increase the transportation facilities without enormous and almost prohibitive cost in carrying charges. This project will be, as the Hon. Herbert Hoover said, a "real benefit to our railroads in giving them a better average load without the cost of maintaining the surplus equipment and personnel necessary to manage the peak load during the fall months." We should not have competition between the railroads and our inland waterways, but sympathetic cooperation. Indeed, we must supplant destructive competition between railways and waterways by a program of constructive cooperation. There is plenty of room for growth and expansion of railways in legitimate territory void of inland waterways. The whole country, the producer and the consumer, should have the benefit of the full and complete development of both railways and waterways through cooperative harmony. [Applause.]

PRESENT CONGESTION OF RAILROADS AND TERMINALS.

Proper development of inland waterways will do away with the freight blockades and terminal congestions which now almost paralyze the traffic from the great interior to the seaboard ports. It will eliminate much of the transfers of cargoes and congested terminals which now often equal in cost the entire line haul. Listen to this remarkable statement made by Mr. G. W. Mooney, secretary-treasurer of the Seaboard Steel & Manganese Co., of New York: "When a car of freight starts from Chicago to New York City it has, in point of time and cost, accomplished just half of its journey when it reaches Trenton, N. J.," due to the overburdened railroad traffic and congested terminals in New York Harbor. Thousands of freight cars, loaded with grain and flour, have stood on sidetracks in eastern cities days and weeks and often months without being moved, due to congested terminals. A high authority has said that it is well within the realm of probability that, if we have the average crop or better for 1920 and an average production in our industries in the area of the great Western States, these States will lose for lack of adequate transportation facilities a sum equal to the sum it will cost the United States for her one-half of the cost of the improvement of the St. Lawrence project. These facts should arouse our Nation to her obligation and duty. Our Nation must address herself most vigorously to the development of our inland waterways transportation, and while I voted for the rivers and harbors bill for the fiscal year of 1921, curtailing all new projects for the coming year—because of the slogan of retrenchment and economy and because of the further fact that sufficient appropriations are now available to do all that is possible on new waterway projects the coming year—I am ready to say now that this Nation must realize that real economy lies in a sane and proper improvement of our inland waterways and that ample appropriations for their development is in the line of true economy and national prosperity. We must have added routes at once. The cheapest to construct, the largest in carrying capacity, and the lowest in freight cost is by the Great Lakes and St. Lawrence River to the sea. The neck to the entrance of New York Harbor is full to its limit. It can hold no more. Embargoes have occurred even in normal times, and we all recall the almost complete embargoes on traffic in 1918 and 1919. Let the American Mediterranean, nature's highway of our Nation, assist our growing commerce and needed production.

WESTERN CITIES AND LAKE PORTS, SUCH AS THE TWIN CITIES AND TWIN PORTS AND CHICAGO, HANDICAPPED.

The Hon. Julius H. Barnes, of the United States Grain Corporation, says:

From the time the grain commences to move the western railroads will always have an inadequate car supply. Now, if the cars with export grain ended their trip at the western Lake ports, they need not leave the owners' lines. The normal balance of car supply would be preserved and all business would be relieved by more equal and just flow of car service.

It is a well-known fact that the Minneapolis grain and flour market has been tremendously handicapped the past season for want of car service. It has had to carry on hand for months in storage the surplus supply ready for shipment and needed in the eastern and world markets. The St. Lawrence water route offers the only sure relief for this almost intolerable annual handicap to our great Western States in transporting their surplus of golden harvests to the world markets.

Recent reports from the Federal reserve bank of Minneapolis show that the car shortage is acute in the Northwest territory, and that commercial banks are carrying paper that should have been liquidated months ago. Sixty thousand cars are needed at once to carry last season's grain crops now stored in country elevators in the Twin Cities and western terminals.

The collapse of the transportation facilities of the country, particularly of the railroads and the larger eastern ports, has brought these great Western States to a position of feeling strangled because they have no direct outlet to the sea. The extent of this congestion may be indicated by the comparison of the number of tons of freight in the three principal railroad districts of the United States. In the western area a little less than 600,000,000 tons, in the southern area about 300,000,000 tons, while in the eastern area 1,132,000,000 tons of freight were carried in 1918. The railroads and the ports are no longer equal to this load, and the cost in delays and actual outlay of expense has become so great and acute that the Western States now demand a free access to the sea.

INDUSTRIAL DECENTRALIZATION NEEDED.

Our country should become more and more industrially decentralized, because of the tremendous distances of our transportation hauls. The raw material should be manufactured into the finished products, as far as practicable, within its own geographical zone or circle of distribution. In other words, we should not go east with the raw materials and then ship them back as finished products to the west. Neither should we ship west the raw materials and then ship them back east as finished products. We must reduce carrying charges by a sane policy of conservation in manufacture and distribution of raw materials into finished products.

POSSIBLE ROUTES AND PROBABLE COST.

In a broad way, there are three possible routes from the Great Lakes to the sea—one all American, one all Canadian, and one joint American-Canadian. From every point of view, the joint American-Canadian route down the St. Lawrence along the international boundary line is the only logical, practical, and economical route to construct. For it is evident that if Canada should build, as she certainly will do, an all-Canadian route, America would be compelled to do likewise, and the duplication of cost of construction and expenses of upkeep of two routes would have to be borne by our commerce and paid by our producers and consumers, which should be avoided.

From a military point of view the joint route is the only correct one for America, as we then would continue to have, as now, absolute joint control over all war vessels entering the Lakes from the sea. Independent routes might place either Government in a position of military suspense and in an attitude of feeling called upon to provide military fortifications and defenses upon the Great Lakes, which we fervently hope may never obtain. For over a hundred years the only line of defense and fortification between Canada and the United States has been an imaginary boundary line. May it ever continue to be so. [Applause.]

From authentic sources I find the following interesting figures: Cost of the Soo Canal, connecting Lake Superior with Lake Huron, about $32,000,000; cost of the St. Clair Flats and the Detroit River, connecting Lake Huron with Lake Erie, about $16,000,000. The cost of the Welland Canal now under construction, connecting Lake Erie with Lake Ontario, a distance of about 25 miles just above Niagara Falls, is estimated at $75,000,000. The cost of the route from Lake Ontario through the St. Lawrence River to the sea is estimated at about $120,000,000. This includes the development both of transportation and water-power facilities on the St. Lawrence River.

SOME OF THE ARGUMENTS ADVANCED BY OPPONENTS OF THE PROJECT AND THE ABSOLUTE REFUTATION BY EXISTING FACTS.

Some of the arguments already heard against this great national project may be briefly alluded to with profit. They say that it will be a dismal commercial failure; that there will be no tonnage carried over the waterway; that it will destroy the traffic on the magnificent barge canal already constructed at an approximate cost of $160,000,000; that it is not feasible from an engineering point of view; that the power to be developed is not needed; that its cost is too great to be commercially profitable; that it will expose our interior and its ports to the perils of a possible invasion by British men-of-war.

Every one of these arguments is, in my humble opinion, utterly puerile and provincial and without any sound foundation based on facts. The first two reasons assigned can not both be true. It is perfectly clear that the enterprise can not be both a commercial failure and a dreaded rival of the barge canal and Atlantic seaports. The opposition evidenced in some newspapers both in New York and Montreal proves that it will be a commercial success. Assistant Secretary of the Interior Vogelsang suggests that in place of destroying the barge canal it is conceivable that by its added water power its tonnage will be increased by reason of additional industry and commerce in its own sphere. Our best conservation engineers state that in our conservation program we need the power developed, and that the power alone will more than pay for the entire cost of the route.

They also estimate that six to ten million tons of traffic will at once flow through this route to the sea. The argument of prohibitive cost fails when we observe that the barge canal, costing $160,000,000, with a carrying capacity of 10,000,000 tons, only carried in 1919 a total of 842,000 tons of freight, while this proposed project, costing only $120,000,000, will be capable of carrying the tonnage of the Great Lakes, besides giving $12,000,000 to $15,000,000 annually in water-power rental, and a saving of 25,000,000 tons of coal, or about $100,000,000, annually.

The naval terror can be dismissed as a mere nightmare and bugaboo, which will neither scare nor delude any well-informed citizen. Hostilities with Canada, our friend and neighbor to the north, is well-nigh inconceivable. Such a situation would mean that both Christianity and civilization, as well as good American sense, had completely broken down. Over 100 years without a fort or a gun along our 4,000 miles of international boundary assures us that we can build in perfect faith and peace. Moreover, our joint route is our real protection. Powerful land guns could destroy in a moment's notice all enemy naval possibilities if along the international boundary line. Closer international business relations will tend to bind us closer as friends and neighbors.

The scholarly, eloquent, purposeful, and thoroughly patriotic American-Canadian, the Hon. J. A. MacDonald, editor of the Toronto Globe, spoke for the United States as well as for Canada when he said:

> Our message here to-day, spoken by two voices, one from the United States, the other from Canada, is one message. It is America's message that on this continent, between two proud peoples, the barbarism of brute force has long yielded to civilized internationalism. It is the assurance that Canada's national standing on this continent binds the British Empire and the American Republic in one world-spanning English-speaking fraternity.

[Applause.]

INCREASED PRODUCTION AND THE RAILROAD CRISIS.

We talk much these days about increased production, but let me ask you how you can increase production without increasing transportation? The great James J. Hill, the empire builder of the West, said 10 years ago concerning transportation that "the crisis has already arrived." He also said that we would need to add annually $1,000,000,000 for railroad expansion. Railway experts tell us to-day that we must have $2,000,000,000 annually as our minimum need. These figures are staggering. The freight and passenger rates necessary to sustain such huge investments will tend to strangle real production. Cheaper transportation of heavy freights must be found. It is found at our very door. Open the locks of the great American Mediterranean. Let us have the proper vision and the needed courage to improve and utilize the natural highway offered as the only solution. Unless we properly improve our inland waterways we will fail to function as a great and growing Nation and fail to meet the ever-increasing demand for cheaper transportation for our constantly increasing production and expanding commerce.

Listen to these amazing figures: In 1900 our railroads in the United States carried 1,863 tons of freight 1 mile for every person in the Nation. By leaps and bounds these figures increased until in 1910 the total was 2,773 tons and in 1918 about 3,871 tons. In 1916 we hauled 340,000,000,000 ton-miles of freight and in 1917 we hauled 400,000,000,000 ton-miles of freight. Each year our traffic will increase these enormous figures. President Howard Elliott, one of the great experts on railroad matters, gives as our railroad needs in rolling-stock equipment for the next five or six years the almost staggering figures of 600,000 new freight cars, 20,000 new locomotives, and 20,000 new passenger cars. These totals translated into cost figures would read as follows: Six hundred thousand freight cars, at an average cost of $2,500 each, $1,500,000,000; 20,000 locomotives, at about $60,000 each, $1,200,000,000; and 20,000 passenger cars, at about $15,000 each, $300,000,000; or a grand total of $3,000,000,000 for rolling-stock equipment alone for the next five or six years. This says nothing about steel, terminals, betterments, and the various other railway improvements and extensions absolutely essential, so that the statement that $6,000,000,000 as the necessary need for railway development is easily within the realm of truth and reason. Compare these stupendous figures with the cost of the St. Lawrence project, which is estimated to cost about $120,000,000, of which $60,000,000, or one-half, would be our contribution.

The one practical problem before us is, Can freight be carried cheaper by water than by rail? An illustration of the difference in cost by water and rail may be given as follows: A horse with a wagon on a good road can haul at 3 miles an hour 2 tons. One horsepower with a car on a steel tramway can haul at 3 miles an hour 15 tons. One horsepower in a boat with no current can haul at 3 miles an hour 105 tons. Therefore we had before the war average rail rates of 7 mills per ton-mile; average canal rates, 2 to 3 mills per ton-mile; average ocean rates, 1 mill per ton-mile; and average Lake rates, $\frac{1}{10}$ of a mill per ton-mile.

COAL CONSERVATION.

Competent engineering data tell us that the total horsepower development of the United States is about 40,000,000 horsepower. Of this total, 30,000,000 horsepower is of steam, 8,000,000 of it is hydro, and 2,000,000 of it is gas. As horsepower by steam means consumption of immense quantities of coal, it soon becomes apparent that as a Nation we should now address ourselves most vigorously to the great problem of the utilization of our water powers wherever possible. Electricity for our industries and factories, our street railways, and even in many places our railroads is a vital economic factor in our program of constructive conservation.

America must economize in her coal resources if we are to be fair and square with our posterity and if we are to give a proper amount of export to other needy nations. We are told that the consumption of bituminous coal in America alone has grown to 580,000,000 tons in the last year. The coal shortage, by reason of strikes and collapse of our railway transportation in the last two years during peak seasons, has emphasized most forcibly the need of utilizing all possible water power and all possible waterways in our country. The St. Lawrence River, with its millions of horsepower, would mean much in this program of conservation. Indeed our great task in the coming years is in discovering the "vital economies in the generation of heat, light, and motive power." We must learn how to "hitch up America's coal and America's water power." In so doing we shall attain our highest efficiency and service and the largest economy in our natural resources.

When we realize that coal is about one-third of the total tonnage carried by the railroads, we are forced to see the absolute need in reducing this load by water routes. The utilization by the eastern seaboard of the United States' one-half, amounting to 882,000 horsepower to be supplied by the St. Lawrence River, would mean a saving of millions of tons of coal every year. The annual income rental of this immense horsepower on the American side alone would be about $12,000,000, which is equivalent to a return of 20 per cent on the investment. This huge return is astounding, and the amazing thing is that this great water power has not already been developed and utilized. It is to be hoped that we will hesitate no longer to join Canada in its development. Particularly is this true when we are told by the most competent engineers that the project is perfectly feasible and that the return on the water power alone, leaving out all the advantages of transportation, will more than pay for the entire investment.

Courageous and far-sighted Canada, with a population of less than one-fifteenth of our own population, and with an estimated national wealth of less than one-twentieth of our national wealth, is ready to join hands with us on a fifty-fifty contribution basis to develop this marvelous water-power and navigation project. The United States must not and will not hesitate.

VALUE OF PRODUCTION OF THE GREAT WESTERN STATES BORDERING ON THE GREAT LAKES.

The following tables for the year 1914, being the latest authentic data compiled, which I have obtained through the courtesy of the Bureau of Foreign and Domestic Commerce, visualize in a

most forceful manner the wonderful production of this great interior group of States tributary to the Great Lakes:

Value of agricultural implements produced, 1914.

Illinois	$65,338,000
Wisconsin	20,119,000
Ohio	17,485,000
Indiana	12,791,000
Michigan	7,731,000
Iowa	5,216,000
Minnesota	3,813,000
Missouri	569,000
Kansas	315,000
Total	133,377,000
Total for United States	164,087,000

Value of products of automobile industry, 1914.

Michigan	$398,289,000
Ohio	85,711,000
Indiana	29,389,000
Wisconsin	18,478,000
Illinois	11,018,000
Missouri	2,183,000
Minnesota	1,230,000
Nebraska	156,000
Total	546,454,000
Total for United States	632,831,000

Value of manufactures, 1914.

Colorado	$136,839,000
Illinois	2,247,323,000
Indiana	730,795,000
Iowa	310,750,000
Kansas	323,234,000
Michigan	1,086,162,000
Minnesota	493,354,000
Missouri	637,952,000
Montana	84,446,000
Nebraska	221,616,000
North Dakota	21,147,000
Ohio	1,782,808,000
South Dakota	24,139,000
Wisconsin	695,172,000
Wyoming	11,223,000
Total	8,806,960,000
Total for United States	24,246,435,000

Value of slaughterhouse and meat-packing products, 1914.

Illinois	$485,362,000
Kansas	151,647,000
Nebraska	104,503,000
Missouri	91,608,000
Iowa	74,172,000
Ohio	64,960,000
Indiana	51,022,000
Minnesota	47,536,000
Wisconsin	32,181,000
Michigan	20,666,000
Colorado	12,726,000
Montana	2,120,000
Total	1,138,503,000
Total for United States	1,651,965,000

Value of mineral products, 1914.

Colorado	$52,162,000
Illinois	117,166,000
Indiana	42,864,000
Iowa	26,287,000
Kansas	25,866,000
Michigan	57,744,000
Minnesota	45,681,000
Missouri	48,598,000
Montana	54,245,000
Nebraska	1,167,000
North Dakota	1,064,000
Ohio	101,661,000
South Dakota	7,862,000
Wisconsin	11,140,000
Wyoming	12,418,000
Total	605,925,000
Total for the United States	2,115,200,000

Production of rubber goods, exclusive of belting, hose, boots, and shoes, 1914.

Illinois	$1,980,000
Indiana	6,333,000
Ohio	109,659,000
Total	117,972,000
Total for United States	223,611,000

Value of production of butter, cheese, and condensed milk, 1914.

Wisconsin	$72,859,000
Minnesota	33,746,000
Iowa	27,606,000
Illinois	21,792,000
Michigan	21,550,000
Ohio	19,326,000
Nebraska	11,082,000
Kansas	10,220,000
Indiana	8,824,000
Missouri	5,167,000
Colorado	3,597,000
South Dakota	2,920,000
North Dakota	1,740,000
Montana	1,218,000
Wyoming	543,000
Total	242,190,000
Total for United States	364,285,000

The region, in the very heart of the Nation, tributary to the Great Lakes, with but one-third of the Nation's area and population, produces about one-half to seven-eighths of the principal staples, excluding cotton and tobacco. It provides our surplus of wheat, meats and dairy products, and leading minerals. It produces 75 per cent of the wheat, 65 per cent of the corn, and 100 per cent of the flax; 85 per cent of the iron; 39 per cent of the copper; 74 per cent of the zinc, and 46 per cent of the lead, and 50 per cent of the potatoes and sugar beets. It possesses more than 50 per cent of the Nation's cattle, swine, and dairy cows; 60 per cent of the horses, and 72 per cent of the Nation's measured coal reserves.

From a study of these tables it will be observed that 12 of these States produce $1,138,000,000 worth of slaughterhouse products out of $1,652,000,000, the total production of the United States. Three States alone produce $117,000,000 worth of rubber goods out of a national total of $223,000,000. The automobile industry of this area produces $540,000,000 of the Nation's total output of $632,000,000, or 87 per cent. The production of butter, cheese, and condensed milk is $242,000,000 or about two-thirds out of a total for the United States of $364,000,000. Agricultural implements, $133,000,000 out of a total of $164,000,000 of the Nation, comes from this area bordering on the Great Lakes. In the censes of manufactures for 1914, the last authentic figures, we find that $9,000,000,000 out of a national total of about $24,000,000,000 worth of manufactures, or more than a third—37½ per cent—of America's production came from the cities tributary to the Great Lakes.

But the strictures of high transportation costs are making themselves felt. The grain areas of the Northwest are actually falling off in production because of the higher cost of going over to the systems of intensive agriculture with fertilizers on this once virgin land. The cost of intensive production plus the present high freight rates to the open sea will make it impossible for the farmers of this great area to compete with countries of virgin soils and cheap labor, such as Russia and Argentina. It is an economic axiom that the total cost is the cost of production plus the cost of transportation. The farmer receives only that amount which is left from the world's market prices after deducting the cost of transportation, including middleman's profit. Any expedient that will lower the cost of transportation and cut out the rehandling with its large costs and cut down the percentages of the commissions and profiteers will leave the farmer a greater reward for his labor and the consumer a more equitable standard of living. Free access to the sea for the western and middle-western farmers would give them a much larger portion of the prices paid in the world's market for their products. The effect on the manufacturer would be to lower his ultimate cost in the world's market. By lowering prices he would increase his sales and his production, which in most industries result in lower cost of production in his own factory. Thus a great benefit would result in the reduction of the high cost of living to the American consumer and the American producer, including the farmer, the manufacturer, the laborer, and the employer.

PRESENT BARRIERS TO THE ROUTE EASILY REMOVED.

With only two barriers removed, even the present depth of channels and harbors of 21 feet will enable large numbers of ocean vessels to steam directly to the ports of the Great Lakes. The two barriers are the St. Lawrence River rapids and the Niagara Falls. The barrier of the Niagara Falls is already being overcome by the Canadians in the reconstructed Welland Canal. The difference of lake level will be overcome by seven locks in the new Welland Canal in a distance of 25 miles. These lock chambers will be 1,000 feet long, 80 feet wide, and will have lock sills sunk to a depth of 30 feet, that will permit the passage of vessels of 28 feet draft when the channels are dredged to 30 feet. From the Welland Canal to the foot of Lake Ontario there are 160 miles of straight sailing and then open navigation in the wide St. Lawrence River. Out of the total of 182 miles to Montreal, there are 19 miles of improved channels, with at present 46 miles of canal. With this project, with dams and six locks of 800 feet in length, 80 feet in breadth, and a possible depth of 30 feet with slack water, midstream navigation would reduce the total canal and lock navigation to 20 miles or less.

The proposal is to build dams across the river with locks in the dams. Vessels navigating the river will not pass through narrow canals around the rapids, as they do now in the present 14-foot Canadian canals, but will sail majestically down the center of the stream in slack water produced by the dams and pass from level to level through the locks. Assuming that an ocean vessel has passed through the Lakes to Superior or Duluth and has loaded a cargo of western grain and is sailing for Liverpool, the first leg of the journey, the length of Lake Superior,

will be 383 miles of open navigation. Then comes the St. Mary River, 63 miles long. This is all open navigation, except 33 miles, which is improved river channel and a canal 1.6 miles with one lockage. Past this restricted channel the vessel will have 220 miles of free sailing through the deep water of Lake Huron. It will then pass 27 miles of open navigation and 13 miles of restricted channel in the St. Clair River, 13½ miles of open and 3.5 miles of restricted navigation in Lake St. Clair, and 22 miles of open and 9 miles of improved navigation in the Detroit River. Again, it will have free navigation on the great expanse of deep water of Lake Erie for 219 miles. It passes 25 miles of the Welland Canal, with its seven locks, and then has 160 miles more of deep water and open navigation across Lake Ontario. It has 182 miles from Lake Ontario to Montreal, but of this distance only about 20 miles are canal navigation. At present there are 46 miles of canals, but in the proposed improvement, with slack-water navigation behind the dams, there would be less than 20 miles of restricted channel. Down the St. Lawrence River to Belle Isle, a distance of 1,003 miles, ships navigate regularly to-day, and the route offers no great obstacles during eight months of the year. From Belle Isle to Liverpool there is, of course, the ocean crossing of 2,186 statute miles of open navigation, which makes a total of 4,529 statute miles from Superior to Liverpool. Less than 74 miles of improved channel and 50.1 miles of canals would interrupt full-speed steaming from Superior, Duluth, Milwaukee, or Chicago to England. The barriers that now separate the farms and cities of the great West and Middle West from the ocean can be overcome by channels not as long nor as difficult to navigate as the Panama Canal, the Kiel Canal, or the Suez Canal, and would cost only a fraction of the expense of construction. We say remove the barriers and open the locks to the great American Mediterranean.

Table showing distances of open and restricted navigation and steaming time between Superior or Duluth and Liverpool via proposed St. Lawrence deep waterway, based on vessels with a cruising speed of 10½ knots, or about 12 statute miles per hour.

[Distances in statute miles.]

	Open navigation.			Improved channel.			Canals.		Total distance.	Total time.	Locks.			
	Distance.	Speed.	Time.	Distance.	Speed.	Time.	Distance.	Time.			Number.	Length.	Width.	Depth.
	Miles.	*Miles per hour.*	*Hours.*	*Miles.*	*Miles per hour.*	*Hours.*	*Miles.*	*Hours.*	*Miles.*	*Hours.*		*Feet.*	*Feet.*	*Feet.*
Duluth to St. Marys River	383	12	32						383	32				
St. Marys River and St. Marys Falls Canal	28.4	12	2.3	33	10	3.3	1.6	0.6	63	6.2	1	1,300	80	24½
St. Marys River to St. Clair River	220	12	18.3						220	18.3				
St. Clair River	27	12	2.2	13	10	1.3			40	3.5				
Lake St. Clair	[3] 13.5	12	1.1				3.5	.4	17	1.5				
Detroit River	22	12	1.8	9	10	.9			31	2.7				
Detroit River to Welland Canal	219	12	18.2						219	18.2				
Welland Canal (enlarged)							25	6.0	25	6.0	7	800	80	30
Welland Canal to foot of Lake Ontario	160	12	13.3						160	13.3				
St. Lawrence River to Montreal	117	12	9.7	19	10	1.9	{[1] 46 [2] 20}	8.0	182	[2] 19.6	6	740–800	80	25–30
St. Lawrence River, Montreal to Belle Isle	1,003	12	83.6						1,003	83.6				
Belle Isle to Liverpool	2,186	12	182.1						2,186	182.1				
Total	4,378.9		387.0	74		7.4	{76.1 [2] 50.1}	15.0	[4] 4,529	387.0	14			

[1] Present restricted canals. With the improvement confined largely to the bed of the river, the time of passage through the upper St. Lawrence would be reduced.
[2] Proposed for deep waterway.
[3] Reducing canal by 26 miles—new project.
[4] 3,936 nautical miles.

The speeds through certain parts of St. Marys River and Detroit River are restricted by existing rules and regulations, and the speeds given above are kept within these requirements, irrespective of the ability of the vessel to make better speed.

Table showing distances of open and restricted navigation and steaming time between Duluth and Liverpool via New York Harbor, based on Lake and ocean vessels with a cruising speed of 10½ knots, or about 12 statute miles per hour. Transportation from Buffalo to New York based on barge tows.

[Distances in statute miles.]

	Open navigation.			Improved channel.			Canals.		Total distance.	Total time.	Locks.			
	Distance.	Speed.	Time.	Distance.	Speed.	Time.	Distance.	Time.			Number.	Length.	Width.	Depth.
	Miles.	*Miles per hour.*	*Hours.*	*Miles.*	*Miles per hour.*	*Hours.*	*Miles.*	*Hours.*	*Miles.*	*Hours.*		*Feet.*	*Feet.*	*Feet.*
Total of preceding table through Detroit River	693.9	12	57.7	55	10	5.5	5.1	1	748.9	64.2	1	1,300	80	24½
Detroit River to Buffalo	236	12	19.7						236	19.7				
New York to Liverpool	3,571	12	297.6						3,571	297.6				
Total for deep-draft vessels	4,500.9		375	55		5.5	5.1		4,555.9	381.5				
Buffalo to Troy via Erie Canal	21	4	5.2	190	3	63.3	130	65	341	133.5	35	300	45	12
Troy to New York	155	4	39						155	39				
Total for barges	176		44.2	190		63.3	130	65	496	172.5				
Grand total	4,676.9		419.2	245		68.8	135.1	66	[2] 5,051.9	554.0	36			

[1] Allows for lockages and other essential delays.
[2] 4,392 nautical miles.

THE MEDITERRANEAN AND BLACK SEA COMMERCE IS A PRECEDENT FOR OCEAN-LAKE NAVIGATION.

In the discussion of this topic I desire to give due credit for facts and figures to Dr. R. S. MacElwee, Assistant Director of the Bureau of Foreign and Domestic Commerce, author of "Ports and Terminal Facilities," a book every person interested in this great project should read.

The opening of the St. Lawrence River will make of the Great Lakes a second Mediterranean and Black Sea system or a second Baltic system. By taking New York, Gibraltar, London, and Montreal as corners of an ocean quadrilateral it will be found that the distances between New York and London, New York and Gibraltar, and Montreal and Gibraltar are about the same, but that Montreal and London are about 500 miles closer together than New York and London. Commerce coming out of the Great Lakes area, or the Mediterranean and the Black Sea area, or out of the Baltic area, are all within almost equal distances, except the leg of the quadrilateral between Montreal and London; that is, from Montreal to Odessa or from New York to Odessa is about the same distance. On the other hand, the distance from Montreal to Superior or Duluth is only about half the distance from Gibraltar to Odessa. It is difficult to note

the true distances on the usual map on the Mercator's projection. These relations are clearer on an interrupted homalographic projection or on a polar hemisphere.

The territories served by Odessa and by Superior or Duluth are essentially similar. These ports serve an enormous wheat-producing area that is capable of carrying many times its present population and affording, through the development of the prosperity and purchasing power of its peoples, a tremendous market for manufactured products. Before Russia collapsed—that is, before the Great War—London and other English seafaring centers found a very profitable trade in shipping from London through the Strait of Gibraltar to Odessa. Similar conditions will exist in shipping from New York past Montreal to Superior or Duluth or Fort William or Port Arthur. The distance from Liverpool to Gibraltar is only a few miles less than from New York to Montreal. Distances from London to Helsingfors, Finland, and other ports on the Baltic are quite similar to the distances from Montreal to the head of the Lakes. By passing through about 51 miles of the Kiel Canal the conditions of navigation are similar.

If it has been found profitable for centuries to send ships from the North Sea and north Atlantic coast of Europe into the Black Sea or into the Baltic, is it not reasonable to suppose that ocean-going ships will go into the ports of the Great Lakes?

The present controlling depth of channels and harbors throughout the Great Lakes is 21 feet. Is there enough ocean tonnage in the world, drawing less than 21 feet, to encourage the belief that the number of ocean-going vessels on the Great Lakes will be considerable? The present type of ocean vessels of 21-feet draft is 4,500 to 5,000 deadweight tons carrying capacity and a length of 335 to 350 feet, with a speed of 10 knots. It will be recognized that this is the handy small ship that was built in great quantities by the Emergency Fleet Corporation during the war. Statistics show that the average deep-load draft of these vessels is 22 feet, or only 2 feet more than at present permissible when loaded entirely full. From 1904 to 1908 there were 1,062 vessels built with an average draft of 21 feet. From 1909 to 1915 there were 1,180 vessels with an average draft of 21.7 feet. From 1914 to 1918 there were 1,345 vessels with an average draft of 22 feet. However, average drafts mean nothing to us when we are limited by a maximum of 21 feet. By taking a schedule of vessels of 22½-feet draft, we find that the average tonnage is from three to four thousand, and that of this type 1,112 vessels have been built. Whereas only 155 vessels have been built of more than 10,000 tons, 3,574 vessels have been built of from 2,000 to 6,000 deadweight tons, and most of these are vessels with full-loaded drafts of 21 to 23 feet. Many cargoes fill a vessel with less than fuel draft. It can be concluded, therefore, that most of the freight tonnage of the world could enter the Great Lakes at once without deepening channels more than they are to-day.

The six dams of the St. Lawrence and the seven dams of the Welland, and the approaching channels thereto, are designed for an immediate depth of 26 feet, and ultimately 30 feet. Therefore, practically all of the ocean cargo tonnage drawing up to 25 feet could enter Lake Ontario and Lake Erie to within 35 miles of Detroit without further dredging. An examination of the ports of Oswego, Buffalo, Erie, Rochester, and Cleveland will indicate that only very short distances need to be dredged a few feet deeper than at present in order to accommodate at all of these ports vessels drawing 26 feet, which means most of the world's cargo tonnage.

The question arises, Will the cost of operating these expensive ocean-going vessels be more or less than the cost of operating the cheap Lake boats and canal barges, plus the cost of transfers at Buffalo and New York? This gives occasion to some interesting figuring. A 3,000 to 6,000 ton ocean vessel will cost, according to Shipping Board figures, about $1,000 to $2,000 a day for operation, interest, and depreciation. Based on the northwest European and Great Britain trade, the actual sailing distance equal to the distance to the port of New York will bring the vessel to Erie or Cleveland on the Great Lakes, allowing for 18 to 24 hours lost time in passing through the 45 or 60 miles of restricted channels and the locks. For every day further than this we must add $1,000 to $2,000 operation, as compared with $600 for the Lake vessel. To the Lake vessel's expense account must be added $1 a ton for transfer at Buffalo, plus the time of the vessel at Buffalo in transferring the freight to the canal boat, including the time of the canal boat during transfer, plus the time it takes the canal boat to get to New York. If there are no other charges involved, it would seem that the ocean freighter could get a considerable distance into the Great Lakes before the margin of advantage of carrying the shipment without breaking bulk over a 500-mile shorter ocean route would be overcome by the higher operating expense of the ocean carrier compared with the less expensive Lake and canal carriers.

Not cheap sailing, but in port expenses—not port charges and fees—but in the expense of doing business through congested Atlantic ports that have broken down under the strain of the enormous increase in American commerce is the place to look for possible savings. When it is estimated that a carload of freight from Chicago has only completed half of its travel to New York in point of time and cost after it has passed Trenton, N. J., and when it is borne in mind that from Jersey City to the vessel or warehouse in or about Manhattan or Brooklyn water front there is an additional expense per car to the railroad for performing this delivery amounting from $30 to $60 per car or $1.50 to $3 per ton. And when it is borne in mind that if the shipper is not able to route his consignment from the interior directly alongside the steamer but must land it somewhere and cart it to a warehouse and from the warehouse again to the steamer, the charges that accrue will amount to from $10 to $15 a ton; and further when it is realized that, due to the congestion and delays and numerous strikes at the port, a vessel may be held there on the average of from 10 to 15 days at an expense of from $4,000 to $5,000 a day to do a job of discharging and loading that should not require more than 5 days at a small, or well-equipped terminal, it will be seen that the cost of operation for a few hundred miles of comparatively open sailing through the Great Lakes to a port where the vessel will receive dispatch without congestion—the matter of this increasing expense of navigation—is very small, indeed, compared to the great saving to the steamship company, the shipper, and the railroad company. The nature and amount of these savings seldom occur to the mind of the public. These savings will almost remove the economic Chinese wall that is preventing the Middle West and great Western States from realizing their full development. [Applause.]

WATER POWER AVAILABLE FROM THE CANALIZED ST. LAWRENCE AND THE DEMAND FOR POWER IN NEW YORK AND NEW ENGLAND.

The mean annual flow of the St. Lawrence River at Ogdensburg, N. Y., based on records from 1860 to 1917, is 241,000 second-feet. Since the fall in the 62 miles of the river from Tibbets Point, at the foot of Lake Ontario, to Odgensburg is but 1 foot, and since Galop Rapids, the first of the series of rapids in the river, are but a few miles below this city, Ogdensburg may be considered as the head of the St. Lawrence River.

The fall from Lake Ontario to the level of Lake St. Francis at St. Regis, N. Y., at the northern boundary of New York State, is about 92 feet. This stretch of river, extending about 113 miles along the international boundary, may be designated as the international portion of the river. In this stretch of the river there are a number of rapids. The more important are Galops, Plat, Farrans Point, and the Long Sault.

The portion of the river from St. Regis to Montreal, at the head of ocean navigation, lies wholly in Canada. In this 70-mile stretch of the river the fall is about 130 feet, practically all of which is concentrated in two sections of 14 and 8½ miles. The former includes Coteau, Cedar, and Cascade Rapids, in which the fall is 84 feet, and the latter includes Lachine Rapids, in which the fall is 45 feet. The lower end of the first section is about 24 miles from Montreal, and the lower end of the Lachine Rapids is at Montreal.

In considering the amount of water power available in the St. Lawrence River it is assumed that the mean annual flow will be utilized, as the elevation of the Great Lakes and consequently the flow of the St. Lawrence will ultimately be regulated. Already plans have been proposed by the Chicago sanitary district for regulating the level of Lake Erie, in order that the flow from the Chicago drainage canal may not interfere with navigation interests. If the level of Lake Erie is regulated the problem of controlling the flow of the St. Lawrence would, of course, be much simplified. The total fall from Lake Ontario to ocean navigation at Montreal will also be entirely utilized, as the plans for making the St. Lawrence navigable for ocean steamers contemplate canalizing the river by locks and dams.

The total theoretical horsepower available in the international portion of the river, based on a flow of 241,000 second-feet and a fall of 92 feet, is about 2,520,000 horsepower. Assuming that but 70 per cent of this amount could be made available on account of the inefficiency of water wheels and generating equipment, there would be 882,000 horsepower available to Canada and the United States, respectively. The St. Lawrence River Power Co. is already utilizing a flow from the river in this section equivalent to about 95,000 horsepower.

The amount of power in the Canadian portion of the river below St. Regis, utilizing the mean annual flow and the total

fall in this portion and 70 per cent efficiency in water wheels and other equipment, is 2,490,000 horsepower.

The total amount of power available in the St. Lawrence River from Lake Ontario to ocean navigation is, therefore, about 4,254,000 horsepower, of which 882,000 belongs to the United States and 3,372,000 to Canada.

The question naturally arises, Will there be sufficient demand for this tremendous amount of power if it is made available?

The following table, based on census figures from 1899 to 1917, shows the total installed capacity of prime movers in manufacturing plants, central stations, and power plants of electric railways in the New England States and New York State:

Year:	Horsepower.
1900	12,270,000
1905	16,400,000
1910	21,200,000
1915	24,200,000
1920	27,200,000
1925 (estimated)	30,100,000

Note that the values in this table do not include the power of locomotives, power plants of hotels and apartment houses, other small power plants of similar nature, and power plants in State and Federal institutions. These figures indicate that at the present rate of increase there will be needed in New England and New York about 3,000,000 more horsepower in 1925 than at present and that there would be a demand for all the available power of the St. Lawrence long before the power could be made available if construction should start immediately. Undoubtedly if the 4,250,000 horsepower in the St. Lawrence were available at the present time it would be very quickly utilized, for, owing to the difficulty in securing coal, a dependable and steady source of power such as the St. Lawrence would speedily replace fuel-generated power not only in the United States but also in Canada.

No consideration has been given to the demand for power in Canada, which, like the United States, is suffering from a power shortage, and it would be willing to export to the United States only the portion of the power of the St. Lawrence for which it has no market. The Province of Quebec, however, is rich in water power. The chief of the hydraulic service of Quebec estimates that there is 5,000,000 horsepower available in the rivers of the Province, not including the territory above the fiftieth degree of latitude. It may prove to be more profitable for Canada to export the St. Lawrence River power and utilize the water power of Quebec for its own use.

New England at present is having great difficulty in securing coal for its industrial and domestic use, and any increase in the number of prime movers utilizing coal for fuel only serves to make the situation more acute. A point will soon be reached, if it has not already arrived, when the industries in New England will move to fields where fuel can be easily and surely obtained or to fields supplied with reliable and dependable hydroelectric power.

Canada is rich in water power, and Quebec has many fine power sites on streams whose flow can be regulated. The flow of the St. Maurice is controlled by a reservoir having a capacity of 160,000,000,000 cubic feet, twice the capacity of the Assuan Reservoir in Egypt. By means of this reservoir, the flow of St. Maurice River, at Shawinigan, is kept at 12,000 second-feet, about twice the natural minimum flow of the stream. With such desirable water powers practically just across the boundary line from New England, it may not be long before there is an exodus of New England factories to a source of power not affected by strikes of miners or by congestion of railroad traffic. The development of the water power of the St. Lawrence will in a large measure relieve the power situation in New York and New England. Sooner or later the immense power of the St. Lawrence must be developed. So great a natural resource can not much longer be neglected, just because it happens to lie on a national boundary. If there are complications, business diplomacy must overcome them. As there is a prospective preponderance of benefits, engineering skill must adjust them. Coal is getting each year more costly to bring to the districts removed from the mines. Hydroelectric power is every year becoming more of an economic necessity. The people of the United States and Canada can not afford not to use the St. Lawrence power. If the United States refuses to cooperate with Canada in developing navigation on the St. Lawrence, Canada will not long hesitate in developing the immense power resources of the St. Lawrence, as the power shortage in Canada is more acute than it is in the United States, for Canada has not the immense coal resources which we enjoy on this side of the line.

The power necessities and the navigation interests appear to be of equal importance, and they may well be developed together, for in this instance water power and navigation dovetail together perfectly.

The time has passed when any one section of the United States should dictate our national or commercial policy. There must be balanced on the one hand the country-wide benefit which will undoubtedly accrue from a cheap transportation from the Great Lakes to the sea, and on the other hand the possible, though not probable, loss to the country through a diminution of the ports of the States and more particularly the port of New York on this side of the boundary. Advocates of the scheme come from the great Northwest and the other States west of New York, which see a cheap outlet to the sea in bottoms which can go from Montreal right to the Lake cities.

The Engineering News Record of New York says very significantly that "the opposers are those New Yorkers who fear for the prestige of the country's principal port and foresee the abandonment of the costly barge canal. New York, a year-round port, fed by the great railroad systems of the Nation, blessed by a magnificent basin of deep and still water at its very warehouse doors, has nothing to fear from the St. Lawrence waterway. There also need be no fear of the abandonment of the barge canal following the canalization of the St. Lawrence."

It has been said that canals can not run sidings into industrial plants to take and leave freight, but this situation can be met by placing the factories on the banks of the canal. With ocean navigation provided for on the Great Lakes, each Lake port becomes a seaport, thus opening up the world's markets with cheap water transportation to the manufacturers of the United States. The banks of the barge canal will eventually be lined with factories drawing their power from transmission lines reaching from Niagara Falls on the west, from the St. Lawrence on the north, from the Hudson on the east, and from the water powers of Maine farther to the east. The products of these factories will be shipped on barges through the canal west to ocean steamers at Buffalo on Lake Erie, north to Oswego on Lake Ontario, east and north through Lake Champlain to the canalized St. Lawrence, and east and south to New York.

New England and New York with their immense supply of skilled and trained labor is the natural and logical manufacturing center of the United States. The improvement of navigation which brings the market of the world to the factory doors and at the same time provides power for the operation of these same factories will be favored and demanded by those who are broad minded and who have the country's success and prosperity, as a whole, at heart. Only those who are governed by sectional animosity and can not see beyond their own narrow sphere of interests will oppose such improvement. Making the Great Lakes navigable for ocean steamers and developing the great water power of the St. Lawrence are improvements so fundamentally necessary for the industrial growth and prosperity of the United States that they will not and can not long be delayed by those who base their opposition solely on the ground that a small section of the United States may possibly be harmed by such improvements.

Brooks Adams, in his address of 1916 before the Bunker Hill Monument Association, made his appeal for social coherence of our American democracy, a coherence that can come most surely through common economic welfare. Washington was first to foresee the possibility of cohesion of West and East through his project of the Chesapeake Canal. Engineer and statesman that he was, his ideals of patriotism sought expression in a practical measure—the waterway "as a bond of union and a stimulant to coherent thought."

Mr. Adams calls attention to the fact that we owe to Washington, by Jay's treaty, the possession of the western posts which made possible the other pioneer route between West and East, the Erie Canal, a competitor of his own canal. Would Washington with his vision of the need of giving the West an outlet to the sea hesitate to indorse and to promote this later development of a waterway, even though it might seem to parallel the Chesapeake & Ohio and Erie Canals?

Every bond of economic union is needed to make America coherent. The industrial East, the agricultural South, and the agricultural and mining West need to be tied together by the perfected machinery of distribution that gives to each region its best market and makes interdependence conscious and thus an incentive to social and political integrity and solidarity. The network of rails is as vital to the united country as the arteries to the human body, but if the demands of easy circulation have come to exceed the capacity of these railway arteries the health of our great country may well be protected by adding to the coordinated system of transportation every waterway that can serve this end.

When 14 great States feel the need for better distribution of the products of their farms, factories, and mines, it should be the concern of the other 34 States to unite in promoting whatever measure will accomplish that end. The St. Lawrence waterway

may be international in its geographic setting, but in its economic bearing it is truly national. President Washington would have seen in it not simply an aid to a section of the country but a further contribution to the common welfare of the Nation.

My most earnest plea to Congress is that we shall stand for a square deal to the great Middle West. Remove the barriers. Open the locks. Create the American Mediterranean. Increase production. Enhance America's commerce. Above all, may we ever stand a united people for one all-persuasive American ideal for a national mind, a national will, and a national conscience, ever defending law, justice, liberty, home, intelligence, and religion, the enduring pillars of our Nation's life and America's progress. [Applause.]

The CHAIRMAN. The gentleman from Tennessee [Mr. PADGETT] is recognized.

Mr. BUTLER. One moment. Will the gentleman from New Jersey [Mr. BROWNING] yield half a minute to the gentleman from Minnesota [Mr. VOLSTEAD]?

Mr. BROWNING. Yes.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN (Mr. CRAGO). Is there objection to the gentleman's request?

There was no objection.

Mr. CLEARY. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from New York makes the same request. Is there objection?

There was no objection.

Mr. CARSS. And I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, I make the same request.

Mr. KINKAID. And I make the same request.

Mr. HARDY of Colorado. And I make the same request.

The CHAIRMAN. Is there objection to these requests?

There was no objection.

Mr. CARSS. Reserving the right to object, I wish to inquire of the gentleman from Texas [Mr. BLANTON] on what subject he proposes to extend his remarks?

Mr. BLANTON. Reserving the right to object to the gentleman's request, on what subject was the gentleman himself going to speak?

Mr. CARSS. About the navigation from the Great Lakes to the ocean. [Laughter.]

Mr. PADGETT. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CLEARY].

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. CLEARY. Mr. Chairman, after listening to the very interesting address of the gentleman from Wisconsin [Mr. NELSON], of course, the few minutes allowed me will not enable me to say very much in answer. But ninety one-hundredths of all he said does not apply to the situation. I am going to ask you to listen to a few practical remarks from a fellow who has listened to all that has been said on this subject for years and years. When the barge canal was proposed, the whole question was gone over as to whether ships could go all the way up, because there was a thought of building a ship canal, if it could be done. After several years of examination by engineers and others, the conclusion was arrived at that there were three classes of successful vessels to do three kinds of work on the different parts of the route. The first type of vessel was the great ocean steamer with a narrow, sharp bottom, built tremendously heavy in order to stand the storms of the Atlantic. Her cost was so high that she had to run between here and Europe in a few days to make her profitable. That was because the overhead expense was so high. Then a boat is required to go up through the canal, and another to go through the Lakes. We discovered that the same boat could not profitably go through the canal and also navigate the Great Lakes. The lake vessel is built with a comparatively flat bottom, and built comparatively light, because 20 feet is the draft on the Lakes in all the ports, while 20 feet would be the draft of a great ocean steamer when she was light, with scarcely any cargo at all. They could not figure that even this flat-bottomed boat for the Lakes could successfully come from Chicago to New York, but that an intermediate vessel, a barge, something cheaply built, was required for the canal. An ocean steamer costs several hundred thousand dollars. A lake vessel costs half, or perhaps a third as much, while the little barges before the war could be built for five or six thousand dollars. They cost a little more now on account of the high cost of everything, but only a few thousand dollars.

These vessels receive the cargo and bring it down cheaply through the canal, going slowly, where an ocean vessel could not go at all. I have been over every foot of the route the gentleman from Wisconsin [Mr. NELSON] explained, and from the foot of Lake Ontario to Montreal, where the rapids are, I have traveled that distance on vessels. To enlarge the canals around those rapids would involve a tremendous expense. The Canadians have been running that route in an economical way since the country was discovered. The Canadians run down with barges to Montreal and then put the cargo into vessels, because Montreal is as high up as ocean vessels can profitably run. So they run down to Montreal in cheap barges, and in the same way in American water they run down through the Lakes, and then transfer to these cheap barges, to carry the cargo down to the ocean port.

I heard the gentleman from Wisconsin say something about what Washington would do. Just imagine George Washington ever entering into a conspiracy against the commerce of his own country.

Mr. KINKAID. Will the gentleman yield?

Mr. CLEARY. Yes.

Mr. KINKAID. Will the gentleman please state what is the draft of a heavy ocean steamer?

Mr. CLEARY. The heavy ocean steamers run into New York with a draft of 30 to 40 feet.

Mr. KINKAID. What draft vessel can go through the rapids of the St. Lawrence?

Mr. CLEARY. About 12 feet, I think; something like that.

Mr. KINKAID. Then that is one of the problems to be dealt with?

Mr. CLEARY. Of course. When a large vessel goes through shallow water she has to go very slowly. Anybody who has ever ridden on a Hudson River steamer knows that when it gets above Hudson, where it runs into shallow water, the steamer runs very slowly, because she is fairly close to the bottom, and there is not room enough. If she should go fast she would carry the water with her in such a way as to bring herself on the ground, and so she is prevented from going fast. No great vessel can go fast in comparatively shallow water, and no ocean vessel will ever run successfully up the St. Lawrence River and through the Lakes. Neither will any Lake vessel run successfully to Europe. Coming down on the train the other day I talked with a man who had been on a vessel that came down the Lakes in war time. He said, "When she gets into a storm she will keel over to an angle of 45 degrees." Those Lake vessels are not built properly to withstand ocean storms. They are too flat on the bottom. So it requires three classes of vessels to do this thing properly; and there is seacoast enough that is owned by the United States between the Mississippi River and the Gulf of St. Lawrence without making ports in the Gulf of St. Lawrence for the Canadian people.

The Erie Canal was built nearly a hundred years ago. It was built to relieve the commerce of the West, and it has done it successfully. There has always been plenty of transportation to bring down the grain of the West. That was true even when the old small Erie Canal was in use. The gentleman from Wisconsin [Mr. NELSON] said something about local commerce on the Erie Canal. I was in business on the Erie Canal for 35 years. I know that more than three-fourths of the business of the Erie Canal was through business and not local business. It was through to Chicago or through to the Lake ports.

Mr. NELSON of Wisconsin. Will the gentleman yield there?

Mr. CLEARY. Yes.

Mr. NELSON of Wisconsin. My statements were all verified by the engineers of the River and Harbor Board and by the Bureau of Foreign and Domestic Commerce.

Mr. CLEARY. The gentleman ought to verify them a little more. It may have been so lately, since the Government controlled the canal, but go back to 1890 and before that.

Mr. NELSON of Wisconsin. My statement was that in its palmiest days the old Erie Canal had 73 per cent local tonnage and 27 per cent through traffic.

Mr. CLEARY. I know the gentleman is mistaken, because I was in the business. I know that by far the greater part of the business was through business. There might be a load of malt at Rochester, but by far the greater part of the traffic was grain coming down from the Lakes, and lumber which came to the canal at Tonawanda. So from a business standpoint the State of New York has attempted to help the railroads carry this traffic. The State of New York is not doing it now, because the Government took control of those canals, and there has not been time for them to build up. The old boats are rotted down, and they will not do much until the new boats are built; but, of course, as fast as new boats are built the Erie Canal can carry more grain than will come from the West, and it will not be necessary to lend Canada millions of money to build her up.

You can build up your own country without going to Canada at all in order to encourage her in cooperation with us. [Applause.]

If we take the whole ports to the south and the north, and if we can not run our commerce through our own country without going into Canada, it is something we have never had to do yet. I have not the statistics to suggest any improvement. The main thing is that it has been determined by men who have looked into it that an ocean steamer is not a successful lake steamer, nor a lake vessel a successful ocean vessel, and neither are or can be made profitable river and canal steamers over long routes, as the St. Lawrence River and the canals and dams and locks, which would have to be built on the long stretch between Lake Ontario and Montreal, where there are a series of rapids to be overcome at tremendous cost and many, many years of time necessary to complete such a route, which would then only be fit for barge navigation in order to operate profitably. [Applause.]

Now, as to Erie Canal rates, 30 to 35 years ago, in the eighties and the nineties, before any improvement had been made in the Erie Canal, rough freight in bulk and barrels was carried from New York to Chicago by canal and lake for 7½ cents per 100 pounds or $1.50 per ton. In 1886 I carried by canal and rail from New York City to Joliet Steel Co., at Joliet, Ill., 20,000 tons spiegeleisen in bulk and a similar amount the same year to Chicago, at $1.85 per gross ton, to be used in manufacture of steel. I only cite these instances to prove my assertion that canal boats and barges can carry cheaper than other vessels, because they are constructed and operated cheaper.

So with our own Erie Canal just finished, our Ohio and Mississippi Rivers in course of development, our great railroad systems reaching the ocean at Portland, Me., Boston, Mass., New York, Philadelphia, Baltimore, Norfolk, Newport News, Charleston, Jacksonville, New Orleans, Galveston, and others, we can take good care of all business offering east or west bound without making a combination with any foreign country to the detriment of our own country, if it were possible to succeed in any such unpatriotic scheme.

Mr. BROWNING. Mr. Chairman, I yield 12 minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman and gentlemen, the argument of the gentleman from Wisconsin [Mr. NELSON] was based on assumptions. He assumed, first, that an ocean going route through Canada was economically feasible and practical. Second, that it was necessary in order to develop the water power of the St. Lawrence River, that we should not simply develop the water power, but that we must in connection with it improve for navigable purposes the St. Lawrence River for a stretch of hundreds of miles. He assumed, in the third place, that in order to make the American people a solidarity and make us patriotic and united within ourselves we must take in Canada in our appropriations.

Those are the three assumptions upon which the gentleman founded his argument. Let us take them in order. First, the gentleman did not at all discuss—not one word was said by him about the economic feasibility and practicability of the route which he proposes and advocates. Why, he could not find anyone who will agree with him that you can have a single boat that economically will navigate the ocean, canal, and the Lakes. He will find that economically that is impossible. He will find that the cost of construction, the interest on it, the cost of maintenance, are so great that a boat could not slow down which carries ocean-bound traffic to the slow rate at which it would be bound to travel in going through a canal. If he would take a practical example, without going to the St. Lawrence River, he would find that up the Hudson it is not navigated at all by ocean going boats, because ocean going boats find that economically it is impossible. There is something else about navigation of the St. Lawrence route. If the gentleman would investigate it, he would find that it is icebound a third of the year; he would find that it is not a question of navigating with the ordinary ocean-bound vessel; he would find that the Encyclopedia Brittanica says that they have to construct an especially strong ocean vessel to navigate the St. Lawrence River and the Gulf of St. Lawrence. He would find that they have ice; he would find that they have fog; he would find that the Canadians themselves, because the time for ice and fog exist for so long, through the greater part of the year, that they themselves have come down to an American port and established a port at Portland, Me., and that the Canadian Grand Trunk Railway has extended its lines to Portland because of these obstacles. He would find all these objections, and so would find that that route is not practicable.

Second, is it necessary in order to have a great water power on the St. Lawrence and develop it that we should improve the St. Lawrence River and make it navigable for hundreds of miles? Of course not. These gentlemen deal in glittering generalities; they do not tell you what the cost of the water power will be as one item and what the cost of improving the river would be as a separate item.

Listen to what they said in Washington at the Rivers and Harbors Congress, read their newspaper articles, and find anywhere, if you can, a statement of the items. They do not dare to face the facts, because the facts are the improvement of the water power is a tithe, a fraction, a small and insignificant part of the development of this scheme as a whole.

So, I say to you, you should not link up these two things, because we propose to develop the St. Lawrence water power entirely aside from building up the navigation of the St. Lawrence River. The two things have no necessary connection; they are not necessarily bound up together. The development of the water power will pay a splendid return, and the navigation no return whatever on the enormous outlay it will involve.

Now, let us come, gentlemen, to the third point. The gentleman says that there was a piling up of freight down at New York during the war. Why? He leads us to believe that it was because the facilities at New York are unable to meet the present demand on them. That is not the fact. The fact is that during the war there was a shortage of ships, that ships were employed for war purposes and ships could not receive the freight that was sent to New York as rapidly as they reached there, and all the piling up of material arose from that circumstance. The gentleman from Wisconsin will find that we have, as he says, a great Barge Canal leading across the State of New York. He will find, if he investigates the subject, that the Barge Canal is ready to be operated; that it has not been operated because the Director General of Railroads said that he needed all the freight for the railroads to get an adequate return on them. He will find that the Erie Canal is ample to transport the grain of the West. Why, the gentleman quoted Mr. Hoover. Mr. Hoover is an expert on foodstuffs, but I have yet to be told that he is an expert on transportation. Mr. Hoover says if we do not increase our production in the United States we will soon reach the point where we will have to import foodstuffs. So by this Canadian route you will not be answering the purposes of domestic commerce at all. Domestic commerce requires the transportation of grain by the Barge Canal, to be distributed in the great manufacturing and commercial centers of the East. That can be done by a barge canal, whereas if you take it through the Canadian route each mile you transport it you take it so much farther away from that great and thriving port, the largest port of the United States, and from the whole East.

The best commerce in the United States is domestic commerce, the commerce which pays the largest returns, the commerce which is the most profitable. The greatest part of our commerce is among ourselves and not abroad, and all that would be obliterated by the St. Lawrence route.

Then, finally, the gentleman says, in the interest of solidarity of Americanism, to promote patriotism, to make Americans throughout this Union love one another more than they have in the past, to make them present a united front, to make them ready to fight as one man, we shall do what? Why, he says, to accomplish that laudable and worthy object, in order to make the Americans on the Mississippi and on the Gulf unite with the Americans of the East and on the Pacific, we must improve Canadian waterways! Oh, lame and impotent conclusions to such glowing and promising premises as the gentleman lays down!

I say to you that the State of New York in the early days, over a hundred years ago, provided a waterway to the sea ample and sufficient to meet the demands of those days. We have now expended $200,000,000 more to modernize it and bring it up to the needs of to-day. It is ready to use, and all we need to do is to use it, and we are going to provide barges that will carry 2,500 tons to 3,000 tons, instead of 1,000 tons, as we figured when we began constructing the barge canal. The gentleman says that we are selfish in the East. Selfish in the East? Do they remember the benefits of the past? Selfish in the East, when we have provided and modernized this canal! Selfish in the East, when we provided for the traffic of the West throughout the early history of the country?

Mr. GRIFFIN. And we have done this at our own expense.

Mr. DEMPSEY. Yes; it has been done at the individual expense of the great State of New York. I say to you that if we are to do anything in the interest of Americanization, if we are to bind this Union of States more closely together, if we are to recognize and realize that we are to be brothers united in all the causes which the United States can from time to time espouse, we can not do it by building up a waterway in a foreign country,

we can not do it by advocating the building up of Canada or any other foreign country. The country that we love, the country that we revere, the country that we want to see grow and prosper and become great is the United States of America, and not some other country, and we must realize that in time of war this joint waterway that is built with American dollars can not be used by us at all.

The CHAIRMAN. The time of the gentleman from New York has expired.

By unanimous consent, Mr. DEMPSEY was granted leave to extend and revise his remarks in the RECORD.

Mr. BROWNING. Mr. Chairman, I yield one-half a minute to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, on July 1, 1919, there were 759,870 civilians in the employ of the United States; 102,126 were employed in the District of Columbia and 657,744 were employed outside. I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SIEGEL. The country has been repeatedly informed by high public officials that this big war machine had been reduced. The high cost of living plus the high taxes had led to the issuance of such statements. I called up the United States Civil Service Commission a few weeks ago for the purpose of ascertaining how many civilian employees were working for the Government on January 1 last and was informed that the figures had only been compiled until last July. As I have previously stated, the number given by the Civil Service Commission as employed by the Government on July 1, 1919, was 759,870. Being unable to obtain the desired information from the Civil Service Commission, I wrote to each of the departments in an effort to learn how many were on the pay roll. Some of the departments very candidly told me that their figures were not up to date.

The following figures are the latest information obtainable:

Date.	Department.	Number of employees.
Mar. 10, 1920	Department of Labor	2,414
Mar. 5, 1920	Department of Interior	5,454
Jan. 1, 1920	War Department	200,000
Mar. 3, 1920	Department of Justice	583
Mar. 2, 1920	United States Civil Service Commission	373
Feb. 26, 1920	Public Printer	5,097
Mar. 1, 1920	Department of Commerce	12,755
Jan. 31, 1920	Department of Agriculture	20,484
Feb. 27, 1920	Department of State	798
Do.	Federal Trade Commission	423
Mar. 4, 1920	Navy Department	104,422
Mar. 1, 1920	Post Office Department	291,234
Do.	Treasury Department	71,070
Do.	Federal Reserve Board	405
Mar. 4, 1920	Interstate Commerce Commission	1,785
July 1, 1919	Smithsonian Institution	462
Do.	Shipping Board	2,500
Do.	Panama Canal	110
	Members of Congress, secretaries, clerks, help about Capitol, Justices of the Supreme Court, United States Circuit Court of Appeals and district court judges, clerks, marshals, United States attorneys, assistant United States attorneys, ambassadors and others in the Diplomatic and Consular Service, staff of Congressional Library, etc., at least	6,000
	Total	726,369

It appears, therefore, that the number of those in civil life earning a livelihood through being employed by the Government is close to three-quarters of a million at the present time. The average citizen will immediately ask the question why 200,000 civilians should have been employed on January 1, 1920, in the War Department? Why over 104,000 employees should have been employed on March 1, 1920, in the Navy Department when the Navy consists of less than 100,000 men and officers, and how it is that there has been an increase in the Post Office recently.

In order that there may be no discussion as to figures given by these three departments I insert the three letters from those departments, reading as follows:

POST OFFICE DEPARTMENT,
OFFICE OF THE CHIEF CLERK,
Washington, March 13, 1920.

Hon. ISAAC SIEGEL,
House of Representatives.

MY DEAR MR. SIEGEL: In response to your telephonic request, there is inclosed herewith statement showing the total number of Post Office Department employees at Washington and in the field service. These figures are computed as of March 1, 1920.

Very sincerely, yours,

RUSKIN MCARDLE.

Post Office Department.

Total	291,234
Office of the Postmaster General:	
Department	1,352
Post-office inspectors	417
Clerks at headquarters, Division of Post Office Inspectors	96
Total	1,865
Office of the First Assistant Postmaster General:	
Department	12
Postmasters—	
First class	666
Second class	2,538
Third class	7,849
Fourth class	41,645
Assistant postmasters	2,841
Clerks—	
First and second class offices	47,747
Third-class offices (estimated)	13,000
Fourth-class offices (estimated)	42,259
In charge of contract stations	4,868
City letter carriers	35,939
Watchmen, messengers, laborers, printers, etc	2,138
Screen-wagon contractors	250
Mail messengers	8,619
Motor-vehicle employees	2,200
Total	212,571
Office of the Second Assistant Postmaster General:	
Department	87
Railway Mail Service—	
Officers	146
Railway postal clerks	18,394
Substitute railway postal clerks	2,059
Steamboat contractors	256
Air mail employees	204
Star-route contractors in Alaska	46
Total	21,192
Office of the Third Assistant Postmaster General:	
Department	15
Stamped-envelope agency	10
Total	25
Office of the Fourth Assistant Postmaster General:	
Department	22
Equipment shops	295
Shipment of supplies	17
Rural carriers	43,312
Village carriers	916
Motor-truck drivers and mechanics	108
Star-route contractors	10,911
Total	55,581

WAR DEPARTMENT,
Washington, March 3, 1920.

Hon. ISAAC SIEGEL,
House of Representatives.

MY DEAR MR. SIEGEL: I am in receipt of your letter of the 27th ultimo.

The latest reports of the number of employees in the service of the department are as of January 1, 1920, and they show that at that time there were approximately 200,000 people in the civil service of the department throughout the world. A very large number of these employees are serving under temporary appointment authorized by the Civil Service Commission, without competitive status required by the civil-service rules for permanent appointees, but the proportion is, of course, not known in Washington. Since that date there has been a very large reduction in the number of employees, and the reduction is still going on. In the regular service of the department the civil-service rules provide for exemption from competitive examination in the following cases:

"All cable engineers and cable electricians.

"All telegraph operators, telegraph linemen, and cable seamen receiving a monthly compensation of $60 or less serving on military telegraph systems or at military stations and who perform their duties in connection with their private business or with other employment, such duties requiring only a portion of their time. Appointment to such positions shall be subject to noncompetitive examination as to practical skill in the work required therein by a signal officer or acting signal officer, whose certificate as to the professional fitness of the appointee shall be forwarded to the Secretary of War and a duplicate thereof to the Civil Service Commission.

"Longshoremen employed by the department at ports in the United States, trade and noneducational employees in the Philippine Islands, all employees on transport ships, and, so far as may be found necessary by the department during the present war, all subclerical and nonclerical employees constituting the working forces for operating the piers at Hoboken, N. J., and at other seaports, but not the executive and clerical forces.

"All commissioners and statutory places of secretary for the national military parks and one assistant secretary to the Chickamauga and Chattanooga National Military Park Commission.

"Consulting architect for work of reconstructing the United States Military Academy at West Point, N. Y.

"All positions on torpedo and mine planters and cable boats, both navigating and operative, of the Quartermaster Corps of the Army.

"One law officer in the Bureau of Insular Affairs.

"One superintendent, one chief chemist and assistant superintendent, and one first assistant chemist for service in connection with the operation of the Washington filtration plant under the Engineer Department.

"Caretakers of abandoned military reservations or of abandoned or unoccupied military posts, when the positions are filled by retired noncommissioned officers or enlisted men.

"Civilian professors, instructors, and teachers in the United States Military Academy at West Point.

"Superintendent of construction, Quartermaster Corps, Corregidor, Philippine Islands.

"Contract surgeons.

"Clerk qualified as translator of the English, Spanish, and Tagalog languages in the Bureau of Insular Affairs.

"Watchmen on fortifications under construction and watchmen at warehouses, depots, wharves, and piers belonging to or controlled by the War Department, when the positions are filled by men who have served at least two enlistments in the Army, Navy, or Marine Corps.

"All persons employed at the experimental factory of the equipment division of the Signal Corps at McCook Field, Dayton, Ohio, for the period of the war."

Notwithstanding these exemptions a good many persons occupying such positions have a competitive status, but the number, of course, is not known. In some cases, as, for instance, at McCook Field, appointments are made without exemption, notwithstanding the provision in the last paragraph quoted.

In view of these facts, and particularly in view of the rapid decrease in the number of employees in the department now going on, you can readily see that it would be impracticable to arrive at the exact number, or even a fair approximation of the number, of employees now in the service appointed without competitive examination.

Sincerely, yours,

JOHN C. SCOFIELD,
Assistant and Chief Clerk.

NAVY DEPARTMENT,
Washington, March 4, 1920.

DEAR SIR: Replying to your letter of February 26, 1920, you are advised that all chief clerks, supervisory clerks, clerks, draftsmen, technical employees, messengers, etc., as well as all artisans and supervisory artisans and other civilian positions under the jurisdiction of the Navy Department, not specifically excepted by law or Executive order, are included in the competitive classified service.

The following table indicates the approximate number of employees in the competitive classified service in the Navy Department proper, Washington, D. C., and at navy yards and naval stations, respectively, and the number of employees in the same services excepted by law or Executive order.

COMPETITIVE CLASSIFIED SERVICE.

Approximate number of chief clerks, supervisory clerks, clerks, draftsmen, technical employees, messengers, etc., in the Navy Department proper, Washington, D. C.	3,315
Approximate number of chief clerks, supervisory clerks, clerks, draftsmen, technical employees, messengers, etc., in navy yards and naval stations	17,878
Approximate number of mechanics, helpers, and laborers, and supervisory shop employees	76,271

EXCEPTED FROM EXAMINATION BY LAW OR EXECUTIVE ORDER.

Navy Department proper, Washington, D. C.:	
Private secretary or confidential clerk to head of department	2
Private secretary or confidential clerk to assistant head of department	1
	3
Navy yards and naval stations:	
Employees of naval home, Philadelphia, Pa.	62
Laborers, skilled and unskilled, at naval hospitals	2,309
All positions at naval stations, Guam and Tutuila, Samoa	301
All artisan and supervisory artisan positions at naval stations, Cavite, Olongapo, and Guantanamo	4,068
Professors and instructors at Naval Academy, Annapolis, Md	110
Bakers' helpers, coffeemen, firemen, linemen, etc., at Naval Academy, Annapolis, Md	108
Total	6,958

Very respectfully,

F. S. CURTIS,
Chief Clerk.

Hon. ISAAC SIEGEL, M. C.,
House of Representatives, Washington, D. C.

The American people have always been willing to pay taxes when they were obtaining results. It is useless for Members of Congress to be delivering speeches and making every effort to bring about economy in the operation of the governmental departments and bureaus when the heads of those departments and bureaus have not as yet awakened to the fact that the war was unofficially over on November 11, 1918. Practically no one who is in a supervising capacity has come forward with any real action on his part showing that he has endeavored in every possible way to reduce the force under him and at the same time maintain that high standard of efficiency which the Government should have at all times. The truth about the matter is that the average Government employee is underpaid, and that many of them have lost their enthusiasm for their work and do not endeavor to overexert themselves. On the other hand, there are very many men and women in the Government employ who render the most efficient service but who do not receive a living wage.

Without desiring to be deemed a partisan, I am frankly of the opinion that there will not be a dismantling of the war machine until a new administration comes into power, with new chiefs at the head of each department and bureau determined to retain those who are efficient and necessary and at the same time discharge without delay those who can be spared and who are inefficient. Economy is what is needed not only in civil but in governmental circles.

The burden of taxation is entirely too high. The same condition prevails in the States and in the cities. Unless economy is practiced the burden of taxation will become in this country pretty nigh unbearable. Let us all try to bring about the necessary changes in order that not only may we have economy in running the various branches of our country, whether local, State, or national, but also in the management of our own homes. If we would reflect and consider that there are approximately another million city, county, parish, and State employees, then the American citizenship would awaken to the condition of affairs. Many of our citizens who apparently can not find time to take an interest in public affairs will perhaps awaken from their lethargy now that it is being brought to their very doors that unless they commence to take a keener interest in public affairs their tax bills will be such as to startle them. The mere registration for the purpose of voting and then casting a vote is not all which a citizen should under his obligation of citizenship be required to do. The greater number of men and women realizing that they are owners of the Government the better kind of elected and appointed officials will we have. It is a call to patriotic service in times of peace. It shows the urgent necessity for the establishment of a real up-to-date budget system for the Government and for every community which desires to obtain the full benefit of every dollar spent from the Public Treasury.

In addition thereto, the ideal citizen is one who encourages all individuals that he comes in contact with to uphold all laws, regardless whether he believes in the justice of them; he fears no man; he is honest at all times and all places; he stands by his family, friends, and country at all times and everywhere; he does what he can to bring about the inculcation of patriotic ideas in the minds of both young and old and helps morally and financially every movement which is trying in any way to advance the mental, moral, and physical welfare of the American people. He recognizes the fact that the accumulation of wealth does not in itself constitute the success to which he should aspire. He knows that service to the community is greater than the gathering of wealth. He never forgets that it is the man or woman who leaves a good name, an unblemished reputation, and good character who is the one most thought of when the individual has passed away to the far beyond.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting therein as an extension of remarks an address made by George Clinton, the grandson of De Witt Clinton, who built the Erie Canal, which address was delivered before the Rivers and Harbors Congress on December 9, 1919.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by including an address delivered by George Clinton. Is there objection?

There was no objection.

The address referred to is as follows:

SHIP CANALS FROM THE GREAT LAKES TO THE OCEAN.

[Address before the National Rivers and Harbors Congress, Dec. 9, 1919, by George Clinton.]

"Mr. President and gentlemen, the occasion for this address is what is known as the Lenroot amendment to the rivers and harbors bill, passed at the third session of the Sixty-fifth Congress. That resolution, in substance, refers to the International Joint Commission for investigation the question as to what further improvement of the St. Lawrence River between Montreal and Lake Ontario is necessary to make the same navigable for ocean-going vessels, together with the cost. The commission is required to report to the Dominion of Canada and to the Congress of the United States, with recommendations for cooperation by those Governments in the improvement of the river. It is to be noted that this amendment is worded in view of the fact that the Welland Canal is to be improved by increasing the depth to 25 feet, with 30 feet over the miter sills of the locks, which are to be 800 feet in length and 80 feet in width, thus making the canal adaptable for the passage of our largest lake vessels. The prism is to be so constructed that it can be deepened readily to 30 feet. This, with the proposed improvement of the St. Lawrence River canals, would enable lake vessels to reach Montreal and the ocean from Duluth or Chicago, and vice versa, from Montreal or the ocean to the heads of the Great Lakes. The amendment introduced by Mr. LENROOT was further amended by extending the field of investigation of the commission to routes for a ship canal within the American territory.

"I assume that this Congress does not intend to depart from its established policy of not advocating any particular waterway improvement, but I regard it, nevertheless, as entirely proper that the question of a ship canal from the Lakes to the ocean should be discussed, as it is one of the most prominent waterway questions before the Nation to-day.

"In approaching the discussion I would premise that it presents several aspects. The great questions which are to be

considered in determining the propriety of undertaking the construction of any such channel are of two classes, national and international. Also the subject has a sectional aspect—that is, to what extent the construction of a ship canal would affect, advantageously or disadvantageously, different sections of the United States, and this involves both the national and international character of the channel. Again, this vital question is presented: Assuming that the advantages and disadvantages to different portions of the United States would warrant entering upon the enterprise, would the cost of construction and maintenance be so large, when compared with the advantages, as to make the building of the canal advisable? And this involves the subsidiary question whether such a canal would be used to any great extent by either lake or ocean-going vessels.

"Discussion of these questions must necessarily be from two points of view—first, the assumption that such a ship canal is feasible and would be commercially a success, and, second, that such a canal would not be, on the other hand, feasible, and that it would not be a commercial success.

"So far as the United States alone is concerned, a ship canal from the Great Lakes to the ocean, if we assume that it would be used to an extent that would make it a commercial success, would be of great advantage for the shipment of the grain, ore, lumber, and to some extent of manufactured products from the Northwestern and Middle Western States, as the tendency would be to minimize terminal charges and lower freights. Of course, this would not be true if the canal was not a commercial success. On the other hand, if the canal should become an active and successful avenue of transportation, it would work most decidedly to the disadvantage of the States bordering the Mississippi south of Cairo, tend to prevent the great prospective growth of the commerce of the ports of New Orleans, Galveston, and other Gulf ports, as well as those of the Atlantic ports, Baltimore, Philadelphia, Newport News, and others. This result would inevitably follow, because rail, lake, and river transportation of bulk freights, and to a less extent of other freights, would be diverted from their present channels to the St. Lawrence route, with Montreal and European ports as terminals. A direct effect would also be to greatly injure the commercial prosperity of the great Middle and Eastern States, for the same reasons. Under these circumstances it is a very pertinent question, 'Should the United States expend the moneys coming from the sections of the country last named for the purpose of aiding that section comprised in the Northwestern and Middle Western States to the great injury of the Atlantic and the other Mississippi Valley States?' The project is wholly in the interest of a section and against the interests of by far the most populous and prosperous part of the United States, exclusive of that section. We can not preserve a patriotic unity in these United States if we are to indulge in improvements for the benefit of particular sections where other sections of our country may be injured. We must be careful to adjust the application of the revenues of the country to expenditures which, while they will benefit particular sections, will not injure others and will be of general benefit to the entire country. Any other course will directly tend to dissension between the States and should not be tolerated. I may add that it would be gross injustice to enter upon any project which, while benefiting some States, would have to be principally paid for from the pockets of the inhabitants of the other States, which would either derive no benefit or whose prosperity would be actually injured. It would therefore seem that the question I have propounded should be positively and firmly answered in the negative.

"Upon the assumption—which I shall hereafter show to be a false one—that a ship canal from the Great Lakes to the sea would be a commercial success, the result would be that Great Britain and Canada would be the special beneficiaries. Freights drawn from the Western and Northwestern States, as well as from the upper Mississippi Valley, would either be delivered at Montreal or carried direct to foreign ports, instead of going south to the Gulf, to the Atlantic ports of the Southern States, to the great ports of Virginia, Maryland, and Pennsylvania, or the great eastern ports of New York and Boston.

"This would build up Canada, and particularly its great port of Montreal, to the serious injury of all the Gulf and Atlantic ports of the United States. Certainly a project that would tend to have such results should be condemned by all our patriotic citizens. Freights not stopping at Montreal, but crossing the ocean, from their nature, nearly all go to Great Britain, thus giving that nation the benefit of the supposed lower freight rates on our products of the field, forest, and mine. More than this, the great mercantile fleet of Great Britain would become an invincible competitor for all our lake export trade. It would be a grand sight to see our lake ports crowded with British vessels taking on cargoes for Montreal or Liverpool. Not only would Great Britain profit by securing lower freight rates on our products, but she would be put in direct competition with our great transportation business on the Lakes. This consummation devoutly to be wished by Canada and Great Britain would have no compensatory advantage to the citizens of the United States, except so far as the transportation and sale of the products of some of our States would be increased at less cost to the producers. It would seem that there should be no division of sentiment here, and that all patriotic Americans should insist that we must not build up the prosperity of Canada and Great Britain at our own expense.

"So far I have discussed the proposition under consideration upon the assumption, for the purpose of the discussion, that a ship canal from the Great Lakes to the ocean would be a commercial success. This assumption will not bear investigation in the light of practical experience, the difficulties and expense of the undertaking, and the well-known economic rules which govern transportation. Indeed, the construction of such a ship canal would be so great a failure commercially that it would not warrant the expenditure of anything like the amount that it would cost.

"Connection of the Great Lakes with the ocean has been the dream of many men in this country. It is still a dream, for the day of dreamers has not passed. As early as 1708 the connecting of Lake Erie with Lake Ontario, as a first step toward reaching the upper lakes directly from the St. Lawrence and by that river reaching the ocean, was suggested by Cadillac. The project was rejected by the minister of Louis XIV as impracticable on account of its expense. That canal would have been the ship canal of those days, accommodating bateaux carrying about 5 tons. The idea of overcoming the falls and rapids of the Niagara by a canal was the subject of suggestion and agitation from time to time for many years. The principal result was the construction of the Erie Canal from the Hudson to Lake Erie, but the minds of some men still clung to the idea of utilizing the waters of Lake Ontario by a ship canal around the falls and rapids of the Niagara.

"The result was that in 1853 a charter for the construction of a ship canal around Niagara Falls was granted by the State of New York to Dean Richmond and others. A survey was made pursuant to this charter, the routes covered being practically the same as those suggested by the Deep Waterways Board of Engineers of the United States, as printed in its report of June 30, 1900. That canal would have been a ship canal for that day, as it would have accommodated vessels of 500 tons. The undertaking was, however, abandoned. The final outcome of all the suggestions, schemes, and undertakings for connection between the Great Lakes and the ocean by canal culminated in the rejection of all plans on the grounds of impracticability, lack of promise of commercial success, and great cost, and the solution of water communication with the ocean was found in the construction and subsequent improvement of the Erie Canal from the Hudson to Lake Erie, with a connection by way of Oswego between the Hudson and Lake Ontario, on the American side of the boundary, and on the Canadian side by the construction of the Welland and St. Lawrence River Canals. Nevertheless the dreamers still had visions of a continuous ship waterway, and, although it had been determined that the cheapest means of transportation was by lake vessels to Buffalo and by barge from Buffalo to tidewater, a board of engineers was appointed to again investigate the subject of a ship canal. This board made a report in 1897, which was very incomplete, the principal recommendation being that thorough investigation, surveys, and estimates of costs should be made. Accordingly, another board of engineers was appointed by the Government to undertake the work, and it made a report in 1900. It proposed two or three different routes from the Niagara River, around the Falls and Rapids, to Lake Ontario, and two principal routes from Lake Ontario to the Hudson, one by the way of Oswego and one down the St. Lawrence to Lake St. Francis and thence across Canada and the United States to Lake Champlain and the Hudson River. The expense was estimated at $90,000,000 for the cheapest route, exclusive of administration. It is well to notice that one of the routes from Lake Ontario east suggested by the board was wholly in American territory, but that the other was in Canadian waters and Canadian territory from St. Regis on the St. Lawrence to where the line struck the boundary of New York near Lake Champlain. This report has never been acted upon. The fact is that the idea of constructing a ship canal has been abandoned until renewed lately. It is also to be noted that the expense of construction estimated by the board was arrived at from the cost of materials and labor obtaining at the end of the last century, and that after adding at least 10 per cent to the estimates for contingencies, the cost of administration, and the increased cost of labor and materials, the expense would be

to-day at least $400,000,000 for the cheapest route recommended. That at least 10 per cent should be added to all engineers' estimates for such undertaking is proved not only by the cost of construction of the Panama Canal but by the construction of the barge canals of the State of New York.

"The original estimate for those canals was nearly $50,000,000, but more careful investigation increased this amount to $90,000,000, and subsequent rises in labor and materials in the early part of this century caused further additions, bringing up the estimate to $100,500,000, to which, to cover contingencies, $500,000 was added, making the amount $101,000,000. Unforeseeable contingencies in administration and construction arose, so that in the end the barge canals cost $128,000,000. The Cayuga and Seneca Canals have cost $7,000,000, but this was not included in the original barge canals improvement.

"The solution of water transportation from the Great Lakes to the sea, so far as keeping the route wholly within American territory is concerned, was therefore found, pursuant to previous investigations as to the cheapest methods of transportation, in utilizing the Lakes and the construction of a canal that would float barges that will carry over 2,000 tons and fleets of barges that will carry the full cargo of a Lake vessel.

"Canada a few years ago took up the question of securing the Lake trade for Montreal by the construction of a canal, known as the Georgian Bay Canal, from the head of Georgian Bay by the way of French River, a series of small lakes, and the Ottawa River to that city. A large amount of money was spent by the Canadian Government in investigating this plan, together with extensive and minute surveys and the preparation of plans with estimates of cost. The result was investigation of the feasibility of constructing a ship canal connecting the head of Georgian Bay with Montreal, having 25 miles of artificial canals, 80 miles of dredging, and 332 miles of waters improved by the construction of dams, making the total distance to Montreal, an ocean port, from Duluth 1,056 miles, whereas by the Great Lakes and the New York Barge Canal the distance is 1,480 miles to the ocean at New York, a saving of 424 miles. The expense was found to vary in accordance with the difference of cost between two of the entrances into the St. Lawrence at and near Montreal, but the variance was comparatively small and the estimated cost was about $100,000,000. There were no great difficulties in this work, and the saving in distance was great, nevertheless it was found that the exigencies of navigation would cause in the end so great a loss of time in transportation and the commercial and economic objections were so great that the construction of the canal has not been deemed warranted.

"An alternative to the Georgian Bay Canal is the improvement of the Welland Canal so as to enable the largest Lake vessels to proceed to and down Lake Ontario to Kingston for the transshipment of cargoes to barges that would pass the St. Lawrence canals, which have a depth of 14 feet over the miter sills. This was determined by the Canadian Government to be the most feasible and cheapest route to Montreal. Accordingly, improvement of the Welland Canal has been undertaken, and although it has been delayed by the Great War it will be completed. The Welland Canal will be 25 feet deep, with the walls so constructed that it can be readily deepened to 30 feet. It will have 30 feet depth of water over the miter sills of the locks, which will be 800 feet long and 80 feet wide in the clear. The depths of water are figured for extreme low water. The width of the canal will be 200 feet at the bottom. Thus we find that the Canadian Government has abandoned the idea of a ship canal to Montreal and has adopted the principle simply of utilizing the waters of Lake Ontario for Lake vessels by the improvement of the Welland Canal and the use of barges on the St. Lawrence River and the St. Lawrence River canals.

"Thus history shows that the idea of a ship canal all the way from Lake Erie to tidewater is a dream which is dissipated when resort is had to a careful investigation of the commercial element of cost of transportation. I may add that this conclusion has been come to after most thorough investigation, surveys, and estimates, and in view of the cost of transshipment from large vessels to barges. There are other commercial elements which enter into the problem which I shall discuss hereafter.

"The result of the history of this movement is that further investigation of the feasibility and advisability of a ship canal from the Great Lakes to the ocean is not necessary to determine whether such a ship canal should be constructed. Such an investigation probably would do no harm, but it has not been placed in the hands of a commission of the proper authorities, for the Joint International Commission is not properly equipped, either as to the personnel of the commission or its means of investigation, to give reliable advice on this subject, unless it be by the employment of experts at tremendous expense. The Chief of Engineers, with the assistance of the Board of Engineers, could make the investigation and furnish Congress with all the information necessary to come to a correct conclusion at comparatively small expense. International questions, such as negotiating with Canada, might properly be left with the commission.

"When considering the advisability of the construction of a ship canal from the Great Lakes to the ocean, the first element to be considered is the cost. If the St. Lawrence route is to be adopted, this cost will, of course, be apportioned or divided in some way between the United States and Canada and it will be the expense of improving the St. Lawrence canals or of canalizing the St. Lawrence River. Canada, as I have shown, has adopted as the cheapest means of transportation to Montreal, an ocean port, the Lake system to Kingston and Lake Ontario and thence by barges to Montreal, and beyond question neither the Dominion nor Great Britain could be induced to change that policy by providing a ship channel down the St. Lawrence, unless for the purpose of endeavoring to control our Lake commerce and to furnish dominion over the Lakes by British war vessels in case of war.

"What the cost of altering the St. Lawrence canals to ship dimensions would be has never been estimated, to my knowledge, but it is certain that it will be extremely difficult and that the cost will be very great, running into the hundreds of millions. This is due to the topography of the river bank at the various rapids.

"The banks are not high and parts of the present canals have had to be protected by embankment or strengthening of the banks. Improvement by canalization of the St. Lawrence might be accomplished by the erection of dams at the foot of each rapid, but this would cost many millions of dollars, would flood extensive territories on the American and Canadian sides and would cause great damage by ice. This condition of affairs was gone into thoroughly at hearings before the International Waterways Commission when it was investigating the propriety of damming the Long Sault Rapids for power purposes, and it was found Canadian opposition was so strong that the commission could not recommend the undertaking of the work, although the American section rather favored it. The improvement proposed would have backed the waters of the St. Lawrence for about 9 miles above the head of the rapids and would be one of a series of dams needed in case the stream was canalized for ship navigation. But the plans presented to the commission for the dam at the foot of the rapids would not be adequate to create a ship channel and a higher dam would have to be erected and the levels of the water above it would have to be raised several feet. I think it may be almost taken for granted that, unless influenced by the motives I have stated above, Canada will not consent either to the construction of ship canals around the rapids or to the canalization of the river.

"In any event, why the Government of the United States should participate in the expenditure of an immense sum of money which would redound almost entirely to the benefit of Canada and Great Britain is impossible to see. Our people are overtaxed now and they ought not to be called upon for money to benefit a few States and our competitors for the trade of the Great Lakes.

"An element necessary to an undertaking of the project is the available routes. I say the 'available' routes, because previous surveys have pointed out what routes for topographical and economical reasons could best be adopted. One of these is the Canadian route, of which I have spoken, the improved Welland Canal, Lake Ontario, and the improvement to ship size of the Canadian canals or the canalization of the St. Lawrence River. This route is wholly Canadian. The other routes are those described in the report of the Deep Waterways Board of Engineers. Starting from the Niagara River a ship canal would be constructed around the falls on the American side. This would now seem to be unnecessary, as the Welland Canal is to be improved. Lake Ontario would then be utilized as far as Oswego and from Oswego a ship canal would be constructed up the Oswego River, connecting with Oneida Lake, which would be deepened, thence using the Mohawk route to the Hudson. As an alternative, the route would proceed down Lake Ontario and the St. Lawrence to Lake St. Francis, and from near the foot of Lake St. Francis across Canadian territory to the boundary line of New York State near Lake Champlain, and thence to the head of Lake Champlain and on down to the Hudson.

"It will be observed that the line of the first-mentioned route would be in Canadian territory to Lake Ontario, if the Welland Canal was used, and in American territory if a new canal around the Falls was constructed on the American side. If the Oswego route was adopted it would be entirely within American territory through and from Lake Ontario. If the Champlain route were

adopted it would be almost entirely in Canadian territory until the boundary line of New York near Lake Champlain was reached. Thus, on the Champlain route for about 200 miles navigation would be in and under the control of Canada, except the comparatively short distance around the falls, if a ship canal to Lake Ontario were constructed on the American side. I have already discussed the cost of these routes, which undoubtedly to-day would be over $400,000,000 more when land purchased and damages are added.

"The question suggests itself here whether the advantages of such a ship canal on either of these routes or on the St. Lawrence would outweigh the disadvantages. It is quite certain that no patriotic American would consent to place the control of navigation between the ocean and the Great Lakes in the hands of Great Britain and Canada, either wholly or partially. If the St. Lawrence route is adopted that control is wholly within their power. If the Champlain canal route is adopted it is within their power from a point near the head of Lake Champlain, and it would be comparatively easy for Canada to complete ship growth of Montreal as a great seaport. We all know that Montreal does not compare with New York as a commercial port and of the commerce of the ship canal to the Lakes as against the Champlain-Hudson route from the head of Lake Champlain.

"The remaining question is whether a ship canal would be warranted by the advantages as against the cost and its commercial utility. Study of this question makes it quite apparent that the expenditure of money would be largely wasted if a canal upon any of the routes was constructed, and it is certain that the commercial advantages would not be at all commensurate with the expenditure. Consideration of these propositions involves a study of the water conditions on the Great Lakes, economical transportation on the Great Lakes, and economical transportation on the ocean, as well as the objections to the St. Lawrence route.

"There are serious objections to the use of the St. Lawrence River from Montreal to the ocean for navigation by ocean or Lake vessels. These objections have been considered time and again, and they have been the most serious handicap to the growth of Montreal as a great seaport. We all know that Montreal does not compare with New York as a commercial port and we all know that it has no prospect of ever successfully competing with New York commercially. These objections are the violent cross-currents in the Gulf of St. Lawrence, and the heavy fogs and ice which not only make navigation extremely dangerous but which actually raise insurance rates to a point that tells heavily against the commerce between Montreal and foreign countries and has told heavily against it in the past.

"Consideration of the condition of the Great Lakes waters has been taken up by the War Department in connection with a proposed improvement by the United States of the St. Lawrence River from Lake Ontario to the Canadian border, with a view to providing navigation facilities suitable for ocean-going ships. In 1917 the rivers and harbors act directed a preliminary examination of Lake Ontario and the St. Lawrence River, with a view to the improvement stated. The examination was made in 1918 by Col. J. G. Warren, of the Corps of Engineers, and his report, dated April 12, 1918, was thoroughly considered by the Board of Engineers, approved by them and submitted to the Chief of Engineers, whose approval of the report, with all documents and communications, were submitted to the Secretary of War, who transmitted them to the House of Representatives December 16, 1918, as appears from Document No. 1591 of the third session Sixty-fifth Congress. The report and the approvals all declare that the improvement of the St. Lawrence from Lake Ontario to the Canadian border, with a view to providing navigation facilities suitable for ocean-going ships, is not deemed advisable at the present time. Col. Warren and the Board of Engineers considered various projects and give cogent reasons for not recommending the improvement, and among other things they state that even with a ship channel from the international boundary line on the St. Lawrence to the ocean by the Champlain-Hudson River route, or by the enlargement of the Soulanges, Lachine, and other canals on the St. Lawrence route, the traffic would still be governed by the depths of the harbors and connecting waters of the Great Lakes, and they refer to House Document No. 755, Sixty-fifth Congress, second session, for data on this subject. As appears from that document, the deepening of the harbors and connecting waters of the Great Lakes to 25 feet, even, was reported upon unfavorably on the ground that traffic, existing and prospective, would not warrant the expenditure. It is to be noted here that deepening the harbors and connecting waters of the Great Lakes to 25 feet would not be sufficient to permit ocean vessels of a capacity compared to that of our lake vessels to navigate the Lakes and enter the Lake harbors and that our Lake vessels are not adapted to ocean navigation. We thus have the opinion of the Board of Engineers and the Chief of Engineers that the deepening of the harbors and connecting waters of the Great Lakes and the construction of a ship canal to the international boundary are not warranted by the present or prospective commercial conditions, even though the ship canal should be continued to the ocean. The conclusions of these officials were arrived at only after the most careful consideration of cost, hydraulic, topographical, and engineering elements, as well as commercial conditions. It is pertinent to ask why further expenditure of money should be indulged in when all the necessary data are at hand and come from authoritative sources. It is safe to say that over a million dollars has been expended in just such investigations and that in the hands of the joint international commission, if another thorough investigation is made, the expenditure would duplicate that already made, with similar results.

"There is another aspect of the economic question involved, which is wholly one of navigation. Great Lake vessels are practically hollow boxes, constructed for the purpose of carrying the largest cargoes possible on the lowest draft of water on inland lakes and connecting waters, construction being adapted to the comparative safety of inland navigation and the shortness of the season, which averages seven months. Lake vessels must carry as large cargoes as possible and make as many trips as possible on the Great Lakes to earn the largest profits. They average in speed 12 miles an hour on the open waters and 9 miles on the connecting waters, and they can make, at an average of 10 miles an hour, the trip from Duluth to Buffalo in about four days and from Chicago to Buffalo in about three and one-half days. In the narrow channel of ship canals, with the delay of lockage, those boats could not make safely more than about 4 miles an hour. The delay at locks may be illustrated by the use of those at Sault Ste. Marie. The average delay is an hour and a half. In the past, before the construction of the third and fourth locks, within my personal experience vessels have been delayed 14 hours. If the traffic on the ship canal is at all great, the average delay at each lock would certainly be an hour and a half, and as there would be at least 30 locks to overcome, the difference of the levels of Lake Erie and the St. Lawrence at Montreal (573 to 18 above tidewater), nearly two days would be wasted in passage one way, nearly four days on the down and return trip. If such vessels navigated a ship canal to Montreal, the loss of time between Lake Erie and Montreal would involve so great a loss of earnings that the trade would not even attract our Lake vessels, unless freights were raised to a point that would far exceed the cost of transfer at Buffalo and carriage by the Erie Barge Canal and the Hudson River to New York. If such vessels undertook to pass Montreal and proceed, we will say, to Liverpool, they would be at the mercy of the storms of the Atlantic, which they are not fit to encounter, and their comparatively low power would not make them successful competitors of ocean vessels carrying from the Atlantic ports of our country. In addition to this the higher rates of insurance of vessels and cargoes on the lower St. Lawrence would add a burden that would be almost destructive of transportation by Lake vessels from the Lakes to Europe. If our Lake vessels delivered their cargoes at Montreal, they would suffer a further loss, inasmuch as from that port they could not get the return cargoes which they now do from Lake Erie ports, and they would have to take partial cargoes, if any, through the ship canals and the increased distance across Lake Ontario to Lake Erie at a dead loss. The expense of these vessels is about $500 a day, and they must make as quick trips as possible with as large cargoes as can be had, both up and down the Lakes, and they can not spend time going to Montreal or encountering the dangers of the ocean in competition with ocean vessels.

"We may now consider ocean vessels from the point of view of utilizing the waters of the St. Lawrence River to the harbors on the Great Lakes. A typical ocean carrier, with a tonnage of 10,000, is comparable to our largest Lake vessel. It has a draft of over 27 feet and a cargo capacity of about 350,000 bushels of wheat; its speed is about 12 miles an hour. The obtaining freight on grain, New York to Liverpool, is to-day 70 to 80 cents per hundred pounds, or between 40 and 50 cents a bushel. The owners of such vessels would most certainly not engage in traffic between Montreal and the harbors of the Great Lakes, for the reason that their ocean rates are so far above Lake rates that they could not compete with Lake carriers on the Lakes without a great reduction of their own rates. It would be much more to their advantage to deliver at Atlantic ports in the United States, and much more to the advantage of shippers to ship to such ports, even by rail, certainly by the Great Lakes, the barge canals, and Hudson River to New York. Ocean vessels (as well as Lake vessels) could not navi-

gate a ship canal even 30 feet deep with any safety without limiting their speed to as low as 4 miles an hour, in view of the danger of grounding, danger of sheering, and danger of collision with the banks, and in view of delays at the docks.

"It is impossible to imagine an ocean vessel undertaking the trip by way of the Gulf of St. Lawrence, Montreal, the River St. Lawrence, Lake Ontario, St. Lawrence Canals, and the Welland Canal in order to reach the upper Great Lakes. It is absurd to think of such vessels navigating the many miles of ship canal by the Mohawk and Oswego route or the Hudson-Champlain route in order to reach the St. Lawrence or Lake Ontario, and thence proceeding across Lake Ontario and through a ship canal around the Falls. Ocean vessels will not engage in the business of the Great Lakes, because they can not do so without sacrificing earnings and incurring unnecessary dangers of navigation in narrow and inland waters; they certainly can not engage in commerce on the Great Lakes unless the connecting waters and the harbors are deepened to at least 30 feet, something which is not to be expected, since the proposition to deepen to 25 feet has been rejected by the War Department and the Board of Engineers as not warranted by any present or prospective conditions of commerce.

"The result at which we arrive is that the commerce from Lake Erie to the ocean via any of the ship-canal routes would not reach an amount that would have an appreciable effect upon the continuance of the present method of doing business upon the Great Lakes. It follows that the expenditure of hundreds of millions of dollars in the construction of a ship canal would practically be a waste of money.

"The international questions involved in the subject we are discussing are of paramount importance. If we assume that the proposed ship canal will be a success, it is quite apparent, as I have already pointed out, that Great Britain and Canada will become dangerous competitors for the entire trade of the Great Lakes in connection with ocean transportation. That British and Canadian competition would be largely successful, and to that extent dangerous to the business of those engaged in our Lake transportation and to our shipbuilding interests on the Great Lakes, can not be questioned, for the ability of Great Britain, with her merchant marine and her ability to build vessels cheaply, would assure to her and Canada a large proportion, to say the least, of the Lake export and import carrying trade.

"More important still, from the international point of view, is the fact that a ship canal through Canadian waters, by the St. Lawrence or St. Lawrence-Champlain-Hudson routes, would give Great Britain absolute control of our Great Lakes in case of war or diplomatic difficulties, by placing her destroyers upon the waters of the Great Lakes. The United States could not utilize the canals for this purpose as they would be within Canadian territory. Neither could the United States prevent their use by Great Britain, under ordinary circumstances, because if disputes arose between Great Britain and the United States, British destroyers could be placed upon the Great Lakes within two weeks' time. The United States would be helpless to prevent this, for it is to be assumed that Great Britain would take the initiative without waiting for us to mobilize and invade Canada to prevent the subjection of our Great Lakes ports to Britain's navy. Thus any ship canal, except by the Oswego route, would continually exist as a menace, would fortify contention of Great Britain against the United States and would enable Great Britain to exercise coercive powers by placing our Great Lakes ports under the guns of her navy. There would be no defensive offset except to regard our lake coasts as open to Great Britain and to fortify them in the same manner and to the same extent as our Atlantic, Pacific, and Gulf coasts. This is not mere speculation. The danger of placing vessels of war upon the Great Lakes was recognized by the statesmen of this country in the past and it was provided against by treaty. In 1817, by exchange of notes between the United States and Great Britain, an agreement was arrived at in relation to naval vessels on the Great Lakes, by which neither power was to maintain a naval force thereon exceeding one vessel on Lake Ontario and two vessels on the other lakes, such vessels not to exceed 100 tons burden and to be armed with only one 18-pound cannon. This agreement was ratified April 16, 1818, and proclaimed by the President on the 28th day of that month.

"The danger of opening the way to Great Britain for naval supremacy on the Great Lakes has been sneered at by some of the Western papers, but their editorials disclose nothing more than ignorance and shortsightedness. We must look to the future, for the international affairs of nations are always changing and international relations in the future can never be foreseen. A league of nations and arbitration treaties are positively of no effect as preventing aggression and war when a powerful nation regards its honor as attacked or the prosperity of its people threatened by some other nation. We are at peace with Great Britain to-day, but a quarter of a century hence conditions readily may arise to cause hostility and a resort, perhaps, to reprisals, coercion or war. We must always look to the coming years and must not for fancied commercial advantage subject ourselves to a position of danger from the action of any other power.

TO SUM UP.

"1. It is entirely certain that the expenditure of an immense amount of money in a new investigation as to the feasibility of construction of a ship canal to the ocean is not necessary and not warranted, because sufficient data to determine that question already exists. The conclusion could be arrived at by the War Department, for the advice of Congress, with full data, at comparatively little expense.

"2. A ship canal by any of the routes suggested which could be adopted would not be a commercial success.

"3. If such a ship canal should be a commercial success it would redound to the advantage of a few States and great injury to the Southern, Southwestern, Middle, and Atlantic States.

"4. If a ship canal to the ocean were a commercial success it would introduce Great Britain and Canada as a dangerous competitor for the Great Lakes traffic.

"5. The construction of a ship canal that by any possibility might be utilized to a sufficient extent to warrant the expenditure of the necessary money would necessitate the United States contributing our funds and the levying of taxes upon our people for the aggrandizement of Canada and Great Britain.

"6. The construction of any feasible ship canal would necessitate its being almost wholly in Canadian territory and would place the United States in a helpless condition in case of the outbreak of war or the rupture of diplomatic relations, so far as naval domination of the Lakes is concerned, and, in case of rupture between Great Britain and the United States, would make it entirely within the power of Great Britain to place the great ports of Buffalo, Cleveland, Detroit, Chicago, and Duluth-Superior City under the guns of British destroyers.

"From every point of view, if an investigation is to be made, it should be placed in the hands of the War Department, and it is certain that a ship canal from the Great Lakes to the ocean should not be constructed. Careful consideration of known facts will dissipate the dream of a Great Lakes to the ocean ship canal.

"Dated December 9, 1919.

"GEORGE CLINTON."

Mr. PADGETT. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Chairman, the proposed development of this great waterway—the St. Lawrence River route—and the investigation to determine its feasibility came about as the result of a resolution which I had passed in the Rivers and Harbors Committee, and finally through this House. Competent investigators are making an investigation of this waterway to determine its practicability, men who are competent to do so. It is evident that we are going to meet with some opposition in the work from the State of New York. The statements just made by the gentleman from New York [Mr. DEMPSEY] with reference to whether this waterway can be developed or whether navigation can go ahead successfully upon this waterway will not be determined by anything he may say, it is a question that will be determined by competent engineers on both sides of the river, able men, who are well acquainted not only with the waterway but with shipping in general, and when that report is ready I think Congress will receive it and give it more credence than it will any statements that may be put forward by the gentleman from New York. The St. Lawrence River was navigated by ocean vessels some years ago by a line of boats from Chicago to Norway. I understand that the reason they had to quit navigating this river was because of the influence of the great ocean shipping combination and their ability to prevent these boats from getting marine insurance.

Mr. CLEARY. Mr. Chairman, will the gentleman yield?

Mr. GALLAGHER. Yes.

Mr. CLEARY. How many tons could those vessels carry down the St. Lawrence?

Mr. GALLAGHER. I do not know; but they were doing a successful business.

Mr. DEMPSEY. Were not the greatest number of them sunk owing to the perils of the trip?

Mr. GALLAGHER. No; there were none sunk that I know of.

Mr. DEMPSEY. I think the gentleman is in error.

Mr. GALLAGHER. No; they had to cease business because they could not get marine insurance. The great boat lines running out of New York were able to prevent them from getting it, so I understand. The States of Illinois, Ohio, Indiana, Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Iowa, Montana, Wyoming, Idaho, Colorado, and Nebraska are all interested, and I might say that the States of Pennsylvania and New York are very much interested, aside from the question of navigation, as has been explained to you by the gentleman from Wisconsin [Mr. NELSON]; the power that is to be developed will be of great importance to these States.

There is quite a movement in the Central-Western States and beyond to bring about the completion of this great waterway; and so far as our being able to navigate it with the proper kind of ocean-going boats, I am sure that will be taken care of. The river will be improved and deepened so that ocean-going boats will be able to navigate it. The Great Lakes need this outlet, and the great savings in the handling of freights will no doubt make it pay; but very few of the boats now in oversea trade draw more than 26 feet of water and very few harbors in this country will accommodate boats requiring greater depth. New York Harbor is now overtaxed and is making a supreme effort to secure larger docking facilities. Boats are continually delayed in the harbor for lack of docking privileges, and it is only a question of time, unless some changes are made, when they will be unable to handle the shipping business of the Nation.

Mr. Chairman, I desire to ask unanimous consent to extend my remarks by including an address on the development of the St. Lawrence waterway before the River and Harbor Congress at Washington, December 10, 1919, by the Hon. Alexander T. Vogelsang, First Assistant Secretary of the Interior.

Mr. BLACK. Mr. Chairman, reserving the right to object, I suppose it is not the whole pamphlet, is it?

Mr. GALLAGHER. It is very short and quite important, and very instructive to those interested in this great improvement.

Mr. BLACK. Well, if it is short——

Mr. GALLAGHER. It is very short, and it bears directly on matters pertaining to this development.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The following is the address:

Gentlemen of the Rivers and Harbors Congress: I have been asked to make a brief address upon the question of hydroelectric power that may be developed along that part of the St. Lawrence River constituting the boundary between the United States and Canada in connection with a proposed waterway which will accommodate ocean-borne vessels.

The advocates of this enterprise are chiefly resident far west of the St. Lawrence River, and the power feature of the work is only of incidental or general interest to them in their promotion of the navigation project, but to the State of New York and portions of New England it is a matter of extreme importance.

The Department of the Interior is charged with the administration and control of publicly owned hydroelectric power sites and has, therefore, ever kept itself abreast of the development of the art wheresoever that development may have taken place, and in the beginning I wish to give due and full credit for assistance in the preparation of this paper to the magnificent annual report of the Secretary of the Interior, just issued, and to the Geological Survey and the Bureau of Mines. Through the agencies of these bureaus the department is in daily touch with the power question, and out of its abundant researches and statistics I am enabled to present in outline some views which may create at least a conception in the average mind of the prime importance of power in our economic fabric. It is, indeed, the first among the present-day problems of science.

The development of this waterway with incidental power production is a work that appeals to our constructive imagination. It appeals to true statesmanship as defined by Jonathan Swift 200 years ago, when he said in the Voyage to Brobdingnag:

"And he gave it for his opinion that whoever could make two ears of corn or two blades of grass to grow upon a spot of ground where only one grew before would deserve better of mankind and do more essential service to his country than the whole race of politicians put together."

I may add at this point that more than a million men are now engaged in producing mineral fuels, the consumption of which expends and exhausts the stores of nature. On the other hand, the white coal of falling water is exhaustless, is everlasting. Any project that will lower transportation costs and at the same time yield energy for the use of man conforms to modern economic thought.

There is a growing tendency to redistribute those industries of the country which require large amounts of power to locations where water power is abundant and cheap. Thus, water power will control the location of those industries in which the cost of power is a large item in the value of the product.

Dr. Steinmetz estimates the theoretical maximum of hydroelectric power of the United States at 320,000,000 horsepower, though of course but a fraction thereof can be made practically available. The Geological Survey estimates the amount practically available to be 54,000,000 continuous horsepower, and of this the boundary waters in question can produce nearly 2,000,000 horsepower, half of which belongs to us.

The census of 1912 shows the developed water power of the United States was 4,870,000 horsepower. According to that census, the installed capacity of stationary prime movers was 30,000,000 horsepower, furnished by water, gas, and steam. This does not include power generated in locomotives, marine engines, automobiles, and such apparatus. The average power furnished by these prime movers was probably not more than 20 per cent of installed capacity, so that power produced in 1912 was probably not more than 6,000,000 continuous horsepower.

Seventy per cent of the water power is west of the Mississippi, and over 70 per cent of stationary prime-movers horsepower is east of that river. Thus it is seen that the East is rapidly consuming the expendable resources of power, and that if she continues to sleep upon her water-power possibilities she may soon see the transfer of many of her great industries to the enterprising, forceful, and ever-alert West.

AN INCOMPARABLE RESOURCE.

St. Lawrence River from Tibbets Point, at the foot of Lake Ontario, to deep water at the level of Lake St. Francis at St. Regis, N. Y., flows about 113 miles along the international boundary, and has a fall at low water of about 92 feet, of which about 91 feet is in the lower 48 miles, from Galop Rapids to St. Regis, there being a fall of but one foot in the 65 miles from Lake Ontario to Galop Rapids. The fall in the lower section of the river is concentrated in a number of rapids which are passed by means of canals and locks on the Canadian side. The Long Sault Rapids, with a fall of 48 feet, extend for about 12 miles along the lower end of this section.

From St. Regis to ocean navigation at Montreal there is a fall of about 130 feet in a distance of about 70 miles, of which 129 feet is concentrated in two stretches of 14 and 8½ miles, the former including Coteau, Cedar, and Cascade Rapids, in which the fall is 84 feet, and the latter, including Lachine Rapids, in which the fall is 45 feet.

It is only necessary to consider the immense amount of water flowing in the St. Lawrence River and its uniformity of flow to realize the tremendous amount of water power capable of being developed along the international portion of the river. The mean annual flow at the head of the river, as shown by records obtained from 1860 to 1917, is 241,000 second-feet. The effect of the Great Lakes, which act as a great system of storage reservoirs in regulating the flow in the St. Lawrence, is indicated by the fact that the maximum and minimum flow of the river differ by only about 25 per cent from its mean flow. A comparison of this ratio with similar ratios for the Ohio and Mississippi Rivers indicates that the flow of the St. Lawrence is remarkably uniform. The mean flow of the Ohio River at its mouth is about 500,000 second-feet, its maximum flow is about three times the mean, and its minimum flow is about one-tenth the mean. The mean flow of the Mississippi at the power plant of the Mississippi River Power Co. at Keokuk is about 50,000 second-feet. The maximum is about six times the mean and the minimum is about one-fifth the mean.

The amount of theoretical power per foot of fall in the St. Lawrence River, as shown by the mean annual flow, is 27,360 horsepower, and as a total fall of 92 feet is available in the international section of the river the theoretical power in that section is about 2,520,000 horsepower. Assuming that only 70 per cent of this energy can be made available on account of losses in head and inefficiencies of water wheels and generating equipment, this stretch of the river, owned equally by the United States and Canada, would furnish 1,764,000 horsepower, or 882,000 horsepower to each. About 95,000 horsepower of the portion belonging to the United States has already been developed by the St. Lawrence River Power Co. by means of a canal which diverts a maximum of 30,000 second-feet from the river near the head of the Long Sault Rapids through the power house into Grass River, which joins the St. Lawrence below the Long Sault Rapids. Here a head of about 40 feet is developed. After the power utilized at this development is deducted from the power of the portion belonging to the United States, the power not yet developed in that portion of the river amounts to about 790,000 hrsepower.

As a horsepower is practically three-fourths of a kilowatt, 790,000 horsepower is equivalent to about 590,000 kilowatts. This amount of power is about one-third the total installed generating capacity of all the plants engaged in producing electricity for public use in New York State, slightly more than the installed capacity of generators of similar plants in the State of Michigan, and about 75 per cent of the capacity of those in Massachusetts. In only six States in the United States does the total installed capacity of electric generators in public utility plants exceed 590,000 kilowatts.

This power may be used near the points of development by industries in which power is a large component of the product or it may be transmitted as a public-service supply to power markets that are now dependent on fuels. Doubtless neither of these courses should be followed to the complete exclusion of the other, but it is worth while to examine somewhat the conditions of public power supply within transmission distance of these sites in order to see what are the possibilities of absorbing so large an amount of power.

If the development were so made that a certain amount of regulation of stream flows by storage in Lake Ontario were possible and if load conditions were adapted to the full utilization of all the power produced, it would appear that the share of the United States of the St. Lawrence River power would be about 425,000,000 kilowatt-hours per month. The amount of power produced from fuels in public utility plants during the month of February, 1919, in New England and New York State was about 460,000,000 kilowatt-hours. The amount of power so produced from fuels during that month in the central New York region, from Albany to Buffalo, was only about 30,000,000 kilowatt-hours, so that if any considerable portion of the St. Lawrence River power were to be marketed for use by public utilities it would have to be transmitted to the metropolitan district of New York, a distance of about 350 miles. Here there is now produced from fuel at least 300,000,000 kilowatt-hours per month. Much of New England is within a transmission distance of 250 miles and requires about 150,000,000 kilowatt-hours of fuel-produced energy monthly for public service alone. The industrial plants not supplied by public-service companies use a large additional but unknown quantity of energy. The transmission of these quantities of power over the distances indicated is unprecedented but is not to be regarded as unattainable in the present state of high-tension operation. In view of these requirements, there can be no reasonable doubt in anyone's mind that there would be an ample market for all the power that can be developed on the St. Lawrence. The annual value of our horsepower would be about $12,000,000, and figured on a 5 per cent basis would show a capital value of $240,000,000.

The utilization of this power in public service to replace coal now consumed in the large manufacturing centers of New York and New England has an important bearing on the extension of the life of our coal deposits. On the basis of 3 pounds of coal per kilowatt-hour, this St. Lawrence River power is the equivalent of about 7,750,000 tons of coal annually. This is about 1.3 per cent of the total production of bituminous coal in the United States in 1918. The amount of coal consumed per year by public utility plants in New England and New York is only about 7,000,000 tons.

If, on the other hand, the demand for electrochemical and other products requiring large quantities of power increases, these water

powers will give opportunity for greatly enlarged industrial development. Doubtless most of the power developed on the Canadian side, not only in the boundary portion of the river, but in the purely Canadian portion below, would be utilized for such purposes. This portion is within easy reach of the largest commercial centers, and after the St. Lawrence has been made more fully available for navigation it would be possible for ocean shipping to reach the factory sites. Assuming, as seems entirely probable, that these developments are made at low cost and can deliver power at attractive rates, it is entirely unlikely that this power can be marketed as rapidly as it can be developed.

Under normal conditions the railroads, especially those in the northeastern part of the United States, are overburdened with coal. From 35 to 40 per cent of their cargo space is given up to the transportation of coal. The full utilization of the water powers of the St. Lawrence would reduce greatly the tonnage of coal to be moved into New York and the New England States.

The saving in man power by producing energy by water power, as compared with steam power, is large, especially if the number of miners required to provide coal is considered. A large southern power company shows, by comparing the number of men needed to operate one of its hydroelectric plants on the Coosa River with the number, including the miners, needed to operate one of its steam plants, that in a waterpower plant one man is required per 5,250 kilowatts of capacity, whereas in a steam plant one man is required per 74 kilowatts of capacity.

Applying these figures to the water power available on the St. Lawrence and assuming that the 590,000 kilowatts of water power would replace the same amount of steam power, about 7,900 men would be released for work in other fields.

The power possibilities of the St. Lawrence have therefore very large economic importance, and any plans for developing the river for navigation should make provision for the maximum development of the energy that it will afford. This provision can be made only by working out a comprehensive plan in which both Canada and the United States seek the best engineering and economic solution of the problem. No doubt private capital is available to make all this improvement in consideration of a grant of the power privilege, but there is equally no doubt that this will not be done. Canada as well as the United States would not permit it.

The availability of the water power of the St. Lawrence should also receive the most careful consideration if Congress authorizes Secretary Lane's plan for a power survey of the North Atlantic industrial region.

It is now three years since Congress was urged to authorize a study of the power possibilities of the congested industrial part of the Atlantic seaboard with a view to disclosing not only the fact that a great saving in power could be effected and a much larger actual use of the power now produced could be gained but that new supplies could be obtained, both from running water and from the conversion of coal into power at the mines instead of after a long haul. The feasibility of constructing a supertransmission line of electric power paralleling the Atlantic from Richmond to Boston, affording connections at New York and Boston with the vast water-power resources of the St. Lawrence on the north and Niagara on the west, a main transmission line into which would run many minor feeding streams of power and from which would diverge an infinite number of small delivering lines tying together the separated power plants of 10 States, so that one could give aid to the other, so that one could take the place of the other, so that all may join their power for good in any great drive that may be projected, may well be investigated by the Government, not with the thought that the Government would construct or even operate such a trunk line, but that the project might so attract the attention of the engineering and financial world as to make it a reality.

Such a system of transmission lines would take from the coal mine and the railroads much of their burden and insure the operation of street lights, street cars, and essential industries in the face of railroad delinquencies.

The demand for power for the use of industrial and public utilities in New England and New York is increasing. Winter conditions like those of 1917–18 would again cause, and to a greater degree, the same difficulty that then occurred in supplying coal to the country's essential industries. The water power of the St. Lawrence would furnish sufficient energy to supply a large part of the power now generated by fuel in the northeastern part of this dominant industrial district of the United States. The demand for power in this district would undoubtedly consume all that portion of the St. Lawrence power that belongs to the United States and all of that portion of Canada's share for which there was no demand in that country.

The power production will pay the entire cost of all the work. As I understand it, our neighbor proposes to go into the enterprise on a 50-50 basis in spite of the apparent fact that the present advantage is enormously in our favor. Shall Canada's 7,000,000 people say "I will," and Uncle Sam's 110,000,000 say "I won't"? Or, shall we rather cooperate and develop this waterway, obtaining thereby, practically as a by-product, this tremendous resource of power?

A WORD ABOUT COAL.

About 55 per cent of the world's coal is in the United States. We must some day become great as a coal exporting Nation. In the prewar period we sold abroad only 4,500,000 tons of our annual production of 700,000,000 tons, which Secretary Lane visualizes in his report by stating that this amount of coal would build a Chinese wall along the outboundaries of the United States from Maine to Vancouver, to San Diego, and eastward to Maine again. England exported 77,000,000 tons. In fact, England's primacy in commerce is due to her coal exports, which afforded cargo to her merchant fleet and gave her bunkering facilities all over the globe.

She can no longer maintain this figure of exportation for many reasons, and is even now asking us for coal. Continental Europe freezes to-day, and will probably henceforth be forced to large purchases from us. Indeed, her prayers to us to-day are as fervent for fuel as they are for food and credit. We must also henceforth largely supply the South American market. It is easily imaginable that clearing this waterway to navigation will release for export millions of tons of coal from the central fields and thus stabilize labor and general mining conditions, giving to the mineworker what to-day he craves most—more days of work per year—with necessarily resulting benefit to the mine owner and operator as well.

The railroads, indeed, should be relieved as much as possible of the carriage of coal. It is the largest single item of railroad freight. Hydroelectric power and power generated by coal at the mouth of the mine will in no distant day not only avoid the great haulage of this low-grade freight, but will propel the trains themselves which will carry the high-value product of looms and factories that also are driven by electric power. We may indulge the high conception that one day this great coal-producing Nation will operate her mills, her mines, her railroads, by electric power and ship a vast mass of her coal production by water route almost from mine to foreign market.

The value and importance of water transportaion will be discussed by others, but I venture this question: Where would our iron industry be to-day were it not for the cheap water transportaion enjoyed by four-fifths of our total iron ore production tributary to the Great Lakes? That waterway and not that iron is the foundation of our position as the world's greatest producer of iron and steel. This is a fair illustration of the claims made by the proponents of this improvement, that transportation governs production. Indeed, obstructions to navigation are obstructions to commerce and obstructions to production. The removal of the first enhances the others. High cost of freight rates promotes high cost of living and puts production on the "red," and when production goes upon the red it is evidence that it has bled to death.

In his introduction to that most valuable work, recently issued, entitled "The Strategy of Minerals," Secretary Lane observes: "There is an international right to those things which are essential to life. * * * We are to grow nationally by our generosity internationally." Dr. Smith, director of the Geological Survey, and editor of this publication, also wisely asserts: "A nation's resources are of largest value if they serve the world." These are truths becoming more and more evident to the American mind as each of these present stressful days passes on. As never before in the history of the world must we realize that the prosperity and happiness of other countries means the happiness and prosperity of America.

A real and a sound objection to the construction of this waterway and the incidental production of this power may be found, and no doubt some of merit may be advanced. I do not know what they may be, but no doubt objections of a military or political nature may be advanced. They, I should say, are most insubstantial, are entitled only to passing consideration, and really may be answered in a sentence.

NEW YORK THE CHIEF BENEFICIARY.

Recurring again to the power possibilities of the St. Lawrence, I venture to say that it is readily perceptible to anyone that of all the States bordering or tributary to this waterway the greatest beneficiary of the development will be the great and Empire State of New York. The letting loose of this flood of power over her territory will cause her to leap to the front as a manufacturing State, and her products so stimulated by cheap power will find market in all the countries of the world. With her magnificent harbor and the superb advantage of her barge canal affording cheap water transportation thereto, and at the same time enjoying and possessing all the benefits of the St. Lawrence route, hundreds of miles nearer salt water than her Western competitors, her high-value manufactures will have a permanent primacy over any other State of the Union. Indeed, it is no idle dream to picture her barge canal and her lake shore dotted with factories of all kinds in enjoyment of this white coal at low rates in operation 365 days in the year, independent of season, their power coming into the factory on a wire instead of by rail and upon cars, free from labor, climatic, or transportation trouble or interruption. No other State of our Union has the same strategic advantage in power, population, labor supply, and transportation, and these advantages for natural and geographical reasons can probably never be lost; and this notwithstanding that the day is coming when the West will hold most of the black-coal reserves of the country in addition to her everlasting majority of the white-coal supply.

In conclusion, let me say that enlightened selfishness, the truest and highest interest of our country, our duty to all mankind, alike dictate that our back door as well as our front door be opened to ocean borne commerce. This is especially manifest because the by-product of electric energy will more than pay the cost of the job.

Mr. PADGETT. Mr. Chairman, I yield 30 minutes to the gentleman from Mississippi [Mr. VENABLE].

Mr. VENABLE. Mr. Chairman and gentlemen of the committee, ordinarily the membership of the Committee on Naval Affairs of the House finds it possible to adjust all of their differences and bring in unanimous reports to this body under the leadership of its able chairman [Mr. BUTLER], and, if I may, I would like to pause here to pay him a tribute of the sincere affection and respect that each member of the committee, regardless of party, has for him personally. We have brought in a bill this time about which there is practical unanimity of opinion. I and possibly one or two others, however, find it impossible to be in accord with the majority on one item, but our difference of opinion is so firmly fixed, and in my judgment the matter is of such great importance that I have found it impossible to do what I generally do—compromise my differences in order that we may bring in a bill that has the entire committee behind it. The item to which I refer is the item making appropriation for naval aviation. I have two objections to the item, and at the proper time it is my purpose to present an amendment that I believe will cure what I consider to be a defect. In the first place, I do not believe that the appropriation is large enough. The general board recommended $27,000,000. The estimates as presented to the committee carried an appropriation of $25,000,000, and the committee in its wisdom has seen fit to cut that item to fifteen million and some hundreds of thousands of dollars. The bill as presented to the committee carried a general appropriation leaving in the department a very large discretion in the expenditure of the money——

Mr. YATES. Will the gentleman kindly state those figures again in reference to the reduction?

Mr. VENABLE. Twenty-five million dollars was carried in the bill as presented to the committee, and the committee cut it to $15,000,000. The general board recommended $27,000,000. As I stated, the bill as presented to the committee carried what might be called a general appropriation without it being itemized particularly. The committee saw fit under the direction of

its most able chairman of the subcommittee, Mr. HICKS, of New York, to itemize the appropriations and to reduce the amount. As I have stated, I do not believe that the amount carried is large enough. Now, I appreciate, as I think every Member of the House does, the necessity of economy, but the reason I differ with the committee is because I believe in this instance economy does not consist in the reduction of the item, but that true economy consists in the granting of essential appropriations for the development of aviation. But a few short years ago the first flying machine was invented. Since the European war aviation has undergone a wonderful development and in a few short months, comparatively, became one of the chief arms of offensive and defensive warfare of the Great War in Europe; but even now the undisputed testimony of those who had anything to do with it is that it is still in its experimental stage. They all testify that aviation has possibilities that are but dimly comprehended at the present time.

They all testify, and it is the opinion of those with whom I have talked, that the future development of aviation and its application to naval warfare may affect and work a change in the entire system of naval construction. So we have a situation wherein a certain instrument is being applied to naval warfare and whose development may revolutionize the whole of naval building. That is a possibility. We are building ships now that cost thirty or thirty-five millions of dollars. We are building great capital ships, and year by year in their evolution they are becoming more and more expensive. We are pouring out hundreds of millions of dollars to build ships according to the standards of warfare as developed in the past, and we have here an agency in process of development that may make obsolete all vessels we are building and making appropriation for, and which would require putting them into the second or third lines. And we are not wise enough to go ahead and spend the money for necessary experimentation so that we can find out at the earliest possible moment what the possibilities of this arm of offense are. It may be within the next year or two that principles of application of aviation to naval warfare will be discovered that will make us determine not to appropriate any more money for the type of ships that we have been building. So it seems to me a part of wisdom, as a part of true economy, to be liberal in our appropriations for experimentation along this line, so that if we are making mistakes in appropriating hundreds of millions of dollars for building the present type of battleship and battle cruiser we will know it at the earliest possible moment and save the waste. Now, is there a possibility of that? We now have invented a torpedo for use under water, and we have developed it to such a stage of perfection that it will proceed under its own motive power regardless of wave currents to whatever its objective may be. That submarine torpedo is a very accurate instrument of warfare. A few short years ago if we should have said that some one would invent a submarine torpedo that could do what the torpedo does to-day men would have said we were foolish, and yet it does it, and in this present great war the English have invented an aerial torpedo to be launched from flying machines which no doubt will some day become as accurate an instrument, launched from the air, as if it had been launched beneath the seas from a submarine. In this war it was developed that airplanes and seaplanes could be carried upon carrier ships and loaded with deadly bombs and, taking to the air from the decks of those vessels, could attack the vessel of an enemy. No doubt the time will come when any fleet which takes the sea will carry with it in her carrier ships large numbers of flying craft.

Mr. BLACK. Will the gentleman yield for a question?

Mr. VENABLE. I will, sir.

Mr. BLACK. Is it not a fact that experiments are under way now to get an aeroplane that will rise horizontally?

Mr. VENABLE. Yes, sir. So they would not even have to go on the ship. Experiments are meeting with some success. Yes; and with the reversible propeller, which enables the aeroplane to stop in a short space, without having to have a long landing field. In fact, the whole aeroplane situation bristles with possibilities, and no man will say or can say just what the effect of the development will be.

No man will or can say to what extent it will modify our whole naval building program and schedule. No man can or will say to what extent it will modify the application of the rules of strategy. I merely mentioned the inventions which I did and their application to present warfare to show how in a few short years the aeroplane, from being simply a pure experiment, has become a practical instrument with vast possibilities of development.

Now, then, up to this time it is true that vessels have not suffered much from bombs dropped from the air, according to the testimony of the experience of this European war. But if it is possible, by proper appliances, to direct a torpedo through the medium of water, the time will come in the application of sound mechanical principles to the aerial torpedo when it will be possible with the same accuracy to launch an aerial torpedo through the air with every assurance that it will reach its objective. We know the possibility of this is certain, and now we are confronted with the proposition that with the aeroplane and naval aviation in the purely experimental stage, you may say, with the possibility or high degree of probability of changing our whole program we are not to be liberal enough in our expenditures to develop its possibilities at the earliest possible date and save money, which we spend by the hundreds of millions to construct ships that will possibly be rendered obsolete or ineffective, on the idea that economy in this instance consists in reduction of appropriations. My contention is, in view of the facts and circumstances and possibilities of the situation, that true economy consists in being most liberal in appropriations for experimentation along the line of aviation, because what we will learn with the expenditure of a few millions of dollars may save us hundreds of millions in the future.

My first objection, as I have said, is that in my judgment this item has been reduced too much. At the proper time I am going to offer an amendment to restore to the item the amount which I think ought to be carried.

Now, another defect of the item is this, that it undertakes to itemize the things for which this money should be spent. Now, I know that the Congress is not in favor of general appropriations. I myself am not in favor of them as a general rule. I know the Congress wants to know what is to be done with its money, and it has a right to know. I favor the general rule of itemized appropriations, but there are always exceptions to every rule. You can not apply the usual rule to an unusual situation. Now, as I have said, the whole business of naval aviation as applied to naval warfare is in an experimental state. Plans are constantly changing. Experience may be gleaned, and this month's work will show that the line of endeavor should be along lines different from those already determined upon and work a complete change in the plans. And yet this Congress is asked, in a purely experimental thing about which as laymen we know nothing, to run the expenditure into molds, so that if the experts who are working at these problems change their minds they can not change the plan. The situation will be the same as if I were to hire a chemist and give him $5,000 to carry on a certain line of experimentation, and then say to him, "You can only spend a thousand dollars for test tubes; you can only spend $500 for acids; you can only spend so many hundred dollars for alkalies; can only expend so much money for this material, and that, and the other." The chemist would very promptly tell me, "I can give you my best judgment about what I think I am going to need, but, confessedly, this is an experiment; this is a voyage of exploration. I do not know what is over the horizon, and after I get in I may find from day to day that I must change my plans in order to carry on my experimental work most efficiently." Now, in this experimental work we propose—we who know nothing about it, who could not know anything about it, when it is confessedly largely experimental—we propose to say to these men, "We are going to limit your scientific and experimental judgment by placing a limitation on what you shall expend the money for."

Mr. TILSON. Will the gentleman yield?

Mr. VENABLE. With pleasure, sir.

Mr. TILSON. In regard to this item "to authorize the construction of one rigid airship, $1,500,000," is there one of these airships already in process of construction?

Mr. VENABLE. I do not think so; not of that type.

Mr. PADGETT. Yes; that is a continuing appropriation.

Mr. TILSON. What is it? Is it something of the Zeppelin type?

Mr. VENABLE. I had in mind the super-Zeppelin they propose building to go across the Pacific.

Mr. TILSON. As to this new construction of stations, are we going to build a lot of new aviation stations at a cost of a million and a quarter of dollars?

Mr. VENABLE. That applies to hangars.

Mr. TILSON. Then we have not enough of these left over in the salvage from the war?

Mr. VENABLE. Not of the large hangars. We have not any for the Zeppelins.

Mr. TILSON. This is for the Zeppelins?

Mr. VENABLE. Yes; the lighter-than-air machines, which are tremendously big things.

Mr. TILSON. You must have large stations for them?

Mr. VENABLE. Yes. You have to build a special hangar large enough to contain them. They can not be left out in the

weather. We had enough, of course, for the ordinary sea planes and things of that sort. Now, this appropriation covers construction, not for the building of stations, but for those essential buildings necessary for the operation of the planes. In other words, you might consider it as a part of the equipment for naval aviation work.

Now, gentlemen of the committee, this is my conception of the situation with reference to this item: I do not think that the ordinary rule with reference to items of appropriation should apply to a thing that is confessedly experimental. It may be that some of the money might be wasted. That is possible always. But you must always place some confidence in the men who are carrying on the work, particularly if it is a work of a technical character. If you employ a chemist to carry on chemical experiments, a metallurgist to carry on experiments in alloys, you must necessarily rely on his judgment, because that is the best possible opinion you can get and you have not any of your own. And there is less chance of waste in turning this money over to these officers, who are making a special study of naval aviation, than there is in this Congress undertaking to say that "We are going to dictate your experiments by dictating the thing for which you can spend the money, without allowing you any latitude."

Mr. YATES. Will the gentleman yield?

Mr. VENABLE. Yes, sir.

Mr. YATES. In view of your observation and experience in looking up this subject, what do you think the total appropriation ought to be for this purpose?

Mr. VENABLE. I think we ought to give them what they ask for, namely, $25,000,000.

Now, there is another question that possibly I can touch upon somewhat akin to but not contained in this item, and that is the question of whether or not the work of aviation as applied in the Army and the Navy or in the Post Office should be put under one head. My thought and observation and information on the subject leads me to be opposed to this.

If naval aviation, as it will be, becomes an effective instrumentality of war, it necessarily becomes but another arm of the naval service, and just as the battleship, the submarine, the torpedo boat, the supply ship must all act in cooperation in order to constitute one effective war machine, just so naval aviation, if it is to be effective, must be coordinated with the activities of the rest of the fleet. It becomes as much a part of the Navy as an instrumentality of war as does the battleship or the torpedo boat or the destroyer, and under actual battle conditions if naval aviation is to be of any value, aviation as applied to war must be in active cooperation in battle with the other naval instrumentalities. Naval strategy in its plans must make allowances for the use of aviation. Ships must be maneuvered, plans must be made, in order that the battle craft on the sea shall cooperate with the battle craft in the air, all together constituting one single battle machine.

Now, if that be true, if you are going to have the perfect coordination which makes for the highest efficiency, where you are using all types of craft it becomes absolutely essential as a matter of common sense that the man in the air must understand the man on the boat, and that the man on the boat must know something about the man in the air and his problems. In other words, the knowledge of naval aviation must be not alone with the pilot in the air but the officer on the ship must also have the knowledge of the kind necessary. He must know the possibilities of the air craft, as the air man knows the possibilities of the sea craft. They must be worked together, the plans for battle must provide for the coordination of these two arms of the service.

It does not take a military man to reach this conclusion. It is a matter of common sense. It is practically impossible, in my judgment, to have the highest state of battle efficiency between the vessels on the sea and the vessels in the air unless we have processes of training by which the officers who are to command the battleships, or some of them at least, shall have had experience in matters of aviation, and any system which would divorce their service from the line of command of ships, or work upon ships, would, in my judgment, be effective in frustrating the attainment of the degree of efficiency that would come by perfect coordination and understanding between the aviator and the vessel of the line.

Another reason why they should not be consolidated is that the problems of naval aviation are in their very nature fundamentally different from the problems of aviation over land or in the Army. As far as observations are concerned, they deal with a different medium. As far as strategy is concerned, they are necessarily as wide apart as the strategy of land fighting is apart from the strategy of fighting upon the sea. The problems are entirely different; and, as I have said, if you have your aviation confined to one corps, if in time of war you should happen to have no one on the vessel who had had aviation experience of the kind required, you would lack the coordination and cooperation which come from perfect understanding of the problems of the other man.

Mr. TILSON. Mr. Chairman, will the gentleman yield there?

Mr. VENABLE. Yes.

Mr. TILSON. Conceding what the gentleman says in regard to the use of aircraft in warfare, what does the gentleman say about combining the different aircraft activities, so far as production and experimentation are concerned, both as to engines and planes and as to actual flying in the air? Would this be practical, leaving the operation of the airplanes entirely to the Army or entirely to the Navy, as the case may be, as the gentleman has so well stated?

Mr. VENABLE. So far as the manufacture and production of airplanes and airplane engines is concerned, I do not think the Government will ever go into the manufacturing business to a very large extent.

Mr. TILSON. How about the development?

Mr. VENABLE. They will simply give their orders for types which their engineers have worked out as being necessary from past experience.

Mr. TILSON. Should there not be cooperation in the working out of these types and the development of new types of both engines and planes?

Mr. VENABLE. I do not think that is possible.

Mr. TILSON. Instead of having a number of experiment stations, why not have one?

Mr. VENABLE. I do not think it is possible. Exchange of knowledge is possible and desirable, but work in common is impracticable for the reason, among others, that the problems of the Army and Navy service are so radically different as to make one organization not productive of the greatest good.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. BROWNING. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. NOLAN].

The CHAIRMAN (Mr. MANN of Illinois). The gentleman from California is recognized for 15 minutes.

Mr. NOLAN. Mr. Chairman and gentlemen of the committee, I may not take the entire 15 minutes. I want to read in my time a letter received from Mr. Samuel Gompers, president of the American Federation of Labor, inclosing a letter written by Mr. George L. Berry, of Nashville, Tenn., president of the International Printing Pressmen and Assistants' Union of North America, in relation to a letter read by the gentleman from Texas [Mr. BLANTON] on February 4, from a man by the name of Bernard Nolan, of New York City. This is Mr. Gompers's letter:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., March 8, 1920.

DEAR SIR: I am in receipt of a letter from Mr. George L. Berry, president of the International Printing Pressmen and Assistants' Union, a copy of which you will please find herein inclosed.

You will recall that Representative BLANTON, of Texas, read into the CONGRESSIONAL RECORD of February 24, 1920, a letter which he stated he received from Mr. B. Nolan, from "Pressmen's Union No. 51," of New York City. The letter of President Berry came as a complete surprise to me, for I had not mentioned directly or indirectly to him or anyone else Mr. B. Nolan's letter.

Now, in view of the fact that if the contents of that letter find complete refutation by one who is officially and qualifiedly in a position to speak, it seems to me that the letter from President Berry should find a place in the CONGRESSIONAL RECORD, in order that the readers of the CONGRESSIONAL RECORD may not have their minds perverted by maliciously untruthful assertions. If you can have President Berry's letter read into the RECORD, in the interest of justice, I shall greatly appreciate it.

Respectfully and cordially, yours,

SAMUEL GOMPERS,
President American Federation of Labor.

Hon. JOHN I. NOLAN,
United States House of Representatives,
Washington, D. C.

Mr. Berry's letter is dated Nashville, Tenn., March 5, and is written on the letterhead of the International Printing Pressmen and Assistants' Union of North America, reading as follows:

INTERNATIONAL PRINTING PRESSMEN AND ASSISTANTS' UNION OF NORTH AMERICA,
Nashville, Tenn., March 5, 1920.

Mr. SAMUEL GOMPERS,
President American Federation of Labor,
Washington, D. C.

DEAR SIR AND BROTHER: My attention has been called to the fact that Representative BLANTON, of Texas, in the course of his attack upon you and the American labor movement in a speech in the lower House of Congress on the 4th day of February, read into the RECORD a letter signed by Bernard Nolan, as president of the New York Pressmen's Union; and because of this letter I am addressing you to say that Bernard Nolan is not the president of the New York Pressmen's Union nor is he a member of the American Federation of Labor or the International Printing Pressmen and Assistants' Union.

Bernard Nolan is one of several men who recently precipitated a strike in New York City to enforce conditions upon the industry that were absolutely impossible in accomplishment. He was the lieutenant of an avowed Bolshevist, James Bagley by name, one of the founders and organizers of the People's Peace Council, that was known to be against the Government in the prosecution of the war, and who upon several occasions declared for a revolution. By referring to the New York Times of March 1, 1919, you will find that Bagley made the following statement before the Central Federated Union: "We have waited too long about calling a general strike. It is time we went back to our organizations and told them to stop work now; or if later we are told to starve to death, we will starve; but starving, we will break into the grocery stores. The world is ripe for a revolution, and the sooner we get it the better."

Nolan, under the leadership of Bagley, assisted in tying up the commercial and magazine industry of New York on the 1st day of October, 1919, to enforce Bagley's ultimatum, Bagley declaring that they would not sign a contract with the employers; that the chairman of the chapel of each plant henceforth was to act not only as a mechanical director, to employ and discharge men regardless of their position in the industry, but that at the end of each month the mechanical superintendent would distribute the remaining surplus or profits over and above the cost of operation. Moreover, Bagley declared that if the employers did not grant the concessions demanded that they could get out of the business; that the organizations intended to take over the industry anyhow.

In addition to the foregoing, the strike precipitated by Nolan and Bagley in contradiction to the laws of the International Printing Pressmen and Assistants' Union brought about a forced unemployment of more than 20,000 persons and a cost to the men and the industry of many millions of dollars.

The International Printing Pressmen and Assistants' Union being an American institution and affiliated with the American Federation of Labor, and working in harmony with the policies of that organization, does not permit in its ranks men who stand for bolshevism, revolution, or un-American principles. Nolan and Bagley therefore have not been and are not now affiliated with organized labor. The statement emanating from Nolan simply conveyed his personal opinion, and comes from a man not associated with organized labor or one engaged in any trade or industry, for his time and attention have for some time and are now being given to agitation looking to the breaking down of the policies of the American Federation of Labor that stands for collective bargaining arrived at by conciliation and fair arbitration.

To say that I was astonished at Congressman BLANTON using a letter from Nolan, whose reputation is such as stated above, is placing it rather lightly. By the use of such a document, Congressman BLANTON gives comfort and encouragement, whether intentionally or unintentionally, to the most destructive element in America against American industrial traditions and against the Government of the United States.

The International Printing Pressmen and Assistants' Union of North America, with an organization of 87 per cent of the printers affiliated with it on this continent, that gave to the Government 5,212 of its members during the war, that did not have a strike during the entire period of the war, resents the action of Congressman BLANTON in using a letter intended to convey the idea that it represented the sentiment of the printing pressmen. Moreover, we feel that the attack upon you as president of the American Federation of Labor is an attack upon the American labor movement and indirectly an attack upon the constitutional authorities of the Government of the United States.

You are at liberty to use this letter in any manner.

Fraternally, yours,

GEORGE L. BERRY,
President International Printing Pressmen and Assistants' Union.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from California yields back eight minutes.

Mr. BROWNING. Mr. Chairman, I yield one minute to the gentleman from Ohio [Mr. EMERSON].

The CHAIRMAN. The gentleman from Ohio is recognized for one minute.

Mr. EMERSON. Mr. Chairman and gentlemen, I desire to insert in the RECORD a short statement by the Steamboat-Inspection Service concerning the conditions of the service and certain requirements which they ask for.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by inserting the paper referred to. Is there objection?

There was no objection.

Following is the paper referred to:

Memorandum relative to the Steamboat-Inspection Service and the need of salary increase for its members.

The Steamboat-Inspection Service is the one which, under the law:

Inspects and passes on the seaworthiness of steamers and other water craft.

That determines the crew necessary for steamers' safe navigation.

That examines and licenses the officers of steamers and other craft.

That has charge of the certification of lifeboat men and able seamen.

That has jurisdiction and watches the building of life preservers, lifeboats, rafts, and other life-saving equipment.

That inspects and passes on the fire-fighting conditions and the equipment on board ship.

That investigates all marine disasters and happenings, having for this purpose the authority to summon witnesses the same as in the United States court.

That conducts trials of licensed officers.

In fact, has entire charge of the steamers, their construction, their repairs, the testing of material at the mills, and many other things too numerous to mention.

This service has, through the years of its existence, drawn to it and practically trained at Government expense its corps of inspectors and clerks, or at least so many of them as remain in the service at the present time.

This service has been ably managed by those in autohrity so that to date travel by water is the safest method of travel known. This has been accomplished only by the untiring efforts of those in authority and its small force of trained inspectors.

During the war this service did good work and the members of the service are entitled to favorable mention because of the fact that they stuck to their positions when they were so much needed and when other outside employment offered to them a far greater opportunity for financial advancement.

The clerks of the service should receive attention at this time, as they have not had any salary increase for years, and are entitled to this consideration because of the increased cost of living and because of the fact that heretofore they have not been properly classified, being placed in the same classification as the ordinary civil-service clerk.

In reality these clerks are, in addition to the general work which they must do, called upon to take testimony in investigations and trials held by the inspectors and are in effect court stenographers and reporters and are capable of filling these positions creditably. They are called upon to do this work in connection with other regular clerical duties and receive no added or special remuneration because of this service.

Every effort should be made to advance to passage the bills H. R. 5003 and S. 1254. These measures have the support of the bureau and the honorable Secretary of Commerce, Joshua W. Alexander.

Steamers of the Merchant Marine are officered by men who have passed an examination before the inspectors, the examiner being required to pass upon the fitness of the man and the extent of the license granted.

The high standard of the morale of the officers of the Merchant Marine and their success in the management of the steamers of the Merchant Marine speaks forcibly of the wisdom and judgment of the inspectors who license them.

Bear in mind these inspectors were licensed officers before they became inspectors, as it is a requirement of the civil service that before becoming an inspector a person must hold a license of the highest grade and must have some years of service on that license.

These inspectors still retain their licenses and are in position to leave the service and go back on board ship as masters and chief engineers and receive in cash a salary more than double that they receive as inspectors, and considering the value of subsistence and board which they receive on board ship, receive a salary in reality about three times as valuable as that they receive as inspectors.

The merchant marine shipowners are now unable to secure a sufficient number of licensed officers, and a large number of steamers are coming out and will continue to come out for some years from the shipyards of the country. This information can be obtained from the Government's own records and from the program of the United States Shipping Board.

Due to the fact that there is a shortage of licensed officers, and this shortage becoming more intense as new ships come out, nearly every inspector of the service, no matter what his age, can go back on board ship in the capacity for which he is licensed, and owners and shipping board officials would be glad to get him.

This means that as more and more steamers come out from the shipyards and go into commission, officers for these steamers must either come from the ranks of the licensed officers who are at present steamboat inspectors or from the ranks of the present unlicensed men, after those unlicensed men have passed an examination before the inspectors of the Steamboat-Inspection Service to secure their license.

In order to protect property and life of the traveling public it is imperative that the examinations be thorough, so that none but competent men receive licenses.

It therefore is necessary that the man holding the position of inspector must be one who has experience and knowledge to pass upon the qualifications of these licensed officers properly.

Please note that with the present low salaries in the service it is impossible to replace men leaving the service by competent licensed officers. This is evidenced by the letters of Secretary of Commerce, Hon. Joshua W. Alexander. (See H. Doc. 589).

It is evidenced as fact that the type of licensed officer who could be induced to accept a position at the present low salary in the Steamboat-Inspection Service would not be of the type which would have the caliber to inspect vessels properly or license officers judiciously.

It is continually necessary, in view of the accidents which occur in the merchant marine, that the investigations by the Steamboat-Inspection Service be conducted by those inspectors who have, out of their experience, become conversant with the laws and rules and with the method of conducting all such semilegal hearings Only men of experience and training should be allowed to pass, sit, and judge such cases.

With the inducements outside of the service and men leaving the service for employment on board ship and in other lines of effort paying very much greater wages, and with the service paying so small a salary that it can not hope to draw to it efficient help with positions at the present time open, due to resignations, and no prospect of filling them, the service is in great danger of disruption and surely can not maintain its present efficiency.

In justice to the vessel owners, vessel builders, the crews of the ships, and the traveling public it is imperative that the standard of efficiency of this service should be maintained, and Congress can not afford to allow it to be disorganized for the want of sufficient appropriation to retain the trained workers in its service.

The salaries paid in the merchant marine by private owners generally equal that or better than that paid by the Government in its Emergency Fleet steamers. Salaries on the Great Lakes are approximately those at present paid on salt water.

The Emergency Fleet (Shipping Board) schedule for its masters for the smallest class of ships is $330 per month, or $3,960 per annum; and $412.50 per month for the masters of its first-class steamers, or $4,950 per annum.

Please bear in mind that these licensed officers on board ship receive, in addition to these salaries, their lodgings and board. Some of the private companies furnish their men with life insurance equivalent to a year's salary at no cost to the officers.

Others provide opportunities to buy stock in the company at a preferential rate considerably below the market, and at the same time pay the masters good big bonuses for a successful season.

We believe that the licensed officers are subordinate to the Steamboat-Inspection Service. We believe that the lowest officer of the Steamboat-Inspection Service should receive a salary equal to that of the highest licensed officer on board ship, or $412.50 per month, as per Shipping Board (Emergency Fleet) schedule.

We might go on and give you a lot more data in regard to the situation, show the scales of salaries paid, show the increase in the cost of living with no increase in salary, show the special nature of the work, or, in other words, show the need of an emergency appropriation measure to hold the men in the service at the present time, and the need of permanent salary legislation to do the men in the service justice throughout, both inspectors and clerks.

We will be glad to furnish you with any particular type of data which might appeal to you, so that you may have a comprehensive grasp of the situation. We feel that if you thoroughly understand the situation you will, growing out of the spirit of justice and fair play, be a hardened advocate of some relief for the service, even in the face of the general spirit of economy, which we understand is predominant in Congress at the present time.

Mr. BROWNING. Mr. Chairman, I yield 25 minutes to the gentleman from Ohio [Mr. RICKETTS].

The CHAIRMAN. The gentleman from Ohio is recognized for 25 minutes.

Mr. RICKETTS. Mr. Chairman and gentlemen of the House, on last Monday some discussion was had here with reference to a resolution introduced by the gentleman from Virginia [Mr. HARRISON] on the print-paper situation. I had hoped at that time to secure recognition to address the House on this same question, because on the 3d of December, 1919, I introduced a resolution providing for an investigation of that condition in this country. The price of paper has been rising gradually since 1913, until to-day the smaller newspapers of the country are compelled to pay the enormous sum of from $10.50 to $11 per hundredweight for print paper. Having given this matter a great deal of consideration, I thought in December that it was necessary to have an investigation thereof by a special committee of the House appointed by Congress, and with that in view I introduced the resolution to which I have referred; but after that time, and after having talked with the chairman, Mr. CAMPBELL of Kansas, of the Committee on Rules, to which this resolution was referred, I was convinced that it was unnecessary at this time to have that resolution passed by the House ordering an investigation on the part of the membership of the House by a special committee.

There has been a general complaint throughout the country, through the press, against the high prices that the small newspapers and the newspapers of the smaller cities, towns, and villages have been required to pay for print paper.

I have heard a number of excuses made here by Members on the floor of this House with reference to the high cost of print paper, and one of the excuses I heard that seemed to be of some force and effect was this: That there was a lack of wood pulp and other materials which are necessary elements going to make up the manufacture of newsprint paper. I investigated that matter thoroughly, and I found that there was no reason on earth for offering such an excuse as that. Before I have finished my address I will be able to show you why that excuse is not justified.

I heard another Member say as an excuse for the high cost of print paper that it was due to the fact that the metropolitan papers throughout the country had purchased all the production of the various paper mills in this country under contract, and that consequently the editors and owners of the smaller newspapers of the country were compelled to go into the open market to purchase the paper which they needed, and that they met in that market as competitors the owners of the large metropolitan papers, for the reason that the increase in advertising had been so great as to force the metropolitan papers to use a greater quantity of paper than they had anticipated or that they could secure under their contracts, so that they were compelled to go into the open market and that consequently the price went up.

Another excuse given for the high cost of print paper was that there was a scarcity of labor, and that the paper mills of the country were unable to run to full capacity and full production. I regret to say that these excuses do not prevail at this time.

Mr. EMERSON. Will the gentleman yield?

Mr. RICKETTS. I am glad to yield to my colleague.

Mr. EMERSON. My colleague has spent a great deal of time in studying this question. What does he suggest that Congress should do to relieve the paper situation?

Mr. RICKETTS. I have never been in favor of licensing the corporations of this country heretofore. I have rather thought that the Government ought not to go that far in controlling these large corporations, which have a tendency to combine their interests and thereby stamp out competition and fix the price of the commodities they manufacture. But the time has come when we must in some way determine who these stockholders are and with what corporations they are connected, and how much stock they have, what their prices are, and how they manage or conduct their business; either that or we must have a strict enforcement of the law that will punish those who violate the principles laid down in the Sherman antitrust law as supplemented and amended by the Clayton Act.

Mr. McKEOWN. I am interested in what the gentleman is saying, but I am much more interested because of his statement that he could show that the excuse of lack of pulp is not the cause of the shortage or the high prices. I would like to hear what the gentleman has to say about that.

Mr. RICKETTS. I want to refer to that before I get through, if I have the time.

On December 3, 1919, I introduced a resolution in the House, which was referred to the Committee on Rules, which resolution proposed an investigation of the paper industry of this country by a committee of Congress, with a view to determining the following facts:

First. The quantity of print paper on hand in the paper mills, factories, storage, and in transit.

Second. Whether such print paper is being controlled by monopoly, Paper Trust, or conspiracy.

Third. The relationship, if any, between the metropolitan publishers and the pulp and paper industry.

Fourth. What portion, if any, of the stock of the pulp and paper industry of the United States is controlled by foreign capital, and the number of foreign stockholders and amount of stock held by each.

Fifth. The reason for the apparent discrimination in the sale and price of print paper to the metropolitan publishers and to publishers of daily and weekly papers in county seats and local communities.

Sixth. Such other facts and information as will enable Congress to determine the exact status of the pulp and paper industry in the United States.

I was impelled from a sense of duty to introduce this resolution because of complaints that had come to me from constituents of the district which I have the honor to represent, who are engaged in the newspaper business, and from other sections of the country. Prior to the introduction of this resolution I had made some investigation, and I assure you that I have made no little investigation since having introduced it. I believed then, as I believe now, that there is no just or honest reason why the owners of small newspapers in the United States should be forced to pay such an enormous price for newsprint paper.

The production of all grades of newsprint paper for the year 1919 was greater than during the preceding year, being slightly more than 9 per cent over 1918. The stocks of newsprint paper on hand at the paper mills decreased materially from the beginning of 1917 to the end of 1919. The stocks of total newsprint paper reported in the mills on January 1, 1917, amounted to 38,998 tons, whereas the stock of total newsprint paper on hand on December 31, 1919, amounted to only 15,369 tons. The stocks of standard newsprint paper held by the mills on January 1, 1917, amounted to 26,447 tons, and amounted to only 12,338 tons on December 31, 1919. Stocks of book paper held by the paper mills were slightly greater on December 31, 1919, than on January 1, 1917. The increase in book paper, however, for the year 1919 amounted to almost 8 per cent over 1918, and stocks of paper board also increased during this period. The production increased in both 1918 and 1919 over 1917. The increase for 1919 over 1917 amounted to 8 per cent. Stocks of wrapping paper increased during the two-year period. The production of bag paper for 1919 amounted to 50 per cent more than in 1917.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. RICKETTS. Certainly.

Mr. BLACK. Does the gentleman have figures later on that show the increase in the consumption and use of print paper for 1919?

Mr. RICKETTS. I will not be able to show that.

Mr. BLACK. The reason I asked the question is that the gentleman from New York [Mr. SNELL], in making a few remarks on the resolution a few days ago, said that he had had figures from the Trade Commission to the effect that the increased consumption of newspaper print in 1919 was 36 per cent, and if that is true, it would at least in a way account for some of the advance in the price.

Mr. RICKETTS. I agree with the gentleman, but I do not think the report shows that fact. I think the gentleman from New York [Mr. SNELL] is mistaken.

Mr. BLACK. I am not affirming that to be the fact, but I call the attention of the gentleman to the fact that it was stated on the floor of the House to be the fact.

Mr. RICKETTS. I have all of these reports in my office and I have read them through from end to end and have investigated the matter to determine that fact. I have been unable to determine that to be the fact, in favor of the International Paper Co. or of the News Print Manufacturers' Association.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. RICKETTS. Yes.

Mr. CONNALLY. In that connection, is it not a fact that the War Industries Board rationed the larger papers during the

year 1918, and that there was not so much paper simply by reason of the limitation on the size of the newspaper?

Mr. RICKETTS. I can not agree with that theory. I do not think that is true. I think there was more paper used during the war than has been used since.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. RICKETTS. Yes; I am glad to yield to the distinguished gentleman from Illinois.

Mr. YATES. As the gentleman has had, I have had quite a number of complaints from small newspapers, who are complaining that they can not get what they want. Some of them seem to think that there is a real scarcity, and I would like to know whether from the gentleman's investigation he thinks there is a real scarcity, or whether the prices have been kept up by a combination?

Mr. RICKETTS. I do not think there is a scarcity of print paper at all. I am convinced that the paper is in the hands of a monopoly. I would not make that statement recklessly, because I have seriously considered this proposition from every angle, and I have tried to treat it fairly from every point of view. I am convinced that the trouble with this proposition is that the International Paper Co. and the News Print Manufacturers' Association and their subsidiaries are in a combination to control the supply of paper, and by this means are able to control the price of paper. They have ignored entirely and cast aside the old idea of the law of supply and demand controlling the prices in this country.

Mr. YATES. Is there something that Congress can do? And if so, want to do it.

Mr. RICKETTS. I want to get to that point in a moment.

Mr. Chairman, the cost of print paper for the past five years has been a subject of the greatest concern to the stockholders, owners, and editors of local and country newspapers. Many editorials have been written on this important subject, in which a general complaint has been made and in which it has been openly charged that the News Print Manufacturers' Association and the International Paper Co., and other paper companies subsidiary thereto, are controlling both the quantity of paper manufactured and the sale price of the same in the market, in open violation of the Sherman antitrust law, as amended and supplemented by the Clayton Act.

In addition to this general complaint through the press of the high cost of print paper, the Federal Trade Commission made a thorough investigation of the cost of newsprint paper in the year 1916 and in the first part of the year 1917.

As a result of this investigation, two cases were made out by the Government, through the Department of Justice, against more than 50 paper manufacturers, both of the United States and Canada, and on April 12, 1917, an indictment was lodged against these various companies charging them with flagrant violation of many of the provisions of the Sherman antitrust law. This case was disposed of in the District Court of the United States for the Southern District of New York on pleas of nolo contendere, and the court imposed fines upon the defendants aggregating $11,000. It is needless to say that these fines were immediately paid by the defendant manufacturers. They were glad to pay them; and, while these fines are in a measure only nominal, yet they are significant, because the payment thereof is an admission of guilt on the part of the defendants. Guilty of what? Guilty of violating the provisions of the Sherman antitrust law. When? During the war period.

It is startling, indeed, to note that the paper manufacturers of this country and of Canada were in a great combine during the time that the United States and Canada were engaged in the great World War. Startling, is it not, to think of the fact that men who posed as American citizens and men who posed as Canadian citizens were making illegal and unjustifiable profits out of the newsprint paper business at the cost of the blood of our soldiers who were fighting our battles in order to preserve our rights. War had been declared by the United States on April 6, and six days thereafter these various defendants were indicted. Indicted for what? For willfully violating a Federal statute for the sole purpose of fleecing the small newspapers in the country out of their money, in open violation of law. No doubt prior to that time they had made millions of dollars in the way of profits taken illegally from the owners and editors of small newspapers throughout the country, located in the smaller cities, towns, and villages.

At the same time the Government, through the Department of Justice, filed a suit in equity against these various defendants, praying for an injunction against further violation of the Sherman antitrust law. The civil case was disposed of by a consent entry in the form of a court decree granting the relief prayed for in the Government's petition. At the same time an agreement was entered into between the Attorney General and a number of manufacturers of newsprint paper which provided that said manufacturers would dispose of their product under certain terms and conditions during the period of the war and for three months thereafter.

Why did these various defendants consent to a court decree enjoining them from further violation of the Sherman antitrust law? It is because they were guilty, and by agreeing to the entry they admitted their guilt.

Of course, the indictment against these defendants and the institution of a civil suit for relief in equity by injunction had for a time the effect of reducing the price of newsprint paper. However, the reduction in price was short-lived. This Paper Trust combination could not forbear taking from its customers unlawful, unreasonable, and unjustifiable profits, and to-day the small newspapers of this country are forced to purchase newsprint paper at any price the Paper Trust may see fit to demand. This great combination of capital is still in the profiteering business. It is still pursuing its method of fleecing the owners and editors of the small newspapers throughout the country out of their money. They are determined to destroy them, law or no law. The most recent price quoted is 11 cents per pound or $11 per hundredweight. Many newspapers throughout the country, on account of the high price of newsprint paper, have been forced out of business. Many of them have been compelled to combine with other papers, in order to be able to meet the price demanded for newsprint paper.

Stocks of bag paper decreased during the period. Stocks of fine paper increased during the period. Production of fine paper also increased materially throughout the period, the increase for the year 1919 over 1917 being 20 per cent. The production of tissue paper also increased materially throughout the period, the per cent of increase for 1919 over 1917 being 23 per cent. Stocks of tissue paper also increased during the period.

The production of hanging paper, the basic stock for which is practically the same as for newsprint paper, was greater in 1919 than in either 1917 or 1918. The per cent of increase in the production of hanging paper in 1919 over 1918 amounted to more than 45 per cent.

The total production of all grades of paper was greater in 1919 than either in 1917 or 1918, amounting to 6,190,361 tons more. The production in 1919 was almost 5 per cent greater than in 1917 and slightly more than 2 per cent greater than in 1918. So it is perfectly plain that there was no lack of material for the manufacture of newsprint paper in 1919. When we look for the cause of the mammoth increase in price of newsprint paper we will be compelled to look beyond the subject of material.

The increase in the tonnage used by these publishers for the year 1919 over 1918, based upon the prorated average of 600 concerns, amounted to about 14 per cent. The greatest increase, however, in consumption occurred during the last quarter of 1919. This increase, based upon the prorated average consumption for 600 concerns, amounted to more than 24 per cent. The consumption of newsprint by publishers decreased slightly during December, 1919, as compared with October and November, but whether or not this decrease will indicate the future trend can not be forecast.

Weighted average prices of newsprint paper per hundred pounds f. o. b. mill, by months, from January, 1913, to December, 1919, is as follows:

	1913	1914	1915	1916	1917	1918	1919
January	$1.92	$1.92	$1.91	$1.94	$2.87	$3.029	$3.682
February	1.94	1.97	1.95	1.97	2.87	3.029	3.583
March	1.96	1.94	1.96	1.97	2.85	3.033	3.606
April	1.94	1.95	1.91	1.96	3.11	3.427	3.636
May	1.97	1.94	1.88	1.97	3.15	3.566	3.690
June	1.97	1.97	1.95	1.94	3.13	3.604	3.656
July	2.01	1.95	1.91	2.03	3.17	3.723	3.632
August	1.97	1.96	1.91	2.09	3.17	3.730	3.682
September	1.96	2.00	1.97	2.12	3.20	3.737	3.779
October	1.99	1.95	1.90	2.18	3.18	3.734	3.844
November	1.95	1.95	1.93	2.20	3.16	3.756	3.902
December	1.94	1.96	1.93	2.30	3.17	3.736	4.110

The lowest average price per hundred pounds f. o. b. mills occurred in May, 1915, being only $1.88 per hundred. The highest price was for December, 1919, being $4.11 per hundred f. o. b. mill, representing an increased cost to consumers slightly more than 118 per cent.

These average prices are based upon delivery on many long-term contracts made at prewar prices. Practically all long-term contracts were either satisfied or canceled before the end of year 1919. The minimum contract prices announced by a number of large manufacturers of newsprint paper for the first quarter of 1920 only are $4.50 and $4.90 per hundred pounds f. o. b. mill. The market quotations for March have ranged from $10.50 to $11 per hundred pounds f. o. b. mill. What the selling price will

be after the end of the first quarter of 1920 is purely problematical.

That the sale price of newsprint paper is under the absolute and complete control of the Newsprint Manufacturers' Association or newsprint paper combine is absolutely certain.

The consent decree filed in the District Court of the United States for the Southern District of New York on November 26, 1917, contains, among other things, the following:

Defendants, by becoming and acting as members of the Newsprint Manufacturers' Association, have entered into and engaged in an unlawful combination in restraint of trade and commerce in newsprint paper among the several States and with foreign nations, in violation of the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies."

This decree further dissolves the Newsprint Paper Manufacturers' Association, and each corporate defendant is perpetually enjoined from entering into any combination, agreement, understanding, or concert of action with any other corporate defendant, or with any other manufacturer of newsprint paper, having for purpose or effect to limit or restrict itself as to the customers to whom it shall sell or offer to sell newsprint paper. Not only were the corporate defendants enjoined, but the decree further recites that it shall apply to and be binding upon such corporations or their respective officers, directors, agents, and employees and all other persons, firms, or corporations acting under, for, or in behalf of them, or any of them, or claiming so to act.

Judging from the activities of the Newsprint Manufacturers' Association prior to November, 1917, with reference to its ability and power to control the price of newsprint paper, we naturally conclude that inasmuch as newsprint paper has continued to increase in price some uniform and effective method has been adopted by the paper mills of the country, under some sort of agreement, and we predicate this conclusion upon the fact that the same business methods have been in vogue on the part of the paper mills of the country ever since the decree was entered that they pursued prior thereto. It is evident to every clear-thinking man, or at least should be, that there is something radically wrong.

And why is discrimination made in the price quoted to the small newspapers of the country as compared with that quoted to the metropolitan papers? The news jobbers, brokers, and salesmen undertake to excuse the high price in the market for newsprint paper by asserting that the entire product of the paper mills of the country is being consumed by customers who have contracts with these various paper mills.

Mr. HOCH. Will the gentleman yield?

Mr. RICKETTS. I will.

Mr. HOCH. If it will not interrupt the gentleman I would like to ask him a question or two in reference to the consent decree to which the gentleman referred a moment ago. As I understand it that decree not only fixed the maximum price but also provided that these defendants were to allocate a certain portion of the supply to small papers and also provided the margin of profit the jobber was to get. Has the gentleman any information as to whether that proportion of the supply was, as a matter of fact, allocated to the use of the small papers, and has he any information with reference to whether the jobbers have been living up to the decree?

Mr. RICKETTS. I do not think they have recognized the decree at all. I do not know anything about the allotment that was granted to the small papers of the country.

Mr. HOCH. Were the jobbers defendants in that action?

Mr. RICKETTS. This injunction enjoined manufacturers, their agents, jobbers, salesmen, and everybody connected with the concern. This thing of saying you will go in the market and buy paper—into what market? Into the market of this monopoly, because they control the jobber, they control the salesmen, they control everybody connected with the business. That is the way it works out.

Mr. HOCH. I am entirely in sympathy with what the gentleman is saying, but my judgment is the jobber is one of the principal offenders as far as the small users of paper are concerned. I was interested to know on what theory the jobber was made a defendant to the action, and if he was the rightful defendant why he has not been compelled to live up to the terms of that decree.

Mr. RICKETTS. Well, I can not answer that question. I can not say why the Attorney General has not enforced that decree and the law, and I have nothing to say in regard to that, but I am not in favor when a great corporation undertakes to monopolize the trade in any line and then finds itself in the clutches of any law and undertakes to excuse itself by agreeing not to do certain things afterwards. I think the law should be enforced and when a man breaks the law he should suffer the penalty. These big corporations should not be allowed to handle matters in this way. A big corporation should be required to obey the law the same as an individual.

Mr. BLACK. Will the gentleman yield for a question?

Mr. RICKETTS. I regret I can not. I am sorry, but I have not the time to do so.

Gentlemen of the House, there seems to be a general move on the part of the newsprint manufacturers of the United States and Canada to clean out the small papers in the United States, or, rather, to freeze them out, by making the price so high that the owners of small newspapers can not afford to purchase newsprint paper.

The paper mills of the country do not make the complaint that they are unable to procure material from which to manufacture newsprint paper, nor do they complain of a lack of labor. They do not undertake to say that they are unable to run their mills at full capacity because they can not procure the material or the labor to do so, but they meet the demand for paper with the statement that they have contracts for all the paper that they have on hand, and consequently can not supply the small papers of the country with what they need in order to continue their business. What becomes of the newsprint paper that is manufactured by these various mills throughout the country? Is it possible that they have devised another scheme by which they can evade the law and can continue for an indefinite period of time to extract from the owners of the smaller newspapers outrageous and almost treasonable profits? The demand for paper is not nearly so great as it was during the war period. There has been no decrease in the manufacture of newsprint paper during the last year. Now, why have not they a sufficient supply on hand? If they have the necessary number of mills and the material out of which to manufacture paper, if they are supplied with labor sufficient to run their mills, why should not they have a sufficient tonnage on hand to supply the demands in the market?

The law of supply and demand no longer prevails with reference to newsprint paper manufacturers. They have ignored it entirely. They have another and better scheme of their own, by which they can force the owners of small newspapers throughout the country to pay just such prices as they see fit to demand for newsprint paper. By a careful study of the statistics furnished me by the Federal Trade Commission, which commission has made a very careful study of the paper situation in the United States, I find that the paper mills of this country manufacture a great many varieties of paper—news print, standard news, book paper, paper board, wrapping paper, bag paper, fine paper, tissue paper, hanging paper, and felt and building paper.

They also manufacture a great variety of specialties that they do not classify under any of the above heads.

The Federal Trade Commission has been able to secure numerous reports from the various paper mills throughout the country as to the quantity, quality, price, and different classes of paper manufactured.

How does this great paper combine control the price of newsprint paper in this country? Is it possible that they control the market in the United States by shifting from the manufacture of newsprint paper to the manufacture of some other grade, and when they have manufactured such quantity of newsprint paper as, in their judgment, is sufficient to control the market and the supply of newsprint paper do they then shift to the manufacture of some other class of paper, and in this way control the output of the paper mills of the country and thereby control the supply to the market and the market prices? It seems to me that it is clear that this great Paper Trust regulates the price by regulating the supply, and in this manner is able to filch from the owners of small newspapers throughout the country enormous, unreasonable, and unjustifiable profits. This method of regulating the supply and the price of newsprint paper continued all through the period of the war, and it has been continuing ever since the armistice was signed.

Gentlemen of the House, has it come to pass that the people of this Nation are to be controlled in the purchase of domestic commodities and all other commodities essential to the successful prosecution of private business? Is it possible that a monopoly in the things that the people must have is to control the prices? A monopoly in the things that the people must have is intolerable and indefensible. The people of this country will stand only for reasonable profits. They do not want to destroy reasonable profits. They will stand for gouging just so long and no longer. [Applause.]

The Newsprint Manufacturers' Association is a voluntary association that was formed about April 1, 1915, and is composed of a large number of corporations under the management of a number of individuals. Its offices are located at 18 East Forty-first Street, in the Borough of Manhattan, southern district of New York. This association has no constitution, no by-laws, no minutes of proceedings. The different corporations composing this organization and other like organizations operate

under what is known as a "gentlemen's agreement," and the different directors, agents, officers, managers, brokers, and salesmen of these various corporations now conducting the paper business in the United States and Canada are able to control their business by comparing notes under the guise of holding executive sessions to discuss the markets. They do not meet to discuss the markets. The demand for paper could not be greater. They have no need to discuss the market. In my judgment they meet for the sole purpose of devising ways and means by which they can wrest from the owners of the small newspapers of the country greater profits by controlling the markets.

JUSTIFICATION OF UNDUE PRICES.

The inspectors of the Federal Trade Commission examined the books and correspondence of a number of newsprint and bookprint mills throughout the country in the year 1916.

The correspondence proves that the manufacturers knew that their prices and profits were exorbitant, but the members of the Newsprint Manufacturers' Association seek to justify such exactions because prices, they claim, in the past have been low, and in the future may again be so. As a matter of fact, most of the companies made good profits under substantial normal conditions in 1915.

Among other things found in the correspondence which shed light upon the subject were the following excerpts from letters written:

On February 25, 1916, a member wrote to another that his company felt they must make a profit to partly "compensate for some of the losses when the prices began to decline," and "would appreciate a line from you stating what you are doing in the way of prices."

In a letter of March 7, 1916, the same member, writing to the same concern, stated that opportunity should not be lost for making money that had not been made in the past. He suggested that manufacturer's customers be made to pay the market prices, and that they in turn "get it back from their customers."

At a general meeting on June 14, 1916, of the members of the bureau of statistics of bookprint manufacturers, held at the office of the secretary of the bureau of statistics in the Vanderbilt Hotel, New York City, the representative of a prominent member concern said, referring to his own company, that the public had ground them down for years and that now they were going to make the public pay.

Indicative of common knowledge of, and responsibility for, proposed advances, is a letter written on June 9, 1916, by a prominent member to a wholesaler, a little more than a week before one of the general price advances in book paper:

I want you to get under cover if you want any of our papers at this price.

And on the margin of the letter he wrote:

Fireworks about to start. Get busy either with me or elsewhere. Suit yourselves, but consider service.

This brought orders from the wholesaler, and on June 19, 1916, the date on which the manufacturer advanced his prices, the latter wrote the same wholesaler:

It is indeed a pleasure to see you get under cover. Many have insisted that prices are going to drop and have held off accordingly, and will have to take their medicine. Prices will go higher.

These are just a few of many examples of documentary evidence which I have been able to procure in relation to this most important subject, and it will be noticed that these letters were written back in 1916, so, it is perfectly plain that prices have gone higher. The reason for it, it seems to me, can not be misunderstood.

PROFITS OF INTERNATIONAL PAPER CO.

Balance for dividends after all overhead charges and expenses were paid bonded interests, and so forth, was—

In the year 1912	$1,197,578
In the year 1913	993,805
In the year 1914	1,137,709
In the year 1915	1,219,515
In the year 1916	5,120,728
In the year 1917	8,180,787

All these figures are taken from Poor's Manuals of Industrials for 1918, at page 2593.

In the year 1918	$5,152,570

according to Moody's Analyses of Public Utilities and Industrial Investments, for 1918, at page 992.

These earnings on the common stock in recent years, according to Moody's Analyses, same page, were in 1917, $34.02 per share on common stock, and in 1918 were $18.48 per share on common stock. The estimated earnings for 1919 are from $25 to $35 per share on the common stock.

Taking the lower estimate of $25 per share, the company will have earned a total of $102.34 per share on common stock in the last four years; they will have earned more than the par of the stock. (Wall Street Journal, Oct. 30, 1919, p. 1.)

NEWSPRINT PAPER REVIEW FOR THE MONTH OF JANUARY, 1920.

The following is a review of the reports received from domestic manufacturers of newsprint paper, from jobbers buying and selling newsprint paper, and from leading publishers using newsprint paper. Import and export figures of the Department of Commerce are also included in the review. Whenever possible the figures for 1920 are compared with those for the corresponding period of 1919.

The figures which follow show the results of the commission's tabulation of the reports for January, 1920, compared with January, 1919.

	Number of mills.	Stock on hand first of month.	Production.	Shipments.	Stock on hand end of month.
Total print:		*Net tons.*	*Net tons.*	*Net tons.*	*Net tons.*
January, 1920	89	15,369	129,663	128,098	16,934
January, 1919	66	19,408	116,154	114,343	21,219
Standard news:					
January, 1920	66	12,338	114,957	112,719	14,576
January, 1919	51	15,656	106,002	105,169	16,489

NOTE.—Above figures for total print do not include hanging paper, but include the print paper production of mills operating for the most part on some other grade. All figures prior to March, 1919, have been prorated from a weekly basis to a calendar month basis.

The average or normal production of total print and standard news, based upon total production for the years 1917 and 1918, amounted to 109,798 tons of total print and 99,034 tons of standard news for a period corresponding to January. The average production, based upon the weekly and monthly reports for the 18-month period ended September 30, 1919, amounted to 111,618 tons of total print and 100,646 tons of standard news, whereas the actual production amounted to 129,663 tons of total print and 114,957 tons of standard news.

The increase in the production of newsprint in January, 1920, over January, 1919, amounted to more than 11 per cent for total print and slightly more than 8 per cent for standard news. The production of both grades for January, 1920, also showed an increase over that of December, 1919.

Mill stocks of both standard news and total print increased during January, 1920.

In addition to the stocks given above 1,061 tons were reported on hand at terminal and delivery points January 31, 1920.

JOBBERS' TONNAGE.

The following tabulation shows the newsprint tonnage reported by sales agents and jobbers during the month of January, 1920, compared with January, 1919, together with commitments to buy and sell:

	On hand first of month.	Received during month.	Shipped during month.	On hand end of month.	Commitments to buy.	Commitments to sell.
Rolls:						
January, 1920	1,920	6,721	6,742	1,899	65,526	74,097
January, 1919	3,262	2,895	2,727	3,430	98,269	111,157
Sheets:						
January, 1920	3,554	3,244	3,108	3,690	5,996	3,929
January, 1919	7,795	2,870	2,664	8,001	3,336	2,635
Total newsprint:						
January, 1920	5,474	9,965	9,850	5,589	71,522	78,026
January, 1919	11,057	5,765	5,391	11,431	101,605	113,792

Stocks of rolls on hand at end of January, 1920, exceeded those on hand at the end of December, 1919, by 35 tons, those of sheets by 221 tons, making a net increase of 256 tons.

Commitments to sell roll news exceeded commitments to buy 8,571 tons. Commitments to sell sheet news, however, was 2,067 tons less than the commitments to buy.

PUBLISHERS' TONNAGE.

Monthly tonnage reports from 710 (this number represents a much larger number of publications) of the most important newspaper publishing concerns and associations grouped according to the principal business sections of the United States, together with a separate tabulation for the agricultural publications, show the following results for January, 1920:

Location of publishers.[1]	Number of publications.	On hand first of month.	Received during month.	Used and sold during month.	On hand end of month.	In transit end of month.
		Net tons.	*Net tons.*	*Net tons.*	*Net tons.*	*Net tons.*
New England	84	15,812	13,874	13,632	16,054	3,801
Eastern States	197	29,497	49,192	53,450	25,239	15,684
Northern States	138	25,330	32,554	33,696	24,188	17,242
Southern States	81	8,339	8,075	8,550	7,864	6,364
Middle West	151	22,585	21,404	23,053	20,936	10,512
Pacific coast	32	5,636	12,216	11,959	5,893	2,618
Farm papers[2]	27	7,798	2,251	2,423	7,626	539
Total, United States.	710	114,997	139,566	146,763	107,800	56,760

[1] New England includes Connecticut, New Hampshire, Maine, Massachusetts, Rhode Island, and Vermont; the Eastern States include Delaware, the District of Columbia, Maryland, New Jersey, New York, and Pennsylvania; the Northern States include Illinois, Indiana, Michigan, and Ohio; the Southern States include Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia; the Middle West includes Arizona, Arkansas, Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin, and Wyoming; the Pacific coast includes California, Oregon, and Washington.

[2] The farm papers for the most part use special grades of newsprint instead of standard news.

Publishers' stocks decreased 7,197 tons during the month. This, however, was more than offset by an increase of 8,853 tons in transit over that at the close of December, 1919.

The tonnage used during January was 4,773 tons less than was used during December, 1919.

Publishers' stocks and transit tonnage on January 31 represented slightly more than 35 days' supply at the existing rate of consumption.

Forty-six publishing concerns held about 48 per cent of the tonnage on hand at the end of the month.

MILL PRICES TO PUBLISHERS.

The weighted average price of contract deliveries from domestic mills to publishers during January, 1920, f. o. b. mill in carload lots for standard news in rolls was $4.362 per 100 pounds. This weighted average is based upon January deliveries of approximately 75,000 tons on contracts involving a total tonnage of about one and a half million tons of paper manufactured in the United States. These contracts include a few long-term contracts made prior to the war at very low prices.

The weighted average contract price based on deliveries from Canadian mills of more than 15,000 tons of standard roll news in carload lots f. o. b. mill in January, 1920, was $4.267 per 100 pounds. This weighted average is based upon the January deliveries on contracts involving more than 300,000 tons of Canadian paper. The greater number of these are short-term contracts covering the year 1920.

The weighted average market price for January of standard roll news in carload lots f. o. b. mill based upon domestic purchases totaling more than 14,000 tons was $6.624 per 100 pounds.

OFFICE AND MILL LOCATIONS.

Newsprint mills in the United States.

[This list includes 32 companies and 47 mills with the combined daily capacity of more than 4,000 tons. Mills which run chiefly on other grades and only to a small extent on newsprint are not included in this list. The commission's reports for January showed 66 mills had operated at least one machine on 32-pound newsprint paper used by publishers and 89 mills on all weights of newsprint, including 32-pound paper.]

Company.	Head office.	Mill location.
Alexandria Paper Co	Alexandria, Ind	Alexandria, Ind.
Cliff Paper Co	Niagara Falls, N. Y	Niagara Falls, N. Y.
Consolidated Water Power & Paper Ca.	Grand Rapids, Wis	Grand Rapids, Wis.
Crown-Willamette Paper Co.	Alaska Commercial Building, San Francisco, Calif.	Floriston, Calif.; West Linn, Oreg.; Camas, Wash.
De Grasse Paper Co	Pyrites, N. Y	Pyrites, N. Y.
Dells Paper & Pulp Co	Eau Claire, Wis	Eau Claire, Wis.
Finch, Pruyn & Co	Glens Falls, N. Y	Glens Falls, N. Y.
Fitzdale Paper Co	86 Hudson Street, New York City.	Fitzdale, Vt.
Gould Paper Co	Lyons Falls, N. Y	Lyons Falls, N. Y.
Grandfather Falls Co	Merrill, Wis	Merrill, Wis.
Great Northern Paper Co	60 Congress Street, Boston, Mass.	East Millinocket, Me.; Madison, Me.; Millinocket, Me.
Hawley Pulp & Paper Co.	Oregon City, Oreg	Oregon City, Oreg.
Hennepin Paper Co	1128 Plymouth Building, Minneapolis, Minn.	Little Falls, Minn.
High Falls Pulp & Paper Co.	Chateaugay, N. Y	Chateaugay, N. Y.
Inland Empire Paper Co	Spokane, Wash	Millwood, Wash.
International Paper Co	30 Broad Street, New York City.	Glens Falls, N. Y.; Fort Edward, N. Y.; Palmer, N. Y.; Watertown, N. Y.; Chisholm, Me.; Orono, Me.; Berlin, N. H.; Wilder, Vt.
Itasca Paper Co	Grand Rapids, Minn	Grand Rapids, Minn.
Minnesota & Ontario Paper Co.	International Falls, Minn.	International Falls, Minn.
Nekoosa-Edwards Paper Co.	Port Edwards, Wis	Port Edwards, Wis.
Oswego Falls Pulp & Paper Co.	Fulton, N. Y	Fulton, N. Y.
Pejepscot Paper Co	111 Broadway, New York City.	Lisbon Falls, Me.; Brunswick, Me.
Pettebone-Cataract Paper Co.	Niagara Falls, N. Y	Niagara Falls, N. Y.
Northwest Paper Co	Cloquet, Minn	Brainerd, Minn.; Cloquet, Minn.
Remington Paper & Power Co.	Watertown, N. Y	Norfolk, N. Y.; Raymondville, N. Y.
St. Croix Paper Co	244 Washington Street, Boston, Mass	Woodland, Me.
St. George Paper Co	Norwalk, Conn	Norwalk, Conn.
St. Regis Paper Co	Watertown, N. Y	Deferiet, N. Y.
Taggarts Paper Co	do	Felts Mills, N. Y.; Great Bend, N. Y.
Tidewater Paper Mills Co	32 Thirty-third Street, South Brooklyn, N. Y.	South Brooklyn, N. Y.
Watab Pulp & Paper Co	Sartell, Minn	Sartell, Minn.
West End Paper Co	Carthage, N. Y	Carthage, N. Y.
Wisconsin River Paper & Pulp Co.	Neenah, Wis	Stevens Point, Wis.

Newsprint mills in Canada and Newfoundland.

[This list includes 17 companies and 21 mills with the combined daily capacity of about 3,000 tons. Mills which run chiefly on other grades and only to a small extent on newsprint are not included in this list.]

Company.	Head office.	Mill location.
CANADA.		
Abitibi Power & Paper Co.	Sun Life Building, Montreal, Quebec.	Iroquois Falls, Ontario.
Belgo-Canadian Pulp & Paper Co.	Shawinigan Falls, Quebec.	Shawinigan Falls, Quebec.
J. R. Booth	Ottawa, Ontario	Ottawa, Ontario.

Newsprint mills in Canada and Newfoundland—Continued.

Company.	Head office.	Mill location.
CANADA—continued.		
Brompton Pulp & Paper Co.	East Angus, Quebec	East Angus, Quebec.
Canada Paper Co	Windsor Mills, Quebec	Windsor Mills, Quebec. St. Francis, Quebec.
Donnacona Paper Co	Donnacona, Quebec	Donnacona, Quebec.
E. B. Eddy Co	Hull, Quebec	Hull, Quebec.
Fort Frances Pulp & Paper Co.	International Falls, Minn.	Fort Frances, Ontario.
Laurentide Co	Grand Mere, Quebec	Grand Mere, Quebec.
News Pulp & Paper Co	263 St. James Street, Montreal, Quebec.	St. Raymond, Quebec.
Ontario Paper Co	Thorold, Ontario	Thorold, Ontario.
Pacific Mills	Vancouver, British Columbia.	Ocean Falls, British Columbia.
Powell River Co	do	Powell River, British Columbia.
Price Bros. & Co	Quebec, Canada	Jonquieres, Quebec. Kenogami, Quebec.
Spanish River Pulp & Paper Mills.	Sault Ste. Marie, Ontario.	Espanola, Ontario. Sault Ste. Marie, Ontario. Sturgeon Falls, Ontario.
St. Maurice Paper Co	Board of Trade Building, Montreal, Quebec.	Three Rivers, Quebec.
NEWFOUNDLAND.		
Anglo-Newfoundland Development Co.	The Fleetway House, Farrington Street, London, E. C.	Grand Falls, Newfoundland.

WASTE.

I am fully aware that there is great extravagance in the use of newsprint paper and this extravagance should be eliminated as far as possible, but this alone is not the immediate cause of the high prices demanded for newsprint paper. The real cause is the control of the supply and of prices. It is mighty easy to offer other excuses as a justification, but such excuses are not substantiated by the facts.

The willful violation of law is a serious matter and those charged with law enforcement can not wink at law violation and permit those who willfully do so to excuse their action on a false premise which will not bear the searchlight of truth. We must not hesitate or balk at the facts. We must meet them squarely and fairly, for we can only look to the facts to determine the cause, and it seems to me that the cause of the high prices for print paper and the discriminatory prices are perfectly evident to every sensible man.

I have been informed, upon what I consider good authority, that English capital has the controlling stock in the paper industry in this country. I have tried to investigate this matter, but as yet have not been able to get the data that I desire. If this is true it is strikingly astounding. Is it possible that the capitalists of England and the United States, in conjunction, are controlling the commercial and industrial interests of this country? Is it possible that the United States is still a colony of Great Britain, notwithstanding the fact that we have already had two wars with England in which we were victorious, the result of which acknowledged our independence?

Gentlemen of the House, I do not hesitate to say that the profits demanded from the owners of the small newspapers throughout the country are so unreasonable and unjust as to be nothing short of robbery. What is the remedy in the premises? Can Congress do anything to relieve this situation? Is the Sherman antitrust law, as enacted in July, 1890, and as amended and supplemented by the Clayton Act in 1916, to be ignored? Does this law fall short of its purpose? Is the penalty therein provided for not sufficient to deter those who seek to violate its provisions? If such is the case this law should be repealed at once and should be superseded by a law that will be effective and accomplish the purpose for which it was enacted. [Applause.]

The small newspapers of this country are in a sense a household necessity. No well-regulated home can afford to be without the local paper, and every home should be supplied with it. It is the medium through which the current local news of the day is conveyed to the members of the household. It carries the personal and business news of the community and the advertising matter of the merchants of the country towns and villages. It carries the ads. of special bargain sales, as well as ads. of sales of personal and real property. It is the arm of the courts in carrying out the processes of the law required to be published. It is the means by and through which public sentiment and public opinion are molded. It is a great public service utility in every community, and there seems to be a general scheme on the part of the newsprint manufacturers' association and its subsidiaries to clean out the small newspapers of the country and thereby force the merchants and business men throughout the country who desire to advertise to carry their

advertising matter to the metropolitan papers of the cities and to force the courts to carry all their legal advertising in these great metropolitan papers. It appears to be a concerted move on the part of the newsprint paper combine to concentrate the business of the country in the metropolitan papers and to be able in this way to control the business of the country as well as the politics of the country.

The newspaper business is not built up in a day. It requires years to establish this business. Many men have given the major portion of their lives to the newspaper business, and it is an outrage and a shame to allow this great trust monopoly to destroy their life's work by willful violation of a prohibitive law. If the small newspapers of this country are to be destroyed and put out of business, along with that you will destroy the business of the smaller cities, towns, and villages and the communities surrounding them. The evil effect would be almost incalculable.

Mr. Speaker, it was my purpose to press the resolution which I introduced in this House and which was referred to the Committee on Rules, and have the same passed by the House, if possible. I thought it was necessary to have a complete and thorough investigation of the conduct of these great paper combines in order to give relief to those suffering from its iniquitous practices. However, having had two conversations with the distinguished chairman of the Committee on Rules, Mr. CAMPBELL of Kansas, in which we discussed the propriety of reporting the resolution to the House and having the House act upon it, I reached the conclusion that inasmuch as a secret investigation was now being made and had been carried on for some time by an arm of the Government which has proven effective, it was not necessary to have a further investigation of this matter at this time.

The House passed the resolution of the gentleman from Virginia [Mr. HARRISON] on Monday of this week, requiring the Interstate Commerce Commission to supply the House with all the data it might have touching the production of newsprint paper and the cause of high prices. I had intended to address the House on that occasion, but inasmuch as there was only an hour's time for debate, I felt that it would be impossible for me to present to this House the facts which I had been able to assemble in relation to this most important subject within the time that I could secure. I further felt that the membership of the House, and the country as well, should know something of the conduct of those engaged in the newsprint paper business in the United States and Canada since 1913.

I want to say further in this connection that I have received a great number of letters from editors, both Democratic and Republican, from different parts of the country, urging that Congress take immediate action to relieve them as the prey of this heartless, soulless, and vicious monster, the International Paper Co., which is slowly but most certainly crushing the owners of the small newspapers of the country and, in many instances, destroying the life's work of honest, upright, and straightforward men who have built up a newspaper business.

I am in favor of a law that will force these newsprint paper corporations to take out a license from the Government before they can engage in business. It is my opinion that in this way we can determine who is engaged in the business, the names of the stockholders, their location, and the relation existing between these various industrial enterprises.

I regret, of course, that this Government is forced to take such action, but, in my humble judgment, there is no other alternative. The Congress of the United States is facing a gigantic problem of monopoly in almost every line of business, and I fear that there is no way to relieve the people of this country from the oppression of monopoly and exaction of unreasonable and outrageous profits except by the imposition of a heavy penalty and confinement in a Federal prison, or by licensing the various corporations who deal in the different lines that affect the welfare of the common people. Whatever the relief may be, it must come and come soon, and it is up to Congress to provide the remedy. I fully appreciate that what is needed most in this country is not law enactment, but law enforcement, and in the immediate years to come law enforcement will have much to do with shaping the destinies of the American people. A monopoly is a breeder of radicalism, Bolshevism, sovietism, communism, I. W. W.ism, and every other imaginable ism, and it must be stamped out. [Applause.]

Mr. BROWNING. Mr. Chairman, I desire to ask unanimous consent that the gentleman from Ohio [Mr. RICKETTS] be allowed to revise and extend his remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, the inevitable has happened at last, when we find the gentleman from California [Mr. NOLAN], together with Mr. Samuel Gompers, agreeing with the gentleman from Texas and admitting that what the gentleman from Texas has been contending for so long really exists in the United States. I have stated many times that organized labor, through its improper, autocratic, radical leadership in the United States, is honeycombed with Bolshevism and disloyalty. The matter put in the RECORD a few minutes ago by the gentleman from California [Mr. NOLAN] admits it. When the letter came to me from New York, dated February 2, 1920, signed "Bernard Nolan, president of the New York Printing Pressmen's Union, No. 51," I took it for granted that I should not discard it merely because of its name "Nolan," but that I should give whatever credence to it that upon its face it seemingly deserved. I did not vouch for it. I did not vouch for Mr. Bernard Nolan in presenting it. I merely gave it to the people of the United States for whatever it was worth. Now, at this late date, some labor man named Berry, down in the State of Tennessee, here on the 19th day of March has caused to be read into the RECORD a statement casting aspersions on this Mr. Bernard Nolan of New York, who sent me this letter dated February 2, and which I placed in this RECORD on February 4, 1920, and concerning which not only Mr. Gompers but every labor man in the union, through their recognized mouthpiece on the floor here, had notice.

Who better than Mr. Gompers himself occupies a position embracing a better knowledge of who or what Mr. Bernard Nolan is and the standing of his affiliation with the American Federation of Labor? Yet, since February 4, 1920, when his said letter was published in the RECORD, Mr. Gompers has never seen fit to make any denial of Mr. Bernard Nolan. Should not he know more about Mr. Bernard Nolan in New York than this man Berry down in the State of Tennessee knows?

Now, up in the left-hand corner of the envelope in which Mr. Bernard Nolan mailed his letter is the following:

New York Printing Pressmen's Union, No. 51, I. P. P. & A. U. 31 Union Square, New York. [Union label 36.]

And Mr. Bernard Nolan signed this letter as president of the New York Printing Pressmen's Union, No. 51, and his letterhead upon which his letter was written contains the following heading:

New York Printing Pressmen's Union, No. 51, I. P. P. and A. U. of North America. [Seal.] Affiliated with Allied Printing Trades Council of Greater New York, New York State Allied Printing Trades Council, Central Federated Union of New York City, Central Labor Union of Brooklyn and Queens, New York State Federation of Labor. [Union label 241.] Office, Metropolis Building, 31 Union Square; rooms 1109–1110–1111; telephones, Stuyvesant 7178–7179.

Now, let us examine this letter closely and see whether or not this man was what he was holding himself out to be, and whether he was speaking authoritatively? Examine closely this letterhead upon which his letter was written; quite a distinguished-looking letterhead. Note on the top, in great big letters: "New York Printing Pressmen's Union, No. 51, I. P. P. and A. U. of North America. Office, Metropolis Building, 31 Union Square." Rooms 1109, 1110, 1111 in that building. Telephones, not merely one, but two telephones; Stuyvesant 7178 and 7179.

Also, note on the letterhead—and I call the attention of the gentleman from California [Mr. NOLAN], who speaks for Mr. Gompers and the labor man in Tennessee, to these statements in great big printed letters:

Affiliated with Allied Printing Trades' Council of Greater New York; affiliated with New York State Allied Printing Trades' Council; affiliated with Central Federated Union of New York City; affiliated with Central Labor Unions of Brooklyn and Queens; affiliated with the New York State Federation of Labor—

With the labor union's seal, "No. 241, of New York," on it, and on the left it has the usual seal that all of us have when we want to show importance to the country. It says:

International Printing Pressmen and Assistants Union of North America. Organized October 8, 1889.

And in this seal it has a Latin phrase, and I had to go to the distinguished Latin scholar of the House to find out what it means, and I understand it means "Acting right, with confidence."

Should not anyone take this letter on its face for what it is worth? Now, what is the letter? I do not blame Mr. Gompers for waiting from February 4 to March 19 to find out that he had to go down into Tennessee to find some labor man down there to try to attack this Mr. Nolan, because it is necessary to make an attack on him, because this letter means something to Mr. Gompers and the things for which he stands as an autocratic leader. But let me read you this letter again, as it was printed in the CONGRESSIONAL RECORD on February 4, 1920:

NEW YORK, *February 2, 1920.*

Hon. THOMAS L. BLANTON,
Washington, D. C.

MY DEAR SIR: Samuel Gompers is not the true representative of labor or the true ideals of labor. He is now in New York City playing the cheapest kind of peanut politics.

We can not get rid of him, as our method of elections is such that the rank and file of true Americans can not get a crack at him. His old cigar makers' union defeated him, and he was fourth in the race.

If the rank and file of labor could get a referendum vote, he would be removed. I want you to send me a copy of your last speech showing his want of Americanism. If you want some real data to "skin a skunk," I will send you same.

I have no personal grievance against him, but he disgraces honest labor, and with him and his type in the lead labor can never progress properly until it has a house cleaning. We who have a pride in our true Americanism look forward to a proper clean-up of our unions. I hope that I may hear from you soon.

Truly, yours,

BERNARD NOLAN,
President Union No. 51.

And this Mr. Bernard Nolan is now attacked by Mr. Gompers and the gentleman from California and this labor leader down in the State of Tennessee because they say he entered a strike that was not authorized by the American Federation of Labor and which violated a contract. It is very amusing to hear Mr. Gompers attack Mr. Bernard Nolan for an alleged violation of a contract, when this same Mr. Gompers supported the great steel strike, led by the anarchist, William Z. Foster, who acted with approval from Mr. Gompers and who was placed in charge of said strike by Mr. Gompers, when thousands and thousands of said strikers were violating their contracts in striking. It is also amusing to remember that Mr. Gompers supported the coal strike and patted the strikers on the back with approval when they had violated their contracts, and their strike was declared unlawful both by the President and by the courts; yet this same Mr. Gompers, when women and little children were freezing to death, cussed the President, cussed the laws of the United States, claiming that he was immune from the Lever law, which he claimed applied to every other citizen except the ones affiliated with this Mr. Gompers, and when he cussed Judge Anderson and the courts generally and threatened to withdraw his support from the Democratic Party.

And yet Mr. Gompers, through the gentleman from California, now asserts, through a letter from a man down in Tennessee, though waiting to do so until this March 19, 1920, after this letter was put in the RECORD on February 4, that Mr. Bernard Nolan has no connection with the Printing Pressmen's Union of North America and is unworthy because he once struck in violation of a contract. If he has no such connection then this letterhead is a libel on the State of New York; this letterhead is a libel on all these federated unions with which this particular union, of which Mr. Bernard Nolan is president, is affiliated. Why at this late hour is it necessary to come in and say that Mr. Bernard Nolan is a radical; that he is a Bolshevist; that he is in favor of Bolshevism? That is what I have said all the time with respect to these radical labor leaders. I have said they were all full of Bolshevism, from Samuel Gompers down, and Mr. Samuel Gompers and the gentleman from California [Mr. NOLAN] are only backing me up at last in the position I have taken at numerous times on the floor of this House in asserting that there is Bolshevism and there is anarchy, and that there is disloyalty, not in the great mass of good, loyal, working American citizens, who are members of those unions, but in their leaders. Now, does it look nice for Mr. Gompers to say that about Bernard Nolan?

Mr. BLACK. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. BLACK. The gentleman from Texas, I am sure, keeps up with these labor activities.

Mr. BLANTON. I have to keep up with them in order to protect the people of this country.

Mr. BLACK. Does he not recall that in the strike of the New York pressmen the American Federation of Labor and the chief officers of the Pressmen's Union refused to countenance the strike on the ground that it was a deliberate violation of their contract? And ought we to stand with the men who were violating the contract by striking, or ought we to stand with the labor leaders who contended they ought not to violate the contract?

Mr. BLANTON. I do not want to stand with either one of them, because I do not want to get in bad company. I am standing for the 110,000,000 people of the United States, first, last, and all the time, who have been the silent sufferers; and if Mr. Bernard Nolan is bolshevistic it carries out the assertion that I have been making, and if Mr. Gompers wants to help me prove my case, he has done it very efficiently and efficaciously. But Mr. Gompers should not jump on Mr. Nolan, of New York, for Bolshevism or for disloyalty and for breaking contracts when Mr. Gompers has stood behind the steel strikers who broke their contracts, and stood behind the coal strikers who broke their contracts, and behind numerous other contract-breaking strikers.

As I said, he stood behind William Z. Foster, who preached revolution in this country. He stood behind him and put him in charge of the steel strike. He stood behind John L. Lewis in the dastardly coal strike, when he was claiming that the President and the Government had promised them immunity from the laws, when he was attacking the courts of the country, and said they would not obey the highest law of the land. Mr. Gompers has a poor cause to attack Mr. Bernard Nolan, of New York, as an anarchist, when he himself has done more to free anarchists from felon cells than almost any other man in the United States, save and except possibly the Secretary of Labor. [Laughter.]

Why, what about his help of the McNamara brothers? Were they not anarchists? What about his raising of the tremendous slush fund for the McNamara brothers, convicted anarchists of this country? What about his standing behind the convicted bomb-throwing anarchist, Mooney, of California? Has any man done more to get that anarchist out of the penitentiary? Did any man do more to save that anarchist from having his neck broken, which he deserves, than the man who now jumps on the president of this printing pressmen's union because he struck? Why does he condemn so severely one man for calling a strike when he has to face the war records of his unions which caused 6,000 strikes in the United States during the war period from the time war was declared on April 6, 1917, until the armistice was signed on November 11, 1918? This is ridiculous, this action of Mr. Gompers in jumping on Mr. Nolan in New York because he wrote this letter down here saying he was not in accord with Mr. Gompers's trying to read him out of a union.

And yet at Atlantic City, at the last convention of the American Fderation of Labor, who sat on that platform with Mr. Gompers and Secretary Wilson? Who spoke from the same platform to the same audience? Mrs. Renie Mooney, the wife of the convicted anarchist, herself indicted for murder in the highest degree in the State of California at that time, and was applauded and spoke from the same platform.

And who marched that great convention from Atlantic City to the Capitol in Washington in protest of the Constitution? Who but Mr. Samuel Gompers, saying that if we did not change the Constitution and give his workers beer and wine—what would he do? He would cause a revolution in this country! That is what he said.

Is Mr. Gompers the man to jump on Mr. Bernard Nolan in New York? Oh, no. And then when we started to pass the railroad bill we were told, even before he got home from Europe, by Mr. Gompers that there would be a revolution unless we adopted this pernicious Plumb plan, which is socialistic and anarchistic. Could anything be more socialistic or bolshevistic or anarchistic than the proposed Plumb plan, that would take $20,000,000,000 of private property from widows and little children whose ancestors had spent lifetimes in its accumulation? He said if we did not do that there would be a revolution in this country. A revolution!

I do not like the idea of having to do it every day, but if it is forced upon me as in this instance, I am prepared to meet all such allegations as that if they come up. I am always here and stay on the floor for that and other purposes. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. COOPER].

Mr. McKEOWN. Mr. Chairman, I suggest the absence of a quorum at this hour.

Mr. BUTLER. Mr. Chairman, will the gentleman withhold that? In five minutes we will rise.

Mr. McKEOWN. Yes.

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. COOPER], and as soon as he is through I shall move that the committee rise.

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes.

Mr. COOPER. Mr. Chairman and gentlemen of the House, surely no one in this body can accuse me of being a Bolshevist. Every since I have been a Member of this House I have tried to dignify labor. I have recommended that the labor unions follow the straight and the right course, and only a short time ago I took my political life in my hands when I exposed Mr. William Z. Foster during the steel strike, for at that time there were 45,000 men out of work in my district. Mr. William Z. Foster is not the kind of a man who should be at the head of any labor organization in this country, and there are thousands of law-

abiding American workingmen—organization men—who share my views in this matter. [Applause.] But, Mr. Chairman, I can not sit still here this afternoon and hear the gentleman from Texas brand every workingman in this country who belongs to a labor union as a Bolshevist.

Mr. BLANTON. I did not do that.

Mr. COOPER. If the gentleman did not do it directly, he did it by implication. He made the statement here that he did not want to be contaminated by associating himself with any man who carried a union card.

Mr. BLANTON. Oh, no; only two.

Mr. COOPER. I want to say to the gentleman from Texas that there are men in this House to-day who belong to labor organizations and are proud of the fact. It seems to me that the gentleman from Texas might find something more worth while to do than to stand on this floor every day and attack the laboring men of this country. At the time that he was making his attack upon labor here a few moments ago, there were millions of men in this country working hard, and by the sweat of their brows and the work of their hands producing the commodities of life. They are running the wheels of industry, tilling the soil, producing the coal, moving the commerce, and while they are doing this the gentleman from Texas takes up hour after hour and day after day here filling the CONGRESSIONAL RECORD with his vicious attacks upon labor that has cost the Government of the United States, I should say, up in the neighborhood of $50,000 or $60,000 since the gentleman has been a Member of this body.

The gentleman from Texas says that Mr. Gompers came out and indorsed the Plumb plan. If he did, I do not know anything about it, for he stated in public a short time ago he did not favor Government ownership. I hold no brief for Mr. Gompers. Mr. Gompers and I have not agreed on all things, but I do believe that Mr. Gompers is a patriotic American citizen and that he loves that flag and is just as much interested in the welfare of this country as is the gentleman from Texas. Oh, yes; I know there are certain elements in organized labor to-day that have me marked because I voted for the railroad bill, but that does not mean that all organized labor in this country are Bolshevists and communists, as the gentleman from Texas would have us believe. There are many thousands of law-abiding, honest workingmen in this country who do not believe in Bolshevism or communism, who respect the Constitution of the United States, and love their country. [Applause.] Oh, I wish that the gentleman from Texas would find something else more worth while to do than to stand here on the floor of this House day after day and hour after hour making his attacks upon the laboring men of this land. What has he ever done to help the workingman since he has been a Member of this body?

Mr. BLANTON. The laboring men of my district will tell you.

Mr. COOPER. I decline to yield. The gentleman from Texas day after day attacks labor here, but has he ever done anything for them? No; but he calls them Bolshevists and communists and attacks organized labor almost every day of his life. Has not labor got just the same right to organize as capital in this country?

Mr. BLANTON. Yes.

Mr. COOPER. Bolshevism in our country is not confined to the working classes alone. The gentleman approves of the organization of some of these great capitalistic concerns in this country, but he does not approve of the honest, decent, law-abiding workingmen of this land organizing for their own betterment. As I said, I could not sit still without answering the challenge of the gentleman from Texas. At this time I carry in my pocket a card and a receipt showing that I am a member in good standing of one of the great labor organizations of this country. And let me say to the gentleman from Texas that in 1912 that great labor organization, 85,000 strong, went on record in their convention as standing for the things that are highest, the best, and the noblest things in American life, and I wish that the gentleman from Texas [Mr. BLANTON] would devote a little more of his energy in the interest and welfare of the working classes and try and make their conditions better, instead of making his unfair and unjust attacks upon them every day of his life. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

On motion of Mr. BROWNING the committee rose; and Mr. WALSH having resumed the chair as Speaker pro tempore, Mr. MANN of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the naval appropriation bill (H. R. 13108) had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. VESTAL (at the request of Mr. PURNELL), for one day, on account of illness.

To Mr. LANHAM, for to-day, on account of sickness.

To Mr. GOLDFOGLE, indefinitely, on account of illness.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker pro tempore signed the same:

H. R. 11309. An act to authorize the Secretary of the Treasury to fix compensation of certain laborers in the customs service.

MILITARY ACADEMY APPROPRIATIONS.

Mr. KAHN presented the conference report on the Military Academy appropriation bill (H. R. 12467) for printing in the RECORD under the rule.

ADJOURNMENT.

Mr. BROWNING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 23 minutes p. m.), the House adjourned until Saturday, March 20, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting request from the Surgeon General of the Public Health Service for supplemental appropriation for the purpose of remodeling buildings turned over to the Treasury Department for the use of the Public Health Service (H. Doc. No. 695), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. COOPER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12889) granting the consent of Congress to the city of Youngstown, Ohio, to construct a bridge across the Mahoning River, at or near Division Street, in the city of Youngstown, Ohio, reported the same without amendment, accompanied by a report (No. 748), which said bill and report were referred to the House Calendar.

Mr. BARKLEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12956) extending the time for constructing a bridge across the Bayou Bartholomew, in the State of Arkansas, reported the same without amendment, accompanied by a report (No. 751), which said bill and report were referred to the House Calendar.

Mr. SWEET, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12891) to authorize the construction of a bridge across the Missouri River near Kansas City, reported the same without amendment, accompanied by a report (No. 752), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DALLINGER: A bill (H. R. 13155) to amend section 4075 of the Revised Statutes as amended by the act of June 14, 1902; to the Committee on Foreign Affairs.

By Mr. HENRY T. RAINEY: A bill (H. R. 13156) to provide a method of adjusted compensation for all enlisted men serving in the military and naval forces of the United States and to provide revenue for the same, and for other purposes; to the Committee on Ways and Means.

By Mr. MONDELL: A bill (H. R. 13157) authorizing the issuance of patent to Johnson County, Wyo., of lands for poor-farm purposes; to the Committee on the Public Lands.

By Mr. COOPER: A bill (H. R. 13158) to further amend the interstate commerce act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Resolution (H. Res. 500) requesting the President of the United States to furnish to the House of Rep-

resentatives certain information regarding the soldiers in Europe; to the Committee on Military Affairs.

By the SPEAKER: Memorial of the Legislature of Massachusetts, favoring an early increase of the Federal grant for the soldiers' home in Massachusetts and in other States; to the Committee on Military Affairs.

Also, memorial of the Legislature of Massachusetts, in favor of an amendment to the Constitution of the United States giving Congress power to regulate the hours of labor; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENHAM: A bill (H. R. 13159) granting an increase of pension to Jonathan Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13160) granting a pension to Addie M. Moore; to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 13161) granting an increase of pension to Ralph Waite; to the Committee on Pensions.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 13162) for the relief of the Metropolitan Lumber Co.; to the Committee on the Judiciary.

By Mr. HICKEY: A bill (H. R. 13163) granting a pension to Elenor Young; to the Committee on Invalid Pensions.

By Mr. MACGREGOR: A bill (H. R. 13164) granting a pension to Frederick Rattke; to the Committee on Pensions.

By Mr. RIORDAN: A bill (H. R. 13165) for the relief of Bennett, Day & Co.; to the Committee on Claims.

Also, a bill (H. R. 13166) for the relief of Bennett, Day & Co.; to the Committee on Claims.

Also, a bill (H. R. 13167) for the relief of the R. S. Howard Co.; to the Committee on Claims.

By Mr. ROBSION of Kentucky: A bill (H. R. 13168) to reimburse Joseph Warren for loss of war-savings stamps; to the Committee on Claims.

By Mr. SMITH of Michigan: A bill (H. R. 13169) granting an increase of pension to Edward F. Davis; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 13170) for the relief of Edward J. Pearlove; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2433. By the SPEAKER: Petition of Armenians of Detroit, Mich., relative to the Armenian question; to the Committee on Foreign Affairs.

2434. Also, petition of D. F. McGraw, president of Friends of the Irish Freedom, of Massachusetts, urging the support of the Mason bill; to the Committee on Foreign Affairs.

2435. Also, petition of citizens of the Armenian colonies of St. Louis, Mo.; East St. Louis, Granite City, and Wood River, Ill., relative to the Armenian question; to the Committee on Foreign Affairs.

2436. Also (by request), petition of the Richford (Vt.) Board of Trade, urging better pay for the Government employees, etc.; to the Committee on Appropriations.

2437. By Mr. BABKA: Petition of the Christopher S. Baxter Post, No. 234, of the American Legion, urging adjusted compensation for the ex-service men and women; to the Committee on Ways and Means.

2438. By Mr. COSTELLO: Petition of citizens of Philadelphia, Pa., urging the passage of the Mason bill providing for a United States minister to the Republic of Panama; to the Committee on Foreign Affairs.

2439. By Mr. CULLEN: Petition of the Tiger Post, No. 23, of the American Legion, New York, urging universal military training, etc.; to the Committee on Military Affairs.

2440. Also, petition of the Maritime Association of the port of New York, relative to certain legislation; to the Committee on Rivers and Harbors.

2441. By Mr. EMERSON: Petition of Christopher S. Baxter Post, No. 234, American Legion, Cleveland, Ohio, favoring a bonus of $50 per month of service for all service men and women; to the Committee on Ways and Means.

2442. By Mr. ESCH: Petition of the Juneau-Adams County Bankers' Association, relative to certain provisions in the Federal reserve act; to the Committee on Banking and Currency.

2443. By Mr. GALLIVAN: Petition of the Boston Chamber of Commerce, urging appropriation for the Bureau of Crop Estimates, etc.; to the Committee on Agriculture.

2444. Also, petition of the board of directors of Boston Credit Men's Association opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2445. By Mr. HERNANDEZ: Petition of New Mexico Wool Growers' Association, favoring a protective tariff and against infected wool, live stock, and meats; to the Committee on Ways and Means.

2446. Also, petition of New Mexico Wool Growers' Association, regarding public lands; to the Committee on the Public Lands.

2447. Also, petition of the Wool Growers' Association of New Mexico, for the protection of national forests and timber lands, etc.; to the Committee on Agriculture.

2448. By Mr. HICKS: Petition of sundry citizens of Brooklyn and Long Island, N. Y., protesting against the enactment into law of a national department of education bill, or any other attempt by Congress to federalize the schools of the United States; to the Commitee on Education.

2449. By Mr. KELLEY of Michigan: Resolution of the common council of the city of Detroit, Mich., in favor of loan for relief of certain European countries; to the Committee on Ways and Means.

2450. By Mr. LONERGAN: Petition of the Thomas Ashe Branch of Friends of Irish Freedom, of Waterbury, Conn., urging the passage of the Mason bill; to the Committee on Foreign Affairs.

2451. By Mr. MAJOR: Petition of numerous citizens of the seventh district of Missouri, urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

2452. By Mr. O'CONNELL: Petition of Henry T. Atkinson, general secretary of the Church Peace Union, of New York, relative to the Armenian question; to the Committee on Foreign Affairs.

2453. Also, petition of the Maritime Association of the port of New York, relative to certain legislation; to the Committee on Rivers and Harbors.

2454. Also, petition of the Italian Chamber of Commerce, in New York, opposed to prohibition; to the Committee on the Judiciary.

2455. By Mr. WATSON: Petition of Harold D. Speakman Post, No. 356, American Legion, Narberth, Pa., in connection with universal military training; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 20, 1920.*

The House met at 12 o'clock noon and was called to order by Mr. WALSH, the Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our Heavenly Father, make us with all mankind conscious of Thy presence, with Thy wisdom, power and goodness proffered to all Thy children, but selfishness, greed, egotism and unhallowed desire blind our eyes to the good round about us. Give us grace to meet the conditions of life as Thou hast measured them out, with common sense and reason, doing unto others as we would be done by, that Thy kingdom may come and Thy will be done in Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read.

CALL OF THE HOUSE.

Mr. IGOE. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Missouri makes the point of order that no quorum is present. Clearly, there is no quorum present.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Doorkeeper was ordered to close the doors, and the Sergeant at Arms to notify the absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Brooks, Pa.	Clark, Fla.	Doremus
Andrews, Md.	Brumbaugh	Costello	Drane
Anthony	Burke	Cramton	Dupré
Bacharach	Caldwell	Crowther	Eagan
Benson	Campbell, Kans.	Curry, Calif.	Eagle
Booher	Campbell, Pa.	Davey	Edmonds
Bowers	Cantrill	Dempsey	Ellsworth
Brinson	Carter	Denison	Ferris
Britten	Christopherson	Dooling	Fields

Focht	Howard	McLaughlin, Mich.	Sanders, Ind.
Freeman	Huddleston	MacCrate	Schall
Fuller, Mass.	Hutchinson	MacGregor	Scully
Gallivan	Johnson, Ky.	Mapes	Sinnott
Gandy	Johnson, Wash.	Mason	Smith, N. Y.
Ganly	Johnston, N. Y.	Morin	Steele
Gard	Keller	Mott	Strong, Pa.
Glynn	Kennedy, Iowa	Neely	Sullivan
Goldfogle	Kennedy, R. I.	Nicholls, S. C.	Sumners, Tex.
Goodall	Kettner	Nichols, Mich.	Tague
Goodwin, Ark.	Kiess	Nolan	Taylor, Colo.
Goodykoontz	Kleczka	O'Connor	Temple
Gould	Kraus	Osborne	Timberlake
Graham, Pa.	Kreider	Paige	Tinkham
Greene, Mass.	Lampert	Porter	Treadway
Griest	Lea, Calif.	Rainey, Ala.	Vare
Griffin	Lehlbach	Rainey, J. W.	Walters
Hamill	Lesher	Reavis	Wason
Hamilton	Longworth	Riordan	Watson
Hastings	McAndrews	Rogers	Welty
Haugen	McCulloch	Rose	White, Me.
Hayden	McDuffie	Rouse	Wilson, Ill.
Hays	McGlennon	Rowan	Wilson, Pa.
Heflin	McKinley	Rowe	Yates
Hoey	McLane	Sabath	Zihlman

The SPEAKER pro tempore. On this call 290 Members have answered to their names. A quorum is present.

Mr. MANN of Illinois. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The Journal was approved.

SWEARING IN OF A MEMBER.

Mr. CLARK of Missouri. Mr. Speaker, I ask to have the new Member, Mr. JACOB L. MILLIGAN, from the third Missouri district, sworn in.

The SPEAKER pro tempore. The certificate of election of the gentleman from Missouri is on the Speaker's table. The Chair has examined it and finds it to be in regular form, signed and sealed.

Mr. JACOB L. MILLIGAN appeared at the bar of the House, accompanied by ex-Speaker CLARK, and the oath was administered to him by the Speaker pro tempore.

MILITARY ACADEMY BILL—CONFERENCE REPORT.

Mr. KAHN. Mr. Speaker, I desire to call up the conference report on the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 24, 28, 30, 32, 34, 36, 45, 46, 49, 64, 76, 77, 79, and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 18, 19, 20, 23, 26, 27, 29, 31, 33, 35, 37, 39, 41, 42, 43, 44, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 78, 81, 83, 85, 86, 87, and 88, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "$3,500, and the present incumbent shall have the relative rank and be entitled to the pay, allowances, and emoluments of a lieutenant colonel during his incumbency"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Service detachment: For pay of service detachment"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Extra pay of enlisted men: For extra pay of enlisted men"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Pay of civilians: For pay of civilians"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "The"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "For"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Miscellaneous: Course of instruction: The"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"*Provided further*, That any cadet now at the academy may at his option, exercised prior to June 11, 1920, continue at the academy one additional year and postpone thereby his prospective graduation, and cadets not electing so to prolong their course shall be graduated in the years assigned to their respective classes prior to the passage of this act."

And the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Amendment to section 1318, Revised Statutes, relating to appointments: That section"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"Hotel at West Point: That the paragraph of the Military Academy appropriation act for 1920, approved March 4, 1919, relating to the erection of a hotel building at West Point, N. Y., be, and is hereby, amended to read as follows:

"'That the Secretary of War is hereby authorized to lease land on the United States military reservation at West Point, for a term of not exceeding 50 years, to any corporation, company, or individual, upon which to erect a hotel, and all other necessary buildings in connection therewith, in accordance with plans and specifications submitted to and recommended by the Superintendent of the Military Academy, and approved by the Secretary of War. Said lease shall contain such conditions, terms, reservations, and covenants, as may be agreed upon and shall also provide for just compensation to the lessees for the construction of said hotel, appurtenances, and equipments, to be paid to said lessees at the termination of said lease.'"

And the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"Ramon Ricardo Arias: The Secretary of War be, and he hereby is, in his discretion, authorized to permit one Ramon Ricardo Arias, a citizen of Panama, without expense to the United States, to receive instruction at the United States Military Academy at West Point; and such student, while undergoing instruction as herein authorized, shall be accorded the same privileges as are authorized by law for cadets at the Military Academy appointed from the United States."

And the Senate agree to the same.

JULIUS KAHN,
J. M. MORIN,
J. W. WISE,
Managers on the part of the House.
J. W. WADSWORTH, Jr.,
J. S. FRELINGHUYSEN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House of Representatives at a conference on the disagreeing votes of the two Houses on the amendments of the Senate to H. R. 12467, making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

On amendments 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 76, 77, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, and 90 are all changes of verbiage or phraseology and do not affect the amounts involved in any manner whatever.

On amendment No. 3: Gives the present master of the sword at West Point the pay and allowances of a lieutenant colonel during his incumbency.

On amendment No. 5: Provides a credit of $250 for each cadet now at the academy and to each cadet discharged since January 1, 1919, to the extent of paying any balance due by any such cadet to the academy on account of initial clothing and equipment issued to him. Prior to the war a cadet was usually able to save from his annual allowance during his four years at the academy enough money to pay for the initial clothing and equipment issued to him. During the last two or three years cadets have been graduated in one or two years and therefore were not able to make the necessary saving. Your conferees felt that it was only just to the cadets who graduated under war-time circumstances to agree to the amendment of the Senate.

On amendment No. 18: This amendment provides for the pay of three battalion commanders, at $1,800 per annum, at the academy which were found necessary under the present organization of the Cadet Corps.

On amendment No. 73: Makes the sum appropriated for the completion of eight sets of married officers' quarters immediately available.

On amendment No. 75: Makes the amount appropriated for the completion of 20 sets of bachelor officers' quarters immediately available.

On amendment No. 78: Makes the amount appropriated for the repairs to the old and new cadet hospitals immediately available.

On amendment No. 89: Gives any cadet now at the academy an option, to be exercised prior to June 11, 1920, to continue at the academy one additional year, and postpone thereby his prospective graduation. Cadets not electing so to prolong their course shall be graduated in the years assigned to their respective classes.

On amendment No. 91: Relates to the erection of a hotel at West Point. The present hotel was built in the early part of the nineteenth century. It is entirely out of date, and this amendment authorizes a corporation, company, or individual to enter into a lease for the construction of a modern, new hotel in accordance with plans and specifications to be approved by the Secretary of War and recommended by the Superintendent of the United States Military Academy, the lease to continue for a period of 50 years, at the end of which time the Government shall have the right to acquire said hotel by paying just compensation to the lessees.

On amendment No. 92: Authorizes the appointment of a Panama student, Ramon Ricardo Arias, to receive instruction at the academy. A separate bill in practically the language of the amendment had passed the House.

On amendment No. 93: Provides for the amendment of the law for filling vacancies at the academy, from which the Senate receded.

JULIUS KAHN,
J. W. WISE,
Managers on the part of the House.

Mr. KAHN. Mr. Speaker, I move the adoption of the report.

The SPEAKER pro tempore. The question is on the adoption of the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. KAHN, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

BOARD FOR VOCATIONAL EDUCATION.

Mr. SNELL. Mr. Speaker, by direction of the Committee on Rules I present a privileged report from that committee.

The Clerk read as follows:

House resolution 495.

Resolved, That the Committee on Education is hereby authorized to investigate the Federal Board for Vocational Education, to send for persons and papers, to administer oaths, and to sit during sessions of the House.

Mr. SNELL. Mr. Speaker, if this resolution is adopted it authorizes the House Committee on Education to investigate the Federal Board of Vocational Education. There is no department of the Government service in Washington in which the Members of the House, the people of the whole country, are more vitally interested than in the rehabilitation of the wounded soldiers. [Applause.] There is no part of the Government service for which we appropriate money more freely and are more interested in and willing to do our utmost to make that service a success than this service of rehabilitation. It is our honest desire and purpose to rehabilitate these wounded soldiers and put them back in productive walks of life as soon as possible. That is our only desire in presenting these resolutions at this time. Of late a good many complaints have been made to the Committee on Education of the House, and some of these are of such a nature that the committee itself feels that the House can ill afford at this time not to consider them. The Committee on Education is unanimous in its request for this rule. The Board for Vocational Education itself has written a letter to Dr. FESS, the chairman of the committee, requesting this investigation in order that they may put themselves right before the country.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. SANDERS of Indiana. Is this investigation prompted by the large circular sent out to Members of Congress?

Mr. SNELL. I would say to the gentleman that I do not know anything about the circular, because I never received one; at least, it has never been called to my attention. I have not heard that that is one of the reasons. The Committee on Education say these complaints have been made to it and that committee has made a partial investigation, and while a great many of these complaints did not amount to very much, there are some that the committee feels should receive consideration by Congress.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. SANDERS of Indiana. The request which the committee made for an investigation was prompted by the circular, was it not?

Mr. SNELL. I can not tell the gentleman, as I am not on the committee, and such information has never come to me.

Mr. SANDERS of Indiana. Has the gentleman any information as to the nationality of the man making those statements?

Mr. SNELL. No; I have not.

Mr. CANDLER. Mr. Speaker, will the gentleman yield?

Mr. SNELL. In a moment. I desire simply to make one more statement, that as far as the Committee on Rules is concerned, as far as the Committee on Education is concerned, the only thing that prompts this investigation is a desire for increased efficiency in the service and a desire to do everything in our power to facilitate the work of rehabilitating the wounded soldiers. That is the only thing that is behind the investigation, as far as I know. I yield to the gentleman from Mississippi.

Mr. CANDLER. Mr. Speaker, I desire to say that I am in full accord with the sentiments just expressed by the gentleman, and I feel sure every Member in the House is. We are all anxious to help the soldiers in every way possible. I have during the war and since done everything I could for them and expect to continue to do so. I understand this resolution simply authorizes the regular standing Committee on Education in the House of Representatives to make this investigation and sit during the sessions of the House. It does not create any separate special committee and does not require any additional expense. We want to spend the money for the boys and not for unnecessary investigations. If the regular committee is to make it, that is all right.

Mr. SNELL. I would say to the gentleman that it authorizes the regular House Committee on Education to make the investigation, and the only expense that it is expected will be incurred in connection with the investigation is perhaps to pay the expenses of some of the soldier witnesses.

Mr. CANDLER. Whatever expense of that kind is incurred no one can object to, and I do not object to that expenditure, but, on the contrary, I favor it. This is the unanimous report of the Committee on Rules as well as the unanimous report of

the Committee on Education, and also the desire of the Board for Vocational Education.

Mr. SNELL. It is unanimous, as far as I know, all along down the line.

Mr. CANDLER. Mr. Lamkin is at the present time the head of this Vocational Board. There is no more capable, efficient, hard-working, honest, or patriotic man in the Government service, and I know he wants to do everything possible under the law for the wounded and maimed soldier. The cause for this criticism, I am sure has not arisen during his administration. If any cause occurred before for criticism, I know he will be glad to receive any help to correct any injustice done to any soldier.

Mr. POU. Mr. Speaker, will the gentleman yield me 20 minutes, to be parceled out as I desire?

Mr. SNELL. I yield 20 minutes to the gentleman from North Carolina, to be used as he sees fit.

Mr. POU. Mr. Speaker, everyone agrees that the Nation has no more sacred trust than the care of the wounded ex-service men. If the charges made against the Vocational Board are true, an investigation ought to be had, and inasmuch as the Vocational Board very much desires to have the investigation it would seem the resolution should be adopted without division.

I yield five minutes to the gentleman from New York [Mr. DONOVAN].

Mr. DONOVAN. Mr. Speaker, perhaps a little preliminary history of how the request of the Committee on Education came to be made for this resolution might be in order. At the end of February, or on March 1, the gentleman from New York [Mr. HUSTED], whom we all respect, submitted to the House a resolution to investigate what was purported to be the "hard-boiled" order which was printed in a display sheet of the New York Evening Post, which paper is making a feature in, written by a Mr. Littledale, a special correspondent. This alleged order purported to have been issued by the Vocational Board, and it contains anything but the ideals for which the board was established or the manner in which rehabilitation work was to be administered. The committee was shocked by the statement of the gentleman from New York, and upon his statement that what he knew had been told to him by a correspondent, the committee, on account of Mr. HUSTED's representations, invited Mr. Harold Littledale, the correspondent of the New York Evening Post, to come before the committee. On the 2d day of March Mr. Littledale did appear before the committee. He was examined by the several members of the committee. It developed that this alleged "hard-boiled" order was a circular that Mr. Littledale, in answer to questions asked him by the gentleman from Massachusetts [Mr. DALLINGER], said had no direct connection with the Federal Board for Vocational Education. It bore no date line of Washington, nor did it have the signature of anyone attached to it. When it came down to a final analysis Mr. Littledale admitted to Mr. DALLINGER that this circular and alleged order, so far as he knew, was not issued by this board, but the best that he could say was that it came from there. He refused to give the name of the person who gave him the information. In one instance he said he got it in Washington, and in another instance he said he got it in Atlanta. In one instance he said he procured it from a man, and in another instance he said he procured it from a woman. When Mr. Littledale refused to give the information and further stated that he was protecting the man the committee decided to ask the House for the authority which this resolution will grant. On March 12, during the examination, in the ordinary way I chanced to ask Mr. Littledale a question in respect to his own history. I had no knowledge of him; I had never seen him before then. In answer to my question whether he was a citizen of the United States he answered that he was not. He is an alien. He is a citizen of Great Britain, although he has been a resident of the United States for 14 years. After Mr. HUSTED had made his statement to the committee on March 2, realizing the soldiers' interest and the desire of our Government to do all and everything particularly for our disabled soldiers, it was my privilege to move the investigation of the Vocational Board of Education, and later, on the 13th of March, when we had a night session, in the open session of the committee and later in the executive session of the Committee on Education, on the motion of the gentleman from Illinois [Mr. KING], again it was my privilege to second his motion requesting the House to give the Committee on Education the right to subpœna witnesses and to hold hearings during the session and all attendant authority given in this resolution now under consideration, which I heartily support and urge its adoption, so that a complete and searching investigation can be had. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. DONOVAN. Will the gentleman from North Carolina yield me three minutes more?

Mr. POU. I am very sorry, but the time has been parceled out.

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Florida [Mr. SEARS].

Mr. SEARS. Mr. Speaker, usually I pay no attention to newspaper articles, not because I underestimate their worth or their power to do harm, but because I have not the time to do so. I notice that in the New York Evening Post of Thursday there is the following:

FESS hopes for speedy action.

And down further on I see that the Hon. CHAMP CLARK and Mr. CALDWELL and Representative SEARS and a few other Democrats are opposing this investigation. This is the New York Evening Post. I can not believe that the Post intentionally intends to do myself or the ex-Speaker or any Member an injustice. I believe Dr. FESS will bear me out in the assertion that the committee has been unanimous for an investigation, but there was some disagreement as to how the investigation should be conducted. I assisted in passing the first rehabilitation act, that was known as the Smith-Sears bill, trying to assist the soldiers. It was my pleasure recently to assist Dr. FESS in passing another rehabilitation bill, and I am sure that neither Dr. FESS nor myself want to avoid an investigation, but, on the contrary, would like to get at the facts. This paper would indicate that some politics is trying to be made out of it. I do not believe there is any politics in the Committee on Education, and I am sure the committee will go to the bottom of it if the House will give us the authority.

In 1918 I urged that we have investigations as fast as expenditures were made. But the House by a vote of 248, I believe, to ninety and some odd disagreed with me, and as a result since last May we have been doing nothing but investigating. Of course, the money is gone and we can not hope to get it back.

With these few remarks, and again repeating that as far as I know on the Democratic side there is no objection to an investigation, either on the part of the members of the Rules Committee or on the part of the Committee on Education——

Mr. GARRETT. Will the gentleman yield?

Mr. SEARS. I yield.

Mr. GARRETT. As I understand, the publications made in the paper from which the gentleman is quoting are largely responsible for bringing about the condition that necessitated this investigation. Now, I have not read the article from which the gentleman has just quoted, but if there be any intimation in it that the minority of the Committee on Rules or of the House has in any way retarded this investigation, I should say that it would cast some suspicion upon the accuracy of its statement which did bring about the investigation.

Mr. SEARS. In answer to the gentleman from Tennessee, I will say I am satisfied that Dr. FESS will bear out everything I have said. I will leave it to the gentleman from Ohio to either disagree with my statement or verify it. He is chairman of the committee. I happened to be chairman of it before, and I will again say that I am satisfied the reporter——

The SPEAKER pro tempore. The time of the gentleman from Florida has expired.

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Speaker, as the gentleman from New York [Mr. DONOVAN] has said, the reason why I introduced my resolution was because my attention was called, by the circular sent out by the New York Evening Post, to the existence of this so-called "hard-boiled" order. I had for a long time been of the opinion that the Federal Board for Vocational Education was utterly unfit to administer its great trust. I was convinced that the men in charge of it had no business training and were not qualified to expend this money to the advantage of the Government or for the benefit of the soldiers. I remember that the gentleman from Iowa [Mr. GOOD], chairman of the Committee on Appropriations, stated on the floor of this House, when some appropriation bill was up for consideration, that in all his experience he had never met any public men, charged with the administration of a great trust, who seemed to have so little conception of the nature of their duties and of the great responsibilities with which they were charged as this same Board for Vocational Education. While I was convinced of the inefficiency of the board, and while I believed that an investigation of their activities would be productive of more good than

any congressional investigation in progress, I was still more shocked by the apparently calloused and indifferent attitude of these men toward this question, as evidenced by this "hard-boiled" order. I consulted the chairman of the rehabilitation division with regard to it, and he said that the "hard-boiled" order had not been sent out, but he gave me a copy of a circular of instructions which was actually sent out by the board, the so-called "hard-boiled" order in deleted form, and in that circular are these statements:

HELPFUL HINTS FOR CENTRAL OFFICE CASE BOARD REPRESENTATIVES.

1. As representatives of the central office case board you are to give individual rulings on individual cases. General rulings originate at central office. Don't make any yourself.
2. You are to pass on cases, and whenever you think out loud see that the thought is placed on paper and is then placed in the man's folder.
3. Don't argue with the district office staff. Tell them to write central office if they don't like your judgment.
4. Don't speculate. If a fact exists, the existence of the fact can be proved on a piece of paper. Accept legal proof, and don't trust to hearsay evidence. If any member of a district staff knows a lot more about a case than is in the folder, tell him to dictate it and get the D. V. O. to sign it. Don't listen to him. It wastes time.
5. The organs used in approving cases are the eyes and the brain.
6. Don't gossip. If a man tells you a tale of woe in one district, don't tell it in the next district. You are not sent out to arrange salary readjustments or to install filing systems, but to approve cases.
7. Keep your opinions to yourself. If you believe one section is more efficient than another section or one district more efficient than another, keep it to yourself.
8. Members of the district office staffs will beat you over the head with verbal pressure. District pressure causes many of our mistakes. Put cotton in your ears and lock the door.
9. District office staffs believe that anyone from central office is full of wisdom. You will preserve this good impression if you don't talk.
10. Whenever you draw a conclusion draw it in duplicate and forward one copy to central office.
11. Accept advice from central office. Take all the cigarettes you can get from members of the district office staff but no advice. The district office will never crawl you for approving cases in error, but central office will. Don't get mad when you get crawled, but come back with the evidence. If the evidence wasn't there—don't do it again.

Mr. KING. Will the gentleman yield?

Mr. HUSTED. Yes, sir.

Mr. KING. Who signed the paper the gentleman is reading from?

Mr. HUSTED. This paper was given to me. It was not signed by anybody, but it purports to come from the central office here in Washington, and it was given to me by the chief of the rehabilitation division of the Federal board.

Mr. KING. Would the gentleman know his name?

Mr. HUSTED. I know his name. His name is Mr. Lamkin.

Mr. SEARS. It is charged by Mr. Littledale that that is the "hard-boiled" order, and that it was never signed. I would like to know if the gentleman has proof to the contrary. If that is not the "hard-boiled" order, the House would like to know it.

Mr. HUSTED. The "hard-boiled" order, as published by the New York Evening Post, contains something more than is included in this circular. This is, as I was told by Mr. Lamkin, a deleted form of the "hard-boiled" order.

Mr. SEARS. It is practically in those words.

Mr. DONOVAN. I wondered if the gentlemen knew if Mr. DALLINGER, in the examination of Mr. Littledale, got these replies:

Mr. DALLINGER. Was there any heading showing it came from some officer in Washington?
Mr. LITTLEDALE. Not on that specific order; no, sir.
Mr. DALLINGER. Was there any date on it?
Mr. LITTLEDALE. I think not.
Mr. DALLINGER. Was there anything on it to indicate that it came from any place?
Mr. LITTLEDALE. I think not, sir.
Mr. DALLINGER. So far as you can recall, the words "Washington, D. C.," were on it?
Mr. LITTLEDALE. I think not.
Mr. DALLINGER. Was it signed by anybody?
Mr. LITTLEDALE. No, sir.
Mr. DALLINGER. Then, it was not signed by the Vocational Board?
Mr. LITTLEDALE. No, sir.
Mr. DALLINGER. Simply a typewritten memorandum. Is that right? Not addressed to any particular person or signed by anyone?
Mr. LITTLEDALE. The sheet was not addressed; no, sir.
Mr. DALLINGER. Was it all on one sheet.
Mr. LITTLEDALE. I believe it was, sir.
Mr. DALLINGER. What kind of paper was it on? Thick paper, like that, or carbon paper?
Mr. LITTLEDALE. I don't want this to be traced to the man, sir.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman from North Carolina has 10 minutes remaining.

Mr. POU. I yield four minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Speaker and gentlemen of the House, I expect to vote for this resolution. As I understand, there will be no opposition to its adoption from any quarter. Since the inception of this program for the retraining of our disabled soldiers, I have taken a keen and lively interest in its successful operation. This Federal board, in handling this problem, has been confronted with very unusual and difficult problems.

In addition to the ordinary administrative features of a new enterprise of this sort they have had to contend with numerous psychological aspects of the situation arising from the state of mind of the wounded soldiers. They ask for this investigation, along with the committee.

I trust that when this resolution is adopted all those charges will be probed to the bottom. There should be no politics in this matter. It is not a question susceptible to lines of political cleavage. Dr. Prosser, the former director of the board for two years, is a Republican. James P. Munroe, the acting vice chairman, as I understand, is a member of the Republican Party. The question we want to solve here under this resolution is one if possible for the ultimate benefit of these soldiers themselves, and I trust that this investigation upon the part of the committee will not only disclose the fact but will prompt the committee to go further than the words of the resolution itself, and make positive recommendations to the House with reference to what facts they ascertain to be true or untrue in connection with this matter, so that if any man in a position of responsibility on that board is found to be incompetent, he should be removed and some competent man placed in his stead.

Now, gentlemen, in the time I have left I want to call your attention to another matter. If you Members of the majority here on the floor of this House, of the steering committee and the Rules Committee, are really anxious to do something for the benefit of the men who are taking this vocational training, I respectfully urge upon you the immediate consideration of the provisions of the bill introduced in the House some time ago by the gentleman from Pennsylvania [Mr. DARROW], providing for an increased amount to be allowed to the wounded soldiers for their living expenses while undergoing training. We had a thorough investigation of that proposition before our committee. These wounded men from many sections of the country came before the committee and developed a pitiable condition, many of them, with reference to the absolute impossibility of their getting along with the present allowances; and after hearing their claims, the committee, Democrats and Republicans alike, unanimously voted to report the Darrow bill, and urged that it be called to the attention of the Committee on Rules, so that a rule might be provided for if possible to bring it up for consideration on the floor of this House for action. I urge now upon those of you who are in authority and really anxious for some action for the benefit of disabled soldiers, although I believe this investigation should be ordered, those of you who are anxious to accomplish some direct result, that you should see to it that a rule is brought in for the consideration of the Darrow bill in order that we may take action upon it. I make this appeal on behalf of our distressed disabled men.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. POU. Mr. Speaker, I yield three minutes to the gentleman from Georgia [Mr. BRAND].

The SPEAKER pro tempore. The gentleman from Georgia is recognized for three minutes.

Mr. BRAND. Mr. Speaker, I only rose because of the question of accuracy of the published articles raised by the gentleman from Tennessee [Mr. GARRETT] and for the purpose of keeping the record straight in regard to the statement of the New York Evening Post. As to the vote upon the motion to have this investigation as reported March 15 by that reporter—either a man or a woman, and I am inclined to think it was a woman—it states that JEROME F. DONOVAN, Democrat, New York; CHARLES H. BRAND, Democrat, Georgia; WILLIAM B. BANKHEAD, Democrat, Alabama; and WILLIAM J. SEARS, Democrat, Florida, were against an investigation, and that EDWARD J. KING, Republican, Illinois, and EDMUND PLATT, Republican, New York, were uncertain on that, and that HORACE M. TOWNER, Republican, Iowa; S. E. BURROUGHS, Republican, New Hampshire; and WILLIAM L. NELSON, Democrat, Missouri, were absent.

Mr. DONOVAN. Mr. Speaker, will the gentleman yield?

Mr. BRAND. Yes.

Mr. DONOVAN. I have never seen the article just read by the gentleman, but I will ask the gentleman if it was not upon my motion that the investigation was had?

Mr. BRAND. It was. I am calling attention to the fact of the inaccuracy of the reporter. Not a single, solitary one named there as being against is against the investigation. All of us, including myself, are in favor of it, and I am in-

clined to think that both Mr. KING and Mr. PLATT are in favor of the investigation. Whoever gave out this report from the executive session of the meeting of the Committee on Education either gave it out inaccurately or the reporter did not know what she was talking about.

Mr. DONOVAN. Mr. Speaker, will the gentleman yield again?

Mr. BRAND. Yes.

Mr. DONOVAN. Was it not a fact that on March 1 the Husted resolution was reported, and our committee took it up on March 2, and that on March 2, after hearing the gentleman from New York [Mr. HUSTED], I made a motion to investigate the board, and on March 13 seconded the motion of the gentleman from Illinois [Mr. KING] to request the Congress to give to the Committee on Education the authority which is embodied in the resolution reported from the Rules Committee and now being considered by the House? That was on the 2d of March?

Mr. BRAND. That is true.

Mr. DONOVAN. And was it not the unanimous action of the committee that this rule be requested and authority under it be granted to the committee?

Mr. BRAND. Yes. The Husted resolution was introduced on the 1st, and we took jurisdiction of it on the 2d and held our first hearing on the 2d of March.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. POU. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER pro tempore. The gentleman from Texas is recognized for three minutes.

Mr. BLANTON. Mr. Speaker, I think justice to the witness, Littledale, demands a statement that the RECORD will clearly show that he claimed to have first heard of the "hard-boiled order" from a lady in Washington; but that he first received a copy of same from a man in Atlanta.

There is nothing to confuse in that statement. Director Lamkin, who has charge of this rehabilitation board and the work itself, admitted before our committee that the substance of this "hard-boiled order" had been promulgated and handed to him for approval by an employee in the office, but that he had blue-penciled it, and that it has never been put into effect.

So much for the "hard-boiled order." As to charges against the board, the witness, Littledale, brought before our Committee on Education 26 different specifications in writing; specifications tending to show improper action by the board. For each one of these specifications he gave us means of producing proof, as he termed it.

Mr. DONOVAN. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. No; I am sorry I can not yield, as I have only a few minutes.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. BLANTON. I ask for this not to be taken out of my time, Mr. Speaker, because I can not yield. Mr. Littledale gave us references to the hearings on various appropriation bills where members of the board testified. He gave us the pages of the hearings and the substance of their evidence, and he gave us also the names and addresses of 27 different living witnesses whom he said would testify to certain facts sustaining the charges. I think justice to this witness should cause this statement, that he did back up his charges by sufficient proof to put the Committee on Education on inquiry and on notice of these matters, and there was nothing else left to be done by our committee but to have an investigation. In the committee I took this position and insisted that all of these 26 specified charges should be investigated fully, as a safeguard to our disabled service men.

For instance, Mr. Littledale gave us the names of witnesses, crippled soldiers by whom he said it could be proved that when they went into the office and asked for a proper hearing as to whether or not they should be given training, they were set aside with very little courtesy to wait, when no other soldiers were ahead of them, and things of that kind. Now I take it that we ought to be fair to the man who brings this evidence before us. I might add that it was my question which brought forth the information that the witness was a citizen of England and not of this country, and that he had lived in the United States 14 years and made a living here, and had taken no steps to become a citizen of the United States, but this fact is no excuse for our committee to ignore his charges, when they make out a prima facie case.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. SNELL. I yield five minutes to the gentleman from Ohio [Mr. FESS] if he desires to use it.

Mr. FESS. Mr. Speaker and Members of the House, there have been fugitive charges from various sources in the country, some in the form of personal testimony and others in the form of written statements in the papers, that have called considerable attention to the rehabilitation work. The climax of these charges was reached when the New York Evening Post published a series of six articles making specific charges. These six articles served as the basis for editorial comment throughout the country. My own home paper editorially criticized the board very severely. It seemed to me and it seemed to the committee that those charges were sufficiently grave, because they had served as the basis of very adverse comment throughout the country, to make it desirable to call to Washington the witness who made the charges. By authority of the Committee on Education the chairman sent a telegram to the New York Evening Post requesting the appearance of Mr. Littledale here, as he had made the charges. Mr. Littledale came and was put through a very grilling examination, almost as if the Committee on Education were taking the position of prosecutor. That was not done with any adverse spirit toward him, but only because the work of rehabilitation is so vastly important and these charges were so grave that we wanted to qualify the witness first before we asked the House to authorize a complete investigation. Personally I think the witness made rather a strong case. Of the 26 charges many amounted to nothing, but a charge like this—that the Board for Vocational Training has abandoned its post of duty—is too severe to pass over. Another one was that the board had completely broken down; and another was that one of the grave faults was not of fact but of law, that the law under which the board was operating required no responsibility to anyone, but simply to Congress, and the charges went both to facts and law.

Mr. SEARS. Mr. Speaker, I understand no more time will be yielded to the gentleman from Ohio, and in view of the statement that I did this, and that it would be verified by the gentleman from Ohio, I would like to know if I have in any way obstructed an investigation?

Mr. FESS. I think the gentleman is too sensitive in regard to this. So far as I know the gentleman has obstructed no investigation, and no Member, either Democrat or Republican, has obstructed it. The matter is too grave to allow anybody's personal sensitiveness to enter into this thing.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. FESS. May I have one minute?

Mr. SNELL. I yield to the gentleman one minute.

Mr. FESS. The committee asked the House to give us sufficient authority to bring the witnesses before this committee and put them under oath and go into this investigation and make it absolutely thorough, nonpartisan, and only in the interest of the public service. I think that the Democrats on the committee are just as unanimous as the Republicans are in requesting this, and if you give it, the investigation will be as thorough as we can make it. [Applause.]

Mr. SNELL. Mr. Speaker, I move the previous question on the adoption of the resolution.

The SPEAKER pro tempore. The gentleman from New York moves the previous question on the adoption of the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and the Speaker pro tempore announced that the ayes were 128, noes none.

Mr. BLANTON. Mr. Speaker, the House having divided, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas makes the point of no quorum present. Clearly there is no quorum present. The Doorkeeper will close the doors; the Sergeant at Arms will notify absentees. Those in favor of the adoption of the resolution will as their names are called answer yea, those opposed nay, and the Clerk will call the roll.

The question was taken; and there were—yeas 285, answered "present" 1, not voting 141, as follows:

YEAS—285.

Ackerman	Bee	Brand	Candler
Almon	Begg	Briggs	Cannon
Anderson	Bell	Britten	Caraway
Andrews, Nebr.	Benham	Brooks, Ill.	Carss
Ashbrook	Black	Browne	Casey
Aswell	Blackmon	Browning	Chindblom
Ayres	Bland, Ind.	Buchanan	Clark, Mo.
Babka	Bland, Mo.	Burdick	Classon
Baer	Bland, Va.	Burroughs	Cleary
Bankhead	Blanton	Butler	Coady
Barbour	Boies	Byrnes, S. C.	Cole
Barkley	Box	Byrns, Tenn.	Collier

Connally	Hill	Miller	Scott
Cooper	Hoch	Milligan	Sears
Crisp	Holland	Minahan, N. J.	Sherwood
Currie, Mich.	Houghton	Monahan, Wis.	Shreve
Dale	Hudspeth	Mondell	Siegel
Darrow	Hulings	Montague	Sims
Davis, Minn.	Humphreys	Moon	Sinclair
Davis, Tenn.	Husted	Mooney	Sisson
Dewalt	Igoe	Moore, Ohio	Slemp
Dickinson, Mo.	Ireland	Moore, Va.	Small
Dickinson, Iowa	Jacoway	Morgan	Smith, Idaho
Dominick	James	Mott	Smith, Ill.
Donovan	Jefferis	Mudd	Smith, Mich.
Doughton	Johnson, Miss.	Murphy	Smithwick
Dowell	Johnson, S. Dak.	Nelson, Mo.	Snell
Dunbar	Jones, Pa.	Nelson, Wis.	Snyder
Dunn	Jones, Tex.	Newton, Minn.	Steagall
Dyer	Juul	Newton, Mo.	Stedman
Eagle	Kahn	Nichols, Mich.	Stephens, Ohio
Echols	Kearns	O'Connor	Stevenson
Elston	Kelly, Pa.	Ogden	Stiness
Emerson	Kendall	Oldfield	Stoll
Esch	Kiess	Oliver	Strong, Kans.
Evans, Mont.	Kincheloe	Olney	Summers, Wash.
Evans, Nebr.	King	Overstreet	Sweet
Evans, Nev.	Kinkaid	Padgett	Swope
Fairfield	Kitchin	Park	Taylor, Ark.
Fess	Knutson	Parker	Taylor, Tenn.
Fisher	Kraus	Parrish	Thomas
Flood	Lanham	Pell	Thompson
Focht	Lankford	Peters	Tillman
Fordney	Larsen	Phelan	Tilson
Foster	Layton	Platt	Tincher
French	Lazaro	Pou	Towner
Fuller, Ill.	Lee, Ga.	Purnell	Upshaw
Gallagher	Linthicum	Quin	Vaile
Gard	Lonergan	Rainey, H. T.	Vestal
Garland	Longworth	Rainey, J. W.	Vinson
Garner	Luce	Raker	Voigt
Garrett	Lufkin	Ramsey	Wason
Godwin, N. C.	Luhring	Ramseyer	Weaver
Good	McArthur	Randall, Calif.	Webster
Graham, Ill.	McClintic	Randall, Wis.	Welling
Green, Iowa	McFadden	Rayburn	Whaley
Greene, Mass.	McKenzie	Reavis	Wheeler
Greene, Vt.	McKeown	Reber	White, Kans.
Hadley	McKinley	Reed, N. Y.	Williams
Hardy, Colo.	McLaughlin, Mich.	Reed, W. Va.	Wilson, Ill.
Hardy, Tex.	McLaughlin, Nebr.	Rhodes	Wilson, La.
Harreld	McPherson	Ricketts	Wingo
Harrison	MacGregor	Riddick	Winslow
Haugen	Madden	Riordan	Wise
Hawley	Magee	Robinson, N. C.	Woods, Va.
Hays	Major	Robsion, Ky.	Woodyard
Heflin	Mann, Ill.	Rodenberg	Wright
Hernandez	Mansfield	Romjue	Young, N. Dak.
Hersey	Martin	Rubey	Young, Tex.
Hersman	Mead	Rucker	
Hickey	Merritt	Sanders, La.	
Hicks	Michener	Sanders, N. Y.	

ANSWERED "PRESENT"—1.

Langley

NOT VOTING—141.

Andrews, Md.	Elliott	Kettner	Sabath
Anthony	Ellsworth	Kleczka	Sanders, Ind.
Bacharach	Ferris	Kreider	Sanford
Benson	Fields	Lampert	Schall
Booher	Frear	Lea, Calif.	Scully
Bowers	Freeman	Lehlbach	Sells
Brinson	Fuller, Mass.	Lesher	Sinnott
Brooks, Pa.	Gallivan	Little	Smith, N. Y.
Brumbaugh	Gandy	McAndrews	Steele
Burke	Ganly	McCulloch	Steenerson
Caldwell	Glynn	McDuffie	Stephens, Miss.
Campbell, Kans.	Goldfogle	McGlennon	Strong, Pa.
Campbell, Pa.	Goodall	McKiniry	Sullivan
Cantrill	Goodwin, Ark.	McLane	Sumners, Tex.
Carew	Goodykoontz	MacCrate	Tague
Carter	Gould	Maher	Taylor, Colo.
Christopherson	Graham, Pa.	Mann, S. C.	Temple
Clark, Fla.	Griest	Mapes	Timberlake
Copley	Griffin	Mason	Tinkham
Costello	Hamill	Mays	Treadway
Crago	Hamilton	Moores, Ind.	Vare
Cramton	Hastings	Morin	Venable
Crowther	Hayden	Neely	Volstead
Cullen	Hoey	Nicholls, S. C.	Walters
Curry, Calif.	Howard	Nolan	Ward
Dallinger	Huddleston	O'Connell	Watkins
Davey	Hull, Iowa	Osborne	Watson
Dempsey	Hull, Tenn.	Paige	Welty
Denison	Hutchinson	Porter	White, Me.
Dent	Johnson, Ky.	Radcliffe	Wilson, Pa.
Dooling	Johnson, Wash.	Rainey, Ala.	Wood, Ind.
Doremus	Johnston, N. Y.	Rogers	Yates
Drane	Keller	Rose	Zihlman
Dupré	Kelley, Mich.	Rouse	
Eagan	Kennedy, Iowa	Rowan	
Edmonds	Kennedy, R. I.	Rowe	

So the resolution was agreed to.

The following pairs were announced:

Until further notice:

Mr. OSBORNE with Mr. HAYDEN.

Mr. CROWTHER with Mr. CULLEN.

Mr. STRONG of Pennsylvania with Mr. FERRIS.

Mr. MAPES with Mr. DRANE.

Mr. RADCLIFFE with Mr. MCDUFFIE.

Mr. DENISON with Mr. BRINSON.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. WALTERS with Mr. HASTINGS.

Mr. CAMPBELL of Kansas with Mr. CAMPBELL of Pennsylvania.

Mr. BACHARACH with Mr. GOLDFOGLE.

Mr. EDMONDS with Mr. GALLIVAN.

Mr. ANTHONY with Mr. HOWARD.

Mr. FOCHT with Mr. DAVEY.

Mr. KREIDER with Mr. JOHNSTON of New York.

Mr. TIMBERLAKE with Mr. SUMNERS of Texas.

Mr. KENNEDY of Rhode Island with Mr. TAGUE.

Mr. GLYNN with Mr. VENABLE.

Mr. MORIN with Mr. CAREW.

Mr. DEMPSEY with Mr. MAHER.

Mr. FREEMAN with Mr. O'CONNELL.

Mr. COSTELLO with Mr. HULL of Tennessee.

Mr. ZIHLMAN with Mr. BENSON.

Mr. ROGERS with Mr. MAYS.

Mr. BOWERS with Mr. NEELY.

Mr. SINNOTT with Mr. ROWAN.

Mr. ELLIOTT with Mr. GRIFFIN.

Mr. NOLAN with Mr. DOOLING.

Mr. TREADWAY with Mr. STEPHENS of Mississippi.

Mr. SANDERS of Indiana with Mr. MANN of South Carolina.

Mr. WHITE of Maine with Mr. SCULLY.

Mr. BROOKS of Pennsylvania with Mr. HOEY.

Mr. FREAR with Mr. MCKINIRY.

Mr. YATES with Mr. BOOHER.

Mr. BURKE with Mr. MCLANE.

Mr. WATSON with Mr. DENT.

Mr. CHRISTOPHERSON with Mr. SULLIVAN.

Mr. PAIGE with Mr. SMITH of New York.

Mr. GOODALL with Mr. KETTNER.

Mr. MOORES of Indiana with Mr. HUDDLESTON.

Mr. COPLEY with Mr. WATKINS.

Mr. ELLSWORTH with Mr. LESHER.

Mr. LAMPERT with Mr. BRUMBAUGH.

Mr. CRAGO with Mr. TAYLOR of Colorado.

Mr. FULLER of Massachusetts with Mr. WELTY.

Mr. KENNEDY of Iowa with Mr. CARTER.

Mr. GRAHAM of Pennsylvania with Mr. WILSON of Pennsylvania.

Mr. ROWE with Mr. FIELDS.

Mr. DALLINGER with Mr. JOHNSON of Kentucky.

Mr. PORTER with Mr. GOODWIN of Arkansas.

Mr. LEHLBACH with Mr. CANTRILL.

Mr. GRIEST with Mr. DOREMUS.

Mr. KLECZKA with Mr. DUPRÉ.

Mr. HUTCHINSON with Mr. MCANDREWS.

Mr. KELLEY of Michigan with Mr. NICHOLLS of South Carolina.

Mr. WOOD of Indiana with Mr. SABATH.

Mr. VARE with Mr. MCGLENNON.

Mr. TINKHAM with Mr. STEELE.

Mr. ROSE with Mr. RAINEY of Alabama.

Mr. JOHNSON of Washington with Mr. HAMILL.

Mr. TEMPLE with Mr. GANDY.

Mr. STEENERSON with Mr. EAGAN.

Mr. HAMILTON with Mr. GANLY.

Mr. SANFORD with Mr. CALDWELL.

Mr. LANGLEY. Mr. Speaker, I would vote "aye," but I am paired with the gentleman from Florida [Mr. CLARK]. I therefore answered "present."

The result of the vote was announced as above recorded.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to extend and revise my remarks on the resolution just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama.

There was no objection.

LEAVE OF ABSENCE.

Mr. O'CONNELL, by unanimous consent, was given leave of absence on account of the illness of his wife.

NAVAL APPROPRIATION BILL.

Mr. BUTLER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13108, making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MANN of Illinois in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, of which the Clerk will report the title.

The Clerk read as follows:

H. R. 13108, a bill making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

Mr. BROWNING. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. BLAND].

Mr. BLAND of Indiana. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BLAND of Indiana. Mr. Chairman and gentlemen of the committee, I was very much interested a moment ago, when you were considering the resolution authorizing an investigation of the Federal Board for Vocational Education, to see the minority side of this House vote unanimously in favor of the investigation and declare that they all were anxious to have this board investigated. I recall when the special Committee on Expenditures in the War Department was created by action of this House that then practically the same unanimity of opinion was observed. Since that time, Mr. Chairman, the minority of this House have sought by almost every means possible to block action of the investigating committee and have complained bitterly every time a report or speech on the floor of the House has been made giving the House and the country the results of the investigation.

I believe congressional investigations of the expenditures of great sums of money we appropriate are wholesome. Surely if no extravagance, inefficiency, or crookedness were uncovered, mistakes would be pointed out and their repetition probably avoided. Every time that waste, extravagance, inefficiency, and faithlessness in public service, in connection with the conduct of the recent World War, has been pointed out by the special Committee on Expenditures in the War Department the defenders of the administration have said, "Oh, we were in a great war. We were in a hurry. War is waste. It could not be avoided."

Now, in the brief time assigned to me I want to call your attention to a recent extravagant and ill-advised expenditure that can not be brushed aside with the statement that it occurred during the war. I venture to say that very few men on the floor of this House, no matter how industrious or energetic they may be, are familiar with the manner in which the War Department has been handling the funds intrusted to it since the armistice was signed. We have a deficiency in the Treasury to-day amounting to $3,000,000,000. The taxpayers are groaning under the burden of taxation, and we are at a loss to know where we are to raise not only the deficiency but the tremendous sums that we will be required to spend in the near future.

Notwithstanding the fact that we are indebted $24,000,000,000 and that we have a deficiency of $3,000,000,000 and that future appropriation bills are going to be so large as to stagger the Nation, the Secretary of War has gone right on spending recklessly and lavishly and unnecessarily the funds appropriated with which to conduct the war. Out of a war appropriation for the purposes of buying ordnance to fight the Hun, the Secretary of War, the other day, in spite of the protests of the Quartermaster General, purchased 75 new trucks at an average cost of about $8,000 per vehicle, or a total of $577,000. The truck is known as the Militor tractor or truck, and it is claimed that it is bought for the purpose of pulling the 155-millimeter guns, notwithstanding the fact, as I shall show you in a moment, that we have enough of such tractors, to say nothing of trucks, to pull enough 155-millimeter guns to equip an army of 10,000,000 men.

Mr. ROMJUE. Mr. Chairman, will the gentleman yield?

Mr. BLAND of Indiana. I regret that I can not yield to the gentleman nor to any other gentleman, because I only have a short time.

Just let me give you some of the details of this remarkable purchase at this most unpropitious time. In the fall of 1917 Gen. Pershing, realizing the great demand that was to be made for trucks, requested that the War Department standardize a truck suitable for hauling artillery. Conference after conference was held, but the truck interests and the spare-parts interests raised a purse to fight the proposition with, and the trucks or tractors suitable for pulling artillery were never standardized.

In 1918 Gen. Goethals called a conference of the different branches of the War Department to determine whether the Militor truck should be purchased in great quantities. The conference being hopelessly divided, Gen. Goethals directed that a large order of about 25,000 Nash-Quad trucks be ordered, notwithstanding the fact that they had been condemned in the American Expeditionary Forces. Finally, just before the armistice, 1,000 Militor trucks were ordered by the Motor Transport Corps and the contract was let with the Packard Co. and the Militor Corporation.

Prior to this time the Government had purchased six Militor truck-tractors. One of them was sent to France and did good work on the battle front. It has since been returned to this country. One of them made the transcontinental trip in the truck display; another one of them is on the Mexican border, and the others are now in this country. Every conceivable test has been given them. Everybody familiar with them knows how much they will pull, how much they will carry, how fast they will travel, what their clearance is, and everything about them, and yet the chief of the Purchase, Storage and Traffic Division now states that these 75 trucks have been purchased for experimental purposes. We have had 6 of them for experimental purposes since 1918, and if more were necessary why did we not complete a portion of the order for 1,000 that was placed in the fall of 1918? The order for 1,000 was canceled before the manufacture or delivery of a single truck had been completed, and yet, to my astonishment, I learn that the War Department paid these concerns, for indemnity for cancellation of the contract, more than $500,000. Following this, in the spring of 1919, the Westervelt Board recommended the purchase of 150 Militor trucks. The order slips and procurement sheets started on their way through the different branches of the War Department. When they reached the Quartermaster General, Gen. Rogers, no doubt he felt as I do, and as I am sure you gentlemen would feel, that it was a useless, unnecessary extravagance, and so, Mr. Chairman, he wrote to the Secretary of War a letter, of which the following is an exact copy:

WAR DEPARTMENT,
OFFICE OF THE DIRECTOR OF PURCHASE AND STORAGE,
Washington, October 11, 1919.

From: The Quartermaster General of the Army, Director of Purchase and Storage.
To: The Secretary of War, through the assistant chief of staff, Director of Purchase, Storage and Traffic.
Subject: Purchase of motor-truck chasses.

1. I feel it my duty to call your attention to the two accompanying requisitions from the Motor Transport Corps, made by direction of the Equipment Division of the General Staff and approved by the Purchase, Storage and Traffic Division of the General Staff, for one hundred and fifty 3-ton Militor truck chasses at $8,000 each, amounting to $1,200,000. Their immediate purchase is directed.

2. While, from a military viewpoint, the purchase of this possibly more modern chassis to motorize artillery might appear advantageous, the fact remains that there are on hand, surplus, a large number of 3-ton truck chasses which, while not actually the same as the type requested, could no doubt be used for the purposes for which these Militor chasses are requested.

3. In view of the large surplus of chasses available, and that appropriations for the fiscal year are barely sufficient to meet current needs, it is my opinion that the proposed expenditure can not be reasonably justified, and it is recommended that the purchase be not made at this time.

4. I have issued instructions suspending the purchase in question pending your further instructions in the matter.

(Signed) H. L. ROGERS,
Quartermaster General, United States Army.
Director of Purchase and Storage.

He knew that we had more trucks and tractors than we knew what to do with, and that for some reason the War Department was keeping trucks and motor vehicles off the market, so as not to compete with the product of our manufacturers. He knew we had the best tractors in the world for pulling heavy artillery, and so he advised against the purchase. I have not been able to fathom what strange influence these motor corporations have with the Secretary of War. What kind of mesmerism do they use upon him? What spells do they work upon our Secretary? Secretary Baker, having the procurement slip before him for 150 trucks and the letter of the Quartermaster General advising against the purchase, makes a dogfall of the matter, and orders that 75 of these trucks be purchased, at $8,000 per truck, and $100,000 spare parts. This order has gone through the War Department and the contract has been let to the Militor Corporation. The procurement slip for the other 75 is still waiting for further action in the War Department.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BLAND of Indiana. Yes; for a question.

Mr. MONDELL. How many trucks of this kind does the gentleman say we have?

Mr. BLAND of Indiana. I will get to that in a moment.

The Secretary of War says that they are needed to pull the 155-millimeter guns, the same guns, gentlemen, which we pulled in France in the Great War. We pulled them with tractors which we now have and which were admitted to be the best which were in the allied service. Gen. Burr says that they were bought for experimental purposes. The Secretary of War says that they were bought to equip certain units of the Artillery for use with the Army. Now, how many 155-milimeter guns do you think it takes to equip an army of 300,000 men, which we now propose to have? Col. L. B. Moody testified before a committee of this Congress that it takes 500 of such guns to equip an

army of a million men. One hundred and fifty would certainly equip an army of 300,000 men. One hundred and fifty tractors will pull 150 guns. In this one purchase Mr. Baker bought enough tractors to pull one-half of the 155-millimeter guns required for the new Army. Now, if we had no trucks nor tractors in this country belonging to the Government, we might say that the Secretary of War was right, but the same Col. Moody testified that we had 6,800 of the best tractors, not trucks but tractors, that were used by the Allies in the Great War. Some of them went into the war and have been returned to this country. Most of them were never used and are in this country to-day. Six thousand eight hundred tractors, if we were looking to the pulling of 155-millimeter guns alone, is sufficient number to equip an army of more than 13,000,000 men. We have enough splendid trucks capable of pulling artillery and especially fitted for hauling ammunition to equip an army of 10,000,000 men, as far as ordnance is concerned, and yet, gentlemen of the House, the Secretary of War authorized just last December, and the contract has just been consummated, the purchase and expenditure as follows: Military trucks for $577,000, spare parts for $126,000; but that is not all. The Secretary of War brags on this tractor because it has a high clearance, and just yesterday I was informed that an order is about to be made and is ordered to be made changing the specification of the tractor—the same tractor that has been in the mind of the War Department since 1917, a thousand of which were ordered in 1918, and the specifications are being changed now. Does not that remind you of the change in specifications of the Liberty motor, of ships, of machine guns, and other war paraphernalia that we were so sorely in need of in time of the war? The change in specifications required the wheels of this tractor-truck to be 4 inches higher.

It is agreed that we will pay the Militor people for this change an additional $89 per vehicle, or $6,675, but making this change in the size of the wheel required the ordering of nonstandard tires. The old tire, 36 by 7, was a standard tire. The new tire now must be 40 by 8, and the new contract is just being let for $30,000 worth of 40-by-8 tires, and as the years go on a special make of nonstandard tires will be called for at exorbitant prices.

What did we pay for the six trucks we already have? It is in testimony before a committee of this Congress that the six trucks we purchased and now own cost $299,000. This is the sum which we paid to the Militor Corporation. Now, let us total up—$577,000 for trucks, $6,670 for changes in specifications, $30,000 for extra tires, $126,000 for spare parts, $25,000 war tax, $299,000 for the six tractors we have already, and the $500,000 for the indemnity for cancellation of the contract for 1,000 tractors makes a total of over $1,563,000. Now, that is just one little paragraph in the volume of the story of the War Department's extravagant truck adventures.

Some one will ask, "Where does the Secretary get his authority and with what appropriation did he make this purchase?" Why, gentlemen of the House, this sum of $764,000 is to come out of an appropriation made by Congress in time of war to purchase ordnance with which to whip the Kaiser. The Kaiser now is in solitary confinement in Holland and the Imperial German Empire is in the throes of a terrible revolution, and the money that we appropriated to conquer him with is being passed out to favorite motor manufacturers in the United States, and it was testified, in substance, that this contract had to be let when it was and hurried along before the appropriation elapsed on the 30th day of June, 1920. The Secretary of War did not risk coming to Congress and asking them for an appropriation to buy trucks with, because he knew that Congress would not give him its consent. No Appropriation Committee nor Military Affairs Committee of either House or Senate was consulted with reference to this expenditure, and none of them knew of it until after it was made. What do you think the taxpayers of the country are going to think about this kind of business? Do you believe that as long as the ordnance and the quartermaster depots and all the fields adjacent to them are full of trucks and tractors suitable for every war purpose and emergency, they are going to be willing to see their Government further bankrupted by this character of unjustifiable and almost criminal extravagance?

I am willing to concede that as far as I am able to judge the Militor truck is a little better than any truck that was ever made, and if we had had an efficient War Department we would have had them in France during the big drive of 1918. We did not have them, but we made others at tremendous cost, and we have them now, and they are admitted to be the best used in winning the Great War. Now, in a time of profound peace, when we are trying to stagger out from under the tremendous burden of debt that is upon us, in the name of common sense, some one tell me why we should continue to buy war paraphernalia when we have many times more on hand at present than can possibly be used.

Now, I believe, gentlemen, I have called your attention to a statement of facts that can not be denied and that we are agreed that this expenditure is unjustifiable, and I do not think there is a man in this House that will attempt to justify it with the same answer as is made to the charge of other extravagances; that it was the result of war and that war is waste. I hope calling attention to these facts will not only have a wholesome effect upon the War Department, yet I have about lost hope that exposure and criticism will check the orgies of waste, extravagance, and inexcusable looting of the Treasury on the part of the Secretary of War, but I do have some hope that this one lesson, together with hundreds of other similar cases, will prompt Congress to so frame its appropriation bills in the future that money appropriated for a given purpose will be used only for that purpose, so that the intentions of Congress in making the appropriation shall be carried out, even though in some instances it may handicap those who desire to spend the money.

Mr. BAER. Will the gentleman yield?

Mr. BLAND of Indiana. I will.

Mr. BAER. Could Congress pass a resolution immediately cutting off the use of the war fund from now until June 30?

Mr. BLAND of Indiana. I think so, but this contract has already been let, and we are bound.

I have some pictures here of the Militor truck-tractor if any of you gentlemen of the House care to see them.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BROWNING. Mr. Chairman, I yield 15 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, this bill carries $425,000,000. Frankly, I had hoped that we could see our way clear and the committee would find it possible to support the Navy for the coming fiscal year with a somewhat smaller expenditure. I am not sufficiently familiar with the items of this bill to be able to say just where reductions might be made or ought to be made, but I am rather hopeful that during the discussion members of the committee themselves may find places here and there where they can reasonably and properly agree to reductions. At any rate, I do hope that whatever happens to the bill here—and I am sure there will be no appreciable increases—that there will be no increases elsewhere or hereafter. Four hundred and twenty-five million dollars is a good deal of money, although it does not seem as large a sum as it once did.

I have been somewhat interested in examining the expenditures of some of the great nations of the world for their military establishments prior to the war. Great Britain, with a navy far greater than ours, expended on its navy in 1911, in round figures, $211,000,000, just about half what we are proposing to spend on our Navy the coming year. The year that saw the beginning of the European war, when Great Britain was speeding up and making preparations, she spent only $237,000,000 on her navy. Germany, with her ambition for conquest and with it her desire to build up a great naval establishment, appropriated only $112,000,000 for her navy the year of the war, the war she planned and purposed, $107,000,000 two years before, and $109,000,000 the year before the war. We are proposing to spend a little more than four times as much on our Navy in the next fiscal year as Germany spent on her navy just before the outbreak of the European war, or, to put it in another way, as much as she spent in the four years preceding the Great War, when her sea captains undoubtedly had in mind what they hoped would transpire, the coming of the day when they should unleash the dogs of war.

Mr. KAHN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I think such a speech on such an important subject, by the distinguished majority leader, should have more Members here to hear it. If he wants a quorum, I will get it for him.

Mr. MONDELL. I will ask the gentleman not to demand a quorum.

Mr. BLANTON. In deference to the gentleman's wishes, I will not make it.

Mr. MONDELL. I have so high an opinion of the gentlemen here present, that I do not insist on having a larger number here.

Mr. KAHN. Can the gentleman give the committee any information as to the pay England and Germany allowed their officers and men in their respective navies?

Mr. MONDELL. I have tried to get those figures accurately. I hope to have them accurately within a day or two, but I can say, generally, as the gentleman knows, and knows better than I do, that so far as the enlisted personnel of European armies and navies is concerned, particularly those of France and Germany, the pay was merely nominal; it was only a few cents a day, and the pay of the officers was very low, indeed, compared with ours at the outbreak of the World War.

Mr. KAHN. I understand that in the German Navy the enlisted personnel was conscripted. They got practically nothing at all in the way of pay.

Mr. MONDELL. Yes; the noncommissioned personnel of their entire military establishment was a conscripted personnel, receiving 4 or 5 cents a day, and in all those monarchical countries, and even in republican France and democratic England, the officers were, in the main, expected to have some income outside of and beyond their pay, and their army pay was small. That made, of course, and will continue to make, a very great deal of difference in the cost of the maintenance of a military establishment. It has always cost us much more per man. It costs us much more to do everything that is done in connection with our Military Establishment than it costs any other nation in the world. I am not saying that in the spirit of criticism. I am simply stating it as a fact.

Mr. PADGETT. I will ask the gentleman if it is not claimed also that it costs us more in all our industrial establishments as well as in our Military Establishment?

Mr. MONDELL. So far as wages, compensation, incomes, and rewards are concerned they always have been, and we hope they always will be, higher in America than anywhere else in the world. We are not quarreling with those facts. I am simply calling attention to them, and I am wondering whether or no this committee, with all of its earnest and faithful and patriotic labors—for they have been earnest and faithful and patriotic—have cut this bill as low as it might properly be cut. I utter no word of criticism. I had hoped, though not having as much information as the members of the committee have, that we could keep the sum total of the expenditure a little lower. Yet I realize that not a member on either side of this committee had any other thought or purpose than to keep these appropriations as low as they could be kept consistently with the maintenance of a good and efficient Navy; and we want such a Navy maintained. And if it is going to cost this much to do it, the American people will have to pay the cost.

I hope, however, that before long we may be able to reduce our naval expenditures below the sum carried in this bill, for, while we have reduced the sum $189,000,000 below the bill of the current year, we are also a year farther away from the late war, and we ought to be at least that much farther away from the excessive costs of the war.

In view of the estimates made by the department, the committee has been economical to the point of parsimony. The bill is $148,000,000 less than the amount of the original estimates of the department. It carries $222,000,000, in round figures, less than the official estimates of the department. The bill carries, in other words, two-thirds, approximately, of the sum of the final estimate of the department, of the last word the committee had from the department as to the least penny with which they believed they would be able to conduct and carry on and maintain our Naval Establishment. There can, therefore, be no proper criticism made of the action of the committee under the circumstances, and yet I know we all feel that it would be well if we could reduce these expenditures still further.

When we add to this bill the $400,000,000 and upward—I hope not very much, if any, upward—that the Military Establishment will cost, we will, as I said a few days ago, find that we are running close to the billion-dollar mark with our Military and Naval Establishments; and if then, on top of that, we yield to the demands that are made for increased pay for these services, we shall add still another hundred million to the cost of our war establishments. If we are not very careful in the coming year of grace, beginning a year and a half after the signing of the armistice and the silencing of the guns on the battle front, we shall be paying for our war establishments alone as much as we paid for all of the activities of the Government at the time we entered the European war.

It is an enormous drain upon the resources of the American people. Our expenditures ought to be sufficient to maintain a proper establishment, but the determination of the size and the character of that proper establishment should be carefully thought out, in view of the desire of the American people to maintain peace and her lack of any purpose whatever of conquest or aggression.

Then on top of this there are folks who would like to have a system under which we would spend a very large sum of money, running anywhere from $500,000,000 to $700,000,000 per annum, for military training of one sort and another.

The Secretary of the Navy advocated a largely increased program of construction. The committee very wisely declined to consider it; very wisely, first, because the expenditure of $104,000,000 in ship construction as provided for by this bill is, it seems to me, quite as much as the American people ought to be called upon to spend this year.

The CHAIRMAN (Mr. BAER). The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Will the gentleman give me just two minutes more?

Mr. BROWNING. Yes; I give the gentleman two minutes more.

Mr. MONDELL. That is all that we ought to spend this year in the building of ships, the value of which as a sea defense is now very questionable. Nobody knows whether or no these great leviathans, larger and finer than any built heretofore, with guns of longer range and larger caliber than ever were mounted on ship deck, are going to be of any real value after they are built and paid for, in view of the recent developments in sea warfare. It is a question whether we shall not soon turn, as many of the great sea captains now believe we should turn, almost wholly from the building of floating fortresses at costs running from $20,000,000 to $25,000,000 a year and devote our attention to the wasps of the sea, to the small surface and subsurface craft that drive these great leviathans to the harbors whenever they take to the highways of the seas. [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has again expired.

Mr. BROWNING. I yield two minutes to the gentleman from California [Mr. KAHN].

The CHAIRMAN. The gentleman from California is recognized for two minutes.

Mr. KAHN. Mr. Chairman, at last the War Department has furnished me with statistics showing the number of large and small guns captured from the enemy, or surrendered by the enemy, and which can be distributed through the congressional delegations to the various States and districts of the country. I shall ask leave to insert the statement in the RECORD.

I also desire to insert in the RECORD several letters which I have received from soldiers, showing that they saw Gen. Pershing during the World War at the front under fire; soldiers who saw him personally and spoke with him.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks as indicated. Is there objection?

Mr. BRAND. I shall not object, Mr. Chairman, but I just wanted to ask the gentleman a question. Approximately, how many of these fieldpieces will be available to each district?

Mr. KAHN. There is a total of 2,197 trench mortars and cannon and there are 10,000 machine guns.

Mr. BLANTON. There will be a pro rata distribution, I take it, to each district?

Mr. KAHN. I hope to report out legislation allowing this material to be distributed to the various States in proportion to the number of soldiers, sailors, and marines contributed by the States for the respective services in this war.

Mr. PADGETT. I thought perhaps you would distribute them through the folding room. [Laughter.]

The CHAIRMAN. The time of the gentleman from California has expired. The gentleman asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Following are the papers referred to:

Captured enemy material.

DISTRIBUTION OF ARTILLERY AND TRENCH MORTARS, BY CALIBER, AVAILABLE FOR DISTRIBUTION TO STATES.

245-millimeter trench mortar	161
76-millimeter trench mortar	418
170-millimeter trench mortar	141
120-millimeter gun	7
150-millimeter gun	427
77-millimeter gun	404
210-millimeter gun	144
4.2-inch gun	13
135-millimeter gun	10
240-millimeter trench mortar	10
88-millimeter gun	10
105-millimeter gun	449
100-millimeter gun	3
Total	2,197
Vehicles	4,000
Machine guns	10,000
Rifles	70,000
Bayonets and scabbards	49,000

DEPARTMENT OF PUBLIC WORKS,
BUREAU OF HIGHWAYS,
City Hall, Philadelphia, October 25, 1919.

CHAIRMAN HOUSE MILITARY COMMITTEE,
Washington, D. C.

DEAR SIR: I respectfully request that this information be read at your next meeting for the benefit of Representative SHERWOOD, Democrat, Ohio, who seeks information as to when and where our commander in chief was at the front during the great conflict of the past war.

On September 27, 1918, at about 4.30 p. m., if I recall correctly, at the town known as Varrenes, where I believe one of the most stubborn resistances was met by our troops, I had the pleasure of speaking to Gen. Pershing, and I dare say from what I saw right there he displayed as much courage and set an example to all the men who were about him at that point to instill a new spirit in all these men, who were, indeed, played out by their long nights and days of constant labor establishing ammunition dumps for the Artillery and Infantry in the Argonne.

He arrived there shortly after the town was taken and while it was under heavy fire, a fire that can only be explained as a living hell. And how he got away unharmed is one of the miracles of war. He did not seek cover, but left his machine in the open road some hundred feet from the small bridge that crossed the Meuse River, and at a cross-road that was constantly under fire. He visited our Artillery—I recall it was E and F Batteries of the One hundred and eighth Artillery—while there, and I believe if his records are at hand they will verify this statement.

It seems very unjust for anyone to offer such a criticism at this stage of the game. And as I was one of his soldiers, I feel it my loyal duty to uphold his record; for, after all, the record we helped him to make, his generalship caused us to make.

And now, my good friend, I hope this will clear up this statement you have quoted as coming from the boys who did not see him.

Once more I wish to say common sense tells one it would be impossible for the general to see all of his soldiers while on the line, for there were times when we could not keep up with our Infantry, they advanced so rapidly, and our guides had more or less trouble finding their positions while delivering ammunition; so you can apply this to the general's position. If we could not see our own troops, how on earth could the commander in chief see them? Objectives were passed without a halt, and at times even company commanders could not tell where their men were in position.

If this is not sufficient for you, I can tell you of points on the Marne to the Vesle front where our general was with us and seen by many of the boys from the First, Second, Third, Fourth, Twenty-sixth, Twenty-eighth, Thirty-second, and Forty-second. I think these were the only American divisions on this front.

Hoping this is sufficient evidence to satisfy you as per your request to the House Military Committee, I beg to remain,

Yours, truly,

MICHAEL T. MCCARROLL,
Private, Company G, One hundred and third Ammunition Train, Twenty-eighth Division, United States Army.

At the time of this incident spoken of I was a runner for Col. Crane, chief ordnance officer, and directly under Gen. Liggett, commander First Army, Capt. Hall being in charge of all munitions used in this offensive. These men can also verify this statement, as we operated from their headquarters directly and supplied every division on that sector with ammunition

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CINCINNATI, OHIO, *November 12, 1919.*

Hon. JULIUS KAHN,
Washington, D. C.

DEAR MR. KAHN: The criticism of Gen. Pershing by Mr. SHERWOOD in the House of Representatives has just come to my notice. I understand that you intend making a reply to Mr. SHERWOOD'S remarks in the House, and I desire to say to you that I have seen Gen. Pershing at the front and under fire in France.

On October 15, 1918, I found Gen. Pershing visiting the headquarters of the Fifth Division near Montfoucon. I left the division headquarters with Gen. Pershing and walked to the road several hundred yards away with him to his automobile. At that time the German shells were falling in this vicinity, especially between our position and Montfoucon. At the automobile I left Gen. Pershing, who told me that he was going to the Third Division Headquarters in the village of Montfoucon.

I told him that he should not go there at that time as the enemy was shelling Montfoucon and that it was very dangerous along the road passing through the village. He replied that he wanted to go to the Third Division and would have to take his chances with everybody else, and drove off to Montfoucon toward the area in which the enemy's shells were falling.

On another occasion in February 16, 1918, I met Gen. Pershing at headquarters of the First Division, at Misnil-la-Tour, and he informed me that he would probably be out at my headquarters next day. At that time I was colonel, Sixteenth Infantry, with headquarters at Rambouccourt.

I said to Gen. Pershing that I hoped he wouldn't come out there as the Germans frequently shelled in that vicinity and along the roads leading there and that I didn't approve of his taking such chances.

The next day he visited my headquarters and drove in his automobile along the Bouconville-Beaumont-Metz Road—the road I had spoken of the previous day.

I do not remember whether the enemy did any firing on the road or my headquarters on that occasion or not, but I give the incident to show you that Gen. Pershing was perfectly willing to take his chances.

With kindest regards, I am,

Yours, very sincerely,

J. N. HINES,
Major General, United States Army.

[Extract from the Wheatland (Wyo.) Times, Oct. 29, 1919.]

PERSHING'S NARROW ESCAPES UNDER FIRE TOLD BY SERGEANT—GENERAL'S PERSONAL CHAUFFEUR DECLARES HE SPENT MORE TIME UNDER FIRE THAN ANY OFFICER OR ENLISTED MAN OF THE AMERICAN EXPEDITIONARY FORCES—ALWAYS IN ADVANCED POST DIRECTING MAJOR OPERATIONS.

NEW YORK.

Gen. John J. Pershing was the hardest working man of the American Expeditionary Force, and was under fire a greater number of hours during the war than any officer or enlisted man under his command, according to Sergt. Cesar Santini, who was the general's personal chauffeur throughout the entire length of America's participation in the war. The general worked late and was always in the advanced post command directing the movements of troops during major operations.

Gen. Pershing personally directed the St. Mihiel fight, was in the Argonne Forest commanding operations for nearly two months, and mingled with the advanced troops at Cantigny and Chateau Thierry. He questioned prisoners brought in by the doughboys at Cantigny and Chateau Thierry, and in the latter operation walked into the wheat fields to the gun positions to personally commend their crews and tell them how proud he was of them.

Sergt. Santini, who reveals these hitherto unpublished facts of the doings of Gen. Pershing in France, is a Frenchman by birth and enlisted in the United States Army as an automobile chauffeur and engineer at Governors Island on April 23, 1917. His knowledge of the French language and his ability as a chauffeur led to his selection as the commander in chief's personal chauffeur. Sergt. Santini sailed from the United States with Gen. Pershing, he drove the general over 40,000 miles of French roads during the more than two years he was in France, and he returned home aboard the transport *Leviathan* with the commander in chief.

Long before American troops reached the front Gen. Pershing went through the rigors and strain of intensive shell fire. In the summer of 1917 he was the guest of the French commanders and witnessed the attack on Chemin des Dames. On this occasion the commander in chief rode right up to the barbed-wire entanglements in his automobile and crossed the German trenches directly behind the lines of French infantry.

Again in the Luneville sector, where the first Americans fell in the war, Gen. Pershing went into the line. He donned hip boots and traversed several miles of trenches during an enemy bombardment. On this occasion Sergt Santini waited in a communication trench until the general returned, and admits the "Jerry" was using his high explosives to comparatively good advantage.

On another occasion, the day before the Battle of Cantigny, when the general was riding along a road toward the advanced headquarters, shrapnel shells were continually bursting directly over the automobile, steel fragments on several occasions landing on the roof of the machine. Gen. Pershing and his aid-de-camp, who were seated in the tonneau of the car, seemed to be little affected by the "strafing" they were undergoing, and no matter how near the shells landed their conversation, which probably had to do with the major operation of the morrow, was not interrupted.

During the fight in the Argonne Forest Gen. Pershing spent nearly two months in its recesses directing movements of troops. His mobile headquarters was pulled into the heart of the forest where it was camouflaged by shrubbery. Every night the general made a visit to the advanced post commands.

"The general never took any chances," the sergeant said, "he always went up to the front to be sure things were done exactly as he ordered."

Sergt. Santini was recently mustered out of service and has taken it upon himself to tell of his association overseas with Gen. Pershing.

Mr. PADGETT. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. CONNALLY].

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, a few moments ago we were witnesses to another eruption from the Committee on Expenditures in the War Department in the remarks of the gentleman from Indiana [Mr. BLAND], not discharged with the official sanction of the committee, not coming before the House with the approval of even a subcommittee, or with the authority of the whole committee, but delivered to the House as the act of one of the individual members of the subcommittee which has been turning its popguns, which are noisy but harmless, on the various activities of the War Department during the war.

Recently it has become increasingly apparent that there is something the matter with the Republican organization in the House and out of it. It has frequently shown symptoms of some character of constitutional or functional or systemic disorder. Exact diagnosis is difficult. There are various and differing characters of diseases to which it may be subject. There are what is called intermittent fits. The patient may have a fit to-day and then another four or five days later. The intervals between the fits are not always uniform. The attack waits seven or eight days before the victim is again convulsed by the next one, and then perhaps the sufferer may be seized by a paroxysm on the following day. There is altogether lacking any continuity or regularity of the spasms or any well-defined course of the ailment capable of analysis or precise definition.

Now, the trouble that some gentlemen on the majority side are apparently laboring under has some resemblance to that ailment. These explosions from the various committees investigating expenditures are not always timed with equal spaces between them, nor do they exhibit the same degree of virulence or the same evidence of acute mania, in each case largely depending upon the individual then under observation.

There is another disease which is distinguished by a lack of coordination of the mind and the muscles. You have seen individuals suffering from that affliction and have observed that their minds and their muscles did not properly articulate, as it were, did not act in harmony.

Mr. LAYTON. Function.

Mr. CONNALLY. In other words, their timing gear was not adjusted exactly as it should have been, and their brains and their muscles did not function simultaneously. The efforts of

some of the gentlemen who are from time to time making these spasmodic and disjointed assaults bear striking resemblance to the symptoms just adverted to.

Their faculty of speech and their minds do not seem to be properly coordinated. Their physical exertions on the floor and their facts do not harmonize or correspond. The gentleman from Indiana took about 15 minutes of the time of the House, principally in letting the committee know that he had a political ache or a pain which he hoped to ease by a bitter attack on the Secretary of War, but the gentleman failed to point out any corrective. The gentleman undertook to indict the Secretary of War for spending money which had been appropriated by the Congress for the purchase of trucks and tractors. I would like to say to the gentleman from Indiana and to the leader on the majority side of this House that if the Secretary of War is to-day spending money of the United States Government for trucks or for tractors, he is doing it by the sanction of the Republican side of this House. He is doing it as an executive officer in carrying out appropriations made by the Sixty-sixth Congress, a Republican Congress.

Mr. MONDELL. Will the gentleman yield?

Mr. CONNALLY. In just a moment.

Mr. MONDELL. No; right there. The gentleman is talking about the sanction of the Republican side. I want to know about it.

Mr. CONNALLY. I shall not yield until I am ready. I shall yield in a moment if the gentleman then desires me to do so. I want to say to the gentleman from Wyoming and to other gentlemen of the House that in the Sixty-fifth Congress, after the armistice was signed, as soon as it was possible to do so, the Committee on Appropriations, under the leadership of Mr. Sherley, reported to this House, and the House passed, a deficiency act curtailing war appropriations which had been made theretofore and which it was not deemed would be necessary to be expended. I yield to the gentleman from Wyoming now, if he desires.

Mr. MONDELL. Does the gentleman assume to say that because Congress makes an appropriation it thereby justifies expenditures for unnecessary purposes, appropriations extravagantly expended?

Mr. CONNALLY. If a Republican Congress can not frame language in an appropriation bill specific and direct enough and hedged about with such limitations as may be necessary to prevent extravagant expenditures, it is not the fault of our side of the House nor it is the fault of the executive.

Mr. MONDELL. The gentleman is asking of us an impossible task.

Mr. CONNALLY. A moment ago I referred to the repeal of appropriations, and I desire to reiterate that the deficiency bill of the third session of the Sixty-fifth Congress approved February 25, 1919, repealed appropriations and authorizations for appropriations in the War Department as follows:

Signal Service	$128,373,200.04
Provost Marshal General	12,040,047.00
Military aeronautics	85,000,000.00
Aircraft production	402,000,000.00
Quartermaster Corps	3,756,135,307.76
Medical Department	119,145,513.73
Engineer Department	992,589,435.76
Ordnance Department	9,217,648,304.45
Chemical Warfare	333,932,610.66
Total appropriations War Department recovered	6,856,835,124.70
Total authorization repealed	8,190,029,294.70
	15,046,864,419.40

It will thus be seen that the Democratic Sixty-fifth Congress the moment it was apparent that these great appropriations were not longer needed canceled the appropriations and saved to the United States Treasury the stupendous sum of $15,046,864,419.40 in the Military Establishment alone.

The same act repealed appropriations and authorizations in the Navy Department as follows:

Aviation and aircraft patents, etc	$98,000,000.00
Bureau of Navigation	4,500,000.00
Bureau of Ordnance	195,833,843.69
Yards and Docks	2,713,627.00
Supplies and Accounts	23,096,000.00
Steam Engineering	1,420.00
Marine Corps	41,216,975.96
Total appropriations recovered	334,361,866.98
Total authorizations	31,000,000.00
Total	365,361,866.98

Prompted by the same motives of economy and retrenchment the act returned to the Treasury the sums no longer needed which had theretofore been appropriated for the Naval Establishment.

Contrast if you will this prompt, effective, and wise course of the Sixty-fifth Congress directed by the Democrats with the course of the Sixty-sixth Congress, when it appears that leading Republicans on the floor of the House charge the Secretary of War with now extravagantly and uselessly spending public moneys, when the Secretary of War could only expend such funds and such appropriations as may have been made by the majority party in the House, and on such terms and on such conditions as were made possible by the Republican majority in the present Congress.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield to me?

Mr. CONNALLY. Let me finish answering the gentleman from Wyoming. It is the function of a legislative body in appropriating money to make the language of the bill so plain that an executive officer has authority to expend the funds appropriated only within the limitations placed in the bill, and if the Republican side of this House is so suspicious of the Secretary of War as would be indicated by the declarations of Members on the floor of the House and from the veiled attacks and insinuations which have seeped from every committee that has been appointed by the majority side of the House, you should, gentlemen, as a precaution against the dangerous proclivities of the Secretary of War, have so fashioned your language as to make it impossible for the Secretary to spend a dollar except for the very purposes that gentlemen desire it should be expended.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. CONNALLY. I yield to the gentleman from Michigan.

Mr. McLAUGHLIN of Michigan. The gentleman assumes that the Secretary of War will observe the law. I want to state a situation and ask the gentleman if the Secretary of War is obeying the law.

Mr. CONNALLY. Ask me a question. I do not desire to be diverted into a side discussion.

Mr. McLAUGHLIN of Michigan. We passed a law providing that the Secretary of War should turn over to the Department of Agriculture certain road trucks to be used in road building. The Secretary of War so construed the law as to make a truck consist of simply the wheels and the chassis, and he took off the top, the dumping apparatus, the part which made the machine usable. Does the gentleman think that was a proper interpretation of the law by the Secretary of War?

Mr. CONNALLY. In the first place, I decline to accept the construction of the gentleman from Michigan as to what the Secretary of War did.

Mr. McLAUGHLIN of Michigan. I know only what the Chief of the Bureau of Roads told the Committee on Agriculture. That is the only authority I have.

Mr. CONNALLY. Yes; and when you investigate some of the reports on which some gentlemen are basing their interrogatories, you will find that Bill Jones's secretary told Sam Williams's stenographer that some third-class clerk in the War Department told his roommate that so-and-so was so-and-so. The gentleman from Michigan is willing to rise on the floor of this House and make the statement that the Secretary of War construed a certain provision in an appropriation bill in a certain way, and he makes that statement on the basis of a story told by some employee of the Agricultural Department, without calling the Secretary of War before his committee or calling upon the Secretary or Assistant Secretary of War and asking about it.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield further?

Mr. CONNALLY. Yes.

Mr. McLAUGHLIN of Michigan. That statement was made before the Committee on Agriculture by the Chief of the Bureau of Roads of the Department of Agriculture, who had himself received the trucks, and the statement was made in the presence of and approved by the Solicitor of the Department of Agriculture, who has just been named Commissioner of Internal Revenue by the President.

Mr. CONNALLY. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. CONNALLY. Did the gentleman from Michigan see the written statement of the Secretary of War about it?

Mr. McLAUGHLIN of Michigan. No; I did not.

Mr. CONNALLY. Was it before the committee?

Mr. McLAUGHLIN of Michigan. I have told the gentleman the information we had.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY. Give me five minutes more.

Mr. PADGETT. I yield to the gentleman three minutes more.

Mr. CONNALLY. I repeat, that if the Secretary of War to-day is spending money extravagantly and wastefully, he is spending it because the Republican side of this House made it possible for him to do so by making useless appropriations, and

the responsibility for making appropriations is on the Congress and not on the executive departments of this Government. You may smile all you please, gentlemen, but you can not disguise that the shoe is pinching, and smiles will not satisfy the American people when it comes to judgment on your foolish efforts to divert attention from your own inactivity and from your own misdeeds, from your own failure to meet the questions of legislation like statesmen, by beating tom-toms and with shoutings and hootings pointing to the Secretary of War.

Mr. GREEN of Iowa. We have done everything we could to prevent extravagance on the part of the executive.

Mr. CONNALLY. I grant you have done everything "you could."

Mr. GREEN of Iowa. But in spite of everything it was possible for us to do they have persisted in it.

Mr. CONNALLY. Oh, well, if the Republican Congress is so impotent, if it is so deficient in ability, if it is so lacking in carrying out the professions that you gentlemen have made before the country that responsible gentlemen on this floor admit that the majority on that side can not control the executive departments in the expenditure of money, you are going to have a hard time convincing the country that you ought to be returned to power for another two years. [Applause.]

Mr. GREEN of Iowa. Will the gentleman yield.

Mr. CONNALLY. Yes.

Mr. GREEN of Iowa. The gentleman is acquainted with the provisions of the Constitution. I would like to know how under that Constitution we are going to control the executive departments?

Mr. CONNALLY. By limiting appropriations; not making them except under stipulations. Congress has unlimited control of the public purse.

Mr. THOMAS. Will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. THOMAS. I do not know in regard to the statement of the gentleman from Michigan, but I do know that the department has furnished to the State of Kentucky 281 trucks in good condition, to be used in building roads, and they are using them there now. [Applause.]

Mr. CONNALLY. I thank the gentleman from Kentucky. It demonstrates that the Republican Members of this House, or at least some of them, are unwilling to take the pains to investigate the facts, and that the gentleman from Michigan, instead of taking hearsay testimony, should have called up the War Department and ascertained those facts.

The gentleman from Indiana stated that the Democratic side of the House had always shown a willingness to vote for investigations and later, when the committee came in with a report, they lost their interest. I want to say that the reason, if there be a reason for such a statement—and I frankly say there is no reason—the Democratic side of the House wanted a committee to really investigate something. If the Democratic side of the House in conducting the war had expended money in proportion to the expenditures by these investigating committees, instead of owing $26,000,000,000 or $27,000,000,000, we should owe $50,000,000,000.

My complaint is that these investigating committees spend their time chasing rainbows, following will-o'-the-wisps, and snipe hunting, and spend their time traveling over the country, spend their time writing reports which do not recommend any concrete or corrective action but only consist in complaints and criticisms that get nowhere. My information is that the Committee on War Expenditures, in its yearning to find somewhere, somehow, something upon which to hang a complaint or a sensational charge, has invaded the department and has employed at higher salaries accountants, clerks, and in some cases minor officials of the War Department, who, it is hoped, by reason of their service in the War Department, may have come into possession of information which may give comfort to those gentlemen who are trying to dim the splendid record of the War Department by finding a few spots here and there. Try as they may they will not be able to convince the American people that the War Department did not perform the greatest task in its history when it organized and trained and armed and fed and sent to Europe the finest and the largest army that ever went forth to battle for the Republic, an army that brought imperishable fame home from foreign lands.

Oh, gentlemen, lift your eyes from the narrow and mean page of partisanship, remember that the war was an American war, contemplate the splendid story which the success achieved in the war will permit you to hand down to your children with the proud statement that you had a part in legislating for its prosecution and its success. Look up from your Republican campaign book and behold the grandeur of the picture of America's military achievements and the proud place your country occupies as the determining factor in that struggle of the Titans.

Do not scratch the painting and tear the canvas. Let it not be said that you are now striving to minimize America's effort; do not disparage that which was so nobly wrought. Let me beseech you to keep your eyes on the splendid spectacle and quit spending your time rushing into the newspapers abusing, traducing, and denouncing the War and Navy Departments for political purposes. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, at one time and another during this Congress gentlemen on the other side have taken very remarkable positions and made various extraordinary statements in their efforts to justify the expenditures of the administration. I think, however, the statement just made by the gentleman from Texas [Mr. CONNALLY], after he had taken off the cap and bells of the jester and had gotten down to what he assumed to be real serious discussion of the matter, was the most remarkable so far made.

We all know most everybody else has been blaming Congress for everything that goes wrong under the sun, but this is the first time that a Member of Congress has claimed that Congress is responsible when an administrative officer spends money recklessly, foolishly, senselessly, and extravagantly. Of course, the appropriations carry authority to buy material and equipment and, of course, Congress must authorize the department to buy material and equipment or the services can not operate. The gentleman from Texas says that having done that, if the department was to spend all of its money for Quaker guns and toy cannon, if every warehouse of the country available to the department bulges with trucks and thousands of them are standing exposed to the elements all over the country and the War Department buys more of the same kind, it is not the fault of the official that does it, not at all, but Congress ought to have bound him hand and foot so this wasteful and unnecessary expenditure could not have been made.

I grant you that Congress ought to be careful and restrictive in its appropriations, but it is beyond finite wisdom to draft appropriations so that a man who wants to waste the public money can not do it. [Applause.]

Mr. MOORE of Virginia. May I ask the gentleman a question?

Mr. MONDELL. In just a moment. The peculiar thing about this defense of the administration is this: The other day we were discussing the saddest story of all of the sad stories of waste in the war—that of the loss of a billion dollars of the people's money without the production and dispatch to the fighting front of a single fighting airplane. The gentleman from Texas sneered at that but made no effort to defend it. Now comes the gentleman from Texas again in confession by avoidance. Not a word in defense of what was done, because there is no defense of it, but no end of abuse of the men who investigated these matters and now a most amazing effort to shift the responsibility from the men responsible for the reckless waste to the Congress, which under its oath made appropriations that the people's business might be carried on.

After all, I am somewhat inclined to agree with the gentleman from Texas that Congress is to blame when it assumes for a moment that we can safely appropriate any money for the use of the Government to be expended by the officials of this administration with the expectation that it will be wisely and judiciously expended. [Laughter and applause.]

Mr. PADGETT. Mr. Chairman, I yield 20 minutes to the gentleman from Arkansas [Mr. CARAWAY].

Mr. CARAWAY. Mr. Chairman and gentlemen of the jury. [Laughter.] Well, we are always trying somebody, and I got the idea that this was a police court. [Laughter.]

By the way, not of "confession by avoidance," that new legal phrase coined a minute ago, but as preliminary, I want to say that those gentlemen who aided least in the effective prosecution of this war by this administration have been loudest in their criticism of the methods which brought success. There is a real sorrow in the hearts of many on the Republican side of the House that the war was not lost. It seems they find more satisfaction in censuring their own Government than in the magnificent victory won by our soldiers and sailors.

Nothing has met with their approval; and of those whose criticisms have been without any kind of justification, the gentleman from Indiana [Mr. BLAND], I think, is entitled to lead all the rest, for a statement made by him a while ago; however, I am rather inclined to think he had some justification. He appealed to the Congress hereafter to tie a string to every appropriation.

If the country be so unwise as to elect a Republican administration, why, God bless your soul, Congress ought to take his advice. The gentleman from Michigan [Mr. MCLAUGHLIN] complained very bitterly about the Secretary of War having taken everything but the wheels off the trucks and then turned them over as trucks to the good-roads department. Neither do I censure this gentleman for being suspicious. He comes from Michigan, and they have just disclosed in a sensational trial there how an election of a Republican Senator was managed and something of its cost and corruption. A Republican jury has been compelled to convict a Republican United States Senator from that State of a conspiracy to violate the laws of this land and of purchasing a seat in the Senate. I do not blame the gentleman for being suspicious at all. In fact, if you will pardon me, I do not blame a Republican for being suspicious. In 1912, when the greatest man the Republican Party has produced could not stand it any longer and bolted the Chicago convention, where they stole him out of the nomination, he and this man named JOHNSON, who now thinks he is running for the Presidency but is not, felt compelled to issue a statement, in which they said that this Republican Party would steal the brass tablet off a coffin—and the country agreed with them. [Laughter.] Upon the evidence offered the Republican Party secured for the Republican candidate but eight electoral votes, and I understand they got them by mistake. Utah has been so anxious to correct the impression that she indorsed the Republican Party at that election that at the next election she elected not even a single Republican to any kind of office; would not even let one go to the legislature; made a clean sweep in order to rehabilitate herself before the country and regain her self-respect.

This gentleman named JOHNSON has recently issued another statement, and he is now again against the Republican Party machine. In it he refers to the "strong-armed" tactics in Minnesota and explains what he means by that. He said:

DETROIT, MICH., *March 17.*

The Minnesota Republican primary was characterized as "a pretense" and the "first strong-arm tactics of the 1920 campaign" by United States Senator HIRAM W. JOHNSON in a signed statement to-day.

He charged that "the Republican State machine is in absolute control" of affairs in Minnesota. "This machine," the statement declares, "has been conducting the Wood fight."

Although the State's presidential preference primary law had been repealed, Senator JOHNSON said, the Republican organization in Minnesota called what it terms a primary with a preferential vote for President. Fixing of the time of voting between 7.30 p. m. and 8.30 p. m.—

They would not let anybody vote before dark, and they counted the votes before day. [Laughter.] So that there might be no mistake, they provided that if 7.30 to 8.30 was too early—that there might still be some honest people wandering about—they gave the county chairman permission to fix the hour for holding the primary from 7 to 9—

with county chairmen empowered to fix the hours 7 to 9 p. m., he alleged meant in the country districts no primary at all. "In midwinter, with the present condition of the roads," he added, "it was the disfranchisement of the farmers."

Continuing, the statement says:

"When recently I was in Minnesota I demanded a half day in which voters might express themselves. Following this, Hoover and Lowden forces made a similar demand. Of course, the machine, in absolute control and representing Wood, contemplating a mere fake primary, which might be used to influence other States, paid no attention to our demand.

"This one-hour, machine-controlled primary was a travesty on the right of free expression."

In the Republican convention just adjourned in Virginia, men—Republican men present—openly charged that you could hear the Wood money jingling in the pockets of his supporters on the floor of the convention.

You see that whenever you want to talk about the Republican Party you do not have to go over into an honest party—the Democratic Party—to call witnesses; you can get them from that party. I agree that you, a Republican, ought not to be convicted on the unsupported testimony of another Republican. But you are not. You can call one half of you against the other half any time. [Laughter.]

Now, honestly and seriously, when the Republican majority leader, who yesterday met a Waterloo and who does not yet feel well, has to take two turns at defending his party within 20 minutes, it does not seem fair that we should come along and jump on you also; but I know and you know that when you undertake to impress upon the country that the administration, the Secretary of War, is acting without warrant of law and in open disregard of law, for some motive that you do not dare express but which you hope to insinuate is dishonest, and is spending the public money wrongfully, you know that it is too cheap, that nobody believes it, and that you do not believe it yourself. You know you could not look each other in the face in a private conversation and say you had any suspicion that such a statement as that was true. There is a limit beyond which I think partisanship ought not to be carried, even by a Republican, and I admit that they are not bound by the ordinary rules of the game.

A MEMBER. You are not a partisan.

Mr. CARAWAY. I am not a partisan; I am weeping over your shortcomings. But let us get back to this same man, HIRAM JOHNSON. What is funnier still is that he and another Republican candidate for the Presidency, who was thought to be available because it was reported he had a barrel and would open it, said that there is not a chance for a man without a million in the primaries held in one of the Dakotas, I do not remember which it was. They complained that Wood's friends were corrupting the State with money. The fact is they all are being fleeced. The Republican nomination is not worth a cent after one of them shall have bought it. You are not going to get as much good out of it as Senator NEWBERRY did out of his seat in the United States Senate, which has been swept away from him by a verdict of a jury of his own peers in his own State.

A MEMBER. His peers?

Mr. CARAWAY. Yes; they are his peers; they belong to the same party. [Laughter.] You know that if you had taken some trouble to find out what the facts are and had come here with charges of waste or fraud and not what does appear solely as but a Republican desire to discredit a Democratic administration, the gentleman from Indiana, even, would not have had to weep at the lack of confidence displayed by Congress and the country in the reports of the so-called war expenditure committees. No one took seriously that wild tirade of the gentleman from Wisconsin [Mr. FREAR] the other day any more than they take seriously the statement the gentleman from Indiana made awhile ago that the Secretary of War was, in disregard of law, expending wastefully, wrongfully, $650,000, and not a bit more than they will take seriously the statement of the gentleman from Michigan [Mr. MCLAUGHLIN] that the Secretary of War stole the beds off the Army trucks before he let the Good Roads Department have them.

Let me tell you something in confidence: I have a 4-year-old boy, and I love him, but if he would take up with a story like that I would educate him in a school for the feeble-minded. [Laughter.] I would realize that he was hopeless. And you folks discredit yourselves when you turn in these wild statements. I will take that back, because you have not discredited yourselves. You do not discredit yourselves. You have a monopoly of that kind of statesmanship and nobody takes you seriously, and if you get any amusement out of it you should not be denied it, because, I take it, that is about the only consolation you are going to get. And it seems to me that most of you whose faces I see now I shall see no more after the next election.

Mr. MADDEN. You are going out of Congress, I understand.

Mr. KNUTSON. The gentleman is not coming back. [Laughter.]

Mr. CARAWAY. That may be true, but whether I go or stay I shall miss you gentlemen. [Laughter.]

But honestly now—tell the truth—do you not really think you have been in control of the legislative branch of this Government long enough to do something besides wail about what has been done? Is there a single act of this Republican Congress of which any of you Republicans can stand up here now and honestly say he is proud?

A MEMBER. Oh, yes.

Mr. CARAWAY. Somebody said "Oh, yes." Will he stand up and say which act it is? A witness who is not willing to stand up is not entitled to a great deal of credit in court. No one stands. There is not anything you gentlemen have done that has so thoroughly disgusted this country as to just continuously complain. We who knew your party did not expect you to do anything in a legislative way, but we did expect you to sit up and look at least—I would not say that—I started to say intelligent, but I would not do that, because that sounds too harsh, and you do that, anyway; you look it. [Laughter.]

Now, you know we have been having an exhibition of Republican patriotism and statesmanship at the other end of the Capitol. I am not allowed to say what I think about it; in fact, I could not do that, because I have quit cussing. [Laughter.] But I may be permitted to say this, that nothing you gentlemen told the country you were going to do when you were before them for an indorsement, and under which, by some kind of a mistake, the country gave you control of the legislative branch of this Government, you have performed. You have not done a thing that you said you would do.

Mr. COOPER. Will the gentleman yield?

Mr. CARAWAY. I will yield.

Mr. COOPER. Does the gentleman from Arkansas approve of the Democratic statesmanship yesterday in defeating the treaty and the League of Nations? [Laughter.]

Mr. CARAWAY. Do not anybody laugh. When they crucified the Lord, He said, "Forgive them, for they know not what they do." If the gentleman says the Democrats defeated the League of Nations, of course, he falls within that class.

Mr. COOPER. Is it not a fact that the administration leaders in the Senate yesterday, 23 of them, voted against the ratification of the treaty? [Applause on the Republican side.]

Mr. CARAWAY. I like the gentleman from Ohio, and I hate to say what I have to say, that the league on which the Republican Party settled its fight to regain control of this country was emasculated by the Republican Foreign Relations Committee of the Senate, and no man who regarded his plighted word to this country could have voted for the treaty as they brought it before the Senate from that committee. They talked about a moral obligation that is going to rest upon some other Congress and take away from this other Congress its volition to say whether or not a condition had arisen in the world then which would justify and require the use of the armed forces of this country, and therefore they could not ratify this treaty without certain reservations. I want to say to you that whatever Congress shall succeed this, if it has no more sense of its moral obligation than this Congress has shown in dealing with the covenant and the treaty of peace, it would make no difference what you wrote into the pact, that future Congress would disregard that obligation. There is not a man on this floor who would not say that when he voted for war and these great appropriations to support it we did not say to the people of this country and to its young men we sent beyond the seas, "If you will win the victory and destroy military autocracy and save civilization, so help us, Almighty God, we will so arrange the affairs of this world that war shall be no more." [Applause on the Democratic side.] And what did the Republican Senate do? Before we brought the bodies of our dead home from France they repudiated that obligation and that solemn promise. [Applause on the Democratic side.]

We know that there were not 10 per cent of the Republicans on this floor who did not believe that this treaty ought to be ratified without reservation when it was first brought here. [Laughter on the Republican side.]

Mr. BEGG. Is the gentleman in favor of the original treaty?

Mr. CARAWAY. Of course, and everybody is—everybody that loves his country. [Laughter on the Republican side.]

Mr. STRONG of Kansas. Which country? England? [Laughter.]

Mr. CARAWAY. Some people are moved by their prejudice and fail their own country for fear humanity at large may also be served and saved.

For myself and those for whom I speak we desired, and still desire, to redeem our pledge made to those who yet live and those who died.

I voted for war, not to change boundary lines in Europe nor to enrich our merchants, our manufacturers, but because I believed then and believe now that all the things for which our fathers fought and died were lost if Germany should triumph. I have stood with our soldiers in France when the battle raged and saw the fine spirit of humanity and sacrifice which animated them. I have looked down into the pallid faces when death had claimed its own. I remembered then my vows, and I remember them yet. So help me Almighty God, I meant to keep them then, I mean to keep them yet, and my party will keep them soon, if not now.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. CARAWAY. I ask leave to extend my remarks.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. BROWNING. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. KENDALL].

Mr. McARTHUR. Pending that, Mr. Chairman, I ask unanimous consent to extend my remarks on this bill that is under consideration—the naval bill.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to extend his remarks on the naval bill. Is there objection?

There was no objection.

Mr. CONNALLY. Mr. Chairman, I make the same request, but not on the bill. I wish to extend the remarks I have just made.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. KENDALL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD by printing therein certain letters received from coal producers in my district.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by printing certain letters referred to. Is there objection?

Mr. BLACK. Reserving the right to object, how many letters are there?

Mr. KENDALL. I think there are four or five. They are very short, and they bear on the subject that I am going to discuss.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Chairman, I yield seven minutes to the gentleman from New York [Mr. PELL].

The CHAIRMAN. The gentleman from New York is recognized for seven minutes.

Mr. KENDALL. Mr. Chairman, I desire to make a few remarks in support of H. R. 12848, introduced by Mr. TILSON, amending the Lever Act so as to cancel the power of the President to fix prices of bituminous coal at the mines and divert the shipments thereof.

The price fixing of coal and coke and the distribution thereof during the prosecution of the war was, no doubt, a necessity. However, the Lever Act, giving that sweeping power to the President, was never intended to continue after the cessation of actual hostilities; but to-day, more than 16 months after the armistice has been signed, our great National Army disbanded, and the price restrictions on all other commodities removed, the President still continues the war restriction on bituminous coal and coke, although the act of Congress giving him that power expressly provides that such power was given during the actual prosecution of the war and not during peace times.

The prices fixed on coal at the mines by Dr. Garfield were in many cases most unjust and unfair. I have the honor to represent one of the largest bituminous coal districts in the United States. In my home county, Somerset County, Pa., Dr. Garfield fixed the price of bituminous coal at the mines at $2.95 per net ton; in Fayette County, immediately west of Somerset County, he fixed the price at $2.35 per net ton; in northern West Virginia, adjoining both Fayette and Somerset Counties, the price was fixed by Dr. Garfield at $2.50 per net ton; in western Maryland, also adjoining Fayette and Somerset Counties, the price was fixed at $2.75 per ton; and these prices are still in force to-day.

No coal operator has ever been able to understand upon what legal or just basis Dr. Garfield fixed these highly discriminatory prices for my locality. The living expenses and the value of coal lands in Fayette County are higher than in the other localities mentioned, and yet Dr. Garfield, in his wisdom, saw fit to fix the prices in Fayette County 60 cents per ton less than in Somerset County, notwithstanding the living expenses and the coal lands are much higher than in Somerset County. In northern West Virginia, where coal lands and living expenses are much lower than in Fayette County, he saw fit to pay the operators 15 cents per ton more, and in western Maryland, where the living expenses are cheaper and the cost of coal lands one-fourth of what they are in Fayette County, Pa., he fixed the prices 40 cents per ton higher than in Fayette County.

The labor conditions in all these sections are practically the same, the distribution of cars is on the same basis, the cost of production is practically the same, therefore no coal operator can fathom where Dr. Garfield obtained his figures which justified him in establishing and fixing these discriminatory prices for the operators in these four adjacent sections.

The coal operator who has a mine in Somerset County pays the same mining rate, mines identically the same vein of coal, and has the same car supply as the man who operates a mine in Fayette County, but he receives 60 cents per ton more for his coal than his neighbor in Fayette County. The same holds good between the man operating a mine in West Virginia or in western Maryland. Any intelligent man, actuated by high principles of fairness and justice to the coal operators of the country, can readily see that such a scale of prices is discriminatory and deserves the condemnation of all fair-minded people and the immediate cancellation of this unjust, unwarranted, and illegal scale of prices.

Dr. Garfield originally fixed the prices which should be paid to the operators of bituminous coal 10 cents per ton higher than the prices just mentioned, but one day, without any notice, the coal operators discovered that a reduction had been made by Dr. Garfield of 10 cents per ton an all bituminous coal. When he arrived at the prices he originally established he stated that he did so after consulting the figures prepared by the Federal Trade Commission as well as through conferences with a large number of coal producers throughout the country, and that, in his judgment, the prices arrived at were fair, just, and equitable.

Therefore, after having arrived at these prices, I fail to understand what occurred to the mind of Dr. Garfield that

would warrant or justify him in making a cut of 10 cents per ton, when no other manufacturing concerns in the country had reduced their prices.

As you are aware, the railroads, the Steel Trust, the oil refineries, the munitions plants are all large consumers of coal. None of these large industries had reduced the prices of their products, so that when Dr. Garfield deliberately reached his hand into the pockets of the coal operators throughout the country and took therefrom 10 cents for every ton of coal produced and put it into the pockets of the railroads, the Steel Trust, the oil refiners, the Powder Trust, and other large corporations he committed an unwarranted act of unfairness and injustice.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. KENDALL. I will yield just for a question.

Mr. McKEOWN. I wanted to know if this matter had been brought to the attention of the Fuel Department at the time, and what reason was given for the difference in price?

Mr. KENDALL. It was brought to the attention of Dr. Garfield repeatedly, but he relied upon the evidence and information that he acquired from time to time.

Mr. McKEOWN. Was it the contention of the department that the coal in that county was produced cheaper than in the other counties? Is that the contention?

Mr. KENDALL. That evidently was the decision arrived at in the investigation made by the Fuel Department by Dr. Garfield, but it was absolutely incorrect, as I shall show further on.

Dr. Garfield knew that the coal operators throughout the country were intensely patriotic and would submit to and carry out all orders issued by the Government—right or wrong—and of course the railroads and other large corporations extended their heartfelt thanks to Dr. Garfield for the munificent gift handed them in reducing the price of coal, of which they were large consumers, 10 cents per ton, without even a request by them for such reduction.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield again?

Mr. KENDALL. Yes.

Mr. McKEOWN. Did not the railroads have contracts with the coal operators at prices much less than those fixed by the Fuel Administration?

Mr. KENDALL. I am not informed on that, but I know that there was no demand for the reduction of the price of coal of 10 cents per ton; and Dr. Garfield, when he fixed the original price, said he did so from information which he had received; and what caused him to reduce the price 10 cents per ton after he had arrived at his figures the coal operators have never been able to understand.

Mr. McKEOWN. The purpose of the Lever bill was to protect the general public in the matter of coal, and was not intended to interfere with contracts already made. I think the gentleman will find that these railroads had contracts at a very much less price.

Mr. KENDALL. The bituminous operators were recently further sandbagged by Dr. Garfield at the time that he came to Washington to settle the coal strike by granting an increase in wages to all bituminous coal miners of 14 per cent—equivalent to the cost of production of 28 cents per net ton.

Dr. Garfield congratulated himself and the country that he had settled the coal strike without placing the burden of a single cent upon the consumers of bituminous coal by compelling the coal producers to absorb the 28 cents per ton, not caring whether by so doing he would drive the operator into bankruptcy or not. During this second visit which Dr. Garfield made to the coal producers he again injected his hand into their pockets, this time taking 28 cents for every ton of coal mined, and turned this sum over to the railroads, the Steel Trust, the Powder Trust, and other large institutions, none of which had made any reduction in the price of their products, but, on the other hand, advanced their prices from 75 to 85 per cent.

So the bituminous operator today not only receives 38 cents per ton less for his coal than the price which was fixed by Dr. Garfield during the war, which at that time he stated was fair, just, and equitable, but he is also forced to pay an advance of from 75 to 85 per cent for the material he must buy for his mine, which adds another 10 to 20 cents per ton to his cost of production.

Now, when Dr. Garfield originally set the prices on bituminous coal he either made them exorbitant or the price that the operators receive to-day is entirely inadequate and unfair, and relief should be granted him from this unwarranted price-fixing oppression which ultimately means confiscation of his property.

Another most unfair order issued by Dr. Garfield permits exporters of coal to pay $1.35 per ton more than domestic consumers are permitted to pay. This order permits foreign nations to come to this country and pay $1.35 more per ton for coal than Dr. Garfield permits our own manufacturers and consumers to pay. Therefore the foreigner is made a preferential buyer and is always able to purchase coal, in many cases where it has been impossible for the American consumer and citizen to do so on account of price restrictions.

Mr. BAER. Does the gentleman know if any of the foreign countries are shipping in coal now that they had already bought from the United States at these lower prices? For instance, England is shipping in thousands of tons of sugar that she bought at the low price of 6 or 9 cents a pound; she is now shipping it in and selling it at the advanced price, and with the depreciation of the currency they are making 30 per cent additional.

Mr. KENDALL. No foreign purchaser of coal buys the coal at a less price than that fixed by Dr. Garfield.

Why Dr. Garfield should issue a preferential order, which naturally tends to take the coal out of our own country, where it is so badly needed, and supply the requirements of foreign nations, is more than the American people can understand. The shortage of coal in this country has always been largely due to the fact that many of the large producers are exporting their coal in order to secure $1.35 per ton more than they would receive if they sold it to our citizens. This order may be constitutional and legal, but as a citizen of the United States I do not hesitate to state that it is not American and should be severely denounced by all patriotic citizens having at heart the welfare and development of our Nation.

The coal committee recently appointed by the President to fix the wages of the bituminous coal miner made their report, recommending an additional advance of 11 per cent. This will add another 22 cents per ton to the production of bituminous coal. I have no doubt that under the power of the Lever Act the Fuel Administration will again see that this increase in wages to the miner will not be added to cost of coal to the consumer, but will compel the producer again to absorb the increased cost. I would not be greatly surprised if such an order were not issued.

The most pernicious, illegal, unwarranted, and discriminatory usurpation of the power of the Lever Act since the signing of the armistice has been and is to-day the diversion of coal which was bought by a consumer engaged in legitimate business activities, employing large numbers of men, who is compelled to close down his plant because the Government took his coal and gave it to some one to whom it did not belong and who was not entitled to it.

The assumption of arbitrary distribution and diversion was granted to the President whenever or wherever, in his judgment, it was necessary for the efficient prosecution of the war. No such necessity now exists. There is no prosecution of the war, and there should be no diversion of coal and no further interference with legitimate business on the part of the Government.

In this connection I desire to read a letter recently received by me, showing the hardship and great loss this pernicious system entails on innocent and helpless business enterprises. This letter is particularly pertinent as showing how long it took a concern needing coal very badly before they could get it on account of the interference by the Government in diverting the coal when it should not have been diverted.

Mr. McKEOWN. When was it diverted? Was it during the time that the strike was on?

Mr. KENDALL. No. I will read the letter. It is as follows:

Hon. S. A. KENDALL,
Washington, D. C.

DEAR SIR: On January 26 we had two cars of coal shipped from Sharpnack, Fayette County, Pa., to us at Grand Gorge, N. Y. On January 30 the Chesapeake & Ohio car No. 72041 was confiscated by the Pennsylvania Railroad Co. at Altoona, Pa. They notified us by letter five days later. Car No. 74865 can not be located, but owing to the time it has been shipped it is probable that it also has been confiscated.

On February 10 we wired Mr. Walls, of the United States Fuel Administration at Philadelphia, Pa., calling attention to the fact that Chesapeake & Ohio 72041 had been confiscated at Altoona, Pa., and that through their action one of our construction shafts here was filling up with water and had thrown about 100 men out of employment, and that coal had been diverted for this work during the war.

On the 11th he wired that he had turned our telegram over to A. T. Hardin, of New York City, for action. On February 14 he wired the agent at Shandaken, N. Y., to have us fill out an application, which we did on the same date. As we understood the matter, coal would be furnished us. Up to noon of the 18th none has been delivered.

Their action in seizing the coal has cost us to date about $5,000. The shaft is filling up with water, the great majority of the men are leaving for other employment, and the men that we induced to stay we are compelled to pay their board until the coal arrives. This is only a partial list of our losses.

We will consider it a favor if you will take it up with the Fuel Administration there and see if he can not have the regional director at New York place three cars of coal at Grand Gorge, so that we can unwater the shaft and prevent any further expenses accruing.

As our general offices are at Connellsville, Pa., in your district, we thought it best that you handle the matter before the proper authorities for us.

Yours, very truly,

G. W. THOMPSON,
Secretary S. J. Harry Co.,
General Contractors, Shandaken, N. Y.

Former President Taft, in speaking on this subject, says:

Arbitrary powers conferred upon the Executive, which are in their essence legislative powers only permissible in time of war to meet an emergency, should not be continued beyond the period reasonably calling for their use, and it is the business of the courts, when cases of this kind are properly called to their attention, to see to it that in the time of actual peace those powers are ended and the individuals are protected from their oppressive exercise. It is easy for executive officers and heads of bureaus to grow accustomed to such arbitrary power and to assume that no emergency can be met except by an extension of those powers after the war.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BROWNING. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania be allowed to extend his remarks in the RECORD.

Mr. CRAGO. That has already been granted.

Mr. BROWNING. I did not know that.

Mr. KENDALL. Mr. Chairman, I will here insert the other letters that I referred to.

The following communications received from large coal operators will show the sentiment regarding the enforcement of this provision of the Lever Act, and the demand for its prompt repeal:

H. H. LINEAWEAVER & CO. (INC.),
Philadelphia, March 17, 1920.

Hon. S. A. KENDALL,
House of Representatives, Washington, D. C.

DEAR SIR: We appeal to you for your influence for the repeal of the Lever Act. As we understand, it was a war measure only. The coal industry, in our judgment, can not function properly as long as the Government control continues or is possible. This must be plain to you from the fact that when the Fuel Administrator, Dr. Harry A. Garfield, relinquished his position some time ago it was admission on his part that the control of coal was no longer necessary, and there is now no head to the Fuel Administration, and no one to appeal to. We further believe that any law, such as the Lever Act, which suspends the Constitution of the United States, is illegal.

The new year in the coal industry begins with April 1, and we think it is asking too much that any industry which has given so much as the coal industry has, during the war period, should be compelled to enter this new year with Government control still effective, and prompt action with relation to this matter is respectfully requested.

Yours, truly,

H. H. LINEAWEAVER, *President.*

—

OUTCROP, PA., *March 15, 1920.*

Hon. S. A. KENDALL, M. C.,
Washington, D. C.

MY DEAR MR. KENDALL: Will you please permit me to call your attention to the present continuation and enforcement of the Lever Act in the fuel industry and also the irreparable injury it is doing to all concerned—the mine owner, the miner, the consumer, the railroads, and the public? The industry itself is being strangled to death; the miner is forced into idleness; factories are compelled to shut down or run on short time; the railroads are losing millions in freight rates; production, the very thing that is needed to bring down the cost of living, is being curtailed instead of increased, due to the lack of fuel, and the higher costs are passed on and saddled onto the public. If this act was doing anyone any good anywhere, it might be cited as a justification, but there is none. Instead the far-reaching effect of its evil influence is beyond estimation. Home trade is ruined, our export trade is lost, and billions of dollars' damage is being done to the Nation's one prime industry.

The unwise schemes employed to handle the fuel situation during the coal strike resulted disastrously, to say the least. They confiscated, diverted, and held loaded coal cars for from 60 to 90 days, until at the end they had over 253,000 loads on the track. Many of these are still standing. This has resulted in the greatest car famine that any industry has ever witnessed.

We do protest, and earnestly protest, the continuation and enforcement of this drastic war measure in time of peace, and the more solemnly do we protest it when it is doing evil instead of good.

We ask your careful consideration of this matter and hope that you will do everything in your power to secure its repeal. We are,

Very respectfully,

JENNINGS COAL & COKE CO.

—

BROTHERS VALLEY COAL CO.,
New York, N. Y., March 9, 1920.

Hon. S. A. KENDALL, M. C.,
Twenty-third Congressional District Pennsylvania,
Washington, D. C.

DEAR SIR: The war has ended, and the emergency legislation growing out of the war also should end.

Our citizens have submitted patriotically to the regulations of the Fuel Administration and lately to the central coal committee, which is a branch of the Railroad Administration.

Government control of the railroads is a demonstrated failure, and with equal certainty Government control of coal is a demonstrated failure. It is the direct cause of the present shortage and congestion in the handling and transport of coal. There is plenty of coal-mining facilities and labor, but the administrative red tape now in vogue will not let the coal reach the consumer.

The business of the coal trade is to supply the country adequately with coal. If left to itself, the coal trade will do this, as it did before the war.

We favor a discontinuance of governmental control of fuel and hope you can consistently use your influence to repeal the Lever law.

Yours, very truly,

D. V. REYNOLDS, *Treasurer.*

PHILADELPHIA, PA., *March 12, 1920.*

Subject: Bituminous coal.

Hon. SAMUEL A. KENDALL,
House of Representatives, Washington, D. C.

DEAR SIR: I would be pleased to have you vote for the repeal of the Lever fuel control act as early as possible. This act has caused a great loss to Pennsylvania coal operators and is a nuisance, as it interferes with the regular channels of business, especially for the smaller operators throughout Pennsylvania.

Thanking you in advance for your kind attention to this matter, I am,

Yours, truly,

FRANK B. JONES.

—

UNIONTOWN, PA., *March 11, 1920.*

Hon. SAMUEL A. KENDALL, M. C.,
Washington, D. C.

DEAR MR. KENDALL: I presume you are being besieged by coal and coke operators in your district in regard to the Government regulations of prices, and it is very hard for a red-blooded American to sit quietly under the unjust treatment that is being handed out to this district.

As we understand it, our products—coal and coke—are the only products in which the Government has ruled on a fixed price, making that price the same as had been established during the war period. If the Government was fair and just in the action it took in regulating prices during the war, when it fixed prices on most all commodities, it certainly is inconsistent now, when it has removed price restriction on all other commodities, except our own, and further ordered an advance of 14 per cent to be paid all labor.

The price of basic pig iron was fixed at $33 in 1918, to-day it is $41.50, and the advance in price not only in iron and steel products but of all supplies that go into mine operations has advanced from 10 to 60 per cent over war prices, and we are asked by the Government to absorb all these advance costs without being allowed to advance the selling price of our commodities.

If that is fair, our earlier education of the justice on which our Government is conducted was not correct. There is some consolation to us, however, in the belief that the Supreme Court of the United States has the correct conception of American ideals and justice.

We recognize in this district that the beehive coke industry is doomed, and that it will be only a few years before by-product coke will take its place, and from a position of economics and conservation we accept the situation as a natural outcome.

As you know, a very large amount of money is invested in western Pennsylvania in these oven operations, and a part of it must be charged off when the ovens are put out of commission. There is bound to be a loss at that time, but we can not understand why we should pile up that loss by Government discrimination as at present.

The by-product coke industry does not need the help of the Government in establishing that industry, and yet it is doing it directly or indirectly.

I inclose a clipping taken from the Connellsville Courier of March 11, in which it states that by-product coke is being shipped into our competing territory at a price of $12.55 per ton, f. o. b. ovens. Can you explain to me why I, as an operator, could not receive the same price for a like commodity? Government price, $6.

Yours, truly,

TOWER HILL CONNELLSVILLE COKE CO.,
By L. W. FOGG, *General Manager.*

—

NEW ENGLAND COKE IN EASTERN PENNSYLVANIA.

Considerable New England by-product coke is being sold in the Philadelphia district for prompt and near-by shipment at $12.55, ovens, at Everett, Mass. Most interesting sale is one of 7,500 tons of this fuel at this price for shipment in April to an eastern Pennsylvania blast furnace, which needs this fuel to maintain operations. (From the Connellsville Courier.)

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PERMITS FOR COAL SHIPMENTS.

THE WHOLESALE COAL TRADE ASSOCIACION
OF NEW YORK (INC.),
January 31, 1920.

Hon. SAMUEL A. KENDALL,
The Highlands, Washington, D. C.

DEAR SIR: The inclosed preamble and resolution adopted at the annual meeting of this association, held January 20, 1920, is respectfully referred to you with the request that you give the matter such direction as may lie in your power to bring about a discontinuance of the practice.

Yours, respectfully, CHAS. S. ALLEN, *Secretary.*

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Whereas it is the sentiment of the coal trade as represented by those assembled here that the requirement of obtaining permits from the carriers for the shipment of coal to tidewater points is altogether unnecessary, and works a great hardship upon the trade, in that delay incident to obtaining such permits frequently results in failure of consummation of a transaction in coal tonnage between the wholesaler and the operator, and especially in view of the shortage of coal at tidewater points: Be it therefore

Resolved, That the members of this association, for themselves and on behalf of the coal trade generally, enter a vigorous protest against the continuance of the permit system governing the shipment of bituminous coal to tidewater ports because of the absence of necessity for the same and the many inconveniences attending the carrying out of the plan and the futility of the plan when carried out.

Mr. PELL. Mr. Chairman, I shall speak on the naval appropriation bill. [Applause.]

Mr. BLANTON. It will be the first speech that has been made on that bill to-day.

Mr. PELL. It would be absurd to build a Navy merely to provide floating flagpoles to carry the Stars and Stripes into foreign harbors and to show it to strange peoples. The Navy is built to fight, and although we are, I am happy to say, to-day at peace with all of the strong naval powers of the world, we must realize that it is possible that this condition may change. If it were not for this possibility, there would obviously be no need of a Navy at all.

A substantial increase in the Naval Establishment is an almost impossible achievement while war is going on unless the Navy is, as was that of England's in the Great War, clearly stronger at the beginning than that of our adversary. We have learned nothing from the history of the last four years more clearly than that the second best navy is as worthless as no navy at all. From August, 1914, until October, 1918, we saw what was very definitely the second strongest navy of the world kept practically within a hundred miles of its base and unable to inflict any serious injury on its opponent. Except for the submarines, the German Navy was, because of its cost of construction and maintenance, actually a detriment to the Central Powers.

The organization of merchants dealing abroad, backed by the foreign office of their own Government, to develop new markets for the products of the home country, which is the modern condition of foreign trade, dates only from about 20 or 30 years ago. During all of this time the great rivals of the world were Germany and England, England trying to retain what she had and to seize more, Germany to seize and to retain. Our Navy never arose to greater than a very poor second to England, and during the administrations of Mr. Roosevelt and Mr. Taft was passed by Germany, but at that time our relative naval strength was amply sufficient. At no time during the last 20 years would it have been possible for England to detach from home waters a fleet sufficiently large to engage that of the United States without having the Germans attacking their rear. If, on the other hand, the Germans had attempted to fight the United States, the last German transport would scarcely have been through the Channel before the English would have attacked them. We are now, however, in a very different position. It is inconceivable that the English will ever allow any nation of continental Europe to begin the construction of a fleet which can seriously threaten the naval supremacy of Great Britain. So that, as far as Europe is concerned, if we except England, we need hardly build at all, but against England we will have no possible makeweight. For more than a generation the English will have no fear of a fleet attacking them from the east.

International sympathies and international friendships change almost with every generation. I am one of the youngest Members of this House, and yet I recollect very well in my boyhood that when you spoke of an Anglo-Saxon you meant not a citizen of the modern English-speaking nations, but a Danish pirate of the Dark Ages. It was the proudest boast of the Englishman that he belonged to the great Teutonic race and was the hereditary enemy of the Latin. This has changed in our day.

I am very glad to see that it is the policy of this Congress to expand our foreign trade and our foreign relations. We will invade the great markets of South America and of Asia, which for four years have been undersupplied.

This will mean trade rivalry; this will mean contention, and I feel that we should be ready to support our citizens abroad effectively. I sincerely trust that we will have difficulty in the future with no one, that we will be able peaceably to settle all controversies with the great nations of the world, but it has been my observation that when you get in a partnership with another man in which one side has to trust the other, you can not be worse off and you may be much better off if it is the other man who does the trusting. The same rule will apply to nations.

If we continue to build at the rate that we were building during the war, in the course of four years we will probably double our Navy. A further doubling can not take place for six years more because of the difficulty of training officers and men in such numbers. By that time, however, we will have clearly passed England and have the dominant navy of the world, and having taken the control of the sea we will be able to keep it for generation after generation. If, however, we delay and give to the English a breathing time in which to recover, they will be able to build ship for ship and keep for themselves the maritime control of the earth for an indefinite period.

We saw yesterday that the treaty-making power of this country has decided that the United States shall go it alone. It is none of our business to criticize them, to say that they were right or that they were wrong, but we must recognize the fact that this country intends obviously to stand on its own bottom, and not to rely on the support or friendship of other countries, but to stand for and by itself. It is not a disgraceful idea. I personally would have preferred to make another choice, but they did not. It is evident that this will be the policy of our country from now on. There is no use talking of anything else. And if we are going to rely upon strength, let us be the strongest. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PADGETT. I yield five minutes to the gentleman from Texas [Mr. BEE].

Mr. BEE. Mr. Chairman and gentlemen of the committee, this being rather a field day for general discussion, and having consulted none of my colleagues on the committee, I want to make a few brief, calm observations to the House on the subject of longer continuing the Committee on Claims, unless that committee is going to receive some recognition and have its day in court.

I have been a member of the Committee on Claims for nearly a year. There are hundreds of meritorious claims reported out of that committee. Of course, there are hundreds of claims referred to the committee that are not meritorious, but I am glad to say that under the able chairmanship of the gentleman from Pennsylvania [Mr. EDMONDS] those unmeritorious claims are put aside, and my judgment is that 99 per cent of the claims reported out of that committee are the claims of private individuals who have just grievances against their Government and whose claims ought of right to be adjudicated by the American Congress. [Applause.] No court would be permitted to continue that would so trifle with the rights of litigants and the rights of claimants as this Congress trifles with the rights of claimants against this Government. I am not seeking to put any blame in any one place. I am merely calling the attention of the Congress to the fact that one thing or the other ought to be done. Either the opportunity should be presented, so that these parties may have their day in court, or this committee ought to be abolished. I have never known a finer membership than the men with whom I have associated in the Committee on Claims. Week after week, after labor and study and investigation and the hearing of witnesses, they report their findings to the full committee and the full committee reports the bills to the calendar. But the "tomb of the Capulets" is not more silent nor is it a place of more everlasting sleep than the sleep which engulfs the reports of the Committee on Claims in this House.

I call your attention to the existing situation, and, if possible, call the attention of the country to the fact that the members of the Committee on Claims and the members of the House themselves are not responsible to the people all over this land who are awaiting the determination of their just and equitable claims against the Government of the United States; but the fault lies in the suppression not only of private-claims day but in the suppression of days allotted to the Committee on Claims. It is not a question of economy. Every man wants reasonable economy, but a Congress that appropriates $65,000,000 to add to the pension roll of this country 55 years after the Civil War certainly ought not to disturb itself over the question of allowing the presentation to this Congress and an adjudication of the rights and claims of children, of women, of poor men all over this land. Let me say that if I have any criticism to make of our Government it is in the neglect which that Government shows of the rights of the individual citizens of this land, submerging the rights of the individual as against the claims of large interests.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. I yield 10 minutes to the gentleman from Oklahoma [Mr. MCKEOWN].

Mr. MCKEOWN. Mr. Chairman, in the Sixty-fifth Congress I introduced a bill, which I have reintroduced in this Congress. That bill has brought down on me some criticism, and I have also received considerable favorable comment upon it. The purpose of the bill is this: Under the old rule the Congress saw fit to drive away that pernicious thing that menaced the liberties of this country and menaced good government—the lobby. You drove it out from the Capitol, and rightfully so. Now, I have introduced a bill that I think will reach another lobby. The present manner of trying to influence legislation is to go to work and collect funds from all over the United States from interests that are specially concerned in legislation and seek to create public sentiment by propaganda, and thus seek to influence congressional action by that propaganda. This bill will not hurt any organization that has an honest purpose. But I say that whenever in this country those who represent certain special interests go to work and under the guise of some patriotic organization or name they institute propaganda to influence the country in order to put through some particular scheme, the Congress ought to know who it is that is putting up the sinews of war and who is behind the movement. This bill provides that all such associations, corporations, or persons who collect money for the purpose of influencing national legislation shall make reports to the Secretary of Commerce. Those re-

ports ought to be made to the Clerk of the House and the Secretary of the Senate, so that the membership of Congress may be informed as to what is going on in the matter of propaganda. When a measure is introduced in this House and in the Senate we receive many communications, and an investigation would show that the letters were written at the solicitation of some special interest that was behind it. Gentlemen, if we had had such a law as this it would not have been necessary to investigate the Security League, because the Congressmen would have known who it was that was behind the movement. It is the modern method of influencing legislation, and there ought not to be any objection by an honest association to putting on record the names of the persons from whom funds are solicited and secured to carry on the propaganda to influence legislation.

I want to say to you now that the time will come, whether it comes very soon or not, when the Congress of the United States will undertake to protect itself against associations of special interests that try to influence legislation in Congress by this medium.

Mr. BAER. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. BAER. Has the gentleman ever inquired into the practice of some departments in using the money that we appropriate for them for this propaganda?

Mr. McKEOWN. I have not made any special investigation, but if such a practice is carried on it is a practice that I do not think there is a man on either side of the House that would be in favor of permitting such conduct on the part of any department. No department should be permitted to waste tax money by taking money appropriated for it to influence Congress for any special legislation for the benefit of persons in the department.

Here is what I have in mind. These people go to work, get an office, and adopt a high-sounding name, and then go out to people who are interested in the legislation and solicit large sums of money to conduct the campaign. It is promoted under the guise of being for the benefit of and for the uplift of the Nation, but is really for some special thing that will eventually be turned to the interest of the men who pay the money. I can not see why there should be any objection to requiring every organization or every person who solicits funds for the purpose of carrying on a campaign to enact certain Federal laws to putting themselves on record so that we can see who put up the money, who spends the money, and so that we can see whether it is really coming from the people. There is nothing in it to suppress free speech or the freedom of the press, and no man would be more against a proposition of that kind than would I, because I believe that the American people ought to have the right to petition Congress, to express to Congress their will, what they want, without fear and without any restriction. But I do not believe that a few men have a right in order to influence congressional action to go to work and collect money from special interests throughout the country to carry on a propaganda, and then go under the guise of public sentiment that they have tried to create. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. KRAUS].

Mr. KRAUS. Mr. Chairman and gentlemen, I am constrained to take this limited time, because I find that I am not in accord with the majority of the membership of my committee, the Committee on Naval Affairs, in some of the essential features involved in this bill. In doing so I am glad to say that I believe that every one of my colleagues are animated by a desire to have a Navy efficient and effective, and all that is necessary for the defense of the country, and to acquire it with the least unnecessary expenditure of money. I believe my colleagues on the committee will do me the credit to concede that in my attitude before the committee on the matters which I will refer to I have been animated by precisely the same purposes and motives.

In order to call your attention to a few phases of the bill I am going to give you comparative figures, and I am taking the date of June 30, 1916, the end of the fiscal year just prior to the beginning of the war, and comparing the situation as of the date of December 31, 1919, dates at which figures can be most readily obtained.

I suggest that in considering these figures we should keep in mind that the Secretary of the Navy has repeatedly said that when the war began the Navy was ready. That was a statement in which every American took infinite pride. The weakness, if I may call it a weakness, of the Navy as now organized and operated is that an abnormally large shore establishment of the Navy is now maintained, an establishment which necessarily grew up during the war when we were prepared to care, so far as the shore establishment is concerned, for a Navy with a personnel of 500,000 men.

So that you may have before you the figures in this matter—and I know that figures are uninteresting—but I submit, gentlemen, that they teach a lesson which should urge us to economy in certain parts of this bill.

The total number of officers in the Navy in 1916 was 4,243. The number on the date that I have mentioned, December, 1919, was 11,099. Enlisted men on June 30, 1916, numbered 54,234. Enlisted men December, 1919, 103,000 in round numbers, or somewhat less than twice the number of enlisted men in 1916.

I call attention to this, gentlemen, because the bill carries appropriations for an unnecessarily large number of officers and enlisted men if the men are properly used, if they are placed in the correct service of the several branches of the Navy. The number of officers in 1916 engaged in shore service—and my figures, unless otherwise stated, will refer solely to shore service—were 1,222. In other words, 28.8 per cent of all the officers of the Navy on June 30, 1916, were engaged in shore duty.

Now, what are the figures for 1919? The number of officers at that time on shore duty and shore service was 4,626, or 41.7 per cent, as compared with 28.8 per cent in 1916. An increase of almost 13 per cent, and a total number in shore service almost 400 in excess of the total commissioned personnel of the Navy on June 30, 1916.

I desire to call attention to the enlisted personnel in the shore service. In 1916 there were 12,344 men, or 22.8 per cent, and in 1919 there were 36,731, or three times as many, or a percentage of the total enlisted strength equal to 35.4 per cent, an increase of 12.6 per cent. But that does not end the shore service in so far as the personnel is concerned, and in giving these figures I am excluding the Navy Department at Washington. These figures refer only to other shore activities. The classified service in 1916 carried in the shore service 3,009 individuals, or a number equal to 5.6 per cent of the total enlisted strength of the Navy. It is unnecessary to state, naturally, that the classified individuals are not members of the naval force, but the number relative to the actual enlisted strength equaled 5.6 per cent. In 1919, at the date mentioned, this number had grown to 15,776, and in giving you the corresponding percentage you will find that that is equal to 15.2 per cent of the total enlisted strength of the Navy.

There is another branch of the service in which the personnel has grown abnormally, disproportionately to the total enlisted strength of the Navy, and that is the unclassified service.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. KRAUS. Will the gentleman from New Jersey yield me 10 minutes more?

Mr. BROWNING. Mr. Chairman, I yield the gentleman five minutes more.

Mr. PADGETT. Mr. Chairman, I yield the gentleman five minutes also.

The CHAIRMAN. The gentleman from Indiana is recognized for 10 additional minutes.

Mr. KRAUS. The unclassified service in 1916 had in it 31,934 men, a number equal to 58.9 per cent of the enlisted strength of the Navy. The unclassified force in 1919 numbered 80,355 men, or 77.4 per cent, an increase of slightly less than 19 per cent.

To me these figures are not only startling but they are appalling. It convinces me of a lack of coordination, and I am saying this not for the purpose of criticizing, but to call your attention to it with the hope that by a lessening of the appropriations we will necessarily secure the employment of a much smaller number of people in these various classes. In other words, the Navy was efficient at the time we entered the war. The men to-day can be and should be in the service of the Government just as efficient, and no one can suggest a reason why there should be this disproportionate increase in the number of men in the various services.

I could convert these percentages into actual figures, and for the purpose of emphasizing and illustrating the situation I am doing so in one instance. The number of civilians and enlisted men in the Navy on shore duty per officer in 1916 equaled 38.7 men and the number of civilians and enlisted men on shore duty per officer in 1919 equaled 28.7 men. In other words, there was a reduction of 10 noncommissioned men for each officer that there was in the Navy.

I have called attention to this one phase of the matter, and I now wish to call your attention to the law and the situation under which we are now working. In the early days of the war the temporary strength of the Navy was increased from practically 57,000 to 87,000. Keep in mind that that was a temporary increase. Substantially one year later, when we were still at war—and I think no gentleman will contend that serious

consideration was given at that time to the elements in determining what number should constitute the permanent Navy—we increased the permanent enlisted strength of the Navy to approximately 143,000 men. That is the authorized number under which we are operating now, and frankly I say to you that the appropriations have not in fact been made by this committee on that basis but on an assumption that there would be on an average of 120,000 enlisted men in the Navy. The appropriations are made on that basis. I submit that if anyone will examine the hearings he will find no justification for authorizing an enlisted strength at the permanent figure at which it is now fixed, and the time to correct this, in view of the fact that no legislation has been presented to you, and you can not assume that legislation of this kind will reach this floor, is at this time through these appropriations. The necessity for this number of men is built up by following a vicious circle, and I do not say that unkindly. Keep in mind that the first-line ships of the Navy—the backbone of the Navy—have not materially increased in number since 1916. We have a horde of other vessels which were built for temporary, unusual, and limited purposes, and which we should have the courage to discard, because they are serving no useful purpose in the Navy. The vicious circle is pursued in this way: The Bureau of Operations recommends that there be kept upon the first-class battleships and certain other ships a much larger number of men than any nation has heretofore used in peace times—much larger than the number we found necessary in our history in the past or than any other naval nation has had. The department will then seek appropriations on a basis assigning excessive personnel to the ships. As a result, we find that that policy would put approximately 90,000 men on ships in peace times, an entirely unnecessary number, a number equal to almost twice the number of enlisted men in a navy of but little actual strength of the Navy in 1916. In other words, if in 1916 the Navy was prepared, if we then had the nucleus, if we had the officers and men, it can not be successfully demonstrated that we should keep this abnormally large number of men in the service at this time. The result of this present large permanent strength is that under the law we keep in the service an unnecessarily large number of officers, because the law fixes the number of officers, and as a result you practically keep every man in his present advanced commissioned grade, which he received as a result of war necessity, with the additional pay and allowances that go with that advance.

I have made these few general statements with the purpose later on of submitting for your consideration at several points in the bill an opportunity to bring the appropriation down to a point which I believe is fully sufficient to care for the defense of the country and keep our Navy in the state of preparedness it should be, without unduly burdening the taxpayers of the country. [Applause.]

Mr. PADGETT. Mr. Chairman, I yield 20 minutes out of my time to the gentleman from New Jersey [Mr. BROWNING] for his use. I yield also seven minutes now to the gentleman from Georgia [Mr. UPSHAW].

Mr. UPSHAW. Mr. Chairman and gentlemen of the House, it had not been in my thought to speak in the general debate on this bill, and I suppose I would not have done so at all had it not been for the things that have been said to-day about extravagance during the war. Now, I think I have a good many witnesses to the fact that I have never made a narrow partisan speech on the floor of this House. If I keep my present feeling, I think I never shall; that is, a strictly partisan speech. But the thing I am moved to say right now, I think, is suggestive of a wholesome contemplation from the standpoint of Americanism, for I believe in that kind of true, all-embracing Americanism beneath whose rising tide petty partisanship ought always to be swept away. [Applause.]

I never shall forget what my good, genial friend, my colleague from Michigan, PAT KELLEY, said some time ago, when we were having a discussion, and I said, "Look in the white of my eye. Do you believe there is a single man on the floor of this House or over yonder in the Senate who does not, way down deep in his heart, believe that whatever the mistakes of the President, he has tried to do his honest, tireless best for the safety of America and the peace of the world?" Must I tell them what you said? [Looking at Mr. KELLEY.] Well, he smiled and made the answer that I wanted him to make.

This is the thing I want to emphasize. Whatever the mistakes of the President—and he is human—I believe that every man believes that he has done his best, his honest, tireless best for this country and humanity. And he fell on the firing line of a great patriotic purpose.

Mr. BLANTON. Will the gentleman yield?

Mr. UPSHAW. Yes, sir.

Mr. BLANTON. The gentleman is liable to get his colleague defeated if he does not look out.

Mr. UPSHAW. Then I know that he is such a golden-hearted fellow that if we have got to have a Republican from his district—and I have been up there and know how he is honored—they could not do better than to send honest, brave PAT KELLEY. [Applause.] But, frankly, I think that the President and some of his loyal supporters made a mistake on yesterday, a very great mistake, for, if I had been voting—I was so anxious to see some sort of a covenant of nations adopted that would safeguard America, of course, and also make some effort to guard the peace of humanity, that if I had been a Member of the Senate I would have voted for the ratification of the treaty with its reservations, believing, as I believed on the railroad bill, that I did not wholly indorse, that it was the best thing in sight [applause]; that a company of nations who enter into an agreement to try to keep out of a fight are apt to come nearer keeping out than if they enter into no agreement at all and keep on enlarging armies and navies in order to be ready for a fight. [Applause.]

I think that on that issue I stand somewhat with Dr. James Gordon, the brilliant Washington preacher, who said, "I am a Republican, and I want a Republican league. If I can not get that, I want a Bull Moose league; and if I can not get that, I want a Democratic league; but I want some sort of a league, and I want it quick." And if we can not have an international covenant born of Democratic vision, like Wilson dreamed and LODGE and Roosevelt championed three years ago, then let us have something, and have it now, that will help to force a cruel nation that has proven that it had no more respect for a sacred contract than to call it only "a scrap of paper"—force it, I say, to stand by the pledge that it signed on "the dotted line."

Mr. FOCHT. How would they arrive at a conclusion, when one country would have six votes and another country would have one?

Mr. UPSHAW. I want to emphasize now—and I think my genial colleague from Pennsylvania must recognize it—that his question does not enter into the things that I am now discussing.

Mr. FOCHT. Oh, yes; I think it does.

Mr. UPSHAW. For if I had been in the Senate yesterday I would have voted with those who sought to guard against that supposed inequality, for the country is weary of waiting; they want some sort of a settlement of the question, and they want it now. America is suffering at home from unstable conditions, while the play of partisan politics in the Senate for more than a year since the armistice was signed is grievously hurting our prestige abroad. And whatever may be said about the supreme need of humanity, our commerce at home, and especially abroad, is burning, if you please, while the Senate "fiddles" away.

SAVING MEN INSTEAD OF MONEY.

But this is the thing I rose especially to say: I traveled on a train with a major from New York—New York, mind you—who had under his care the building of 19 cantonments during the war. I had just been elected to Congress, and the conversation turned to the press and partisan talk about extravagance. He said to me, "Congressman, we were told to be quick about it; that we had no time to lose. We were told not to see how much money we could save, but how many men we could save by speedy preparation."

I want to remind both sides of the House that if the Secretary of War or the Secretary of the Navy had been slow, if they had waited days and weeks and months for sealed bids, if you please, competitive bids, when the world was in danger, there would have been a mighty protest, a righteous protest, from every true patriot in America.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROWNING. I yield three minutes more to the gentleman from Georgia.

Mr. UPSHAW. This is the thing I want to emphasize, gentlemen: I believe it will make us better Americans if we will never allow a partisan spirit to make us criticize the administration during the time of war. Somebody had to lead—some administration had to be in power. In the Spanish-American War it was a Republican administration, and in the great World War it was a Democratic administration, with the danger and the demand far greater than ever before. Of course, I would not stand for any kind of postwar extravagance, but the war-time extravagance that grew naturally out of the vast volume of money that had to be voted for speedy action, I think no man should now stop or stoop to criticize, for that water has already passed under the bridge. We were called

on, not to see how much money we could save, but to see how quickly we could be sure of saving that flag yonder that inspires us every day—our beautiful flag that Democrats and Republicans together voted money to protect and arms to save. [Applause.] It is no time when a man's house is on fire to call up neighboring towns over the telephone and see which fire company will save his home at the cheapest rate. It is a matter of salvation now; and I think we would all be happier Americans if we would catch that vision that would give us a glorious national pride in the struggle through which we have passed and the victory we have won. Let us thank the god of battles—the god of nations—for our national and international salvation and quit "fussing" about the cost. When I hear a man, in face of our great victory, talking and fussing about "extravagance," I think that if that man were eating a fish and were to come to a bone in it, he would throw the fish out of the window and keep gnawing the bone. [Laughter.]

Mr. BAER. Do you think it is wise to buy a million sets of harness for 340,000 horses in time of war or in time of peace or at any other time?

Mr. UPSHAW. Perhaps not. I am not denying the fact that we made some mistakes.

Mr. BLANTON. They needed some harness for some Congressmen.

Mr. UPSHAW. Yes; and it were far better that a lavish patriotism should spend too much for harness in trying to lay up an ample supply for perhaps several years of war than that we should be harnessed forever to the chariot wheels of German autocracy for lack of speedy preparation. When a man talks about extravagance during the war, I want to say—I was not in Congress at the time, but I want to say I remember the newspaper stories of how my Republican friends vied with the Democrats in showing that they wanted to stand for greater appropriations than were absolutely necessary. Fifty years of a lack of national preparedness—most of these years, remember, under Republican administration; and I speak this not in condemnation, but as the simple recital of history—had left our defenses in such a condition that those who found the conduct of the greatest war in all history suddenly thrust upon them were compelled to compass heaven and earth and hell to rush men and munitions to the battle front for the safety of America and the rescue of freedom.

A WONDERFUL NATIONAL ACHIEVEMENT.

And think of the wonderful achievement! Two millions of men in a land of peace, marshaled, munitioned, and trained, and sent 3,000 miles away, within 18 months, with two millions more ready to follow, and six millions more ready to follow them if America's rapid, resolute, and resourceful action had not caused the Huns to throw up their hands so soon—that—that was America's mighty task and our unparalleled achievement! That was the vision of defense and victory that inspired Congress and every working department. There was no criticism then. It was patriotic to vote and spend and fight together then. In other words, were the glories all American, but only the mistakes Democratic? That is the narrow partisan view. Over against this political charge of extravagance let us drown out the din and the jargon of folly by shouting, "Hooray for the American flag!" [Applause.]

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. UPSHAW. Excuse me, but I want to finish.

Mr. KNUTSON. Very well, I do not want to interrupt the gentleman's peroration.

Mr. UPSHAW. I think it is a fine thing to just think about our common glory under the new meaning of the "Stars and Stripes." When narrow partisanship dips its tongue into gall and its pen into the frenzy of petty political pillage, let us answer again, "Hurrah for the Stars and Stripes! Hurrah for the soldiers and sailors who upheld the flag we love! Hurrah for the American people who stood back of the soldiers who upheld the flag we love! Hurrah for the President of the United States who represented the people who stood back of the hero soldiers, sailors, and marines who fought for the flag we love! Hurrah for America! E pluribus unum sic semper paregoric nux vomica est! Hurrah for the Stars and Stripes!" That is our answer——

The CHAIRMAN. The time of the gentleman has expired.

Mr. UPSHAW. Hooray for the Fourth of July! [Laughter and applause.]

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GREEN].

The CHAIRMAN. The gentleman from Iowa is recognized for 10 minutes.

Mr. GREEN of Iowa. Mr. Chairman, the opponents of the railway bill, after being given a fair hearing and being beaten by a decisive majority, were not content to accept the result, but have used every effort to induce the President to veto the measure. Having failed in this they have entered upon a campaign of misrepresentation as to the purpose and effect of the bill. Part of this misrepresentation is through a misunderstanding of its provisions, part through ignorance, part for political purposes, and part sheer demagoguery. Statements have been made and reiterated and are being constantly circulated which are so utterly at variance with provisions of the bill that at the time of the submission of the conferees' report upon it it was considered only necessary to make brief reference to it or in some instances to ignore them entirely. Yet, Mr. Chairman, the propaganda that is being carried on, if left unanswered, must have its effect, and I feel called upon even at this late day to make some remarks upon the bill which did not seem to be necessary at the time of its final presentation to the House.

Mr. Chairman, for years I have voted, along with Senator CUMMINS and others who have been influential in the passage of this bill, against unreasonable rates on railroads and against the payment of dividends upon watered stock and fictitious issues of bonds. I stand, and Senator CUMMINS stands, where we always have stood, but it has been a matter of surprise to find so many gentlemen who have never heretofore been interested in this subject now claiming that this bill gives unreasonable privileges to the railroads. Along with these gentlemen are many honest and well-meaning people who have been deceived by the continual cry that the bill gives unwarranted privileges to the railroads and imposes an unjustifiable charge upon the people of the United States. Besides these the labor organizations, which the bill very fully protects, have also been misled as to what is contained in the bill and have been determined to continue their opposition even after the passage of the bill.

I have no desire to discuss the bill at length. Its provisions in general were so admirably set forth in the speech of the distinguished gentleman from Wisconsin [Mr. ESCH] that I only intend to refer to some provisions of it which have been much perverted and evidently much misunderstood.

It is continually asserted that the bill contains a guaranty of returns to the railroads. As a matter of fact, its provisions really constitute a limitation upon the profit that may be obtained and no guaranty whatever, as I shall undertake to demonstrate without fear of successful contradiction. The only guaranty in the bill is a guaranty of the same return as is now allowed under Government control, which return is to be the same for the first six months under private ownership.

Mr. RAMSEYER. If the Government had held the railroads under the act that we passed in March, 1918, this guaranty would have continued as long as the Government held the roads, would it not?

Mr. GREEN of Iowa. Certainly; it would have continued as long as the Government held the roads or until a different law was passed. We were asked by some to hold them two years longer.

Mr. RAMSEYER. While now it is only for six months?

Mr. GREEN of Iowa. Yes; that is all. It is for a much shorter period than if the bill had not been passed.

I shall not discuss this guaranty which was contained in the original bill under which the Government took over the roads. It seems to have been approved by practically everyone, yet such is the inconsistency of the opponents of the bill that they overlook the fact that this guaranteed return received under Government control gave the railroads a larger net profit than they can obtain under this bill after the first six months. I have not time to review the figures showing this, but no one who is acquainted with them will dispute this statement.

I wish to discuss more particularly the rate-making provision of the bill, which is erroneously claimed to contain a guaranty and by some is said to make a gift of immense sums to the railroads.

Let us first consider what this provision is, taking neither my own statements nor those who oppose the bill, but the language just as we find it in the measure itself.

Paragraph 2 of section 15 (a) of section 422 of the bill reads as follows:

In the exercise of its power to prescribe just and reasonable rates the commission shall initiate, modify, establish, or adjust such rates so that carriers as a whole (or as a whole in each of such rate groups or territories as the commission may from time to time designate) will, under honest, efficient, and economical management and reasonable expenditures for maintenance of way, structures, and equipment, earn an aggregate annual net railway operating income equal, as nearly as may be, to a fair return upon the aggregate value of the railway property of such carriers held for and used in the service of transportation.

This is merely a concise statement of the law as it now stands, inserted, I assume, only for the purpose of making connection with subsequent paragraphs to the bill and framing the bill so as to have a complete rule of rate making comprised within its provisions. It is an elementary principle of constitutional law that whenever the control or regulation of private property is taken over by the Government a fair return must be awarded to the owner. Years ago the Supreme Court of the United States, in Smith *v.* Ames (169 U. S., 466), held in a railroad rate case as follows:

> What the company is entitled to ask is a fair return upon the value of that which it employs for the public convenience.

This has been the settled rule ever since that decision was made and it has been and would be followed by the Interstate Commerce Commission, whether included in the bill or not.

Mr. BAER. The bill now gives them a fair dividend on their actual valuation, which has not been determined yet.

Mr. GREEN of Iowa. Not a fair dividend, but a fair return on their actual value which is a very different thing. There may be, and in many cases will be, no dividends to the stockholders. The bill, in fact, fixes the rate as low as it is possible under the Constitution, and not partially or wholly confiscate the property.

I can well understand how the farmer or the layman, who is not familiar with constitutional law and the distinctions made under it, should at first blush not understand why the Government, which makes no provision for a "fair return" on other property, should so provide in the case of railroad property; but a moment's reflection will enable anyone to realize that there is a wide difference in this respect between property over which the Government exercises no control, and as to which it does not limit the profit; and property which has been taken over or placed under the control of the Government so that the profit thereon is limited. It is the settled law under our Constitution that where the Government fixes or regulates the return which may be received from private property a "fair return" must be provided. That a rule so well established that it is now in a legal sense elementary should be overlooked by one who has not come in contact with it is not at all surprising, but I am amazed that any complaint should be made with reference to it by persons who have had some reputation as attorneys or even one who has succeeded in passing the ordinary bar examination. If this provision was not contained in the bill its effect would be just the same. If the provision were different, it would make the bill unconstitutional in this respect. [Applause.] Yet there are men who say that this provision authorizes a gift of immense sums to the railroads.

Mr. COOPER. In reference to the value of the property, does not the bill specifically state that it is that property which is used for transportation purposes?

Mr. GREEN of Iowa. Yes; only property that is used for transportation purposes, as is shown by the portion of the bill which I read, and then only when it is efficiently and honestly managed.

Passing now to the next paragraph of the bill we find that this "fair return" for the next two years is fixed at 5½ per cent on the value of the property used in transportation. There is, however, no guaranty that this return will be made nor is there any obligation on the part of the Government to make good any deficit. It is merely the rate level which shall be established "as nearly as may be" on the value of the railroad property in groups as established by the commission. Nor has it any relation to stocks and bonds. Under it some roads may not be able to pay even the interest on their bonds because the actual value of their property may not be as much as their bonds and nothing can be paid on watered stock.

While complaint has been made that 5½ per cent is too high a rate, consideration of present financial conditions will show that this complaint is not well founded. The rate must be such that the railroads can obtain money for the equipment that will enable them to render good service. When Government bonds upon which there is no State or local taxation and only a portion of the Federal income-tax rates when held in excess of certain amounts can be bought at a rate that will pay 5½ per cent, while railroad bonds that are a first lien on the railroad property for less than half and in many cases less than one-quarter what it cost to reproduce it before the war, to say nothing of present prices, can be bought at rates that will pay from 7 to 12 per cent, it is idle to talk about the railways being able to obtain money at less than 5½ per cent, and the real question is whether they can get it at that. The other day I noticed a list of about 20 of such bonds published in a separate paragraph following the market reports in a reliable paper. It is probable that the present rates are abnormal, but no one expects them to improve in less than two years, and at the end of that time a readjustment can be made.

A great outcry has been made that the last-named provision of the bill was in the interest of Wall Street and the great banking houses, yet if this is so it is strange, indeed, that from day to day during the consideration of the bill, after it was agreed upon, and even since it passage, railroad bonds and securities have steadily declined so as to reach, in the case of most of them, the lowest point ever known. It is evident that the business world takes no stock in any such statement, which, in the face of the market quotations, becomes simply absurd. Moreover, it is well known that the great financiers have been proceeding to unload their railroad stocks for a long time and that they are still continuing to do so. The bulk of these stocks and bonds is now held by the big insurance companies, savings banks, and thousands upon thousands of small holders, who have seen the value of them depreciate in tremendous sums in the last few years, while stocks and bonds of ordinary business corporations have greatly appreciated in value. The reasons for this great decline in railroad securities are not difficult to find. Under the rates now fixed by the Government while under Federal control, some of the railroads actually failed to make operating expenses during the year 1919, and a large number failed to make operating expenses during last December. A considerable number failed to pay operating expenses and fixed charges—that is, taxes and interest on bonds—during 1919. The railroads of the country failed to earn the return guaranteed by the Government in 1920 by a total sum of about $390,000,000, and the total loss to the Government during its two years' operations will be over a billion dollars when all bills are settled. While rates have been increased, the cost of wages and material have increased so much more rapidly that the financial condition of the roads has steadily become worse.

It must be perfectly evident to anyone who has given the subject the slightest consideration that railroad rates will have to be advanced whether the Government retains control of the railroads or whether they go back to private hands unless the American people wish to pay the loss in taxes, as they are now paying it. I am opposed to paying the loss in taxes.

I know of no reason why I or anyone else should be taxed because some one wants to ship canteloupes from Arizona at a low rate, pay a low freight on articles of luxury, or go on vacation and pleasure trips at low rates. The true rule is that the user should pay the freight. Some wild statements have been floating around as to what would be the effect of a raise in freight rates, and some gentlemen of this House have quoted with approval a statement to the effect that an advance in freight rates would cost the American people five times the amount of the increase. Yet these very same gentlemen voted for a Government tax in the form of a heavy increase in the rates, and neither they nor anyone else have ever been able to discover any place where this increase of rates appreciably affected the cost of living. If they believe any such statement as this, it is little to their credit as legislators that they should have cast their vote for a tax that they knew would cost the American people five times the amount which the Government received from the tax. The real fact is that experience has shown that there is not the slightest basis for any such claim.

But it is also said that the cost to the people under private control and the rate provisions of the bill will be more under private operation than it has been under Government control and operation. Possibly this might be true if the Government had nothing to pay but the guaranteed return, but the Government, in addition to the guaranteed return in money, was obliged by its contract to return the railroads in as good condition in respect to its property as they were when taken over. Of course, when the railroads made, as a few railroads did, something over the guaranteed return, the Government could pay the maintenance charges out of this surplus, but when they failed to make the guaranteed return there was nothing out of which these payments could be made. This explains why the total loss to the Government is much larger than the deficit on the guaranteed return, and when we consider the sums which the Government has already paid and the further fact that by reason of its failure to keep up and maintain the railroad property as agreed it is liable for very much larger sums, it becomes perfectly evident that the cost to the people under private control will not be as great as it has been under governmental management, and we hope and believe that the service will be greatly improved.

In this connection I can say that in a considerable degree the failure in respect to service has been caused by the Government failing to keep up the railroad property. The purpose manifestly was to try and make as good a financial showing under

Government management as possible, but the effect was disastrous in many ways. For example, the Government purchased only a very small portion of the number of new freight cars which are usually bought every year and which become absolutely necessary as the old ones are worn out. The failure to furnish cars, which all through the Middle West cost the farmer such large sums, was due principally to the failure of the Government in this respect, but nothing will be saved by it even to the Government, because under its contract it must still make up the deficiency. It is claimed by railroad managers that the railroads need the enormous sum of $6,000,000,000 to put the roads in condition to render proper service to the public. I think this amount is greatly exaggerated, but that at least a billion dollars is required I think no one who has made a study of the question will dispute. The American people want service, and good service, because nothing is so costly as bad service. To prevent the great loss resulting when farmers can not move their stock or their grain or manufacturers their products the railroads must be put in condition to render proper service, and the provisions of this bill will do no more than to enable them to get the funds which are necessary for that purpose, and it is certainly to be hoped that the bill will do no less.

The most singular thing of all is that anyone should have received the impression that the bill makes any provision for dividends on stocks and bonds or gives value to watered stock. The amount of stocks and bonds issued under the bill has nothing whatever to do with the fixing of rates. There is not a line or a word in it that can possibly be twisted into such a meaning. In fact, the only reference to stocks and bonds found in the bill is contained in those sections which provide that no more capital stock or bonds or other evidences of indebtedness of the railroads shall be issued until after investigation by the Interstate Commerce Commission and a finding that such issue is proper and necessary. This will protect the public against the issue of worthless securities and prevent the railways being burdened by improper indebtedness in the future.

In addition to the objections that have been made for the purpose of appealing to the farmer, the laborer, and the shipper, the bill has been strenuously objected to by those in control of the rich and prosperous roads for the reason that it limits their profits and provides for a division with the Government when they exceed 6 per cent, one-half of the excess going to the Government to be used to improve the equipment and service of roads that have been less successful. The owners of these roads would have much preferred that the Government should pay for them and take them over rather than to have this bill passed. While it is natural that they should object to their profits being decreased, it is absolutely necessary that something should be done for the benefit of the weaker roads, and the plan has been worked out with great care and skill. There are certain roads that can not get traffic enough to enable them to buy the equipment and keep up their tracks so as to render good service to the public, and there are lines of considerable length that have been in danger of being junked for that reason. Yet these lines are essential to the existence of the communities through which they pass, and there is no one who does not wish to see them operated. If the rate was raised on these roads alone by themselves, it would drive business away and render their condition worse than before. If a rate was established for all of the roads that would make these roads pay, there are some of the big systems that would make unreasonable and even extortionate profits. For this reason the rates are to be established in groups, and the provision is made for the benefit of the weaker roads, as I have before stated. Two objections are made to this; one that it is unconstitutional, and, while this objection is supported by some lawyers of high standing, the great weight of authority is that it is within the authority of the Government under its general power to regulate the rates. The other objection is that it puts a premium on inefficiency. This assumes that a railroad does not pay because its management is inefficient, but he who thinks this the only cause would expect the owner of a farm with poor soil to make as much as one that had more fertile land. Railroad management has now become standardized and under the close supervision of the Interstate Commerce Commission over their accounts it is practically impossible to embezzle their funds. If a railroad runs over the line of a great commercial highway, has the shortest distance and the lowest grades between two or more great commercial centers, it will be profitable with reasonable rates, while another road that goes a roundabout way with heavy grades, lacks sufficient terminals, and connects no important commercial centers, can barely earn, or sometimes does not even earn, operating expenses. Yet the management of the latter may be, and often is, more economical than that of the former. The difference in location has more effect than the difference in management.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield there?

Mr. GREEN of Iowa. Yes.

Mr. McKEOWN. Have not a number of these railroads indicated now that they are not going to accept this provision, and they do that on the ground that they will make more money? Why were they not able to make more money before?

Mr. GREEN of Iowa. I do not understand my friend's question. I do not consider that it is the privilege of the railroads to accept this provision or reject it.

Mr. McKEOWN. I understand that the Southern Railway has decided not to accept the provision to make only 5½ per cent and turn over the remainder to other smaller railroads, because by not accepting it they will be able to make 6 per cent or more.

Mr. GREEN of Iowa. That is one of the best provisions in the bill. The Southern Railway will find that out. It gives authority to limit the profits a railroad can make.

Mr. McKEOWN. I want to know whether the other railroads will make enough money for the small lines to get something out of it.

Mr. GREEN of Iowa. The weaker lines will be aided, unquestionably, in the way I have stated.

Mr. KITCHIN. That is not one of the provisions which the railroads must accept. There is another provision of the bill as to which they must signify their acceptance.

Mr. GREEN of Iowa. If there is any claim of that kind, it must be on the ground that Congress has no right under the Constitution to take away any of the earnings of the highly prosperous roads, but this provision is merely a limitation on the earnings. Congress has as much right to do this as it has to limit the rates. It is conceded Congress may limit the rates and charges, and this would limit the earnings. I think the provision is clearly constitutional.

I do not care to discuss the provisions with reference to labor disputes. This bill creates a board, upon which the public is represented, to which an appeal can be taken when the employers and employees can not settle their differences. The decision of this board is to be final. This is right. Disputes as to wages should be settled finally by a tribunal upon which there would be some one who would take into consideration the interests and rights of the public, because the interest of the public is as large as that of any group or class, if not larger. There should be such a tribunal corresponding to our Supreme Court for the determination of such disputes to which appeals can be taken. Our whole court system under our Federal and State Constitutions proceeds on this plan. If it is wrong, then our Constitution and laws are wrong and he who objects is not willing to conform thereto.

Another provision gives the Interstate Commerce Commission the control over the issues of stocks and bonds and the authority to determine not only whether they shall be issued but where the proceeds shall be applied. It not only permits but encourages consolidations where they are in the interests of the public and at the same time guards the public welfare in every respect.

The bill is a great constructive measure, admirably written, studied out with the most painstaking care, and if properly supported by employers and employees will go far to solve problems that have hitherto been thought to be too difficult for solution, and gives to the people of this country the benefits of private initiative and action, free from the evil practices that have been connected with the management of some roads in the past.

Mr. PADGETT. I yield to the gentleman from New Jersey [Mr. BROWNING] five additional minutes.

Mr. BROWNING. I yield five minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE. Mr. Chairman, political platforms many times have been considered as a means by which a candidate or a political party could win an election. Political platforms in the past have dealt with generalities, and the more ambiguous and obscure they were the better they answered the purpose intended. In the coming presidential campaign the people are going to insist upon specific declarations by all political parties and all candidates for office and also a faithful performance by the successful party of its platform pledges.

There are two sets of candidates running as delegates to the Republican national convention from Wisconsin. I desire to read a brief statement of principles upon which the set of

delegates designated as "the La Follette Republicanism ticket" stand:

PLATFORM OF PROGRESSIVE REPUBLICANS.

1. We favor the immediate conclusion of peace and resumption of trade with all countries.

2. We are opposed to the League of Nations as a standing menace to peace, and we denounce the treaty as a violation of the pledges made to the world and a betrayal of the honor of this Nation. It would make us a party to the enslavement of Egypt and India, the rape of China, and the ruthless oppression of Ireland.

3. We would favor a league for peace, composed of all the nations of the world, provided they were mutually pledged by binding covenants, with proper guaranties, to abolish compulsory military service, and, provided further, that the several nations mutually bind themselves to a speedy disarmament, reducing the land and naval forces of each nation to the strict requirements of a purely police and patrol service.

4. We demand the immediate restoration of free speech, free press, peaceable assembly, and all civil rights and liberties guaranteed by the Constitution.

5. We favor the repeal of the espionage and sedition act, and denounce the attempt to write such laws into the permanent statutes of the country.

6. We oppose all legislation conferring upon the Postmaster General, or any other governmental agency, the power to deny the mailing privilege to any person, without judicial hearing and the right of appeal.

7. We oppose compulsory military service in time of peace. We denounce the use of our soldiers in countries with which we are not at war, and we favor the speedy reduction of world armaments.

8. We oppose the exile of any person lawfully admitted to this country, except for crime fixed by law, and then only upon trial and conviction by jury.

9. We demand the abolition of injunctions in labor disputes.

10. We favor laws permitting labor and farm organizations for the purpose of collective bargaining in industry, trade, and commerce.

11. We favor such legislation as may be needful and helpful in promoting direct cooperation and eliminating waste, speculation, and excessive profits between producer and consumer as offering some measure of relief from the oppressive and intolerable economic conditions under which the farmer, the wage earner, and people generally suffer at this time.

12. We favor repeal of the Esch-Cummins railroad law by which the people are forced to guarantee railroad profits, while such railroads are privately owned, and declare for the ultimate public ownership of railroads, and the gradual acquisition of stockyard terminals, large packing plants, and all other monopolies and natural resources, the private ownership of which is the basis of private monopoly.

13. We demand economy in government to replace the extravagance run riot under the present administration. The expenses of the present year of peace, it has been estimated, will be approximately $11,476,627,929, or ten times the annual prewar expense.

Mr. BLANTON. Will the gentleman yield?

Mr. BROWNE. I have only two minutes left.

The CHAIRMAN. The gentleman declines to yield.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. I make the point of order that even where a Member has time it is improper to read documents where objection is made, especially where they are political platforms.

The CHAIRMAN. The point of order is overruled. The gentleman is mistaken.

Mr. BROWNE. I will continue the reading:

14. We condemn the system that permits 18,000 millionaires to be produced from war profits—one millionaire for every three American soldiers killed in France. We demand that taxes be laid upon wealth in proportion to ability to pay, in such manner as will prevent such tax burdens being shifted to the backs of the poor in higher prices and increased cost of living.

15. We denounce the alarming usurpation of legislative power by the Federal courts as subversive of democracy, and we favor such amendments to the Constitution and thereupon the enactment of such statutes as may be necessary to provide for the election of all Federal judges for fixed terms, not exceeding 10 years, by direct vote of the people.

16. We favor such amendments to the Constitution and thereupon the enactment of such statutes as may be necessary to extend the initiative and the referendum to national legislation and the recall to Representatives in Congress and United States Senators.

17. We favor paying the soldiers of the late war a sufficient sum to make their war wages equal to at least civilian pay, and this as a matter of right and not as charity or bonus. We favor other laws liberally recognizing the patriotic devotion of our soldiers in all our wars.

18. We favor a deep waterway from the Great Lakes to the sea. The Government should, in conjunction with Canada, take immediate action to give the Northwestern States an outlet to the ocean for cargoes without change in bulk, thus making the primary markets on the Great Lakes equal to those of New York.

19. We favor a platform for the Republican Party embracing these principles and a candidate for President whose public record is a guaranty that he is in full accord therewith.

We pledge the people that, if elected as delegates to the Republican national convention, we will use our best efforts to promote these principles and nominate candidates in sympathy with them.

Mr. BROWNING. Mr. Speaker, I yield two minutes to the gentleman from Iowa [Mr. RAMSEYER].

Mr. RAMSEYER. Mr. Chairman, Hon. Frederick Edward White, a Member of this House in the Fifty-second Congress from the sixth congressional district of Iowa, died recently at his home in Sigourney, Iowa. Under the circumstances it is proper that I say a few words at this time concerning the career of this remarkable man.

Mr. White was born in Prussia, Germany, in 1844. At the age of 10 his father died while in the service of the Prussian Army. At the age of 13, young White came to this country, detesting kaiserism and militarism. He settled in Keokuk County, Iowa, and worked around as a farm hand until the outbreak of the Civil War. As soon as he became 18 years of age he joined the colors and served in the Union Army with honor, bravery, and distinction for three and one-half years as a private in Company I, Thirteenth Iowa Infantry. He participated in many of the principal battles, and was with Sherman on his famous march to the sea. By his Army service he gained his American citizenship—an achievement of which he was very proud.

After the Civil War he married and settled on a farm near Webster, Iowa, where he lived and toiled for 45 years. He had no schooling, except such as the country school afforded before the Civil War. By toil he amassed a comfortable competence. By study he became one of the best informed men of his time. He was a man of deep convictions and unflinching courage. He became a master of the English language, and was one of the most forceful public speakers of his State.

In politics he was a Democrat. While in Congress he delivered several notable speeches. Two of his speeches—to wit, on the tariff and on disarmament—received wide circulation, and were translated into a number of foreign languages. His speech on the tariff was for years used by the Democrats as a campaign document. After his service in Congress he was three times the Democratic candidate for governor of Iowa.

When the World War broke out Mr. White at once took an open and public stand against the cause and methods of Germany, and in most vigorous language denounced the autocracy of his former fatherland. After Congress declared war against the Imperial German Government, he was very much in demand for public addresses. It was during the first year of the war, while delivering an address for the Red Cross, that he was stricken with apoplexy, from which, after a protracted illness, he died. He lived, however, to see the Prussian autocratic military power, which he abhorred, crushed into the dust.

Mr. White was a man of most sterling character, probity, and earnest devotion to duty. He died having the respect of his friends and all who knew him. His youth was filled with hardships and privations, and his manhood with worthy achievements. In the death of Mr. White there has passed from the activities of this life a Union soldier, a sincere friend of the people, and a patriot.

Mr. BROWNING. Mr. Chairman, I yield six minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Chairman and gentlemen of the committee, I have asked this time to read, with the consent of the committee, extracts from a letter which I have received from a petty officer of the Navy whom I have known for years very well. It sets forth so well the need of increased pay not only from the standpoint of the needs of the individual but also from the standpoint of the need for national defense that I think it should be set forth in the RECORD.

Compare the case of labor with that of the service man, and let us see how he fared. His pay was increased but so very slightly in comparison with that of labor and the increase in the cost of living that the wonder of it is that he managed to get by at all. He is now living (?) on a wage which he received in 1908, except for the temporary and very nominal increase, which is apt to be taken away from him at any time.

One naturally asks the question, What manner of men are we supposed to be, and what is expected of us?

We can not live on air. Parades in our honor provide entertainment for the public only, for they mean nothing to the participants. We are lauded in speeches, but does that put food in our mouths or clothes on our backs and our families? Does a service star on a flag or a name on a roll of honor help us when our clothes are too shabby to attend a gathering of our fellows? Men who left the service for civil life are astonished at the salaries that their training enables them to command. They tell us of how well they are doing, and do you suppose for one instant that it makes us who are forced to remain in service any more contented with our lot?

In reckoning the strength of the Navy it has been the custom to figure on the basis of possession of so many superdreadnoughts, so many dreadnoughts and predreadnoughts, and so on. Each ship has such an such an armament and engines of a certain horsepower. Tabulated, it does not look so bad, for the Navy never had so many units numerically as it has to-day. It is a fleet "on paper" in reality, or it might as well be, for the units which are able to put to sea are just about as effective as the U. S. S. *Recruit*, now in Union Square in New York. The rest of the fleet is tied up at docks in navy yards, with but a handful of men on board, and unable to move at all.

On January 8 of this year it was announced that the Atlantic Fleet went south to Guantanamo Bay, Cuba, for winter maneuvers. But a small portion actually went, and it limped all the way down. The maneuvers are now consisting of small-arm target practice at the rifle range, an exercise which develops the sailor but little in his work of firing 12 and 14 inch guns of the ship's battery. There are no engineering exercises at all, for the reason that a ship has not on board sufficient men in the engineering department to drive a ship more than 12 or 15 knots. There is little or no gunnery exercise. If a ship goes out to target practice, she borrows a force of engineers and as many gun crews as she needs to man her battery and engineer department fully from some other vessel, and fires her practice. This procedure does not tend to any degree of development. The scheme is not satisfactory, but it is the best that can be followed in view of the shortage of personnel. Therefore, even though you have hundreds of ships, unless they are properly manned the fleet is worthless. Money already spent is wasted and it would be the height of folly to spend any more. How absurd is it to add more ships to the Navy if

you can not man what you already have? And yet that is just what is being done.

Even now the Bureau of Navigation of the Navy Department is collecting a draft of 800 men to go to Germany and bring back four or five German war ships which have been turned over to us by the Allies for our share of the "spoils." Of what earthly use will these German ships be? All the ships she had which were worth anything were sunk at Scapa Flow, and these are rotting hulks which surely must require hundreds of thousands of dollars to make habitable and millions if to be made serviceable with our reserve fleet—that is, to be safely tied up to a dock without danger of sinking.

If, then, you expect us to man the ships provided, the personnel must be provided for. The numerical strength actually is provided for, but the actual number of officers and men in service falls far below. To do this an attractive pay schedule must be devised and the money raised and appropriated. Thousands of men are willing to return if they are adequately paid. If the United States really wants a Navy, this money will be raised; but if, now that the immediate menace is over, they refuse to profit by lessons learned during the war, and think that they no longer require protection at sea, why not come right out and order the fleet wholly tied up and the crews disbanded and discharged? When the next war comes—which, please God, it never may—we will be in the same situation we were in this one as regards naval defense, but with by no means the certainty that we will have an ally who can stand the enemy off while we build up a fighting force worthy of the name. But what of that? Are we not safe for the present? It is for Congress to decide, and it is hoped that the decision will be prompt, for the business of serving in the Navy under present conditions is disheartening and burdensome.

I wish to ask your indulgence to the extent of placing my personal situation before you. While it is not typical of the enlisted men as a whole it is in part. I first enlisted in 1910 at the age of 18, and have served continuously ever since, being now on my third enlistment. You can readily see that most of my training has been along lines of service calculated to do the most good in the Navy. I am a chief yeoman, and it took me seven years of hard, conscientious application to clerical work to obtain that rating. I feel that I have made good in the Navy for my proficiency marks are high, and I take a pride in doing my work as well as I am able. I like naval service, though it has its drawbacks, and the Navy accepts me generally as being an efficient chief petty officer; at least, so many officers under whom I have served have been good enough to say. I am married and have two children. To adequately provide for them I have been forced to contract a large debt in purchasing a home for them. Landlords objected to my children, and my rent was raised so high that I was forced to raise money with which to buy my own place where I could take them without fear of further molestation. To meet overhead charges I had to use all reserve funds in the bank, and these have been gone for some time. I next called upon my mother for assistance, which she gladly gave and is giving. Without her I can not keep my head above water. But this can not go on. I am a man capable of earning my own living without assistance, but here in the Navy, unless something is done to raise my pay, it is impossible, and through no fault of my own. I am thinking seriously of leaving the Navy, though how to leave honorably I can not see at present, but I hesitate to take the final step, not because of fear or apprehension that I will not make good in civil life, but because the necessity for relief of men in the service is so apparent and just that it seems hardly possible that Congress will close its eyes and ears to our needs.

Mr. BROWNING. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. SINCLAIR].

Mr. SINCLAIR. Mr. Chairman and gentlemen of the committee, I rise to speak a word for my constituents, who are as underpaid as any in the land.

I wish to call attention to the bill introduced in this House by the gentleman from Montana [Mr. RIDDICK], which is reported and on the calendar, H. R. 11312, to appropriate money for the relief of the drought-stricken farmers of that State. I also introduced a similar bill, H. R. 11852, looking to the providing of the same relief for the farmers of North Dakota.

I want to say that, while we are practicing economy, it is not good business to practice economy in the line of that which will reduce production. The farmers of North Dakota are in need of aid to buy seed and feed with which to increase their production, and we ought to do something in the matter of extending to them that aid, because the farmers of the country are the ones upon whom the prosperity of the Nation depends.

The Agricultural report shows that at least 10,000,000 farmers have left their farms in the last decade because they have been unable to make ends meet. It is plain that we ought to do something to retain the present number of people on the farms.

The Great War took thousands of young men from the farms and they have not, in the main, returned to take up their former avocation. These boys constituted the help upon which the small-grain farmers depended in the production of their crops. A great shortage of farm help already exists, and has resulted in a much-reduced crop acreage throughout the winter rye and wheat districts. This reduction in planting amounts to about 30 per cent below the average. It is very evident that if a sufficient crop is to be produced this year with which to feed a hungry world, there must be a very large increase in the spring planting. This means that all the lands formerly seeded to spring wheat must be so planted this year. From my own knowledge, this can not be done in the drought-stricken areas of the Northwest unless aid can be given the farmers. Many of them, as a result of three successive failures, dut to unprecedented drought and rust, during which time the resources of the counties have been strained to the limit in extending aid, now find themselves in a position where they have not the seed for planting nor the money or credit with which to buy it. The banks of the affected areas have done all that could be expected of them, and in many instances more, in helping their customers. They are now without sufficient funds to grant the credit necessary for the financing of another crop. I have scores of letters from bankers in my district stating that they would gladly loan money to their farmer patrons to meet this emergency if they had it on hand. They know it is a good business risk, but the money is not to be had.

Could not at least a small part of the vast funds of the Federal Government now in the congested money centers be deflected to the banking institutions of the stricken areas to be in turn loaned by them to those in need? My bill, H. R. 11852, providing for the deposit of $10,000,000 by the Federal Government in the Bank of North Dakota, would meet the situation, so far as my State is concerned. Similar action could be taken in other States. There is ample precedent for such a course. In the spring of 1918, the Secretary of the Treasury advised the chairman of the Federal reserve bank of Dallas, Tex., to the effect that if he found that banks in the drought-stricken area were insufficiently supplied with loanable funds, deposits would be made in national bank depositaries in drought-stricken districts up to an aggregate of $5,000,000. This was done, and the entire fund was allotted among 88 national banks in amounts varying in accordance with the applications and the needs of the several districts. Of course the argument might be made that this was done in time of war. But the emergency existing then in Texas was no greater than that which our farmers in the Northwest are facing to-day. And it is a fact that when the Government called upon the farmers all over the United States to speed up production, those of the Northwest responded just as heartily and as patriotically as any other section of the Union. In this connection I think it would not be amiss to say that North Dakota, with a population of less than 700,000, lost in soldiers actually killed 4,266, while New York, with a population of nearly 10,000,000, had killed only 9,136 during the Great War. I do not wish to convey the thought that New York did not do her share in the conduct of the war or that she should have lost more men, for I know that she came to the front as valiantly as did any State, but I do say, and most emphatically, that it is little less than a national disaster that the great majority of the boys lost from the North Dakota ranks came from our farms, making more acute the farm-help problem in my State.

A few days ago this House of Congress voted to give aid to starving Europe to the extent of 5,000,000 barrels of whole wheat flour, which represented the profit of the United States Grain Corporation. Upon reflection, every Member of this body will realize that this profit came entirely from the grain producers of the country. It was fitting and proper that we should give aid to suffering Europe, but in our zeal to help those abroad we should not overlook the call for help from those at home, whose efforts made this bounteous gift possible.

They do not ask for charity but simply for a loan that will enable them to plant their crops and tide them over until a harvest can be had. This will insure the planting of many millions of acres in badly needed wheat and will save thousands of farmers from the loss of their farms and the work of a lifetime. They have every reason to believe that despite the hard luck of the past three years there will be a good harvest this season. In years past my district, which is a part of the country affected by drought, produced over 40,000,000 bushels of wheat and rye and 35,000,000 bushels of oats and barley in a single year, besides almost half the flax of the United States, so that there is no doubt but that, granted favorable weather conditions, a crop can be had. In fact, the present serious condition has been unprecedented in the history of that region. The weather outlook now is for a good crop this year, as there has been more winter moisture than in years.

It is no doubt difficult for those not familiar with conditions to believe that many of the farmers and their families actually are in want for proper food and clothing; that stock is being fed upon Russian thistles, and often can not get upon its feet without aid; that many of the men have had to seek work away from their homes to survive the winter—and that is not always to be had—that the counties are nearly all bonded to their limit, and therefore are helpless to come to the rescue in furnishing seed and feed, but all of these conditions exist, as is shown by the report of the Red Cross, who have been doing relief work, and who recently appropriated $50,000 to care for the most urgent cases. I quote from their statement as follows:

Money or credit is needed immediately so that stock can be put in shape for the spring work, so that seed may be distributed. Such money or credit should be granted on such liberal basis that those who have

exhausted commercial credit may be able to obtain benefit. It is impossible to estimate definitely the amount of funds needed but $5,000,000 would be ample for all cases of urgent necessity.

The $10,000,000 provided for in my bill means only 44 cents per acre for the drought area, but it will take care of those who have reached the final limit of their resources and to whom no other course is now left than abandoning their farms unless aid is forthcoming, and that at once. Federal aid now will do much to encourage the sturdy pioneers who have reduced the barren prairies to cultivated fields and maintain their faith in the beneficence of their National Government.

Mr. BROWNING. I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman and members of the committee, our very cordial and much respected colleague from Arkansas [Mr. CARAWAY] made some rather striking observations, I thought, in regard to the vote that was taken on the treaty yesterday. He suggested that no one who regarded his plighted faith could have supported the treaty as it came from the Committee on Foreign Relations. I have looked over the vote of day before yesterday on the reservations. The yeas were 54, divided, 40 Republicans and 14 Democrats. The nays were 26, all Democrats. If you notice the division of the vote, it will be 40 Republicans and 40 Democrats. Fifty four-eighths, or, to be a little more practical and not quite so exact, five-eighths of the vote were for the final reservation No. 2, on article 10, the one the President stated would cut the heart out of the league. One-third of that aggregate were Democrats. Less than three-eighths voted against the reservations. In other words, less than three-eighths of the Senate agreed with the President, while five-eighths refused to accept his decision, one-third of which were Democrats.

I think my friend Mr. CARAWAY should revise his observations when he realizes that one-third of the vote belonged to his own party.

Mr. CARAWAY. Will the gentleman yield?

Mr. FESS. Yes.

Mr. CARAWAY. If one-third of our party goes wrong, does the gentleman think that that justifies his entire party being wrong?

Mr. FESS. It will take more apologies of my friend to apologize for one-third of his party than it will to apologize for our whole party.

Mr. CARAWAY. Does the gentleman think that much more is expected of our party?

Mr. FESS. Yes; I think the public will demand more. Now, I do not want to be unfriendly, but I must not yield any further.

Mr. CARAWAY. I would not, either.

Mr. FESS. I do not mean to. The vote for ratification shows that of the 84 votes cast 49 of those were for ratification with the reservations and 35 were against ratification. Of the 49 for it, 28 were Republicans and 21 were Democrats. Of the 35 negative votes, 12 were Republicans and 23 were Democrats. The striking fact is that the Democratic vote was 21 for and 23 against, which comes very nearly being as many Democrats for the ratification with the Lodge reservations as there were against the ratification. This indicates both the strength of the position of the Senate and the weakness of that of President Wilson. Had he acceded to the Americanized league instead of holding to the Wilson view, there would have been very few votes cast against the treaty as safeguarded by the Senate Foreign Affairs Committee outside of the irreconcilable group, which have stood from the beginning against any sort of league.

Again, I think that in view of the vote in the Senate it is rather a delicate thing to make the statement that my friend from Arkansas has made.

Mr. GARRETT. Will the gentleman yield?

Mr. FESS. I will.

Mr. GARRETT. Does not the gentleman think that we ought to leave the Senate proceedings to the Senate itself for discussion?

Mr. FESS. I would state to my friend that if everybody would agree to that I would. But, as the gentleman will remember the old story, I did not begin this fight.

Another fact that I will note in following the suggestion of my friend from Tennessee, I will go out of the Senate, and House also, and call attention to the fact that some of the most distinguished Democratic leaders in the Nation have also urged that the matter be settled and settled upon the basis presented by the Committee on Foreign Affairs.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. GARRETT. Reserving the right to object, I am not a stickler about these matters, but is it the purpose of the gentleman from Ohio in extending his remarks to enter into an analysis of the vote in the Senate on this matter and put that into the RECORD? Of course, I think it is in violation of the rules of the House. If that is the purpose, much as I would regret to interfere with my friend from Ohio, I should be compelled to object, because I think it is in plain violation of the rules of the House and would be a greater offense to print it in the RECORD than to say it on the floor.

Mr. FESS. I am not violating the rules of the House. I am not quoting any Senator nor using the Senate's action to influence any vote of a Member of the House on a question before us. I am simply stating what the vote was on the treaty, which is not before us for action and can not be influenced by this House, all of which is now a matter of record.

Mr. WINGO. Mr. Chairman, reserving the right to object, the gentleman from Ohio suggests that he did not start this. As I understand, he discussed the former action of the Senate and put it in the RECORD some time ago.

It is a great public question, and the spirit of the rule was to avoid such reference to the Senate action as might cause friction between the two Houses. If the gentleman from Ohio is prepared to agree that when some gentleman on this side desired to discuss this matter they will permit full and free discussion on both sides, I think it would be perfectly proper.

I think it is a great public question, and I think it can be discussed by Members of the House without transgressing the spirit of the rule, but it is against the rules of the House to refer to the action of the other body by reading the votes in the Senate.

Mr. FESS. I could not make any promise as to what the individual Members of this side of the House would do, but the gentleman knows that I would not make any objection, and, more than that, I think the gentleman knows that I will not violate the rules of the House.

Mr. WINGO. Oh, yes; but I simply call attention to that, and I hope that no gentleman on either side will object to a proper discussion of the treaty.

Mr. LONGWORTH. Mr. Chairman, if the gentleman will pardon me, I think he is in error in saying that it is against the rule to refer to the action of the other body.

Mr. WINGO. I was once or twice called down by Republican leaders for doing that very thing. It is against the rule to read votes in the Senate and has been so ruled.

Mr. LONGWORTH. Mere facts as to action, I think, are admissible.

Mr. WINGO. I think, as far as the spirit of the rule is concerned, that is correct, and, further, I think it is a silly rule. This is the only place on earth where legitimate criticism and discussion of the action of the Senate of the United States is frowned upon and prohibited by the rules.

Mr. CARAWAY. And it is the only place where it is not indulged in. [Laughter.]

Mr. LONGWORTH. I am surprised to learn of my friend's ambition in that direction. The situation may change when he gets there.

Mr. WINGO. Mr. Chairman, I shall not object, as I think Members of the House should be given the right to fully discuss the action of the Senate on the treaty, of course obeying the general rule to discuss it temperately and with decorum and respect, as I am confident the gentleman from Ohio will do.

Mr. FESS. Now that the fight is ended in the Senate, it is proper to review the events.

In December, 1918, the President with his retinue went to Europe. It was well understood he would use his influence for a league. This story has often been told.

On January 25, 1919, the war council decided to report favorably. February 14 the constitution of the league was published in Europe and America. When the country declined to withhold debate, the President demanded its acceptance without change.

Upon his return from Europe in February he reported his work in a speech in Boston, in which he warned the country that these are the times when if Governments do not do what is wanted the people will change the Governments.

On February 26 he told the Foreign Affairs Committee of the Senate and House the league must be accepted as written.

He was served with a notice signed by 39 Senators, 7 more than the necessary number to defeat it, that the league as written could not and would not be accepted. These 39 were from the party in control of the Senate, and did not include

others not among the signers and not of the party in power who would also join the 39.

This was official notice to the President that the league must be modified or else separated from the treaty, or else the treaty would go down with the league. On the 4th of March, before he sailed the second time for Europe, he said in New York:

"The first thing that I am going to tell the people on the other side of the water is that an overwhelming majority of the American people is in favor of the League of Nations. I know that that is true." He also declared his determination to bring back the treaty so involved as to prevent separate consideration and thus compel the adoption of the league at the cost of the loss of the treaty when he announced to the country that, "When the treaty comes back gentlemen on this side will find the covenant not only in it, but so many threads of the treaty tied to the covenant that you can not dissect the covenant from the treaty without destroying the whole vital structure."

Europe even then displayed a willingness to separate the league, which decision was acceded to by our American members of peace council. But the President vetoed this action upon his landing. The country is familiar with the Lansing tragedy, which began when he declined to let his mind run with that of his chief. Bullitt's testimony was the second item in this historical drama. Col. House's isolation was another scene. Some changes were made in the constitution of the league in accordance with criticisms by Americans intent on better protection of the Nation.

Then began the struggle by the Senate to secure copy of treaty, on sale in Europe; and several copies having reached this country, Senator BORAH having secured a copy from a newspaper correspondent, read it into the RECORD June 10. July 10 the President made his first formal and official pronunciamento in an address before Congress.

The most significant utterance in this official decree was in the following words: "It—the League of Nations—must be accepted at whatever cost of independent action of the Government." This frank demand of the surrender of our national independence, if necessary, aroused the Nation. No one knew it better than the President. Then began the effort through individual conferences with Senators called to the White House from July 17 to August 1.

On August 19 the conference with the Senate Foreign Relations Committee was held at the White House. No agreement having been reached, the President entered upon his famous "swing around the circle" on September 3. On September 6 he reached the climax in Kansas City where he frankly declared that the cause of the league was greater than the Government. His exact words were: "I have come out to fight for a cause. That cause is greater than the Senate; it is greater than the Government. It is as great as the cause of mankind."

This quieted those among the friends of the league who had persisted that independence and sovereignty of the Nation were not involved.

On September 10 the Senate Foreign Relations Committee reported to the Senate the treaty with reservations. This was the Senate's specific challenge for Americanizing the treaty against the President's remarkable statement that the league was of more importance than the Government itself. The appeal to the country was cut short by the unfortunate illness of the President which still distresses the country. The Senate adopted the committee's reservations by very decisive majorities, commanding all the Republican votes in the Senate and from four to seven Democrats.

The President on the 18th of November, in a letter to Senator HITCHCOCK, instructed all friends of the treaty to vote against ratification if the reservations were attached. His language was, "I trust all true friends of the treaty will refuse to support the Lodge resolution."

Soon after the vote came on ratification with reservations, which was rejected 39 to 55. There were 35 Republicans and 4 Democrats for it, and 42 Democrats and 13 Republicans against it. Upon reconsideration the vote stood 41 for it and 51 against it—7 Democrats voting for it. Then the vote was on ratifying without reservations. The vote stood 38 for and 53 against; 37 Democrats and 1 Republican for and 46 Republicans and 7 Democrats against.

The treaty was rejected because of the dispute over the league on November 19, four months after it had been submitted to the Senate by the President. Three months later, February 19, 1920, by suspension of the rules of the Senate it was again taken up. The country is quite familiar with the details of the struggle since that date. The most significant event was the utterance of Ambassador Grey in his letter to the London Times, in which he clearly set forth to the English public the real situation here, which was not understood by a people whose government was that of the responsible ministry, where the government's act is that of the people until reversed by their vote. He also explained how the President could be repudiated and still retain his official position, which does not obtain as it does in England, where his act is that of the country which he represents. Grey also notified Americans that England would accept the treaty with the reservations. This nullified the President's declaration that he could not accept the reservations because our associates would not accept them.

It was also announced that France and Italy would accept the treaty with reservations.

The country, greatly distressed over the slow recovery of the President's health, was shocked over the dismissal of Secretary Lansing at this critical time, made more so because of the Mexican disturbances, which the Secretary of State was handling in consultation with the other members of the Cabinet.

The President, resuming his leadership so long in abeyance because of his state of health, again informed the Senate he would not agree to compromise. The efforts of the bipartisan committee were of no avail. The President made it clear that all reservationists were nullifiers, and he could see no difference between a nullifier and a mild nullifier. He had said to all Republican and Democratic Senators, "Sign here." Now, his answer to his Democratic friends who propose a compromise is the decisive and short command, "Not acceptable."

On March 18 the Lodge reservations safeguarding American sovereignty and independence were again adopted by a decisive vote.

They were attached at once to the treaty which was to be voted upon. Democratic organs urged their acceptance and ratification. Democratic statesmen joined in the plea. Democratic Senators pleaded for it. On March 19, just one month after it was again taken up and four months after it was first defeated, the President's influence again killed the treaty.

The war is still on technically. There has not been a time since September 10, when the Senate first reported the resolutions, that the war could not have been ended in 48 hours had the President been willing to abide by a majority of the Senate.

It still goes on, and will so continue until by act of Congress it is ended.

The treaty seems dead. The league becomes an issue in the next election.

No matter what is the result of the vote, under our system President Wilson will be President until March 4, 1921. There is no constitutional power to compel him to submit to the verdict of the people as there was not when he was rebuked in the last election of the present Congress.

Republicans will accept his challenge to carry the contest to the people.

He has made it an issue. We will meet it under a full realization that no political party has ever won nor will it ever win a contest when it takes the foreign side of an international issue. Republicans will stand on the American side of this issue, and they will meet their foes under the leadership of any internationalist.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The Chair would state that there have been several speeches made in committee to-day that came very close at least to the line of infringing the rule about reference to the Senate. The Chair did not make any suggestion to gentlemen, partly because the matter referred to was of very recent occurrence and a very active matter, and partly because the rule and the principle of the rule in respect to respectful reference to the proceedings in the Senate is based upon the idea that the action of the House should not be influenced on a subject matter by the action of the Senate on the same subject matter. Of course, with the subject matter referred to to-day, the House has nothing whatever to do.

Mr. BROWNING. Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. The gentleman from Tennessee does not desire to use the balance of his time?

Mr. PADGETT. No.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the naval service of the Government for the year ending June 30, 1921, and for other purposes.

Mr. BROWNING. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore (Mr. WALSH) having resumed the chair, Mr. MANN of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13108, the naval appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. JOHNSON of Mississippi for 10 days, on account of sickness in family.

EXTENSION OF REMARKS.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the railroad bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. BROWNING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 38 minutes p. m.) the House adjourned until Monday, March 22, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting letter calling attention to House Document No. 687 (66th Cong.) requesting a deficiency appropriation for printing and binding for the Treasury Department for the fiscal year ending June 30, 1920; to the Committee on Appropriations.

2. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Henry A. Cleland *v.* the United States; to the Committee on War Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. VESTAL, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (H. R. 12460) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Maine into the Union, reported the same without amendment, accompanied by a report (No. 756), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BYRNS of Tennessee: A bill (H. R. 13171) to amend the War Finance Corporation act; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: A bill (H. R. 13172) to provide for 1-cent a mile furlough fare for all soldiers, sailors, and marines now being given treatment in hospitals; to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 13173) to obtain revenue and to encourage and maintain the production of antimony salts, titanium salts, hydrosulphites, sulphoxylates, and artificial bates in the United States and in its possessions; to the Committee on Ways and Means.

By Mr. GREENE of Massachusetts: A bill (H. R. 13174) to provide for the award of a medal of merit to the personnel of the merchant marine of the United States of America; to the Committee on the Merchant Marine and Fisheries.

By Mr. KELLEY of Michigan: A bill (H. R. 13175) relative to promotion by selection in the Navy; to the Committee on Naval Affairs.

By Mr. KAHN: A bill (H. R. 13176) directing the remission of customs duties on certain War Department property; to the Committee on Ways and Means.

By Mr. OGDEN: A bill (H. R. 13177) to amend an act entitled "An act increasing the pay of printers and pressmen employed in the Government Printing Office, and for other purposes," approved August 2, 1919; to the Committee on Printing.

By Mr. STEENERSON: A bill (H. R. 13178) authorizing the Postmaster General to investigate and adjust claims arising out of contracts for supplies and services for the Postal Service, entered into prior to June 30, 1917; to the Committee on the Post Office and Post Roads.

By Mr. TINKHAM: Joint resolution (H. J. Res. 318) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany; to the Committee on Foreign Affairs.

By Mr. SANFORD: Joint resolution (H. J. Res. 319) authorizing the use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CASEY: A bill (H. R. 13179) granting an increase of pension to Grace E. Kniffen; to the Committee on Invalid Pensions.

By Mr. CHRISTOPHERSON: A bill (H. R. 13180) granting a pension to Charlotte S. Longenecker; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 13181) granting an increase of pension to J. F. Williamson; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 13182) granting a pension to Marion A. McClelland; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 13183) for the relief of Daniel Ward; to the Committee on Military Affairs.

By Mr. DUNBAR: A bill (H. R. 13184) granting an increase of pension to William W. Ash; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 13185) for the relief of Joseph B. Medley; to the Committee on Claims.

By Mr. HULL of Tennessee: A bill (H. R. 13186) granting an increase of pension to Martha E. McDonald; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 13187) granting an increase of pension to Andrew B. McCall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13188) granting a pension to Tilden F. Skaggs; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 13189) granting a pension to Harrison Lantz; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 13190) granting an increase of pension to Elisha McClamant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13191) granting an increase of pension to Edmund Gerber; to the Committee on Pensions.

By Mr. McKENZIE: A bill (H. R. 13192) granting a pension to Ida Florence Brady; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 13193) granting an increase of pension to Nancy Odom; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13194) granting a pension to Bettie E. Pearson; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13195) for the relief of Paul Burriss; to the Committee on Claims.

By Mr. VAILE: A bill (H. R. 13196) granting an increase of pension to Hosea Knowles; to the Committee on Invalid Pensions.

By Mr. WEBSTER: A bill (H. R. 13197) granting a pension to Nelson O. Barker; to the Committee on Pensions.

By Mr. WINGO: A bill (H. R. 13198) granting a pension to Berry C. Smith; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2456. By the SPEAKER (by request): Petition of the Amalgamated Silver Workers' Union, Local No. 38, of New York, opposing the Sterling-Graham sedition bill, etc.; to the Committee on the Judiciary.

2457. By Mr. BROWNING: Petition of citizens of Camden, N. J., favoring self-determination for Ireland; to the Committee on Foreign Affairs.

2458. By Mr. EMERSON: Petition of Service Star Legion War Mothers of America, Cleveland, Ohio, favoring the equalization of compensation bill; to the Committee on Ways and Means.

2459. By Mr. FULLER of Illinois: Petition of W. Shanhouse & Sons, Central Furniture Co., Barber Coleman Co., Fay Lewis & Bros. Co., Anderson Manufacturing Co., Haddorf Piano Co., Cotta Gear Co., School Furniture Co., and Rockford Silver Plate Co., all of Rockford, Ill., opposing House bills 12379 and 12646; to the the Committee on Banking and Currency.

2460. Also, petition of Chamber of Commerce of the State of New York, favoring the repeal of the excess profits and income surtaxes, reduction of the inheritance tax, and the substitution of a tax on sales; to the Committee on Ways and Means.

2461. By Mr. GALLIVAN: Petition of N. S. Wilson Co., of Boston, Mass., favoring the passage of the Jacoway bill, House bill 11729; to the Committee on Ways and Means.

2462. Also, petition of New England Cotton Buyers' Association, of Boston, Mass., opposing House bill 12379; to the Committee on Banking and Currency.

2463. By Mr. GREENE of Massachusetts: Petition of Warren S. Hathaway Post, No. 228, American Legion, Somerset, Mass., relative to the allowances to be made to veterans of the World War; to the Committee on Ways and Means.

2464. By Mr. HAWLEY: Letter from Mr. C. B. Smith and others, of Indianapolis, Ind., favoring additional compensation for ex-service men of the World War; to the Committee on Ways and Means.

2465. Also, letter from Rainier Post, No. 31, American Legion, at Rainier, Oreg., favoring $50 per month of service bonus and home-loan plan as additional compensation for ex-service men of the Great War; to the Committee on Ways and Means.

2466. Also, letter from Capital Post, No. 9, the American Legion, at Salem, Oreg., favoring option of four features suggested by American Legion as additional compensation for ex-service men of the recent war; to the Committee on Ways and Means.

2467. By Mr. JOHNSTON of New York: Petition of the Maritime Association of the Port of New York, relative to the docking facilities at the port of New York, etc.; to the Committee on Rivers and Harbors.

2468. Also, petition of the Tiger Post, No. 23, the American Legion, New York, urging universal military training, etc.; to the Committee on Military Affairs.

2469. Also, petition of the Italian Chamber of Commerce of New York, relative to the prohibition question; to the Committee on the Judiciary.

2470. Also, petition of Henry T. Atkinson, general secretary of the Church Peace Union of New York, relative to the Armenian question; to the Committee on Foreign Affairs.

2471. Also, petition of the George Washington Post, No. 120, of New York, urging universal military training, etc.; to the Committee on Military Affairs.

2472. By Mr. LINTHICUM: Petition of Phillips Bros. & Co., James M. Easter, and Swift & Co., of Baltimore, Md., opposing the Steagall bill, House bill 12379; to the Committee on Banking and Currency.

2473. Also, petition of William Silver and J. Warren Burgess, of Maryland, relative to the soldiers' bonus bill, etc.; to the Committee on Ways and Means.

2474. Also, petition of C. M. Gray and C. Franklin Grill, of Baltimore, Md., favoring the retention of the bonus to Federal employees; to the Committee on Appropriations.

2475. Also, petition of William D. Lilly and James W. Foster, of Baltimore, Md., in favor of universal military training; to the Committee on Military Affairs.

2476. Also, petition of secretary of Maryland League of Postmasters, opposing an amendment to the post-office appropriation bill to abolish third and fourth class post offices and making them substations of larger offices; to the Committee on the Post Office and Post Roads.

2477. Also, petition of recording secretary Wells and McComas Council, No. 16, Daughters of America, Baltimore, Md., urging support of immigration bill, House bill 12320; to the Committee on Immigration and Naturalization.

2478. Also, petition of Milton A. Reckord, adjutant general of the State of Maryland, relative to House bill No. 9694; to the Committee on Naval Affairs.

2479. Also, petition of Maryland Optical Co., indorsing Treadway bill, providing for the removal of excise taxes on spectacles and eyeglasses; to the Committee on Ways and Means.

2480. Also, petition of Robert W. Williams, Baltimore, Md., favoring section 24 of Senate bill 3688, providing for the enrollment of reserve General Staff officers; to the Committee on Military Affairs.

2481. By Mr. MORGAN: Petition of the Kansas Conference of the United Evangelical Church, favoring an amendment to the preamble of the Constitution of the United States; to the Committee on the Judiciary.

2482. By Mr. SNYDER: Petition of Utica (N. Y.) Optometric Society, protesting against the collection of duty on optical lenses; to the Committee on Ways and Means.

2483. Also, petition of A. S. Morgan Post, No. 66, American Legion, of Camden, N. Y., and Ralph Baldwin Post, No. 845, American Legion, of Frankfort, N. Y., favoring resolution adopted by the national convention of the legion November 18, 1919, regarding soldiers' bonus; to the Committee on Ways and Means.

2484. By Mr. TINKHAM: Petition of Students' Liberty Club, of Harvard University, pledging their heartfelt indorsement of and sympathy with the people of Korea; to the Committee on Foreign Affairs.

2485. Also, petition of the Eastern Shook & Wooden Box Manufacturers' Association, of Boston, Mass., favoring a revision of the antitrust act regarding strikes; to the Committee on Labor.

2486. By Mr. VAILE: Petition of the Garfield Post, No. 83, American Legion, of Glenwood Springs, Colo., urging universal military training, etc.; to the Committee on Military Affairs.

SENATE.

MONDAY, *March 22, 1920.*

Rev. Daniel S. Tuttle, Bishop of Missouri and Presiding Bishop of the Protestant Episcopal Church, offered the following prayer:

Let us pray.

Almighty God, our Heavenly Father, we thank Thee for our country and our flag, and the abounding mercies and favors that Thy benign providence has showered upon our whole land. Grant, we beseech Thee, merciful Lord, to us pardon and peace, that we may be cleansed from all our sins and serve Thee with a loyal mind.

Direct the Senate this day and all its days of session with Thy most gracious favor, and further it with Thy continual help, that in the day's work, begun, continued, and ended in Thee, its Members may glorify Thy holy name and finally by Thy mercy obtain everlasting life. Through Jesus Christ our Lord, in whose name and whose own words we sum up these our prayers:

"Our Father who art in heaven. Hallowed be Thy name. Thy kingdom come. Thy will be done, on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory. For ever and ever. Amen."

On request of Mr. CURTIS and by unanimous consent the reading of the Journal of the proceedings of Friday last was dispensed with, and the Journal was approved.

CALLING OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Harding	Lodge	Simmons
Brandegee	Harris	McLean	Smith, Md.
Chamberlain	Johnson, S. Dak.	McNary	Smith, S. C.
Culberson	Jones, N. Mex.	Myers	Smoot
Cummins	Jones, Wash.	Nelson	Spencer
Curtis	Kendrick	Norris	Sterling
Dial	Keyes	Page	Trammell
France	King	Pomerene	Wadsworth
Gay	Kirby	Robinson	Watson
Hale	Lenroot	Sheppard	Williams

Mr. CURTIS. I have been requested to announce the absence of the Senator from Vermont [Mr. DILLINGHAM] on account of illness in his family.

Mr. GAY. I wish to announce that my colleague, the senior Senator from Louisiana [Mr. RANSDELL], is necessarily detained from the Senate. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Forty Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Reading Clerk called the names of the absentees, and Mr. FRELINGHUYSEN, Mr. GRONNA, Mr. MOSES, Mr. NEW, Mr. OVERMAN, Mr. SUTHERLAND, Mr. THOMAS, and Mr. WALSH of Montana answered to their names when called.

Mr. NUGENT, Mr. COMER, Mr. GORE, Mr. SPENCER, Mr. KENYON, Mr. STANLEY, Mr. PITTMAN, Mr. HENDERSON, Mr. McKELLAR, Mr. HARRISON, Mr. WALSH of Massachusetts, Mr. PHELAN, Mr. ASHURST, and Mr. CAPPER entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Sixty-three Senators have answered to their names. There is a quorum present.

PRINTING AND BINDING—TREASURY DEPARTMENT (S. DOC. NO. 257)

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, requesting a deficiency appropriation of $250,000 for printing and binding for the Treasury Department for the fiscal year ending June 30, 1920, which was referred to the Committee on Appropriations and ordered to be printed.

COMMERCIAL BRIBERY (S. DOC. NO. 258).

The PRESIDENT pro tempore laid before the Senate a communication from the Federal Trade Commission transmitting, pursuant to law, a special report dealing with the subject of commercial bribery, which, with the accompanying paper, was referred to the Committee on Interstate Commerce and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11927) to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BUTLER, Mr. BROWNING, Mr. KELLEY of Michigan, Mr. PADGETT, and Mr. RIORDAN managers at the conference on the part of the House.

The message further announced that the House had passed the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 11309) to authorize the Secretary of the Treasury to fix compensation of certain laborers in the Customs Service, and it was thereupon signed by the President pro tempore.

WOMAN SUFFRAGE.

The PRESIDENT pro tempore. The Chair lays before the Senate a certified copy of joint resolution adopted by the Legislature of the State of New Mexico ratifying the proposed Susan B. Anthony amendment to the Constitution, which will be filed.

TARIFF ON BUTTONS.

Mr. CURTIS, from the Committee on Finance, to which was referred the bill (H. R. 7705) to amend section 339 of the tariff act of October 3, 1913, in respect to the tariff on buttons of shell and pearl, reported it without amendment and submitted a report (No. 483) thereon.

BUILDINGS AT CAMP FUNSTON, KANS.

Mr. MYERS. I report back favorably with amendments from the Committee on Military Affairs the bill (S. 3706) authorizing the Secretary of War to make settlement with the lessees who erected buildings on a five-year lease on the zone at Camp Funston, Kans., and for other purposes, and I submit a report (No. 485) thereon.

In this connection I wish to state that the bill was carefully investigated by the subcommittee of the Committee on Military Affairs, which reported in its favor, and the full committee unanimously recommended the bill for passage with an amendment. The amendment recommended by the full committee is to strike out the proviso at the end of the bill. As amended the bill has the hearty approval of the Secretary of War, as shown in a letter from him embodied in the report of the committee. I ask that the bill may be read, and I call it to the attention of the Senator from Kansas [Mr. CURTIS].

Mr. CURTIS. I ask unanimous consent for the immediate consideration of the bill.

Mr. SMOOT. Let the bill be read.

The PRESIDENT pro tempore. The Secretary will read the bill.

The bill was read.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent for the present consideration of the bill. Is there objection?

Mr. SMOOT. Before giving consent, I should like to have the Senator from Kansas make some explanation of the bill.

Mr. CURTIS. Mr. President, the concessionaires erected the buildings referred to in the bill at the request of the War Department and paid for them under five-year leases. Before the five years had expired, however, and after the leases had run but two years, the War Department canceled the leases and are now using the buildings. Some three or four of the concessionaires have lost money by reason of the cancellation of the leases. The claims all told will not amount to over $140,000, while the department derived as revenue out of the matter over $205,000.

Mr. SMOOT. Were the buildings erected for war activities?

Mr. CURTIS. They were and were erected on the military reservation.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments. On page 1, line 7, after the word "Kansas," to strike out the period and insert a comma; and in the same line, after the word "Kansas," to strike out "The" and insert "the"; and on the same page, after the word "holders," to strike out the colon and insert a period; and to strike out the proviso, as follows:

Provided, That if the amount which the Secretary of War agrees to pay to any lessee is unsatisfactory to the lessee entitled to receive the same, said lessee shall be paid 75 per cent of the amount so determined by the Secretary of War, and shall be entitled to sue the United States, in the United States District Court for the District of Kansas, to recover such further sum as added to said 75 per cent will make up such amount as will be just and a fair settlement therefor.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to make such settlement as he thinks just and proper, with the several lessees who erected buildings under a five-year lease, with renewal clauses, on the zone of Camp Funston activities and amusements, at Camp Funston, Kans., the buildings having been erected under the authority of the War Department and at the invitation of the Department of Camp Activities, under leases which were properly approved, but which have been canceled before the expiration of any of said leases, and over the protest of the holders.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDRESS BY ROME G. BROWN.

Mr. MOSES, from the Committee on Printing, reported the following resolution (S. Res. 335), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript entitled "Address before the Middlesex County Bar Association on Americanism *v.* Socialism," delivered by Rome G. Brown, and submitted to the Senate by Senator KELLOGG on February 15, 1920, be printed as a Senate document.

ADDRESS BY JOHN BASSETT MOORE.

Mr. MOSES, from the Committee on Printing, reported the following resolution (S. Res. 336), which was considered by unanimous consent and agreed to:

Resolved, That the manuscript entitled "Address on the Work of the International High Commission," delivered by John Bassett Moore at the Second Pan American Conference, and submitted to the Senate by Senator FLETCHER on February 13, 1920, be printed as a Senate document.

BOLSHEVIST MOVEMENT IN RUSSIA.

Mr. MOSES, from the Committee on Printing, to which was referred Senate resolution 318, submitted by Mr. FRELINGHUYSEN on the 2d instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That 2,500 additional copies of Senate Document No. 172, Sixty-sixth Congress, second session, entitled "Bolshevist Movement in Russia," be printed for the use of the Senate.

RELIEF OF EUROPEANS.

Mr. SMOOT. From the Committee on Finance I report back favorably, without amendment, the bill (H. R. 12954) providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food, and I submit a report (No. 486) thereon. I ask unanimous consent for the present consideration of the bill.

Mr. GORE. I wish to ask the Senator from Utah if he will insist upon the present consideration of the bill if it leads to protracted debate?

Mr. SMOOT. If it leads to any protracted debate I will withdraw the request.

Mr. GORE. I think we ought to have the morning hour for the transaction of morning business.

Mr. SMOOT. I will say to the Senator that if we are going to give any relief at all it ought to be extended at once; and I do not believe that the bill will lead to any debate.

Mr. GORE. I appreciate the emergency of this measure. My only suggestion is that it be delayed for 15 or 20 minutes, until we finish the regular call.

Mr. SMOOT. I repeat, if the bill leads to any debate, I will withdraw the request for its present consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. KING. Reserving the right to object, I should like to have the bill read.

Mr. LODGE. I should like to have the bill read before I state whether or not I shall object.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Assistant Secretary read the bill, as follows:

Be it enacted, etc., That, for the participation of the Government of the United States in the furnishing of foodstuffs to populations in Europe and countries contiguous thereto suffering for the want of food, the United States Grain Corporation is hereby authorized, with the approval of the Secretary of the Treasury, to sell or dispose of flour now in its possession, not to exceed 5,000,000 barrels, for cash or on credit at such prices and on such terms or conditions as may be necessary to carry out the purposes of this act and to relieve populations in the countries of Europe or countries contiguous thereto suffering for the want of food: *Provided*, That an audited, itemized report of the receipts and expenditures of the United States Grain Corporation for the purposes authorized by this act shall be submitted to Congress not later than the first Monday in December, 1920.

Mr. SMOOT. Mr. President, I wish to say to the Senate in a few words that the sales under the provisions of this legislation are limited to flour now in the possession of the United States Grain Corporation. This flour, the product of soft wheat, is perishable, and there is no ready domestic market for it. Hence its sale abroad is expedient, and it will not affect the home supply of foodstuffs. In other words, if this flour is not disposed of in Europe it is impossible to carry it over another season, and it will be a loss.

Mr. THOMAS. In other words, it will spoil.

Mr. SMOOT. It will spoil, as the Senator from Colorado states.

Mr. POMERENE. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. POMERENE. Some time ago there was another bill introduced, and I think perhaps it passed the House——

Mr. SMOOT. It did not pass the House. I presume the Senator has in mind the bill appropriating $50,000,000.

Mr. POMERENE. Yes; it authorized a loan, as I recall, to foreign Governments. What, if anything, has been done in regard to that matter?

Mr. SMOOT. This bill has been substituted for that bill in the House, I will say to the Senator, and this is the only relief measure that is asked of Congress at the present time.

Mr. POMERENE. What is the probable present value of this flour?

Mr. SMOOT. I think it is valued at about $50,000,000.

Mr. BRANDEGEE. Mr. President, can the Senator from Utah tell me what has been the prevailing price per barrel for flour in the last month or so?

Mr. SMOOT. For this class of flour the price is $10.65 a barrel.

Mr. BRANDEGEE. Has the Senator any information as to why this flour or any portion of it has not been sold to the people of this country?

Mr. SMOOT. There is very little call for this class of flour; it is made of soft wheat.

Mr. BRANDEGEE. What is the price of the best grade of flour per barrel?

Mr. SMOOT. The wholesale price is between $13 and $14.

Mr. BRANDEGEE. While there may have been very little call for this grade of flour, if it had been offered on the market, does not the Senator think it could have been sold and would have relieved the high price of flour in this country?

Mr. SMOOT. I have been informed that it has always been on the market, and could have been sold at any time; but there is not the demand for it that there is for flour made from hard wheat.

Mr. GORE. Mr. President, does the Senator happen to know why this much soft wheat was converted into flour, instead of being mixed with spring wheat and made into a merchantable flour?

Mr. SMOOT. I have no information on that point.

Mr. GRONNA. Mr. President, reserving the right to object, I want to say just a word with reference to this legislation.

This is another illustration of what happens when we have Government officials interfering with private business. When the law providing for a minimum guarantee of wheat was enacted by Congress, I doubt if any Member of Congress anticipated that any such thing would be undertaken as for the Grain Director to go into the manufacture of flour.

Mr. President, this bill speaks for itself, and the statement made by the Senator from Utah [Mr. SMOOT] is absolutely correct so far as I understand it. This flour has been on the market at all times, and the Grain Corporation has expended large sums of money advertising it at a price much lower than the price of white patent flour, which is being used by the American people; but they have refused to buy it. One of the large grain dealers from the seaboard testified before the Committee on Agriculture and Forestry that he had purchased 4,000 barrels of this flour, but upon information that it was impossible to dispose of it he naturally canceled the order.

Mr. President, I have no objection to any legislation to authorize the Government to help the starving people of Europe. On the contrary, I am in favor of it; but what right had the Grain Director to go into the business of manufacturing flour—flour which the people of the the United States will not use? Is not this bill evidence that unless we could now send it across to the starving people of Europe, there would have been a loss of between fifty and sixty million dollars right here?

Mr. President, I have criticized the Grain Corporation, and I think some of the Senators coming from States where they do not produce wheat have believed that I have made the criticisms simply because I come from a wheat State. I believe I may say that I am broad minded enough to have the interests of the people of other States—of the cotton States and the manufacturing States—at heart as well as those of the people of my own State. When I found out that the Grain Corporation was going into the manufacturing business, I believed that it was a mistake, and I was not afraid to say so; and this demonstrates it, as the Senator from Utah says. But the mistake has been made, and of course we have to take the results.

I would have been much happier if we could have taken first-class flour manufactured by the mills of the United States and shipped it across to the starving people of Europe, rather than to have to admit that we are sending them flour which we do not care to use. To me, it is a humiliating proposition to have to admit that we are dealing here with a food product which the American people refuse to use.

Of course, I shall not object to the consideration nor to the passage of the bill, but I simply want to remind Senators now that it is time to call a halt on this unwarranted interference by some of these officials who have no authority whatever under any law, as far as I know, to transact their business in the way that it has been transacted.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 4107) to authorize interstate cooperative associations; to the Committee on Interstate Commerce.

A bill (S. 4108) enabling members of Naval Reserve Force to secure honorable discharges; to the Committee on Naval Affairs.

A bill (S. 4109) for the appointment of William Edward Tidwell as first lieutenant in the United States Army; to the Committee on Military Affairs.

By Mr. LENROOT:

A bill (S. 4111) to reimburse the State of Wisconsin for expenses incurred in mobilizing, recruiting, mustering, and subsistence of troops in the war against Germany; to the Committee on Military Affairs.

By Mr. NEW:

A bill (S. 4112) to provide for the development of traffic for the Government railroad in Alaska, and for other purposes; and

A bill (S. 4113) to provide for the administration of national property and interests in the Territory of Alaska, and for other purposes; to the Committee on Territories.

A bill (S. 4114) granting an increase of pension to Charles Wilkinson (with accompanying papers); and

A bill (S. 4115) granting an increase of pension to Charles M. Gregory (with accompanying papers); to the Committee on Pensions.

By Mr. DIAL (by request):

A bill (S. 4116) for the relief of Elizabeth R. Nicholls and Joanna L. Nicholls, heirs of Joshua Nicholls, deceased (with accompanying papers); to the Committee on Claims.

By Mr. COLT:

A bill (S. 4117) referring the claim of the State of Rhode Island for expenses during the War with Spain to the Court of Claims for adjudication; to the Committee on Claims.

A bill (S. 4118) to amend further the new Judicial Code; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

A bill (S. 4119) to authorize an issue of bonds in exchange for bonds of the first, second, third, and fourth Liberty loan issues; to the Committee on Finance.

By Mr. SMOOT:

A bill (S. 4120) authorizing the Secretary of the Interior to grant further extension of time within which to make proof on desert-land entries; to the Committee on Public Lands.

THE MERCHANT MARINE.

Mr. JONES of Washington. I have received a bill from the Secretary of Commerce, with the suggestion that it be introduced. In accordance with that request, I send to the desk the bill for introduction and reference.

The bill (S. 4110) to provide for the award of a medal of merit to the personnel of the merchant marine of the United States of America was read twice by its title and referred to the Committee on Commerce.

REPEAL OF THE LEVER ACT.

Mr. GORE. I introduce a joint resolution to repeal the so-called Lever Act, and ask that it be referred to the Committee on Agriculture and Forestry.

I wish to say that I have deferred the introduction of this joint resolution until the failure of the peace treaty. This was a war measure, and the excuse for its enactment has now passed. Its continuance is fraught with danger to business, labor, and the farmers.

Mr. KING. Mr. President, in view of the vote the other day, I should like to ask the Senator whether he considers that the peace treaty has been effectually disposed of?

Mr. GORE. I used the expression "failure of the peace treaty" rather as a converse of success. Certainly it was not a success.

Mr. POMERENE. Mr. President, I think a similar bill was presented the other day by the Senator from New Jersey.

Mr. GORE. I am not advised as to that. I hope so, and I hope that one is in contemplation by every Member of the Senate. I think we ought to begin now to clean up on this war legislation. It was proper to wait until the fate of the treaty was known.

Mr. POMERENE. A bill providing for the repeal of some features of the legislation was presented, and I thought it was referred to the Interstate Commerce Committee. Perhaps I am wrong about that.

Mr. GORE. I asked to have this joint resolution referred to the Committee on Agriculture and Forestry because that committee reported the original bill, which is now the law.

Mr. POMERENE. That is true.

Mr. GORE. Properly, this joint resolution would go to the Committee on Agriculture and Forestry.

The joint resolution (S. J. Res. 175) to repeal the so-called Lever Act, approved August 10, 1917, was read twice by its title and referred to the Committee on Agriculture and Forestry.

CONSTITUTIONAL AMENDMENT ON TREATIES.

Mr. OWEN. I introduce a joint resolution and ask that it be read and referred to the Committee on the Judiciary.

The joint resolution (S. J. Res. 176) to amend Article V of the Constitution was read the first time by its title, the second time at length, and referred to the Committee on the Judiciary, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of each House concurring therein), That in pursuance of Article V of the Constitution of the United States the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

ARTICLE —.

The President shall have power, by and with the advice of the Senate, to frame treaties, and, with the consent of the Senate, a majority of the Senate present concurring therein, to conclude the same.

RIVER AND HARBOR APPROPRIATIONS.

Mr. McNARY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SHEPPARD submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were referred to the Committee on Commerce and ordered to be printed.

WITHDRAWAL OF PAPERS—DANIEL H. ANKER.

On motion of Mr. MYERS, it was

Ordered, That the papers accompanying bill S. 2185, Sixty-sixth Congress, first session, granting a pension to Daniel H. Anker, be withdrawn from the files of the Senate, no adverse report having been made thereon.

ACTIONS FOR DEATH ON HIGH SEAS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters, which was, on page 3, in lines 10 and 11, to strike out "as to causes of action accruing within the territorial limits of any State."

Mr. NELSON. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HOUSE BILL REFERRED.

H. R. 12775. An act to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, was read twice by its title and referred to the Committee on Military Affairs.

MILITARY ACADEMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WADSWORTH submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 24, 28, 30, 32, 34, 36, 45, 46, 49, 64, 76, 77, 79, and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 18, 19, 20, 23, 26, 27, 29, 31, 33, 35, 37, 39, 41, 42, 43, 44, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 78, 81, 83, 85, 86, 87, and 88, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "$3,500, and the present incumbent shall have the relative rank and be entitled to the pay, allowances, and emoluments of a lieutenant colonel during his incumbency"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Service detachment: For pay of service detachment"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Extra pay of enlisted men: For extra pay of enlisted men"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Pay of civilians: For pay of civilians"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "The"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "For"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Miscellaneous. Course of instruction:"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "*Provided further*, That any cadet now at the academy may at his option, exercised prior to June 11, 1920, continue at the academy one additional year and postpone thereby his prospective graduation, and cadets not electing so to prolong their course shall be graduated in the years assigned to their respective classes prior to the passage of this act"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "Amendment to section 1318, Revised Statutes relating to appointments: That section "; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"Hotel at West Point: That the paragraph of the Military Academy appropriation act for 1920, approved March 4, 1919, relating to the erection of a hotel building at West Point, N. Y., be, and is hereby, amended to read as follows: That the Secretary of War is hereby authorized to lease land on the United States Military Reservation at West Point, for a term of not exceeding 50 years, to any corporation, company, or individual, upon which to erect a hotel, and all other necessary buildings in connection therewith, in accordance with plans and specifications submitted to and recommended by the Superintendent of the Military Academy, and approved by the Secretary of War. Said lease shall contain such conditions, terms, reservations and covenants, as may be agreed upon and shall also provide for just compensation to the lessees for the construction of said hotel, appurtenances, and equipments, to be paid to said lessees at the termination of said lease."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"Ramon Ricardo Arias: The Secretary of War be, and he hereby is, in his discretion, authorized to permit one Ramon Ricardo Arias, a citizen of Panama, without expense to the United States, to receive instruction at the United States Military Academy at West Point; and such student, while undergoing instruction as herein authorized, shall be accorded the same privileges as are authorized by law for cadets at the Military Academy appointed from the United States."

And the Senate agree to the same.

J. W. WADSWORTH, Jr.,
J. S. FRELINGHUYSEN,
Managers on the part of the Senate.

JULIUS KAHN,
J. M. MORIN,
J. W. WISE,
Managers on the part of the House.

Mr. WADSWORTH. I ask unanimous consent for the present consideration of the conference report.

Mr. SMOOT. Mr. President, will the Senator from New York briefly state what changes have been made in the bill as it passed the Senate?

Mr. WADSWORTH. Mr. President, the overwhelming majority of the amendments were amendments in the printing of the bill in the captions of different sections and subdivisions. There were something like 90 of those. The Senate committee redrafted the bill in that respect in order to have it conform more nearly to the standard form of bill drafting as suggested by the printer.

The pay of master of the sword at the academy was raised $500. That was one amendment. Then the phrase of the bill, which was agreed to by both Houses in different forms, which permits cadets now at the Military Academy to stay there at their choice for an additional year was redrafted.

Mr. SMOOT. That is the provision which allows the cadets to remain at the academy four years instead of three years?

Mr. WADSWORTH. Yes. We establish the four-year course at the Military Academy; and we permit the cadets now there to elect whether or not they shall be graduated at the time heretofore planned for their graduation or shall remain at the academy one additional year, prolonging their course by that length of time. Aside from that there were no differences between the two Houses. The amount of the bill is not raised by the conference report over the amount carried as the bill passed the Senate.

The PRESIDENT pro tempore. The question is upon agreeing to the conference report.

The report was agreed to.

THE SHOE INDUSTRY.

Mr. McNARY. Out of order, I ask unanimous consent, on behalf of the Committee on Manufactures, to submit a report on Senate resolution 317, proposing an investigation by the Committee on Manufactures into the cost of shoes.

The PRESIDENT pro tempore. Without objection, the report will be received and placed on the calendar.

Mr. JONES of New Mexico subsequently said:

I desire to call attention to the resolution which was reported from the Committee on Manufactures a few moments ago and sent to the calendar. To my mind, the course of that resolution has been a very proper one, except its going to the calendar. The resolution was originally introduced by the Senator from Oregon [Mr. McNARY] and referred to the Committee on Manufactures. The Committee on Manufactures investigated the subject and decided that the purpose of the resolution should be carried out. But it is necessary, it seems to me, that the resolution be now referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as the expenses of the investigation are to be paid for out of the contingent fund of the Senate.

Mr. LODGE. That will be absolutely necessary under the statute, if it has not already been done.

Mr. JONES of New Mexico. Under the statute it is necessary; and I make the suggestion that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. I will ask the Senator if it is not true that the Committee to Audit and Control the Contingent Expenses of the Senate has given the committee authority now to hold hearings during this session?

Mr. JONES of New Mexico. I do not know about that, but it seems to me that if the Committee on Manufactures already has authority to hold hearings which would cover this subject, then this resolution is unnecessary. However, if the resolution is necessary, then it seems to me it should be referred now to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. That has not been the practice of the Senate, Mr. President. The practice is that at the beginning of a session of Congress the important committees of the Senate ask by resolution that they be authorized to hold hearings upon subjects matter that are referred to their committees; but in every case they have had a resolution passed by the Senate authorizing the particular hearing. I will say to the Senator if there is not a general resolution passed for that committee this resolution will necessarily have to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JONES of New Mexico. If there has been general authorization from the Committee to Audit and Control the Contingent Expenses of the Senate, then, of course, the Senator from Utah would be perfectly right; but I do not know of any such authority.

Mr. LODGE. Mr. President, the Senator from New Mexico and I are both on the Committee on Manufactures, and I do not think they have any general resolution. Certainly I have never heard of it. I think possibly the resolution will have to go to the Committee to Audit and Control the Contingent Expenses of the Senate; but information in regard to the matter can be secured by simply asking the clerk of the Committee on Manufactures.

Mr. SMOOT. The best way would be to refer it to that committee.

Mr. McNARY. I have been informed that general authority has been conferred on the Committee on Manufactures to conduct the investigation. In any event, I ask unanimous consent that the resolution be taken from the calendar and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. The Chair is not advised with respect to the terms of the resolution; but if it involves the payment of money from the contingent fund of the Senate, it must go to that committee. Is there objection to the unanimous consent asked by the Senator from Oregon? The Chair hears none. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JONES of New Mexico. I desire again to state that I commend highly the course of this resolution, and it seems to me that all similar resolutions ought to take a similar course. The resolution was referred to the Committee on Manufactures, the committee which would carry on the investigation. That committee inquired into the merits of the resolution, and after such inquiry reported it to the Senate with a recommendation that it be passed, and now, under the statute, the resolution is referred to the Committee to Audit and Control the Contingent Expenses of the Senate for that committee to determine whether or not funds are available for the purpose provided for in the resolution.

NATIONAL CONSERVATORY OF MUSIC OF AMERICA.

Mr. BRANDEGEE. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 1551) to amend an act approved March 3, 1891, incorporating the

National Conservatory of Music of America, and I submit a report (No. 484) thereon. I call the attention of the Senator from New York [Mr. WADSWORTH] to the bill.

Mr. WADSWORTH. I ask unanimous consent that the bill may have immediate consideration.

The PRESIDENT pro tempore. Is there objection?

Mr. THOMAS. Let the bill be stated.

The PRESIDENT pro tempore. The bill will be read.

Mr. BRANDEGEE. There is a long list of names of incorporators. I suggest that in the reading of the bill the Secretary may skip that, and come to the substance of the bill. It simply amends an act of incorporation which was passed in 1891.

Mr. THOMAS. Then, the Secretary need not read it, as far as I am concerned.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, as follows:

Be it enacted, etc., That the act of Congress approved March 3, 1891, constituting the persons therein named a body politic and corporate by the name National Conservatory of Music of America, is hereby amended by substituting the names of Henry White, George Peabody Eustis, Charles D. Walcott, Mary Harrison McKee, Anna Cochran Ewing, Lillia Babbitt Hyde, Helen Hartley Jenkins, Dorothy Whitney Straight, Jeannette M. Thurber, Thomas Ewing, George McAneny, and Ernest M. Stires in place of Abram S. Hewitt, Frank R. Lawrence, William Pinckney Whyte, Enoch Pratt, Fitz Hugh Lee, William H. Payne, Olive Risley Seward, John Hay, S. P. Langley, Anthony Pollock, C. R. P. Rodgers, and John M. Scofield, and that said National Conservatory of Music of America may establish and maintain branches outside the District of Columbia.

SEC. 2. That the power to alter, amend, or repeal this act is hereby reserved.

Mr. BRANDEGEE. I will state that the bill simply authorizes a musical association which was incorporated in 1891 to have branches elsewhere than in the District of Columbia. That is all there is to it.

The PRESIDENT pro tempore. If there is no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment.

Mr. KING. Mr. President, I shall vote against this bill, and I want just one moment to invite attention to the fact that the Congress of the United States upon numerous occasions has committed an indiscretion, an act of impropriety, and, indeed, almost one of usurpation, in granting charters to private individuals for private corporations. It has provided for the incorporation of organizations not at all connected with governmental questions or the fiscal operations of the Government. I doubt the authority of the Federal Government to grant such charters. Certainly it is unwise and highly improper.

I would urge that the Senate defeat the amendment just offered by the Senator from Connecticut [Mr. BRANDEGEE], except for the fact that the charter was granted a number of years ago, and this is a proper amendment to the charter. But it is a very absurd proceeding to have Congress passing a special bill to amend the charter of a private corporation, organized for musical purposes, so as to enable it to hold meetings in two places instead of one, or to increase the personnel of the organization. It shows the impropriety of such a course. There ought to be and there is a general incorporation act, under which individuals may form corporations for legitimate and proper purposes within the District of Columbia. I hope that Congress will pass no more private incorporation acts.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLASSIFICATION OF CIVILIAN POSITIONS.

Mr. JONES of New Mexico introduced a bill (S. 4106) to provide for the classification of civilian positions within the District of Columbia and the standardization of compensation therefor, and for other purposes, which was read twice by its title.

Mr. JONES of New Mexico. Mr. President, this bill is introduced at the suggestion of the Joint Commission on Reclassification of Salaries. It involves two classes of work. The most important part of it relates to the classification of positions in the civil service of the Government. An additional feature of the bill is an appropriation to carry out the purposes of the bill, and the suggestion has been made to me that it should be referred to a joint committee composed of the Committee on Appropriations and the Committee on Civil Service and Retrenchment. It is immaterial to me, of course, where the bill shall go, but it involves the work of those two committees.

Mr. SMOOT. Mr. President, the only classification of employment we have in the Government to-day has always been——

Mr. NORRIS. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator will state his point of order.

Mr. NORRIS. I demand the regular order. There is not anything before the Senate that is subject to debate.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. JONES of New Mexico. I ask for a proper reference of the bill, and will leave it for the Chair to determine.

The PRESIDENT pro tempore. The Chair will refer the bill to the Committee on Civil Service and Retrenchment.

Mr. SMOOT. There is an appropriation provided for in the bill.

The PRESIDENT pro tempore. If the Senator from Utah desires, he can move that the reference be changed. The Chair is not familiar with the bill except as stated by the Senator from New Mexico.

Mr. SMOOT. The whole subject matter in the past has been handled by the Committee on Appropriations. It involves an appropriation and also a reclassification of the employees of the Government. All other past reclassifications have been handled by the Committee on Appropriations. It does seem to me that if any bill ever introduced in this Chamber should be referred to the Appropriations Committee that is the committee to which this bill ought to go.

The PRESIDENT pro tempore. The Senator from Utah moves that the bill be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. JONES of New Mexico. If it is in order, I believe I should like to amend that motion by moving to have it referred to a joint committee composed of the Committee on Appropriations and the Committee on Civil Service and Retrenchment.

Mr. LODGE. Is a discussion as to the reference of the bill in order now?

The PRESIDENT pro tempore. The Chair is of the opinion that it is not in order. There can be no debate upon the question at this time.

Mr. LODGE. The question of the change of reference having been disposed of, I should like to offer a Senate resolution.

Mr. NORRIS. The Senator from Massachusetts surprises me. The time to debate a question is after it is disposed of. That is the way we do here.

Mr. LODGE. I agree with the Senator.

The PRESIDENT pro tempore. It is in the power of the Senate to make any reference of a bill that it desires.

Mr. SMOOT. The Senate has already referred the bill to the Committee on Appropriations.

SALE OF SHIPS.

Mr. SIMMONS. Mr. President, several weeks ago we had up before the Senate the question as to what is to be the policy of the Congress with reference to the sale of Government-owned vessels. It was reported at that time that the Shipping Board was about to make sale of a large and valuable part of the tonnage owned by the United States. Senators will recall that at that time there was a very strong protest against the sale, and as a result the Senator from Washington [Mr. JONES] introduced a bill the general effect of which was to instruct the Shipping Board not to proceed with further sales of Government-owned ships until Congress shall have had an opportunity to declare its policy in respect to that question. An injunction was also granted by one of the Federal courts in this district against the sale of the ships.

Those of us who were opposed to that proposed action on the part of the Shipping Board, of course, expected that the action taken upon the part of the Senate and the action of the court would stop the sale of ships.

I am in receipt of some telegrams, which I will not take the time of the Senate to read, but which I wish to incorporate in the RECORD, protesting against certain sales that have been made since the injunction referred to and since the introduction of the bill by the Senator from Washington, calling my attention to the fact also that other sales are in contemplation. I have called this matter up for the purpose of inquiring of the Senator from Washington, who is chairman of the Committee on Commerce, what has been done with reference to the bill which he introduced, and if we may expect that it may come before the Senate at any time in the near future?

Mr. JONES of Washington. The bill to which the Senator refers related only to the ex-German ships. It did not relate to any other ships owned by the Government. I think the Senator called my attention to the telegrams which he has, and those telegrams, my understanding is, referred to sale of other ships than the German ships. The bill relating to the German ships is on the calendar, and, as the Senator knows, we have had no opportunity since it was introduced to call it up. Furthermore, the sale is stopped by the injunction proceeding in the court.

Then a subcommittee, of which the Senator is a member, of the Committee on Commerce has been appointed and has begun

the preparation of a bill to determine the policy of the Government.

Mr. SIMMONS. Does the Senator think that the matter ought to be left there? Does he not think, on the contrary, that something ought to be done to stop the sale of ships other than the so-called German ships until Congress can have an opportunity to express its views with reference to this very important question?

Mr. JONES of Washington. Of course, Congress has expressed its views—I do not refer to the present Congress—but the Shipping Board is acting under legislation enacted by Congress authorizing the sale of ships. I do not believe, however, that there is any need of special haste with reference to the sale of ships aside from the German ships. The ships referred to in the telegrams which the Senator has are what would be called small ships—ships of 3,000, 4,000, or 5,000 tons.

Some time ago I had a telegram and also a letter similar in import to the telegrams which the Senator has, and when Chairman Payne was before the Committee on Commerce I asked with reference to those particular sales. My recollection is that the Shipping Board has sold about 17 of those small ships, I think to Norway and Sweden, and they have sold them at $200 a ton, considered the full and even cost value of the ship. We have some four or five hundred of those ships. The sale of 17 or 18 or 20 is comparatively nothing. There is no apparent prospect of the sale of any considerable number of those ships in the very near future. I do not think there is any likelihood of a sale of any considerable number of them before we get our policy developed.

Mr. SIMMONS. I wish to ask the Senator further, Is it his opinion that they have not sold any ships of more than 6,000 tons?

Mr. THOMAS. Mr. President, I do not like to interrupt, but I must ask for the regular order.

Mr. LODGE. I think we ought to have the regular order.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). The Senator from Colorado calls for the regular order.

Mr. SIMMONS. I submit the telegrams for printing in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CINCINNATI, OHIO, *March 11, 1920.*

Senator FURNIFOLD M. SIMMONS,
Senate Office Building, Washington, D. C.:

The Mid West, Gulf, South Atlantic Foreign Trade and Transportation Committee protests recent action of Shipping Board in selling steel vessels under 6,000 tons. We demand passage of bill prohibiting sale of steel cargo vessels until Congress shall have determined ultimate policy and standing of Shipping Board. Present action of Shipping Board sale of vessels to foreign interest. Undesirable vessels will be left for American interests and an American merchant marine but a name.

J. B. MORROW,
Vice Chairman Mid West, Gulf, South Atlantic Foreign Trade and Transportation Committee.

—

BRUNSWICK, GA., *March 11, 1920.*

F. M. SIMMONS,
Senate Commerce Committee, Washington, D. C.:

We desire to protest against sale of Government-owned steel ships under 6,000 tons to Belgian, French, or any other buyers; and in the interest of America's foreign trade desire to strongly urge passage of bill prohibiting sale of these ships.

BRUNSWICK BOARD OF TRADE.

Mr. SIMMONS subsequently said: Mr. President, I do not wish to say anything upon the bill, but as there is some business new pending before the Senate now I propose to take a moment to finish the statement which I was making a little while ago when some impatient Senators suggested that there was nothing pending before the Senate.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The Senator may proceed for five minutes under the rule.

Mr. SIMMONS. That is quite all the time I wish to take.

I was discussing the question of the sale of ships. It was suggested by the Senator from Washington [Mr. JONES], the chairman of the Committee on Commerce, that there have been some sales recently, since the very pronounced and emphatic expressions on the part of the Senate of our opposition to the Shipping Board's disposing of ships without waiting for the consent of Congress or without giving it an opportunity to express itself with reference to the sale of these ships.

It is now suggested that the ships which were then about to be sold were the German ships, and, inasmuch as the sale of those ships has been stopped by reason of injunction and by reason of the introduction of a resolution or a bill in the Senate instructing the board not to act, the matter might drop there. Mr. President, I do not wish it to drop there. If Congress has expressed its will in a joint resolution with reference to the sale of the German ships, I am unable to understand why the Shipping Board should not regard that expression with reference to the German ships as applying equally with reference to any other Government-owned ships. The so-called German ships have no features different from any other ships that may be owned by the Government. The manifest purpose of the Congress in passing the resolution, and giving that expression to its will, applied to all ships, and every subordinate agency of this Government ought to have recognized that fact. They ought to have stopped the sale of the ships until Congress could act, or until at least they could get an expression from the committee of this body having charge of the subject.

Mr. OWEN rose.

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Oklahoma?

Mr. SIMMONS. I have only five minutes. If I had time, I should gladly yield to the Senator from Oklahoma.

I have no earthly objection to the sale of a small vessel that by reason of its size or by reason of the material out of which it is constructed is not suitable for economical service in our foreign trade; but I do protest against an agency of the Government undertaking to decide and to act upon a policy binding the Government with reference to any of the ships which we built during the war if those ships are suitable to our foreign trade, and especially if they constitute a part of the merchant marine.

Mr. McNARY. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Oregon?

Mr. SIMMONS. Yes; I yield to the Senator.

Mr. McNARY. I do not understand, Mr. President, that the Shipping Board is offering for sale any vessels having a greater dead-weight capacity than 4,500 tons.

Mr. SIMMONS. I will ask the Senator if some of the steel vessels they have been selling are not suitable for the foreign trade?

Mr. McNARY. I do not so understand.

Mr. SIMMONS. If they are not, then, I have no objection to their action; but, Mr. President, if this board, in the face of what has transpired here in the Senate, presumes to go on and sell the smaller vessels without taking the advice of the committee having charge of this matter, how do we know that they are not going to assume authority to sell larger vessels, and then hide themselves behind the statement that the Senate has only expressed itself with reference to the German ships?

Mr. McNARY. Mr. President, I quite agree with the Senator from North Carolina that they should not sell these ships until a policy in reference to the matter has been framed by Congress, and I think that is the state of mind of the members of the Shipping Board.

Mr. SIMMONS. I am very glad to hear the Senator say that. He is a member of the committee; he has attended the hearings and I have not; but, Mr. President, I want to have it distinctly understood, so far as I am concerned, that if the Shipping Board, in advance of action by this body, proceeds to sell any ship that is properly a part of our merchant marine, for the purpose of engaging in our foreign trade, I am in favor of calling them strictly to account and demanding that they shall withhold action with reference to this property of the United States until Congress shall have acted, especially inasmuch as the Senate has expressed its will so clearly and so emphatically with reference to the subject.

THE ISLAND OF YAP.

Mr. LODGE. I offer the following Senate resolution and ask for its present consideration.

The resolution (S. Res. 337) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the President be requested, if not incompatible with the public interest, to inform the Senate whether the island of Yap is to be given to Japan, as recently announced by the British prime minister, and what, if anything, has been done by the Government of the United States to assure to the United States the possession of this island in accordance with the statements made by the President to the Committee on Foreign Relations on August 19, 1919.

Mr. LODGE. I ask permission to have printed with the resolution a letter from the American Asiatic Association in regard to this matter, and also the statement by the President in regard to it made to the Foreign Relations Committee August 19, 1919.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE AMERICAN ASIATIC ASSOCIATION,
New York, March 17, 1920.

Hon. HENRY CABOT LODGE,
Chairman Committee on Foreign Relations,
United States Senate, Washington, D. C.

MY DEAR SENATOR: On behalf of of the executive committee of the American Asiatic Association I beg to submit to you

the following resolutions adopted at the meeting of the committee on March 12:

"Whereas the sealing of the cables connecting the United States station at Guam through the island of Yap with Shanghai and the Celebes has been a serious handicap to the Far Eastern commerce of the United States as well as to that of the countries of eastern Asia, and that the early resumption of this service is of pressing necessity; and

"Whereas the award of national control of the cable station at Yap now rests with the supreme council of the allied and associated powers: Be it

"*Resolved*, That the American Asiatic Association place on record their sense of the supreme importance to the commercial interests of the United States of the possession of sovereignty over the island of Yap, so that the cable system radiating from Guam should be subject to no interruption of control, and its development be made possible on the lines best fitted to insure economy and efficiency of service; further

"*Resolved*, That a copy of this resolution be transmitted to the President of the United States and the Secretary of State."

Our purpose in bringing these to your attention is to justify what we conceive ought to be a resolute and united American opposition to the decision just announced by the British prime minister of allocating to Japan the mandate for "the German islands north of the equator," of which Yap is one.

Should the permanent occupancy of Yap be conceded to Japan she will control America's most direct cable line to the East Indies and one of its alternate lines to China. Since the Yap cables were sealed cablegrams for the East Indies have circulated through the Philippines, Hongkong, Singapore, or through Europe, India, and Singapore. Lying between Guam and the Philippines, Yap is a station from which three cables radiate, one to Guam, another to the East Indies, and another to China.

I think you will agree with us that, in the interests of American commerce, some action ought to be taken to prevent so inopportune a bestowal of one of the mandates for the former German islands in the Pacific.

I have the honor to be,

Respectfully, yours,

JOHN FOORD, *Secretary.*

—

"The CHAIRMAN. Going now onto another question, as I understand the treaty the overseas possessions of Germany are all made over to the five principal allied and associated powers, who apparently, as far as the treaty goes, have power to make disposition of them, I suppose by way of mandate or otherwise. Among those overseas possessions are the Ladrone Islands, except Guam, the Carolines, and, I think, the Marshall Islands. Has there been any recommendation made by our naval authorities in regard to the importance of our having one island there, not for territorial purposes, but for naval purposes?

"The PRESIDENT. There was a paper on that subject, Senator, which has been published. I only partially remember it. It was a paper laying out the general necessities of our naval policy in the Pacific, and the necessity of having some base for communication upon those islands was mentioned, just in what form I do not remember. But let me say this, there is a little island which I must admit I had not heard of before.

"Senator WILLIAMS. The island of Yap.

"The PRESIDENT. Yap. It is one of the bases and centers of cable and radio communication on the Pacific, and I made the point that the disposition, or rather the control, of that island should be reserved for the general conference which is to be held in regard to the ownership and operation of the cables. That subject is mentioned and disposed of in this treaty and that general cable conference is to be held.

"The CHAIRMAN. I had understood, or I had heard the report, that our General Board of the Navy Department and our Chief of Operations had recommended that we should have a footing there, primarily in order to secure cable communications.

"The PRESIDENT. I think you are right, sir.

"The CHAIRMAN. That we were likely to be cut off from cable communication—that is, that the cables were likely to pass entirely into other hands—unless we had some station there, and it seemed to me a matter of such importance that I asked the question.

"I wish to ask this further question: There was a secret treaty between England and Japan in regard to Shantung; and in the correspondence with the British ambassador at Tokyo, when announcing the acquiescence of Great Britain in Japan's having the German rights in Shantung, the British ambassador added:

"It is, of course, understood that we are to have the islands south of the Equator and Japan to have the islands north of the Equator.

"If it should seem necessary for the safety of communication for this country that we should have a cable station there, would that secret treaty interfere with it?

"The PRESIDENT. I think not, sir, in view of the stipulation that I made with regard to the question of construction by this cable convention. That note of the British ambassador was a part of the diplomatic correspondence covering that subject.

"The CHAIRMAN. That was what I understood.

"Senator MOSES. Was the stipulation that that should be reserved for the consideration of the cable conference a formally signed protocol?

"The PRESIDENT. No; it was not a formally signed protocol, but we had a prolonged and interesting discussion on the subject, and nobody has any doubt as to what was agreed upon.

"The CHAIRMAN. I asked the question because it seemed to me a matter of great importance.

"The PRESIDENT. Yes; it is.

"The CHAIRMAN. As a matter of self-protection, it seemed on the face of it that the treaty would give the five principal allied and associated powers the authority to make such disposition as they saw fit of those islands, but I did not know whether the secret treaty would thwart that purpose. I have no further questions to ask, Mr. President."

REGULATION OF IMMIGRATION.

Mr. KING. I offer the following resolution, and ask that it be read and referred to the Committee on Immigration.

The resolution (S. Res. 339) was read, as follows:

Whereas a large number of aliens are within the United States, in violation of the immigration laws, and have been permitted to remain in the United States because of the indifference of the Department of Labor with regard to the issuance of an execution of warrants for the deportation of such aliens; and

Whereas after persistent delays and through the efforts of the Department of Justice over 6,000 warrants have been issued, 3,300 of which have been executed by the taking into custody of aliens subject to deportation; and

Whereas it is claimed that the Department of Labor is not proceeding with proper expedition in such cases, but, on the contrary, is dismissing a large number of such warrants and is threatening to further dismiss more of such warrants: Now, therefore, be it

Resolved, That the Committee on Immigration is authorized and directed to investigate the administration and enforcement of the immigration laws, including the administration of the alien immigration station, Ellis Island, New York Harbor, under Frederic C. Howe, formerly in charge of such station, and the attitude and policy of the Department of Labor with respect to those provisions of the immigration law which authorize the deportation of aliens unlawfully within the United States, and report to the Senate its findings in the premises.

Mr. KING. During the day I shall seek an opportunity to make a few observations in regard to this resolution.

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Immigration.

SEPARATE LOCAL GOVERNMENTS IN RUSSIA.

Mr. KING submitted the following resolution (S. Res. 338), which was referred to the Committee on Foreign Relations:

Whereas the bolshevistic revolution of November, 1917, brought on a collapse of public order in Russia and has resulted in political chaos, except in those parts of Russia which have been able to prevent the extension of the bolshevistic usurpation; and

Whereas it is necessary for the liberty and protection of the people that governments be constituted to preserve public order; and

Whereas separate governments have been constituted in Esthonia, Latvia, Lithuania, and Ukraine to preserve the public order, which governments have established local authority in said countries and have prevented the bolshevistic usurpations from extending to the same; and

Whereas it will be impossible for the people of Russia to establish a federal republican government for the whole of Russia until such time as the Bolshevist usurpation succumbs; and

Whereas it is necessary that such local governments be maintained in Russia and continue provisionally until the authority of a federal republican government for the whole of Russia is established or the relations between the several territorial divisions of the former Russian Government be determined by an all-Russian constituent assembly: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Government of the United States should recognize the de facto existence of separate local governments in Esthonia, Latvia, Lithuania, and Ukraine, provisionally, until such time as the relations of such countries to Russia or the other parts of Russia are determined by an all-Russian constituent assembly or the authority of a federal republican government is established for the whole of Russia.

THE CALENDAR.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair, at 1.10 o'clock p. m.). Morning business is closed, and the calendar, under Rule VIII, is in order.

Mr. FRANCE. Mr. President, some days ago I gave notice that to-day at the close of the morning business I would address the Senate, but I shall be very glad to reserve my remarks until after the morning hour.

Mr. SMOOT. I ask unanimous consent that we begin with Calendar No. 360, which we reached the last time the calendar was up.

Mr. NORRIS. I think the Senator from Utah is mistaken about the place we reached on the calendar.

Mr. SMOOT. I will ask the Chair if I am mistaken.

Mr. NORRIS. I know that Calendar No. 359 had not been reached, because I was watching for that number.

The PRESIDING OFFICER. The Chair is informed that on the 9th of February, the last time the calendar was under consideration, the Senate had reached Calendar No. 335, Senate bill 310.

Mr. SMOOT. Then I will change my request. I only suggested Calendar No. 360 because I was informed at the desk that we had reached that point.

Mr. NORRIS. Of course, I am very glad to commence where we left off. I think we ought to do that.

The bill (S. 310) for the relief of John Murphy was announced as first in order on the calendar.

Mr. KING. I ask that that may go over.

The PRESIDING OFFICER (Mr. KIRBY in the chair). The bill will be passed over.

The bill (H. R. 5726) to fix the compensation of certain employees of the United States was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2274) for the relief of the owners of the schooner *Charlotte W. Miller* was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

COMMERCIAL PACIFIC CABLE CO.

The bill (S. 2452) to carry out the findings of the Court of Claims in the case of the Commercial Pacific Cable Co. was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Commercial Pacific Cable Co., out of any money in the Treasury not otherwise appropriated, the sum of $35,838.22, to reimburse said company for the cost of repairing certain damages done by the United States naval authorities to one of said company's cables in the harbor of San Luis d'Pra, Island of Guam, in September, 1907, as reported to Congress in Senate Document No. 88, Sixty-fourth Congress, first session.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE DERRICK "CAPITOL."

The bill (S. 3293) for the relief of the owner of the derrick *Capitol* was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the owner of the derrick *Capitol*, arising out of collision between said derrick and the United States Navy tug *No. 89* on April 4, 1919, at Harlem River, N. Y., for and on account of the losses alleged to have been suffered in said collision by the owner of said derrick *Capitol* by reason of damages to said derrick, may be submitted to the United States court for the eastern district of New York under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same right of appeal.

SEC. 2. That should damages be found to be due from the United States to the owner of said derrick *Capitol*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provision of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE DERRICK "CONCORD."

The bill (S. 3294) for the relief of the owner of the derrick *Concord*, was announced as next in order.

Mr. KING. Let that bill go over, Mr. President.

Mr. SPENCER. Mr. President, I desire to say that we have now reached on the calendar a series of House bills which have as their only purpose the authorization of suits. There are no amounts of money appropriated by them. Unless the Senator feels strongly about it, I hope we may get these bills off the calendar. Senate bill 3294, the title of which has just been read, has for its sole purpose the authorization of a suit. Certainly the people involved are entitled to their day in court to determine whether or not they have any claim, and if they have, what it is.

Mr. KING. Mr. President, I will say to the Senator from Missouri that I have not had time to read the bill, but, as I understand, the bill is for the purpose of enabling some person to sue the Government?

Mr. SPENCER. That is all. In other words, there was a collision between the boat of the claimant and a Government boat. The department is in favor of the adjudication of the claim; and the question is, Where is the right? The object of this bill is to authorize a suit for the purpose of determining that right.

Mr. KING. Did the committee make an investigation in order to ascertain whether or not there was negligence on the part of the Government?

Mr. SPENCER. Yes. The Navy Department made an investigation of the facts of the case and filed their report recommending the very procedure which is provided for in the bill.

Mr. KING. Did the department confess that there was negligence on the part of the naval officers?

Mr. SPENCER. They did; and the report is here. It is only in cases where the department recommend that the matter be referred to the Court of Claims that such action is recommended by the committee.

Mr. KING. I should like to say to the Senator from Missouri that we have had a number of cases here in which the Navy Department has confessed the negligence of its officers; in some instances, as I recall, the evidence showed gross negligence. I was wondering whether in these cases the committee had made any investigation in order to determine whether or not the officers in charge of the vessels, those who were responsible for the collisions, had been called upon by the Government to reimburse the United States for the amounts which it had been compelled to pay.

Mr. SPENCER. I desire to say to the Senator from Utah that I inadvertently made a misstatement in reference to this matter.

There are two classes of cases that come to us from the department. One of them is where, after investigation, the department is clearly of the opinion that the Government is liable. In such a case they recommend an appropriation. This is not one of those cases. This is a case where the Navy Department made their examination, and while they are not perfectly satisfied as to the merits of the claim, they do report that the circumstances are such as to entitle the claimant to have his case adjudicated. They recommend, therefore, the procedure provided for in the bill. This bill is one of the latter cases. We have, however, had some of the former.

Mr. KING. Did the Senator or the committee make such an investigation as led them to believe that the Government ought to compensate the claimant for the damages which he has demanded?

Mr. SPENCER. I have tried to make the matter clear. The Navy Department did not make such an examination as led them to the clear conclusion that the Government ought now to pay the amount, but they did come to the conclusion that the circumstances were such that the claimants had a right to have their claims adjudicated by a court, and so recommended. That is what this bill is designed to accomplish.

Mr. KING. My question was whether the committee of the Senate of which the Senator from Missouri is chairman had made any investigation?

Mr. SPENCER. The committee carefully looked into the facts and concurred in the conclusion of the Navy Department as the result of the examination which they made, to the effect that the facts constituted a case which entitled the claimant to have his claim adjudicaed.

The PRESIDING OFFICER. The Chair will remind Senators that we are proceeding under the five-minute rule, which permits a Senator to speak once, and then only for five minutes. The Senator's time has about expired.

Mr. KING. I understand the rule.

The PRESIDING OFFICER. Does the Senator from Utah object to the consideration of the bill?

Mr. KING. I object.

STEAMSHIP "URUBAMBRA."

The bill (S. 3518) for the relief of the owner of the steamship *Urubambra* was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the claim of the owner of the steamship *Urubambra* arising out of collision between said steamboat and the U. S. S. *West Carnifax* on February 14, 1919, in the Panama Canal, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Urubambra* by reason of damages to said steamship, may be submitted to the United States court for the southern or eastern district of New York, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same right of appeal.

SEC. 2. That should damages be found to be due from the United States to the owner of said steamship *Urubambra* amount of the final

decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provision of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELLEN AGNES MONOGUE.

The bill (H. R. 909) for the relief of Ellen Agnes Monogue was considered as in Committee of the Whole.

Mr. KING. Mr. President, I am not going to object to the consideration of the bill; indeed, from what little I know about the bill I should think it ought to pass. I was wondering, however, what *basis* the committee adopted in determining the amount to be awarded.

Mr. SPENCER. Mr. President, this is another one of those cases where no amount is definitely determined. This case is differentiated from the other by the fact that this bill has passed the House.

Mr. SMOOT. The Senator, I think, is discussing the wrong bill.

Mr. SPENCER. This is calendar No. 346, is it not?

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The calendar number of the bill is 346.

Mr. SPENCER. The bill passed the House after the House committee had examined it and reported favorably upon it. It came to us with that recommendation. The pending bill and the next following four bills are House bills. The committee examined into the facts, and believed, as I have already stated, that the claimant had a right to have her day in court on the facts in the case.

Mr. SMOOT. Mr. President, the Senator lays considerable stress upon the fact that these bills have passed the House, and, therefore, they should be passed by the Senate. The Senator is chairman of the Committee on Claims, and I wish to call his attention to the fact now that he will find very few Senate bills reported by his committee and passed by this body which will be acted upon favorably by the Claims Committee of the House. We pass bills in the Senate; they go to the other House, and there they die session after session. I do not see that we are under any obligation whatever to pass House bills in preference to Senate bills.

Mr. SPENCER. Mr. President, I will say that I was wrong in my statement that this bill was an authorization. This bill is not an authorization, but is a House bill calling for a direct appropriation. The authorization bills follow.

Mr. SMOOT. My colleague [Mr. KING] asked the Senator upon what basis the amount of $2,500, appropriated by the bill, was arrived at. I was quite sure the Senator was wrong when he made the statement in the beginning that the bill carried no appropriation, because he certainly would have seen that a direct appropriation is made if he had noticed the bill.

Mr. SPENCER. The facts in the case are that the Government was transporting an insane man, and the inspectors, experiencing difficulty, called upon a local policeman to assist them. The local policeman put himself under their orders and helped them, and while they were taking care of the insane man he killed the policeman. This is a bill for the reimbursement of his widow, in an amount, as the committee went through it, of approximately a year's salary. The amount has been cut down, I think, to $2,500. Those are the facts in the case, but what the Senator wants to do is for the Senate to decide.

Mr. SMOOT. As the House passed the bill, it carried $2,500.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. SHOWEN.

The bill (H. R. 946) for the relief of James A. Showen was considered as in Committee on the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT T. LEGGE.

The bill (H. R. 1317) for the relief of Robert T. Legge was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the sum of $150 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, and the Secretary of the Treasury is hereby directed to pay to Robert T. Legge, a citizen of McCloud, Shasta County, in the State of California, compensation for professional operation performed on John Moran, who was injured while an employee of the United States Forest Service.

Mr. SMOOT. Mr. President, do I understand that this bill carries an appropriation of $150 to pay somebody who performed an operation on an employee of the Government?

Mr. SPENCER. No; this man was an employee of the Government in the Forest Service. He was injured in the performance of his duty. The accident was occasioned before the compensation act went into effect, and he was taken to a hospital and this operation was performed. The Department of Agriculture reported that in their judgment the bill was not only a reasonable one but ought to be paid, and the committee came to the same conclusion.

Mr. SMOOT. The reason why I have made any inquiry about it is because of the fact that I know of cases where items of this kind have been taken care of by the Secretary of the Interior, particularly on reclamation projects, and I was wondering why we had a bill here appropriating money for professional services rendered an employee of the Govenment. It is rather out of the ordinary procedure.

Mr. SPENCER. I should say so. The reason of it was because of the emergency character of the injury, which broke the man's hip and necessitated immediate surgical treatment.

Mr. SMOOT. That happens wherever there is a similar accident, or anything of a character that requires immediate attention. What I was complaining of was that a bill of this kind should come here at all. I can not see why it should, if the department has advanced all that it thought was necessary and all that it thought was right in behalf of this employee.

I am not going to object to this $150 payment, and I only spoke of the matter at this time because if the department has been paying this man his salary right along during the time he was incapacitated because of this operation, or given any advance to him, and it has been used in some other way, and the advance to this employee has been all that the department thinks he ought to have, then I think this kind of a bill should not be here.

Mr. SPENCER. The Senator is quite right. The difference between the state of facts which the Senator outlines and this is that the man was carried to a hospital in the emergency, and he himself had to pay for the expenses of the hospital out of the daily wage that the Government paid him for some months because of this accident. In view of the fact that the accident occurred in the Government service, and from an overloaded truck, the Government ought to pay for the hospital attendance; so I think the Senator is quite right, but we are probably paying more than $150 by our discussion of it.

The PRESIDING OFFICER (Mr. ASHURST in the chair). If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BALTIMORE DRY DOCKS & SHIPBUILDING CO.

The bill (H. R. 1865) for the relief of the Baltimore Dry Docks & Shipbuilding Co., owner of a dry dock at Baltimore, Md., was considered as in Committee of the Whole.

Mr. SMOOT. Mr. President, is this a direct appropriation or is it an authorization to go to court?

Mr. SPENCER. These are the two bills to which I referred as merely giving authority for the bringing of suits—this bill and the next one.

Mr. SMOOT. Is not the Senator wrong in that? I notice, in hurriedly reading the proviso, that it says:

That should damages be found to be due from the United States to the owner of said dry dock, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated.

It seems to go further than the mere fact of allowing the company to go to court.

Mr. NORRIS. Mr. President, I suggest that that language ought to be stricken out. I do not think it has been customary for us to appropriate in this way, and the Senator can see in a moment what it might mean. We do not know. It might involve several million dollars.

Mr. SMOOT. We can not tell anything about it.

Mr. NORRIS. It has been customary to send a matter of this kind to the Court of Claims and let the Court of Claims report, and then an appropriation is made to pay the amount found by the court.

Mr. SMOOT. That has always been the practice.

Mr. NORRIS. If this bill goes further than that the Senate ought to amend it.

Mr. SPENCER. I have not a copy of the bill before me, but I do not think it went that far as it came from our committee.

Mr. WADSWORTH. The proviso referred to by the Senator from Utah will be found on page 2, lines 7 to 12.

Mr. SMOOT. Mr. President, I move to strike out the proviso on page 2, beginning at the end of line 7 with the word "*Pro-*

vided," and going to and including the word "appropriated" on line 12; also the word "*And*" following the word "appropriated," so that it will read "*Provided further.*"

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

EASTERN TRANSPORTATION COMPANY.

The bill (H. R. 5346) for the relief of the Eastern Transportation Co., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 1003) for the relief of Jesse L. Clay, was announced as next in order.

Mr. KING. Let that go over for the present.

The PRESIDING OFFICER. The bill will be passed over.

KNY-SCHEERER CORPORATION.

The bill (S. 175) for the relief of Kny-Scheerer Corporation, was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay to the Kny-Scheerer Corporation, of New York City, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $148.77, the same being amount of claim against the Department of the Interior, for additional freight charges on the shipment of certain surgical supplies to the Indian agency at Wellpinit, Wash., which were erroneously omitted from said corporation's invoice for goods and freight charges thereon, claim for which has been disallowed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 2292) for the relief of the William Gordon Corporation, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, was announced as next in order.

Mr. NORRIS. Let that go over.

Mr. WADSWORTH. Mr. President, I am sorry the Senator objected.

Mr. NORRIS. I make the objection because I think it is perfectly apparent that we can not consider a bill of that importance under the five-minute rule.

The PRESIDING OFFICER. The bill will be passed over.

SUFFERERS FROM MEXICAN DEPREDATIONS.

The joint resolution (H. J. Res. 80) to correct an error in the wording of the appropriation of $71,000, made in the act approved July 9, 1918, and to authorize the Secretary of War to pay said sum to respective parties entitled thereto, was considered as in Committee of the Whole.

Mr. KING. Mr. President, I should like to ask the chairman of the committee whether this joint resolution increases the appropriation or any obligation whatever of the Government?

Mr. SHEPPARD. Mr. President, though I am not the chairman of the committee, I am familiar with the joint resolution, and I will say that it does not increase the appropriation at all.

Mr. KING. What is the object of the legislation?

Mr. SHEPPARD. To remunerate certain American citizens for damages incurred from bullets that came over the international line at Juarez during the Battle of Juarez. A commission was appointed and looked into the matter thoroughly and concluded that the American Government was liable to the American citizens injured, but the joint resolution which provided payment failed to include damages on account of those wounded, while it did include payment to the relatives of those who were killed.

Mr. SMOOT. It is one of those joint resolutions that was never to cost anything.

The PRESIDING OFFICER. If there be no amendment to be proposed, the joint resolution will be reported to the Senate.

The joint resolution was reported to the Senate without amendment.

Mr. SMOOT. Mr. President, the Senator from Texas said that the joint resolution did not increase the amount of $71,000.

Mr. SHEPPARD. That is my understanding.

Mr. SMOOT. I have not had time to read the report. I presume the statement of the Senator is right.

The PRESIDING OFFICER. The joint resolution is in the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

Mr. KING. Mr. President, I should like to ask the committee who have been making this investigation why, if the Government is paying persons who suffer from Mexican depredations, it exhibits such a fine sense of discrimination? There are thousands of persons who have suffered damage at the hands of Mexican nationals, and in many instances the injuries to which they have been subjected go back 10 or 15 years.

Why so much solicitude for a few individuals who have recently suffered, when there are thousands who have suffered and are now without homes or means of support, who have been driven from Mexico and receive no consideration whatever at the hands of the Mexican Government or the Government of the United States? Has any policy been adopted by the committee under which certain ones are to be favored and certain others who have been damaged are to be ignored?

Mr. WADSWORTH. I do not think the Senator ought to address an inquiry of that sort to the Committee on Military Affairs of the Senate. He could get the correct information by going to the State Department and the White House.

Mr. SMOOT. Mr. President, there is one thing about the joint resolution to which I think the attention of the Senator ought to be called. I notice that Silesia Griffiths is granted $15,000 on account of the death of her husband by gunshot wound.

Mr. NORRIS. Mr. President, I hope Senators will not take up the time debating. It is pretty near 2 o'clock now, and I would like to have the next bill on the calendar taken up, to which I think there is no objection. I will ask the Senator from Utah if he will not let that be taken up?

Mr. SMOOT. I have no objection to taking up the bill.

I want to ask the Senator from Texas [Mr. SHEPPARD] why it is that in this claim there is $15,000 given to Silesia Griffiths on account of the death of her husband by gunshot wounds.

Mr. SHEPPARD. The report of the commission goes into the matter specifically. I ask that the joint resolution may go over, so that the Senator from Utah may have an opportunity to examine the report.

Mr. ASHURST. Mr. President, I want to be heard a moment. I hope the joint resolution will not go over. I shall take only a moment, and I am sure that I can convince Senators why the bill should pass. I ask the particular attention of the junior Senator from Utah [Mr. KING] to the statement, because he asked about the matter.

The battle between the two contending Mexican forces out of which these claims grew was in 1910. These are the oldest claims.

In August, 1912, the Congress of the United States passed a joint resolution directing the War Department to assemble a board of Army officers of large experience to investigate and report to Congress what claims should be paid. The board did assemble, and I think then Maj. Francis J. Kernan, now Gen. Francis J. Kernan, was at the head of the board. Elaborate testimony was taken. The board met in San Diego, in Phoenix, in El Paso, and elsewhere. The claims of all persons who were not citizens of the United States were rejected.

It was discovered that the sum of $71,000 would be a fair sum of money to compensate the personal representatives of those American citizens who, standing on our soil, were killed by bullets from the contending factions, fired across the line; that $71,000 would be a proper sum to pay to personal representatives of deceased persons and to pay the injured.

The Senator from New Mexico [Mr. FALL] subsequently introduced and had passed a joint resolution appropriating the money which the board recommended, $71,000, but by error, purely a typographical error, the word "injured" was left out. The money has been appropriated, and this is simply to correct the legislation so that those who were injured, as well as the personal representatives of those who were killed, can get the money. That is all there is to it. It is to correct an error and to pay those who were among the first to be injured.

Mr. SMOOT. I have no objection to the principle of the joint resolution, but I do believe that we ought to have some consistency when appropriating money for either death or injury, whether for employees of the Government or not. Mr. President, there are two parties who will draw $15,000 each for the death of a relative. I find that Joseph W. Harrington, for the death of his brother by gunshot wound, will draw $15,000. I want to say to the Senator, with all due respect, that I do

not remember a bill ever having passed the Senate carrying $15,000 for the death of a brother.

Mr. ASHURST. Let me say to the Senator that the personal representatives of those who were killed have all had the money, and this is only now to permit the joint resolution to be corrected so that those who were injured may get the sum of money which the board assembled by the War Department found to be due.

Mr. SMOOT. Mr. President, the time now is too short to read the report or to read the joint resolution, and I want to ask at this time that it go over and I will look up the details.

Mr. SHEPPARD. It was for that purpose that I asked that it go over, so that the Senator from Utah might examine the report.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The joint resolution will be passed over.

INVENTIONS, PATENTS, AND PATENT RIGHTS.

The bill (S. 3223) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes, was considered as in Committee of the Whole.

Mr. NORRIS. The bill has heretofore been read.

Mr. SMOOT. The bill has been read, and when it was up before I objected to its consideration, with a view to striking out the words "the Federal Trade Commission" and inserting in lieu thereof the words "Secretary of the Interior." Representatives of the Bureau of Mines and other officials of the department have called upon me begging that the bill be allowed to pass as it is. I do not know whether any good will come from it or not. There may, and if there is, everyone will be perfectly satisfied with its passage.

If no advantage is taken of it, of course, the law can be repealed. But that is one thing that never happens in the history of legislation, as far as Congress is concerned. We have on the statute books to-day acts passed by Congress the existence of which I do not believe is known by more than one or two Members of the House and very few in the Senate, and the acts carry with them every year hundreds of millions of dollars of appropriations, about which no investigation is made and no discussion ever brought before this body. We appropriate the money here to meet the situation as it existed 25 or 30 or 40 years ago, and no one knows how the money is spent nor where it goes, and it does not seem to be anybody's business to investigate. I am speaking of the permanent appropriations made by Congress. I think, Mr. President, there can be cut out of those permanent appropriations $200,000,000 every year, and just as soon as I can get the investigation completed and go into those appropriations I am going to call the attention of the Senate to them and see if we really want to save money in our appropriations hereafter.

So, Mr. President, I have concluded that I shall not object to the passage of the pending bill at this time, and I only want to express the hope that some good will come from it. I can see, of course, as a result of its passage, the building up here of a new bureau, and the expenditure of hundreds of thousands of dollars; but I am in hopes that hereafter those things will cease, and that a little more attention will be paid to the increase that is asked for just such creations as the bill carries.

Mr. THOMAS. Let the bill be read, Mr. President.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The bill will be read.

The Assistant Secretary read the bill, which had been reported from the Committee on Patents with amendments, on page 1, line 5, before the word "under," to insert the words "or other rights or powers"; and on page 2, lines 20 to 24, strike out section 3, as follows:

SEC. 3. That the appropriations of any governmental department, bureau, office, or establishment are hereby made available for the payment of fees charged by the Patent Office for and in connection with the granting of patents contemplated by this act.

And to insert in lieu thereof the following:

SEC. 3. That the Commissioner of Patents is hereby directed to grant all patents and record all assignments and licenses contemplated by this act without the payment of any fee—

So as to make the bill read:

Be it enacted, etc., That the Federal Trade Commission be, and hereby is, authorized and empowered to accept assignment of, or license or other rights or powers under, to develop, to issue or refuse to issue licenses under, to encourage the industrial use and application of, and otherwise to administer, on behalf of the United States, under such regulations and in such manner as the President shall prescribe, inventions, patents, and patent rights which said commission deems it to the advantage of the public to be so accepted, as these may from time to time be tendered it by employees of the various departments or other establishments of the Government, or by other individuals or agencies; and to cooperate, as necessity may arise, with scientific or other agencies of the Government in the discharge of the duties herein set out.

SEC. 2. That the Federal Trade Commission be, and is hereby, authorized and empowered to collect fees and royalties for licensing said inventions, patents, and patent rights in such amounts and in such manner as the President shall direct, and shall deposit the same with the Treasurer of the United States; and of the total amount of such fees and royalties so deposited a certain per cent, to be determined by the President, shall be reserved, set aside, and appropriated as a special fund to be disbursed as directed by the President to remunerate inventors for such of their inventions, patents, and patent rights contemplated by this act as may prove meritorious and of public benefit.

SEC. 3. That the Commissioner of Patents is hereby directed to grant all patents and record all assignments and licenses contemplated by this act without the payment of any fee.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OSCAR C. GUESSAZ.

The bill (S. 557) for the relief of Oscar C. Guessaz was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

ANNA M. TOBIN.

The bill (S. 1533) for the relief of Anna M. Tobin, independent executrix of the estate of Frank R. Tobin, deceased, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, in line 4, after the words "sum of," to strike out "$2,233.60" and to insert "$1,500," so as to make the bill read:

Be it enacted, etc., That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $1,500 to be paid by the Secretary of the Treasury to Anna M. Tobin, independent executrix of the estate of Frank R. Tobin, deceased, for damages to said estate by soldiers of the United States Army in 1916 and 1917 near El Paso, Tex.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARMY SUPPLY BASES.

The joint resolution (S. J. Res. 151) to permit the payment for certain lands whereon Army supply bases are situated was announced as next in order, and was read.

Mr. SMOOT. I should like to ask the Senator from Missouri to explain the joint resolution.

Mr. SPENCER. I can explain it, Mr. President, very easily. Congress appropriated in the Sixty-fifth Congress $147,000,000 for Army supply bases. The War Department went ahead and built those Army supply bases. At the six points mentioned in this joint resolution the ground upon which these buildings were erected has not been fully paid for. There were two of them, Charleston and Boston, which the committee cut out, the Boston base calling for $2,000,000 and the Charleston base calling for $600,000.

The other features of the joint resolution, which calls for about $5,000,000, are for payment of land upon which the Government has already expended $136,000,000, and the buildings are upon this land.

Mr. SMOOT. The hour of 2 o'clock is near, and we had better let the joint resolution go over.

Mr. FRELINGHUYSEN. Do I understand that the Senator from Utah objects?

Mr. SMOOT. Yes; we can not pass it now.

Mr. FRELINGHUYSEN. I simply want to say that this joint resolution provides for the payment by the Government for land where the money is owed, and the Government, I think, should pay its just debts.

The PRESIDING OFFICER. There is objection, and the joint resolution will be passed over.

CIVIL SERVICE RETIREMENT.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. FRANCE obtained the floor.

Mr. JONES of New Mexico. Will the Senator from Maryland be kind enough to yield for just a minute or two in order that I may ask unanimous consent to bring up a bill? It will not lead to debate, but if it does I will say to the Senator that I shall not press it at this time.

Mr. FRANCE. I could not yield the floor, and I am very anxious that the bill which is the unfinished business shall be acted upon.

Mr. JONES of New Mexico. It will take just a minute or two. It is a unanimous report of the Committee on Public Lands.

Mr. STERLING. If the Senator from Maryland yields, the unfinished business is before the Senate.

The PRESIDING OFFICER. By unanimous consent another measure might be considered, the Chair will state.

Mr. STERLING. Oh, certainly.

Mr. FRANCE. I feel that I can not give consent, in view of the fact that I am very much interested myself in the retirement bill and I wish to see it advanced as speedily as possible. If the Senator will allow me, I should much prefer to proceed.

Mr. JONES of New Mexico. Of course, I ought to accede to the wishes of the Senator in the matter, but it would require only a minute or two to dispose of the bill to which I have referred.

Mr. STERLING. The Senator from Maryland has the floor.

RESTORATION OF AMERICAN LIBERTY.

Mr. FRANCE. Mr. President, I will proceed with what I have to say. I gave notice a few days ago that I would take this occasion to submit some observations on a subject which I choose to call the Restoration of American liberty.

February contains two days which set that month apart from all the rest. Its 12th day is fragrant with the memories of the immortal Lincoln—seer, prophet, emancipator of a race, and martyr in the cause of liberty; while on the 22d day we celebrate the coming to the flesh and to the affairs of earth of the pure and majestic spirit of our Washington, who was divinely destined to liberate a people, create from weak and discordant Colonies a Nation, and to enunciate and demonstrate the applicability of those great principles of liberty which he believed were first to find complete expression here and later an ever-widening application by the establishment of free governments throughout the world.

As during the recent weeks my thoughts have turned to the great principles of liberty declared by Washington, by the fathers, and by Lincoln, as I have witnessed the solemn deliberations of the Senate over the proposed iniquitous and destructive treaty, and as I have reviewed the legislative record of the Congress, since I became a Member of this body, seeking to measure the wisdom of our actions by the high standards which they fixed for us, I have been most reluctantly forced to the conclusion that, judged by their exalted ideals, we have not proved worthy of the charge intrusted to us; that we have failed to keep the faith.

THE FAILURE OF PARTIES.

Political parties may not be judged by the gleaming generalities of their orators, by policies promised, or by formulated platforms. Their characters must be known from an examination of the principles wrought by them into the fabric of enacted law and by the manner of the enforcement of the laws by their executive officers. Sirs, nominally there exist to-day in the United States two great political parties, which were formed around issues long since obsolete, and in a few months these two parties will put forward rival candidates who will seek election to the highest of offices, each of the parties contending for the election of its candidate because of some peculiar virtue residing in itself. These two great parties have had in the years past an inspiring history of services rendered to the Republic, under the leadership of indomitable statesmen. But if we are candid—and the time has arrived when candor has become a necessity—we must admit that, judged by their legislative records in the Congress during the last three years, so far as concerns their ability to represent and to defend vital American principles, both of these two great parties are as decadent as the issues which first quickened them into being. They hold their noble names, but they have become apostate from the great principles and policies which they once advanced and so valiantly defended. If they are to be judged, I say, only by their legislative records as separate party entities, we must behold their barren frames like the whitening bones or empty salt sea shells which remain as melancholy monuments of departed life and of germinative and formative principles which are no longer operative.

In a great national emergency, when the very nature, quality, and the possibility of the perpetuity of free institutions were being assayed in the fierce fires and white-hot crucibles of war, neither one of these great political organizations, judged by the actions of their representatives in the Congress, could stand the supreme test. In saying this I am not speaking of individuals, nor am I forgetting the faithful, unwearying, and distinguished services of many, indeed of the vast majority, of the Members of the Congress, but I am speaking of the parties, as political organizations, which are supposed to represent separate and distinct policies, all of which should be based upon the deep-lying principles upon which rest the foundations of the Republic. The Democratic Party, under an autocratic leadership, ingloriously abandoned the essentially sound and valuable doctrine of the dignity and the sovereignty of the States, became apostate from the principles of the noble Jeffersonian democracy, and voted without scruple huge powers, legislative, executive, and judicial, to the Chief Executive, who was, in violation of the Constitution and of every cherished principle of liberty, created the most powerful despot in all the world. The Republican Party, which sprang from the minds of the wise constitutionalists, Washington, Hamilton, and Lincoln, the party which had hitherto stood steadfast, even through the flames and bloody agony of civil war, in defense of the Constitution of our country, the party which had been at once the party of liberty and progress through all the years, joined with the Bourbon reactionaries and connived in the setting up of this autocracy, which has been an utter repudiation of government by constitution and by law, a repudiation of every principle of the Republic.

BOURBONISM HAS PREVAILED.

Against the better judgment, I must believe, of the majority of the Members of the Congress, the Members having yielded through patriotic motives their judgment to another, not the principles of Jefferson's democracy, not the principles of Hamilton's federalism, not the principles of Lincoln's constitutionalism, not the principles of Roosevelt's Americanism, but the stupid policies of blind and reactionary Bourbonism have prevailed when there arose the question of the preservation during war of the inherent natural rights and personal liberties of the sovereign people of the Republic. In this there has been a misrepresentation of the sentiments of the American people in the Congress. Bourbonism is not Americanism, and all of the foolish efforts of the reactionaries to create the new American crime of radicalism are doomed to failure. Our great Americans have always been political radicals, and this Republic has always been the great radical among the nations. He is not imbued with the true American spirit who fears political experimentation, who dreads the wide spaces and the free air of full and fearless public discussion, and who would dwell cabined and confined within the high-walled valleys of conservatism instead of boldly mounting the heights from which can be caught some vision of a more efficient and beneficent and more comprehensive application of the principles of liberty.

In every organism there must be portions making for stability and permanency and the vital parts in which reside capacity for change and growth. In the root and rhizome there must be the fiber and rigidity as a foundation for the uplifted plant, as well as a sensitive and responsive growing point, mysterious and complex beyond analysis, at which and through which the everlasting principles and processes of life find new expression and expanding opportunity. So is it with the world and its political institutions; there must be the stabilizing power of precedent, tradition, custom, and devotion to old principles, but there must also be an ever new translation of the principles of liberty and cooperation into terms of the present needs of the social and economic order. In Europe and in the Orient there were until recent days that political stability and rigidity which resisted all change. Even where governments were outwardly transformed their spirits remained unaltered. The hard encrusted institutions of feudalism, of class, of caste, of dignity, and rank were refractory beyond the dissolving power of the new democracy. The spirit of feudalism flourished and all its practices survived its fortresses and crumbling castles. It was clear that only upon fresh soil could there be established those new, free, and democratic institutions which should constitute the point of political growth and experimentation in the world. Our Nation was, I believe, destined to be the pioneer, pointing the forward path to all other peoples. This does not mean a continual striving to discover new political principles, for there are no new political principles. But it does mean that we must be unresting in seeking to bring about radical changes for the better by conservative means, by the new and more complete application of old principles to meet new and changed conditions. Our fathers placed their hands and ours to the plow of the Republic and we may neither look backward nor halt, for we must press ever forward down the long furrows which shall prepare the fallow ground for the bringing forth of those new and better political institutions which shall insure a larger emancipation of our people and a wider dissemination

through the years of liberty to all men everywhere. Bourbonism and reaction, and not radicalism and reformation, are the crimes which are out of harmony with the great expanding, liberty-loving, progressive American spirit.

A NATIONAL CRISIS.

We face a grave national crisis. By the decision which we shall reach concerning international relationships, and by our next national election, we shall determine whether we shall rush recklessly on upon our present course to the unknown and uncomputed perils of a continued disregard for principles, for the Constitution, and for laws; whether we shall adopt political opportunism as a permanent policy; whether we shall accept that sinister philosophy that the end justifies the means; or whether we shall turn with loathing from these political husks, fit only for the swine, and go back to our home, back to the faith of our fathers, back to the reacceptance and a reaffirmation of the great principles of liberty which, so long as they be not disregarded by the people, by the legislatures, and by the courts, will insure to ourselves and to our sons and, with the passage of the years, to all men everywhere, the unspeakable blessings of freedom.

COOPERATION FOR LIBERTY.

Governments are organisms. Their forms and spirits change in obedience to established law and by the orderly processes of evolution. The first form of government was a community, a combination for defense; the second, the empire, an association for aggression and exploitation; the third, the last, and the highest type, our own Nation, the Republic, a cooperation for liberty. Through all the course of history we perceive these ascending purposes—the first purpose, self-preservation; the second, selfish imperial assertion; and now the purpose of our institutions, liberation. Our Government is the only one in all the world founded upon the positive affirmation of this great purpose of liberation. We can make no common cause with other nations unless they unconditionally accept this highest of all purposes, to which our Nation has been dedicated. The essential nature of our Government being cooperation for liberty, we can not become organically associated with other governments of lesser purposes and different nature from our own. During the war, and now as a result of the war, there has been a wide departure from our best ideals and highest purposes. Class conflict for advantage, competition over mere money compensation, reaction, reveling in repression, intolerance leading to oppression, have been predominant over the great American spirit and purpose of cooperation for liberty.

RESTORATION OF LIBERTY.

The practical and immediate question is, How shall we revive the spirit of Americanism, of toleration, of cooperation, and by what practical means shall we secure that wider application of liberty which shall make our ideals incorporate and vital in every department and part of our national life? How shall we rekindle the flame of the love of liberty on the altar of every American heart, and how shall we carry to every citizen a liberty more complete, which means an equal and ever-enlarging opportunity for expansion, self-determination, and self-cultivation? How shall we carry into the international councils most effectively our great national affirmation and assertion of the principles of liberty, in order that liberation and self-determination may displace throughout the world exploitation and oppression? There is but one issue—liberty! The battle is on, and before many weeks have passed our opportunists and political "pussy footers" will find that they must take a stand for or against the restoration of our liberty.

There must be a restoration of our liberty. We must go back before we can go onward—back to regain the great liberty which we enjoyed before the war, and then forward to a greater liberty. The unavoidable issue now is liberty; how to secure the liberty the world has sought through all the centuries, the liberty which seers have seen and poets have sung and for which immortal martyrs have sacrificed their all; the liberty that we were told that in this war we fought for, but which we have forfeited; the liberty which we have known, have loved, and have lost—political liberty, personal liberty, liberty of opinion, liberty of action, liberty of expression, self-responsibility, and self-determination—the liberty which we have declared to all the world and which we would gladly share with all of those who are oppressed. If the Republican Party, the party of Lincoln, the liberator, shall not now become the party of liberalism and of liberty, if it will not again announce that in all the world there is no issue which compares with the securing and the widest application of liberty, then there must arise a new and liberal party which shall express the aspirations of the millions of America who now demand the restoration of their liberty and of their liberties.

As briefly as I may, I shall attempt to formulate what I believe to be some of the sentiments and the most important demands of that great and growing group of men who might be called Republican Liberals, because they are at once devoted to the principles of the Republic and to the cause of liberalism. I have presumed on previous occasions to discuss some of these matters to which in the course of my present remarks I can only refer.

BACK TO THE REPUBLIC.

We demand that there shall be a clear and definite reacceptance and reaffirmation of a faith in the principles of the Republic, as established by the fathers, with its three separate, independent, and coordinate branches, legislative, executive, and judicial, the form of government which preserves liberty by a division of authority, preventing that consolidation of powers in one office or official which constitutes true despotism.

LET LEGISLATORS LEGISLATE.

We condemn, as tending to subvert our Government, the vicious practice by which legislation has been drafted in the executive departments and then forced by means of threats, intimidation, or other methods of coercion by the executive upon the legislative branch of the Government which should represent the people. We hold that in a free government legislation must originate with and arise from the people rather than with a powerful and perhaps autocratic Executive, to be imposed, through the power of patronage or by force, upon the people.

CURB EXECUTIVE POWER.

We contemplate, with a deep concern for the safety of our country and a high determination and resolve to resist it to the uttermost, the recent enormous growth of Executive power, tending toward tyranny. We pledge ourselves to oppose the election to high office of any man, of whatever party, who would advocate measures the tendency of which would be to enhance or to buttress Executive authority.

REPEAL AUTOCRATIC STATUTES.

We demand the careful study and revision or repeal of all statutes which have lodged with executive officials large discretionary powers, and further demand the immediate termination of personal and arbitrary government, government by commissions issuing edicts and promulgating regulations, as distinguished from government by clear and definite statutes enacted by the Congress under powers clearly granted by our Constitution; statutes in harmony with the letter and spirit of our institutions, to be enforced impartially against all offenders, rich and poor, alike.

FAIR ENFORCEMENT OF LAW.

We demand the fair and equal enforcement of the law without respect to social circumstances, section, race, or color, and hold that it would be intolerable to have Federal spies, agents, and officers hounding men for mere words spoken, or for violating statutes to carry out the eighteenth amendment in some States, while acts of violence, lynching, murder, resistance of officers of the law and violations of the fifteenth amendment are permitted with impunity in other States. We demand a constructive policy with reference to the race question, believing it to be both immoral and inexpedient to continue a system which is designed to keep the colored people of certain portions of our country in a condition of ignorance, poverty, and degradation, and we hold that to extend to these people, to whom we are under heavy obligations and for whom we have assumed the responsibility, larger opportunities for industrial, vocational, and general education, would be most advantageous.

END SPY SYSTEM.

We demand an end to the taxing of the people for the payment of swarms of Federal spies, agents, and special officers, who may become parasites, blackmailers, sappers of political morality, and a menace to liberty.

REORGANIZATION OF EXECUTIVE DEPARTMENTS.

Believing that the high cost of government is a most important factor in causing the high cost of living, we demand economy and efficiency in all governmental departments as a step in the direction of a rehabilitation of our national finances. But we hold that economy and efficiency can not be secured without a thorough, drastic reorganization of the executive departments, with such a retrenchment in expenditures as is not now contemplated. In the executive branch of the Government the reduplication of work, competition and conflicts between departments, bureaus, and divisions, the overlapping of functions, and the unscientific divisions of authority are not only preventing prompt executive action but they are enormously increasing that extravagance and waste in every direction which are becoming so notorious and scandalous. This deplorable lack of a rational organization of the executive branch of the Govern-

ment was aggravated by the war, and it has resulted during the last three years in the wastage of many millions of dollars of the people's money. Our vast lump-sum appropriations, the making of which is a vicious practice, tending toward wastage and the augmentation of executive power, have brought about further demoralization in the executive departments. The Overman bill, granting to the President the power to reorganize the executive departments, has, so far as we know, remained a dead letter, and, in the absence of vigorous and capable executive direction, conditions in the executive departments have for several years steadily been growing more unsatisfactory.

A BUDGET SYSTEM.

We demand at the earliest possible moment the enactment of legislation providing for a rational national budget system, by which we may know in advance what the needs of the Government will be, what might be eliminated, and what must be provided for. The proper measures for the reorganization of the executive branch of the Government and for a budget system are indispensable and inseparable. There can be no application of business principles to the appropriation of funds until there shall be at the same time this reorganization of the agencies through which these funds are to be expended and applied.

RESTORATION OF FREE SPEECH.

We hold it to be an elemental and self-evident truth that there can be no free government without practical and absolute freedom of speech, an uninfluenced and unfettered press, and the unabridged right of the people to assemble to petition for a redress of their grievances. We demand the immediate restoration of these rights, the repeal of the unconstitutional and tyrannical espionage act, and a recommendation of amnesty for all political prisoners held under this Federal statute only for political opinions held or for words spoken or written, as distinguished from direct incitation to violence, acts of violence, or overt acts against the Government. You have condemned bolshevism for its confiscation of real and personal property, but that is a worse form of bolshevism which confiscates real and personal rights. Confiscation of real and personal property affects the few, but the confiscation of real and personal liberty impoverishes all.

AMENDING AND DESTROYING THE CONSTITUTION.

Let us not be deceived. Democracy can not insure liberty. The tyranny of the majority can be as terrible as the tyranny of the minority. Democracy unrestrained can be as cruel as autocracy absolute. Cooperation for liberty must be secured not by democracy, formless, disorganized, and disorderly, but by the Republic, with its Constitution, with its protecting mandates, setting the absolute metes and bounds beyond which even the majority may not go in the invasion of the inalienable, inherent, natural rights of the minority. There is but one test of loyalty which may be applied: Is the man loyal to this Constitution of his country, and does he feel a whole-hearted love and devotion for the institutions of liberty which it creates and insures? Judged by this test, I fear that there may languish to-day in Federal prisons true patriots and that there may be sitting in legislative halls men with disloyal and traitorous hearts.

Because the Constitution guarantees us liberty there can be no question approaching in importance the question as to the method by which the Constitution shall be amended. This question is squarely raised in connection with the methods adopted for the securing of the eighteenth amendment. The question as to whether men shall be temperate is an important one, but it is not so important as the question whether men shall be free. If it can be successfully contended that the eighteenth amendment to the Constitution was fairly, legally, and constitutionally adopted, then it must be admitted that in spite of the wisdom of the fathers, which formulated such careful plans for the preservation of the Constitution, a means has now been found by which it may be destroyed.

By the same methods which were used to secure the eighteenth amendment, there might easily have been secured an amendment to strike out the first amendment to the Constitution or the whole Bill of Rights. I shall not discuss the question of the wisdom of writing into our fundamental law such provisions as are contained in the eighteenth amendment. I, who have always advocated legislation for the application of temperance by the principle of local option, believe that this amendment is out of harmony with the whole spirit and nature of the Federal Constitution, the purpose of which, I say, was to affirm and preserve our natural rights and not to carry legislation or limit the sovereign people's legislative powers. The fathers purposely devised the plan designed to make the amending of the Constitution difficult. They realized the danger of undertaking to legislate by constitutional amendment. They foresaw the destructive results which might follow if the Constitution were not safeguarded against the possibility of sudden changes which might, without proper safeguards, be made in times of public excitement. The method of amendment provides ample protection for normal times, for ordinary circumstances and perhaps under all conditions when all of the provisions of the Constitution were being scrupulously regarded and all of its affirmations and reservations fully operative. This was not the case during the war when the eighteenth amendment was adopted. There were men upon this floor who contended that during the war time the Constitution might be suspended and its provisions disregarded, a view untenable, and yet one which materially influenced our legislative action. The Constitution provides in its fifth article the method for its amendment. The provisions of this article are to the effect, as I understand them, that when two-thirds of all of the representatives of the several States in Congress shall deem it necessary to do so, they may submit an amendment which must be ratified by three-fourths of the several States. This is but an outline of the method, for it must be remembered that republican representative government is government by discussion and, not only from the whole nature of the Constitution, but from the specific provisions of the first amendment, it is to be presumed that, prior to the making of a motion for the submission of an amendment, during the debate upon the question of submission, in the State conventions or in the Congress, and during the whole pendency of the amendment before the States for ratification, there would be taking place that full, free, fearless, and unrestrained public discussion which would bring to light all of the questions involved in such an important step and which would afford every individual whose interests might be affected every possible opportunity for making his voice or protests heard. Can any candid and honest man contend that there was such government by public discussion and by freely expressed opinion during the war? If there is such, he would do well to review the history of the three years past.

On the 15th day of June, 1917, the espionage act became a law. This drastic measure was reported by the Senate Judiciary Committee, a committee dominated by ardent advocates of national prohibition. This committee had also favorably reported on June 11, 1917, the resolution for the submission of the eighteenth amendment, and on December 18, 1917, after very little debate or public discussion, this resolution for the submission of the amendment was passed by the Congress, and the question was thus submitted for discussion by the people and for action by the States. Early in the following spring the Senate Judiciary Committee favorably reported a most drastic amendment to the espionage act, an amendment which made this act far more oppressive than the old alien and sedition laws, and on May 16, 1918, this measure became a law, and then ended all free and fearless discussion of public questions in the United States. At the time of the passage of that law, which, in clear violation of the first amendment to the Constitution, deprived the people of the United States of the rights of freedom of speech and of the press and peaceably to assemble and to petition the Government for a redress of grievances, only 11 States had ratified the eighteenth amendment. Not only was there no free and fearless discussion of this most important question, but a propaganda was started, the result, if not the purpose, of which was to spread the impression that the advocacy of the use of wine and beer was an evidence of sympathy with the German cause. That such a propaganda should succeed was quite natural, in view of the fact that those of German descent had been both manufacturers and users of wines and beers. On September 18, 1918, the Attorney General of the United States, A. Mitchell Palmer, who had been clothed by the provisions of the espionage act with extraordinary and despotic powers, at a meeting of the Democratic State committee at Harrisburg, Mr. Palmer himself being an advocate of national prohibition, made a speech the purport, if not the purpose, of which was to give the impression that some sinister relationship existed between the people and the interests in favor of the continued sale of liquors, wines, and beers, and those who were sympathetic with the German cause. On Thursday, September 19, Mr. JONES of Washington, an ardent advocate of national prohibition, introduced a Senate resolution, which was passed, calling for an investigation as to any propaganda which was then being carried on by those in favor of the use of beers, wines, and liquors, which resolution characterized them as follows:

> The organized liquor traffic of the country is a vicious interest, because it has been unpatriotic, because it has been pro-German in its sympathies and its conduct.

As a result of the passage of this resolution this same Judiciary Committee appointed a subcommittee of five, every member of which subcommittee had voted for the submission

of the eighteenth amendment, and this subcommittee started an investigation, a record of which is to be found in the hearings on "Brewing and Liquor Interests and German Propaganda." This investigation was widely advertised throughout the country, and had the result of intimidating, even if it were not deliberately designed to do so, those who would in normal times have vigorously opposed the ratification by the States of the eighteenth amendment.

You may recall that so intolerant was the temper of the time that an attempt was made, vain and foolish though it was, to make it appear that even the defenders of the constitutional rights of free speech and free assemblage were sympathetic with the enemy, and there is not a doubt in my own mind, as I have indicated, that the Bill of Rights might have been stricken from the Constitution during that period by the same methods which wrote the eighteenth amendment into it. Not only this, but during the time of the pendency of the eighteenth amendment before the States for ratification millions of our young men were under arms on foreign soil and in Army camps, deprived in a large part of any opportunity of participating in the discussion and of influencing public opinion upon the question of the wisdom of thus amending the Constitution. The impropriety of amending our fundamental law during a time of war under such circumstances should, it seems to me, be apparent to all except the unreasoning fanatics. I shall only advert to the fact—not discuss it—that two-thirds of the total membership of the House did not vote for a submission of this amendment. That is not the paramount question. The paramount question is this: Can we in time of war disregard the first amendment to the Constitution, pass Federal statutes to destroy free speech, submit an amendment to the Constitution to the States, place in a conscripted army millions of our men, thus practically depriving them of political activity, carry on a propaganda designed to make opposition to the amendment appear to be sympathy with the cause of the enemy, and sincerely and successfully contend that we have complied with the spirit and the letter of the fifth article of the Constitution, which provides for its amendment?

If the Supreme Court upholds this method of procedure, then all men, regardless of how they feel upon the question of national prohibition, should be willing to advocate the repeal of the eighteenth amendment, in order that in normal times the people and their legislators should have an opportunity of determining for themselves, freed from all coercion, compulsion, and repression, this most important question.

We urge the repeal of the eighteenth amendment to the Constitution and a reconsideration by the people of the great question involved in it under conditions which will insure an unimpassioned consideration, unclouded by the temporary conditions incident to a state of war, and unaffected by the hysteria and prejudice which were incident to its submission at a time when full and free discussion were impossible. We recognize the great problem involved in this question. We admire the sincerity and zeal which have inspired many of the advocates of total and drastic prohibition. If it really be the will of the country, expressed in accordance with the terms and spirit of the Constitution, that this provision be continued as a part of our fundamental law, we shall hope for the beneficent results which its advocates have prophesied. But we are unwilling to deprive large numbers of our people, who sincerely love our country and its institutions, of that which they deem it their right to possess, except under conditions which safeguard the rights of these people with scrupulous care. We view with concern the fact that millions of our countrymen feel and say to-day that they have been deprived of their liberties without any real opportunity to contest the issue and that they therefore look upon the Government not so much as the preserver but as the destroyer of the freedom of the individual. We desire to remove the deep-rooted feeling from the minds of a large proportion of our people that there has not been fair play on this issue. Many of us feel that while the use of certain alcoholic liquors should be regulated by local-option statutes, enacted in accordance with the will of the people, the recent measures adopted have gone so far that they may, with justification, be considered by some as an undue infringement upon personal self-determination. But whether we believe in total prohibition or not, those of us who are Republican liberals believe that any such drastic changes should be secured only in accordance with orderly processes and after a full, free, and unhampered discussion of the issues involved, in order that no man may justly feel that he lives under an autocratic system where all liberty is in danger.

REFERENDUM ON AMENDMENTS.

Believing that there should be a wider application of the principle of popular control in the process of amending the Federal Constitution, we hold that there should be an amendment providing that any proposed amendments to the Federal Constitution should be submitted only after two-thirds of the total membership of both Houses of Congress have voted favorably upon the resolution to submit the amendment, and adopted only after the majority of the total registered vote in each of three-fourths of all the States have, after a popular referendum, instructed their States to ratify the amendment. It has become apparent that it would be unwise and dangerous to hold to our present method of amending the Constitution without a referendum, which makes it possible for a bare majority of less than 8,000 of our citizens who are members of the State and Federal legislative bodies to alter quickly and perhaps so materially as to change its whole nature that fundamental law, the Constitution, which must preserve the inherent natural rights of more than a hundred and ten millions of our people.

RAILROADS.

Recognizing that our Government rests upon the principle of cooperation, we demand measures in harmony with our institutions for promoting cooperation not only for liberty but for the securing of that efficient social and industrial organization which will bring about increased production and a greater national wealth. The railroad problem presented an opportunity for the application of the principles of cooperation to an important industry. We were opposed to the Government ownership of railroads because Government ownership makes for that bureaucracy which tends to become autocratic and to deprive the people of their liberty. Before the war the railroads were operated under an obsolete and inefficient system, characterized by competition; competition of road with road under the Sherman law; competition between capital and management, labor and management, labor and capital, and competition or contests over rates between one or all of these and the consumer of transportation, the traveler or shipper. The railroads must ultimately be controlled by one of these factors which has become dominant through strenuous competition, or by all of them through some rational method of cooperation. Government ownership or nationalization, which would give us a consumers' or shippers' control, would tend toward a reduction of rates, the depression of wages, deficits, and a menacing bureaucracy. Financial or capital control, as in the old days, would make for excessive capital issues, with constant clashes between capital and labor, while a control only by the workers would create the possibility of such ruinous increases in wages as might threaten the financial stability of the roads, the efficiency of their operation, and thus the welfare of the workers themselves. Prior to the war the railroads were controlled by the bankers and investors represented upon the board of directors, by the duly elected representatives of organized labor who conferred with the management, and by the Interstate Commerce Commission, representing the public and having charge of rate regulations. This was an awkward competitive rather than a rational cooperative system of control. We favor privately owned, cooperating, regional railroad corporations, each controlled by a cooperative board, consisting of members, one-third of whom would represent the bankers and investors, one-third of whom, chosen by the employees, would represent labor, and one-third to be appointed by the Government, to represent the consumers of transportation.

There should be continued supervision by the Interstate Commerce Commission, a fixed low rate of return for capital, guaranteed by the Government, ample provisions for extensions and betterments, with an equitable distribution of the surplus earnings for the benefit of the employees. The vital reform to be contended for is some representation for the employees in the responsibility of management, and some participation by them in any excess of earnings.

This participation of the employees in the responsibility of management should not be confined to mere membership by a few in the directing boards. The elective system for the selection of shop foremen and men for other positions might be wisely and widely employed. The principle of democracy and cooperation in industry is a sound and progressive one, and in its rational application this country, with its large reserves of initiative and ingenuity, its absence of aristocratic traditions, and its unequaled capacity for self-government, should lead. This plan is not radical but the rational application of principles already recognized. In a large measure the officers of roads, those in charge of management, have risen from the ranks of employees, and they, with the employees, have conducted railroad transportation, often hampered in their work by the ambitious schemes of financial promoters and by the unskillful intermeddling on the part of governmental agencies. The application long ago of this principle of cooperation would have saved us from many evils. This principle of cooperation between capital and labor should be widely applied in this

country, where, in an unsystematic manner, there have already been demonstrated the benefits to be secured from democracy in industry, with a participation of the workers in the management and the profits.

COOPERATION.

The people of this country and, indeed, of the world, are suffering great hardships from the high cost of living, which is due primarily to the underproduction and the exorbitant costs and profits connected with the distribution of the necessities and commodities of life. These evils are due to the failure to apply the rational principles of cooperation to both production and distribution. Production can not be increased so long as labor is considered to be a mere commodity. So long as labor is considered to be a mere commodity, the man who has labor to sell will naturally and properly sell as little as possible for the highest price, while the employer will seek to buy as much as possible for the lowest wage. Labor must be considered as capital, as an investment, which should earn interest, and those who furnish the money capital and those who furnish the labor must participate in the management, share the responsibility and the profits, and cooperate not for the profit only but to render the service of production. Unregulated competition between the distributors can be, with advantage, largely reduced, by agencies representing a rational cooperation between the producer and the consumer. Cooperation between the employer and the employee, with the sharing of the responsibility of the management and of profits, is considered by some to be a new and radical, if not a dangerous, departure, whereas it is but the application of an old principle to new conditions. In former times, and even now, on the small farm and in the small shop where but one or two are employed, the efficient application of the principle of cooperation has been secured. The sharing of responsibility for management, participation in profits, and cooperation for service must supplant the purchase of labor as a commodity and wholly selfish competitions and conflicts for the mere money returns and wages, with no regard for the social service or for the responsibility resting upon all elements engaged in production for the common welfare.

ECONOMY AND TAXATION.

We demand such elimination of governmental extravagance as will make possible a large reduction in the intolerable burden of taxation now resting upon our people, but with due regard to the importance of reducing the national debt, and for the principle that a larger proportion of the surplus income than was taken before the war should be subject to taxation by justly graduated income and inheritance taxes for the improvement of those Government agencies for promoting education, health, and the common welfare which tend to increase the common wealth and prosperity. The importance of a speedy reduction of the national debt can scarcely be overemphasized.

OUR SOLDIERS.

Recognizing the fact that we owe to those heroic men who in our valiant and invincible armies stayed that mighty hostile flood, turned the tides of war, and won for our arms an immortal victory, preserving our liberty, a debt of gratitude which we can never pay, we yet hold that this Nation is under a high obligation to render every possible service in the care and rehabilitation of those soldiers who have suffered disability or disease, in the furnishing of general or vocational educational opportunities to those who desire it, in assisting all men who need it to find congenial occupations, and in the paying of generous compensation to those who have suffered permanent disability.

SENSE IN THE CENSUS.

We urge such a revision of the methods of the national census as would make it a rational, systematic, social, and industrial survey of our population, with a card-index method for the keeping of constantly up-to-date information.

EMPLOYMENT AGENCIES.

We insist that effective Federal employment agencies, with branches in every part of the country, particularly in the rural sections, are necessary, and believe that much of the seasonal unemployment might be relieved by a proper distribution of necessary public works through the year.

PUBLIC BUILDINGS.

We favor the erection, in time, of a practical rather than architectural Federal public building in every county of the Union as part of a national public-building program, which building would serve as a community center and for the housing of the local branches of the Federal educational, health, employment, census, agricultural, and post-office agencies. We believe that there should be central schools in rural districts, with more commodious buildings, and a more general use of public buildings as community centers.

COOPERATIVE ORGANIZATIONS.

In order to bring about a radical reduction in the high cost of living, which is becoming a burden almost too great for the people to bear, we favor measures which will encourage the organization of cooperative buying and selling organizations in order to bring the products of the farm direct to the consumers, and to make possible cooperative effort between great groups of farmers, workers, and persons living on salaries, wages, or small fixed incomes to secure the necessaries of life without the high costs now incident to our system of distribution, and to this end we favor the passage of a national law for the incorporation and regulation of cooperative organizations in order that the cooperative system may be encouraged in all the States.

HIGH COST OF LIVING.

We urge a nation-wide cooperation among the people for a reduction in the cost of living by the stimulation of productive effort, particularly in agriculture, by the harmonious cooperation between capital and labor for larger production, by personal economy, by the elimination of extravagance and waste in distribution, by the increase of taxation of unused land tending to promote its use, by the development of unused natural resources, and the cure of currency inflation by rigid governmental economy and a speedy reduction in the public debt.

We hold that a rational conservation and development of our natural resources and of our vast territory, capable of supporting in comfort and luxury 500,000,000 people, would give us an abundance of wealth such as would relieve the widespread misery and poverty in the United States. We hold that the improper training of our youth, disablement and death of the family support by preventable injury and diseases, inadequate insurance systems, unnecessary unemployment, imperfect cooperation, and the failure to secure the application in a scientific manner of labor to the development of these vast resources are the removable causes of much misery and poverty, in themselves causes of underproduction.

AGRICULTURE.

No class of our citizens has endured more from the injustice of personal and arbitrary government than those who are engaged in agriculture. Our farmers have suffered untold hardships, because for many years our legislative bodies have not been dealing with agricultural problems intelligently and effectively. In my remarks in opposition to the food-control bill I referred to the failure of our agricultural development to keep pace with the growth of our population and to the dangers which must be attendant upon the further decline of agriculture in the United States. My fears as to the unfortunate effects which would follow the food-control law were entirely justifiable, as events have proven. During the war the farmers were compelled to sell in a controlled market and to buy in an unregulated one, while for many years the costs of production have consumed legitimate profits. Men will move from the less profitable to the more profitable employments when it is possible to do so, and the steady flow of population from our rural districts to the cities is the most conclusive evidence of the most unsatisfactory conditions which have caused agricultural operations to be unprofitable, resulting in the failure of food production to keep pace with the consumptive demand. In view of the actual and more serious threatened food shortage throughout the world, a failure to secure a greatly increased acreage in the spring-wheat sections, in view of the decrease of nearly 30 per cent in the winter-wheat acreage, would be an indication of a serious situation. The decline of agriculture is directly traceable to governmental mistakes. Realizing that agriculture is the basic industry upon which the welfare and wealth of all depend, we who are Republican liberal farmers demand such a total change in the administrative policy as will result in a greater prosperity for our agricultural population and check that steady flow of people from the country to the cities which, if continued, must prove disastrous. We demand more good roads, better schools, improved rural social conditions, community market centers, the extension of the parcel post, more efficient methods for agricultural education and the adoption of every method which will stimulate an interest in and a knowledge of the fundamental nature and importance of agriculture. We demand an extension of the facilities which will encourage cooperative buying, selling, and shipping, cooperative creameries, warehouses, elevators, newspapers, and cooperative banks, all of which have been a great assistance to agriculture and should be encouraged. We believe that there should be a law for the Federal incorporation of cooperative and other corporations. We demand that there shall be appointed a Secretary of Agriculture who has actual knowledge of farm conditions, a country-minded man who will have extensive studies made of farm-management problems, costs of production, in-

cluding losses in soil fertility, and who will have published the results of these investigations. There must be steps taken to encourage the ownership of farms. Every effort must be made in the direction of the wise conservation of our land and natural resources. The loss of soil through erosion which follows forest devastation must be checked, the export from this country of material from our natural phosphate beds must be regulated, and native sources of nitrates and potash sought and developed. Realizing the importance to the farmer of the great corporations which buy from him his products, such as the packing houses, and of those which sell to him, particularly those manufacturing agricultural implements, we insist that there must be fair regulatory legislation for the protection of the agricultural interests, while promoting the efficiency and service of these corporations. A simplification and standardization of farm implements and machinery, making possible quantity production of original machines and of repair parts, would save millions to the American farmers. A nation-wide movement for the advancement of agriculture could be made to accomplish untold benefits by the securing of an abundant supply of raw products and food, and thus increasing the wealth and prosperity of all of our people.

CHILD LABOR.

We insist upon the abolition of child labor, reasonable hours for all women workers in industry, and the elimination of insanitary working and living conditions. Children should learn rather than labor, and there must be more adequate educational facilities and higher pay for teachers.

RESTORE PEACE AND SELF-DETERMINATION.

We urge the immediate reestablishment of peace on the general principles enunciated in the 14 points to which we and our associates in the war were in honor pledged, and from which the proposed treaty has radically and in fundamental respects departed. We demand the withdrawal of our troops from Europe, particularly from Russia; the principle of self-determination for the nations of Europe, particularly Ireland and Russia; and the extending of our friendly offices to the Russian people, to assist them to such extent as they may desire to establish a rational form of government in accordance with their own needs and aspirations and not by force and coercion from without.

We believe that the iniquitous treaty of Versailles is largely responsible for the present chaos and confusion in Europe, of which the new counter-revolution in Germany is the latest symptom, and that we can restore order and sanity to the world only by a rejection of the treaty as it has been framed and by approaching the whole problem of peace in a new and different spirit from that in which this vindictive and impossible document was drawn.

RESPONSIBILITY FOR COLONIES.

Realizing that the vast work of world rehabilitation must be carried on through the sympathetic cooperation of the strong nations of the world, and that any serious conflict of aims and purposes between the great English-speaking peoples would be deplorable, we express our gratification that one of the great political parties in England, the party which may shortly come into power, has taken a definite stand in favor of the principle that all colonial peoples should be held in wardship only, and that it is incumbent upon all countries having colonies to meet the responsibility of fitting the subject people for self-government and for ultimate admission into the society of nations. This is the position taken so clearly by the United States in the great proclamation of 1898, which outlined the policies which would be carried out by the United States with reference to the Philippines, and outlined the policies which we believed should be finally adopted by all the great nations which have colonial possessions.

MERCANTILE MARINE.

Realizing the necessity for means for the carrying on of commerce with those people who are so desperately in need of those articles which we may have for export, we favor the building up of an American mercantile fleet, which shall either be Government owned or privately owned with substantial Government subsidy.

INCREASING NAVY.

In view of the great responsibility now resting upon this Republic for the furnishing of a strong leadership, and looking forward to the time when there shall be complete national disarmament, we insist, as a somewhat temporary policy, upon the building and maintenance of a Navy not exceeded by any other power, in order that there may be cooperation between England and the United States as equals for the bringing about of order and a progressive peace.

LEAGUE OF NATIONS.

We denounce the League of Nations as it was proposed as a scheme worked out in secret by imperialistic interests for a new armed coalition designed to preserve the old international order, with its longer intolerable system of colonial expansion and human exploitation. We urge the calling of an international convention at an early date to consider an international arrangement for a concert of nations for cooperation between the nations for the elevation, education, liberation, and ultimate self-determination of the backward peoples of the earth, with international boards of education, health, labor, commerce, land reclamation and colonization, and rational efforts for a just and upbuilding world peace by the elimination of the social and economic causes of war.

Mr. President, I have purposely not enlarged my discussion of the League of Nations question, because I have upon my desk a statement issued by a Maryland mother who had four sons in the war, one of whom fought in the Argonne, a statement which, I believe, expresses the views of millions of American mothers on the peace treaty and particularly as to article 10. In view of the fact that I have curtailed my argument upon this subject, I ask permission to insert the statement to which I have referred as part of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SPREAD OF CIVILIZATION.

Mr. FRANCE. Mr. President, we consider with sorrow that approximately two-thirds of the human race, about 1,000,000,000 human beings, under present world conditions live in degrading poverty, misery, and paganism, existing without the light and comfort of true civilization, perishing without medical attention or the consolation of faith, and believing that the application of the principles of justice, the elimination of exploitation, adequate education of the people, and a proper development of the undeveloped resources of the world would remove this unfortunate condition, we urge the great problem upon the consideration of all liberal parliaments, in order that there may be a common action to cure a common evil.

WOMAN SUFFRAGE.

We hope for the immediate ratification by the States of the constitutional amendment granting suffrage to women, and look forward to their full and equal participation in the affairs of government as a necessary, natural, and logical extension of the democratic principles.

LABOR AND INJUNCTIONS.

We are opposed on principle to the use of the injunction as a method of settlement of disputes between labor and capital. While we would take all possible measures to remove the causes of industrial disputes and for bringing about a just and speedy settlement of such disputes, we hold that for the Government to take the strike as a weapon from labor by the use of the injunction is to create a condition of servitude which is abhorrent to the traditions and instincts of a free people.

REPRESENTATIVE GOVERNMENT.

We believe that the discretion given to legislative bodies to be the judges of the qualifications of their own members was never intended to enable a majority to exclude the duly elected representatives of a minority party, and we favor such limitations upon the causes for exclusion of such duly elected representatives as shall prevent the arbitrary exercise of this power in violation of the established principles of the republican form of government.

UNIVERSAL MILITARY TRAINING.

We believe that there should be devised a national system for the better physical training of our youth with measures for the development in them of a high sense of obligation and duty as citizens of a free and self-governing Republic, but we feel that at this time universal military training is not necessary and that the funds which would be required for its establishment might be better employed in compensating those who have served in our armies and for the further extension of those agencies for the promotion of education, health, and the general welfare, the deficiency and inadequacy of which agencies as they have existed were disclosed by the war.

There are many other national and world problems to which I might refer and which it would be profitable to discuss at some length if time permitted, but I have desired to mention but a few of the most important ones in order to make clear the general attitude and point of view of that large and increasing number of our citizens who could most properly call themselves Republican liberals.

DANGERS OF REPRESSION.

Such Republican liberals would not widely extend the functions of government, but bring nearer to perfection its performance of present functions. They would not expand the powers of government, but rather enlarge individual opportunity and liberty. Over and above all other national problems rises this great issue of the restoration of free popular government and a fuller realization of liberty.

There have risen to power in this country Bourbons who have lost faith in popular government. During the period of the war the destinies of the world have been directed by political reactionaries, but now that peace has come we must end their rule. Exaltation to a position of political power too often causes an insulation in self-conceit which separates the official from the energizing, vitalizing currents of thought generated in the giant dynamo of the mind of the masses. Pride of opinion, prejudice, and stupid dogmatism infect and fester to intolerance in the bureaucratic brain. When future generations shall read the history of our time they will be amazed to learn how much the statesmen of this period have seemed to lack the common sense and sound judgment of the common man. Popular government is rational government, because the inexpert but unperverted understandings of the people are much more reasonable and reliable than the prejudiced and perverted thoughts of rulers. Popular government has in this war demonstrated its inviolability. Distrusted, despised, desecrated, rejected, immolated upon the altars of war by men mad with Cæsarian conceit and drunk with usurped and temporary power, it yet emerges from the fires unscathed, vindicated, triumphant, with all its pristine symmetry and strength and with a new-found excellence.

The most dangerous adversaries of popular government, of liberty, were not the autocratic Kaiser in his helmet of gold and all his mighty hosts of armed myrmidons clothed in all the habilaments of modern war, driving on their awful engines of destruction, and filling the very air men breathed with invisible death. These never had a chance of a final decisive victory against our liberty.

The most mortal enemies of our freedom were those false and faithless ones at home, who at her heart and into her very vitals struck treasonous and deadly blows. Her worst foes were those of her own household, who counseled the abandonment of her high principles for purposes of war. They distrusted in their hearts the adaptability of popular government to all conditions. They doubted the rationality, the stability, the indestructibility of free government under such an ordeal. They argued that democracy was a fair-weather government, and that hard and heartless autocracy alone could withstand the storm and stress of such a war. Of little faith, they questioned the sanity, wisdom, and loyalty of the millions of the minds and hearts of all America. Bourbons misread or misinterpret history and fail to understand the deep significance of great events. Our Bourbons have recently failed to remember. They forgot the invincibility of the free and that the slave can never be a warrior. They failed to remember their history—the plains of Marathon, Thermopylæ, Tours, Valmy, Waterloo, Bunker Hill, and Yorktown—and sought to win a war for the preservation of our liberty by an imitation of the methods of a czar. But as the everlasting mountain emerges from the mists, touched by the magic of the advancing morning sun, so from the clouds of war there have appeared the eternal truths. And now we know that each time we violated the established principles of the Republic our thrusts made new wounds, cut nutrient arteries, and weakened her for war, while infection and corruption followed the treacherous, poisonous daggers.

With un-American, despotic statutes you terrorized our people into silence, and more than six hundred millions of the people's money appropriated for airplanes were squandered by protected, inefficient bureaucrats while the sons of the people, who had responded to the Republic's call for defenders, lay in the front-line trenches of a foreign land, naked of protection from the low-flying, armed, destroying vultures of a cruel enemy. You passed this gag law, and a timid, trifling, vacillating, and wholly incompetent administration, distrustful of American patriotism and shielded from a popular wrath which would have lashed it into action, delayed for 18 months the enactment of man-power legislation to mobilize the forces of the Nation to meet a deadly peril. You intimidated critics and silenced the voice of the people, while the War and Navy Departments, made immune by the censor and fed to fat complacency on adulation, dawdled and delayed when desperate situations demanded heroic remedies of arms, supplies, men, ordnance, and ships. It is well that Providence had ordained that we should be saved, even from our own folly, and that the hearts of our heroic sons, exposed beyond need or reason to danger and to death as they faced, unsupported at times by ordnance, the deadly fire of the enemy, were baptized with a valor and devotion to the cause of liberty which made them invincible, even against such a mighty foe, and enabled them, with the help of the God of the Republic, to win a glorious victory.

DISINTEGRATION OR COOPERATION.

Mr. President, since the war, as I have intimated, there has been taking place a rapid, dangerous, and destructive disintegration of our country. There are many indications that our national unity may soon be broken into a disorganized multitude of antagonistic and irreconcilable parts. On every hand we see the unhappy evidences and consequences of class consciousness, intolerance, class hatreds, and class conflicts. Ever-widening gulfs seem to be separating capital and labor, employer and employee, while the reactionaries and the radicals have declared relentless war upon each other. This whole process of disintegration is impoverishing, paralyzing, and demoralizing our country. What might be a vast, effective, swiftly moving cooperative mechanism with an all but limitless power for beneficent creation is being slowed and stalled by competitive friction. The only remedy is to bring into full play and operation the cooperative forces.

During the war, although we failed to properly organize the Nation, there was achieved some measure of cooperation throughout the country for the accomplishment of a clearly perceived common purpose, and we gained some faint conception of the huge, the enormous reserves of hitherto unsuspected productive and creative power which might be utilized by an organized and effective application of the principles of cooperation.

We need to restore again in America national community of thought, national community of purpose, national community of action, and to secure these in even greater measure.

The common mind, when its processes are undisturbed by censorship, when there is full and fearless expression and discussion and the unhampered interchange of opinion, the common mind of a noble nation fairly informed and freely functioning is the nearest approach we can have to the infinite wisdom of the omniscient Deity. Community of purpose among a great and enlightened people must be the best expression of the infinite purpose. Community of action, cooperation among such a people for a great and beneficent purpose common to all, conceived and understood by all, must give us the most complete and effective human manifestation, in this world of limitations, of the beneficent creative and constructive power of Omnipotence.

As our hearts go out in gratitude to our heroic youth who were our defenders; as our sympathy and affection enfold those who, for their country, have become diseased, crippled, and blinded from their wounds; as our tears fall for those who sleep beneath the silent stars and simple crosses on the scarred fields of France, may this be for us an hour of serious self-examination. Our task is incomplete. As collaborators and cooperators we must all share in the great enterprise.

BUILDERS OF LIBERTY.

The temple of liberty which we were destined to erect here in the western world is not built. It is building. The Constitution written in days of clearer inspiration by our fathers is the noble plan. From ocean to ocean stretches the continent upon which we are to construct it. Far flung are the fabulous riches for its fabrication—pleasant valleys; stately rivers; lofty mountains; cataracts and plunging waterfalls, eager to be harnessed to drive the electric dynamos of industry; waving forests; sweet-scented woods; coal; iron; priceless stores of minerals, silver, copper, and gold—a vast imperial domain capable of supporting in comfort and luxury one-half a billion of people, and, more than these, one hundred millions of beating patriot hearts who thrill at her story, glory in her power, pray for her preservation, and are ready to die in her defense. These are the wealth of materials for her building. May the time of our trial and affliction be a time of vision. May we now clearly behold our opportunity and our destiny. May we now rededicate ourselves unreservedly to sacrifice and to unwearying service until the nobler and more lofty fane of liberty is full complete.

If our souls can be filled with that same devotion to the principles of liberty and with that same faith in free institutions which inspired the soldiers in our armies, we need not fear this great issue, we need not hesitate to raise the battle cry against all the reactionary forces of autocracy and un-American Bourbonism. Let us go back to freedom, back to the principles of the Republic, back to liberty. May we soon hear some silver-throated clarion call our valiant youth to this great cause of liberty. May we soon hear once more the mighty tones, pealing down through the corridors of the years, of that great bell which once proclaimed liberty to all the peoples throughout the widest confines of a waiting world.

APPENDIX.

OUR SACRED SOIL.

[By Ida M. H. Starr, Easton, Md.]

HAVE THEY FORGOTTEN THAT THE SUN RISES IN THE EAST?

Southern war mothers ask if administration Senators have wandered so long in dusky twilight that they can not see the sunlight of facts that reveals the iniquity of League of Nations covenant. (From the Manufacturers' Record.)

Thank God, I live in the country. There is no hour of my day but I am up against indisputable facts. I live in the real country, not the suburban sort that camouflages nature but in a place where, if my fuel supply runs short, I must go out in the woods, mark trees, have them chopped down, hauled to the woodshed, sawed, split, and finally carted to the cellar. I know just how much dynamic force I must expend to get this fuel ready for the furnace and know the sound of every foot that shuffles behind the cart.

The sunrise is not a poetic fancy to me, not a word to rhyme with enterprise, or authorize, or otherwise—no; it is one of my indisputable facts, for I watch it every morning as the days speed along. At night my perspective across the bay is blurred, but with the morning my vision is clarified, the clear light of the early sunrise gives me the lines of the far country in their true outline.

I know to a second when to expect the first faint tints of dawn, to a second when to await the first glory of daybreak. Facts—facts from dawn until noon, for when the shadows on our veranda are vertical I know it is midday, and when the sun reaches just a certain height over against the bay I know that the gardeners must gather up their tools, for night is near. Facts, always facts. Not delusions, but great, primal facts hit me in the face however I may wish to escape them. They are eternally before me and they form the basis of all my thought. They are the cosmic origin from which all of my life radiates. All fiction, all art, all poetry, all friendships, all philosophy, all the problems of my life, and all world problems must line up with these indisputable facts which are forming my moral code.

In the long, silent twilight, my work finished, I sit and watch the glow of the fire, see the logs which I have seen fall in the woods burn before me, and then with a mind that has been saturated with realities all the day long, a mind stripped of distortions and abortions of truth, a mind clarified by the eternal facts of nature, with this equipment I read the events of the times and form my opinions.

I sent four sons to the Great War. My entire soul was aflame to rid the world of the barbarous Hun. We didn't think then nor did not talk about "making the world safe for democracy." All that talk came later, not from the boys but from the men who were safely at home. The boys who went over knew that their country, their homes were in danger and they wanted to lick the Hun to a finish. It was all a perfectly simple, direct thought that inspired our boys, and with the simplicity of the sunrise in their souls they went to France.

A year ago to-day my son was in the Argonne. You men making laws up there in Washington do not know what that meant to mothers. I know what it meant to wait week after week for delayed news after the armistice was signed. I was not alone in my suspense. Millions of mothers felt and suffered as I did. Millions made even greater sacrifices than I, before whom I bow my head in reverence. We gave of our utmost. We gave for our country. Remember, there was no talk at that time about "making the world safe for democracy." We gave our sons for our country, for a country governed by and administered for Americans.

"The tumult and the shouting dies;
The captains and the kings depart;
Still stands thine ancient sacrifice,
An humble and a contrite heart.
Lord God of Hosts, be with us yet,
Lest we forget, lest we forget."

The treaty of peace and the covenant of the League of Nations was brought to us from the peace table in Paris.

Men have already written volumes on the questions which these documents have developed. These documents, I believe before God, are of more vital interest to mothers than to any other living beings, for the covenant of the League of Nations strikes directly at the heart of a home.

I shall not assert that the volumes that have been written on this great subject have been written with a deliberate intent to befog the minds of women, but it looks suspicious. Men may need a multitude of words and high-sounding rhetoric to impress the truth upon them, but women do not need these things. We reach conclusions by different channels than those employed by men. God somehow gave us a gift—call it what you will, intuition, vision, or any other word you like, the word does not matter—a fact remains. Women form their judgments by quick, sure methods, by sane methods. We see things suddenly in the right light, and the centuries have hallowed our wisdom, for did not "Mary know all these things"? Was she not the only one in her day who saw with the perspective of the sunrise?

Since the days of Mary men have thought to befog our brains by the multitude of their words and the brilliancy of their rhetoric, and never in all history has this tendency been more to the fore than at this time, when the League of Nations would be fastened upon us. But words, words, be they by the million, can not deceive mothers. We are up early in the morning, and while you men are asleep the sunrise is sweeping our souls clean.

The patriotism which rings now from the White House and from the administration Senators does not line up true with my sunrise or with anybody's sunrise who has ever seen a real one, and that is the reason we mothers of America hold our breath while you men up there in Washington are juggling with the fate of our sons and our country.

Do you think to deceive us when you say that the League of Nations as it came from Paris is the great step forward for our country? The panacea against all future wars? You hide the truth beneath a multitude of words, but you can not take from women their understanding of plain facts. We mothers meet facts always. Whether we live in the city or in the country, we know certain things to be right, and no amount of camouflage can separate us from this knowledge. We know that international questions are but an enlargement of domestic questions. We know that the questions that confront us in the League of Nations are fundamentally simple. We know that a man's first duty is to his home. This is a great primal fact. It admits of no argument. Our Government stands in the same relation to the American people that a man stands in relation to his children.

We know that the same laws that govern the sunrise govern families and govern nations. We mothers know these things and our understanding of them is simple, direct, and final.

Tell me what would happen if by some unforeseen swing of the pendulum the mayor of your town should decide that your home would be managed much better by a Jap, or a Chinaman, or a Turk, or a Hindu, or an Arab, or perhaps just by the neighbor across the way, than by your own wife or whomever chances to run your home. Look at this thing in a sane manner. Tell me, what would happen to the mayor of your town if he should issue such a mandate, what would the mothers of your homes say? Needless to repeat. Individuals, to develop, must master their own destinies. Neither individuals nor nations that profess to sanity would be willing to live under other conditions.

Can you conceive it possible for your home to be made into a Turkish harem, you men, you women of America? Your sacred home ruled by the caprices of the women of the East; your sacred walls filled with the hideous quarrels and jealousies of unknown peoples?

How many of us know the text of article 10, the article which, as the President asserted, if modified, would take the heart out of the covenant? Here is the text; everyone should memorize it; it should be on the tongue of every schoolboy as one of the great "shall nots" of our history. It is over these 11 short lines that the storm has broken, and to the lasting honor of those who have stood out against them do we mothers render our gratitude. The article reads:

"The members of the league undertake to respect and preserve as against aggression the territorial integrity and existing political independence of all members of the league. In case of any such aggression, or in case of any threats or danger of such aggressions, the council shall advise upon the means by which this obligation shall be fulfilled."

What is this council? Is it our Congress? Is it our Senate? Not at all. Neither our Congress nor our Senate have any voice in the council. What is the council? The council consists of representatives of the principal allied and associated powers, together with representatives of four other members of the league. Remember, in this council we Americans have one vote—one vote. All of Europe and the East have the other votes. What would happen if we should chance to send as our representative a mere man—one who occasionally makes mistakes, as you and I do; one who might, under stress of powerful influence, forget the American point of view, as some of us do when we receive the adulating flattery of foreign diplomats? Now, what would happen if there should be another flurry in the Balkans? What would happen if the council, with fighting blood in its veins, inherent through generations of martial influence, should cast its vote for war? In case our representative protested, how much would our one vote count for as against those of all the other powers? We would suddenly awake some morning to hear the newsboys crying out that the Balkans were at war again, or that the tribes of Arabia had broken their pact and were fomenting trouble, or that the Japs refused to give up Shantung, and China was in arms, or—why go further? Where would our one little vote be in the European hat?

This question can never be settled in the right way unless each man and woman in our country makes it personal to himself. Would you be willing to send your son or would you be willing to go yourself to fight the battles of the Armenians or the Turks or the Slavs? Would you be willing, on the voice of one man, to pour out the treasure of your soul and your house to settle the quarrels of the European cockpit?

We have of recent days gotten into a most complacent habit of saying, "Oh, yes; we'll send our Army." To those I would ask, "What do you mean by our Army? Do you mean to say that you can assume a high moral standard, then pay some one else to back up your principles—some one else to die for you?"

If we accept article 10 it means that you and I must be ready at any moment to answer the call of European diplomats. We must feel our obligations to the league covenant so deeply that we are willing to go ourselves into the desert and into the wilderness. Are you willing to go to the Far East? Are you willing to go into the ice and snow of Siberia and there expend the strength of your body to settle a far-distant neighborhood quarrel?

The entire question must be put up to us from a purely personal standpoint, for never has a more vitally dangerous policy been promulgated than that which we face as a Nation to-day. And this question must be translated to us in simple, plain language, stripped of all cant and idealism. We must hear the plain facts. I have such an unbounded faith in the good sense of our American people that I believe when they see the truth they shall not be content until this document is modified to such an extent that our country is in a position of safety.

One man, one American on the council! One man to speak for a nation! There is no one man who has ever been created who is qualified to speak for an entire nation. It takes the minds of many men, the wisdom of the many, to form a complete, composite public opinion; so for that reason our Congress and our Senate must ever have the last word; ever be the voice of the great majority; and if by nullifying the power of these two bodies we weaken our national life, we do so at the expense of our very existence, for the benefit of Europe and the Far East. Are we willing to commit this suicidal act?

We have been asked to ratify the treaty, "at whatever cost of independent action," and should we object to this document, we are told that we have "pygmy minds."

We mothers face simple facts. We know that the fathers of our children are not pygmies, and we know that we mothers were not pygmies when we sent our sons to France! What would become of "our country" if the policy of "without the dotting of an 'i' or the crossing of a 't'" should rule our destiny? The pronoun would be changed from "our" to "we." Foreigners abroad would exclaim, "We shall do thus and so with America;" this they would say of our country, our sacred country, for which we gave our sons—the country whose soil is the substance of our being, whose soil was watered by our tears, hallowed by our grief, glorified by our sacrifice! And now you men in Washington would fill our homes with the babel of the East. You would have our destines ruled by those who, racially, can never understand us.

Have the Senators of the Administration lived so long in hotels that they have forgotten what the word "home" means?

Have they wandered so long in the dusky twilight of the gods that they have forgotten that the sun rises in the east?

There are men, true men, we mothers know it, up there in Washington who are fighting to modify this iniquitous document, and back of these men let every true-hearted American stand with all his strength; for when you and I go our way and the day is spent, when history will record the sorrows and joys of our national family, these men who kept for us our undivided sovereignty will be the great ones of American tradition.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

The PRESIDENT pro tempore. The question is upon the amendment offered by the Senator from Montana [Mr. MYERS].

Mr. THOMAS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Beckham	Harrison	New	Spencer
Capper	Jones, N. Mex.	Norris	Sterling
Cummins	Jones, Wash.	Nugent	Sutherland
Curtis	Kendrick	Overman	Swanson
Dial	Kenyon	Page	Thomas
France	Keyes	Phipps	Trammell
Frelinghuysen	King	Pomerene	Underwood
Hale	Kirby	Sheppard	Walsh, Mass.
Harding	Lodge	Smith, S. C.	Watson
Harris	McNary	Smoot	Williams

The PRESIDENT pro tempore. Forty Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absentees, and Mr. LA FOLLETTE and Mr. WADSWORTH answered to their names when called.

Mr. PITTMAN and Mr. CHAMBERLAIN entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-four Senators have answered to their names. There is not a quorum present.

Mr. LODGE. I move that the Sergeant at Arms be directed to request the attendance of absent Senators. It is important that we shall have an executive session.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

Mr. GRONNA, Mr. BORAH, Mr. MCKELLAR, Mr. MYERS, and Mr. SIMMONS entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators have answered to their names. There is a quorum present.

Mr. STERLING. Mr. President, the pending bill has been a long time before the Senate. Of course its consideration has been interfered with by discussion of the peace treaty and by other important business of the Senate, but still it has remained the unfinished business. During days that it was thought full time would be given to the discussion of the bill other speeches have intervened on subjects quite foreign to the pending bill.

After the bill has been so long before the Senate it seems to me but reasonable that we should reach a unanimous-consent agreement as to the final disposition of the measure, and therefore I am going to propose this unanimous-consent agreement:

It is agreed by unanimous consent that at not later than 4 o'clock p. m., on the calendar day of Tuesday, March 23, 1920, the Senate will proceed to vote without further debate upon any amendment that may be pending or any amendments that may be offered to the pending bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, through the regular parliamentary stages to its final disposition.

I wish to say in this connection that if we can have this unanimous-consent agreement it is my purpose to move a recess so as to shut off the morning hour to-morrow and allow us to give all the time that I think is needed for the discussion of the pending bill.

Mr. SIMMONS. Mr. President, I object.

The PRESIDENT pro tempore. The Senator from North Carolina objects.

Mr. KING. Mr. President——

Mr. STERLING. Let me say, when Senators object, that if it is as to the matter of time that the objection is made I think we can accommodate Senators in that regard. If to-morrow is too early a day, let it be Wednesday, or let it be Thursday, so that we may fix a definite time when the bill may be disposed of.

I am not particular as to the date, although I thought probably, from the course of the discussion heretofore, that we might end the discussion and reach a vote on the bill in one day, if we had one full day for it. Will not Senators, in view of the importance of the bill and of the length of time during which it has been before the Senate, agree to some day this week on which we may have the final vote on the bill?

Mr. KING. Mr. President, speaking for myself——

The PRESIDENT pro tempore. The Senator from North Carolina has objected, the Chair understands, to the request for unanimous consent.

Mr. LODGE. If objection is made and there is to be no unanimous consent, I desire to make a motion.

Mr. KING. May I have a few minutes before the executive session?

The PRESIDENT pro tempore. The Chair has stated its understanding of the present situation. The Senator from South Dakota [Mr. STERLING] makes a request for a unanimous-consent agreement and the Senator from North Carolina [Mr. SIMMONS] objects to it, and that is the end of that matter.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. The Chair recognizes the Senator from Massachusetts.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

PROPOSED RECESS.

Mr. STERLING. I move that the Senate take a recess until 12 o'clock to-morrow. I make the request so as to avoid having a morning hour.

Mr. KING. There is not a quorum present, I would say to the Senator, and if he is going to insist upon his request for a recess, I shall feel compelled to call for a quorum.

Mr. STERLING. Very well.

PROCEEDS OF LANDS IN NEW MEXICO.

Mr. JONES of New Mexico. I ask unanimous consent for the present consideration of Order of Business 435, being the bill (S. 3867) authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Santa Fe County, and the town of Silver City, N. Mex.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with amendments.

The amendments were, on page 1, line 8, before the word "Luna," to strike out "and," and in the same line, before the word "Counties," to insert "and Hidalgo," so as to make the bill read:

Be it enacted, etc., That the authority and consent of Congress is hereby granted to the State of New Mexico to apply any part of the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act of June 20, 1910 (36 Stats., 557), for the reimbursement of Grant, Luna, and Hidalgo Counties for interest paid by said counties on the bonds of Grant County, and for the reimbursement of Santa Fe County for interest paid by said county on the bonds of Santa Fe County, which said bonds were validated, approved, and confirmed by act of Congress of January 16, 1897 (29 Stats., 487), and also for the payment of the principal of the bonds issued by the town of Silver City and likewise validated by said act of January 16, 1897, and to reimburse the town of Silver City for interest paid by said town on said bonds, all in addition to the obligations provided in said enabling act to be paid from the proceeds of said grant.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Hidalgo County, Santa Fe County, and the town of Silver City, N. Mex."

PROTECTION OF MIGRATORY BIRDS (S. DOC. NO. 259).

The President pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate:

In response to the resolution adopted by the Senate on February 9, 1920, requesting me to propose conventions or treaties with the Republics of Mexico and of Central and South America, for the protection of birds that in the course of their annual migration pass through or from the United States and temporarily sojourn in the countries of Mexico and Central and South America, I transmit a report by the Acting Secretary of State, to whom the resolution was referred by my direction.

WOODROW WILSON.

THE WHITE HOUSE,
18 March, 1920.

ADJOURNMENT.

Mr. KING. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 23, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 22, 1920.

CIVIL SERVICE COMMISSION.

Mrs. Helen H. Gardener, of the District of Columbia, to be a civil-service commissioner, vice Galloway, resigned.

COMMISSIONER OF INTERNAL REVENUE.

William Martin Williams, of Alabama, to be Commissioner of Internal Revenue, in place of Daniel C. Roper, resigned.

APPOINTMENTS AND PROMOTIONS IN THE CONSULAR SERVICE.

Alphonse Gaulin, of Rhode Island, from consul general of class 3 to consul general of class 2.

Nathaniel B. Stewart, of Georgia, from consular inspector to consul general of class 3.

Heaton W. Harris, of Ohio, from consul general of class 4 to consul general of class 3.

Lester Maynard, of California, from consul of class 4 to consul of class 3.

William J. Pike, of Pennsylvania, from consul of class 4 to consul of class 3.

E. Haldeman Dennison, of Ohio, from consul of class 4 to consul of class 3.

Willys R. Peck, of California, from consul of class 5 to consul of class 4.

Chester W. Martin, of Michigan, from consul of class 5 to consul of class 4.

Charles L. Hoover, of Missouri, from consul of class 5 to consul of class 4.

Philip Holland, of Tennessee, from consul of class 5 to consul of class 4.

The following-named persons to be consul of class 7 of the United States of America:

Charles H. Cunningham, of Austin, Tex.
John Randolph, of Niagara Falls, N. Y.
Paul C. Squire, of Watertown, Mass.
Cecil M. P. Cross, of Providence, R. I.
John G. Erhardt, of Brooklyn, N. Y.
Leroy R. Sawyer, of Orange, Mass.
Maurice Brulay, of Brownsville, Tex.
Harold R. Foss, of Portland, Me.
William P. Blocker, of Eagle Pass, Tex.
Henry S. Waterman, of Seattle, Wash.
Randolph Robertson, of Laredo, Tex.

COLLECTOR OF INTERNAL REVENUE.

J. Walter Mee, of Aberdeen, S. Dak., to be collector of internal revenue for the district of North and South Dakota, to fill an existing vacancy.

COLLECTOR OF CUSTOMS.

Charles W. McCune, of Omaha, Nebr., to be collector of customs for customs collection district No. 46, with headquarters at Omaha, Nebr. (Reappointment.)

UNITED STATES MARSHAL.

Nathan H. Boswell, of Jacksonville, Fla., to be United States marshal, southern district of Florida. A reappointment, his term having expired.

REGISTER OF THE LAND OFFICE.

Victor G. Cozad, of Oregon, to be register of the land office at Burns, Oreg., his present term of office expiring March 8, 1920. (Reappointment.)

RECEIVER OF PUBLIC MONEYS.

Frank G. Willis, of Independence, Calif., to be receiver of public moneys at Independence, Calif., vice Albert T. Forse, resigned.

PROMOTIONS IN THE ARMY.

MEDICAL CORPS.

To be majors.

Capt. Horace S. Villars, Medical Corps, from November 24, 1918, subject to examination required by law.

Capt. Patrick F. McGuire, Medical Corps, from November 24, 1918.

Capt. Tom S. Mebane, Medical Corps, from November 24, 1918.

Capt. Edmund B. Spaeth, Medical Corps, from November 24, 1918.

Capt. Philip L. Coulter, Medical Corps, from November 24, 1918.

Capt. James B. Montgomery, Medical Corps, from November 24, 1918.

Capt. Percy E. Duggins, Medical Corps, from November 24, 1918.

Capt. Brown S. McClintic, Medical Corps, from November 24, 1918, subject to examination required by law.

Capt. Henry K. B. Hufford, Medical Corps, from December 3, 1918.

Capt. Joseph G. Fernbach, Medical Corps, from December 20, 1918, subject to examination required by law.

Capt. Charles W. Sale, Medical Corps, from January 2, 1919.

Capt. Robert H. Lowry, jr., Medical Corps, from March 1, 1919, subject to examination required by law.

Capt. Hertel P. Makel, Medical Corps, from March 1, 1918.

Capt. Ward S. Wells, Medical Corps, from March 8, 1919, subject to examination required by law.

Capt. Seymour C. Schwartz, Medical Corps, from March 12, 1919.

Capt. Burgh S. Burnet, Medical Corps, from April 18, 1919.

Capt. Karl F. Kesmodel, Medical Corps, from May 9, 1919.

Capt. Ross Golden, Medical Corps, from May 13, 1919.

Capt. Curtis D. Pillsbury, Medical Corps, from July 1, 1919.

Capt. Nelson A. Myll, Medical Corps, from August 31, 1919.

Capt. Roy L. Scott, Medical Corps, from September 3, 1919.

Capt. William W. Southard, Medical Corps, from September 5, 1919.

Capt. George H. Dorsey, Medical Corps, from September 7, 1919.

Capt. Laurent L. LaRoche, Medical Corps, from September 26, 1919.

Capt. Henry C. Dooling, Medical Corps, from October 2, 1919.

Capt. Frank S. Matlack, Medical Corps, from October 4, 1919, subject to examination required by law.

Capt. Cleon J. Gentzkow, Medical Corps, from December 8, 1919, subject to examination required by law.

Capt. James P. Crawford, Medical Corps, from December 12, 1919, subject to examination required by law.

Capt. Robert A. Hale, Medical Corps, from December 16, 1919, subject to examination required by law.

CORPS OF ENGINEERS.

To be majors.

Capt. Earl North, Corps of Engineers, from January 27, 1920, subject to examination required by law.

Capt. Gilbert Van B. Wilkes, Corps of Engineers, from February 6, 1920.

Capt. John C. H. Lee, Corps of Engineers, from February 16, 1920.

Capt. Frank S. Besson, Corps of Engineers, from February 28, 1920.

Capt. John R. D. Matheson, Corps of Engineers, from October 1, 1919.

Capt. Charles J. Taylor, Corps of Engineers, from February 4, 1920.

Capt. Edwin H. Marks, Corps of Engineers, from January 16, 1920.

FIELD ARTILLERY ARM.

To be first lieutenant.

Second Lieut. Eugene G. Miller, Field Artillery, from September 5, 1919.

INFANTRY.

To be colonel.

Lieut. Col. Joseph C. Castner, Infantry, from March 7, 1920.

Lieut. Col. Edward A. Shuttleworth, Infantry, from March 11, 1920.

Lieut. Col. Ralph H. Van Deman, Infantry, from March 11, 1920.

To be lieutenant colonels.

Maj. James N. Pickering, Infantry, from January 27, 1920.

Maj. William A. Burnside, Infantry, from February 26, 1920.

Maj. Reynolds J. Burt, Infantry, from March 7, 1920, subject to examination required by law.

Maj. Russell C. Langdon, Infantry (Adjutant General's Department), from March 11, 1920.

Maj. Harry H. Tebbetts, Infantry (General Staff), from March 11, 1920.

Maj. George S. Goodale, Infantry, from March 11, 1920.

Maj. Frank C. Bolles, Infantry, from March 11, 1920.

To be majors.

Capt. Benjamin H. Pope, Infantry, from January 27, 1920, subject to examination required by law.

Capt. Herman Glade, Infantry, from February 7, 1920.

Capt. Frank S. Bowen, Infantry, from February 21, 1920.

Maj. Roger G. Alexander, Corps of Engineers, to be professor of drawing at the United States Military Academy with rank from March 7, 1920.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Rear Admiral Benjamin C. Bryan, an additional number in grade, to be a rear admiral in the Navy from the 1st day of July, 1919, to correct the date from which he takes rank as previously nominated and confirmed.

Commander Henry B. Price to be a captain in the Navy from the 1st day of July, 1919.

Commander Milton E. Reed to be a captain in the Navy from the 20th day of July, 1919.

Commander Stanford E. Moses to be a captain in the Navy from the 1st day of August, 1919.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1919:

Benjamin G. Barthalow,
Wallace Bertholf, and
Julius C. Townsend.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1919:

Vaughn V. Woodward,
George M. Ravenscroft,
Henry C. Gearing, jr.,
Carl T. Osburn,
George T. Swasey, jr.,
Samuel L. Henderson, and
Harry A. McClure.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1919:

Richard H. Knight,
John R. Palmer, and
Benjamin H. Lingo.

Lieut. Franklin B. Conger to be a lieutenant in the Navy from the 1st day of July, 1919, to correct error in name as previously nominated and confirmed.

Lieut. (Junior Grade) Rawson J. Valentine to be a lieutenant in the Navy from the 1st day of July, 1919.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 3d day of June, 1919:

Robert B. Carney and
Herbert S. Jones.

Asst. Surg. Forrest M. Harrison to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 30th day of July, 1918.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 30th day of July, 1919:

Arthur C. Sinton, jr.,
Irving W. Jacobs,
Arthur W. Hoaglund,
Jack H. Harris,
Kenneth E. Lowman,
Earl C. Carr,
Leo C. Thyson,
Rolland R. Gasser,
Howard E. Gardner,
Alanson L. Bryan,
Mortimer T. Clement,
Theo E. Cox,
James M. Quinn,
Edward K. Lee,
Ezra E. Koebbe,
William E. Glanville,
Melville J. Aston,
John T. Bennett,
Ellis A. Stephens,
Rudolph D. Joldersma,
William R. Levis, and
Horace E. Spruance.

Asst. Surg. Herbert L. Barbour, United States Naval Reserve Force, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade) from the 12th day of March, 1920.

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 30th day of July, 1919:

Rufus A. Ferguson,
Alfred W. Chandler, and
Cedric T. Lynes.

Naval Constructor Ross P. Schlabach to be a naval constructor in the Navy, with the rank of commander, from the 21st day of January, 1920.

Assistant civil engineer for temporary service Arthur C. Eberhard to be an assistant civil engineer in the Navy, with the rank of lieutenant (junior grade) from the 1st day of July, 1918.

Machinist James A. Newell to be a chief machinist in the Navy from the 29th day of December, 1919.

Lieut. Charles B. C. Carey to be a lieutenant commander in the Navy, for temporary service, from the 21st day of October, 1919.

Lieut. Henry P. Samson to be a lieutenant commander in the Navy, for temporary service, from the 22d day of October, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 19th day of November, 1919:

Carleton F. Bryant, and
William J. Larson.

Lieut. Alfred P. H. Tawresey to be a lieutenant commander in the Navy, for temporary service, from the 20th day of November, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 21st day of November, 1919:

Thomas N. Vinson, and
John H. Buchanan.

Lieut. Herman A. Spanagel to be a lieutenant commander in the Navy, for temporary service, from the 22d day of November, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 23d day of November, 1919:

Frank L. Lowe and
Joseph R. Redman.

Lieut. Franklin G. Percival to be a lieutenant commander in the Navy, for temporary service, from the 26th day of November, 1919.

Lieut. Theo D. Westfall to be a lieutenant commander in the Navy, for temporary service, from the 27th day of November, 1919.

Lieut. Theodore D. Ruddock, jr., to be a lieutenant commander in the Navy, for temporary service, from the 30th day of November, 1919.

Lieut. Zeno W. Wicks to be a lieutenant commander in the Navy, for temporary service, from the 1st day of December, 1919.

Lieut. Andrew H. Addoms to be a lieutenant commander in the Navy, for temporary service, from the 2d day of December, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 3d day of December, 1919:

Albert G. Berry, jr.,
George B. Wilson, and
William H. Porter, jr.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 4th day of December, 1919:

William K. Harrill and
Sherrod H. Quarles.

Lieut. Alfred H. Balsley to be a lieutenant commander in the Navy, for temporary service, from the 6th day of December, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 7th day of December, 1919:

William E. Malloy and
Greene W. Dugger, jr.

Lieut. John M. Creighton to be a lieutenant commander in the Navy, for temporary service, from the 8th day of December, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 9th day of December, 1919:

Charles D. Swain,
Edmund W. Burrough, and
Albert H. Rooks.

Lieut. George F. Neiley to be a lieutenant commander in the Navy, for temporary service, from the 12th day of December, 1919.

Lieut. Russell E. Perry to be a lieutenant commander in the Navy, for temporary service, from the 13th day of December, 1919.

Lieut. Byron B. Ralston to be a lieutenant commander in the Navy, for temporary service, from the 14th day of December, 1919.

Lieut. Stanley L. Wilson to be a lieutenant commander in the Navy, for temporary service, from the 16th day of December, 1919.

Lieut. Charles E. Rosendahl to be a lieutenant commander in the Navy, for temporary service, from the 24th day of December, 1919.

Lieut. Herbert J. Ray to be a lieutenant commander in the Navy, for temporary service, from the 22d day of December, 1919.

Lieut. John G. Moyer to be a lieutenant commander in the Navy, for temporary service, from the 25th day of December, 1919.

Lieut. Robert W. Hayler to be a lieutenant commander in the Navy, for temporary service, from the 1st day of January, 1920.

Lieut. Bert F. Clark to be a lieutenant commander in the Navy, for temporary service, from the 2d day of January, 1920.

Pay Inspector Timothy S. O'Leary to be a pay director in the Navy, with the rank of captain, for temporary service, from the 23d day of February, 1920.

Paymaster William R. Bowne to be a pay inspector in the Navy, with the rank of commander, for temporary service, from the 23d day of February, 1920.

Assistant Naval Constructor Charles L. Brand to be a naval constructor in the Navy, with the rank of commander, for temporary service, from the 2d day of March, 1920.

Ensign John S. Bessent to be a lieutenant (junior grade) in the Navy, for temporary service, from the 1st day of July, 1919.

Ensign Malcolm S. Brainerd to be a lieutenant (junior grade) in the Navy, for temporary service, from the 1st day of July, 1919.

Maj. Arthur J. O'Leary to be a lieutenant colonel in the Marine Corps, for temporary service, from the 15th day of January, 1920.

Capt. Adolph B. Miller to be a major in the Marine Corps, for temporary service, from the 25th day of January, 1920.

Capt. Allen E. Simon to be a major in the Marine Corps, for temporary service, from the 5th day of March, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 22, 1920.

SECRETARY OF STATE.

Bainbridge Colby to be Secretary of State.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Charles R. Crane to be envoy extraordinary and minister plenipotentiary to China.

SECRETARY OF EMBASSY OR LEGATION.

Wallace S. Murray to be secretary of embassy or legation of class 4.

FEDERAL FARM LOAN BOARD.

William H. Joyce to be a member of the Federal Farm Loan Board.

CALIFORNIA DÉBRIS COMMISSION.

William A. Kelly to be a member of the California Débris Commission.

Thomas H. Rees to be a member of the California Débris Commission.

COAST AND GEODETIC SURVEY.

Frederic Lockwood Peacock to be hydrographic and geodetic engineer.

APPOINTMENTS AND PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be colonel.

Harold P. Howard.

To be lieutenant colonels.

George W. Moses.
Charles E. Stodter.
Alexander M. Miller.
Charles B. Drake.
Harry O. Williard.

To be majors.

Julian A. Benjamin.
Samuel R. Gleaves.
Lewis S. Morey.
Varien D. Dixon.

To be first lieutenants.

Henry M. Alexander.
Harry A. Buckley.

FIELD ARTILLERY ARM.

To be captains.

William F. Maher.
Walter F. Wright.
Sidney F. Dunn.
Louis W. Hasslock.
Breckinridge A. Day.

To be first lieutenants.

John Hinton.
Eric S. Molitor.

COAST ARTILLERY CORPS.

To be first lieutenants.

Leon H. Dunn, 1st.
Bonner F. Fellers.
Melton A. Hatch.
Kenneth S. Stice.
George M. Badger.
Marion Van Voorst.
Edwin B. Fitzpatrick.
Dean R. Dickey.
William A. Sexton.
Hobart R. Yeager.
Gervais W. Trichel.
Thomas W. Munford.
James L. Whelchel.
John H. Fonvielle.
Joe D. Moss.
Edward A. Dolph.
Felix M. Usis.
Edward W. Hendrick.
Bernard W. Slifer.
Auston M. Wilson, jr.

INFANTRY.

To be colonels.

John S. Switzer.
Herbert O. Williams.
William F. Grote.
Isaac C. Jenks.
Hanson E. Ely.
Lewis S. Sorley.
William M. Morrow.
Albert C. Dalton.

To be lieutenant colonels.

Lawrence B. Simonds.
Merch B. Stewart.
Frederick W. Lewis.
Dennis E. Nolan.

To be majors.

Collin H. Ball.
A. Owen Seaman.
Clifford U. Leonori.

To be first lieutenant.

Hugh A. Murrill, jr.

POSTMASTERS.

IOWA.

Stephen W. Burroughs, Allison.
Orren W. Swartfager, Ankeny.
Charles H. Cookinham, Ayrshire.
Albert D. Ocheltree, Bayard.
William J. Hoebel, Blairstown.
Andrew J. Johnson, Brighton.
John R. Lane, Cascade.
George W. Hughes, Cedar Falls.
Milton B. Maring, Centerville.
Ambrose B. Robinson, Clarinda.
James S. Hanan, Conrad.
Patrick Doran, Coon Rapids.
James W. Duckett, Corwith.
Lolo E. Light, Deep River.
Grace F. Newton, Dickens.
Martin D. Swenning, Doon.
Icea B. Wilcox, Dumont.
Walter Gregersen, Elk Horn.
Gladdys Westrope, Elliott.
Edward F. Breen, Farley.
Frank W. Ryan, Fort Dodge.
Calvin C. Knoll, Gilmore City.
Harry A. Crawford, Gladbrook.
James S. McLuen, Guthrie Center.
Orpha M. Bloomer, Havelock.
Edward A. Hansen, Holstein.

Marinus Jansma, Hospers.
Alva Humeston, Humeston.
Willard S. Branson, Irwin.
James E. Kelley, Le Mars.
Joseph M. Rosse, Lohrville.
Earle D. Lovell, Luverne.
Edward M. Carr, Manchester.
Miller S. McFarland, Marshalltown.
Albert J. Killmer, Mason City.
George J. Boitnott, Maxwell.
William D. Kennedy, Milton.
John E. Klutts, Mondamin.
Frederick W. Wodrich, jr., Mount Vernon.
Leon R. Valentine, Murray.
Lee E. Evans, Mystic.
Fred H. Moss, Osage.
Esther M. Olson, Pacific Junction.
Charles C. Incas, Pocahontas.
Frank J. Oehmke, Pomeroy.
William E. Murray, Rockwell.
Frances M. Purviance, Shannon City.
James M. Schollian, Sheffield.
Wynema Bower, State Center.
Gustavus Anderson, Stockport.
Frank E. Lundell, Stratford.
Charlie C. Clifton, Thompson.
Cora B. Alberty, Thornton.
Loin N. Barbour, Thurman.
Thompson C. Moffit, Tipton.
Charles L. Arbuckle, Villisca.
Cecil H. Hamilton, Wapello.
Jacob Wenger, Wayland.
Ora L. Garton, Weldon.

MASSACHUSETTS.

Anna E. C. Barrett, Siasconset.

NEW YORK.

James M. Kelly, Monticello.

OHIO.

Henry W. Streb, Dover.
Fred D. Hart, Garrettsville.
Ethel D. Young, Linden Heights.
Robert E. Friel, Lore City.
Edwin H. Hayman, Murray.
Allan R. Trumbull, Swanton.
Asher O. Earley, Woodsfield.

PENNSYLVANIA.

Herald H. Spaide, Ashland.
Rollo E. Shirey, Foxburg.
Laura M. Peacock, Houston.
Robert F. Turner, Lincoln University.

WISCONSIN.

John Een, Amherst.
Edward H. Wilford, Baldwin.
Henry W. Radcliff, Balsam Lake.
Edwin T. Mattison, Blair.
Milton McDonald, Bloomer.
Emma L. Zernicke, Bonduel.
Soren B. Andersen, Butternut.
Wallace B. Telyea, Cambridge.
Clara J. Petermann, Cecil.
Julius Prenzlow, Clintonville.
Edward Porter, Cornell.
M. Joseph Heffron, Cudahy.
James E. O'Neill, Dodgeville.
Frederick C. Krueger, Dousman.
Charles F. West, Eau Claire.
Mark M. Sanderson, Ellsworth.
John W. Kane, Fredonia.
Nels Pederson, Galesville.
Charles H. Roser, Glidden.
Ophelia M. Crevier, Goodman.
Edwin J. Pynn, Hartland.
Johan G. A. Mollenhoff, Iron River.
Jeremiah J. Cunningham, Janesville.
Willard S. Hollister, Kendall.
James Gorman, Kenosha.
Arthur A. Kleimenhagen, Kilbourn.
Lewis G. Brown, Lake Geneva.
Erskine E. McCoy, Lancaster.
Galen Moore, Lone Rock.
Leo J. Evans, Marinette.
Philip B. Bartlett, Melrose.
Walter H. Smith, Mondovi.
Emery A. Odell, Monroe.
James H. Beirne, Oakfield.
Thomas J. Crowley, Pittsville.
Edward B. Shanks, Portage.
Charles L. Calkins, Rhinelander.
John Maegerlein, Sauk City.
Thomas McNulty, Spring Green.
Roy D. Larrien, Spring Valley.
Claud E. Burton, Strum.
William N. Coffland, Viroqua.
Harry J. Koltes, Waunakee.
James A. Corcoran, Webster.
Robert R. Porter, Wheeler.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 22, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Almighty God our Heavenly Father, for the Christian religion and its holy ordinances. Especially do we thank Thee for the Christian Sunday—preeminently the Lord's Day—for its quiet and rest, and the peace it brings to the weary and heavy laden; for the opportunity it affords to the devout and worshipful soul; for the inspiration it brings to all, toward the higher and nobler life.

May the day that has gone prepare us for better work in the days that are to follow. Encourage every noble effort. Discourage every ignoble and selfish desire, that we may be in deed followers of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Saturday was read and approved.

NAVAL APPROPRIATION BILL.

Mr. BUTLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill (H. R. 13108).

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13108, the naval appropriation bill, with Mr. MANN of Illinois in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the naval bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

GENERAL EXPENSES.

The Secretary of the Navy shall send to Congress at the beginning of its next regular session a complete schedule or list showing the amount of money of all pay and for all allowances for each grade of officers in the Navy, including retired officers, and for all officers included in this act and for all enlisted men so included.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. Under this term of "general expenses" I want to call the attention of the Chairman and the members of the Committee of the Whole House on the state of the Union who are so patriotically assembled this morning for the purpose of considering that subject, to a fact that appears in yesterday's press to the effect that last month—February, 1920—in the various departments of this Government here, instead of reducing the unnecessary idle clerical force now existing in this city, that there were nearly a thousand additions to the service. To be exact, there were 2,573 separations from the service, while there were 3,362 new, green clerks employed and given a civil-service status, making an addition of 789 to the clerical force in one month, rather than a decrease. That is the most remarkable incident of governmental failure to economize of which I am able to conceive. It is generally understood and conceded by those who have investigated that there are about 40,000 useless, idle, unnecessary Government employees still here in Washington, and this exists notwithstanding the alleged attempt on the part of every committee to reduce them, because it is stated at the beginning of almost every bill that we have reduced expenditures and diminished the force, thus giving it out to the public that we have cut them loose and sent them home, when, as a matter of fact, almost each month the number of unnecessary employees here,

instead of being reduced, is increasing. Now, who is responsible for it? We say that by cutting down these lump-sum appropriations we are reducing the number, that by cutting down lump-sum appropriations we are preventing the departments from calling in new ones and forcing them to discharge the idle ones, and yet day after day and week after week and month after month the departments are calling for new clerks, additional green clerks, not using the trained clerks that have been in the departments for months and years and who are unnecessary and idle now, not using them if any are necessary, and thereby getting the benefit of their experience, but to call in new green ones and train them and thus add to the present idle clerical force each month. I want to say it is a farce that we have been guilty of that ought to be stopped. We alone are responsible for it because we permit it. The Civil Service Commission is advertising every day for new clerks. Why can not we stop it? Are we impotent? Are we without power? Are we here as rubber stamps to carry out the will of these departments here or are we going to impress our will upon theirs? Are we going to make our will paramount to theirs?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I ask for an additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

Mr. BLANTON. Now, I have the greatest confidence in the world in the great majority leader, with qualifications. [Laughter.] I know that he can put a stop to this if he wants to do so. I know he has the power. I know this great Committee on Naval Affairs has the power, so far as this bill is concerned, and I want to ask the distinguished chairman of this committee what has his committee done with regard to this great question of cutting down the expenses of this Government and cutting off useless, idle employees, not merely by reducing lump-sum appropriations, but by stating to the department that they have to cut loose their idle employees and send them back and quit calling on the Civil Service Commission for new, green employees for the Government? These 40,000 useless, idle, unnecessary, war-emergency clerks here in Washington will never be discharged and sent home until we force it by some affirmative action. When are we going to do it? When are we going to begin?

Mr. MONDELL. Mr. Chairman, I wish I had the power and the authority which the gentleman from Texas suggests that I have, but which he will realize on reflection I have not, to regulate employment in the executive departments of the Government. This is a Government of three independent coordinate branches. We legislate and appropriate; the judiciary interprets and enforces; the executive branch conducts the business of the Government. This Congress, Republicans and Democrats—for we are not claiming exclusive credit for it—reduced appropriations for the current fiscal year nearly a billion dollars below what the departments asked. If we had given what they asked, they would have had a billion dollars more, but we cut in many places so closely that we were fearful that we were making it difficult to conduct the public business in view of the constant insistence of the departments that they needed more money than we were giving them. The Congress can not tell in the case of every department just how many clerks they need, how much help they need. We use our best judgment, but we must be in a considerable degree guided by the demands of the officials of the departments. The department or bureau will argue through its representatives before the Appropriation Committee for hours in favor of, say, $100,000 or $200,000 or $500,000 for clerks, and the committee, trying to do its duty, anxious to economize, reduces that estimate just as far as they dare reduce it and avoid the just criticism of crippling the public service; and yet when that is done, when that reduction is made, we frequently find more people are employed than in our opinion are necessary. Congress can not control these things any further than to reduce appropriations as far as we can under our responsibility and not actually cripple the public service. We certainly do go that far, and having done that they have still left sums of money more than are necessary or sums of money that can be utilized in ways we did not contemplate. The Lord knows it is not our fault. We are trying to cut as closely as we can in view of the clamor of the departments for more, but I want to say to my friend that on this side we do not want to place any department of the Government in a position where they can justly and properly charge us with actually crippling the necessary public service. We do not want to do that.

Mr. BLANTON. Will the distinguished majority leader yield?

Mr. MONDELL. I yield.

Mr. BLANTON. The document I have just handed the gentleman shows that during February, last month, there were 789 more new employees taken in than old ones that were sent home—789 additional ones. Now, does not the gentleman think if these departments needed these new employees they should have kept the old ones and not taken on new and green ones?

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. May I have one minute more?

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent for one minute more. Is there objection. [After a pause.] The Chair hears none.

Mr. MONDELL. I do. I think the departments are not reducing their employees as they should, and they are not justified in taking on employees to the extent that they are doing. But I do not see how Congress can very well regulate that except as it reduces appropriations so far as we can reduce them without being subject to the charge, and the proper charge, that we are crippling the public service. I say again, as I said the other day, that, do its best, Congress can not so restrict the appropriations for a great department as to render it impossible for a careless or unfit official to waste the public money to some extent.

Mr. CLARK of Missouri. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CLARK of Missouri. How did the gentleman from Wyoming get the floor? I did not want to disturb him while he was making his speech, but I would like to inquire by what kind of——

The CHAIRMAN. The gentleman rose in opposition to the motion of the gentleman from Texas to strike out the last word of the paragraph.

Mr. CLARK of Missouri. He never said a word about striking out the last word.

Mr. MONDELL. "The gentleman from Wyoming" was not responsible for the motion.

The CHAIRMAN. That is not for the Chair to say.

Mr. BLANTON. Mr. Chairman, my motion was just a pro forma one, and I will ask to withdraw it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. BUTLER. Mr. Chairman, may I ask that the committee allow me to speak to the different paragraphs of this bill for a few minutes? I would like to have 5 or 10 minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER. If I do not consume that much time the Government will save money thereby.

Directly I will endeavor to answer the inquiry made by the gentleman from Texas [Mr. BLANTON], because I have some memoranda here that I think it is but fair the committee should have.

This bill is the result of 10 weeks of hard work. Your committee has done its level best to continue this great department of the Navy in good workable condition and has endeavored, with the assistance of those in authority, to take from the bill that which might be eliminated. It is based upon appropriations for 120,000 sailor men. The regular Navy consists of 143,500 men and boys. It consists, also, when the full number authorized by law are commissioned, of some 5,500 officers of the line. Of that number we have but half at this time. It is impossible, it seems, to obtain enough officers to properly take care of the service. When I say to properly take care of it I mean to bring it up to what the law permits. We hope, however, within a few months to suggest to the House a plan by which men in the Navy may be brought up from the ranks and prepared for commissioned rank.

I have told you the number of men upon which this program has been based. Now, I will give you the number of ships. There are, in my judgment, but two great things, my friends, to consider in making up a bill of this kind: First, the men and then the ships. In 1916 this House authorized a great naval program. The war was about to take place, as many of us thought. Congress therefore directed that there should be laid down 156 ships of war. Of that number, 16 were great ships of war—10 great battleships of more than 30,000 tons, with a complement of 1,400 men each, and 6 great battle cruisers of nearly 40,000 tons each and with 180,000 horsepower. During the war we were compelled to suspend this program. It was impossible to find ways upon which to put the keels or to find the men to build the ships. Therefore it has been but recently that this program has proceeded—I should say only within the last year, possibly within the last 15 months—that we have been able to go forward with this part of the program. However, much of the program as to the smaller ships already has been completed.

It will be interesting perhaps for you to know that, according to the comparison made by some of us—and we are not military experts—if the present programs for the various navies of the world are continued until 1924, from the best information we can obtain—remember what I say, please, the present programs—I believe that America will have the foremost Navy in strength and efficiency of any in the world.

Mr. LAZARO. Will the gentleman yield right there?

Mr. BUTLER. With great pleasure.

Mr. LAZARO. Has the gentleman given any thought to the decision of Admiral Jellicoe to permit Canada to build a navy of its own?

Mr. BUTLER. Yes. I have thought of that, I will say to my friend from Louisiana. I understand that England proposes to hand over to her colony, to her strong ally, to her sister, some ships of war, that Canada may maintain them. England is not asking, as I understand it, that Canada should construct new ships. But the ships of England, I would like to say to you, my colleagues, when extended in battle array, cover a distance of 74 miles; and so England can afford to do what, as I understand it, she proposes to do; that is, to hand over to her colonies a few of these ships in order that her colonies may maintain them. With that we have nothing to do, I will say to my friend. We only considered that in estimating what perhaps would be the wise thing for America to do.

Mr. LAZARO. I merely mentioned that because of the fact that you said you were keeping track of the other nations of the world.

Mr. BUTLER. I trust the gentleman will understand it means England and her colonies together.

Mr. WINGO. Would the gentleman kindly repeat the number of the large battleships and the number of cruisers which he mentioned a while ago that are embodied in our 1916 program, the number of men and officers that are needed to properly man those vessels?

Mr. BUTLER. Yes, sir. The act of 1916 directed that there should be constructed 10 battleships of certain tonnage and 6 battle cruisers of certain tonnage. Now, when that program is completed we will have completed all the ships that have been authorized, and I will say to my friend it will require the full complement of the Navy, 143,000 men, with 5,500 officers of the line, to man them all.

Mr. WINGO. How many men and how many officers are required by each of these battleships?

Mr. BUTLER. They ask for 1,400 men.

Mr. WINGO. How many officers?

Mr. BUTLER. Seventy or eighty.

Mr. WINGO. How many for the cruisers?

Mr. BUTLER. I am unable to tell my friend, but I think a few more men and a few more officers.

Mr. WINGO. Than the battleships?

Mr. BUTLER. Yes, sir. The cruisers are new boats. These are the largest ships the world has undertaken to build.

Mr. WINGO. The cruisers?

Mr. BUTLER. Yes, sir. They have, each, 180,000 horsepower.

Mr. PADGETT. And battleships also?

Mr. BUTLER. Yes; the battleships are the largest.

Mr. WINGO. I was trying to figure out the additional number of officers and men necessary for these ships. The cruisers will require about the same number of men and officers as the new battleships?

Mr. BUTLER. Yes, sir; certainly.

Mr. LAZARO. Mr. Chairman, will the gentleman yield again?

Mr. BUTLER. Yes.

Mr. LAZARO. Coming back again to the question I asked the gentleman a while ago, I was trying to find out how our strength would compare with that of England. The gentleman said that England would merely give some of her battleships to Canada. What I was trying to get at is, will that mean a part of a great, big navy nearer home?

Mr. BUTLER. Yes; Canada is nearer home. But I always think of Canada as a warm friend, near at hand.

Mr. LAZARO. There is no doubt about the fact that Canada is a part of another nation?

Mr. BUTLER. Yes; and they are strong and loyal to the mother country. There is no doubt about that. But under the dominion of England and her Provinces there will be at that time, if the present program continues, about 60 great ships of war belonging to England and her Provinces.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. KELLEY of Michigan. I thought that perhaps the answer which the gentleman gave to the gentleman from Arkansas [Mr. WINGO] might lead the gentleman from Arkansas into a slight error. Of course, these new ships, when commissioned, will require the number of officers and men stated, but older ships will be laid up and perhaps the addition of men and officers may not be great.

Mr. BANKHEAD. Mr. Chairman, this is a very interesting discussion. The time of the gentleman from Pennsylvania [Mr. BUTLER] is about to expire. I ask unanimous consent that he may have such time as he may need to conclude, say 10 minutes more.

Mr. BUTLER. I have the figures that have been worked out here by our experts.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. WINGO. I will ask two questions in one, and the gentleman will then be able to furnish the information I want. As suggested by the gentleman from Michigan [Mr. KELLEY], by the time these new ships are completed and in the service there will be several of our old ships that will become obsolete and out of commission?

Mr. BUTLER. Yes, sir.

Mr. WINGO. When does the gentleman expect that these new cruisers and battleships will come in, giving the number that will come in within reasonable probability, and what will be the strength of the Navy then, counting the obsolete battleships, cruisers, and others, all complete when this program is finished?

Mr. BUTLER. In 1924——

Mr. CLARK of Missouri. Mr. Chairman, will the gentleman yield for a question?

Mr. BUTLER. Yes.

Mr. CLARK of Missouri. I will ask the gentleman if he has any definite information as to the truth of the statement that appeared in the newspapers last week that England was quitting the business of buidling battleships?

Mr. BUTLER. Yes, sir.

Mr. CLARK of Missouri. Does the gentleman know anything about it?

Mr. BUTLER. I shall be glad to answer the two questions. We asked the department to furnish us with the best information that the department had upon the building programs of the different nations of the world, and there are five great nations building great ships: Great Britain, France, Italy, Japan, and our own country, America. That information was given to us by the highest authority there is, as we know it, and therefore I discredit the statement made in the newspapers. I will say, in answer to my friend from Missouri, that I discredit that statement, and that I prefer to accept the information from our own people abroad. That is what these Governments propose to do.

I will say further that the military men have agreed that it is absolutely impossible to construct battleships or to build navies without the world knowing it; and therefore, with that understanding, I am disposed to credit only the information given to us by the Navy Department, and through the officials whose business it is to find the information.

Now I doubt very much whether this great program of ours can be completed in 1924. The effort was made to complete it in three years. I requested the Secretary of the Navy to divide it into four years, believing it could not be completed in three years, thereby lessening the annual demand upon the Treasury. He consented to do it, and the program is now divided into four years. The military men expect they will be able to complete it in four years. I doubt very much if they can, but certainly in 1924 or 1925 the whole program will be completed. At that time England will have, if she continues with her present program, 60 great ships. She is now building one ship. I believe that ship is about completed. It will be the *Hood*. I believe she is laying down no other great ships. France is building nine battleships, Japan six battleships and cruisers, and Italy four battleships.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield there?

Mr. BUTLER. Yes; I will.

Mr. GREEN of Iowa. Do I understand the gentleman to say that some one in the Navy Department informed him that France and Italy were pursuing their construction program and going on with the building of capital ships?

Mr. BUTLER. I will say to my friend the Navy Department did not inform me. It informed the Committee on Naval Affairs.

Mr. GREEN of Iowa. It informed the Committee on Naval Affairs?

Mr. BUTLER. Yes, sir.

Mr. GREEN of Iowa. I will state positively that that is not correct, and it ought to be known that that is not true.

Mr. BUTLER. That man knows more than the rest of us do. [Laughter.]

Mr. GREEN of Iowa. I know what anybody ought to know.

Mr. BUTLER. I never was over there, and so I do not know of my own knowledge; but I do know this, that we have appropriated a considerable sum of money to obtain this very information; and a man in high rank, in whom I have great personal confidence, and the committee has the same, gave us these figures, which I believe are absolutely reliable. He is a great-Navy man, and would ask for more ships if he thought they were needed.

Mr. KITCHIN. Mr. Chairman, will the gentleman yield to a question for information?

Mr. BUTLER. Yes.

Mr. KITCHIN. How much larger is the naval program of France this year and next year than it was before the European war?

Mr. BUTLER. I will be very glad to give it to the gentleman as near as I can. If my friend from North Carolina will just be patient with me for a moment, I shall be glad first to answer the question asked by my friend from Arkansas [Mr. WINGO].

Mr. KITCHIN. As to the program of Great Britain, how much larger is it for this year than before the Euorpean war?

Mr. BUTLER. I will have to go back to my figures; but, in my judgment, the number of ships in England's fleet at the end of the war was about four times as many as before the war. Just what number she is laying off I do not know.

Mr. KITCHIN. What is her program for this year?

Mr. BUTLER. I believe that is completed—that is, the *Hood*. I believe that is about completed. As we understand it, England is not at this time beginning the construction of any great ships.

Mr. KITCHIN. Does the gentleman recall approximately the amount of her appropriation for this year?

Mr. BUTLER. The gentleman from New York [Mr. HICKS] has those figures, and I will ask him to give them to the gentleman from North Carolina; but the amount is very much less. My recollection is that it will run from $180,000,000 to $225,000,000.

Mr. KITCHIN. I understood it was something over $400,000,000 for this year.

Mr. BUTLER. It is said that Great Britain has run far beyond the figure I have named, but upon an examination of the debates in Parliament we discovered that there are many things charged up against the Navy that will not necessarily go into either its construction or its direct maintenance; for instance, the merchant marine and a number of other things.

Mr. KITCHIN. What is the gentleman's understanding of the approximate amount of the appropriation this year for the Navy of France?

Mr. BUTLER. I regret that I am unable to give that.

Mr. KITCHIN. Will the gentleman put it into his speech?

Mr. BUTLER. Yes.

Mr. KITCHIN. Also of Italy.

Mr. BUTLER. They are both of them very small.

I find on investigation that this information was not given to the committee and can not be procured immediately.

Mr. KITCHIN. May I ask the gentleman how many of the dreadnoughts and battle cruisers of our program of 1916 have been built?

Mr. BUTLER. My friend from Tennessee [Mr. PADGETT] will know that. I do not think one of them has been entirely completed.

Mr. KITCHIN. So I understand. For how many of them have the keels been laid?

Mr. BUTLER. I will have that information in a moment, and the percentages of construction.

Mr. KITCHIN. During the war, as I understand, and until after the armistice not a keel for a single dreadnought or battle cruiser was laid.

Mr. BUTLER. Yes; I think they laid two.

Mr. KITCHIN. During the war?

Mr. BUTLER. I think that since we went into the war in 1917 we have made a small construction on two ships, that we have laid the keels and done a very little amount of work upon them.

Mr. KELLEY of Michigan. I think it ought to be said in that connection, in answer to the gentleman from North Carolina [Mr. KITCHIN], that while the keels may not have been laid or the work far advanced in cases where keels have been laid, yet great quantities of material had been fabricated and were on hand ready for the work of construction.

Mr. KITCHIN. But the real beginning of the construction was postponed until after the war.

Mr. KELLEY of Michigan. I would not say that, because very many times the bulk of the work of construction is in fabricating the material and getting it ready.

Mr. KITCHIN. But the point I want to make is that our Navy Department built, or attempted to build, and complete during the war no dreadnoughts and battle cruisers, and rightly so, in my opinion. They engaged all their efforts and energies in building the smaller craft that we could build during and for use in the war.

Mr. KELLEY of Michigan. I think that is correct.

Mr. KITCHIN. I think that was very wise.

Mr. WINGO. The gentleman started to answer my question, but did not answer it.

Mr. BUTLER. I will answer it.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WINGO. I will ask that the gentleman may have five minutes more, so that he may answer my question.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent that the time of the gentleman from Pennsylvania be extended five minutes. Is there objection?

There was no objection.

Mr. KITCHIN. I should like to ask the gentleman, has the navy department of Great Britain taken the advice of Admiral Fisher so far as its program is concerned? He seemed to be under the impression that the dreadnought has become obsolete and should be a thing of the past—that the late war showed that it is obsolete.

Mr. BUTLER. I can not answer my friend's question. We do know this, that England has reduced her fighting force in the navy to 144,000 men, which is about one-half the force that she maintained prior to the Great War.

Mr. KITCHIN. Is it not a fact that in this year's building program Great Britain has not provided for any dreadnoughts?

Mr. BUTLER. That I believe to be so. Now, let me answer the question of the gentleman from Arkansas [Mr. WINGO].

Mr. KELLEY of Michigan. If the gentleman will allow me, on page 1852 of the hearings Admiral Taylor details exactly the situation as to each one of the capital ships—the extent of their completion and all the other information.

Mr. BUTLER. Now, for another reference. In 1924 England will have, of the first and second line, 60 battleships and battle cruisers. America will have 47 ships of the first and second line, as Gov. KELLEY says, with those that are obsolete laid to one side. France will have 26, Japan 15, Italy 13, and, with the exception of another nation or two that may have a battleship or two, if these present programs are carried out, in 1924 there will be completed 154 first and second class ships of war, what we know as ships of the first and second line.

Mr. WINGO. I do not know whether the gentleman has made it clear or not that it will mean that the other nations will discard their obsolete ships, just as the United States has.

Mr. BUTLER. Yes; that is what we expect.

Mr. WINGO. And the gentleman's figures are based on the theory that those will be the first and second line battleships up to that date, that by reason of age and otherwise will be in condition for practical service in the event of war?

Mr. BUTLER. Yes. Now, if the committee will give me their attention for a few minutes I will give them some figures.

Mr. CARSS. Do I understand the gentleman to say that when the program is completed our Navy will be greater than that of Great Britain?

Mr. BUTLER. No. I am giving my friend my best judgment of the figures. Some of my colleagues may not agree with me. Remember, in the next four years we will be putting out the most formidable array of battleships the world has ever seen or been able to construct, and they are all brand new with heavier guns, and therefore we will have to have less ships in number by reason of their superb efficiency and up-to-date preparation in every way. If it was given us to do we could match any Navy in the world. There is nothing to prepare armament for except to destroy human life. We have to reason in that way.

Mr. CARSS. For what purpose do we want to use this Navy?

Mr. BUTLER. Well, the gentleman is asking a question that the Almighty only can answer.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. BUTLER. Certainly.

Mr. KELLEY of Michigan. In answer to the question asked by the gentleman from Iowa [Mr. GREEN] that France was building six vessels. Admiral Niblack corrected that. They were building six and two had progressed so far that they were going to complete them, and the others they were going to break up.

Mr. GREEN of Iowa. They could not get the steel for them.

Mr. KELLEY of Michigan. Four out of the six they have abandoned.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that the gentleman from Pennsylvania have five minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the gentleman have five minutes more. Is there objection?

There was no objection.

Mr. KELLEY of Michigan. I would like to ask unanimous consent that the gentleman from Pennsylvania have such time as he wishes at this time.

Mr. BUTLER. No; I do not want to take any more time. My friend from Michigan refers to the statement of Admiral Niblack. France was building nine superdreadnoughts. She has seven built. She is building nine, and the tonnage is 240,150. That is official, and what Admiral Niblack has since said I do not have before me. I hope the subsequent statement, the one that was repeated by the gentleman from Iowa [Mr. GREEN], is correct.

Mr. BANKHEAD. Will the gentleman yield?

Mr. BUTLER. Certainly.

Mr. BANKHEAD. Has the Navy Department completed the execution of contracts for the completion of the 1916 program?

Mr. BUTLER. The contracts are made.

Mr. BANKHEAD. For all of the program of 1916?

Mr. BUTLER. To be entirely correct, some of the ships are being built in the navy yards. They are under construction, and the steel has been assembled. Much of it was prepared while we were in the war. These great cruisers are to be built by Government contracts. I understand it is impossible to obtain a bid on them, because their performance after being constructed, while all of the engineers vouch for it, is new to the contractors, and therefore they desire to take it on a cost-plus plan.

Mr. BANKHEAD. But the battleships are being constructed?

Mr. BUTLER. All of them are under contract or under construction in the navy yards, and therefore, having the atmosphere all about us surcharged with rumors and threats, it would seem wise that we should proceed with this program but add no other ships to it at this time.

Mr. HERSMAN. Will the gentleman yield?

Mr. BUTLER. I will.

Mr. HERSMAN. I am informed that other countries building battleships are asking our Government to remit the interest on our loan for a few years. Does not the gentleman think it would be wise to consider that request in the light of their naval construction?

Mr. BUTLER. Well, I will say to the gentleman that is something with which I have nothing to do.

Mr. KITCHIN. Will the gentleman yield for one question more?

Mr. BUTLER. Certainly.

Mr. KITCHIN. I notice that of 10 battleships—dreadnoughts—provided for in the program of 1916 up to February 1 of this year, 6 were less than 7 per cent constructed. Two of the six had not been begun. Two of the six were only 5 per cent completed. Suppose we eliminated those four that have just been begun and two that have not been begun, how much less appropriation would your bill carry?

Mr. BUTLER. I will have it figured out. It would be considerably less. I will say to my friend I believe these great battle cruisers will cost the Government from $35,000,000 to $38,000,000.

Mr. KITCHIN. Something over $200,000,000 less.

Mr. BUTLER. But the gentleman must remember that we have the steel on hand for many of them.

Mr. MADDEN. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. MADDEN. The gentleman from North Carolina suggests the percentage of completion of ships to which the gentleman from Pennsylvania has referred.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MADDEN. I wish to ask the gentleman from Pennsylvania, in connection with the questions asked by the gentleman from North Carolina, whether it may not be possible that a larger percentage of the ships have been completed than he has stated when you take into account the amount of work done in the factories.

Mr. BUTLER. There is no doubt about it; we have paid for the material and the railroads have hauled it and laid it alongside the shipways.

Mr. KITCHIN. I will ask the gentleman another question: When will these six battleships to which I have referred be finished? Will the gentleman venture an opinion or guess at that?

Mr. BUTLER. I made the statement that they would be finished by 1924, but I guess they will be finished by the spring of 1925.

Mr. PADGETT. The battle cruisers are expected by that time?

Mr. BUTLER. Yes.

Mr. PADGETT. And the battleships a little earlier?

Mr. BUTLER. Yes; a year earlier.

Mr. KITCHIN. If Great Britain has practically stopped building dreadnoughts, if France and Italy have stopped also, and if Germany has no dreadnoughts and is building none, and Russia is building none, does the gentleman think it is wise for us to continue to build these immense sea monsters that we call superdreadnoughts, costing $35,000,000 each?

Mr. BUTLER. I wish I had the time to go into a little reasoning with my good old friend, but I have not. If the nations of the world are to agree, and will keep their agreement, then no battleships of any kind will be needed; because, as I endeavored to show a moment ago, if the five great powers of the world get together—and four of them are already in agreement; their representatives will meet and go the first week of next month to Italy—and agree to reduce armament, then no battleships will be afloat at all, except perhaps here and there a ship in some of the countries of South America.

Mr. KITCHIN. I have listened to the debates in the House on the naval bills for 15 or 20 years, and as I very vividly recall, every year before the European war the reasons given for a big building program or for building these dreadnoughts and superdreadnoughts was that Germany and Japan, especially Germany, was building these dreadnoughts, and that other nations were building them, and that we had to build them as they built, that our program must go along with theirs; that we should not cease building them as long as Germany and other nations were building; that if they would stop building we would stop building, and if they continued to build we would continue to build. What I was getting at, and I know the gentleman from Pennsylvania and myself think somewhat along the same lines on this subject and certainly have the same hopes, that sooner or later will come disarmament to a large extent throughout the world.

Mr. BUTLER. Oh, yes; we have talked a great deal together, and I am willing that the gentleman should repeat what I have said.

Mr. KITCHIN. Inasmuch as Great Britain, France, Italy, Russia, and Germany have stopped building these dreadnoughts—or, at least, Great Britain is only putting down one—is it wise and is it economical for us to continue to build these 10 dreadnoughts and other dreadnoughts? Could we not wait until we get back to somewhat normal conditions and then see what these nations are going to do with respect to the dreadnaught question? The covenant of the League of Nations may force European nations to further disarmament, but certainly we should not anticipate that the nations are going to take up hereafter these big dreadnought-building programs, and will it not be wise for us to wait and see whether they are going to take them up again or not before appropriating hundreds of millions of dollars for such a program? If they did begin such programs in the future, would it not be then time enough for us to take it up again?

Mr. BUTLER. May I have the time to answer the gentleman? I do not want to take the time of this committee——

Mr. KITCHIN. I am asking for information.

Mr. BUTLER. The gentleman from North Carolina knows very well my views on such subjects, and I know his, because we oftentimes exchanged friendly observations upon that question. I can only answer the gentleman in this way: That I believe until the nations come to a better understanding and will agree to disarm, it is our duty to put up such armaments for the sea as will in every way protect us and care for us as against all the other nations if necessary. I say this only because I do not know what else to say; it is the only guide. I have never voted for a battleship in the 24 years that I have sat upon this committee that I did not consider one nation, and one alone; and that nation has no ships at this time.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words. For the first time in many years the only naval establishment and program in the world at all comparable with ours is that of England. No other navy or naval program is of a size or strength even remotely approaching ours. In fact, since the practical wiping out of the German Navy all the remaining navies and naval programs of the world, exclusive of England, do not equal ours.

In this situation it may be interesting to note the naval plans and programs of the only other nation possessing a navy of the first class and to compare briefly England's announced policy and expenditure with ours.

Admiral Niblack gave the Naval Affairs Committee some interesting and valuable information on this subject on February 14, but the latest information we have is contained in an Associated Press dispatch of March 20, day before yesterday.

According to this authority, the British Admiralty proposes to spend on the navy in the fiscal year 1920–21 the sum of £84,322,300, of which sum £23,000,000 is for the liquidation of terminal war expenses. On the basis of the normal rate of exchange, this means a total expenditure of a trifle less than $420,000,000 or about six millions less than carried in the bill. If, however, we reduce this by the sum of £23,000,000, or approximately $115,000,000, the amount proposed to be applied to the liquidation of terminal war expenses, we have $305,000,000 as the total of Great Britain's proposed expenditure directly on her navy.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KELLEY of Michigan. Mr. Chairman, I think to make the gentleman's statement perfectly accurate, attention ought to be called to the fact that the British had a separate air service and that their expenses for aviation would not be included in the gentleman's figures.

Mr. MONDELL. And $15,000,000 are carried in this bill for aviation development and experimentation and several millions for personnel and like expenditures in aviation.

This comparison does not, however, tell the story as accurately as a comparison based on the actual rate of exchange. Based on the current rate of $3.72 per pound, the proposed total naval expenditure amounts to about $321,000,000, and this reduced by the sum proposed for liquidation of terminal war expenses leaves the equivalent of approximately $241,000,000 as the total of Great Britain's expenditure for her navy compared with $425,000,000 carried in this bill. At this rate, our naval budget will exceed England's by $184,000,000.

Equally interesting is a comparison of the size and strength of the navy proposed to be retained in commission by the two countries. The enlisted strength of our Navy is fixed by law at 131,485, and the bill before us is based on an assumed average personnel of 120,000. Great Britain proposes a naval personnel of 136,000, and I assume that is the number contemplated by her estimates.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LONGWORTH. I understood the chairman of the committee to say that England's present personnel was 180,000.

Mr. BUTLER. One hundred and forty-four thousand at this time.

Mr. MONDELL. The information that I have is from the dispatch that I have referred to, and the estimate there is fixed at 136,000.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONGWORTH. Mr. Chairman, is the gentleman including the marine service in this?

Mr. MONDELL. I am including everything in this naval bill.

Mr. LONGWORTH. I mean so far as Great Britain is concerned.

Mr. KELLEY of Michigan. The figures given do not include the British marine.

Mr. MONDELL. I do not know as to the cost of the British marine service.

Mr. LONGWORTH. All I wanted to know was whether it was included in the figures the gentleman is giving here?

Mr. MONDELL. Yes; it is.

SHIPS IN COMMISSION.

Admiral Robert E. Coontz, Chief of Naval Operations, in his statement before the Committee on Naval Affairs on January 15, gave a list of vessels which he believed should be kept in condition or in reserve or in reduced commission for the coming year, which included 17 dreadnoughts, 13 predreadnoughts, 8 armored cruisers, 18 cruisers, 133 submarines, 144 destroyers, and a formidable list of auxiliary ships, totaling 730, as follows:

Seventeen dreadnoughts.
Thirteen predreadnoughts.
Eight armored cruisers.
Eighteen cruisers.
Fourteen gunboats.
Eleven destroyer tenders.
Two mine layers.
Five submarine tenders.
Seven shore-based submarine tenders.
One hundred and thirty-three submarines.
Eight submarines in reserve.
One hundred and forty-four destroyers.
One hundred and fifty-four destroyers in reserve.
Twenty-one destroyers out of commission.
Fifty-five eagles.
Twenty-one mine sweepers.
Twelve mine sweepers for tugs.
Twelve mine sweepers in reserve.
Ten station craft.
Three fleet repair ships.
Two hospital ships.
Two hospital ships in reserve.
Six supply ships.
Two target repair ships.
One radio repair ship.
Eleven colliers.
Fourteen oilers with seven possible additional oilers.
Ten cargo ships.
Two transports.
Four aircraft tenders.
Two aircraft carriers.
Two ammunition ships.
Four survey tenders (approximate).

The admiral did not say just how much of this flotilla would be kept in active commission, but the list is very interesting in view of the full commissioned fleet of Great Britain as now proposed, according to the Associated Press dispatch above referred to. This is to consist of 16 battleships, 4 battle cruisers, 38 light cruisers, "with destroyers and submarines in proportion."

From the above it would seem, first, that our program of naval expenditure, as provided in this bill, exceeds that of Great Britain by about $5,000,000, if we figure the expenditure on the normal rate of exchange and including $115,000,000 of their expenditure which is said to be for the liquidation of terminal war expenses. If, however, the estimates are compared on the basis of present current rate of exchange and we still include Great Britain's expenditure for the liquidation of terminal war expenses, our proposed expenditure is approximately $100,000,000 above that of Great Britain. If from this we subtract the sum above referred to for the liquidation of terminal war expenses our proposed expenditure, based on the current rate of exchange, is practically $180,000,000 above the estimated expenditure of Great Britain.

Second. In the matter of personnel our estimates are intended to provide for 120,000 men as against 136,000 as the maximum for Great Britain.

Third. In the matter of the strength of the fleet in full commission the number of our contemplated line would seem to be 17 dreadnoughts, 13 predreadnoughts, 8 armored cruisers, 18 cruisers, and destroyers, submarines, and auxiliary vessels in proportion, as against 16 battleships, 4 battle cruisers, 38 light cruisers, with auxiliary ships in proportion, on the part of Great Britain.

This comparison, of course, can not be absolutely accurate, because, first, the British statement is not definite except as to the major ships, and the statement of Admiral Coontz, above referred to, relative to our naval strength may propose a larger flotilla in commission than above suggested. It is interesting, however, as indicating that the two navies in full commission were to be about equal.

As I have said, the only fleet with which we are in competition at all now is the fleet of England. We are building 10 dreadnoughts; she is building none. My understanding is that there is not a single dreadnought being constructed anywhere under the sun except the dreadnoughts we are building. England is not building a single capital ship, and she does not contemplate any. Italy has scrapped all of her contemplated dreadnoughts save one, and she is not working on that one because she has not the steel. France had a contemplated program including a number of dreadnoughts on none of which is she now working, and I do not know that they have entirely determined how many of them, if any, they will build. I think in this condition of

affairs we may very well consider the suggestion made by the gentleman from North Carolina [Mr. KITCHIN] as to whether or no we should now continue our great dreadnought plan, which will cost us, if carried out as now contemplated, in addition to the $104,000,000 carried in this bill, something like $365,000,000 additional.

Mr. KAHN. Will the gentleman yield?

Mr. MONDELL. If I have the time.

Mr. KAHN. I saw in the newspaper dispatches about two or three months ago an item from Tokyo to the effect that Japan was contemplating the building of eight superdreadnoughts of 40,000 tons each. Does the gentleman know anything about that?

Mr. MONDELL. Mr. Chairman, in the old days the "yellow peril" used to be waved and flaunted before us every time a naval bill was before us, but certainly that can not be done now with Japan's 4 dreadnoughts to our 17 and 10 building, and particularly at a time when Japan is having difficulty in getting the steel to build merchant ships. No; the time is past when the small navy of Japan can be used to urge an enlarged naval program here.

Mr. KITCHIN. Will the gentleman yield for a question? I agree with the gentleman in——

Mr. MONDELL. I have not the time.

Mr. KITCHIN. Does not the gentleman believe that we ought to reduce this $104,000,000 given to these uncompleted dreadnoughts in the bill?

Mr. MONDELL. I think it is well to consider a reduction of it.

Mr. KITCHIN. If the gentleman will offer an amendment, and I think it ought to be offered, I believe he will find a large support in the House.

Mr. MONDELL. I am not personally sufficiently informed to be able to say that that sum carried in this bill is too much. I am of the opinion that we might well somewhat reduce it, but I realize the committee has gone into the matter much more thoroughly than I.

Mr. BUTLER. Mr. Chairman, I desire to offer a little bit of information, following up the statement made by the gentleman from Wyoming. According to the latest information we have from the department it is contemplated keeping in commission next year—if the gentleman from North Carolina will give me his attention, he is interested in this—it is contemplated keeping in commission next year many ships less than those originally estimated. I do not know whether I am violating any bit of confidence given me—I hope not, for I surely do not intend to do it—but I expect there will not be kept in full commission next year more than 17 great ships, 9 cruisers, 133 submarines, and 144 destroyers, with a corresponding number of smaller vessels—that is, in full commission; and that there will be in reduced commission—that is, with only 65 per cent of the full personnel—13 other big ships, 6 armored cruisers, 8 submarines in reserve, and 154 destroyers, with the remaining smaller vessels; and I think that this reduction in the number of ships to be kept in commission is due largely to the action of the Committee on Naval Affairs in reducing the personnel; because, if the new ships spoken of by the gentleman from Wyoming should be kept in commission, it would require almost every man we have provided for in this bill—in other words, 107,000 men at sea all the time. That is not contemplated.

Mr. KITCHIN. One minute. I would like to get some other information from the gentleman. The gentleman from Wyoming this morning said that the Committee on Naval Affairs and the Military Affairs Committee had, in reporting their bills, reduced the demands or estimates of appropriations from the departments about a billion dollars.

Mr. BUTLER. I intended coming to that, but I did not have the time; I did not say all I wanted to say.

Mr. KITCHIN. I desire to ask the gentleman another question. The Military Establishment asked for an Army of 504,000 men, and the bill passed the other day provided for 300,000 men, in round numbers. A difference, if you count $1,200 to a man, of $240,000,000, which was the so-called saving on the military bill. Now, in reference to the naval bill. Did not the Navy Department, after sending down its first estimate, go back and write to the gentleman's committee that it could cut the estimates at least $100,000,000 from the former estimate?

Mr. BUTLER. Is the gentleman asking me a question?

Mr. KITCHIN. Yes.

Mr. BUTLER. I did not write this report. It was written by a much better man.

Mr. KITCHIN. I do not agree that it was written or could be written by a better man.

Mr. BUTLER. I only approved of it. I considered it absolutely fair. One of my colleagues who has worked hard on this bill, and I commend and thank him for the great work he has done in helping me and the rest of my colleagues, did write to the department—with reference to the views of the House as we understood them to be and our own views in particular—and asked whether the department could not further reduce its estimates, and the department did.

Mr. KITCHIN. Then the gentleman's committee, according to its report, reduced the estimates of the department $133,000,000, in round numbers. This added to the Military Committee reduction of $240,000,000 makes all together $373,000,000, so the difference between the amount stated by the gentleman from Wyoming and the actual fact is about $630,000,000.

I want to say this, that I congratulate the committee on reducing the naval appropriation bill, and I am for the reduction.

Mr. KELLEY of Michigan. After the heads of the bureaus had reduced the amount as indicated, the Secretary of the Navy sent supplemental estimates amounting to $73,000,000 more, which we took off. We reduced the estimates of the Secretary by $221,000,000.

Mr. BUTLER. We reduced it $222,341,680.80, and of that amount, as I understand it, $88,724,985 may be credited to the action of the department chiefs.

Mr. KITCHIN. I understood from your report, and I was just taking your report for it, that from the second estimates of the Navy Department you reduced in round numbers $133,000,000.

Mr. BUTLER. I want to say to my friend from North Carolina that I listened to his colloquy with the gentleman from Wyoming, and if this House sees fit to take the spine out of the Navy, the House will be responsible. We have done the best we could, but I only want my friend to think of it. I believe at this time it would be an awful mistake.

Mr. KITCHIN. I am inclined to follow the gentleman from Pennsylvania and his committee in naval matters.

Mr. BUTLER. We have done the very best we knew how.

Mr. KITCHIN. I believe that in this and the last year's bill this committee, under the leadership of its chairman, the gentleman from Pennsylvania, has saved to the taxpayers of this country many tens of millions of dollars.

Mr. BUTLER. I believe in another year further reduction can be made, and I believe the reduction will run on.

Mr. KITCHIN. If the gentleman from Wyoming [Mr. MONDELL] should offer an amendment to reduce the appropriation of $104,000,000 for the construction of these big dreadnoughts that have just about begun, and two that have not begun yet, I think it would be in the interest of economy and carry out the gentleman's economy program.

Mr. BUTLER. I think it would be wrong this year.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GREENE of Vermont having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed a joint resolution and bill of the following titles:

On March 19, 1920:

H. J. Res. 194. Joint resolution amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Wash.; and

H. R. 9023. An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last three words.

I trust that my very dear friend from Pennsylvania, the distinguished chairman of the committee, for whom I have great respect and also affectionate regard, will not consider that I was making any reference to him when I asserted that the table from which he is reading was altogether incorrect. It is true that Admiral Niblack did furnish a table in which, among other things, it was stated that nine big dreadnoughts were building for France. It is also true that later Admiral Niblack stated that four of those forms for the dreadnoughts, so far as they had got them started, were scrapped, torn down, and that there were only two left on the ways; that the building program that France was actually carrying on—and you will find this on page 846 of the hearings—"is six light cruisers, 4,500 tons displacement, and six destroyers of 2,000 tons displacement." That is the building program in France instead of

constructing any battleships. My statement was absolutely correct when I said that neither England, France, nor Italy were building a solitary battleship; by that I mean going on with the construction at this time of a single battleship.

The official report of the British Admiralty, recently made, shows that they do not contemplate having a fleet——

Mr. BUTLER. Will the gentleman yield to me for one question?

Mr. GREEN of Iowa. Yes.

Mr. BUTLER. Does the gentleman know the date of Admiral Niblack's information, and does the gentleman know that since France contemplated canceling that program the alliance has declined to allow them the ships that were captured from Germany? In other words, when they thought the ships from Germany would come into the French fleet they proposed to cancel the construction. What have they done since they have taken the German ships away from France?

Mr. GREEN of Iowa. I know as a practical proposition it is impossible for France to get the material or the money to go on with these ships, and its program for merchant ships, and I base it on the Navy's own statement.

Mr. WINGO. On what does the gentleman base his statement that it is impossible for France to get steel when she has control of the second largest supply of raw material in the world for producing steel?

Mr. GREEN of Iowa. Does not the gentleman realize that we were furnishing steel to France during the war?

Mr. WINGO. Since the war; and taking the iron and coal deposits that France gets under the peace treaty, the gentleman would not contend that France would be deficient in steel for a hundred years?

Mr. GREEN of Iowa. Does the gentleman mean to say that he has any information that these fields are started in full operation and production, and that France has not need, and urgent need, for all the steel she can get for peace purposes?

Mr. WINGO. The information I get is this——

Mr. GREEN of Iowa. I am sorry I can not yield any more.

Mr. WINGO. I would suggest to the gentleman for his own information that he can find——

Mr. GREEN of Iowa. If the gentleman will pardon me, I have looked up all these matters very carefully. Steel can not be made without coal and France is woefully short of coal. She can not fully light her streets or heat her houses. There has been great suffering in France this winter for that reason.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. The gentleman will find he is very much in error on the present economic condition of France, from the reports of her own officials.

Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GREEN of Iowa. If the gentleman is not satisfied with Admiral Niblack's statement that France's building program is six light cruisers and six destroyers, I will let it go at that. I make no statement to the House, and never have, that I am not able to support by authority that is usually considered unquestioned.

Mr. TOWNER. Will the gentleman yield for a question?

Mr. GREEN of Iowa. Yes.

Mr. TOWNER. I would like to ask the gentleman if he has any information as to whether or not the pay of the personnel of the English and French Navies has been raised since the war?

Mr. GREEN of Iowa. I can not state as to that. The gentleman from Wyoming correctly gave the personnel of the English Navy. The English program is for a postwar fleet of 16 battleships, 4 battle cruisers, 38 light cruisers, with destroyers and submarines in proportion. I think that is about the fleet we would have to-day if we could get the men. Whether we can get them or not is a question.

I would like to find out as the debate proceeds what our Navy officials are doing as to scrapping our old ships. England went so far as to scrap three battle cruisers that were partially constructed of the same type as the great ship *Hood*, of which the chairman of the Naval Committee spoke, a magnificent battle cruiser which she has since completed and has since crossed the ocean to this country. It is a splendid ship of the latest type—the last word in the construction of great fighting ships, for the *Hood* is a 43,000-ton vessel. But three other sister ships of the same size, that were already started, and on which considerable work had been done, were scrapped.

That building program of great battleships was entirely abandoned by England. France did the same thing with its superdreadnought program; she actually scrapped four superdreadnoughts upon which she had already done considerable work. That is also found in Admiral Niblack's testimony. There is only one country from which I have been able to get reliable information, and that is Japan. I am not able to state what Japan is doing.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. LAZARO. I regret I did not hear the beginning of the gentleman's address. The gentleman has been able to find out that the building program had stopped. What is the reason?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. LAZARO. Mr. Chairman, I ask unanimous consent that the gentleman may have one minute.

Mr. GREEN of Iowa. I would like to have two minutes more.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. LAZARO. I merely want to get at the bottom of it. Have they discovered something new and better that will displace these battleships?

Mr. GREEN of Iowa. I will come to that later. Many distinguished authorities believe that the development of aircraft and submarines has or will make battleships obsolete. England has not only scrapped new battleships partly constructed but she has consigned to the scrap heap all her predreadnought types. We have a number in commission that I suppose will be preserved, but they are absolutely useless, and not able to contend with the superdreadnoughts that have been constructed since. We ought to effect a great reduction in our naval expense by scrapping these useless ships also.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. OLIVER. Mr. Chairman, under the bill passed by this Congress in July last for the fiscal year ending June 30, 1920, there was appropriated $613,246,838.88. The bill reported by the committee for 1921, and now under consideration, carries an appropriation of only $425,289,574, showing a net decrease from the bill passed by this same Congress in July last of $187,957,264.88. I will later discuss this difference between the July, 1919, bill and the present bill under certain topical heads and point out the main items constituting the difference between the two bills. Suffice it to now say that the decrease of $187,000,000, in round figures, is due largely to the small enlisted personnel now in the Navy as compared with the number appropriated for in the last bill and to the elimination of an emergency repair fund for a large number of vessels since returned to private owners and the pay of reservists, both of which last items are eliminated from the present bill. Before discussing these differences more in detail may I refer for the moment to the $104,000,000 carried in this bill for new construction? This simply provides a fund for continuing the 1916 building program—no new construction, in fact. There had been expended on the ships of the 1916 building program up to July 1, 1919, $114,000,000, and there was made available for this purpose for the present fiscal year, ending June 30, 1920, $159,000,000. There will remain due on the 1916 building program, after the expenditure of $104,000,000 now carried herein for 1921, the sum of $294,600,000, and our committee is informed that the department will ask that $125,000,000 of this sum be carried in the 1922 bill, about $120,000,000 in the 1923 bill, and the balance, to wit, $99,600,000 in the 1924 bill.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. Yes.

Mr. WINGO. The gentleman's calculation is, I think, in error. I think we would have expended $160,000,000.

Mr. OLIVER. We had expended $114,000,000 on July 1, 1919, and there was available for expenditure for the fiscal year ending June 30, 1920, $159,000,000.

Mr. PADGETT. There was in February $48,000,000 of the $159,000,000 still available for the balance of this fiscal year.

Mr. WINGO. This sum of $104,000,000 is in addition to the $159,000,000?

Mr. OLIVER. Yes.

Mr. WINGO. At the conclusion of this fiscal year we estimate that $160,000,000 will have been expended.

Mr. OLIVER. To be exact, $159,000,000 plus $114,000,000 expended prior to July 1, 1919.

Mr. WINGO. What has this $160,000,000 spent consisted of, fabricated steel and parts?

Mr. OLIVER. Yes, partly; and also the partial completion of many of the ships. The percentage of completion can be found by referring to the hearings, the page of which was given a few minutes ago by the gentleman from Pennsylvania [Mr. BUTLER].

I wish to now take up the increased amount, to wit, $187,957,264.88 carried in the bill passed by this Congress last July over the amount carried in the bill now under consideration. That reduction is largely due to the fact that the enlisted personnel of the Navy has been greatly reduced, and that the great number of ships used by the Navy during the war, to wit, more than 2,000, has now been reduced to something in excess of 900. In the July last bill we appropriated for an average of 181,000 enlisted men; in this bill we are only appropriating for 120,000 enlisted men. Under "Pay, miscellaneous," last July we appropriated $4,500,000. This bill carries under that item only $3,500,000. The department, however, is strenuously insisting that this item should be raised to $4,632,000, and likely will request the Senate committee to give this increase, if now denied by the House.

For contingent Navy in the July bill there was carried $150,000; the present bill only carries $75,000.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. OLIVER. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed five minutes more. Is there objection?

There was no objection.

Mr. OLIVER. For the Virgin Islands the present bill carries an increase of $143,440. This is in accord with the recommendation of the special committee recently sent by Congress to the islands.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. Yes.

Mr. MONDELL. Do I understand that it is the settled policy of the Navy Department, without regard to the view of Congress expressed in appropriation bills, to proceed to expend money and come back with the expectation that Congress will give them as deficiencies moneys that it has refused to give in the original appropriation bills? Is that the theory and purpose?

Mr. OLIVER. I do not so understand.

Mr. MONDELL. If it is, they are likely to be very greatly disappointed.

Mr. OLIVER. In reply to the gentleman's statement, I feel sure that such is not the policy of the department, but it has been the endeavor of this committee to ascertain, as nearly as possible, whether the amounts we have allowed will be sufficient to care for the needs of the Navy. The department is authorized to create certain deficiencies, and I understand that the Bureau of Supplies and Accounts has a deficiency for this year amounting to seventeen or twenty millions dollars for fuel and transportation, and that unless the appropriation carried in this bill is increased a like deficiency for these items will occur in 1921.

Continuing the comparison between the two bills, you will find that aviation has been reduced $10,000,000; the Consulting Board, $10,000,000; the Bureau of Navigation, from $22,400,950 to $6,340,950; the Bureau of Ordnance, from $29,625,000 to $17,925,000; the Bureau of Yards and Docks, about $1,000,000; Public Works, about $2,500,000; the Bureau of Medicine and Surgery, about $7,000,000; pay of the Navy, about $44,000,000; Bureau of Supplies and Accounts, about $25,000,000; Bureau of Construction and Repair, about $1,000,000; Bureau of Steam Engineering, about $2,000,000; Marine Corps, about $16,000,000; increase of Navy, about $29,000,000; also items carried in the July bill for an emergency fund and pay of reservists, amounting to about $24,000,000, have been eliminated from the present bill, since the return of many ships to private owners and the reduction in the enlisted personnel make it unnecessary to carry these items longer. Thus it clearly appears that the $187,000,000 decrease is really due to the large reduction in personnel and in the ships of the Navy.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. OLIVER. I ask unanimous consent to proceed for three minutes longer.

The CHAIRMAN. The gentleman from Alabama asks for unanimous consent that his time be extended for three minutes longer. Is there objection?

There was no objection.

Mr. OLIVER. Allusion has been made to the fact that this bill carries $133,616,695.80 less than the Secretary of the Navy recommended in his revised estimates. The Secretary of the Navy, in response to a letter from the gentleman from Michigan [Mr. KELLEY], submitted a revised estimate for 1921 of $484,406,269.80, and orally recommended in addition for new ship construction about $65,000,000. The difference between the amount so recommended by him and the amount carried in the bill consists, it will be found, largely of these items: $65,000,000 for new ship construction, and a cut of about $11,000,000 for personnel, and about $20,000,000 for certain naval base improvements, including more than $1,000,000 for San Francisco Harbor. The difference, it will be seen, is really in deferred appropriations, since unquestionably we must next year provide for a larger personnel if the Navy is enlisted to its full strength and if we provide the type of ships now strongly recommended by the General Board.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. OLIVER. Certainly.

Mr. HARDY of Texas. Has the gentleman stated the total carried by the bill?

Mr. OLIVER. Yes; about $425,000,000, as against last year's bill of $618,000,000. I have tried to point out how the reductions occur and the reasons therefor.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KAHN. Mr. Chairman, a few minutes ago the gentleman from North Carolina [Mr. KITCHIN] made some inquiries about the condition of the Army and the Army appropriations.

The War Department submitted estimates to the Committee on Military Affairs both for the present fiscal year and for the coming fiscal year, based upon an Army of 576,000 officers and men and carrying a total appropriation of $989,000,000.

The reorganization bill which was passed by the House a few days ago fixes the total enlisted strength of the Army at 299,000 and the officer personnel at 17,832.

It is exceedingly unlikely that the total number of enlisted men will be secured for some years to come, if at all. At the present time the figures show that we have an enlisted personnel in the Army of about 221,000. The chances are that that number will be materially reduced by the beginning of the next fiscal year, because the War Department started out on the 16th of January on an intensive drive to secure 84,000 enlistments. They made a special effort to secure that many men to fill up the units that they desired to fill up. Up to the present, during that intensive drive, they have secured only about 14,000 enlistments, and if that same condition prevails during the entire fiscal year 1921 I doubt whether the War Department will be able to secure more than an average of 175,000 enlisted men during that fiscal year.

Mr. MONTAGUE. Will the gentleman permit me to ask him a question?

Mr. KAHN. Yes.

Mr. MONTAGUE. To what is that attributable?

Mr. KAHN. To the large salaries and wages that men can secure in private employment. The Congress has fixed the wage of the enlisted man. He gets $30 a month on his initial enlistment. In private life he can get anywhere from $4 to $12 a day, and he is not going to enlist for the paltry sum that the Government is paying at the present time.

Mr. KITCHIN. I do not know that the gentleman stated it, but what does it cost the Army per soldier per year?

Mr. KAHN. The War Department has informed me that at the present time it costs about $1,600 a year for every soldier in the Army. During the war it was over $2,000, and previous to the war it was about $1,000. As the cost of the ration and the cost of clothing and other commodities that the soldier is compelled to use goes down, of course the cost of the individual soldier will be materially reduced.

Mr. MONTAGUE. Are there any other causes than the mere question of finance, any moral causes or sentimental causes that diminish the number of enlistments?

Mr. KAHN. I do not think so.

Mr. MONTAGUE. I am afraid that there is.

Mr. KAHN. Let me say to the gentleman that immediately after the war a great many young men who had been in the Army for a brief period concluded that they would like to enlist for one year additional, and so we had something like 89,000 one-year enlistments, from March 1, 1919, to March 1, 1920. We had about 82,000 three-year enlistments. But we are told by the recruiting service that of the 89,000 one-year enlistments probably not 30 per cent will reenlist for three years.

Mr. McKENZIE. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. McKENZIE. Has not experience demonstrated that the average American youth does not care to enlist in a time of peace, and is it not a fact that at no time in our history have we had enough enlistments to come up to the strength authorized by law?

Mr. KAHN. The gentleman's statement is absolutely correct.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KAHN. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from California.

There was no objection.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. KAHN. I will.

Mr. HARDY of Texas. Has there been any actual decrease in the cost of each man per year since the war ceased?

Mr. KAHN. Yes; during the war the actual cost of each man was over $2,000. It is $1,600 a man now. So that there has been a material decrease.

Mr. HARDY of Texas. Is that what it is now, or what you are counting that it will be?

Mr. KAHN. That is what it is now; that is what the War Department has stated to me. The total saving in my opinion on the estimate of the War Department and what the Committee on Military Affairs will ask appropriations for on the annual appropriation bill, will approximate in my opinion over $400,000,000. So that we will make a very material saving on that one bill alone.

The situation in the Military Establishment is rather unfortunate. The officers are seeking increased pay because of the high cost of living. Congress has done nothing for them in that regard, and there is more or less demoralization in the service. I want to say in closing, that a few days ago I read the speech of Winston Churchill in the British Parliament delivered on the 23d of February, 1920.

He was speaking on the military estimates for the fiscal year 1920–21. He stated to the House of Commons that the prewar cost of the army was approximately £28,000,000 for 220,000 men. He stated further that Great Britain proposes in the coming fiscal year to reduce her army to the prewar status, but that the cost of the same number of men has increased to £63,000,000. So that the same experience that we are having in the United States regarding the increased cost of the Military Establishment is equally true in Great Britain. I thought the House would desire to have that information.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. KAHN. I will.

Mr. MOORE of Virginia. In view of the questions that have been asked and the information the gentleman has given, does the gentleman consider it wise for his committee, as reported by the newspapers, to be agitating the matter of compulsory training, which the gentleman from Wyoming [Mr. MONDELL] told us on Saturday would cost five hundred or seven hundred million dollars a year?

Mr. KAHN. I do not know where the gentleman from Wyoming gets his figures, but I believe you can materially reduce the cost of maintaining your Regular Army if you will train the citizenry of the country. But I do not desire to discuss that matter now. I hope some day to go into that at considerable length and considerable detail, but in view of my limited time I do not want to discuss it at present.

Mr. BUTLER. Mr. Chairman, I want to call the attention of the committee to this situation, that we are carrying on this debate by unanimous consent largely. May I ask the gentleman to make his motion.

Mr. KITCHIN. If the gentleman will yield, I want two minutes. I move to strike out the last word.

The CHAIRMAN. That motion is still pending.

Mr. KITCHIN. Mr. Chairman, the gentleman from California has enlightened the House, and I thank him for it. He has given me much information that I desired to have. I asked him when he made his speech to give us clearly such information.

He states that each soldier costs $1,600 a year for the Government to maintain. I am sure that he is right about it. This leads me to congratulate myself on the fact that on the Army bill I voted against an Army of 300,000 men provided for therein and voted in favor of limiting the Regular Army to 185,000 men. That was a saving of $184,000,000. In other words, I want to remind my good friend from Wyoming, Mr. MONDELL, the distinguished majority leader, that in the vote on the Army bill I voted to relieve the taxpayers of this country, who are now paying taxes high enough, of $184,000,000 a year more than he voted for. I want him to give me credit for economy, for saving the taxpayers on that one vote $184,000,000 more than he did. [Applause on the Democratic side.]

Some time hereafter, when I can get sufficient time, I think I can show the distinguished gentleman from Wyoming that I have already on appropriations this session voted for $1,500,000,000 less to be taken from the taxpayers of the country than he has during this session. [Applause on the Democratic side.] I think I can show him that if the bills that he has introduced were to be passed and he voted for his own bills, as I would vote against them, I would be voting to save the people $2,100,000,000 more than the gentleman from Wyoming, the majority leader of this House. [Applause on the Democratic side.]

I am going to take some little time hereafter, if the House will hear me, in going into the details about this "economy program" of this Republican House, and to compare the vote of myself and the majority of the Democrats on this side with the vote of the leading economist of this House, the gentleman from Wyoming, the distinguished majority leader. I want to say, however, that he is trying his best to economize but does not know economy when he sees it.

The Clerk read as follows:

PAY, MISCELLANEOUS.

For commissions and interest; transportation of funds; exchange; mileage to officers of the Navy and Naval Reserve Force while traveling under orders in the United States, and for actual personal expenses of officers of the Navy and Naval Reserve Force while traveling abroad under orders, and for traveling expenses of civilian employees, and for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen; for actual traveling expenses of female nurses; actual expenses of officers while on shore patrol duty; hire of launches or other small boats in Asiatic waters; for rent of buildings and offices not in navy yards; expenses of courts-martial, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks, and witnesses' fees, and traveling expenses and costs; expenses of naval defense districts; stationery and recording; religious books; newspapers and periodicals for the naval service; all advertising for the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); copying, ferriage; tolls, costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction abroad, including maintenance of students and attachés: *Provided*, That this appropriation and the appropriation "Pay, Marine Corps," shall be available for special allowances for maintenance to officers and enlisted men of the Navy and Marine Corps serving under unusual conditions; information from abroad and at home, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), telephone rentals and tolls, telegrams, cablegrams, and postage, foreign and domestic, and post-office box rentals; and other necessary and incidental expenses: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1921, shall not exceed $1,000,000, and for necessary expenses for the interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction, claims for damages under naval act approved July 11, 1919; in all $3,550,000.

Mr. DOWELL. Mr. Chairman, I move to amend, on page 2, at the end of line 10 and beginning on line 11, by striking out the words "and Naval Reserve Force."

The CHAIRMAN. The gentleman from Iowa offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 2, line 10, after the word "Navy," in line 10, strike out the words "and Naval Reserve Force."

Mr. DOWELL. Mr. Chairman, later I intend to offer an amendment at another place in the bill to cover the question that I desire to raise, but I think these words should be stricken out at this place. I desire at this time to explain my reason for this amendment. Last year in the appropriation bill there was a clause which provided that in an emergency the President under certain conditions might provide for the calling of the reserve force, with their consent, but the bill contained this further clause:

That during the fiscal year ending June 30, 1920, no member of the Naval Reserve Force shall be recalled to active duty for training or any other purpose except as hereinbefore provided.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. KELLEY of Michigan. I think I know what the gentleman wants to do over further, but I can not understand what he wants to do here. If he strikes out these words, he could not get the officers home who have their discharge from the Navy.

Mr. DOWELL. That may be. I said I desired to explain what I intend to do later, and I make this motion at this time, to call attention of the committee to the condition of the Naval Reserve Force.

Mr. KELLEY of Michigan. Then the gentleman intends to withdraw this amendment?

Mr. DOWELL. I do not intend to press it at this time, provided I may have the opportunity of presenting another amendment later on. Here is the situation: The appropriation act which ends on June 30, 1920, precludes the calling of the reserve force. Under the present bill there is provision for paying the expenses of the reserve force and for recalling them into the service. I have received a number of letters from boys in the reserve force announcing that, anticipating the adoption of this bill, the Navy Department has already issued a call directing these men to report on the 1st day of July—the morning fol-

lowing the expiration of the appropriation in the law under which they are now operating. I have a number of letters from those who have been recalled to the service and I want to call attention to one or two of them in order that gentlemen may understand the situation in which these young men are placed. I have a letter here that I want to read, a very brief one:

My son, who is in the Naval Reserves, has been called back to the Navy for July 1. He is married and living on a farm, and I would consider it a great favor if you would have this postponed.

This man is not even asking that his boy be relieved from being returned, but he is asking that it be postponed until he can get through with his harvest. I have another letter from a widow who has a son in the reserves, who is being called to the service, whose crops have not yet been cared for.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. KNUTSON. The gentleman is speaking of the members of the Naval Reserve, is he not?

Mr. DOWELL. Yes.

Mr. KNUTSON. I took occasion to look that up the other day, and I will say to the gentleman that there is no law whereby they can compel attendance.

Mr. DOWELL. I understand, but they have undertaken to do what they are not permitted to do.

Mr. KNUTSON. The commander of the Great Lakes district is directing them to attend.

Mr. DOWELL. Yes; and here is the language that is used in the call. I quote it from a gentleman who has given me the language used:

The letter states that we are required by law to have at least 30 drills per year, beginning July 1, 1920.

This young man doubts the truth of that, but says that he is required to appear. I quote from another letter:

We have recently been advised by the commander that all reserves would be required to devote at least two weeks to the service.

The letters have been sent out anticipating the passage of this bill, because under the bill, which expires on the 30th of June next, they are not permitted to call any reserves; but on the day following, mark you—and this is March—they have already issued the order to appear on the morning of July 1. I call attention to the language used by the naval officer, and I ask the gentleman from New York, Mr. HICKS, if he will loan to me for a few moments, that I may have it read, the telegram that he received from the commander of the Great Lakes station.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DOWELL. This is an important matter, or I would not take up the time of the committee.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. HICKS. When the gentleman from Iowa spoke of this matter I took it up at once with the Bureau of Navigation, because I felt that it was such an important matter that it should be investigated. May I have a little of the gentleman's time?

Mr. DOWELL. If the gentleman takes any time I shall have to ask for more. Here is what happened, and then I want to have the telegram read. I asked the gentleman to wire to the Great Lakes station. He did not believe my statement was correct. He wired to the station and I am asking if he will permit the reply he received to be read now?

Mr. HICKS. I will do that.

Mr. DOWELL. Will the gentleman send it up to the Clerk's desk?

Mr. BUTLER. Mr. Chairman, may I ask the gentleman from Iowa whether or not that may be deferred until we get to the part of the bill that bears directly upon it?

Mr. HICKS. This is the place where the reserve comes in, and I desire to present it here.

Mr. McKENZIE. Will the gentleman yield?

Mr. DOWELL. Wait until the telegram is read. I yield.

Mr. McKENZIE. I desire to ask the gentleman from Iowa whether or not I understood him. Is he referring to a young man who enlisted in the Naval Reserve?

Mr. DOWELL. Yes.

Mr. McKENZIE. When they sign the contract they understand they probably might be called into training. Now, is the gentleman from Iowa seeking to have it put in the power of that young man who entered the Naval Reserves to say when he shall go and take that training?

Mr. DOWELL. No. I will answer the gentleman this way: When that young man went to enlist in the Navy he did just as the man who went in the Army. He enlisted for the duration of the war. He was doing a patriotic duty. When he went there they asked him to enlist for four years, which he did, and which he was compelled to do, and they told him he would be released when the war was over, but he was not released; he was sent home and released from active service only. Now, you are seeking to do what you can not do in any other way—you are seeking to compel him to return and serve in the Navy after the war is ended. [Applause.]

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. KELLEY of Michigan. I take it that what the gentleman wants to do is to provide in this bill that the reserves shall not be called into active training?

Mr. DOWELL. I want to prevent the Navy Department from now drafting men in the service who enlisted for the war.

Mr. KELLEY of Michigan. The appropriation for that purpose is on page 27 of the bill.

Mr. DOWELL. Yes, sir. I understand that, and I intend to offer an amendment. I made this amendment for the purpose of bringing this matter to the attention of the committee, because I want all of them to know what the Navy Department is doing with reference to the reserve force.

Mr. KELLEY of Michigan. When we reach page 27 the gentleman intends to offer an amendment?

Mr. DOWELL. I intend to offer another amendment.

Mr. KELLEY of Michigan. And the gentleman is going to withdraw this amendment he has offered?

Mr. DOWELL. I will see about that. I want to read this telegram.

Mr. KELLEY of Michigan. That is an entirely different question.

Mr. DOWELL. This is from the commander of the Great Lakes station:

GREAT LAKES, ILL., *March 18, 1920.*

Hon. F. C. HICKS,
House of Representatives, Washington:

In accordance with telegram of yesterday, letter mailed you last night giving all details; no orders sent calling reserves to training in July. Circular letter sent stating that training would be (required) after July 1; the trouble arose from the use of the word "(required)." Drills are required in order that the men may draw retainers' pay in confirmed ratings; copies of letters requested mailed last night and this will explain everything.

F. W. BASSETT,
Rear Admiral, United States Navy.

Where is the other telegram——

Mr. HICKS. That is the only telegram I received.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOWELL. May I ask for five minutes more?

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER. Before the gentleman begins, may I ask that all debate upon this amendment close at the end of five minutes, the time to be occupied by the gentleman from Iowa?

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that all debate upon this paragraph and all amendments thereto be closed in five minutes, to be given to the gentleman from Iowa. Is there objection? [After a pause.] The Chair hears none.

Mr. DOWELL. Mr. Chairman, all through this bill there are provisions for the recall of the reserve force of the Navy. It is the intention of the Navy Department to recall these boys immediately after July 1 when this bill takes effect, and under the circumstances we should enact an amendment here that will prevent the Navy Department from drafting these men, as they will have the right to do, if we permit this bill to pass without amendment. In the first place, as I understand it, it is the purpose of the Navy Department to call a number of these men, perhaps for only two weeks, and pay the expense of traveling from one coast to the other. A number of them I know were transferred to many stations during the war.

Mr. PADGETT. Will the gentleman yield there for a question? Does the gentleman think they should receive compensation unless they comply with the training and drill as the act requires?

Mr. DOWELL. Why, certainly not. They are not entitled to the pay unless they perform the service. But what I want to do is to prevent the Navy Department from calling these men back into the service.

Mr. PADGETT. Then, the gentleman desires to prevent them from paying them?

Mr. DOWELL. That is not the question I am discussing.

Mr. BUTLER. The act of Congress provided they shall be paid in advance. They are paid what is called retainer pay. That is part of the condition under the contract—that they will go back and train. This is not compulsory. They can pay back the retainer pay and escape the obligation.

Mr. DOWELL. Is it not a good deal cheaper for them to remain on the farm or in the factory where they now are than for the Government to pay the expense of their travel across the continent two or three times?

Mr. BUTLER. Tell the young man to write to them and send back the retainer pay and resign from the service.

Mr. DOWELL. I want to say to the gentleman these boys want to be released, and that is why I am complaining here, because the department is attempting to do what it could not do if these boys were not already in the service.

Mr. PADGETT. If the gentleman will permit, the Secretary of the Navy stated before the Committee on Naval Affairs that he had accepted the resignation of every man in the reserve who wanted to get out.

Mr. DOWELL. I do not know about that recently, but I do know that some of these boys do want to get out of the service and they are not released. I withdraw the motion for the present, and will offer an amendment at another place in the bill.

The CHAIRMAN. Without objection, the amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Aviation, Navy: For aviation, to be expended under the direction of the Secretary of the Navy for procuring, producing, constructing, operating, preserving, storing, and handling aircraft, establishment and maintenance of aircraft stations, for experimental work in development of aviation for naval purposes, and for the purchase or manufacture and issue of special clothing, wearing apparel, and similar equipment for aviation purposes, $15,876,000, to be expended as follows: For necessary aircraft, $3,464,400; for necessary equipment for heavier-than-air and lighter-than-air craft, $300,000; to continue authorized construction of one rigid airship, $1,500,000; for new construction at stations, $1,257,000; for new equipment for training, $100,000; for maintenance and operation of aircraft factory, helium plant, aircraft stations, fleet activities, testing laboratories, and for overhauling of planes, $6,044,600; for continuing experiments and development work for all types of aircraft, $2,935,000; for pay of classified force, $275,000; and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law as "Aviation" and for that purpose shall constitute one fund: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy, for drafting, clerical, inspection, and messenger service for aircraft stations shall not exceed $275,000: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft, where such claim does not exceed the sum of $500: *Provided further*, That all claims adjusted under this authority during any fiscal year shall be reported in detail to the Congress by the Secretary of the Navy: *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of aeroplanes.

Mr. VENABLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VENABLE: Page 5, line 10, after the word "Navy," strike out the paragraph and insert:

"For aviation, to be expended under the direction of the Secretary of the Navy for procuring, producing, constructing, operating, preserving, storing, and handling aircraft, establishment and maintenance of aircraft stations, for experimental work in development of aviation for naval purposes, and for the purchase or manufacture and issue of special clothing, wearing apparel, and similar equipment, for aviation, $25,000,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for drafting, clerical, inspection, and messenger service for aircraft stations shall not exceed $275,000: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft, where such claim does not exceed the sum of $500: *Provided further*, That all claims adjusted under this authority during any fiscal year shall be reported in detail to the Congress by the Secretary of the Navy: *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coast of continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of aeroplanes."

Mr. VENABLE. Mr. Chairman and gentlemen of the committee, on Friday last I discussed at some length the reasons why I believe there should be an increase in the appropriation for naval aviation and why the very widest latitude should be given the Department of the Navy in the expenditure of this money. My amendment undertakes to accomplish the purposes which I think should be accomplished, and I have retained the provisos which now appear in the bill.

The reasons which I assign for my position may be summed up in the statement that naval aviation is now in an experimental stage; that the best opinion and information which we can get upon the subject is that the development of aviation may change completely the types of ships and their characteristics and that it may render not necessarily obsolete but largely ineffective the present types of large vessels which we are building. It seemed to me, then, as a matter of pure economy, that the wise thing to do is to find out at the earliest possible moment the possibilities of naval aviation and the bearing which that development will have on naval construction. We are now paying about $35,000,000 for large battleships and battle cruisers. So it seemed to me that the wise thing to do would be to be liberal with the Navy Department with funds that they may carry on, in an extensive way, experimental work, and, being experimental work, it is necessarily based upon the idea that there will be a constant change in method and experiment. If you are to have an effective experiment it is best not to tie the hands of the men who are conducting the experiment by saying, "You shall spend so much money for this item and so much money for that, and so much for the other," because by so doing you necessarily limit the freedom of experiment, with the result, of course, that the best results can not be obtained. I am in thorough accord with the general policy of having the Congress itemize appropriations. I am in thorough sympathy with that as a general rule and policy, but it can not be applied and should not be applied to a subject matter which confessedly is experimental. And the bill as drawn puts us in the attitude of saying to these men—and we know nothing about aviation—"You are the men who have to carry on the experiments"——

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. VENABLE. I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. VENABLE. We say to these men, "You must conduct your experiments according to this way," when "this way" is the way of a layman who knows nothing about it. Now, it may be replied that when these naval gentlemen were told that the committee was going to itemize, they sat down and gave these items themselves. Of course they did, because they were told we were going to itemize the appropriation, and they made the best case that was possible. But it does not follow at all that that is the best method by which to proceed.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. VENABLE. Yes, sir.

Mr. BRITTEN. The gentleman agrees that this entire matter is largely an experimental problem?

Mr. VENABLE. Yes, sir.

Mr. BRITTEN. Does he not think that $15,000,000 is a large amount of money with which to experiment in one year?

Mr. VENABLE. Not with a thing as important as aviation; not with a thing as costly as aviation. And I feel toward that very much like I do toward a good many things with which we have to deal in the Naval Committee. We confessedly do not know about these technical subjects or the technical phases of them, and we must, perforce, rely more or less upon the judgment of the men who have technical training, not on the ground that mistakes will not be made, for they will; not on the ground that money will not be wasted, for some it probably will, but that is the best opinion we can get.

Mr. HICKS. Mr. Chairman, I rise in opposition to the amendment, and I do so with some reluctance.

The gentleman from Mississippi [Mr. VENABLE], who is fully informed, has been consistent in his advocacy of a larger appropriation for aviation, and in many ways I concur in the opinions he has expressed. The Naval Affairs Committee in discussing this matter of aviation were confronted with several facts, and we arrived at our figure of $15,876,000, not because of lack of faith in aviation, not because of lack of confidence in the officers who are directing aviation, but because we sincerely and honestly felt that at the present time, with aviation to a large extent in an experiment stage, and with the Federal Treasury depleted, this Congress was not justified in increasing the amount more than we have stated in the bill, namely, $15,876,000. In passing, let me pay my sincere respects to Capt. Craven, head of naval aviation, an officer of great ability and sound judgment.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Pennsylvania?

Mr. HICKS. Yes; gladly.

Mr. BUTLER. Will the gentleman state to the committee how much time he has devoted to the study of aviation in the last three or four months?

Mr. HICKS. Mr. Chairman, my personal interest has been great, but my knowledge has been negligible. It has been an interesting matter for me to do the little I have done, but I do not want my personal opinion to weigh one iota with this committee.

Mr. BUTLER. The gentleman has not answered my question. How much time has the gentleman devoted to the special study of aviation in the last three or four months?

Mr. HICKS. Well, it has been so insignificant in proportion to the importance of the question that I do not care to mention it.

Mr. BUTLER. The gentleman is modest. I will state that it has been at least three months of the most careful study and consideration, and that the Committee on Naval Affairs is deeply indebted to him for his work.

Mr. HICKS. I thank the gentleman from Pennsylvania.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. KELLEY of Michigan. Will the gentleman state how much money is carried in this bill for aviation in addition to what is carried in this paragraph?

Mr. HICKS. Yes; in a moment. I am going to speak, Mr. Chairman, of aviation, and in case anyone desires to interrogate me somewhat in detail I ask permission to speak for five minutes additional in order to cover the points I may wish to refer to. I have not taken any time of the committee in general debate, and I will be glad to answer questions that may be propounded. I ask unanimous consent to proceed for five minutes additional at the end of my five minutes allowed under the rule.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HICKS. Mr. Chairman, when this item was presented to the committee it carried $47,000,000 in the estimates. Then the Secretary of the Navy arbitrarily cut that down to $35,000,000. Then, under persuasion, that was cut down to $31,000,000, and then, under more persuasion, it was cut to $25,000,000, and finally the committee brought forward this bill with the amount fixed at a little under $16,000,000.

Now, what are we proposing to do with this amount of money? We all realize the importance of aviation, not only from the military standpoint, but also as a factor in peace-time activities. We all have confidence in it; but, my colleagues, aviation, while not experimental, is largely without a definite, fixed program on the part either of the Army or of the Navy.

Mr. VENABLE. Mr. Chairman, will the gentleman yield there?

Mr. HICKS. I yield.

Mr. VENABLE. How in the world is it going to progress beyond the experimental stage, and how in the world are we going to form definite plans except by experimenting with the subject matter and learning more about it?

Mr. HICKS. My friend from Mississippi knows, I think, that $16,000,000 is a large amount to spend when a large part of it is for experimental work. Every new type airplane or balloon that we send into the air is practically an experiment. Aviation is getting into its stride, but as yet it has not struck its gait.

Now, I am going to take up, just for a few minutes, something that has happened on the other side of the water. We have been urged here in this country time and time again to raise the appropriation for aviation because Great Britain was spending vast sums of money on her aviation program. Now, it matters not to us what Great Britain may do or may not do, but merely to show that those articles were sensational and not founded on fact I am going to give you some statements presented by Mr. Winston Churchill, the head of the air ministry of Great Britain. Great Britain for this year appropriated $216,000,000 for aviation. When I say "$216,000,000," I am interpreting the pound sterling as $4 to the pound, merely for the sake of easy reckoning. We must not forget that aviation in Great Britain embraces the army, the navy, and all civilian activities, for they have a combined or united service. Where did that $216,000,000 go? All except $60,000,000 was for war contracts and for work the direct result of the war, and not one dollar above the $60,000,000 was for future development of aviation. That vast sum was all represented by water that had gone under the wheel.

Now, what does Great Britain ask for this year—$60,000,000, of which $8,000,000 is to be used for civilian aviation and experimental work; and let me remind you again that in Great Britain aviation covers all branches—the army, navy, and civilian. In view of this statement I do not think anyone can accuse us of being niggardly toward aviation.

Let me quote a paragraph from a letter which I received from Admiral Taylor in regard to Great Britain's program. This letter was written last December. He says:

> My latest information is to the effect that practically all new construction, airplanes, seaplanes, and airships is at a standstill in England on account of the economic situation.

Now, that is your program for Great Britain.

Mr. VENABLE. Mr. Chairman, will the gentleman yield?

Mr. HICKS. In a moment. I do not believe, Mr. Chairman, that we need to appropriate more than we have in this bill for aviation to keep it effective and efficient, although I am free to admit that we can neither expand or carry forward our program to the degree we would all like to see. One of the greatest needs of aviation is for carriers to convey our aircraft and make the air service mobile and a factor with the fleet. We have not provided for these ships. Neither have we allowed for the conversion into fleet tenders of any merchant ships. While we all realize the importance of these vessels, we did not recommend them, owing to the expense. In the near future we must provide for a lighter-than-air station on the Atlantic somewhere near Miami and another at San Diego. With our fleet now on the Pacific, air facilities must be provided on that coast, as well as in Hawaii; but our committee left all this to more favorable times. I now yield to my friend from Mississippi.

Mr. VENABLE. The gentleman stated that in England this year they had appropriated $60,000,000 for aviation, $8,000,000 of which was for civilian aviation, leaving $52,000,000 for the army and the navy. That would be about $25,000,000 apiece if you divided it half and half.

Mr. HICKS. They are the estimates. Now, if they cut the estimates as much in Great Britain as we cut them here, you will have that cut down to about $15,000,000 apiece for each branch of the service.

Mr. VENABLE. But the gentleman says "if."

Mr. HICKS. The same "if" applies there as it did here, and they are reasonable people in Great Britain and feel the necessity of economy.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. KELLEY of Michigan. I will say to the gentleman from New York that this item of $15,876,000 does not include the pay of either men or officers.

Mr. HICKS. No. I omitted to reply to my friend's question. I wish to say in regard to that query of the gentleman from Michigan that when we consider aviation we consider aviation only as it applies to the maintenance of stations and the procurement of aircraft generally, and there are various items appropriated in other parts of the bill under other headings of which aviation has the benefit, like the pay of officers and the pay of men, which comes out of "Pay of the Navy," and ordnance and some quartermaster stores, which materially increases the amount available for aircraft over what it would be if these items had to be met out of this item.

Mr. KELLEY of Michigan. We were asked, as I recollect, for 6,000 men and 500 officers. Six thousand men would cost the Government about $6,000,000 a year and 500 officers would cost at least $1,500,000. That would be $7,500,000 to be added to this $15,876,000, making $23,376,000 to the other incidental items carried in this bill, so that this bill carries practically $25,000,000 for aviation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. Mr. Chairman, the gentleman stated that Great Britain had appropriated $60,000,000 for aviation, counting the pound at $4; but in England the pound is $4.86, so that counting it at the English pound it would be $1,290,000 more than the $60,000,000.

Mr. MONDELL. Of course, the pound is worth its value in gold, and on a gold basis to-day the pound is worth $3.71.

Mr. PADGETT. In exchange over here, but in their own dealings and in their own currency it passes at $4.86, so that that would add $1,290,000 to the $60,000,000.

Mr. SUMMERS of Washington. May I ask where they procure the spruce for the construction of those airplanes on the other side?

Mr. PADGETT. I do not know.

Mr. SUMMERS of Washington. Does the matter of exchange enter into the purchase of that spruce?

Mr. PADGETT. I really do not know where they get it. They may get it from Canada, where their money would pass current.

But I want to call attention also to the fact that while the Navy Department wanted 6,000 men for aviation, as indicated by the gentleman from Michigan [Mr. KELLEY], and 500 officers, we have not provided those 500 officers additional in this bill.

Mr. BUTLER. They have them now.

Mr. KELLEY of Michigan. They did not ask for 500 in addition to the number we have provided in the bill.

Mr. PADGETT. Yes, they did.

Mr. KELLEY of Michigan. They will not get them.

Mr. PADGETT. They wanted them out of the temporary force. It all came down to the other question, and it occurs to me that the argument of the gentleman from Mississippi [Mr. VENABLE] is well grounded and well founded. I think it would be a very wise provision to deal more liberally with aviation. I have taken that personal view heretofore in former Congresses and also in the discussion of the make-up of this present bill, and I think it would be very well for us to appropriate the same amount that the last Congress appropriated of $25,000,000, which was a reduction of $10,000,000 below the amount that was put on by the Senate amendment, the Senate having receded from $10,000,000; so that, for whatever *it may* be worth, I indorse the amendment for the $25,000,000 for aviation, believing it will be well invested and be of great benefit to our country.

Mr. MONDELL. Mr. Chairman, I am reminded that we have spent $214,000,000 on naval aviation in the last two years, and we certainly ought to have gotten something out of that expenditure. And, by the way, I am reminded that my good friend in economy, the gentleman from North Carolina [Mr. KITCHIN], is not here to talk and vote against this altogether unjustified proposed increase.

Mr. BUTLER. Let us vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. VENABLE].

The question being taken, the amendment was rejected.

Mr. PADGETT. Mr. Chairman, I had an amendment that I wanted to offer on page 6, line 22, following the aeroplane matter, and I wanted to ask consent to return to that paragraph for the purpose of offering the amendment.

Mr. BUTLER. Let us hear it read, if the gentleman please.

Mr. PADGETT. I will send the amendment to the Clerk's desk.

The CHAIRMAN. The gentleman asks unanimous consent to return to page 6, line 22, for the purpose of offering an amendment, which the Clerk will report for information.

Mr. BUTLER. I reserve the right to object to it after I hear it.

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

Amendment proposed by Mr. PADGETT: Page 6, line 22, after the word "repairs," insert "*Provided further*, That the sum of $75,000 is hereby appropriated to complete the construction of an additional room to the National Museum Building, Washington, D. C., for proper housing and exhibition of the seaplane NC-4."

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to return to that portion of the bill for the purpose of offering the amendment which has been read. Is there objection?

Mr. MONDELL. I object.

Mr. PADGETT. I ask unanimous consent to insert in the RECORD a letter that I received from Secretary Roosevelt, Acting Secretary of the Navy, regarding this matter.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD by inserting the letter referred to. Is there objection?

There was no objection.

The letter is as follows:

MARCH 18, 1920.

MY DEAR MR. PADGETT: I want to give you further information regarding the present status of the seaplane *NC-4*, which subject has been brought to your attention as a regent of the Smithsonian Institution.

The interest evidenced in the *NC-4* by people from all over the country is to some extent shown by the following. When the *NC-4* was assembled in Central Park upon its return from abroad enormous numbers of people were crowded around it during the daylight hours for a period of two weeks of exhibition. From the time the *NC-4* was removed from Central Park to the actual start on the recruiting cruise around the Atlantic, Gulf Coast, Mississippi Valley, and during that cruise an enormous correspondence was received from all parts of the United States requesting a visit be made by this famous seaplane. After this cruise was proposed, practically every town on or near the route made an appeal for a visit. Requests for exhibition continue to arrive from many parts of the country.

Intense interest was shown wherever the *NC-4* was exhibited. In the smaller places every able-bodied person was there to see it arrive and depart. Some public officials claimed that more interest and excitement had been occasioned than ever before in the history of the town.

A great many newspaper clippings of articles and editorials have been received regarding the final disposition of the *NC-4*. All of them, without exception, assumed that this prided national possession would be permanently placed upon exhibition. Some even declared that it was improper to send it on this long cruise owing to the risk of loss or damage.

Many articles compared the *NC-4* in historic value to that of Columbus's ship, and that the country has the *NC-4* and should by all means provide now an exhibition for future generations.

This wonderful flying boat has probably made its last flight and has earned the right to good treatment. She has shown the spirit of the United States Navy to the world. Her crew was made up of typical American naval officers and men. They made good.

Owing to lack of storage space the *NC-4* is now dismantled at Rockaway air station.

I am convinced that the final exhibit of this world-famous seaplane should be in the National Museum at Washington, D. C. As there is a hundred and twenty-five foot wing spread, there has been found only one solution other than a new building; this is in the west court of the National Museum.

Expenses involved will amount to the sum of about $75,000. A concrete flooring and glass roofing, together with certain fittings, will be required.

The proper officials have been communicated with and approve of this construction of a roofing over the west court.

I inclose a photostat of the National Museum.

Respectfully, yours,

FRANKLIN D. ROOSEVELT,
Acting Secretary of the Navy.

The Hon. LEMUEL P. PADGETT,
House of Representatives, Washington, D. C.

The Clerk read as follows:

Care of lepers, etc., island of Guam: Naval station, island of Guam: Maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Culion, in the Philippines, and their maintenance, $20,000.

Mr. JUUL. Mr. Chairman, I rise for the purpose of asking my friend from Pennsylvania, chairman of the committee, concerning the situation of the lepers at Guam. I want to ask the chairman of the committee if there is anything in the hearings to show the status of those lepers, how many there are, and what proportion of this $20,000 will be used for the lepers?

Mr. BUTLER. I believe this to be the usual appropriation. It is, perhaps, twice as large as it was five years ago.

Mr. JUUL. How many lepers are there?

Mr. BUTLER. I used to know. I confess that I have forgotten, and I am glad I have.

Mr. JUUL. I hope there are not any.

Mr. BUTLER. There are a few. We appropriate for their care every dollar that the department asks. They are supposed to be well and contented and as cheerful as such unfortunate human beings can be. Whatever the department has asked, I think, we have appropriated without a question. We have asked the department what it wanted. It has told us, and we made the appropriation.

Mr. JUUL. I want to call attention to the fact that all of the $20,000 is not to be used for the lepers, but is for special purposes, or other purposes. There might not be anything for the lepers.

Mr. BUTLER. This is for the maintenance and care of lepers, special patients—and they are called special patients—and for other purposes, including the cost of transfer of lepers from Guam to the Island of Culion, in the Philippines. It is not a large sum, but we are assured that it is all that is necessary. If they had asked for more money, the committee would gladly have reported it.

Mr. JUUL. I thank the gentleman.

The Clerk read as follows:

Recreation for enlisted men: For the recreation, amusement, comfort, contentment, and health of the Navy, and for such other purposes of like character as the Secretary of the Navy may deem advisable, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe: *Provided*, That not more than one person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum, $800,000.

Mr. ELSTON. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee whether or not, in his opinion, the fleet will be divided between the Atlantic and Pacific coasts?

Mr. BUTLER. I shall be greatly disappointed if it is not.

Mr. ELSTON. In that event does the gentleman think that adequate preparation has been made for the care of the fleet on the Pacific coast?

Mr. BUTLER. I believe it has for the time being. The very subject to which the gentleman refers gave the Committee on Naval Affairs a good deal of concern. Did the gentleman from California direct my attention to the paragraph that has just been read or to the subject generally?

Mr. ELSTON. No; not to this paragraph particularly, but to the matter generally?

Mr. BUTLER. I thought that would come up later.

Mr. ELSTON. I wanted to ask the general question now. Would the gentleman give a brief comparative statement of the facilities on the Atlantic coast and on the Pacific coast?

Mr. BUTLER. The facilities for the care, preparation, and maintenance on the Atlantic coast for the fleet are ample in my judgment, and more than ample. The defense of this Nation hereafter will in part be directed to the Pacific coast. We have navy yards, stations, stopping places, all kept in order, and hundreds of millions of dollars spent on them within the last 20 or 30 years on the Atlantic coast. Now that the fleet has

been divided and one-half gone to the Pacific there will be more to go to the Pacific in the next few years, and it will be the duty of Congress to make an examination and determine the policy of caring for the fleet there through stations to be established and make appropriations therefor. In short, the care that has been and will be given to the Atlantic must be given to the Pacific.

Mr. ELSTON. Will the gentleman say whether the action of the committee in refusing to make the appropriation recommended by the Secretary of the Navy, or in carrying out at this time the recommendations of the Helm Commission and the McKean Commission, can be construed as a repudiation of those recommendations?

Mr. BUTLER. No; I am speaking only for myself. I do not know that I will be living or a Member of the next Congress, but somebody will be left here who will consider the advisability of establishing at least one more point in California for additional facilities for the care of the great fleet. We have a good many docks now on that coast. We have also Honolulu, where the Government has spent eight to ten million dollars, and it may be more.

Mr. PADGETT. Seventeen to eighteen million dollars.

Mr. BUTLER. I am obliged to the gentleman—his recollection is much better than mine. It has been stated to us by military men that that is the key of the Pacific, and inasmuch as we have made enormous expenditures there we intend to stay there until somebody stronger comes along and puts us out. We are there on the Pacific, and we mean to dig in—to use a fighting term—and not go to some other point where we are not sure.

Mr. ELSTON. What I wanted to elicit was this——

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ELSTON. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ELSTON. I want to know whether or not the committee still feels that its mind is open to consider the recommendations of experts on this matter?

Mr. BUTLER. Yes.

Mr. ELSTON. And that the action of the committee at the present time, in not making the appropriations recommended, should not be taken as adverse to these recommendations?

Mr. BUTLER. No.

Mr. ELSTON. But merely as a deferment of them.

Mr. BUTLER. I want to say to my friend that I think we listened to the experts of the Treasury more than we did to the military experts. The Treasury will be stronger next year. I can not say any more than I have to my friend. It is a problem for the future.

Mr. ELSTON. Has the gentleman in his mind an aggregate of the appropriations made for the care of the fleet in the way of permanent improvements on the Atlantic coast within the last five years, as compared with expenditures on the Pacific?

Mr. BUTLER. Yes. Let me tell the gentleman something to take home with him. This country has spent upon the land for the Navy within the last two years and a half $334,000,000.

Mr. ELSTON. In what locality?

Mr. BUTLER. All over; wherever there was any place they could spend the money. I am not making any criticism, for we were in war, but a lot of these places must be abandoned, and if I have a vote on it I shall vote in favor of abandonment. It is the purpose of the department to abandon them, and no sort of influence must be brought here, in my judgment, to keep them. We ought to go where the Nation can be best served, and I am in favor, when we go out on the Pacific coast, of finding the best water in the most available place.

Mr. MILLER. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a few questions.

Mr. BUTLER. I shall try to answer them.

Mr. MILLER. I see the bill carries the acceptance of the Navy Department of 127 acres of land at San Diego.

Mr. BUTLER. Yes.

Mr. MILLER. For naval-station purposes?

Mr. BUTLER. Yes.

Mr. MILLER. Is it the disposition of the committee to establish at San Diego a naval station on the Pacific?

Mr. BUTLER. Yes; Congress has ordered it to be done. That was the order of Congress made in the last session, was it not?

Mr. KETTNER. Yes.

Mr. MILLER. Can the gentleman give an idea of where at San Diego this naval station is to be established?

Mr. BUTLER. Yes; I wish I could give it directly to the gentleman——

Mr. HICKS. It is at the head of the bay, on the mainland.

Mr. BUTLER. It is right on the bay I know; I have it in mind——

Mr. HICKS. It is at the southern end of the bay on the mainland.

Mr. MILLER. I am familiar with that country, and if the gentleman will tell me where it is I will be able to locate it.

Mr. BUTLER. The southern end of the bay. I have it in my mind; I was there for a short time two or three years ago. I wish I had the map here to point it out.

Mr. MILLER. I want to ask the gentleman if this naval station is to be located on the 127 acres of land that the city of San Diego is giving?

Mr. BUTLER. I believe so; yes.

Mr. PADGETT. There are two parcels of land embraced in the description. One of them is at the foot of Broadway in the deep water.

Mr. MILLER. Is that where the navy yard is supposed to be?

Mr. PADGETT. No; that is where they have provided for stores. Another parcel is where the Shipping Board had their shipbuilding plant.

Mr. MILLER. I know where that is.

Mr. PADGETT. It is that shipbuilding plant that is being turned over by the Shipping Board to the Navy, and the city of San Diego is making a gift of the land, and the two together are estimated to be worth something like $2,000,000. I refer now to the land the city of San Diego is giving to the Government for that purpose.

Mr. MILLER. Does the gentleman tell me that this navy-yard site that Congress is obligated to accept and build——

Mr. BUTLER. This is a naval station.

Mr. MILLER. The bill says for a naval station.

Mr. BUTLER. Yes.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. BUTLER. Mr. Chairman, I ask that the gentleman may have more time.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER. Does the gentleman say that the naval station is not to be established at San Diego, or is it?

Mr. BUTLER. I want to tell the gentleman just what my understanding of it is. The first thing to be established there, which is already being established, is a station for the marines. Second, there is a training station for the boys of the Navy, and third, there will be a plant where we will repair our small boats. Beyond that I do not anticipate any further construction. There is a marine railway, which, if the appropriation remains in the bill, is to be moved from its present location to this ground which we are to receive, if the House will permit us to receive it.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MILLER. Yes.

Mr. KELLEY of Michigan. All of these items will have to be gone over again, if we pursue them now. Why not wait until we reach them in the bill?

Mr. MILLER. I am not asking about the items. I have not referred to them. I refer to the 127 acres of land, which are not in the bill at all, except to confirm the gift, and I want to know whether it is on that tract of land that this naval station is to be established.

Mr. BUTLER. Yes; it is.

Mr. KELLEY of Michigan. It is to be built where the present Shipping Board facilities are?

Mr. MILLER. Are the present Shipping Board facilities on this 127 acres of land?

Mr. KELLEY of Michigan. They must be.

Mr. KETTNER. Mr. Chairman, the 127 acres the gentleman refers to is where the Shipping Board is at present building concrete ships, and the Shipping Board has spent $1,150,000 on this ground. They only had a lease. The 1917 bill carried an item for a marine railway at San Diego. The Navy proposes to take this marine railway and move it from the present coaling-station site down to the site offered by the people of San Diego, on which the Shipping Board is at present building these ships.

Mr. MILLER. Mr. Chairman, I have not gotten the information yet. I want to know, and probably the gentleman from California can tell me, or if any member of the Committee on Naval Affairs can tell me, if this naval station to be established under this bill at San Diego is to be established on this 127 acres of land which is being given by the city of San Diego?

Mr. KETTNER. I was not aware they were to have a navy yard at San Diego, but simply a marine railway.

Mr. MILLER. The bill says for the purpose of being used as a naval station.

Mr. BUTLER. A naval repair station.

Mr. MILLER. We all know what a naval station is.

Mr. PADGETT. If the gentleman will permit me. The Secretary of the Navy has designated San Diego as a naval station. We already have other naval activities there. For instance, several years ago we acquired by gift from the city of San Diego a Marine Corps base on which we are building—232 acres of dry land and 500 acres of tide land, making 732 acres in that tract.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PADGETT. I will ask for five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. PADGETT. Now, we have, in addition to the Marine Corps base activities on the far side of the bay from San Diego, a coaling station and marine railway and another activity next to the marine railway of the Public Health Service, which is not under the Navy. Now, on the other side of the bay, on the city side, they propose to give at the foot of Broadway the lot described in the present bill, which is the most valuable water front on the whole bay. They propose to put upon that a storehouse and officers' quarters as a part of the storehouse for the Bureau of Supplies and Accounts, and then upon this tract of land to which the gentleman referred, 127 acres, I do not know personally the number of acres, but the land that the Shipping Board has a lease upon and upon which it has expended more than a million dollars. The Shipping Board has signified its willingness, and has, I believe, turned over its lease to the Navy Department.

Mr. MILLER. I understand that.

Mr. PADGETT. And then the city of San Diego, which owns the fee, proposes to deed the property in fee to the Government for the use of the Navy, and all of these activities are designated as a naval station, and the Secretary of the Navy stated that he proposed establishing there a station equipped and fitted to do small repairing. It is about 500 miles south of San Francisco.

Mr. MILLER. I will say to the gentleman that I am familiar with all of this land, and have been over it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MILLER. I have not had my question answered yet, and I ask for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MILLER. The phraseology of the bill says that the 127 acres is to be the site of the naval station. Now, I want to know, is it to be used as a naval station? We all know what that is, and I want to know if that is to be on this land?

Mr. PADGETT. That is to be part, and part is on the other land, as I explained to the gentleman. The naval station proposition language may be a little inadequate.

Mr. MILLER. I should think so.

Mr. PADGETT. It should have been for "naval station uses."

Mr. MILLER. It is misleading. If you wish to put a naval station on the 127 acres of land the city of San Diego is offering, you can not put it there; it is not located in the right place nor is it large enough, and everybody knows it who has examined it——

Mr. PADGETT. That tract is included with the other I mentioned awhile ago, and——

Mr. MILLER. But they are several miles distant.

Mr. PADGETT. Yes; circling around the water.

Mr. MILLER. That is several miles distance from this.

Mr. PADGETT. Circling around the water, it is. But they constitute in the aggregate a naval station.

Mr. TILSON. Mr. Chairman, I rise in opposition to the pro forma amendment. There has been considerable discussion of the bill in general but none on the particular paragraph before the committee. I understood the gentleman to say that there is a considerably reduced personnel in the Navy provided for in this bill from that which is provided for in the Navy during the current year. Is that correct?

Mr. BUTLER. Yes.

Mr. TILSON. What is the explanation for the doubling up of this particular item, which is $400,000 in the current law with a larger personnel and is $800,000 in the present bill with a less personnel in the Navy?

Mr. BUTLER. Mr. Chairman, last year we had in the service from 130,000 to 150,000 men and we used for their recreation something like $1,300,000, all of it, with the exception of the $400,000 appropriated by Congress, I will say to my friend, coming from private subscription. These private contributions have now been withdrawn and therefore the committee thought it advisable to double the amount; so for this year we will have about $800,000 to be employed in the amusement of these men in a certain way. The officers who have charge of the recreation service thought that was not nearly enough and they wanted much more. They would like to have had the amount of money they had last year, that they received both from the Government and from private subscription. But the amount was fixed at $800,000, which will probably enable them to amuse and keep contented and cheerful and clean and healthy these young men of the service, who may perhaps reach 125,000 or 130,000 men in numbers this year.

Mr. TILSON. In what general way is this money expended when it is expended by the Government itself? We all know the methods employed by private organizations and individuals. How does the Government expend it?

Mr. BUTLER. In entertainment of all kinds for the young men.

Mr. TILSON. In moving pictures?

Mr. BUTLER. Yes. And I am very glad to say to my friend that this is one part of the service I thoroughly enjoy and that I have enlisted in—that is, the moving-picture end of it. It keeps them in at night; it keeps them looking at the pictures instead of out from places of confinement. From the care that is being given these lads there is practically no punishment now in the service. These people look to their pleasures, look after the boys, keep them well dressed, well contented, and well fed, and altogether add much to the contentment of the men in the Navy. I will say to my friend that I thought we could get along with some less money, but the hearings were very complete, and the gentlemen on the committee appreciated more than I did—and I am glad they did—the advisability of increasing this sum of money to the amount that we have reported here. It is well spent, and is better than medicine for the men.

Mr. PADGETT. Will the gentleman yield?

Mr. TILSON. I will.

Mr. PADGETT. The appropriation by the House last year was $400,000, but they got from these welfare organizations something like a million and a couple of hundred thousand or more, in addition, so that they had available more than a million and a half for this purpose last year.

Mr. TILSON. What happened before the war and before these large sums were ever expended for entertainment? What happened in our old Navy? The gentleman is an authority on that?

Mr. PADGETT. I can tell you about it. In the cities they put in their time running around to places that were not desirable—running about wild and without proper entertainment. Now, the purpose of this is to provide for football and for baseball and for moving pictures on shore and moving pictures on the ships. And I will say that when the committee went abroad in 1918 on the battleship *Arkansas*—and we were about 14 days on that ship—every night they had magnificent moving pictures there for the men, and there were something like 1,400 or 1,500 men on that ship.

Mr. HICKS. Mr. Chairman, I move to strike out the last two words.

I want to say this to my friend from Connecticut, that there is one feature of it that I think he will be interested in knowing about, and what is being done with this fund in part. Whenever a ship approaches a port, say the port of Hongkong, they have a series of colored photograph films which illustrate all the historical points in that city, and that reel is run off for several nights before they enter the port. A little booklet is then furnished as to the places to be seen to every man, so that when a man steps over the gangplank he will know the main places of interest to visit in Hongkong. That is done at every port. And I wish to say that in addition there are swimming pools and libraries, which have not been mentioned.

Mr. TILSON. Does the gentleman know whether it is the intention of the military side of the Government to use the same form of entertainment and call on the Treasury for the same amount for entertainment for the Army?

Mr. HICKS. I do not know, Mr. Chairman, but I do not believe there is a dollar in this bill that is better expended than the money provided for in this item. We went into the item thoroughly, and we feel that the health conditions of the men, the effect of houses of ill repute, would be minimized by giving to the men clean, healthy recreation for both the mind and the body, and this is provided for under the provisions of this fund.

Mr. PARRISH. Will the gentleman yield?

Mr. HICKS. I will yield.

Mr. PARRISH. I would like to ask the gentleman—and he is a member of the committee—what this item of $800,000 for recreation of enlisted men includes?

Mr. BUTLER. The gentleman from Tennessee fully explained it. It means everything that is necessary to develop these boys physically. It means baseball games; all their baseball and football equipment, and all the equipment of their gymnasiums, the swimming pools, and all sorts of amusements, lectures, moving pictures, and everything that will attract them and make them strong and healthy, so that they will not need doctors or policemen.

Mr. PARRISH. I see that very clearly, but I notice in the next paragraph you have an item for the purchase of gymnastic apparatus, and again on page 11 I notice you have an item on that page, in the second line, for gymnastic implements. And I notice again, on line 21, you have another item for gymnastic implements, and I notice again, on page 12, you have an item, in line 16, for gymnastic implements. And I note on page 15 you have an item for "music in chapel and entertainments for beneficiaries." It seems to me all those items could properly come under this paragraph providing for entertainment.

Mr. BUTLER. I will say to my friend that they have been carried year in and year out that way, and I wish I could give my friend a really sensible answer to his question. Some of them are at the training school, but the item for "purchase of gymnastic apparatus" comes under a contingency of $20,000. Of course, they would not get very much there. There may be some point where it would be necessary to use a little of that money. But the principal item for this service is what I have reference to, and I know my friend will appreciate it, because he has been in a gymnasium much of his time—the necessity of having these boys made good and strong not only in their bodies but in their conduct.

Mr. BRIGGS. I would like to ask the chairman, from the experience in the past, since they have had this recreation work in effect, has it proven its worth in increased efficiency of the men?

Mr. BUTLER. Oh, yes. The health conditions have improved. We ask the doctors; we ask the Bureau of Navigation. It is all as plain as can be. When these men are not at work, they are amused, and they get some touch of home life. They do not run wild.

The CHAIRMAN. The time of the gentleman from New York has expired. The Clerk will read.

The Clerk read as follows:

Outfits on first enlistment: During the fiscal year ending June 30, 1921, the clothing and small stores fund shall be charged with the value of all issues of clothing and small stores made to enlisted men and apprentice seamen required as outfits on first enlistment, not to exceed $100 each, and for civilian clothing not to exceed $15 per man to men given discharges for bad conduct, undesirability, or inaptitude, and the uniform gratuity paid to officers of the Naval Reserve Force.

Mr. JUUL. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. JUUL: Page 9, beginning with line 10, strike out the paragraph, down to and including line 18.

Mr. JUUL. Mr. Chairman and gentlemen, I do not think the Committee on Naval Affairs would want this paragraph to stand as it is. I have moved to strike out the paragraph in order to get the opportunity to call the attention of the committee to what I consider is a great error in the item. When you take a young man into the Navy you provide him with $100 worth of clothing. In line 15 you provide that if for any reason you can not use him any more you kick him out and allow him $15 for civilian clothing to go home in.

I want to call the attention of the chairman of the committee to a case that came to my notice during the war. A young man enlisted, and one day the mother of that boy took the boy home in a dying condition. They took the overcoat off the back of that boy. It is absolutely impossible at the present price of clothing for you to take $100 worth of clothing off a boy and then set out to equip him with $15 worth of civilian clothing in which to go home when for any reason he is found to be unfit or ill or not suited for the service.

Mr. BUTLER. Mr. Chairman, this is the law.

Mr. JUUL. I know it is the law, and I am telling you that the law has worked cruelties, and I hope when I tell you that that you will not stand for it.

Mr. BUTLER. I am glad the gentleman has made that statement, because——

Mr. JUUL. You would have to send that boy home in fig leaves or banana leaves if you had to equip him to go home to his parents with only $15. You can not do it, and it has not been done. There are many of these boys who can not call upon their parents and relatives for the difference necessary to properly clothe and equip them so that they can go home.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. JUUL. Yes.

Mr. HICKS. Does the gentleman realize that largely this money is to be used for those men who are dishonorably discharged from the service?

Mr. JUUL. I have read the paragraph, and this is what it says:

And for civilian clothing, not to exceed $15 per man, to men given discharges for bad conduct, undesirability, or inaptitude.

It does not matter what he is discharged for. There is $15 available to purchase and equip him to go home as a civilian. I take it for granted that you gentlemen—and I know most of you personally—are to be looked upon as warm-hearted and kind-hearted gentlemen.

Mr. BUTLER. That is the reason why we give them the $15 worth.

Mr. JUUL. But you can not take his uniform from him and send him home naked in the winter if you discharge him from a northern port, perhaps a thousand miles or two thousand miles away from home. You can not equip him with that money. I say give him a suit of clothes and a hat and a pair of shoes and socks and an overcoat and send him home. Strike out the amount. You take $100 from the boy when you turn him out, and you give him $85 less than what you take from him.

Mr. PARRISH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN (Mr. DOWELL). The time of the gentleman from Illinois has expired.

Mr. JUUL. I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. PARRISH. I would like to ask the gentleman from Illinois a question, and if he can not answer it I would like the chairman of the committee or some other member of the committee to answer it.

Mr. JUUL. I will attempt to answer it.

Mr. PARRISH. Is it not a fact that boys who have enlisted and who are under age—enlisted without the consent of their parents—come under this provision and get only $15?

Mr. JUUL. Yes; and they are not properly equipped.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. JUUL. Yes; I will yield to my distinguished friend.

Mr. PADGETT. The gentleman is laboring under a mistake. When the boy goes in he gets $100 worth of clothes as a credit. When he gets that, the clothing is his. It is his individual property, and it is not taken away from him.

Mr. JUUL. I hope the gentleman will not consume my entire five minutes. In the position the gentleman is in he can get all the time he wants.

Mr. PADGETT. The clothing is his private property, and he takes it with him.

Mr. JUUL. Yes?

Mr. PADGETT. If he is discharged for bad conduct and is not given an honorable discharge, they give him, in addition to the $100 worth of military clothing that he has got, $15 worth of civilian clothing.

Mr. JUUL. I want to tell the gentleman of a feature of the case that I referred to—a proper and authentic case. In that case they took the military overcoat off a consumptive boy, and the mother took a piece of fur and wrapped it around him. I take it that if that boy is worth $100 worth of clothing when he is taken in, he should have a decent amount when he goes out.

Mr. Chairman, I ask unanimous consent to modify my amendment, in which I move to strike out the paragraph, and change it to this effect: Strike out the words, in line 15, "not to exceed $15 per man."

The CHAIRMAN (Mr. MANN of Illinois). The gentleman asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Modified amendment offered by Mr. JUUL: Page 9, line 15, strike out the words "not to exceed $15 per man."

Mr. BANKHEAD. Mr. Chairman, I desire to oppose the amendment, mainly for the purpose of getting some information. If you strike out that provision, would not the gentleman leave it in an attitude where it is likely that the boy will not be entitled even to the $15?

Mr. BUTLER. No; he will not get that.

Mr. JUUL. "Not to exceed $100 each, and for civilian clothing." Now you gentlemen put in the amount.

Mr. BANKHEAD. I want to ask the gentleman or some member of the committee, merely for information, when a young man enlists in the Navy he goes there with civilian clothes on. Do they take away those civilian clothes and prevent him from keeping them so that he will have them available when he is discharged from the service?

Mr. JUUL. He may be discharged miles away from where enlisted.

Mr. HICKS. That clothing is shipped back to his home.

Mr. JUUL. And he may be 16 years of age when he enlists and 22 years of age when they let him go.

Mr. SEARS. Will the gentleman yield?

Mr. BANKHEAD. I yield to the gentleman from Florida.

Mr. SEARS. I will state that I have many cases in my State where the Government kept the clothes; that is, I presume they undertook to send them home or put them somewhere, but no officer has ever been able to locate the clothes. So, as a matter of fact, they took the boy's clothes.

Mr. BLANTON. After being fumigated, the clothes are turned back to him, and the young man himself sends them to his home people.

Mr. SEARS. The gentleman's constituents were more fortunate than mine. I will say that the clothes have never reached these boys or their people.

Mr. BLANTON. That is what my constituents do with theirs.

Mr. BANKHEAD. I want to ask a question. The case cited by the gentleman from Illinois [Mr. JUUL], according to the statement of the gentleman from Tennessee [Mr. PADGETT], was an exceptional case, and evidently under the regulations, as I understand the gentleman's statement, they had no right to take the uniform away from him.

Mr. PADGETT. When he gets his $100 that clothing is his own.

Mr. KELLEY of Michigan. This entire paragraph is inserted in the bill in the place of an estimate for $6,000,000 for clothing for this purpose. It developed in the hearings that during the war the Navy had accumulated clothing, both for enlisted men in the Navy and for officers, to the amount of about $80,000,000. Having so much clothing on hand, it was thought entirely unnecessary to appropriate $6,000,000 to buy any more. So we simply authorized the Navy Department to supply this clothing and be credited for that amount by the Treasury. That is all that is attempted to be done by this paragraph. It is a bookkeeping matter merely.

Mr. BANKHEAD. In other words, it is really a bookkeeping transaction?

Mr. KELLEY of Michigan. Absolutely a bookkeeping transaction. Now, as to the other proposition proposed by the gentleman from Illinois [Mr. JUUL], I do not think it would be advisable to remove the limit entirely and allow these boys who have been discharged an unlimited supply of clothing. It seems to me that the law as it stands now is ample to take care of every case. I believe the paragraph should stand as drawn by the committee.

The CHAIRMAN. The question is on the amendment.

The amendment was rejected.

The Clerk read as follows:

Naval Reserve Force: For expenses of organizing, administering, and recruiting the Naval Reserve Force, for the maintenance and rental of armories, including the pay of necessary janitors, and for wharfage, $50,000.

Mr. DOWELL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

Mr. KELLEY of Michigan. I will say to the gentleman from Iowa that I do not believe this is quite the right place for that amendment.

Mr. DOWELL. It seems to me it ought to go in here.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWELL: Page 13, line 16, after the figures "$50,000," insert: "*Provided*, That no part of any appropriation contained in this act shall be used for the return or recall of any member of the Naval Reserve Force to active duty for training or any other purpose."

Mr. KELLEY of Michigan. I reserve a point of order against the amendment.

Mr. DOWELL. Mr. Chairman, if the gentleman desires to make the point of order, I desire to have it made now.

Mr. KELLEY of Michigan. No; I do not desire to make it now.

Mr. PADGETT. I make the point of order, Mr. Chairman.

The CHAIRMAN. The Chair overrules the point of order.

Mr. DOWELL. Mr. Chairman, I do not want to take up too much time on this amendment, but it is important. Last year the committee of its own motion inserted the following clause in the bill:

That during the fiscal year ending June 30, 1920, no member of the Naval Reserve Force shall be recalled to active duty for training or any other purpose except as hereinbefore provided.

And the "hereinbefore provided" was that the President in an emergency might make a call, and so forth. Now, it seems to me that there is no more reason why next year we should call the reserves than there was last year. The Navy Department has already provided for the recall of this reserve, and this $50,000 provided in this paragraph is only a part of it. Over on page 27 of the bill there is an item of some $12,000,000, which carries the pay of this reserve force, and there are a good many items in this bill providing for the pay of this reserve force, clearly demonstrating that the Navy Department intend to recall the reserve force of the Navy to active duty as soon as this bill is passed.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. DOWELL. Certainly.

Mr. GREEN of Iowa. I will ask the gentleman if it is not a fact that the Navy officials of some of these naval stations have sent out a summons to the Naval Reserves already to return?

Mr. DOWELL. As I stated a while ago, anticipating the passage of this act, the Navy Department has already sent notices to these boys requiring their attendance on the 1st of July, the day following the expiration of the appropriation in the last bill under which it is now operating. Now, it seems to me that these boys, who offered their services during the war, ought to be relieved at this time from being called, now that the war is over, and they should not be called into active service at a time when they are unable to come. Not only that, but if it is for the sole purpose of calling them for a week or two and bringing them across the continent, it will be at an enormous expense to the Government. Last year the committee did not see fit to go to this extraordinary expense, and it occurs to me that there is no more reason why we should bring these boys to the service this year than there was last year. I am hoping that the committee in their wisdom may see fit to accept this amendment, which I believe ought to be adopted.

Now, one other thing, I want to suggest that these boys now in the reserve force are in this position: They enlisted for the war. Under the terms of this bill the Navy Department can now draft them into the service because they are subject to call, being in the reserve. These boys were compelled to enlist for four years, although most of them only desired to enlist during the war. In view of the fact that they enlisted for four years, because it was the only term of service that they could be accepted for, they are now subject to call and to be brought into the service whether they are able to come or not.

Mr. JUUL. May I ask the gentleman how long might they be called to serve for?

Mr. DOWELL. I do not know. I think that under the law they could be called for any term as long as they are in the reserve. I think it is up to the department to determine the term of service.

Mr. HICKS. Mr. Chairman, a few days ago the gentleman from Iowa [Mr. DOWELL] called my attention to the facts that he has presented to the House. I at once telegraphed to Admiral Bassett, of the Great Lakes station, surmising that if there were any orders of that kind they would come from the Great Lakes station, and the telegram which the gentleman read was in answer to my telegram. I am going to read one or two extracts from it to bring to the House the information:

No orders sent calling reserves to training in July. Circular letter sent stating that training would be required after July 1.

The circular letter that the gentleman from Iowa is complaining about reads as follows. It is dated February 1, 1920.

Members of the reserve force on inactive duty, until the expiration of their enrollment, will be required, beginning July 1, 1920, to perform at least two weeks' active duty for training on a naval vessel each year.

I went to see Admiral Washington about this matter, and he assured me that no orders had been sent out from the Bureau of Navigation calling these men into service for the two weeks' training provided for. More than that, he said that if any commandant of any district had sent out orders calling the reserves back for training this summer he would countermand those orders. He assured me that those orders have been countermanded.

Mr. DOWELL. If you adopt the amendment that I have suggested every order will be countermanded without reference to his statement.

Mr. HICKS. Here is an amendment which the admiral is perfectly willing shall be put in; it is practically the law now, but it puts it down in black and white:

After the figures insert: "*Provided*, That no part of this money shall be used for the training of any member of the naval reserve force except with his own consent."

That would mean that no man who may be under some misapprehension in regard to his duty as a member of the Naval Reserve Force would be compelled to take the training unless he himself was willing to so take it. I believe we must have something for these men to do, otherwise there would be no Naval Reserve Force.

Let me say that in the last war the Naval Reserve Force was the backbone of the Navy itself.

Mr. SEARS. Will the gentleman yield?

Mr. HICKS. I will.

Mr. SEARS. Suppose a member of the Naval Reserve Force should refuse to go, would that affect his standing?

Mr. HICKS. Not a particle.

Mr. SEARS. Would he still get an honorable discharge and still hold his status in the Navy?

Mr. HICKS. Yes. Let me say that the training of these boys is cumulative. They are not compelled to take so much training a year; if they take three months' training in the time of their enrollment, that qualifies them. They could take the entire amount of training in the last year and still come under the requirements.

Now, Mr. Chairman, I am going to offer as a substitute for the amendment of the gentleman from Iowa the following, which I send to the desk:

The Clerk read as follows:

Substitute offered by Mr. HICKS for the amendment offered by Mr. DOWELL: Page 13, line 16, after the figures "$50,000," insert: "*Provided*, That no part of this money shall be used for the training of any member of the Naval Reserve Force except with his own consent."

Mr. KELLEY of Michigan. Mr. Chairman, that would not cover the question, because the amount in this paragraph is the small amount of $50,000, while the money used for training the boys is in another paragraph which carries $12,000,000.

Mr. HICKS. We are a little bit confused, because the gentleman from Iowa did not offer his amendment in the right place.

Mr. DOWELL. I am content with the place I have just offered it, and it will fill the bill if you adopt it.

Mr. KELLEY of Michigan. If that language was changed so that it read "no part of the money appropriated in this act," it would cover the whole question. I offer the following amendment to the substitute.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan to the substitute offered by Mr. HICKS: After the word "money" insert the words "appropriated in this act."

The CHAIRMAN. Without objection, the Clerk will report the substitute offered by the gentleman from New York as proposed to be amended by the gentleman from Michigan [Mr. KELLEY] for information.

The Clerk read as follows:

Page 13, line 16, after the figures "$50,000," insert: "*Provided*, That no part of the money appropriated in this act shall be used for the training of any member of the Naval Reserve Force except with his own consent."

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Iowa may be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Amendment offered by Mr. DOWELL: Page 13, line 16, after the figures "$50,000," insert: "*Provided*, That no part of any appropriation contained in this act shall be used for the return or recall of any member of the Naval Reserve force to active duty, for training, or any other purpose."

Mr. GREEN of Iowa. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Michigan [Mr. KELLEY] for the purpose of making a suggestion to him. The gentleman will note that the amendment of the gentleman from New York [Mr. HICKS] pertains to training. The amendment which is offered by my colleague, Mr. DOWELL, pertains to the return and recall for training purposes.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. In a moment. It seems to me that the object of the gentleman's amendment would be accomplished and would better fit in with the bill if it was offered as an amendment to the amendment offered by the gentleman from Iowa [Mr. DOWELL] by simply adding to the amendment offered by him the words "without his consent." I yield to the gentleman from Tennessee.

Mr. PADGETT. Mr. Chairman, the amendment offered by the gentleman from Iowa [Mr. DOWELL], if it were agreed to, would prohibit the Navy Department from calling these men back into the service if we were to get into open war. It says "for any other purpose." They can be called in case of emergency or in case of war, but under his amendment they could not be called back if we were actually attacked anywhere.

Mr. DOWELL. It says "this appropriation." If there was trouble anywhere and they desired it, another appropriation would bring them into the service.

Mr. PADGETT. But we would have to have additional legislation in order to get the men back in case of emergency.

Mr. DOWELL. And you would have to have further appropriation.

Mr. PADGETT. No; we would not.

Mr. KELLEY of Michigan. I take it that what the gentleman from Iowa [Mr. DOWELL] wants to accomplish is to fix it so that these boys will not be recalled this year.

Mr. DOWELL. That is the idea.

Mr. KELLEY of Michigan. That is what this amendment does.

Mr. GREEN of Iowa. And also that the Naval Reserve now in the service shall be trained. I am not entirely clear but what the gentleman's amendment might permit some man in the service to say, "I do not want to go on any further."

Mr. BUTLER. Mr. Chairman, would the gentleman be satisfied if it is written finally into this bill that no part of this money appropriated in this bill shall be used to either recall or train a man without his consent?

Mr. DOWELL. "Without his consent" is not added to my amendment, but if there is any question about it I am willing to let that be added.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. HICKS. The amendment the gentleman refers to is the amendment that I offered at the suggestion of Admiral Washington, the head of the Bureau of Navigation, so I imagine that he must have foreseen the difficulty the gentleman is now presenting.

Mr. GREEN of Iowa. Just let me add one word further. I have often found that amendments coming from the department do not express what the department intends or wants, so that I am not inclined to accept that as an absolute guide. I think that the criticism offered by the gentleman from Tennessee [Mr. PADGETT] to the amendment offered by my colleague is valid. I am inclined to think those words "for any other purpose" ought to be stricken out in the substitute and the words "without his consent" added. But I confess that I have not made enough investigation into the subject to commit myself any more than to make a suggestion to the gentleman from Michigan that I think possibly that the amendment that he offers might get the Navy into trouble in some other way, so I presume that he has considered all of that.

Mr. DOWELL. Mr. Chairman, may I submit a request for unanimous consent? I ask unanimous consent that there be added to my amendment the words "without his consent."

Mr. KELLEY of Michigan. How about the language in the gentleman's amendment, "for any other purpose"?

Mr. DOWELL. I doubt that, because in the gentleman's amendment of last year they were not recalled.

Mr. KELLEY of Michigan. No; but the gentleman from Tennessee [Mr. PADGETT], I think, made a very valid objection, that there might be some need for their recall.

Mr. BANKHEAD. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman from Iowa moves to amend his amendment by adding to his amendment the language, which the Clerk will report.

The Clerk read as follows:

Add at the end of the Dowell amendment the words "without his consent," so that as amended it will read:

"*Provided*, That no part of any appropriation contained in this act shall be used for the return or recall of any member of the Naval Reserve Force to active duty for training or any other purpose without his consent."

The CHAIRMAN. The question is on agreeing to the amendment to the substitute of the gentleman from New York [Mr. HICKS] offered by the gentleman from Michigan [Mr. KELLEY].

The question was taken, and the amendment to the substitute was agreed to.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Iowa [Mr. DOWELL] to the amendment which he has previously offered.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now recurs upon the substitute as amended by the gentleman from New York [Mr.

HICKS] to the amendment offered by the gentleman from Iowa [Mr. DOWELL] as amended.

Mr. DOWELL. Mr. Chairman, I desire to speak to the amendment.

The CHAIRMAN. Debate is exhausted.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word to make the suggestion that the amendment of the gentleman from New York [Mr. HICKS], as I view it, is not in correct form. I believe that the amendment that I have with the words "for any other purpose" stricken out is in much better form than the amendment of the gentleman from New York.

I think that it would be a better amendment and would be better legislation if it were adopted in that form.

Mr. HICKS. Mr. Chairman, I ask unanimous consent to have my amendment read again.

The CHAIRMAN. Without objection, the Clerk will first report the amendment offered by the gentleman from Iowa as amended and then the substitute offered by the gentleman from New York as amended.

The Clerk read as follows:

Page 13, line 16, after the figures "$50,000," insert "*Provided*, That no part of any of the appropriation contained in this act shall be used for the return or recall of any member of the Naval Reserve Force to active duty for training or any other purpose without his consent."

The Clerk read the substitute offered by Mr. HICKS to the substitute offered by Mr. DOWELL:

Page 13, line 16, after the figures "$50,000," insert "*Provided*, That no part of the money appropriated in this act shall be used for the training of any member of the Naval Reserve Force except with his own consent."

Mr. GREEN of Iowa. Mr. Chairman, I move further to amend the Dowell amendment by striking out the words "or any other purpose."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa to the amendment offered by Mr. DOWELL: Strike out the words "or any other purpose."

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now recurs upon the substitute as amended to the original amendment as amended.

The question was taken, and the substitute as amended was agreed to.

The CHAIRMAN. The question now recurs upon the original amendment as amended by the substitute.

The question was taken and the amendment as amended by the substitute was agreed to.

The Clerk read as follows:

Ordnance and ordnance stores: For procuring, producing, preserving, and handling ordnance material; for the armament of ships, for fuel, material, and labor to be used in the general work of the Ordnance Department; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; for the maintenance, repair, or operation of horse-drawn passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations, and for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for chemists, clerical, drafting, inspection, watchmen, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots for the fiscal year ending June 30, 1921, shall not exceed $2,000,000; in all, $17,500,000.

Mr. BUTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 8, insert after the word "horse-drawn" the words "and motor-propelled."

The question was taken and the amendment was agreed to.

The Clerk read as follows:

Maintenance, Bureau of Yards and Docks: For general maintenance of yards and docks, namely, for books, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants; machinery; operation, repair, purchase, maintenance of horses and driving teams, carts, timber wheels, and all vehicles, including motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes, and including motor-propelled vehicles for freight-carrying purposes only for use in all navy yards and naval stations; tools and repair of the same; stationery; furniture for Government houses and offices in navy yards and naval stations; coal and other fuel; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up yards and care of buildings; attendance on fires, lights, fire engines, and fire apparatus and plants; incidental labor at navy yards; water tax, tolls, and ferriage; pay of watchmen in navy yard; awnings and packing boxes; and pay for employees on leave, $6,500,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, messenger, and other classified work in the navy yards and naval stations, except similar expenditures in the Bureau of Yards and Docks, for the fiscal year ending June 30, 1921, shall not exceed $1,300,000: *Provided further*, That no part of any appropriation contained in this act shall be used for the purchase of passenger-carrying automobiles: *Provided further*, That during the fiscal year ending June 30, 1921, operators of motor vehicles who were carried on the rolls of other bureaus prior to July 1, 1920, shall be continued to be so carried where their employment shall be found necessary.

The CHAIRMAN. Without objection the Clerk will correct the spelling of the word "appropriation" in line 10, page 18. [After a pause.] The Chair hears no objection.

Mr. TILSON. Mr. Chairman, I reserve a point of order against the proviso, page 18. Will the gentleman explain just what it is intended to do by this proviso? It is a rather unusual one.

Mr. BUTLER. Yes; it is. Mr. Chairman, heretofore these motor vehicles have been distributed among the various bureaus. They have been maintained by the respective bureaus using them from appropriations made to those bureaus. Now, we propose to have them concentrated in one bureau and maintained by that bureau, so that we can keep track of them; not that we are criticizing anybody or holding anybody under suspicion, but it is proposed in the future to turn over the maintenance of these vehicles to the Bureau of Yards and Docks. They have all gone there now except the machines of two bureaus—Medicine and Surgery and Ordnance. The proposition of turning over the Ordnance vehicles to the Bureau of Yards and Docks for maintenance we will consider in the next appropriation bill. Now, there is always an operator or chauffeur connected with these machines. By this proviso he is to be paid out of the appropriation made to the bureau employing him. When a machine is brought over for maintenance and care to the Bureau of Yards and Docks there is no provision made for the pay of the chauffeur. He is still being paid by the bureau for which we have made the appropriation, and we do not wish to put the charge upon the Bureau of Yards and Docks to pay the chauffeur, and therefore we add this proviso here so there would be no duplication.

Mr. TILSON. Why could not each bureau bear its own expense? Why should not they pay the expense of the chauffeur if he is actually working for that bureau. In other words, why should not the pay roll and the expenditures show the facts?

Mr. BUTLER. I think they should; that is the purpose of this proviso. I want to say this to my friend, that we did not actually have the time further to adjust this. I believe that eventually the Bureau of Yards and Docks will maintain all of these machines, will buy all of these machines, and pay the chauffeurs provided for; but nevertheless at the present time the chauffeurs are still in the different bureaus, and the amount of pay has not been deducted. Now, I will ask my friend, if agreeable to him, to let it stand, and we will consider it further next year.

Mr. TILSON. On the gentleman's statement, I will give the committee one more chance and withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Connecticut withdraws the point of order.

Mr. BARBOUR. Mr. Chairman, I move to strike out the last two words. Is there a chauffeur for each one of these cars?

Mr. BUTLER. No; not for each one of these cars. There are many automobiles in the service of the Government. Some of them have enlisted men driving them. Officers of commanding rank have enlisted men to operate their machines, and under the law they are entitled to an enlisted man for that purpose; and therefore, in dealing with the subject, the pay of the chauffeur still remains a matter which concerns the bureau employing him. Answering the gentleman's question further, it has been the purpose of the Congress to eliminate as much as possible the use of automobiles and the employment of chauffeurs.

Mr. BARBOUR. I think that is very commendable.

Mr. BUTLER. There are very few, and really they are getting fewer every year. We have provided a law that the Navy hereafter will buy Fords or some machines that will not cost over $500.

Mr. BARBOUR. I heartily commend the committee in its effort.

Mr. BUTLER. That has been the effort right along.

The Clerk read as follows:

The Secretary of the Navy is hereby authorized to accept from the city of San Diego, Calif., free from encumbrances and conditions and without cost to the United States Government, a certain tract of land containing 127 acres, more or less, for use as a site for a naval station, being land now leased to the United States Shipping Board Emergency Fleet Corporation. Also a certain other tract of land known as block 14 in the city of San Diego, Calif., together with the land lying between said blocks and the waters of the harbor, and all riparian rights, for use for naval purposes.

Mr. PADGETT. Mr. Chairman, I wish to offer an amendment. In line 6, after the word "station," page 20, insert the words "uses and purposes," so that it will read "for use as a site for a naval training station uses and purposes."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 20, line 6, after the word "station," insert "uses and purposes."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Naval station, Cavite, Philippine Islands: Fuel oil, $25,000.

Mr. BUTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUTLER: Page 21, line 4, after the word "oil," strike out the comma and insert "storage," so as to make the item read "fuel-oil storage."

Mr. BUTLER. That is as asked for by the department.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS.

Pay of the Navy: Pay and allowances prescribed by law, of officers on sea duty and other duty, and officers on waiting orders, $33,655,372; officers on the retired list, $3,157,700; commutation of quarters for officers, including boatswains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructor, and assistant naval constructors, $3,895,776, and also members of Nurse Corps (female), $1,000; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $25,000; pay of enlisted men on the retired list, $1,067,950; extra pay to men reenlisting under honorable discharge, $1,175,000; interest on deposit by men, $30,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineers' force and men detailed for duty with the Fish Commission, enlisted men, men in trade schools, and pay of enlisted men of the Hospital Corps, $61,603,059; pay of enlisted men undergoing sentence of court-martial, $431,280, and as many machinists as the President may from time to time deem necessary to appoint; and apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, $1,357,200; pay of the Nurse Corps, $628,200; rent of quarters for members of the Nurse Corps, $39,000; retainer pay and active-service pay of members of the Naval Reserve force, $12,000,000; payment of $60 discharge gratuity, $1,800,000; reimbursement for losses of property under act of October 6, 1917, $10,000; in all, $120,876,537; and the money herein specifically appropriated for "Pay of the Navy" shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund.

Mr. PADGETT, Mr. LONGWORTH, and Mr. KRAUS rose.

The CHAIRMAN. The gentleman from Indiana [Mr. KRAUS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KRAUS: Page 26, line 24, after the word "orders," strike out "$33,655,372" and insert "$25,924,298"; page 26, line 8, after the word "constructors," strike out "$3,895,776" and insert "$3,246,480"; page 27, line 1, after the word "Corps," strike out "$61,603,059" and insert "$51,335,883"; page 27, line 12, after the word "all," strike out "$120,876,537" and insert "$102,228,065."

Mr. KRAUS. Mr. Chairman and gentlemen, I am offering this amendment, having in mind, as I stated when the matter was up on Saturday, that I am just as desirous as any man in this House of keeping an efficient Navy fully manned and ready to serve and defend the country. But, as I called to the attention of the House on last Saturday, the naval organization is becoming essentially a land organization instead of a sea organization. Certainly, the last place where the major portion of the Navy should be is on land, and I am merely taking enough of your time now to call your attention to the details to which my amendment refers. It is prepared on this policy. The appropriations in this bill contemplate that we will have substantially 10,000 officers in the Navy during the next fiscal year. And merely to bring the number down so that the men and officers on shore service bear relatively the same proportion to the total enlisted strength of the Navy as we had in 1916, I am reducing the appropriation to substantially an amount sufficient to pay 8,000 officers for the fiscal year. That is covered by the first item of my amendment.

Mr. MADDEN. Will the gentleman yield?

Mr. KRAUS. Certainly.

Mr. MADDEN. What is the relative apportionment of officers on shore duty to those on sea duty now?

Mr. KRAUS. The figures that I presented last Saturday show that over 4,600 officers were on shore duty on the 1st day of January of this year—more men on shore duty at that time than there were in the entire Navy just prior to the war.

Mr. LONGWORTH. Before the gentleman leaves the officers, does his amendment provide that there should be, in substance, 8,000 instead of 10,000 officers?

Mr. KRAUS. It only provides the money. I am not attempting to enact legislation in this bill.

Mr. LONGWORTH. I understand. What, in effect, would become of those 2,000 officers if the gentleman's amendment is adopted?

Mr. KRAUS. They have temporary appointments, and there is no reason why their services could not be dispensed with. They are not a part of the Regular Navy.

Mr. TILSON. Will the gentleman yield to me?

Mr. KRAUS. Certainly.

Mr. TILSON. Suppose the gentleman does limit the amount provided here for officers, do not the provisions at the end of the bill, where it provides that all of these items shall be disbursed as pay of the Navy and for that purpose shall constitute one fund, permit the department to go ahead and have these officers and pay them out of this fund?

Mr. KRAUS. I will call the gentleman's attention to the fact that I am proposing to reduce by my amendment several items in the paragraph, and, so far as the appropriation is concerned, what the gentleman from Connecticut says is true. If the department still desires to continue a disproportionate number of officers it could continue the policy, but I know of no way by which it could without legislation be corrected in an appropriation bill.

Mr. TILSON. I will show the gentleman where it could be done. By an amendment put in the bill early this afternoon, on page 27, the retainer pay and active service pay of the members of the Naval Reserve Force, fewer members probably will be trained, and that item will probably be cut down considerably. Why could not they reduce some other item more and the officer item be retained at any figure the department wished to put it?

Mr. KRAUS. I suggest to the gentleman that the item he mentions covers that item by an additional amendment.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. TILSON. Mr. Chairman, I ask unanimous consent that the gentleman may have five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KRAUS. The next item covered by my amendment is merely the item of commutation, which is one of calculation, making it relative to the force provided for in the first instance and the reduced force.

The next item in the amendment——

Mr. PELL. Will the gentleman yield for a moment?

Mr. KRAUS. Certainly.

Mr. PELL. That commutation of quarters is only in reference to officers at sea. That would not affect men on shore at all, in almost every case.

Mr. KRAUS. In practically no instance.

Mr. PELL. In practically no instance. They only get commutation when they are at sea.

Mr. KRAUS. That is all.

Mr. PELL. I wanted to make that clear, that it would have no effect in lessening the proportion or amount.

Mr. KRAUS. The amount of reduction on that item is small. The next item, on page 27, refers to the pay of enlisted men, involving a reduction of about $10,000,000 on that item. And for the purpose of fixing this number I have adopted what is practically the present enlisted strength of the Navy, substantially 100,000 men, practically double the enlisted strength of the Navy just prior to the beginning of the war.

I submit, Mr. Chairman, that no one has demonstrated, and none will be able to present any good reason, anything that will appeal to the sound business judgment, coupled with patriotism, which will convince us that a force in excess of 100,000 enlisted men is required by the Navy in peace times. The pending amendment contemplates a total reduction of $18,648,472, and I again submit to my colleagues on this committee that with an appropriation in the amount I am suggesting on these items unquestionably we will fully finance this activity of the organization, so that we shall have a Navy thoroughly prepared for the defense of the country.

Mr. KELLEY of Michigan. Mr. Chairman, the proposal of the gentleman from Indiana [Mr. KRAUS], as I understand it, is

to make appropriation for 100,000 men instead of 120,000, as this bill carries, and for about 8,000 officers, or thereabouts, instead of the number provided for in this bill.

A careful consideration of the present situation of the Navy makes it clear, I think, that that would not be a safe thing to do. We have in the Navy at the present time 100,000 men. About 32,000 of that 100,000 are in the training schools. They are mere boys. Quite a large percentage of the other 68,000 are boys that have enlisted recently and have had but a very brief training in the training schools before being sent to the ships. If you limit the appropriation to provision for 100,000 men you would have to stop all recruiting now. You could not recruit any of the skilled mechanics, of which the Navy is so greatly in need. The trouble at the present time in the Navy is that we have not the men of mature training necessary to handle these difficult machines. I do not suppose there is any more complicated machinery in the world than the machinery of a battleship, the guns, and the electrical appliances, and all that.

Now, if we reduce the amount covered in the bill to a sum which will provide for 100,000 men, we could not recruit any of the skilled mechanics that we hope to get back when we pass the bill providing for an increase in the pay of skilled mechanics in the Navy. So the proposition resolves itself to this: If we accept the amendment of the gentleman from Indiana it would mean that the House would expect to go ahead and run the Navy with the boys that are in the Navy now, unskilled and only partially trained, for many months to come, with all the attendant dangers in the manning and conduct of ships. So that I sincerely hope that no such proposition will prevail.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. PADGETT. The gentleman will recall that the estimates require 170,000 men. They have ships tied up now and suffering because of lack of men, and the criticism all over the country is that our personnel has gone all to pieces because of the wages, and the great need of the Navy is for more men, and we have provided for only 120,000, when the law authorizes 137,485, plus the Hospital Corps and the Flying Corps, which makes a total of about 143,000.

Mr. KELLEY of Michigan. Yes; and that gives us a leeway of only about 20,000 for the enlistment of the trained mechanics that we so sorely need.

Mr. KRAUS. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. KRAUS. Does the gentleman accept the recommendations made by the bureaus, that we have from 1,400 to 1,600 men as the complement of the battleships of the first class in peace times? Is there any necessity for that?

Mr. KELLEY of Michigan. No; not at all. The real difficulty is not the number of men on the ships at all at the present time but the difficulty is that we have not men who know how to run the ships. If we have 100,000 boys in the Navy now, unskilled and untrained, and the gentleman's amendment fixes it so that we can not recruit skilled men, we shall have no relief until these boys grow up.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KRAUS. The gentleman understands that we have a large number of short-time enlistments, and the short-time enlistments are the very class of material to which the gentleman from Michigan refers, and about the 1st of next July a large number of these enlistments will expire. They have been made since the signing of the armistice, and there will be ample leeway then to reemploy every effective and efficient man formerly in the service who desires to return.

Mr. KELLEY of Michigan. I think the gentleman is mistaken about the short-time enlistments. Most of those have gone out, and those who have been recently recruited, in the last six or seven months, have been recruited for a time to go away beyond the life of this bill; so that if you limit the money to an amount sufficient to cover 100,000 men, you would tie the hands of the Navy as to the employment of skilled mechanics that are needed.

Mr. KRAUS. Is there anything in excess of 10 per cent of these new enlistments for a period of four years?

Mr. KELLEY of Michigan. I do not know as to that.

Mr. KRAUS. As a matter of fact, then, three-fourths of these enlistments have been for the shortest possible time.

Mr. KELLEY of Michigan. That is for two years, and if you allow two years, that would carry most of the boys who are now in the Navy beyond the life of this bill.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. LONGWORTH. As I understand the present situation, it is that our Navy is greatly undermanned, so far as skilled men are concerned.

Mr. KELLEY of Michigan. That is true. If we had 100,000 men, properly distributed through the various grades, trained to handle these difficult pieces of machinery we could probably adjust this 100,000 to the needs of the fleet in such a way that we would be able to get along.

Mr. LONGWORTH. Of the 100,000 men we now have, something like 35,000 are boys in training schools?

Mr. KELLEY of Michigan. Boys in training schools and others that are on the ships and in training stations have been run through the training stations so fast that they have little or no skill.

Mr. LONGWORTH. And we have great difficulty in keeping the necessary skilled men in the service.

Mr. KELLEY of Michigan. That is it exactly.

Mr. LONGWORTH. Does the gentleman think we can satisfactorily solve this question, even with an increase of pay for those men such as is carried by the bill, so long as we encourage one branch of the Government to bid continually against the Navy, to take away these absolutely necessary men?

Mr. KELLEY of Michigan. I will admit that there is a great deal of force in what the gentleman from Ohio says, that the entrance of the Shipping Board into the market for these men makes it very difficult for the Navy to keep the trained, skilled mechanics; but we believe, and the men themselves think, that considering all the other inducements and advantages of remaining in the Navy, the retirement and all that which comes later on if they stay long enough, the proposed increase in pay will be a sufficient inducement to keep them and bring back a good many hundred of those who have already gone out.

Mr. LONGWORTH. And, of course, there is a certain amount of pride in serving in the Navy.

Mr. KELLEY of Michigan. And the love of the service.

Mr. LONGWORTH. But does not the gentleman think Congress ought to take some legislative action to prevent the Shipping Board from actively going into the market to bid for the services of the skilled men who are absolutely necessary to man our ships, and does not the gentleman think that after all that is the main solution of this difficulty?

Mr. KELLEY of Michigan. I think it is a very serious situation, and that it would be unsafe to reduce the appropriation to a basis of 100,000 men under the present condition existing in the Navy.

Mr. BUTLER. In reply further to the question of the gentleman from Ohio [Mr. LONGWORTH], I will say that on the 20th day of December there were in the Navy only sufficient skilled workmen, such as the gentleman referred to, for a Navy of 45,000 men. That is all we had. We need sufficient skilled workmen for 65,000 men, and we must have them or else we can not move these ships.

Mr. CHINDBLOM. Will the gentleman yield for a question?

Mr. BUTLER. Yes.

Mr. CHINDBLOM. With reference to bidding for men on the part of the Shipping Board, is it fair to say that they are bidding for the men in the Navy? Are they not going out everywhere and seeking to get men for this service?

Mr. BUTLER. Oh, yes.

Mr. CHINDBLOM. Is it fair to say that they are specifically bidding for the men in the Navy?

Mr. BUTLER. They are offering very large wages, and I hope that the time will come when the United States Treasury will no longer furnish any part of the money, and then it will stop.

Mr. CHINDBLOM. But they are offering these wages.

Mr. BUTLER. They are offering them to anybody to come into the service of the Shipping Board, and the taxpayers are paying the money, and I for one insist on shutting it off as quickly as possible. Now, when that comes to pass we hope that the men who have gone from the Navy into the merchant marine will be induced to come back, especially after Gov. KELLEY's little bill becomes a law, as we hope it will be soon. I hope that we may bring them back and that we will not have any more reports of explosions on vessels. We did not have them before and I hope this measure will give us back what we should have, and that we will not have any more cases of human life destroyed because of the lack of skilled men. Gov. KELLEY is entirely right. If you reduce these items to the point where our colleague from Indiana has moved that they be reduced, then we will be so badly crippled that you will simply have to write the bill over again. We will have to reduce the number of men in the Navy perhaps to 75,000 men.

Mr. PADGETT. You would absolutely paralyze the whole Naval Establishment.

Mr. BUTLER. There is no question about it. As the gentleman from Michigan [Mr. KELLEY] so well said, we must have the leeway or there is no use of passing the pay bill. There is a considerable fund remaining in this item, as well as in other items, to be returned to the Treasury. If you allow the figures as reported here, if we should not be able to enlist 120,000 men, each month the money will be returned to the Treasury. But please do not cut us off from the chance of getting back the men we have been laboring so hard to secure.

Mr. BRIGGS. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. BRIGGS. To what extent is the peace-time complement short of petty officers and enlisted men?

Mr. BUTLER. I made the statement last January—my recollection is that 1,800 enginemen had left the Navy last January. Since that time a lot more have gone. I am only giving you one branch of the workmen.

Mr. BRIGGS. I saw a statement the other day, coming from some officer of the Navy, that they would be afraid to have our Navy engaged in war now on account of the character of the men that they have.

Mr. BUTLER. Well, they had better not rub up against the old Navy, no matter what kind of men run it. [Laughter and applause.] But it is dangerous to have men who can not read the water gauges. The other day a boiler went up because the man did not know how to read the water gauge.

Mr. BLANTON. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. BLANTON. Was not that the fault of the man above him for putting that kind of a man in charge?

Mr. BUTLER. No; that could not be. Of course, it was an accident.

Mr. MADDEN. Mr. Chairman, I understood the gentleman from Pennsylvania some time earlier in the day to say that we only had 2,500 officers available for manning the ships. I notice this bill makes provision for 10,000. Objection is made because the gentleman from Indiana seeks to reduce it to 8,000. I think I understood the gentleman from Pennsylvania to say that for every thousand men we have 70 officers. If we have 100,000 men, we ought to have 7,000 officers. If we have 120,000 men, we would have 8,400 officers. Why we are providing for 10,000 officers I can not understand.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KELLEY of Michigan. The Medical Corps and the Staff Corps, in addition to the officers of the line, would make up the difference and more, too.

Mr. MADDEN. If we only have 2,800 now, where do the other 5,200 come in, if we presume to have 8,000. I do not pretend to say that I know much about what the Navy should contain as to the number of men or the number of officers. I do want to see an adequate Navy, but will anybody contend that in a time of profound peace we ought to have an enlisted force of 144,000 men? Does anybody presume to say that we ought to have all these ships manned all the time? Nobody pretends to think that we ought to have them all in commission, and when we say we have some ships laid up at the docks that ought to be the prevailing policy in a time of peace. We ought never to think about having all the ships manned in time of peace. Nobody with an ounce of sense would inaugurate and carry out such a policy. We could alternate the ships that go to sea so that each ship crew would have an opportunity to get practice, and if we alternate we do not need more men than are necessary to man the ships that are active. We can transfer them from the ship that is active to one that is inactive at any time. It does not complicate the job to send a man down the gangplank of one vessel and up the gangplank of another ship.

My judgment, based on sanity and good reason, is that we ought to give careful consideration, while we are considering provisions for a formidable Navy, to the Treasury of the United States and the people from whom we gather the funds to fill the Treasury. The Government of the United States is not a banking institution; it has no money of its own. It can not finance anything except by a tax levy, and God knows that the tax levies have been rather high lately.

Mr. BUTLER. And they are going to be higher.

Mr. MADDEN. If they are higher, there is liable to be some trouble. The people are getting tired of being called upon to the extent they have been called upon, and while we want a Navy to maintain the dignity and preserve the integrity of the United States, I do not think that anybody wants the Navy so large that we have to levy unjust taxes on the backs of the American people.

Of course, the argument is continually made by the advocates of the Navy that we can not sail all of the ships, that we can not send them out in squadrons, that we can not give them that kind of practice that they ought to have, that we have not got all the officers and men that we need, and that we must therefore make the appropriation so large that they will be without limit and that the burdens of taxation will continue to be piled up on the backs of the people regardless of whether they can bear them or not.

Mr. HICKS. Mr. Chairman, I move to strike out the last word. A few moments ago the gentleman from Ohio [Mr. LONGWORTH] brought forward a subject of great interest and of vital importance when he spoke about the fact that the merchant marine service was draining the Navy of its men. That statement is undoubtedly true. There has been this plan suggested, which might change the situation and be productive of good not only to the actual active service but, we might say, to the sentimental service as well: That is to have all the men who are going to be employed by the merchant marine or the Navy enlisted in the Navy for one year and trained by the Navy in naval training camps, of which we have many spread over this country. That would give to every man the discipline of the Navy and it would give him the splendid training which the Navy is capable of giving. Then at the end of the year's training the man would have the option of either remaining by enlisting in the Regular Navy for three years or else he could go into the marine service, whichever he preferred. The marine service would be benefited by having men who had been trained in the naval service, and the Navy, even though its men might go into the merchant service, would have this benefit: That it would have reservists spread all over the country who would know the Navy and who would be willing to go back into the Navy in time of emergency. They would be valuable. The great trouble with trying to synchronize the naval and the marine services is the fact that, the Navy being a Federal proposition and the marine service soon going to be civilian, it seems possible to enact legislation which would cover both services and perform the functions I have outlined.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. FESS. Perhaps the gentleman answered the query I had in mind in his last sentence. I was about to ask the gentleman why the Shipping Board can take our men out of the Navy when the Shipping Board is a Government board.

Mr. HICKS. At the present time no law has been enacted, and not very stringent regulations have been placed in force in regard to the purloining of men. Competition for men is going on now, and we are being drained ever month. When this matter was suggested to the naval authorities they answered by stating that as the Shipping Board might not continue as a Federal proposition, it seemed hardly worth while to enact legislation that would cover the matter only for a short time.

Mr. FESS. It would seem suicidal to allow one Federal agency to rob another of its expert ability.

Mr. HICKS. And that is exactly what is taking place at the present time. They are paying a higher wage than the Navy is paying and they are getting some of our best men.

Mr. TAGUE. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. TAGUE. Of the number of officers in the Navy, does the gentleman know how many are connected with the engineering and construction corps?

Mr. HICKS. I could not give that to the gentleman offhand.

Mr. BRIGGS. To what extent does the pay of the Shipping Board exceed that of the Navy?

Mr. HICKS. From 50 to 200 per cent.

Mr. PELL. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. PELL. When the ships go back into private ownership will not the owners of them compete with the Navy in exactly the same way that the Shipping Board is competing to-day?

Mr. HICKS. Yes; but we could not pass a law that would cover Federal operation if the ships were in private hands.

Mr. PELL. But will not the Navy have to face that same competition?

Mr. HICKS. Undoubtedly.

Mr. PELL. And we have to be ready for that.

Mr. HICKS. Undoubtedly.

Mr. PELL. Whether we keep on owning the ships or not.

Mr. HICKS. Undoubtedly.

The CHAIRMAN (Mr. TILSON). The time of the gentleman from New York has expired.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Chairman, if I can, I want to clarify the situation a little. The question was asked about officers and men. The existing law provides that the permanent enlisted strength of the Navy shall be 137,485 plus sixty-five one-hundreds of 1 per cent of the enlisted and commissioned personnel for the hospital corps, and then a small number for the flying corps, but the number of officers is a percentage on the 137,485. For the line it is 4 per cent, and it would entitle the line of the Navy to 5,499 officers. As a matter of fact, we have only 2,850, and during the war in order to supply that deficiency and meet the requirements the act of May 22, 1917, was passed, which provided for temporary officers.

Now, then, out of the 143,000, in round numbers, of enlisted men we have about 100,000 at the present time. As I stated a moment ago, in the line of the Navy having an authorized strength of 5,499 line officers we have 2,850, but then there are the staff officers, which constitute the Medical Corps, the Construction Corps, the Pay Corps, the Engineer Corps, Yards and Docks, and Steam Engineering. Now, those are based upon the percentage of the number of line officers, all of them provided and fixed by law, and in the line, as I stated, we are to-day 2,500 officers short. That is being made good by the provision of law authorizing temporary appointments until it is made good by the regular provision of law, the great bulk of whom come through the graduates at Annapolis. In order to meet that we increased the authorization a few years ago from two appointments to each Member of Congress to five. That increased the total number there about 400, until now we have at the academy something like 2,200. The authorized number at the academy is something over 3,000, but they are never completely full. We are trying to fill up that gap the best we can. Now, they said, what about officers? What do you want with officers? That is one of the most important elements of the naval situation. The number of officers is based upon the authorized strength, not upon the actual strength, because if it were based upon the actual strength it would be fluctuating from day to day and from month to month and year to year, and we would have nothing permanent. We would have no stable organization. Now, I want to emphasize that. With an enlisted personnel to take care of the ships, 100,000 men would leave the Navy paralyzed in its activities and in its legitimate functions and duties.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAGUE. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, on the question of the shortage of officers, I think that the Navy makes a great mistake by keeping the number of officers they do in the navy yards of the country. I have noticed in the navy yards in my district and other navy yards I have visited that there are a great many officers in the Engineering Corps and in the Construction Corps that could be better occupied if they were outside and doing work aboard ships.

Mr. PADGETT. There is no work for them to do aboard ship. Their work is in the navy yards.

Mr. TAGUE. They do not help the work in the navy yards. From my observation, many times they have been more of a nuisance than a help to the workmen who are working there from day to day. Go to any of the navy yards of the country to-day and ask the mechanics employed there and they will tell you that their work is interfered with a great part of the time by some of these officers, who should be doing other work, such as training young men for the service that is so much needed aboard ship. Employ them in training young seamen to become mechanics, if they will, or let them lay out work aboard ship for the young men who are in the service. The work at the navy yards could be better done, and is being better done, where they have civilians in charge, rather than where they have officers in charge.

Mr. BUTLER. Would the gentlemen take all the officers from the yards?

Mr. TAGUE. Not all of them; not at all. I would leave a supervisory force in the yards. I do not believe it is necessary in every department to have from 4 to 10 officers in charge where there are only four or five hundred men doing work. I do not believe it is necessary to have men who are highly skilled mechanics, who are able to do the work, are now laying out this work, and men who actually do the work in the mechanical lines being interfered with by young men who have not had the practical experience and are only out of school. These are the men who are now directing the mechanics in the different yards as to what they must do and how to do the work. If that work was left to civilian mechanics and left to the men who know the work, who are brought up in the work, and who know how to apply themselves to the work, the Government, to my mind, would be better off and the Navy would be far better paid if we took those officers out of the yards and put them where they would be of service in training the men to go aboard ship and perform the service of engineers, firemen, electricians, and other work, which is so badly needed aboard the ships at the present time.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana [Mr. KRAUS].

The question was taken, and the amendment was rejected.

Mr. PADGETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 27, line 15, after the word "fund," insert: "*Provided*, That retainer pay provided by existing law shall not be paid to any officer of the Naval Reserve Force who declines and fails to train as provided by law during the year for which he declines to train."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Provisions, Navy: For provisions and commuted rations for the seamen and marines, which commuted rations may be paid to caterers of messes, in case of death or desertion, upon orders of the commanding officers, commuted rations for officers on sea duty (other than commissioned officers of the line, Medical and Supply Corps, chaplains, chief boatswains, chief gunners, chief carpenters, chief machinists, chief pay clerks, and chief sailmakers) and midshipmen at 68 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 68 cents per ration to the naval hospital fund; subsistence of officers and men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor be given); subsistence of men on detached duty; subsistence of officers and men of the naval auxiliary service; subsistence of members of the Naval Reserve Force during period of active service; and for subsistence of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement: *Provided*, That the Secretary of the Navy is authorized to commute rations for such general courts-martial prisoners in such amounts as seem to him proper, which may vary in accordance with the location of the naval prison, but which shall in no case exceed 30 cents per diem for each ration so commuted; and for the purchase of United States Army emergency rations as required; in all, $26,000,000, to be available until the close of the fiscal year ending June 30, 1922.

Mr. PADGETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 27, line 24, strike out "68 cents" and insert in lieu thereof "$1.08."

Mr. PADGETT. Mr. Chairman, the reason I offer that is that the Military Academy bill, which has passed and become a law, fixes the commutation of rations for the cadets at West Point at $1.08, raising it from 68 cents, and this is just to make them identical.

Mr. MADDEN. Does the gentleman from Tennessee say that that is the difference in the cost between the time it was fixed at 68 cents and now?

Mr. PADGETT. This is the next fiscal year.

Mr. MADDEN. Does this more than cover the cost?

Mr. PADGETT. No, sir. I do not think $1.08 a day is excessive for a man to live on.

Mr. MADDEN. I know it is not. Of course, I do not think it is myself, but what does it cost? That is what I want to know.

Mr. PADGETT. It goes to them in the nature of compensation. They get an allowance now of 68 cents——

Mr. MADDEN. I know.

Mr. PADGETT (continuing). In making the compensation at the academy. This credits them with $1.08 a day, instead of 68 cents a day, and it has been costing them far more than the 68 cents.

Mr. MADDEN. How much does it cost? That is what I want to find out.

Mr. PADGETT. I could not give it to you exactly. It varies from month to month, but it is, I should say, more than $1.08. But this would make it identical, and would keep the two institutions on a parity, which we have always done.

Mr. MADDEN. By the two institutions you mean the Military Academy and the Naval Academy?

Mr. PADGETT. Yes. The Congress made it $1.08 at the Military Academy, and this makes it the same at the Naval Academy.

Mr. MADDEN. They did it in conference. They did not do it on the floor.

Mr. PADGETT. It was in the bill reported by the committee, agreed to by the House, and not changed by the Senate.

Mr. McKEOWN. I notice on page 28, line 17, a provision there in reference to court-martial prisoners, that the ration

shall in no case exceed 30 cents per diem. Does the gentleman think 30 cents per diem sufficient in that case to cover the rations?

Mr. PADGETT. Really I do not know. So far as I know we have had no evidence and no complaints. They get their supplies from the general wholesale purchasers in the department, and there is not much hotel accommodation required in connection with it. We have no complaint about it.

Mr. McKEOWN. The thing I want to call the gentleman's attention to is that the officers have the right to buy at cost.

Mr. PADGETT. These are not officers. These are midshipmen at the academy.

Mr. McKEOWN. And you allow them $1.08?

Mr. PADGETT. Yes.

Mr. McKEOWN. Do you not think that this 30 cents per diem ought to be increased for the enlisted men, the men who are unfortunate enough to be court-martialed?

Mr. PADGETT. Just leaving it to me, I think it should be. But, as I have said, we got no requests and received no complaints of the existing condition, and there was no claim made that they were not able to take care of them properly at that price. For that reason the committee has not recommended an increase. But in the other case it was shown that it was necessary.

Mr. Chairman, I ask for a vote on my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. PADGETT].

The question was taken, and the amendment was agreed to.

Mr. McKEOWN. Mr. Chairman, I offer an amendment on page 28, line 17. I move to strike out the figures "30" and insert "50."

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McKEOWN: Page 28, line 17, strike out the figures "30" and insert in lieu thereof the figures "50."

Mr. BUTLER. Mr. Chairman, I reserve a point of order on that. I would like to look it up. Is not that fixed by statute?

Mr. PADGETT. I think so.

Mr. BUTLER. Mr. Chairman, I want to apologize for not knowing, but I am under the impression that that figure is fixed by statute.

Mr. McKEOWN. If it is, it is not subject to a point of order here.

Mr. BUTLER. I think it would be.

Mr. McKEOWN. They have increased the allowance to the midshipmen at the Academy, and 30 cents to feed a man in jail is not enough.

Mr. BUTLER. How much does the gentleman desire to raise this?

Mr. McKEOWN. From 30 cents to 50. They do not have to expend the whole amount. It is "not to exceed the amount."

Mr. BUTLER. That is for a man in jail?

Mr. McKEOWN. Yes.

Mr. BUTLER. I will not raise the point of order against that. Anybody else can make it.

Mr. BLANTON. This is for each ration.

Mr. McKEOWN. Mr. Chairman, I want to be heard on the point of order. What is the point of order that the gentleman makes?

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I understood the gentleman from Ohio [Mr. FESS] made the point of order. Is that the case?

The CHAIRMAN. The Chair did not so understand. Did the gentleman from Ohio make the point of order?

Mr. FESS. I shall not make the point of order.

Mr. BLANTON. Mr. Chairman, I do make the point of order until the matter is considered by a committee and passed upon. I think we should not just hurriedly jump up here and change this statute covering a big item of this kind until a committee has had some chance or opportunity to pass upon it.

Mr. DUPRÉ. This Committee of the Whole will consider it if the gentleman will give us the opportunity.

Mr. BLANTON. This committee is composed of about 40 members, when there ought to be 435.

Mr. DUPRÉ. The Naval Committee has only 21 members.

Mr. McKEOWN. What is the point of order against feeding the enlisted man who is in prison?

Mr. BLANTON. That it is fixed by statute, and that this is an attempt to put legislation upon an appropriation bill.

Mr. McKEOWN. What is the statute?

Mr. BLANTON. This is 30 cents for each ration.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent that we may proceed to the reading of the next paragraph, with the privilege of returning later to pass upon the point of order on this paragraph. I confess that I do not know whether this is provided for by statute or not.

Mr. BLANTON. I think we should have a new shift, anyhow, and I make the point of no quorum. It is 5 o'clock.

Mr. BUTLER. I know; but we have been here this whole day, and——

The CHAIRMAN. Does the gentleman from Texas withdraw his point of order?

Mr. PADGETT. Let us go ahead and work.

Mr. BLANTON. I think we should have a new shift.

Mr. BUTLER. Mr. Chairman, I have discovered that the provision is not statutory.

The CHAIRMAN. Does the gentleman withdraw his point of order?

Mr. BLANTON. I make the point of no quorum, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum.

Mr. BUTLER. Mr. Chairman, if the gentleman from Texas insists on his point that there is no quorum here, I will move that the committee do now rise. Mr. Chairman, I move that the committee rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MANN of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes, had come to no resolution thereon.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following joint resolution:

H. J. Res. 299. Joint resolution extending the term of the National Screw Thread Commission for a period of two years from March 21, 1920.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SMALL, for four days, on account of important business.

To Mr. HARDY of Texas, for two weeks after to-morrow, on account of private business and to meet appointment to discuss political issues.

ADJOURNMENT.

Mr. BUTLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until to-morrow, Tuesday, March 23, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of Commerce, transmitting report, in response to House resolution 489, regarding the supply, distribution, and consumption of print paper in the United States (H. Doc. No. 696); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

2. A letter from the chairman of the Federal Trade Commission, transmitting special report dealing with the subject of commercial bribery; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FORDNEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 12260) to amend section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," reported the same with an amendment, accompanied by a report (No. 757), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 13115) granting a pension to Ella Fortney; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12858) for the relief of the heirs of W. W. Parrish; Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BRITTEN: A bill (H. R. 13199) for the establishment of a separate peace with the Governments of Germany and Austria, and for the creation of a European trade council; to the Committee on Foreign Affairs.

By Mr. SANFORD: A bill (H. R. 13200) for the purchase of a site and the erection of a post office at Watervliet, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. McFADDEN: A bill (H. R. 13201) to provide for the protection of the monetary gold reserve by the maintenance of the normal gold production of the United States to satisfy the requirements of the arts and trades, by imposing an excise upon all gold used for other than monetary purposes, and the payment of a premium to the producers of newly mined gold, and providing penalties for the violation thereof; to the Committee on Ways and Means.

By Mr. HARRISON: A bill (H. R. 13202) to authorize the employment of convicts in public road construction; to the Committee on the Judiciary.

By Mr. JEFFERIS: A bill (H. R. 13203) to regulate the construction and operation of elevators in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. McCLINTIC: A bill (H. R. 13204) to create revenue for defraying, carrying out, contributing toward, or meeting the requirements of any legislation to provide a fund to be used for the education of soldiers, sailors, and marines of the World War; to give soldiers, sailors, and marines qualifying preferential rights to Government positions; and to provide a fund to be loaned for the purchase of homes; to the Committee on Ways and Means.

By Mr. KAHN: A bill (H. R. 13205) to confer jurisdiction upon the Court of Claims to adjudicate the claims of American citizens; to the Committee on the Judiciary.

By Mr. WATSON: A bill (H. R. 13206) to authorize and direct the Secretary of War to cause a survey to be made of Schuylkill Canal; to the Committee on Rivers and Harbors.

By Mr. IRELAND: Joint resolution (H. J. Res. 320) providing for pay of clerks to Members of Congress and Delegates; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DUNBAR: A bill (H. R. 13207) granting an increase of pension to Michael Burger; to the Committee on Pensions.

By Mr. ELLIOTT: A bill (H. R. 13208) granting an increase of pension to James Adams; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 13209) for the relief of John W. Kellough; to the Committee on Military Affairs.

By Mr. GARD: A bill (H. R. 13210) granting a pension to Peter Michel; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 13211) for the relief of Welch, Fairchild & Co. (Inc.); to the Committee on Claims.

Also, a bill (H. R. 13212) for the relief of the heirs of Ewing M. Skaggs; to the Committee on War Claims.

By Mr. KINKAID: A bill (H. R. 13213) granting an increase of pension to Julia A. Smalley; to the Committee on Invalid Pensions.

By Mr. MacGREGOR: A bill (H. R. 13214) granting an increase of pension to Agnes L. Ernst; to the Committee on Pensions.

By Mr. MEAD: A bill (H. R. 13215) granting an increase of pension to John Marshall; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 13216) granting an increase of pension to James Lee; to the Committee on Invalid Pensions.

By Mr. SEARS: A bill (H. R. 13217) granting an increase of pension to William B. Murray; to the Committee on Invalid Pensions.

By Mr. SWOPE: A bill (H. R. 13218) granting an increase of pension to Jane Letcher; to the Committee on Pensions.

By Mr. TAYLOR of Arkansas: A bill (H. R. 13219) granting an increase of pension to Benjamin B. Herrick; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13220) granting a pension to Richard Chitwood; to the Committee on Pensions.

Also, a bill (H. R. 13221) granting a pension to Charles Payne; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2487. By the SPEAKER (by request): Petition of citizens of Camden, N. J., favoring freedom of Ireland; to the Committee on Foreign Affairs.

2488. By Mr. BABKA: Petition of Service Star Legion, War Mothers of America, Cleveland (Ohio) Chapter, favoring legislation for the equalization of compensation of ex-service men; to the Committee on Ways and Means.

2489. By Mr. BARBOUR: Petition of sundry citizens of McFarland, Calif., protesting against compulsory military training, and urging physical, moral, and intellectual education of children; to the Committee on Military Affairs.

2490. By Mr. COADY: Petition of rectors and members of Christian churches in Baltimore, Md., asking for an appropriation to relieve the sufferings of the persecuted Armenians in the Near East; to the Committee on Appropriations.

2491. By Mr. CRAMTON: Petition of sundry citizens of Port Huron and St. Clair County, Mich., protesting against the passage of the Sterling-Graham and other so-called antisedition bills now before Congress; to the Committee on the Judiciary.

2492. By Mr. DYER: Petition of the Kansas City Sun, favoring the passage of House bill 12266, regarding increase for rehabilitation compensation; to the Committee on Ways and Means.

2493. Also, petition of General Hospital, Colored Division, Kansas City, Mo., favoring the passage of House bill 12266, an increase of rehabilitation compensation for soldiers; to the Committee on Ways and Means.

2494. Also, petition of St. Louis Provident Association, favoring the passage of the Sterling-Graham bill for the retirement of civil-service employees; to the Committee on Reform in Civil Service.

2495. Also, petition of Headquarters Post, No. 1, of the World War Veterans of Kansas City, Mo., favoring the passage of House bill 7702, bonus for ex-service men; to the Committee on Ways and Means.

2496. Also, petition of St. Louis Association of Credit Men, favoring the Steagall bill (H. R. 12646) regarding exchange on checks; to the Committee on Banking and Currency.

2497. Also, petition of James Clark Leather Co., of St. Louis, Mo., and Geller Ward & Hasner Hardware Co., of St. Louis, favoring 1-cent postage on drop letters; to the Committee on the Post Office and Post Roads.

2498. Also, petition of Geller Ward & Hasner Hardware Co., of St. Louis, Mo., opposing House bill 12379; to the Committee on Banking and Currency.

2499. Also, petition of St. Louis Screw Co., in reference to 1-cent postage on drop letters; to the Committee on the Post Office and Post Roads.

2500. By Mr. EMERSON: Petition of Air Service Post, No. 137, American Legion, Cleveland, Ohio, favoring a $50 bonus bond for each month of service for ex-service men and women; to the Committee on Ways and Means.

2501. By Mr. FULLER of Illinois: Petition of the Traders' Live Stock Exchange, opposed to Government regulation of the live-stock and meat industry; to the Committee on Agriculture.

2502. Also, petition of W. J. Aplington, of La Salle, Ill., favoring the Mason bill; to the Committee on Foreign Affairs.

2503. Also, petition of H. S. Lester, mayor of Streator, Ill., favoring universal military training; to the Committee on Military Affairs.

2504. Also, petition of the Walter R. Craig Post of the American Legion, of Rockford, Ill., urging legislation for the men and women of the World War; to the Committee on Ways and Means.

2505. Also, petition of the American Commercial Association of New York, relative to trade relations with Russia; to the Committee on Foreign Affairs.

2506. Also, petition of the Miehle Printing Press & Manufacturing Co., of Chicago, Ill., favoring House bill 984; to the Committee on Patents.

2507. By Mr. GALLIVAN: Petition of the secretary of the Automobile Mutual Liability Insurance Co., Boston, Mass., opposing House bill 12379, to amend the Federal reserve bank act; to the Committee on Banking and Currency.

2508. Also, petition of the chairman of the Public Morals Committee, favoring continuation of the work of the Interdepartmental Social Hygiene Board; to the Committee on Appropriations.

2509. By Mr. HUDSPETH: Petition of the president of Commodore John Barry Branch, Friends of Irish Freedom, indorsing House resolution providing salaries for a minister and consuls to the republic of Ireland; to the Committee on Foreign Affairs.

2510. By Mr. JAMES: Petition of Raymond Sperr and Roland Hoskin in behalf of the ex-service men and women of Ahmeek, Mich., favoring the plan of bonus for the ex-service men and women; also M. E. Stevenson, Diorite, Mich., favoring the $50 bonus for the men and women of the late war; to the Committee on Ways and Means.

2511. Also, petition of John H. Mitchel Post, No. 66, American Legion, Negaunee, Mich.; Bassemer Post, No. 27, American Legion, Massemer, Mich.; Reno Post, No. 21, American Legion, Stambaugh, Mich.; Alfred Branchini Post, No. 27, American Legion, Iron River, Mich., all in favor of the $50 bond per month as compensation for the men and women of the late World War.; to the Committee on Ways and Means.

2512. Also, petition of Carl Anderson Post, No. 238, American Legion; Lewis Bowman Post, No. 87, American Legion, Crystal Falls, Mich.; Post No. 5, American Legion, Ironwood, Mich.; Harry Eva Post, No. 47, American Legion, Greenland, Mich.; Alfred Erickson Post, American Legion, Erickson, Mich.; Norway Post, American Legion, Norway, Mich.; Albert V. Braden Post, No. 58, American Legion, Ishpeming, Mich.; Geroux Post, No. 11, American Legion, Wakefield, Mich.; American Legion Post, Alpha, Mich.; Richmond Post, No. 59, Palmer, Mich.; Smith Adams Post, No. 40, American Legion, Ontonagon, Mich.; Judson E. Ingram Post, No. 80, American Legion; the American Legion, Ewen, Mich., favoring $50 bond per month of service; to the Committee on Ways and Means.

2513. Also, petition of Richard M. Jopling Post, No. 44, American Legion, of Michigan, opposed to granting a bonus of $50 for each month of service to the ex-service men; to the Committee on Ways and Means.

2514. By Mr. MEAD: Petition of Federal Employees' Union No. 19, Buffalo, N. Y., favoring bonus for Federal employees; to the Committee on Appropriations.

2515. Also, petition of sundry employees of the Buffalo, N. Y., force of the Bureau of Animal Industry, Department of Agriculture, favoring bonus for Federal employees; to the Committee on Appropriations.

2516. Also, petition of International Association of Bridge and Structural Iron Workers, of Buffalo, N. Y., Local No. 6, favoring the passage of the Raker bill (H. R. 1112) providing for the parole of Federal prisoners; to the Committee on the Judiciary.

2517. By Mr. MICHENER: Petition of Lincoln Post, No. 258, American Legion, Belleville, Mich., and M. H. Bemis, of Deerfield, Mich., indorsing "bond-a-month" plan for ex-service men and women; to the Committee on Ways and Means.

2518. By Mr. O'CONNELL: Petition of Crosby Field, of New York City, favoring the passage of House bills 5011, 5012, and 7010; to the Committee on Patents.

2519. Also, petition of Italian Chamber of Commerce in New York, favoring the discontinuing of Government control of fuel; to the Committee on the Judiciary.

2520. Also, petition of the Medical Society of the County of New York, favoring the passage of House bill 3792, for universal military training; to the Committee on Military Affairs.

2521. Also, petition of Dr. George Draper and sundry other doctors of New York City, favoring the passage of Senate bill 3792 for universal military training; to the Committee on Military Affairs.

2522. By Mr. JOHN W. RAINEY: Resolution of Peter Heinburg, president of the Board of Commissioners of Cook County, Ill., on Chicago post office; to the Committee on the Post Office and Post Roads.

2523. By Mr. RAKER: Petition of Placerville Lodge, No. 70, Knights of Pythias, of Placerville, Calif., protesting against Japanese immigration; to the Committee on Immigration and Naturalization.

2524. Also, petition of Alturas Chapter of the American Legion, Department of California, urging favorable support of the compensation bills for ex-service men now before Congress; to the Committee on Ways and Means.

2525. Also, petition of Mrs. L. F. Helmond, chairman of the child welfare committee of the California Federation of Women's Clubs, favoring the passage of House bill 12078; to the Committee on Education.

2526. By Mr. RHODES: Petition of Amith Lodge, No. 69, of Missouri Ancient Order United Workmen, favoring a bonus for soldiers and sailors of the World War; to the Committee on Ways and Means.

2527. By Mr. ROWAN: Petition of Riverside Post, No. 51, American Legion, of New York, urging universal military training, etc.; to the Committee on Military Affairs.

2528. Also, petition of the Italian Chamber of Commerce, of New York, urging the discontinuance of the Government control of fuel; to the Committee on Interstate and Foreign Commerce.

2529. Also, petition of the Near East Relief, of New York, relative to certain legislation; to the Committee on Foreign Affairs.

2530. Also, petition of the American Commercial Association, of New York, relative to the trade relations with Russia; to the Committee on Foreign Affairs.

2531. Also, petition of Crosby Field, of New York City, relative to House bills 5011, 5012, and 7010; to the Committee on Patents.

2532. Also, petition of the Medical Society of the County of New York, urging universal military training, etc.; to the Committee on Military Affairs.

2533. By Mr. TAGUE: Petition of the Automobile Mutual Liability Insurance Co., Grain Dealers' Mutual Fire Insurance Co., and New England Cotton Buyers' Association, protesting against passage of House bill 12379, amending the Federal reserve bank act; to the Committee on Banking and Currency.

2534. Also, petition of A. S. Ladd, of Boston, Mass., protesting against House bill 12379, amending the Federal reserve act; to the Committee on Banking and Currency.

2535. Also, petition of the Massachusetts Society for Social Hygiene, urging an appropriation for the Interdepartmental Social Hygiene Board; to the Committee on Appropriations.

2536. Also, petition of the American Commercial Association, relative to trade relations with Russia; to the Committee on Foreign Affairs.

2537. Also, petition of the Watertown Arsenal, relative to the operation of the same; to the Committee on Military Affairs.

2538. By Mr. YATES: Petition of Charles K. Thorne, of Springfield, Ill., urging appropriation for the Bureau of Criminal Investigation at Leavenworth, Kans.; to the Committee on Appropriations.

2539. Also, petition of C. R. Perry, of Chicago, Ill., urging the release of an American citizen now held for ransom in Mexico; to the Committee on Foreign Affairs.

2540. Also, petition of Donald Forsythe Post, No. 514, American Legion, Carbondale, Ill. (introduced by Thomas B. F. Smith), urging the passage of the following bills: Bill deporting aliens who claimed exemption on grounds of alienage; bill giving a dishonorable discharge to conscientious objectors who received honorable discharge; bill providing for a $50 bond for each month of service; and bill known as the Dick Morgan home-finding bill; to the Committee on Ways and Means.

2541. Also, petition of Simon O'Donnell, of Chicago, Ill., relative to the construction interests of the country; to the Committee on Appropriations.

2542. Also, petition of Post No. 73, American Legion, Taylorville, Ill., protesting against the overriding of the decisions and sentences of the 2,050 men imprisoned for wartime offenses, etc.; to the Committee on the Judiciary.

SENATE.

TUESDAY, *March 23, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that Thou hast ordained that all men shall be free, that Thy law stands guard over the rights of men, and it is the divine will that we shall enjoy the largest and fullest and divinest freedom. We thank Thee that the freedom Thou dost contemplate for us goes beyond that which we can transcribe into the laws of this or any other Nation. Thou dost look for the freedom of the Spirit, the freedom with which Thou canst make men free through Thy Son. Grant us this self-mastery as God gives us grace for the conflict, and direct us in the use of all our power set free. For Christ's sake. Amen.

The Reading Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. NELSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Elkins	New	Smith, Md.
Calder	Gay	Norris	Smoot
Chamberlain	Harding	Nugent	Spencer
Comer	Harris	Overman	Sterling
Culberson	Jones, Wash.	Page	Thomas
Cummins	Kenyon	Phelan	Underwood
Curtis	McLean	Pomerene	Wadsworth
Dial	McNary	Sheppard	Warren
Edge	Nelson	Simmons	Watson

The PRESIDENT pro tempore. Thirty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absent Members.

The Reading Clerk called the names of the absent Senators, and Mr. KENDRICK, Mr. MCKELLAR, and Mr. SUTHERLAND answered to their names when called.

Mr. GRONNA, Mr. LODGE, Mr. BECKHAM, and Mr. SMITH of South Carolina entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-three Senators have answered to their names. There is not a quorum present.

Mr. SMOOT. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

Mr. KIRBY, Mr. FRANCE, Mr. SWANSON, Mr. TOWNSEND, Mr. HENDERSON, Mr. CAPPER, Mr. HARRISON, and Mr. WALSH of Massachusetts entered the Chamber and answered to their names.

Mr. GAY. I wish to announce that my colleague, the senior Senator from Louisiana [Mr. RANSDELL], is necessarily detained from the Senate. I ask that this announcement may stand for the day.

Mr. CURTIS. I desire to announce that the Senator from Maine [Mr. HALE], the Senator from New Hampshire [Mr. KEYES], the Senator from Nevada [Mr. PITTMAN], and the Senator from Florida [Mr. TRAMMELL] are detained from the Senate in attendance on committee work.

I wish also to announce that the Senator from Illinois [Mr. SHERMAN] is absent on account of illness in his family.

Mr. MCKELLAR. The Senator from Oklahoma [Mr. GORE] and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

The Senator from South Dakota [Mr. JOHNSON] is detained from the Senate by illness.

The PRESIDENT pro tempore. Fifty-one Senators have answered to their names. There is a quorum present. The presentation of petitions and memorials is in order.

PETITIONS AND MEMORIALS.

Mr. NORRIS. Mr. President, I have a copy of resolutions adopted on the 17th day of March, 1920, at the Liberty Hut, in this city, at a mass meeting of the United Irish Societies of the District of Columbia. I had intended to ask that the resolutions be printed in the RECORD, but I find that the objection to printing such resolutions is being enforced. I wish to say that I am in entire sympathy with that course, and I shall not ask that an exception be made in this case, but I do ask that the resolutions may be noted in the RECORD, and that they may be referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NORRIS presented resolutions adopted by the United Irish Societies of the District of Columbia at a mass meeting held on March 17, 1920, praying for the freedom of Ireland, which were referred to the Committee on Foreign Relations.

Mr. PHELAN presented a petition of the Stanislaus County Conference, American Legion, of Turlock, Calif., and a petition of Post No. 155, American Legion, of Colton, Calif., praying for the enactment of legislation providing an adjusted compensation for ex-service men and women, which were referred to the Committee on Military Affairs.

Mr. NELSON presented a memorial of the Otter Tail County Holstein-Friesian Breeders' Association, of Fergus Falls, Minn., remonstrating against the proposed reduction of salaries of veterinarians engaged in eradicating tuberculosis of cattle, which was referred to the Committee on Agriculture and Forestry.

Mr. PAGE presented a petition of sundry citizens of Swanton, Vt., praying for the recognition of the Republic of Armenia and remonstrating against the occupation of Constantinople by the Turks, which was referred to the Committee on Foreign Relations.

He also presented a petition of the supervisors of census of the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut praying for an increase in the compensation of the supervisors of census in the New England States, which was referred to the Committee on the Census.

Mr. TOWNSEND presented petitions of Markel Sullivan Post, No. 208, American Legion, of Gagetown; of the employees of the Du Pont Engineering Co., of Detroit; of the employees of the post office, Detroit; and of sundry business men of Snover, all in the State of Michigan, praying for the enactment of legislation providing a bonus for ex-service men, which were referred to the Committee on Military Affairs.

He also presented a memorial of the Friends of Irish Freedom, of Detroit, Mich., remonstrating against the adoption of the League of Nations, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry inmates of the Michigan State Soldiers' Home, Grand Rapids, Mich., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented a petition of the Board of Commerce of Bay City, Mich., praying for the enactment of legislation providing for the adjustment and reclassification of salaries of post-office employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Board of Commerce of Pontiac, Mich., praying for the enactment of legislation repealing certain powers of the President in respect to fuel, which was referred to the Committee on Interstate Commerce.

He also (for Mr. NEWBERRY) presented petitions of Walter Miller Post No. 250, American Legion, of Plainwell; of Ira D. McLachlen Post No. 3, American Legion, of Sault Ste. Marie; of Orley H. Puckett Post, American Legion, of Mancenloa; of Alfred Branchini Post, American Legion, of Iron River; of Harry Eva Post, No. 47, American Legion, of Greenland; and of Albert V. Braden Post, No. 58, American Legion, of Ishpeming, all in the State of Michigan, praying for the enactment of legislation providing a bonus for ex-service men, which were referred to the Committee on Military Affairs.

Mr. ELKINS presented a petition of Duval Post, No. 9, Grand Army of the Republic, Department of West Virginia, of Wellsburg, W. Va., praying for the enactment of legislation providing for suffrage in the District of Columbia, which was referred to the Committee on the Judiciary.

He also presented a petition of the Northern West Virginia Coal Operators' Association, of Fairmont, W. Va., praying for the enactment of legislation repealing certain powers of the President in respect to fuel, which was referred to the Committee on Interstate Commerce.

ORDER OF BUSINESS.

Mr. GRONNA. I ask unanimous consent that the Senate proceed to the consideration of House bill 12272, being the Agricultural appropriation bill.

Mr. SMOOT. I suggest to the Senator that we have the morning business first.

Mr. CURTIS. I desire to submit a report from the Committee on Finance, to go to the calendar.

Mr. NORRIS. I should like to ask the Senator from North Dakota if he will not allow us to run through the formal morning business. I think it will take only a few minutes, and then he can prefer his request.

The PRESIDENT pro tempore. Does the Senator from North Dakota withdraw his request?

Mr. CURTIS. I understood the Senator from North Dakota to say that he would withhold the request until the morning business was concluded.

The PRESIDENT pro tempore. The Chair understands the Senator from North Dakota withdraws his request for unanimous consent.

Mr. GRONNA. I withdraw the request for the present.

TUNGSTEN ORES.

Mr. CURTIS, from the Committee on Finance, to which was referred the bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States, reported it with amendments and submitted a report (No. 487) thereon.

INTERMENT OF SOLDIERS IN NATIONAL CEMETERIES.

Mr. NELSON. Mr. President, on the 16th of March the Senator from Kentucky [Mr. BECKHAM] introduced the bill (S. 4082) to amend section 4878 of the Revised Statutes as amended by

the act of March 3, 1897. The bill relates to the burial of soldiers in national cemeteries. By inadvertence the bill was referred to the Committee on the Judiciary. It should have been referred to the Committee on Military Affairs. I therefore move that the Committee on the Judiciary be discharged from the further consideration of the bill and that it be referred to the Committee on Military Affairs.

The motion was agreed to.

THE SHOE INDUSTRY.

Mr. McNARY. Mr. President, on yesterday, on behalf of the Committee on Manufactures, I submitted a report on Senate resolution 317, proposing an investigation by the Committee on Manufactures into the cost of shoes. I asked at the time that the resolution go to the calendar, but the Senator from New Mexico [Mr. JONES] suggested that it should go to the Committee to Audit and Control the Contingent Expenses of the Senate. I therefore asked unanimous consent to have it sent to that committee. On looking through the RECORD, however, I find that on the 16th of June last the Senator from New York [Mr. CALDER], chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, reported favorably a resolution offered by the Senator from Wisconsin [Mr. LA FOLLETTE], being Senate resolution 65, which gives the Committee on Manufactures, or any subcommittee thereof, during the Sixty-sixth Congress the right to send for persons, books, and papers, to employ a stenographer, and to report such hearings as may be had in connection with any subject before said committee.

This resolution directs the Committee on Manufactures to investigate a specific matter and places the subject before said committee. Then if the committee should find it necessary to hold hearings, they have general authority to do so under Senate resolution 65 previously adopted. I therefore ask that the Committee on Contingent Expenses be discharged from the further consideration of the resolution and that it be placed on the calendar.

Mr. SMOOT. As I understood the Senator, he said that the resolution to which he referred as having been reported by the Senator from New York was an authorization applicable to the Sixty-fifth Congress.

Mr. McNARY. To the Sixty-sixth. I will read the resolution if desired; it is brief.

Mr. LODGE. The resolution was passed at the last session and covers everything.

Mr. McNARY. Yes.

Mr. SMOOT. If it applies to the Sixty-sixth Congress, very well; but I thought the Senator said the Sixty-fifth.

Mr. LODGE. The resolution was general in its authority, and was adopted last June.

Mr. SMOOT. I will ask the Senator from Oregon to read it.

Mr. McNARY. The resolution adopted last June reads as follows:

Resolved, That the Committee on Manufactures, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STERLING:

A bill (S. 4121) relating to the relinquishment by and an allotment of land to Raymond T. Bonnin, a Yankton Sioux Indian; to the Committee on Indian Affairs.

By Mr. PHELAN:

A bill (S. 4122) for the relief of Ella M. Guedry; to the Committee on Claims.

AGRICULTURAL APPROPRIATIONS.

The PRESIDENT pro tempore (at 12 o'clock and 35 minutes p. m.). The morning business is closed.

Mr. GRONNA. I ask unanimous consent that the Senate proceed to the consideration of H. R. 12272, the Agricultural appropriation bill.

The PRESIDENT pro tempore. Is there objection?

Mr. McLEAN. Mr. President——

Mr. GRONNA. I yield to the Senator from Connecticut.

Mr. McLEAN. The Senator from North Dakota, as a member of the Committee on Banking and Currency, knows that the Federal Reserve Board is very anxious to have Senate bill 3958 acted upon. It is an important measure, and comes here with the unanimous report of the committee, and I think it has the unanimous report of the Committee on Banking and Currency in the House. Unless there is opposition to the bill, it seems to me it ought to be considered in the morning hour in the immediate future. If it will take any time, of course, I shall not ask for its consideration now. If there is no objection——

Mr. SMITH of South Carolina. Mr. President, I think the Senator can be assured that that bill will meet considerable opposition. I think it will take quite a time to pass that proposed amendment to the Federal reserve act.

Mr. GRONNA. I have understood that there are quite a number of Senators who are opposed to the bill, and that it will be debated at length.

Mr. McLEAN. Of course, if that is so, I can not expect it to be considered now; but I give notice that to-morrow or the next day I shall move to have the bill considered, because it is such an important measure, and if the Senate is not inclined to act upon it I want the Senate to take the responsibility. It seems to me that it is a most salutary measure, and if the Federal Reserve Board is to have the power conferred by the bill in time to be of benefit it should be considered in the immediate future.

I give notice now that to-morrow or on the following day, or as soon as an opportunity presents itself, I shall move to have this bill considered by the Senate.

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent that the Senate proceed to the consideration of H. R. 12272. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, which had been reported from the Committee on Agriculture and Forestry with amendments.

Mr. GRONNA. I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendment, the committee amendments to be first considered.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. STERLING. Mr. President, will the Senator yield to me?

Mr. GRONNA. I yield to the Senator from South Dakota.

CIVIL-SERVICE RETIREMENT.

Mr. STERLING. Relative to the unfinished business—Senate bill 1699—I wish to say that there were several amendments made to that bill in Committee of the Whole, and one quite important amendment. I think it may be of benefit to have the bill reprinted as amended, and I ask unanimous consent that Senate bill 1699 be printed with the amendments already agreed to.

Mr. SMOOT. The Senator refers to the civil-service retirement bill?

Mr. STERLING. I do.

Mr. SMOOT. I have prepared a series of amendments to that bill, and I shall have to do all of that work over if the bill is reprinted, although if the Secretary will use the original bill I have no objection at all to having it reprinted with the amendments suggested.

Mr. POMERENE. Mr. President, if I may be permitted, as I understand, the Senator from South Dakota has asked for a reprint of the bill showing the amendments heretofore agreed to.

Mr. STERLING. Yes.

Mr. POMERENE. I gave notice some time ago of a substitute amendment which I would offer, and it was printed. Since that time I have thought of several changes to it, one reducing the maximum of the assessment from 8 per cent to 6 per cent; and I also intend to incorporate the provisions of the bill presented by the chairman of the committee relating to disabilities incurred during the service, and with very slight modifications it is the same. I ask leave to submit an amendment containing these modifications and that it be printed and lie on the table for the further action of the Senate.

The PRESIDENT pro tempore. Without objection, the request of the Senator from South Dakota is granted, and also the request of the Senator from Ohio.

AGRICULTURAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

The PRESIDENT pro tempore. The Secretary will read the bill now before the Senate for action on the committee amendments.

Mr. CURTIS. I offer an amendment to be printed and lie on the table.

The PRESIDENT pro tempore. Without objection, the amendment will be received and printed and lie on the table.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Agriculture and Forestry was, under the head of "Department of Agriculture," subhead "Office of the Secretary," on page 2, line 4, after "$12,000," to strike out "Assistant Secretary of Agriculture, $5,000" and insert "two Assistant Secretaries of Agriculture, at $5,000 each."

Mr. SMOOT. Mr. President, as I remember, this same question arose at the time we had the last appropriation bill up for consideration. I should like to ask the Senator from North Dakota whether the Senate passed favorably upon that matter the last time and it went out in conference, or did the Senate refuse to increase the number of Assistant Secretaries of Agriculture?

Mr. GRONNA. The Agricultural Department has two Assistant Secretaries now, under the present law, but the House committee provided for only one Assistant Secretary in the pending bill.

Mr. SMOOT. I had the impression that that was the case, but I was wondering whether this bill as it came from the House reduced the number that exists to-day?

Mr. GRONNA. No; it is just the same as the present law.

Mr. SMOOT. Does the Senator really think there should be two Assistant Secretaries of Agriculture?

Mr. GRONNA. Mr. President, I believe I may say that it is the unanimous opinion of the committee that we ought to have two Assistant Secretaries at this time. There is a great deal of very important work to be done in the Department of Agriculture. There are some new matters that necessarily must be taken up. I know of no department where the Secretary is more overworked than in the Department of Agriculture. It is believed by the officers of the department that there ought to be two Assistant Secretaries.

I do not regard this as an increase in the expenditures of the Department of Agriculture. There is to-day a position known as Assistant to the Secretary. I am quite sure that the Senator from Utah is as familiar with the conditions there as I am. There is one young man there who is very efficient and who knows everything about the department. I think it is highly important that the department should retain the services of at least one man who knows all about the workings not only of the Secretary's office but of the entire department.

Mr. SMOOT. Mr. President, I am fully aware of the ability of the young man to whom the Senator refers, and I want to go further than the Senator does and state that I think he knows more about the Agricultural Department than the Secretary himself and all the Assistant Secretaries, or the chief clerk.

Mr. GRONNA. I agree with the Senator.

Mr. OVERMAN. Mr. President, I think his name ought to go in the RECORD.

Mr. SMOOT. I am perfectly willing to put his name in the RECORD as far as I am concerned. I have reference to Mr. Harrison.

Mr. OVERMAN. What position does he hold?

Mr. GRONNA. He is now Assistant to the Secretary.

The PRESIDENT pro tempore. The question is upon the amendment of the committee. [Putting the question.] The Chair is in doubt.

On a division, the amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 2, line 23, before the word "clerks," to strike out "seventeen" and insert "twenty"; in line 24, before the word "clerks," to strike out "twenty-three" and insert "thirty-one"; in line 25, after "$1,440," to strike out "2 clerks, at $1,100 each; 1 clerk, $1,020"; on page 3, line 2, before the word "clerks," to strike out "eighteen" and insert "seven"; in the same line, after the word "each" where it occurs the second time, to strike out "2 clerks, at $840 each"; on page 4, line 2, after the word "machinist," to strike out "$900" and insert "$1,200," so as to make the clause read:

Salaries, office of the Secretary of Agriculture: Secretary of Agriculture, $12,000; 2 Assistant Secretaries of Agriculture, at $5,000 each; solicitor, $5,000; chief clerk, $3,000, and $500 additional as custodian of buildings; private secretary to the Secretary of Agriculture, $2,500; executive clerk, $2,250; executive clerk, $2,100; stenographer and executive clerk to the Secretary of Agriculture, $2,250; private secretary to the Assistant Secretary of Agriculture, $2,250; 1 appointment clerk, $2,000; 1 officer in charge of supplies, $2,000; 1 inspector, $3,000; 1 inspector, $2,250; 1 attorney, $3,500; 2 attorneys, at $3,250 each; 2 law clerks, at $3,000 each; 2 law clerks, at $2,750 each; 4 law clerks, at $2,500 each; 8 law clerks, at $2,250 each; 1 law clerk, $2,200; 5 law clerks, at $2,000 each; 3 law clerks, at $1,800 each; 2 law clerks, at $1,600 each; 1 superintendent of telegraph and telephones, $2,000; 1 telegraph and telephone operator, $1,600; 1 assistant chief clerk and captain of the watch, $1,800; 1 clerk, $2,000; 5 clerks, class 4; 14 clerks, class 3; 20 clerks, class 2; 31 clerks, class 1; 1 accountant and bookkeeper, $2,000; 1 clerk, $1,440; 5 clerks, at $1,000 each; 7 clerks, at $900 each; 14 messengers or laborers, at $840 each; 12 messengers or laborers, at $720 each; 1 messenger or laborer, $660; 1 mechanical superintendent, $2,500; 1 mechanical assistant, $1,800; 1 mechanical assistant, $1,400; 1 mechanical assistant, $1,380; 1 engineer, $1,400; 1 electrical engineer and draftsman, $1,200; 1 chief engineer, $1,800; 2 assistant engineers, at $1,200 each; 2 assistant engineers, at $1,000 each; 10 firemen, at $1,080 each; 1 fireman, $840; 4 firemen, at $720 each; 1 chief elevator conductor, $840; 16 elevator conductors, at $720 each; 3 elevator conductors, at $600 each; 1 superintendent of shops, $1,400; 1 cabinet shop foreman, $1,200; 5 cabinetmakers or carpenters, at $1,200 each; 3 cabinetmakers or carpenters, at $1,100 each; 9 cabinetmakers or carpenters, at $1,020 each; 3 cabinetmakers or carpenters, at $900 each; 1 instrument maker, $1,200; 1 electrician, $1,100; 2 electrical wiremen, at $1,100 each; 1 electrician or wireman, $1,000; 1 electrical wireman, $900; 1 electrician's helper, $840; 3 electrician's helpers, at $720 each; 1 painter, $1,020; 1 painter, $1,000; 5 painters, at $900 each; 5 plumbers or steamfitters, at $1,020 each; 2 plumber's helpers, at $840 each; 2 plumber's helpers, at $720 each; 1 blacksmith, $900; 1 elevator machinist, $1,200; 1 tinner or sheet-metal worker, $1,100; 1 tinner's helper, $720; 1 lieutenant of the watch, $1,000; 2 lieutenants of the watch, at $960 each; 73 watchmen, at $720 each; 4 mechanics, at $1,200 each; 1 mechanic, $1,000; 1 foreman of stable, $1,080; 1 skilled laborer, $1,000; 3 skilled laborers, at $960 each; 2 skilled laborers, at $900 each; 2 skilled laborers, at $840 each; 2 skilled laborers, at $720 each; 1 janitor, $900; 13 messengers or laborers, at $600 each; 7 messenger boys, at $600 each; 22 messenger boys, at $480 each; 1 messenger boy, $360; 1 charwoman, $540; 3 charwomen, at $480 each; 1 charwoman, $360; 16 charwomen, at $240 each; for extra labor and emergency employments, $12,480.

Mr. POMERENE. Mr. President, I simply want to ask the reason for these increases in the number of clerks?

Mr. GRONNA. In justice to the Senate I think I ought to make a brief statement with reference to the statutory roll.

It will be found that in some of these bureaus there is an increase in the number of employees, but it was worked out by the department in this way: The department found that it was absolutely impossible to keep some of the low-paid men in the department, and the Secretary submitted an estimate carrying a total reduction in the number of clerks of from 190 to 195.

Mr. POMERENE. That is, in the entire department?

Mr. GRONNA. In the entire department. But the decrease in the amount appropriated was only $6,500. In other words, the clerks who have been drawing less than $1,200 have, in a way, been advanced. There is quite a reduction in the number of clerks, but the reduction in the amount appropriated is not very much less than the amount carried in the bill as passed by the House.

Mr. POMERENE. Am I to understand from the Senator's statement that their salaries have been increased?

Mr. GRONNA. The salaries, where it applies to clerks below $1,200, have been increased. It was stated by the Secretary and by his assistant that they believe it to be in the interest of efficiency, and that ultimately there will be a large saving to the deparment, and much better work will be done.

Mr. POMERENE. Mr. President, I am not taking exception to the increases in the pay of these clerks, because I have not been able to understand quite how some of them have been able to live.

Mr. GRONNA. I am very glad to hear the Senator say that.

Mr. POMERENE. That was not the matter I had in mind. I noticed an increase in the number of clerks. If, to do justice to these clerks it is necessary to increase their salaries, I am quite willing to do it. I have felt that way about it for a number of years. I think the Federal Government ought to be ashamed of the low pay which is accorded to many of the clerks, when in private life for practically the same class of work very material advances are given over and above the rates prevailing in the departments.

Mr. SMOOT. Mr. President, I will call the attention of the Senator from Ohio to the fact that on page 2 of the bill, lines 23 and 24, there is an increase of 11 clerks. That means that there is an increase of 3 clerks of class 2, at $1,400 per annum. There is an increase of 8 clerks of class 1, at $1,200. On page 3, line 2, the Senator will notice that "18" is stricken out and "7" inserted. That is a decrease of 11 clerks, at $900 each. Or, in other words, this particular item means that there is a reduction of 3 clerks, at $900, and an increase of 3 clerks to $1,400. There have been 8 clerks cut out at $900 and 8 put in at $1,200.

Mr. POMERENE. Then, if I understand correctly the real effect of these changes, it gives an opportunity for an advancement of a clerk from a lower grade to a higher grade, but it does not increase the salaries of the several grades?

Mr. GRONNA. No; it does not.

Mr. SMOOT. The salaries of clerks of classes 1, 2, 3, and 4 are fixed by the statute.

Mr. GRONNA. I have here a complete statement of the statutory salaries and the readjustment by the department. It shows the number of places dropped in the various bureaus. The total number of clerks dropped is 685. The total amount of money

involved for those 685 is $595,160. The number of places added is 467, and the total amount of money involved is $588,580.

That shows that there is a net decrease of $6,580 in the appropriation.

Mr. POMERENE. May I ask the Senator another question?

Mr. GRONNA. Certainly.

Mr. POMERENE. Has any provision been made by the committee for the bonus for these clerks, which we gave to them in the last appropriation act?

Mr. GRONNA. The committee has not taken the bonus into consideration. The committee felt that that was a matter which would be taken care of in a general way and which would apply to all salaries below the $2,500 grade.

Mr. WARREN. That will apply to all Government employees except Post Office employees.

Mr. SMOOT. That subject matter is now before the Committee on Appropriations.

Mr. GRONNA. If I may have the attention of the Senator from Ohio, I also want to put into the RECORD a summary, for the information of the Senate:

READJUSTMENT BY THE DEPARTMENT.

Total number of places dropped	685
Total number of places added	467
Net decrease	218

And so forth.

ADDITIONAL CHANGES BY THE SENATE COMMITTEE.

Total number of places added	28
Total number of places dropped	2
Net increase	26

The total amount of money involved for the 28 places is $47,420.

The total amount of money involved for the 2 places dropped is $2,120.

Making a net increase there of $45,300.

A recapitulation of this readjustment will show the following:

Total number of places added	495
Total number of places dropped	687
Net decrease	192

One hundred and ninety-two was the decrease which was made in the first instance; but there have been two places added, I will say to the Senator from Ohio.

The total amount of money involved for the 495 places is $636,000, and the total involved for the 687 places is $597,280, or a net increase of $38,720. But of this number, 14 are transferred from the lump sum to the several bureaus, involving $23,680, and the lump sums of those bureaus have been correspondingly reduced. In many places where there are increases in the number of employees it is simply a transfer from the lump sum to the statutory roll.

I felt that I should make this statement for the information of the Senate.

Mr. SMOOT. Does the Senator know what became of the saving in the lump sum by that number of transfers? Every dollar of the lump sum was expended, was it not?

Mr. GRONNA. I understand that there is no surplus whatever.

The amendment was agreed to.

The next amendment was, on page 4, line 17, after the word "Agriculture," to strike out "$466,940" and insert "$471,240," so as to make the clause read:

Total for office of the Secretary of Agriculture, $471,240.

The amendment was agreed to.

The next amendment was, on page 4, line 19, to strike out the subhead "Office of Farm Management" and insert "Bureau of Farm Management and Farm Economics."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Farm Management and Farm Economics," on page 4, line 21, after the word "salaries," to strike out "Office of Farm Management" and insert "Bureau of Farm Management and Farm Economics"; in line 23, after the words "chief of," to strike out "office" and insert "bureau"; in line 25, after the words "class 3," to insert "3 clerks, at $1,500 each"; on page 5, line 1, before the word "clerks," to strike out "three" and insert "six"; and in the same line, before the words "clerks, class 1," to strike out "eight" and insert "eighteen"; in line 3, before the word "clerks," to strike out "ten" and insert "twelve"; in the same line, after the word "each," to strike out "9 clerks, at $900 each; 1 clerk or map tracer, $840"; in line 10, after "$1,200," to strike out "2 draftsmen, at $900 each"; and in line 11, after the words "in all," to strike out "$72,130" and insert "$84,090," so as to make the clause read:

Salaries, Bureau of Farm Management and Farm Economics: One chief of bureau, $5,000; 1 assistant to the chief, $2,520; 1 executive assistant, $2,250; 2 clerks, class 4; 2 clerks, class 3; 3 clerks at $1,500 each; 6 clerks, class 2; 18 clerks, class 1; 3 clerks, at $1,100 each; 4 clerks, at $1,080 each; 1 clerk or draftsman, $1,020; 12 clerks, at $1,000 each; 1 messenger or laborer, $720; 1 messenger boy, $660; 3 messenger boys, at $480 each; 1 charwoman, $480; 5 charwomen, at $240 each; 1 library assistant, $1,440; 1 library assistant, $900; 1 photographer, $1,400; 1 cartographer, $1,500; 1 clerk or draftsman, $1,440; 1 draftsman, $1,200; in all, $84,090.

The amendment was agreed to.

The next amendment was, on page 5, line 12, after the words "General expenses," to strike out "Office of Farm Management" and insert "Bureau of Farm Management and Farm Economics," so as to make the clause read:

General expenses, Bureau of Farm Management and Farm Economics: For the employment of persons in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside of the District of Columbia, and all other expenses necessary in carrying out the work herein authorized, as follows:

Mr. SMOOT. Mr. President, it seems to me that there is no need of having the words "Bureau of Farm Management and Farm Economics" repeated. It is under the head of "Bureau of Farm Management and Farm Economics," and starts with "salaries," then "general expenses," and then the "total." Of course it will not hurt to leave them in, but it is a repetition of words which are not at all necessary. Does the Senator object to having repetitions eliminated?

Mr. GRONNA. Mr. President, it was suggested to the committee that it would be advisable to have those subheadings, and we could see no real reason for not having them.

Mr. SMOOT. It is under the general head of "Bureau of Farm Management and Farm Economics."

Mr. GRONNA. Of course, the intention of the committee was to change it from an office to a bureau. The committee was unanimous in making this a bureau and not an office.

Mr. SMITH of South Carolina. If the Senator will allow me, he will find that the style of the bill throughout.

Mr. SMOOT. Perhaps it is in the Agricultural appropriation bill.

Mr. SMITH of South Carolina. It is.

Mr. SMOOT. But I still insist that is is not necessary. The total appropriation is made for the Bureau of Farm Management and Farm Economics, and when it is for salaries it is made under the head of salaries.

Mr. SMITH of South Carolina. I think the Senator will find the reason for that is that under the head of, for instance, salaries of the Weather Bureau, you go ahead a page or two, and then you come to another subdivision, and one reading the bill would have to turn back to find under what head this subdivision occurs, whereas for convenience of reference, if you will repeat the bureau under which it is, it expedites the reading and understanding of the bill.

Mr. SMOOT. The Senator will notice on the same page—page 5—line 4, beginning on page 23, the title, and then it is repeated again, "General expenses, Bureau of Farm Management and Farm Economics." The whole appropriation is under the general heading.

Mr. SMITH of South Carolina. But it will happen that where you read two or three pages, you come to that subdivision, and unless you repeat what heading it is you will have to turn back, and it creates confusion. This has been the custom on this bill.

Mr. SMOOT. There is no confusion in other appropriation bills. I am not going to make any captious objection to it, but really I believe it is not the general rule followed in appropriation bills.

Mr. GRONNA. I am glad to hear the Senator say that he is not going to object to it. Let me say that I take it that each committee is rather jealous of the form of bill which it has presented, and, of course, it is so with this committee. The committee believed it should be done, and I want to say that, leaving out the chairman of the committee, the membership of the Committee on Agriculture and Forestry is comprised of some of the ablest lawyers and some of the ablest business men in the Senate.

Mr. SMOOT. But this is not a question of law.

Mr. GRONNA. For that reason we have a sort of pride in the form of the bill which the committee have presented, and I am very glad to know that the Senator from Utah is not going to insist on his objection.

Mr. SMOOT. No; I am not going to interfere with the pride of any committee as to the wording of its bill. I want to say now that it is not necessary. Does the change of this from "Office of Farm Management" to "Bureau of Farm Management and Farm Economics" mean the beginning of an expansion of work with new divisions within a bureau and the expenditure of a great deal more money in the future than there is provided for this year?

Mr. GORE. Mr. President——

Mr. GRONNA. I yield to the Senator from Oklahoma.

Mr. GORE. Mr. President, I wish to say that one important particular in which the work of this bureau is intended to be expanded relates to the cost of production. They have worked out at least the basis of a system, I think a scientific system, of ascertaining the cost of production of staple farm products. There is no work of greater importance to the agriculture of this country. Farming has come to be a business. Perhaps there was a time when it was not in a strictly scientific sense a business, but it is a business now and responds as promptly to the influence of market quotations and prices and cost of production as any other business.

It can not be placed upon a scientific basis, however, until the cost of producing staple commodities is ascertained, and ascertained not for a single year but ascertained during a series of years. Agriculture is perhaps exceptional in this particular, that the cost of production for a single year, if accurately ascertained, would be of very little service, owing to weather risk and wide fluctuation in the output per acre.

I think there is nothing more important than the work now being undertaken by the bureau, and it will constitute a justification on the part of the farmers of the country for the claim which they make and the protest which they make that they ought not to be classified among the profiteers of the country. The cost of producing farm products has increased enormously. The consumers of the country as a rule are fair when they understand the facts. The consumers have voluntarily tabooed having convict-made goods in this country. The consumers have tabooed goods produced in sweat shops. If the consumers understand that the farmers have been selling their goods for less than the cost of production, they will not complain at the advance in the price of agricultural products.

It is in order to secure justice for the farmers of the country that this work is being undertaken, and I think it is worthy of a word of commendation and worthy of the support of Congress.

Mr. SMOOT. Mr. President, I would not take issue with one word the Senator has said, but I can not see why that work could not be done under the designation of "Office of Farm Management" as well as it can be done under the designation "Bureau of Farm Management and Farm Economics." I do not believe it makes a particle of difference in work or results.

Mr. GORE. I think the Senator is entirely correct. There is very little in a name, but really it is rather a matter of economics than a matter of management, and that is the particular point to which I was addressing myself.

Mr. SMOOT. The only reason why I rose on the question at all is because whenever there is a bureau established by the Government, that bureau immediately finds out how many persons are employed in some other bureau, and the head of the bureau generally concludes that no bureau shall have more employees than the bureau over which he presides.

The changing of a name will make no difference as to the results of the work, no matter how important the work is. I recognize that this is very important work, but I could not help wondering whether the changing of the name meant the building up of a bureau to employ just as many people as are employed in any other bureau of the Government.

I want to call the attention of the Senate again to the fact that the employees in the District of Columbia are not decreasing. What was the result in February? From February 1 to February 29 of the year 1920, when we expected that there would be a decrease in the number of employees in the District of Columbia, we find that there was an increase during that month of 789 employees in the District of Columbia alone. When will the decrease begin? Not as long as we give money to pay them will there be a decrease. I want the Senate to understand that the only way that it will be accomplished is to take the ax and cut the life out of such appropriations, particularly out of the lump-sum appropriations. From lump-sum appropriations comes the wicked waste of public money.

You will find that out of lump-sum appropriations granted to the Public Health Service employees are paid out of that fund and detailed to other departments. We appropriated money for the activities of the Public Health Service, and we find to-day details from the Public Health Service to other departments of the Government. When they are paid out of a lump-sum appropriation they are paid whatever the head of the particular division thinks his favorite ought to be paid.

I should like to see the employees of this Government who do the work receive the pay. No wonder there is dissatisfaction among the clerks of the departments. There is no chance whatever of promotion unless a chief clerk in a department so decides. The reclassification report that is made to the Senate, instead of minimizing that evil, is magnifying it and multiplying it many, many times over. As long as there stands at the head of every bureau and every department of the Government a chief clerk who has the power to decide when and how there should be a promotion made, there is going to be dissatisfaction among the employees of the Government. Whenever I see a change in legislation, either by designation as to class of employment or changing the word "office" to "bureau," as suggested, if history is to be repeated, it means the increase of future appropriations.

Perhaps I ought to have said this on a different bill than the Agricultural appropriation bill, because I recognize that the old-established departments like the Interior Department and the Agricultural Department, whose employees are generally paid from a statutory roll, are the departments in which the employees are suffering to-day. They are the ones that have not been taken care of like the employees of the new bureaus established since the war began. There are departments where many employees are not only earning their salaries but earning a great deal more than the Government of the United States pays them.

There ought to be a house cleaning, and the clerks that do the work for the Government ought to be paid for the work they do. Those that do no work or very little ought to be separated from the service, as the service would be better off without them.

It is rather interesting to notice the report of the Civil Service Commission and see the additions to the departments, divisions, and bureaus of the Government and the separations therefrom. No one can read the report and not wonder why increases of employees should be. You can not defend them. Instead of having the number of employees in the district now over 104,000, they ought to be steadily decreased. I had three employees from one of the departments of the Government come into my office the other day and beg me to get a transfer for them to some other department. "Transfer us to some department where we can do some work."

They stated that in the division where they were employed, where 31 employees were supposed to work, they had not averaged the writing of three letters a day for the last three months; yet when a question is asked about such a situation the answer one gets is, "Do you want to turn these girls out on the street?" No, Mr. President, I do not want to turn them out on the street, but I want them to go home where they ought to be, if there is no work here in the District of Columbia for them.

So far as I am concerned, I desire that provision shall be made on some of the appropriation bills before we shall have concluded their consideration appropriating sufficient money to pay the railroad fare of all of the unnecessary employees of the Government from the District of Columbia to their homes and giving them a limited time to accept the offer. I desire to say, however, that they are not going to go; they will not leave the District of Columbia so long as they can remain here.

While I recognize the services of many of the employees who have come here during war time, I also recognize that the time has arrived when their retention is doing the Government of the United States no good, nor is it doing a great number of this vast herd of employees any good.

Mr. President, I merely desired to say this much at this particular time. I have no objection especially to changing the designation of this branch of the Agricultural Department—perhaps it will make no difference in the near future—for I have a great deal more confidence in the old established departments of the Government than I have in the divisions and bureaus which have been more recently created.

Mr. LODGE. Mr. President, I wish the committee might be content to retain the older and simpler title "Farm Management," which covers everything. There is no need of adopting such a pompous phrase as "farm economics." The designation "Farm Management" is sufficiently comprehensive. I think also the danger in substituting the word "bureau" for the word "office" is a real danger. I believe that the advantages are purely imaginary, and its adoption will lead to constant pressure for additional places. We refer to the "office of the Secretary of Agriculture," and it does not seem to be humiliating, though he is the chief of the whole establishment. The gentleman, whoever he may be, who is the chief of the office or the Division of Farm Management no doubt is a most excellent man, but why it is necessary to make him a chief of a bureau, to change his title and to call his bureau the "Bureau of Farm Management and Farm Economics," I am unable to understand.

The designation "Bureau of Farm Management" is good, simple English and covers the whole thing. When the designation is enlarged from "office" to "bureau," we shall be laying the foundation for constant increases of force. I have watched these matters here for years, and I have seen these appropriations grow. I have watched this bill grow from one appropriat-

ing less than a million dollars to one carrying nearly $40,000,000. I think it is wiser to retain the old titles where we can do so, and where they are all sufficient. I do not see any object to be gained by the proposed change.

I have no doubt the committee have found the increases which they have reported to be necessary; but I do think this year we ought to reduce our appropriations to as low a point as we can, and one thing that we should surely do—and it is not particularly connected with this bill—is to get rid of needless and useless Government employees. It is for the payment of such employees that money is unnecessarily expended.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The question is on the amendment reported by the committee. [Putting the question.] The noes appear to have it.

Mr. GRONNA. I ask for a division.

Mr. LODGE. As I understand, the Chair is putting the question only on the amendment to a title of this office?

The PRESIDING OFFICER. That is all. The Senator from North Dakota has asked for a division on the question.

Mr. SMITH of South Carolina. Mr. President, before the vote is taken, I desire to say that I hope there will not be an adverse vote on the amendment. The committee, I am sure, went into the matter very exhaustively, and I wish that the entire Senate could have been present when earnest workers in the Agricultural Department came before us and showed how the men who had been trained in the Agricultural Department, especially in the scientific branches of that department, had been absorbed by other businesses at three and four times the salary that had been paid them by the Department of Agriculture. I hope the Senator from Massachusetts will hear me when I say that the new Secretary of Agriculture had a list prepared, and when he came before the committee he showed how impossible it was to hold their scientifically trained men.

Mr. LODGE. Was that because of the use of the term "office"?

Mr. SMITH of South Carolina. No; because of the salary increases which they could obtain elsewhere.

Mr. LODGE. I did not speak about the salary increases.

Mr. SMITH of South Carolina. I know the Senator did not.

Mr. LODGE. I was talking about the useless and what appeared to me the silly change of name.

Mr. SMITH of South Carolina. Yes; but the Senator's contention was that this legislation would increase the number of employees.

Mr. LODGE. I think it will do so ultimately.

Mr. SMITH of South Carolina. And that it would have a tendency to increase their salaries.

Mr. LODGE. I think it will tend in that direction.

Mr. SMITH of South Carolina. Mr. President, if there ever was a time in the history of this country when every legitimate and intelligent aid that can be given to agriculture should be given, it is now. The census now being prepared is showing a startling and dangerous tendency of the population to move to the cities. Our production is dropping off. The "white lights" and the attractions and the high salaries that are being paid in the cities are draining the population from the country.

Mr. LODGE. I am not at all resisting the Senator on that point; I appreciate those dangers. I am objecting to only one thing, and that is the change of a perfectly sufficient, sensible name to a pompous name, and all being done for the benefit of the person who desires to be the head of a bureau and not of an office. It is the struggle for rank.

Mr. SMITH of South Carolina. If we can by a mere change of name entice a worthy man to come in and be the chief of a bureau when we might not otherwise be able to do so——

Mr. LODGE. A man who is enticed by such a consideration would not be worth having.

Mr. SMITH of South Carolina. He might not be; but some of us are influenced by such motives. I am not using that as an argument; I am merely throwing it out as one of the human frailties that the Senator appreciates as well as I do.

This branch of the Agricultural Department is a bureau. If the duties in connection with farm management and farm economics are discharged as they should be, the place is worthy of the dignity of a bureau, because those duties are fraught with the greatest possible benefits.

Mr. LODGE. Does not farm management necessarily cover farm economics?

Mr. SMITH of South Carolina. Of course, it does.

Mr. LODGE. Then why add the name "farm economics"?

Mr. SMITH of South Carolina. It is just like a larger circle and a smaller circle. There are things included in the term "economics" that might not be comprehended in the term "farm management."

Mr. EDGE. Mr. President, will the Senator from South Carolina yield for a question?

Mr. SMITH of South Carolina. Certainly.

Mr. EDGE. Is there not the additional possibility, in connection with adding to the designation "farm management" the title "farm economics," that it rather extends an invitation in succeeding years to subdivide the bureau into two bureaus? In other words, there are two general activities now included under the one name. Will not that be used as an argument in a year or two perhaps for subdividing that bureau?

Mr. SMITH of South Carolina. If the necessity arises, I think we shall have sense enough to meet it. It is not that we are going to allow a thing to be done merely because it may be done. I think the committee has had sufficient reason to incorporate this terminology. Farm management is a general term, while farm economics is a subdivision under the general term. As I said a moment ago, this is a distinctive work in itself that is accomplishing a great deal of good throughout the country. Of course, some of us are more familiar with the work than others, and hence I am making this plea.

Mr. EDGE. Mr. President, I entirely agree with the Senator that the responsibilities imposed upon and possible good derived from the activities of the department may warrant an expansion—and naturally, I presume, that is the reason why the bill has gradually increased from $1,000,000, as stated by the Senator from Massachusetts, to that of over $32,000,000—but I think it is hardly necessary for the Congress to encourage still further increases by enlarging titles and thus encouraging further demands in the coming years.

Mr. LODGE. If the Senator will yield to me for a moment, what they would like to have is titles for their bureaus that sound like university titles; that is the purpose; nobody is interested in it except the bureau chiefs themselves.

Mr. SMITH of South Carolina. Mr. President, I do not think it is very encouraging to the agricultural interests of this country to animadvert upon the fact that the Agricultural appropriation bill has grown from $1,000,000 to $32,000,000, when the work of the department in connection with the foot-and-mouth disease, in the eradication of the cattle tick, in finding an antitoxin for hog cholera and stamping out that disease has saved this country fifty times that amount.

Mr. LODGE. Mr. President, I am not complaining of the expenditure; I think most of it has been very valuable to the country and has yielded great returns; but the building up of bureaus with imposing titles I think involves an expense which yields no profit whatever to the country.

Mr. SMITH of South Carolina. I do not think the question of expense in connection with this bill is a just ground of criticism, and I think the chairman of the committee will so demonstrate. Never in my experience of about 11 years on the Agricultural Committee have I seen a bill so closely scrutinized and everything sifted so as to leave just what is essential without crippling the work.

Mr. LODGE. I have not attacked the amount of the appropriation; I know what good work the committee has done, and I have not reflected on it at all; but I do not like this system. There is a certain amount of fuss and feathers in connection with the titles of these bureaus and all that sort of thing that reminds me of the Mexican Army. The appropriations for the Mexican Army before the war aggregated about $25,000,000. They had an army—I am speaking in round numbers—of about 20,000 men. At the same time the appropriations for education were about $1,400,000, as compared to the expenditure for the army of nearly $25,000,000, and of the 20,000 men in the army 11,000 were officers. That made a very expensive army owing to the titles.

Mr. SMITH of South Carolina. The Senator is not drawing a parallel between that situation and this bill, I hope.

Mr. LODGE. I am not; but it is my little sermon on pompous titles which are wholly unnecessary. A man can administer this work and spend the money we appropriate just as well as Chief of the Bureau of Farm Management as he can by running in the phrase "farm economics" and trying to look like a university professor.

Mr. SMITH of South Carolina. As a matter of course, all these divisions could function without any names at all; we could put them all under the Secretary of Agriculture and require him to appoint different individuals.

Mr. LODGE. And I have no doubt we should get just as good results.

Mr. SMITH of South Carolina. I doubt that.

Mr. LODGE. He does that now, as a matter of fact.

Mr. SMITH of South Carolina. I do claim that so far as the essential work is concerned, the additional title does not add

to it or subtract from it, but it does define the duty and the office, and I see no objection to leaving it in that way.

Mr. GRONNA obtained the floor.

Mr. NORRIS. Mr. President——

Mr. GRONNA. I yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I sometimes think there is not very much in a name, and yet, to judge from this discussion, there is considerable. What is in a name anyway? I do not believe it is very important whether we change this name or not, and yet it seems to me the reasons for changing it are good ones.

The Senator from South Carolina has said that he has served on the Agricultural Committee for 11 years, and that the bill now before the Senate is the most closely scrutinized bill of any that he has ever known. I have not served on that committee that long, but in a service of about seven years on that committee I have never seen a bill cut to the bone as this one is. I was one of the members of the committee that helped cut it; and I did not do it because I wanted to, either.

This bill is away under what the Agricultural Department ought to have. Every member of the committee who has studied the bill carefully will concede that proposition, and so will every other student of the work that is done by the Agricultural Department. It was not a question of what we wanted to do, but it was the more serious question of what confronts the country. This is a comparatively small thing compared with all of the others, but I believe that committee was impressed with the idea that if we are to save this country from bankruptcy we must cut everywhere in appropriations.

I voted in favor of eliminating from this bill appropriations that I have always heretofore favored, and under normal conditions will favor again if I am here. Members of that committee have been criticized, judging the rest of them by myself, very severely for the cuts they have made. Our mail has been full of protests; and out of the hundreds of letters that I have had in regard to the cuts that we have made in this bill I do not recall now a single instance where, under normal conditions, I would not have considered the criticism justified; but we felt that we were face to face with a financial condition that made it absolutely necessary to cut everything out of the bill that would still leave a nucleus sufficient to run that department until we might be favored with more propitious conditions and times.

If every committee having appropriations in hand will be as careful and as conscientious as the Agricultural Committee has been in making up this bill, we shall be able to cut the appropriations very materially. We injure the service. I admit it. I think this bill, passed in its present form, will in many instances be a serious injury. I know no way to avoid it if we want to get out of the financial dilemma in which we find ourselves placed.

Mr. EDGE. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from New Jersey.

Mr. EDGE. I do not question at all the arduous efforts upon the part of the committee to reduce the bill, or to prepare and present a bill which, as nearly as possible with the funds they thought they could spend, would meet the situation; but, as a matter of fact, the Senate committee have really increased the bill, as I understand, some two million dollars over the amount allowed by the House.

Mr. NORRIS. Yes.

Mr. EDGE. So that really, in your work and efforts, you did grant some of the things that had been cut out by the other branch of Congress.

Mr. NORRIS. Yes; we felt that in some instances the House had cut too close. I think so yet.

Mr. GRONNA. Mr. President——

Mr. NORRIS. I yield to the Senator from North Dakota.

Mr. GRONNA. I may say to the Senator from New Jersey, with the permission of the Senator from Nebraska, that at the time this bill was pending in the House it was understood that half a million dollars for the European corn-borer would be taken care of in another bill. There was not a single dollar appropriated for the eradication of the corn-borer in the bill as passed by the House. It was necessary, or at least the committee thought it was necessary, to put in an appropriation of half a million dollars for the eradication of that pest. That leaves about a million and a half dollars increase in this bill with all its ramifications and all its bureaus; and I want to say to the Senator from New Jersey that I trust the statement he made a moment ago was made good-naturedly about the committee increasing the total carried by the bill from $1,000,000 to $32,000,000. I can give the Senator from New Jersey some information with reference to the necessity of increasing this bill.

Mr. EDGE. May I interrupt right there? I am simply repeating the statement made by the Senator from Massachusetts, without commenting on it in any way.

Mr. GRONNA. Let me say to the Senator, in all kindness, that we carry in this bill an appropriation which was never considered when the bill carried $1,000,000. We carry in this bill $100,000 for the eradication of the Japanese beetle, at the request of people from the State which the Senator from New Jersey so ably represents.

Mr. NORRIS. Mr. President, when the country was first organized we did not have an Agricultural Department. If we are going back to prehistoric times we ought to abolish it altogether and save all the money carried by this bill. Would anybody want to do that? Is there anyone here or elsewhere who claims, or can claim with any reason or logic, that this bill is wrong because it carries more than the first Agricultural appropriation bill many, many years ago? Do we not all realize that the country is larger than it was then? Do we not know that that applies to everything else in our country, and that we can not continue the operation of the Government along lines that everybody admits have been and are beneficial if we cut down too low?

There are some things that we can not do. One of them is that if we only have $10 we can not pay a bill of $20. Another one is that we can not live as long on $10 now as we could 50 years ago. We can not help that. No Appropriation Committee of the Senate can remedy that condition. We are faced with present conditions, and I am one of those who believe that agriculture in the past has not had its fair share. I am one of those—and I have called attention to it many, many times, both in the Senate and in the House—who believe that the greatest danger, if there is any danger that lurks in the future for our Government, is this tendency to leave the country and go into the already overcrowded cities.

It is in the cities where the slums are. It is there where crime develops and grows. It is not in the country where those things exist. The free air of the country tends toward patriotic citizenship. That does not mean that a man in the city is not patriotic; but it means that the surroundings in big cities, not only in our country but in every country in the world, in all the history of the world, have been the hotbeds of anarchy and what is variously called Bolshevism now. Yet, notwithstanding that, I realize that the agricultural part of this Government must share in the burdens that are upon us. If we appropriated what we ought to have under present conditions, and if the same thing were done in every other bill that was passed, this country would go into bankruptcy. We would face an impossible condition. We ought to realize that, and we must have the courage to face these conditions.

We are going to be confronted with a proposition of doing something for the soldiers; and of all the demands that will be made upon us, I think it will be conceded that there is probably more justice in that than in any other demand that will be made—that we must perhaps do something for the soldiers who went into the war, and, because of their absence from the country and from their homes, were not able to make the money that those who remained at home made, and who came home, many of them, and found their positions filled by others. We have got to save everywhere if we are to meet that condition. I do not believe we can meet it fully.

I should hate to have my country now compelled to issue another lot of bonds. I do not know what that might bring in a financial way, and we all have our ideas as to how we might have avoided it. I have mine. I said once before that according to my ideas I think I could frame a revenue law that would bring in nearly twice what we are getting now without much hardship; but I will not have my way. I realize that other Members of Congress, in the House and in the Senate, just as patriotic and just as anxious to do what is right, have different ideas, and all these legislative matters are going to be matters of compromise; and I should like to say to the Senator that I do not find fault with anybody because he criticizes this bill. That is your privilege. That is your duty in anything you think is wrong.

It may be, in your judgment, that we have cut too close to the bone. If we have and you have the votes to override us, it will be your duty to do it, and no one will accept it more cheerfully than I; but I do not believe that any Senator, when he realizes the conditions that this committee faced, and the earnestness and the courage with which they met the obstacles encountered in framing this bill, can be anything except seriously impressed with their desire to cut appropriations to the very lowest possible point and permit the Agricultural Department to go on until we have conditions when we can increase the appropriations.

We are criticized by the Secretary of Agriculture, gentlemanly and courteously, but very severely. He objects very strenuously to the cuts that we have made. He says that in some instances he can not carry on the work. He is demanding larger appropriations in all lines and in all bureaus, everything that is under him. That is true of every other Secretary. The Committee on Naval Affairs are confronted with a similar condition, and yet probably they will bring in a bill here that is bigger than any we have ever had, even in time of war. Personally my idea is that we ought to cut more there and in the Army bill than we do in the Agricultural bill.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield to the Senator.

Mr. SMOOT. What the Senator has said is only too true; but I want to say now that if the departments were given all that they have asked the appropriations for the next fiscal year would be $5,200,000,000.

Mr. NORRIS. It would be an impossible thing. I realize that. It can not be done.

Mr. SMOOT. It is an impossible thing, and I want to say to the Senator that never in my life have I worried so much over the future of my country as I have in the last six months. Perhaps this is not the time to speak about conditions as I see them, but I do know there has got to be a change made in the way the American people are living to-day. There has got to be a stop to all the wicked waste of public money that has been running so rife in the last few years or there is going to be trouble; and I sometimes think that if the trouble comes it will be even more serious than the trouble that is being experienced in Europe.

Mr. NORRIS. Mr. President, I do not think there is any doubt about the truth of what the Senator from Utah has said. One of the things that has bothered me is that the extravagance which everybody knows has been going on during the war, the waste of money in a great many respects, is used now as an argument for increased appropriations. Every mail brings such arguments.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. NORRIS. Certainly.

Mr. CHAMBERLAIN. I do not think the Senators ought to be so pessimistic about the situation as they are now. We have had times in the past when there was a good deal more of disturbance, and certainly as much pessimism, as the two Senators have just expressed. So far as the question of extravagance is concerned, it is true that the American people are a little bit extravagant, but if they did not have the money they could not be extravagant. We will come down to the time pretty soon when there will not be so much extravagance.

Mr. NORRIS. But, Mr. President, what I am afraid of is that we will come down with a thud that will jar us.

Mr. CHAMBERLAIN. No, Mr. President; we will come down and land on our feet, just as the American people have done always.

Mr. NORRIS. I hope so; and when we get down the men who are now criticizing this committee and its members because they are economical will thank them for saving the situation.

Mr. President, I said awhile ago, when I was interrupted by the Senator from Oregon, that our extravagance which has been going on, much of it perhaps unavoidable, much of it, in my judgment, absolutely avoidable if the expenditures had been handled right, a criminal loss of money in all departments, which existed, nevertheless, whatever the cause was, is used now as an argument by business men all over the country. If they want an appropriation, they say, "There has been more money lost in the airplane business, or more in the Navy, or more in this, than we are asking in this particular instance," and all they say is true; I admit it. But, Mr. President, shall the fact that we admit that we have wrongfully squandered some money be a reason why we should now squander some more? We will squander enough; there will be enough lost through inefficiency; I realize that. I suppose there were places in this bill where, understanding the details, the committee might have gone even deeper. There are other places, probably, where good judgment would say they had gone too deep, and they may be wrong about it. We can not, any of us, always be right; we have to do the best we can, and one thing we must do, if we are to save the situation, is to be economical everywhere in little things as well as in big things. I think this committee has set a good pace. I hope it will be followed by the Naval Affairs Committee, and that they will do as we have done, that they will cut out lots of things, not because they want to do so but because they have to do it in order to keep our expenses within our income.

I am going to oppose, to the best of my ability, appropriations that do not follow that principle, and many of them I will oppose, Mr. President, not because at heart I am opposed to the particular appropriation, and not because I do not believe, in normal conditions, irrefutable arguments could be produced in their favor, but because of the very necessity of the case. We are confronted with the proposition of raising money, and will be in future tax bills, that is going to take the very best effort of statesmen, of thinking, honest men, regardless of political affiliation or business occupation, and when we get through with it we will not be satisfied with our own work. We will have to do in money-raising laws as we do in appropriation bills; we will have to tax lots of things that we do not want to tax, because it is necessary to get the money. We will disagree on some. As I said a while ago, I think I could levy a tax where it would not hurt anybody; but other Senators will not agree with me, and they will want to tax somewhere where I think it is wrong. The result of it all will be a compromise, and we will get some kind of a system.

Mr. SHEPPARD. Mr. President, what is the system the Senator has in mind?

Mr. NORRIS. Briefly stated, Mr. President, if I had my way about it, I would do two things that I think would raise an immense amount of money. I would increase the already high rate on large incomes—a rate which I admit is high. I would do it not because I would want to but because we shall have to go somewhere to get the money, and we can not get the money unless we go where the money is, and I want to get it, if I can, from those sources where it will create the least hardship.

If I had my way about it, I would increase the income tax on large incomes. I would levy a tax of a progressive nature on inheritances. I would exempt a large inheritance free of tax, so that a man might leave to his family and those dependent on him enough money free of tax to keep them in comfort, and then I would commence the tax, and I would increase it until, when I got to the large inheritances which run into the hundreds of millions, I would take 80 or 90 per cent of what is left after the exempted part is taken out. That would raise an immense amount of money. An inheritance tax is the easiest tax in the world to pay, and it is without any hardship on anybody. It would bring in the money. It would not hurt anybody.

I do not expect to have my way about it; I never have had it. But everybody knows that if we are extravagant in appropriations we have to go just that much further in taxation.

We may have to issue some more bonds, Mr. President; I am rather inclined to think we will before we get through. Government bonds drawing 4¼ per cent are down to 90 now, or about that. I have not looked it up for a day or two, but they are in the vicinity of 90 cents on the dollar.

Mr. JONES of Washington. A little over 89.

Mr. NORRIS. The Senator from Washington says a little over 89. Suppose we issued $5,000,000,000 more of bonds and were to try to float them. What would that mean? It might not be so bad if the Government bonds now in existence went lower, although I would hate to see it happen; but what would it mean to the bonds we were trying to sell? The result would be that the taxpayers of the country for every dollar they would get on the bonds would probably have to pay $2 or $3 in the shape of taxation; and that must come; we can not avoid it. The men and the women with bended backs now, who are toiling, would have to pay the tax. The Senator from Oregon says the people have lots of money, and some of them have, it is true; but, Mr. President, there are lots of them who are bothered now to make both ends meet when they are confronted with the present high cost of living.

Mr. CHAMBERLAIN. May I interrupt the Senator there? You can not charge those with extravagance who are so unfortunate as not to have money.

Mr. NORRIS. I did not charge them with extravagance.

Mr. CHAMBERLAIN. I thought the Senator from Nebraska and the Senator from Utah were disposed to charge everybody with extravagance.

Mr. NORRIS. No; I was quoting the Senator from Oregon, who said the people had lots of money and would get down to a reasonable basis after a while. It is true that lots of people have a great deal of money, and this inflation of the currency, the logical effect probably following every war, which has now overtaken us and overtaken the world, probably something that will always happen under similar conditions, has a tendency to make everybody extravagant. That is the natural tendency. It has a tendency to make everybody ask for increased appropriations.

One day, Mr. President, just counting one day's mail, I had somewhere between 10 and 20 letters, most of them from commercial clubs and business organizations, every one of them asking for an appropriation. As I remember them now, practically all of them asked for appropriations which, under ordinary circumstances, I would have favored. I remember one of them was from the commercial club of one of the largest cities in the West, a club composed of the leading business men of that city. They wanted an appropriation to continue the air mail service. Under any ordinary conditions I would like to keep up that service, not because I think it is necessary to the Post Office Department, but because I think everybody realizes that we ought to keep, if we can, an organization of flying machines and flying men as a matter of military preparation. But, Mr. President, while we will have to keep some kind of an organization, I do not believe that under existing conditions, when we are confronted almost with the likelihood of another bond issue, we should go very extensively into that kind of a proposition.

The same mail brought a letter from a man who represented a good roads association. He called my attention to a bill pending in the Senate, and he demanded that I support that bill and said that 95 per cent of my constituents were in favor of it.

I have always been one who favored good roads and liberal appropriations for good roads, but that bill would cost, if carried out, as I estimated it, something like four or five billions of dollars in the next two or three years. I had to write those people that I could not support those measures; and as a rule I am condemned in the next mail.

Mr. President, the men who ask these things are imbued with what I said a while ago is a sort of disease of extravagance, which is all over the country. We see that they are in earnest about it, that they are honest about it, and under ordinary conditions they have an argument which can not be refuted, but they do not realize that their next town, their next neighbor, has some other thing just as good, and they do not realize that the other town, the other district, the other State, is doing the same thing, and that when you put them all together and center their activities on Congress in Washington, you have almost an impenetrable barrier which an ordinary Congressman can not stand up and face.

They do not realize that in the aggregate the demands which they are making of Congress would mean financial ruin to the country. It can not be done. If we undertake to comply with those requests, we will ruin our country, we will burden the taxpayers of the United States so that they never can get out from under. The time will come, when I have probably passed out of public life on account of the clamor, but it will come some day, when men like me, who by a great many people are called radical, will be looked upon as conservatives in the situation; and the time will come, it may be when we are dead, but it will come some time, when the taxpayers of the country will thank those who will stand out for economy in every possible line, and put behind us a great many good things because of the very necessity of the case.

In this Agricultural bill, Mr. President, we have struck out a lot of things that ought to be in, and I helped to strike them out. I am going to take my part of the responsibility for striking them out. The committee worked almost unanimously on this theory of economy, and we have gone on the theory that other committees are going to do the same thing. If they are not, then you can not apply the pruning knife to the Agricultural Department with my consent. If we are going to let the Army and the Navy and other things run away in extravagance, and universal military training and all other kinds of things come into the budget now, then I am not in favor of the bill that is pending here; it ought to be doubled at least. But we have gone on the theory that sober, patriotic Members of the Senate would take the same view that we believe every Member of Congress must take, that we must economize. We can not spend money without taxing the people, and we are taxing them now almost to the limit. New forms of taxation must be invented, more money must be raised, or bonds must be floated, which now is a dangerous thing. I presume, to float bonds and have them sell at par, they would probably have to draw a 6 per cent rate of interest, perhaps more; if we floated very many of them, perhaps 7 per cent.

We would either have to sell the bonds at a discount or increase the rates of interest, one or the other, and all that means taxation. It means for the dollar we spend that by the time we pay the dollar the taxpayers have to dig up about three dollars.

While I welcome criticism, I realize that the Senate, as far as this bill is concerned, has it in its power to do what it pleases with it, and I intend to abide by the decision, and not find fault with anybody. I want the Senate to get what I believe to be the viewpoint of the Committee on Agriculture and Forestry and then take such action as it thinks best. If the bill were postponed until after the other appropriation bills were passed, my action on this bill would depend somewhat upon what was done on the others. I know that is not a fair way to legislate, but we must measure everything by the same yardstick. In this bill we measure the farmer with an economical yardstick and we cut that yardstick down, and I want to say to you that if we pass the bill in the present form with that yardstick short and undertake to lengthen it out on the other appropriation bills, there is going to be trouble, and properly so.

Mr. STERLING. Mr. President, the hour of 2 o'clock has arrived.

Mr. GRONNA. There is a vote pending, and I trust the Senator will let the vote be announced. There was a demand for a division upon the question.

Mr. HARRISON. What is the pending amendment?

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. It is proposed, in the subhead on page 5, line 12, to strike out the words "Office of Farm Management" and insert the words "Bureau of Farm Management and Farm Economics."

On a division, the amendment was agreed to.

The next amendment was, on page 5, line 19, after the words "farm practice," to strike out "$250,000" and insert "$377,000," so as to make the clause read:

To investigate and encourage the adoption of improved methods of farm management and farm practice, $377,000: *Provided*, That of this amount $78,873 may be used in ascertaining the cost of production of the principal staple agricultural products.

The amendment was agreed to.

CIVIL-SERVICE RETIREMENT.

Mr. STERLING. I ask that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (S. 1699) for the retirement of employees under the classified civil service, and for other purposes.

Mr. STERLING. Mr. President, in view of the fact that a reprint of the bill S. 1699 has been asked for and ordered, and in view of the fact, too, that I hope some time soon to get a unanimous-consent agreement to vote upon the bill on a day certain, I ask unanimous consent that the bill be temporarily laid aside in order that the Senator from North Dakota [Mr. GRONNA] may proceed with the Agricultural appropriation bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

Mr. JONES of Washington. Mr. President, I think I am pretty generally in accord with the suggestions made by the Senator from Nebraska [Mr. NORRIS] with reference to the treatment that should be accorded the different appropriation bills. I think that my course in connection with them will be controlled very much by the same principles that control him. I simply want to ask him a question about the amendment which we have just agreed to. I intended to ask him before he sat down, but he was practically taken off the floor by the hour of 2 o'clock arriving, and the amendment was agreed to.

The Senator, I think, stated when he began that he thought he could give good reasons why the amendment should be agreed to, which applied only to the name and why "Office of Farm Management" should be stricken out and "Bureau of Farm Management and Farm Economics" should be substituted. I am really interested to know just what the reasons were for that change.

Mr. NORRIS. I do not know that I can give good reasons. I said in the beginning that I did not think it was at all important. I like the new name better; that is all; and the Agricultural Department likes it better. The Senator from North Dakota [Mr. GRONNA] has given some reason for it. I do not think it is an important proposition. It changes the name, and the new name applies a little better than the old one to the activities and to the things that they do under the bureau. It seems to me it ought to be given the dignity of the name of bureau, although I do not care very much about it.

Mr. GRONNA. Mr. President, it is unnecessary for me to amplify on the question discussed by the Senator from Nebraska [Mr. NORRIS]. He and other Senators have discussed the question in a very intelligent way, and I agree with the Senator from Nebraska that the Committee on Agriculture and Forestry made every effort possible to reduce to the minimum the amount carried in the bill.

Before I discuss that, just briefly I want to say I had hoped that we might proceed to consider these items, not that I am going to ask anyone not to discuss any item in the bill when any information is wanted.

I want to say to the Senator from Washington [Mr. JONES] that it is the intention of spending more money for this purpose and that we want to make this a bureau to give it the standing that it is entitled to. The Senator knows perhaps better than I do that a bureau has more authority than the designation known as an office. If it were not for the fact that I am anxious to go on with the bill I should take a great deal more time than I intend to to discuss the question of the cost of production and home economics.

I want to be pardoned for saying that almost any man can be a banker, almost every man with common intelligence can be a fairly good lawyer, almost any man or any woman can now be a Member of this body or the other body, but it takes brains to be a great farmer. That is something people have overlooked.

Mr. JONES of Washington. Will the Senator permit a suggestion?

Mr. GRONNA. Certainly.

Mr. JONES of Washington. I am not questioning anything of the sort. It occurred to me that the term "farm management" embraces all these things. I think I am as earnestly in favor of these things as is the Senator from North Dakota.

Mr. GRONNA. I know the Senator is.

Mr. JONES of Washington. I did not intend to start any discussion. I just thought I could have briefly stated the reasons for the change.

Mr. GRONNA. That is the reason. We want to expend more money and give this man more power than he has had heretofore.

Mr. JONES of Washington. The Senator thinks under the term "farm management" there is a restriction or limitation that ought not to exist?

Mr. GRONNA. Yes; there is. There is no question about that.

Mr. JONES of Washington. That is what I did not understand. It seems to me farm management embraces all those things, at least I would think so.

Mr. GRONNA. Let me say to the Senator that the Senate committee increased this appropriation by $127,000——

Mr. JONES of Washington. The Senator understands I am not objecting to this, of course?

Mr. GRONNA. I understand that. I want to be perfectly frank with the Senator, and I will state my reasons why we made this change. The committee believed that this is a question of sufficient importance to dignify with the designation of bureau. During the war everybody realized that the farmer was an important factor in winning the war, and I hope that we have not so soon forgotten the important part that the farmer played.

I hope that I may have the attention for a moment of the Senator from New Jersey [Mr. EDGE], which I understand I will not have, but simply speaking for the RECORD let me call the attention of the Senator from New Jersey to the fact that one battle cruiser will cost as much as the entire appropriation carried in this bill. The money is not expended entirely for agriculture. It is expended in the interest of those who handle the secondary products of the manufacturer, and I am finding no fault with that because ultimately it reflects upon the producer. We have here large amounts for experimentation in forest products. We have here appropriations for market reports for manufacturers. If you trim this bill down to the actual amount carried for agriculture alone, let me say to you the bill will not carry over $8,000,000. There is one item in it which provides $178,900 for soil survey. That is an item which applies absolutely to agriculture. We struck out the entire appropriation. Attention was called to the fact that most of the work is being done in my section of the country. I said that it made no difference where the work was being done, I believed that that is a matter which could be deferred at least for a year. An item of $239,000 is struck out for congressional seed. We have increased the total amount of the bill, and we have substituted some items in the bill which were entirely eliminated by the House, and I mention one of them, that for the cornborers. That applies only to a certain section of the country to-day, but what is harmful to one section of the country to-day will ultimately be harmful to the entire country and all the people of the country.

There is nothing sectional about this bill. We have increased appropriations for the eradication of the boll weevil and of the bollworm. We believe it is necessary to do so. We have decreased appropriations, in fact cut them out when they applied to sections of the country from which I come, so I hope that no Senator will undertake to say that the bill has been framed up on the theory that we have viewed it from a sectional standpoint.

I agree with every word the Senator from Utah [Mr. SMOOT] said, and with every word the Senator from Nebraska [Mr. NORRIS] said, and with what was said by the Senators on the minority side—the senator from Oklahoma [Mr. GORE] and the Senator from South Carolina [Mr. SMITH]. I know that we have $26,000,000,000 worth of bonds and short-time certificates outstanding, all drawing interest. I have tried to verify my figures through my friend the Senator from Utah [Mr. SMOOT], who says they are correct. I realize as much as anybody that it is the duty of the Members of the Senate and of the House to cut appropriations wherever it is possible to do so, but we can not afford to do things which ultimately will destroy production. We can not do things which ultimately will mean that our people must go hungry, because that is what it means.

We have done the very best we could, and all agree with what the Senator from Nebraska [Mr. NORRIS] has stated. We have cut this to the very core, and every appropriation bill which comes before the Senate I want to join with the Senator from Nebraska in keeping down to the very lowest possible amount.

Mr. SMOOT. I want to assure the Senator from Nebraska [Mr. NORRIS] that there is no need of postponing consideration of the bill if it is to be based upon the fact that the other appropriation bills are not to be reduced. Where this bill will reduce an appropriation $1,000, I am quite safe in saying that others will be decreased $100,000.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. Certainly.

Mr. NORRIS. Of course, that would not be more than about a fair proportion——

Mr. SMOOT. I do not want the Senator to misunderstand me.

Mr. NORRIS. For this bill is so much smaller than the others. Where we decrease a dollar in this bill they ought to decrease $100.

Mr. SMOOT. I had no idea of invidious comparison, I will say to the Senator, but what I wanted to say is to substantiate the position taken by the Senator from Nebraska. The estimates made by the different departments of the Government must be reduced over $1,000,000,000. I know that in reducing these estimates a billion dollars there is not a head of a division and there is not a head of a department of the Government but what is going to find fault with such action.

I wish, however, frankly to say that if I had time to make an investigation into each of the various appropriations I have no doubt in the world that I could point out where more than a billion dollars could be eliminated; but Senators have not the time to undertake such a task.

There has been some debate in reference to a budget system, and I——

Mr. WADSWORTH. Mr. President, will the Senator from Utah yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I do.

Mr. WADSWORTH. It might cheer the Senator from Utah to get the impression—and I think it will be a correct one—that the Military Affairs Committee of the Senate will reduce the estimates for the Army by at least $450,000,000—almost half of what the Senator desires to save.

Mr. SMOOT. Mr. President, if I desired to take the time of the Senate now I could call the attention of the Senator from New York to the fact that the House, in connection with the legislative appropriation bill and the sundry civil appropriation bill, have cut the appropriations to the very bone in some instances, and I hope the Senate of the United States is not going to be swept off its feet by the demands that have been made from all sections of the country for increased appropriations. There is not a Member of this body who has not received letters of the same character as those referred to by the Senator from

Nebraska, and not 10 or 20, but hundreds and thousands of them.

It has almost become a practice, Mr. President, wherever there is a cut in a salary or in any kind of appropriation, for the individual, or the division, or the bureau, or the department affected immediately to get in touch with some organization, and a propaganda begins at once. Senators are bombarded with letters and telegrams by the hundreds, and not only with letters and telegrams but delegations are sent to Washington, and they occupy the time of Representatives and Senators, and very often to no purpose.

When interrupted, I was going to refer to the budget system, about which there has been so much said. I recognize that there has got to be some change made in the method of arriving at the proper amount to be appropriated for the respective departments of the Government. Our present system is that the head of a division or the head of a bureau—well, I was going to say the chief clerk of the division or bureau—fixes the amount which he thinks ought to be expended by the division or by the bureau. He looks over the employees that are under him and he decides which among his favorites shall receive promotions. Frequently it is considered a reflection upon him unless more employees are provided in his division for the coming year than were provided for the current year. Accordingly, he makes up his estimate. That estimate is transmitted to the head of the department, who knows very little about the details of the matter, with the exception of some particular item in which he takes a direct interest or in a certain appropriation in which, perhaps, he is personally concerned. Then, under the law, the head of the department sends the estimate to the Secretary of the Treasury, who pays no particular attention to it; and he sends it to Congress as an estimate. It comes before the Committee on Appropriations, and just as soon as that committee takes an appropriation bill under consideration, and a cut is made in the estimate submitted, we will say by the Secretary of Labor, down comes the chief clerk, and with him the head of the department in some cases, and, if not, the head of the bureau to explain to the Appropriations Committee why it is necessary that every dollar asked for in the estimate shall be appropriated.

Congress ought to have a bureau of efficiency, subject to it and under its control, its members to be appointed by Congress. That bureau, or commission, if it is desired to call it a commission, should be given absolute power to go into every department of the Government and to make investigations as to the need of every appropriation asked for.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. I yield.

Mr. CURTIS. I desire to say to the Senator from Utah that there is already in existence a Bureau of Efficiency.

Mr. SMOOT. Yes.

Mr. CURTIS. Why would it not be a good idea to transfer that bureau to the jurisdiction of Congress, and let the Appropriations Committees of the Senate and the House use the experts of that bureau for the gathering of the information they require?

Mr. SMOOT. Mr. President, I should be heartily in favor of that; and what I desire to do is to give that bureau, or some commission, if you please to call it such, the power to go into the departments and to make investigations. To-day they have no such power. The Bureau of Efficiency has saved to the Government of the United States millions of dollars. No matter what the press of the country may say about the Postmaster General, no matter what criticism may be heaped upon his head, I desire at this time to say that there is not an official in the Government service who has been more conscientious at least in undertaking to ascertain the proper amount of appropriations for his department and then in asking Congress for that amount and no more. I am not familiar with the workings of his department outside of the District of Columbia, but I do know that we never find the Postmaster General before the Appropriations Committee begging for appropriations that are not necessary.

The Senator from Nebraska referred to the fact that it would perhaps be necessary to issue additional bonds. We are not going to issue any more bonds, Mr. President; but there is under existing law authority in the Secretary of the Treasury to issue short-time certificates to the amount of $10,000,000,000, and no definite rate of interest is fixed by law.

Mr. POMERENE. May I ask the Senator how many of those certificates are now outstanding?

Mr. SMOOT. Over $4,000,000,000 are now outstanding; and when June 30, 1920, the end of the present fiscal year, arrives we will find that the expenses of the Government for the current fiscal year amount at least to $3,000,000,000 more than the receipts from all forms of taxation and from receipts from every source.

That is not all, Mr. President; the amount of taxes that we will be able to collect under the existing law for the next fiscal year will not be sufficient to pay the running expenses of the Government. Where are we going to land? When will the time come when the appropriations for the Government of the United States will be met by the taxes imposed upon the people? It will not be long until the people of the United States understand that the taxes imposed means a burden directly upon every one of them, and when that time comes we are going to hear from the people, and we are going to be compelled to change our revenue laws as they exist to-day, for they have had just the effect that some of us predicted they would have when they were pending before this body. At that time I made the statement that the taxes imposed were nagging, irritating, and discriminatory in character, and the law would never be acceptable to the people of the United States, nor would they allow a Congress to pass without the law being changed, unless at that particular time it should happen that we were engaged in war.

I predict now, Mr. President, that just as soon as the next election takes place, and when we have a Republican President, a Republican Senate, and a Republican House, the revenue laws are going to be changed, and whatever taxes are imposed upon the individual citizen and upon the business of this country will be just, and not discriminatory. This is not the proper place nor the proper time to express an opinion as to what kind of taxes should be imposed, but I do not believe there is a Senator nor a Representative who does not understand that such a change must take place.

Mr. President, reductions have been made in this bill, although there is an increase in the amount appropriated over the amount carried by the bill as passed by the House; but since I have been in the Senate I think there have only been two or three appropriation bills—perhaps a few more—that have been decreased in the Senate. I do not speak disrespectfully of the House in any way, nor do I want it understood that I am casting any reflections upon the Members of that great body, but I say that many times appropriations have been eliminated from appropriation bills in the House with the avowed understanding that they would be placed back in the bill in the Senate. That has always taken place, and I think more than likely that it always will happen.

I care not whether the amendment is agreed to or whether it is disagreed to. I merely wish to thank the Senator from North Dakota for frankly stating the object of the change. I like to have a Senator who has charge of a bill, when he knows the object of a change, frankly state what it is, just as the Senator from North Dakota has done. I knew in the beginning that the object was as he has stated. How often have I seen the head of a department or the head of a division recommend a change in the designation of some particular office, and when you come to analyze it all there is at the bottom of the recommendation is an increase of salary.

I have not any doubt that this work is going to grow. I know what it means to the United States, and I know that I have voted for decreases in appropriations this year to which in ordinary times I should not have so voted. But the Government of the United States does not differ, except in size, from a family, and there are times in every family when it must cut its expenditures; and when that time comes, if the family does not do so, trouble will follow. The time has arrived now when the Government of the United States must look to the expenditure of every dollar of the people's money, cut out all waste, and do away with all that is not absolutely necessary, but make liberal appropriations for that which is absolutely necessary to maintain and operate the Government successfully.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 5, line 23, after the words "Total for," to strike out "Office of Farm Management, $322,130," and insert "Bureau of Farm Management and Farm Economics, $461,090," so as to make the clause read:

Total for Bureau of Farm Management and Farm Economics, $461,090.

The amendment was agreed to.

The next amendment was, under the subhead "Weather Bureau," on page 6, line 6, before the word "clerks," to strike out "eight" and insert "eleven"; in line 7, before the words "clerks, class 3," to strike out "eleven" and insert "fourteen";

in the same line, before the words "clerks, class 2," to strike out "twenty-three" and insert "twenty-eight"; in line 8, before the words "clerks, class 1," to strike out "thirty-three" and insert "forty-six"; in line 9, before the word "clerks," to strike out "twenty-six" and insert "two"; in line 10, before the words "1 foreman," to strike out "10 clerks, at $900 each"; in line 13, before the word "printers," to strike out "fourteen" and insert "twenty-four"; in line 14, after the word "each," to strike out "1 printer or compositor, $1,200; 6 printers or compositors, at $1,080 each; 5 printers or compositors, at $1,000 each"; in line 21, before the words "skilled mechanics," to strike out "five" and insert "twelve"; in line 23, before the words "1 engineer," to strike out "1 skilled mechanic, $840; 6 skilled artisans, at $840 each"; in line 24, before the words "2 firemen," to strike out "1 fireman and steam fitter, $840"; on page 7, line 1, before the words "1 gardener," to strike out "1 repairman, $960" and insert "8 repairmen, at $1,000 each"; in line 3, before the words "4 watchmen," to strike out "4 repairmen, at $840 each; 6 repairmen, at $720 each"; and in line 8, after the words "in all," to strike out "$346,910" and insert "$346,670," so as to make the clause read:

Salaries, Weather Bureau: One chief of bureau, $5,000; 1 assistant chief of bureau, $3,250; 1 chief clerk, $2,500; 1 chief of division of stations and accounts, $2,750; 1 chief of printing division, $2,500; 3 chiefs of division, at $2,000 each; 11 clerks, class 4; 14 clerks, class 3; 28 clerks, class 2; 46 clerks, class 1; 2 clerks, at $1,000 each; 1 foreman of printing, $1,600; 1 lithographer, $1,500; 3 lithographers, at $1,200 each; 1 pressman, $1,200; 1 printer or compositor, $1,440; 5 printers or compositors, at $1,350 each; 24 printers or compositors, at $1,300 each; 4 folders and feeders, at $720 each; 1 supervising instrument maker, $1,620; 1 instrument maker, $1,440; 3 instrument makers, at $1,300 each; 1 instrument maker, $1,260; 1 skilled mechanic, $1,300; 3 skilled mechanics, at $1,200 each; 12 skilled mechanics, at $1,000 each; 1 engineer, $1,300; 2 firemen, at $840 each; 1 captain of the watch, $1,000; 1 electrician, $1,200; 1 repairman, $1,200; 8 repairmen, at $1,000 each; 1 gardener, $1,000; 4 watchmen, at $720 each; 28 messengers or laborers, at $720 each; 6 messengers or laborers, at $660 each; 22 messengers or laborers, at $600 each; 11 messenger boys, at $600 each; 99 messenger boys, at $480 each; 1 charwoman, $360; 3 charwomen, at $240 each; in all, $346,670.

The amendment was agreed to.

The next amendment was, on page 9, line 13, after the word "bureau," to insert "*And provided further*, That the proviso contained in section 11 of the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, shall not prohibit the printing in the printing office of the Weather Bureau in the city of Washington of the maps, bulletins, circulars, forms, and other publications herein authorized," so as to make the clause read:

For the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications, including the pay of additional employees, when necessary, $12,800: *Provided*, That no printing shall be done by the Weather Bureau that, in the judgment of the Secretary of Agriculture, can be done at the Government Printing Office without impairing the service of said bureau: *And provided further*, That the proviso contained in section 11 of the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, shall not prohibit the printing in the printing office of the Weather Bureau in the city of Washington of the maps, bulletins, circulars, forms, and other publication herein authorized.

The amendment was agreed to.

The next amendment was, on page 10, line 1, after the word "aerology," to strike out "$1,303,030," and insert "$1,373,430," and in line 2, after the words "to exceed," to strike out "$672,500" and insert "726,800," so as to make the clause read:

For necessary expenses outside of the city of Washington incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, volcanology, evaporation, and aerology, $1,373,430, including not to exceed $726,800 for salaries, $129,040 for special observations and reports, and $295,750 for telegraphing and telephoning.

Mr. WADSWORTH. Mr. President, I am not certain that I have the right amendment in mind; but one of the S O S calls to which the Senator from Utah has referred has apparently gone out to the country from Washington in connection with the appropriations for the Weather Bureau, and especially in connection with that part of the appropriation which is for the purpose of enabling the bureau to publish its weather reports.

I received word from an organization in the State of New York that is very much interested in the publication of weather reports, especially as they affect the fruit producers in the central and western parts of the State, saying that the appropriation had been so seriously cut in this bill that the Weather Bureau had announced that they could no longer issue the reports as they have been doing; and I want to find out from the chairman of the committee, or anybody else who knows, whether that statement is accurate. Of course, I realize that our committee has raised the amount under this item which the House allowed, but still somebody is creating the impression that the weather reports will not be sent out. Does the Senator remember what we gave them last year?

Mr. GRONNA. The Senator is referring to the item beginning on page 9, line 21, and going to line 4 on page 10?

Mr. WADSWORTH. Yes.

Mr. GRONNA. It is the item for collecting and disseminating meteorological, climatological, and marine information under the Weather Bureau. I will say to the Senator from New York that that matter was discussed very thoroughly, and I think it was agreed by the representatives of the department that they could do the work for the amount which we allowed.

Mr. WADSWORTH. May I ask the Senator, then, if he can remember any word having been given to our committee by the department to the effect that the appropriations given to the Weather Bureau in this bill are so low as to prevent the sending out of the weather reports to the agricultural regions?

Mr. GRONNA. I never heard that statement made.

Mr. WADSWORTH. Somebody is saying it, and somebody is telegraphing it, because the telegrams have commenced to come in to me, which is the usual procedure, and I wanted to trace it.

Mr. GRONNA. Such a report is entirely unwarranted. I can not understand why such a report as that should be made, because there is an item here the total of which is $1,373,430, including not to exceed $726,800 for salaries, $129,040 for special observations and reports, and $295,750 for telegraphing and telephoning. Now, certainly, nearly $300,000 is a considerable amount for making reports.

Mr. WADSWORTH. I assume that that is the item.

Mr. GRONNA. That is the item. It can be used for no other purpose than for making these reports by telegraph and telephone, so that statement is entirely unwarranted.

Mr. WADSWORTH. The telegrams that have been coming to me say that the Weather Bureau have announced that they can not make their reports.

Mr. GRONNA. If the Weather Bureau has made such a report, it has not made it to the committee.

Mr. WADSWORTH. I could not recollect it myself, and I wanted to find out what there was to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 10, line 10, after the word "expenses," to strike out "$1,532,100" and insert "$1,602,500," so as to make the clause read:

In all, for general expenses, $1,602,500.

The amendment was agreed to.

The next amendment was, on page 10, after line 10, to insert:

The Secretary of Agriculture shall cause the premises known as Mount Weather, situate at Mount Weather, in the counties of Loudoun and Clarke, in the State of Virginia, and comprising 84.81 acres of land, more or less, together with the buildings and other improvements thereon, including laboratories, cottages, sheds, stables, shops, heating and power plant, kite shelter, and other buildings of whatever nature, together with all the rights, easements, and appurtenances thereto belonging, to be sold at public sale and conveyed to the highest bidder for cash, first having given not less than 30 days' public notice of the time, place, and terms of sale immediately prior to such sale, by publication in at least two newspapers having a general circulation in the county or sections of the counties where the premises are situate, the net proceeds of the sale, after deducting the expenses incidental thereto, to be turned into the Treasury as miscellaneous receipts.

Mr. SMOOT. This is the land owned by the Government just across the Potomac River, down by the aerial field?

Mr. GRONNA. I think it is farther out than that. It is what is known as Mount Weather, located on the top of the Blue Ridge Mountains, in Clarke and Loudoun Counties. The department wishes to dispose of it. I think it was stated that an estimate was made that they can sell it for probably $100,000, and the money will be turned into the Treasury. If we keep the station, of course, there will be a large expense connected with it.

Mr. SMOOT. Does the Senator know how long the Government has owned the land?

Mr. GRONNA. I can not tell the Senator, but we have owned it for a number of years. Sums of money have been appropriated for it for some time.

Mr. SMITH of South Carolina. The sale was recommended by the department, was it not?

Mr. GRONNA. Oh, yes. I have a justification for it, but it is rather lengthy, and I do not care to take the time of the Senate to read it.

The amendment was agreed to.

The next amendment was, on page 11, line 4, after the words "Weather Bureau," to strike out "$1,879,010" and insert "$1,949,170," so as to make the clause read:

Total for Weather Bureau, $1,949,170.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Animal Industry," on page 11, line 8, before the words "executive clerks," to strike out "four" and insert "six"; in line 9, before the word "clerks," where it occurs the second time, to strike out "ten" and insert "twenty-two"; in line 10, before the word "clerks," to strike out "fifteen" and insert "twenty-seven"; in line 11, before the word "clerks," to strike out "seven" and insert "seventeen"; in line 13, before the word "clerks," where it occurs the first time, to strike out "four" and insert "nineteen"; in line 15, before the word "clerks," to strike out "one hundred and sixty-one" and insert "two hundred and thirty-seven"; in line 18, before the words "1 architect," to strike out "15 clerks, at $1,100 each; 10 clerks, at $1,080 each; 12 clerks, at $1,020 each; 72 clerks, at $1,000 each; 14 clerks, at $960 each; 53 clerks, at $900 each"; in line 20, after "$1,200," to insert "6 laboratory assistants, at $1,200 each"; and in line 21, after the word "each," to strike out "2 laboratory helpers, at $1,020 each; 1 laboratory helper, $1,000; 1 laboratory helper, $960; 2 laboratory helpers, at $840 each; 1 laboratory helper, $720; 2 laboratory helpers, at $600 each."

Mr. SMOOT. Mr. President, I will ask the Senator if that means that we are going to pay $1,200 from now on to the two laboratory helpers at $600 each, and one laboratory helper at $720?

Mr. GRONNA. Yes, Mr. President, if this bill is approved these men will receive $1,200 next year.

Mr. SMOOT. That is a hundred per cent increase.

Mr. GRONNA. Many of these places have not been filled. The fact of the matter is, it has been impossible for the department to get men at these salaries.

Mr. SMOOT. I will state what I have in mind. If the Senator will look back in all of the appropriation bills he will see that the laboratory helpers in the Bureau of Animal Industry have been separated into different classes, some of them receiving as high as $1,020 each, the next class $1,000, the next class $960, the next class $840, the next class $720, and the next class $600. This amendment proposes that employees in all of those classes shall be raised to $1,200 each. I am quite sure, Mr. President, that that may be satisfactory for this year, because they all have an increase, but the next time there will be a division, and the low one will be $1,200, and then there will be an increase all along the line. Does not the Senator think that is rather an unjust way of providing increases?

Mr. GRONNA. I am free to admit, Mr. President, that the committee to a great extent followed the recommendations of the department with reference to the people who are paid these low salaries. I stated at the outset that there is no increase in the appropriation, but there is a decrease in the number of men employed, and it was believed that it was for the best interests of the service in the department, and that it would be in the interest of efficiency, to pay better salaries and in that way get better and more efficient men. That is the only reason I can give the Senator.

Mr. SMOOT. I am rather in sympathy with that, as a general rule; but if the Senator makes an examination, as I know he has in the past, into this class of labor, I am sure he would conclude that some of the laboratory helpers were just as good as a laboratory aid, and the only reason for the change in the salary paid was that some helper should receive more money, and the thought was first conceived to designate him a laboratory aid and pay him more money than the laboratory helper; and then, as I said, the helpers were divided into classes, and I know they are not all of equal intelligence, nor do they all do the same work.

Mr. GRONNA. That is true, Mr. President, and that is just exactly what Mr. Harrison stated. He said that in order to get the most possible out of these men, and to get efficient men, we must pay them salaries large enough so that they will be willing to keep the positions for some time. As it is to-day, they will employ a man and he will stay a week or two weeks, or possibly a month, and then he will leave. The Senator knows how unsatisfactory that is. Nearly all of these people have to be to a certain extent skilled in their particular work, and I really believe, while I am not in favor of increasing salaries at this time, that it is in the interest of economy to provide salaries sufficient to warrant these men in keeping their places at least a few years.

Mr. SMOOT. I am not opposing the paying of a higher salary.

Mr. GRONNA. I know that.

Mr. SMOOT. But it does seem to me that the danger in it is that you are putting all of the laboratory helpers on one basis of salary; and, Mr. President, if you will go down to the Bureau of Animal Industry and watch the work that is being done by those helpers, you will see that some of the work can be done by an ordinary laborer, while some who are designated as laboratory helpers are virtually assistants, and ought to be paid for that class of work. I think those assistants ought to be paid just as much as the man who is designated the laboratory aid.

Mr. SMITH of South Carolina. Mr. President, may I ask the chairman if it was not stated to the committee that this work has grown in importance and requires constant work and more or less experience? Just picking these men up for this laboratory work and paying them out of the lump sum, as they did heretofore, does not give satisfactory results. Where we provide for six, I believe there were nine before, and the work has now been classified and standardized so that it requires, according to my understanding, about the same level in efficiency and time, and in order to guarantee this permanence and efficiency they struck out all of this gradation of salaries and put these men who did practically the same work on the same salary and reduced the number to the minimum that they can get along with.

Mr. SMOOT. I think, Mr. President, that it would be very much better if we had had three at $1,200 and three at $1,000, and that would have allowed for the new man who came in. A new man coming into the bureau no doubt would take the position at $1,000, and then he would have a chance for a promotion to $1,200; in fact, he would receive a promotion to $1,200 when earned.

Mr. SMITH of South Carolina. As I understand it, new men are not inducted into this class of work. The six they provide for must be more or less trained men, not old veterans, but men on whom they can rely, and in order not to have any inefficiency, as nearly as they may evade it, they took the six and provided that they should receive $1,200, in order that they might get the class of men they themselves perhaps had trained to do the work efficiently.

Mr. GRONNA. I will say to the Senator from South Carolina that that is exactly the argument that was used, that it would be in the interest of economy to have the salaries sufficiently high to get good, intelligent men, because in all this kind of work it requires some skill, and it is necessary to get men who will keep their places, at least for a few years, in order that they may become efficient in their work.

Mr. SMOOT. I recognize that fact, Mr. President, but it is true that these laboratory aids or laboratory helpers expect to be promoted, and they ought to have the chance of promotion beyond the stage of helper or beyond the stage of aid in the laboratory. When one is promoted there is a new man to take his place, and he is not nearly as efficient as the old employee who has learned the business thoroughly; and that is why there have been these graded salaries in the past. I think myself there have been too many of them in the past, and I still believe there ought to be two, and I think if you are going to have the six laboratory assistants there ought to be three at a thousand dollars and three at twelve hundred dollars.

Mr. SMITH of South Carolina. Mr. President, the Senator will observe that in the Bureau of Animal Industry there are the higher class of men provided for in the first part of the paragraph—one chief, at $5,000; one chief clerk, at $2,000; one editor and compiler; one executive assistant; and six executive clerks. They are in the higher class, and these $1,200 men, if they prove their efficiency and vacancies occur, would move up into the other classes. I think if the Senator had heard the discussion of the technical training that was necessary and the absolute impossibility of holding anything like an efficient man—just pick him up for a week or 10 days and pay him $500 or $600 for what time he gave—he would be impressed with the fact that it is not satisfactory.

Mr. SMOOT. I am perfectly aware of that. But the employees referred to by the Senator—the chief clerk and others—never are in the laboratory and know nothing about the laboratory. They never are classed there, and we expect that these people will educate themselves along that line, so that they can enter the laboratory and do the laboratory work. These are positions of helpers to the men who do the work in the laboratory. I refer to the scientists who must be there and their helpers. If they go in there they ought to receive sufficient salary that they will remain, just as the Senator says. They could not keep them there for $600, but they have $600, $720, $840, $960, $1,000, and $1,020. These were the divisions that we had, and you could not keep them there; but it seems to me that if we had the two divisions—that is,

the lowest that would be paid to the helper would be $1,000, and then he would have a chance to increase and receive his promotion to $1,200, the amount fixed in the bill not only for the helpers but for the aid himself—that would be the proper way to do it.

Mr. SMITH of South Carolina. If there were gradations in the work it might be all right, but this class of work is all about the same.

Mr. GRONNA. If the Senator will allow it to go to conference the conferees will try to adjust it. I will make a notation of it.

Mr. SMOOT. All right.

The amendment was agreed to.

The next amendment was, on page 12, line 5, after "$900," to insert "50 laborers, at $960 each"; in line 8, after the word "each," to strike out "4 laborers, at $600 each; 24 laborers, at $600 each; 32 laborers, at $540 each; 30 laborers, at $480 each"; in line 12, after the word "each," to insert "5 messenger boys, at $540 each"; in line 13, after the word "each," to strike out "8 messenger boys, at $380 each"; and in line 17, after the words "in all," to strike out "$656,390" and insert "$653,210," so as to make the clause read:

Salaries, Bureau of Animal Industry: One chief of bureau, $5,000; 1 chief clerk, $2,500; 1 editor and compiler, $2,250; 1 executive assistant, $2,500; 6 executive clerks, at $2,000 each; 22 clerks, class 4; 1 clerk, $1,680; 27 clerks, class 3; 17 clerks, at $1,500 each; 36 clerks, class 2; 3 clerks, at $1,380 each; 19 clerks, at $1,320 each; 1 clerk, $1,300; 3 clerks, at $1,260 each; 237 clerks, class 1; 1 architect, $2,000; 1 illustrator, $1,400; 1 laboratory aid, $1,200; 1 laboratory helper, $1,200; 6 laboratory assistants, at $1,200 each; 1 laboratory mechanician, $1,440; 1 carpenter, $1,140; 2 carpenters, at $1,000 each; 2 messengers and custodians, at $1,200 each; 1 quarantine assistant, $900; 1 skilled laborer, $1,200; 3 skilled laborers, at $1,000 each; 11 skilled laborers, at $900 each; 1 painter, $900; 50 laborers, at $960 each; 2 laborers, at $900 each; 11 messengers or laborers, at $840 each; 3 laborers, at $780 each; 29 messengers or laborers, at $720 each; 2 messenger boys, at $660 each; 3 messenger boys, at $600 each; 5 messenger boys, at $540 each; 25 messenger boys, at $480 each; 1 charwoman, $600; 2 charwomen, at $540 each; 17 charwomen, at $480 each; 5 charwomen, at $360 each; 2 charwomen, at $300 each; 7 charwomen, at $240 each; in all, $653,210.

The amendment was agreed to.

Mr. GRONNA. Mr. President, I want to say just a word at this point. It will be noted that there is no increase in the total amount for this bureau. The bill as passed by the House carried an appropriation of $656,390 and the bill now carries $653,210, so that there is really a decrease instead of an increase.

Mr. SMOOT. Yes; there is a decrease in the appropriation, but I will state how it comes about. The number of employees in the department has been decreased, but their salaries have been increased. If the old salaries had remained, of course, there would be a great deal larger decrease than there is here. I think myself that perhaps the number of employees ought to be decreased, but that, of course, is for the Senate to decide.

I want to say further that if these figures are fixed in the bill for laborers at $960 each, I am afraid we will have to change all the other appropriation bills to conform to this bill. I know that it will be pointed to immediately by every other division and bureau and department of the Government.

The reading of the bill was resumed.

The next amendment was, under the subhead "General expenses, Bureau of Animal Industry," on page 15, line 5, after the word "authorities," to strike out "$1,300,000" and insert "$1,484,440"; in line 7, after the word "expenses," to strike out "$100,000 of which shall be immediately available"; and in line 8, before the words "for the," to strike out "$500,000" and insert "$684,440," so as to read:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State, Territory, or county authorities, $1,484,440, of which $800,000 shall be set aside for administrative and operating expenses and $684,440 for the payment of indemnities.

The amendment was agreed to.

The next amendment was, in the item of appropriation for investigating the disease of tuberculosis of animals, etc., on page 17, line 4, after the word "That," to insert "hereafter," and in line 12, after the word "owner," to insert "*And provided further*, That not to exceed $200,000 of the appropriation for the payment of indemnities carried in the Agricultural act for 1920, may be used for administrative and operating expenses during said fiscal year," so as to make the proviso read:

And provided further, That hereafter the Secretary of Agriculture may, in his discretion, and under such rules and regulations as he may prescribe, permit cattle which have been shipped for breeding or feeding purposes from one State, Territory, or the District of Columbia, to another State, Territory, or the District of Columbia, and which have reacted to the tuberculin test subsequent to such shipment, to be reshipped in interstate commerce to the original owner: *And provided further*, That not to exceed $200,000 of the appropriation for the payment of indemnities, carried in the Agricultural act for 1920, may be used for administrative and operating expenses during said fiscal year.

Mr. SMOOT. Mr. President, I take it that is a transfer of appropriation?

Mr. GRONNA. Yes; that is a transfer. The present act provides for a fund of $1,500,000 provided on what we call the fifty-fifty plan—$750,000 for administrative purposes and the other $750,000 for payment of indemnities. We have $1,000,000 which is practically untouched. The amount appropriated for it in last year's bill was not sufficient for carrying out the work by the department. There is a deficit, I will say to the Senator.

Mr. SMOOT. I know it, and that is what I object to. I object to having deficiencies come in any appropriation bill outside of a deficiency appropriation bill. It is just because of this kind of appropriations that we can not keep any track of what the deficiencies are, and the reason why the deficiency appropriation bill is framed is in order that the Government may have all of the deficiencies included in one appropriation bill.

Mr. GRONNA. But let me say to the Senator it would not be regarded as a real deficiency. There is nearly a million dollars to the credit of the Agricultural Department for indemnities.

Mr. SMOOT. I am perfectly aware of that. This is a transfer from an appropriation that was made for payment of indemnities to an account, for paying people here in the District and employing more clerks. We ought to put our foot on that practice, and we never ought to have allowed the Agricultural Department, or any other department, I do not care what department it may be of the Government, to do such a thing. It never should be allowed. The Government of the United States gave them the appropriation for administrative and operating expenses during the fiscal year 1920. They have spent all the money appropriated for that purpose and now——

Mr. SMITH of South Carolina. Mr. President——

Mr. SMOOT. I yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. I just want to ask the chairman of the committee whether the facts presented by the department showed that the allegation made by the Senator from Utah is true, that they had used more of that appropriation for expenses here in the District than they should have done and did not use it for the purpose for which it was appropriated?

Mr. GRONNA. As I understand it, the conditions were such that they used all that was specifically appropriated for administrative purposes but did not use all the appropriation for indemnity. There was a surplus carried over of $800,000, and therefore we are now asking to transfer out of that fund to meet the deficit incurred by the department which we did not sufficiently appropriate for.

Mr. SMOOT. That is exactly what I thought. As long as we allow the transfer of money from one account to another, the Congress of the United States will never know the actual cost of administration.

This $200,000 was appropriated by Congress for the payment of indemnities carried in the Agricultural act of 1920. That was what Congress appropriated the money for; and it also appropriated an amount for administrative and operating expenses during the fiscal year 1920. Now, the Agricultural Department could not spend the amount of money that was appropriated for indemnities, and they now come and ask us to give them $200,000 of that money appropriated for indemnities to be used for administrative and operating expenses during the calendar year 1920. If they have used money for administrative and operating expenses there is a deficiency, and that ought to be appropriated for in the regular way. There ought to be an estimate made for it, and it ought to go into the deficiency appropriation bill and not come in in this way.

I say to the Senate that I do not believe the House will stand for this transfer, and I should like to have it go out. If the money has already been spent, it has been unlawfully spent, and, of course, all we can do is to make an appropriation in a deficiency bill to cover it.

Mr. GRONNA. Mr. President, if the Senator will permit me, I wish to read the justification for this item.

Mr. SMOOT. I shall be glad to have the Senator read it.

Mr. GRONNA. It is as follows:

The amount recommended by the Senate committee for the eradication of tuberculosis of live stock is approximately the same as that carried in the 1920 appropriation act ($1,500,000), the apparent decrease being accounted for by the transfer of a number of employees to the statutory roll.

The House bill provides $800,000 for administrative and operating expenses and $500,000 for the payment of indemnities. In the Senate committee bill the latter item has been increased to $680,440.

With the increased demand from the farmers to have their herds freed from tuberculosis, the number of diseased animals gradually increases and it necessarily follows that the amount of indemnity claimed increases at a corresponding rate. During August, 1919, the amount of indemnity claimed for tuberculous animals by live-stock owners was $9,862.80, but in January, 1920, the indemnity claims had increased to $64,602.50.

Mr. SMOOT. Right there, I desire to say to the Senator that this amendment takes $200,000 from the indemnity fund and puts it into the fund for administrative and operating expenses.

Mr. SMITH of South Carolina. I desire to make a suggestion to the chairman of the committee.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. GRONNA. Yes.

Mr. SMITH of South Carolina. I think, perhaps, the Senator from Utah and I are both mistaken. If I recall the matter correctly, this is the limitation on how much may be spent for administrative purposes rather than a transfer.

Mr. SMOOT. No; the Senator is wrong. The language is so plain that anybody can understand it. It reads:

That not to exceed $200,000 of the appropriation for the payment of indemnities, carried in the agricultural act for 1920, may be used for administrative and operating expenses during said fiscal year.

Mr. WADSWORTH. There is the whole secret of it—"during said fiscal year."

Mr. SMITH of South Carolina. That is right.

Mr. WADSWORTH. "Said fiscal year" 1920, which is this year.

Mr. SMOOT. Certainly; that is what I mean.

Mr. WADSWORTH. This is a limitation placed upon the use of this money under the appropriation made for the fiscal year in which we are now operating. This is not a transfer of $200,000 from an unexpended balance of this year to next year.

Mr. SMOOT. I did not say that; but I say that if we transfer the money, and the department has not enough clerks here to administer this work, it will go and get them; there is no doubt about that at all.

Mr. WADSWORTH. We are not doing that.

Mr. SMOOT. That is exactly what this provision says. This provision says that out of the appropriation for the Agricultural Department for 1920, which was made for the payment of indemnities, a transfer of $200,000 may be used for administrative and operating expenses during this year, which ends June 30, 1920. If they have not money enough to carry on the work until June 30, 1920, then there will be a deficiency.

Mr. WADSWORTH. The idea of the committee was to keep them from spending more than $200,000, which they were threatening to do. We say not to exceed $200,000 of that appropriation shall be spent for administrative purposes in this fiscal year, which is already three-fourths passed.

Mr. SMOOT. Then, if the Senator's position is correct, he will have to admit that the Secretary of Agriculture is taking money from one fund to expend for some purpose other than that authorized.

Mr. WADSWORTH. Has the Senator from Utah the language of last year's appropriation bill before him?

Mr. SMOOT. The statement made by the Senator and the reading of the letter by the Senator from North Dakota demonstrate the fact that my contention is correct.

Mr. WADSWORTH. No. The matter which the Senator from North Dakota read had to do with the increase on page 15.

Mr. SMOOT. I will ask the Senator having the bill in charge if the position which I have taken is not correct?

Mr. GRONNA. Mr. President, I think that all of the Senators in a way are correct. Let me correct the statement which I made a moment ago. I stated that the present law provides for an appropriation of a million and a half dollars, $750,000 to be used for administrative purposes and $750,000 for indemnities. That was not correct. That was the way the Senate committee reported the bill to the Senate, but in conference it was changed so that the law really carried $1,000,000 for indemnities and $500,000 for administrative purposes. That was not sufficient, and we were warned by the department last year that the work could not possibly be done for $500,000. It is true, as the Senator from Utah states, that if we adopt this language we authorize the Secretary of Agriculture to take not to exceed $200,000 from the indemnity fund.

Mr. HARRISON. But, Mr. President, it was because the administrative expenses were so much greater than it was thought they would be, and the expense for the payment of indemnities was less than what it was thought it would be.

Mr. SMOOT. I will say to the Senator from Mississippi that that is the case as to every appropriation made by Congress. Whenever an appropriation is made and the work is not sufficient to absorb the money the department is going to find some way to spend the money. This is another case of just what happens in every such appropriation.

Mr. GRONNA. May I answer the Senator from Mississippi?

Mr. SMOOT. If the $500,000 that Congress appropriated for the administrative work is not sufficient, the Secretary of Agriculture knows how to get the money.

I do not want to make a point of order against this amendment, although I think I can convince the Senator that it ought not to be here; but if the $500,000 is not sufficient to carry on the administrative work until June 30, 1920, there is a way to get the money and that is by an estimate transmitted through the Treasury Department and an appropriation made in a deficiency bill. That is the way to get it. Why should we take $200,000 from a fund which was provided to pay indemnities and transfer it to the administrative activities of the department of the Government?

Mr. HARRISON. It was included in the total appropriation for this particular work. Is not that correct?

Mr. SMOOT. Yes; it was in the total appropriation.

Mr. HARRISON. Absolutely.

Mr. SMOOT. But does the Senator think if there were $400,000 appropriated in this bill for the eradication of the boll weevil that the Secretary of Agriculture could transfer that fund and use it for the cutting of timber upon the forest reserves?

Mr. HARRISON. No; and that is not analogous.

Mr. SMOOT. That is exactly the same as this case.

Mr. HARRISON. If the chairman of the committee will bear with me for a moment, I do not think it is analogous at all. Here is a provision for investigating the diseases of tuberculosis in animals and $1,300,000 was appropriated for that purpose. A part of that $1,300,000 was for administrative purposes; $500,000 was for indemnities. In the expenditure of the money it was found that the administrative expenses were very much greater than what it was expected they would be and the indemnities were less, all coming out of the sum total. Now, all they ask, as I see it, is that the amount that was to be expended for indemnities only be transferred and made available for needed administrative expenses, the amount appropriated for that purpose, perhaps, having been expended.

Mr. SMOOT. The same thing has happened time and time again in connection with appropriations for the other departments; but we have almost completely wiped it out of the other appropriation bills. If $200,000 are necessary to run the administrative work of this service up to June, 1920, there will have to be an estimate made for it, which will have to come through the Secretary of the Treasury, and then there will have to be an appropriation made for it. Congress would not give what was asked for in the last appropriation bill, and therefore it is a deficiency, and that is the way it should be met.

Mr. GRONNA. Mr. President——

Mr. SMOOT. I hope the Senator will allow this item to go out, and let it be provided for in the regular way.

Mr. GRONNA. Mr. President, just a word. I find no fault with the criticism of the Senator from Utah, but in justice to the Department of Agriculture I wish to say that the committee of the House and the committee of the Senate were told last year that $500,000 would not be sufficient to carry on the administrative work. If my recollection serves me right, they wanted $800,000 for this purpose, and they were given only $500,000. If it is wrong in principle to take $200,000 from this fund, then, of course, the Senator from Utah is right, and the item ought to go out; but I will suggest to the Senator that the Members of the House read the RECORD very carefully, and I am sure that they will read what the Senator from Utah has said, and if the Senator from Utah will allow this item to go to conference we can adjust it, I think, by changing the totals in the paragraph preceding. I think that can be arranged.

Mr. SMOOT. The Senator can not change it in this item of the bill.

Mr. GRONNA. Not in this particular item, but in connection with the appropriations for the same bureau.

Mr. SMOOT. Mr. President, so that the Senate and the Senator from North Dakota will know what my position is, I wish to say that eight years ago there was a practice inaugurated in nearly all the departments to cover up their deficiencies by inserting, following a specific appropriation, the words "$100,000 of which"—or whatever the amount might be—"shall be immediately available."

Those words were put in the appropriation bills for no other purpose than to cover deficiencies. The Appropriations Committee started a fight against that practice and have succeeded in eliminating such provisions in almost every instance. I am glad to see that the Senator and the committee having this bill

in charge have eliminated the provision on page 15, "$100,000 of which shall be immediately available," referring to the appropriation just preceding. Unless that provision had been stricken out the department would have spent $100,000 of the appropriation for the coming fiscal year before June 30, 1920, the close of the present fiscal year. We have got to stop this practice, Senators. If there happens to be a deficiency it has got to come to Congress and be provided for in the regular way, and not by inserting the words "$100,000 of which shall be immediately available," or by the transfer of an appropriation from one account to another. I am sure the Senator from North Dakota feels as I do about the matter.

Mr. GRONNA. Mr. President, I hope the Senator will agree to let the item go over. When I suggested to the Senator that it might be taken care of, I had reference to the item on page 15 of the bill where a division of the fund is made. It is possible that we may be able to increase the amount allowed for administrative purposes, so that we can strike out the amount to which the Senator refers.

Mr. SMOOT. I will say to the Senator that the appropriations on page 15 for this purpose are for the coming fiscal year.

Mr. GRONNA. Yes; I understand that.

Mr. SMOOT. The item we have been discussing is to cover expenditures before June 30, 1920.

Mr. GRONNA. That is correct.

Mr. SMOOT. That is entirely a different proposition and can not be taken out of the appropriations that are provided for next year.

Mr. GRONNA. If the Senator is willing to let it go over——

Mr. SMOOT. I will be glad to do that.

Mr. GRONNA. I will take the matter up with the Secretary of Agriculture and also with the Senator.

The PRESIDING OFFICER. It is understood, then, that the amendment will be passed over.

Mr. CAPPER. Mr. President, as a member of the Committee on Agriculture and Forestry, I desire to express my appreciation of the splendid manner in which the chairman of the committee has handled this bill. I do not think any appropriation measure has ever come before the Senate which has received more conscientious consideration. The chairman of the committee, in common, I think, with almost all the other members of the committee, has stood at all times for the utmost economy consistent with the great needs of the Agricultural Department.

One-third the population of the United States is engaged in agriculture and more than one-quarter of the national wealth is invested in farm enterprises. The chairman of the Appropriations Committee is of the opinion that the financial needs of the Government for the next fiscal year may exceed $5,000,000,000 for all purposes. The Agricultural bill before us to-day appropriates $32,000,000, which means that out of every $156 of the public funds only $1 will be spent on the Nation's most vital industry—the one on which every other industry depends. And yet I find Senators here who would reduce even this small appropriation recommended by the Agricultural Committee notwithstanding the bill as it now stands cuts the estimates of the Agricultural Department nearly $6,000,000, and is a reduction of $13,000,000 from the appropriation of 1919 for agricultural purposes. I favor the utmost economy in governmental expenditures and a substantial reduction in appropriations generally, but at a time when increased production is of supreme importance we must do the fair thing by the farmer. We can better afford to cut out some of the river and harbor, public building, and other pork-barrel appropriations than to cripple agricultural activities.

Unless the farm problems are considered with more sympathy by the public generally, and especially by Congress, a considerable part of our country may go hungry before many years. Farmers have been sandbagged by the disgraceful agricultural economic systems until the camel's back is broken; they are leaving the farms this spring by the tens of thousands. Already the abnormal congestion of the huge centers of population is such that we are having trouble in feeding the city population. Unless we about-face quickly in the treatment of the agricultural interests of America, a real food shortage will be encountered in the near future.

Mr. President, some indication of the way in which the farmers are getting away from the country is supplied by the United States Department of Agriculture from a recent survey of 3,775 farms in New York. It was disclosed as a result of this investigation—which covered so many farms that it is certainly typical—that there had been a decrease in the number of people on the farms in the last year of 3 per cent, and that the number of hired men decreased 17 per cent. If this ratio holds good for the State—and there is every reason to believe that it does—it means that 35,000 men have left the farms in this one State to go to the cities. They are getting out of a business which has been the goat of lawmakers, middlemen, and profit hogs in the last three years, and going toward the great "white way," to add still more hungry mouths to a population the farms must feed.

And the same alarming conditions prevail in the great Middle West—in the food center of the world. In what is generally considered to be the prosperous agricultural State of Iowa, the State free employment bureau says that not more than one-third of the farm boys who were in the Army are going back to the farms. He further says that "most of them want city jobs." Of course they want city jobs. Can you blame them? When they consider the $10 a hundred drop in hogs—which put the price far below the cost of production—the silly and senseless advance in the price of lumber needed to build farm homes, and the whole selfish demonstration we have seen toward the agricultural interests of the country in the last year, it is no wonder they leave. The astonishing thing is that more have not gone.

Any system of account such as the manufacturer and commercial concerns employ will show conclusively that the farmers are by no means receiving adequate remuneration. The reports of the Agricultural Department indicate that the average income of the American farmer is less than one-half the average wage of a carpenter, a bricklayer, a painter, or any other organized city trade.

Mr. President, the young men of the farms are not fools. You can not hand them a further supply of inflated atmosphere about the beauties of farm life, and then ask them to produce hogs at a loss of $5 or $6 a hundred and make any impression.

In my own State of Kansas the young men know that there was an increase of 190 per cent in the proportion of tenants from 1860 to 1910—and the census of this year is going to show a still more alarming condition. The farmers can not continue to pull themselves up by the boot straps on this land question—especially with the price of hogs below production cost. There is one county in Kansas—Sumner—with 55 per cent of tenants; and you know what that indicates. And here is another example, in Lincoln township in Pratt County, where there were 13 per cent of tenants in 1880, there are now more than 60 per cent. And you will find the same conditions in Missouri and Illinois and Indiana and Ohio and all points east. Dekalb County, Ill., for example, has 72 per cent of tenants.

In order to get a nation-wide view of the situation, let us consider for a moment the percentage of tenants for the United States as a whole, as shown by the census. This percentage in 1880 was 25.6; 1890, 28.4; 1900, 35.3; and 1910, 37. Many of the leading thinkers on agricultural economics believe that the census of this year will give a percentage of between 45 and 50 per cent, with hundreds of counties above 60 per cent, and perhaps some as high as 75 per cent.

Why is this condition with us? Can you expect anything else, Mr. President, in view of the faulty economic system we have allowed to grow up, in which the producer gets such a small part of the consumer's dollar? Do you know that in the Chicago district in May of last year, for example, the consumers paid 14 cents a quart for milk, and that the producers got 5.2 cents? In New York farmers got 6.1 cents a quart, while the consumers paid 16 cents.

It used to be said commonly that the farmer got half price for his products—half of the consumer's dollar. Evidently we are rapidly going downhill with that proportion. How long will it be until we have piled on so much graft and profiteering and senseless distribution costs on milk that the producer will get but 25 per cent? Evidently we are headed that way, Mr. President.

And consider the situation with regard to meat-producing animals right now. Hogs are selling in Kansas City at from $14 to $14.50; they ought to be at least $3 a hundred higher. Most of the fat cattle which have been going to market have been losing money for the owners; in many cases from $25 to $50 a head, and in some cases more. When you go to putting $80 cotton seed—and I might suggest that the probabilities are that the mill did not sell this product below the cost of production—and $2 corn and $18 grass into steers, it takes better prices than are now prevailing for one to get back his production cost.

Last July hogs brought a high price of $23.10 on the Kansas City market. By November they had slumped to $15.35. Yesterday the top prices of hogs in Kansas City was $14.60. In August last the high price of cattle on the Kansas City market was $18.90. Yesterday they were down to $12. In the price paid the farmer for two of his most important products, the high cost of living, it will be seen, has been reduced respectively 35 per cent and 50 per cent. But that is the only way in which

the reduction has been manifest. There has been no corresponding reduction in the cost of setting the breakfast table. In the meantime, the cost of the farmer's clothing, shoes, furniture, sugar, implements, lumber, and everything he buys has increased from 100 to 300 per cent. As a rule he is paying higher prices now than he paid six months ago. That is one reason why the farmer is discontented. He feels, and correctly, I think, that somebody is making him the goat.

Of course, the net result of all this is that farmers are getting out of the cattle and hog business. Careful and conservative figures from the corn belt indicate a decline in pork production estimated as high as 25 per cent. All available figures point to a decline in beef production.

Official reports show that the United States is heading toward bankruptcy in its beef-cattle supply. In 1900 there were 89 cattle of all kinds to each 100 persons in this country. But in 1919 there were but 42 cattle to each 100 inhabitants. In 1907 our beef-type cattle numbered 51,566,000, and in 1919 the total had fallen to 44,385,000. With 7,000,000 less than we had in 1907 we are slaughtering annually at a rate of above 3,000,000 more cattle and almost twice as many calves.

Mr. President, unless substantial rewards are given for farm work a food shortage is inevitable—and it will not be long in coming. There already is some indication of this in the hardship which has come to the poorer people of the cities from the activities of the food pirates.

The farmer is not to blame. Notwithstanding the farmer is today marketing at a minimum profit and sometimes at a loss, he is producing more raw material per man by 30 per cent than before the war, due largely to long hours and the unpaid labor of his wife and children. This unpaid labor and overwork are materially responsible for so many leaving the farm.

Mr. President, the farmers are ready not only to do their share but to go the limit that the country and the world may have abundant foodstuffs. They protest, however, against any form of governmental price fixing and any system of distribution which compels them to take a greatly reduced price for their farm products while everything they buy is sold at profiteer prices. When the Government wheat minimum guaranty became operative it, in effect, acted as a maximum price and overnight reduced the price of wheat 50 to 75 cents a bushel—a loss of nearly $50,000,000 to the farmers of Kansas alone. The United States Grain Corporation throughout has exhausted every expedient to keep the prices of wheat down to the very minimum. It is no wonder that the farmer feels that he was treated unfairly and that the Grain Corporation has been operated in the interest of the profit-taking middlemen and the gamblers of the grain exchanges.

The Kansas farmer sold his wheat last year for an average of $1.85 per bushel because of the comparatively low quality of the wheat. All available statistics show that it costs at the present time more than $2 a bushel to grow wheat, averaged the country over, accounted for by the exorbitant wages paid. I know that a great many wheat growers paid as high as $8 and $10 a day for labor during the last harvest.

Farmers received an average of $1.50 per bushel for potatoes produced last year and practically the entire season's crop passed out of the farmer's hand at that price, but now the consumer is paying $4 a bushel for them.

The daily newspapers teem with articles about high retail prices, but say hardly a word about the collapse of the hog market. As a matter of fact, retail prices of pork and pork products actually have advanced in many cities during these recent months in which the wholesale market price of pork on the hoof has fallen nearly one-half. Still the city asks if the farmer is profiteering. Were that the case the winter-wheat area would have shown a heavy increase instead of a decrease of 23 per cent. That decline tells its own story. The reason for such reduced production is simply that the prices farmers receive for what they have to sell, together with the absence of hired help, and the cost of what they buy, is forcing farmers in self-defense to limit their efforts to what they can do with their own labor and equipment.

Mr. President, the time has arrived for constructive reasoning applied to the agricultural interests of the Nation. The farmers are asking no special favors; indeed, they are very much opposed to special privileges to any class. They are loyal Americans. Every meeting held recently and controlled by actual farmers is on record in opposition to all forms of bolshevism. All they ask for themselves is a square deal. Agriculture is the basic industry—if there is anything more fundamental than getting for the people enough to eat, I have never heard of it. And unless we do some real thinking along this line there will be people who will be hungry one of these days. It is essential that a constructive program be adopted at once, which will give the agricultural interests of this country a fair chance—that will enable farmers to develop their business, educate their children, and work into the most efficient production of food. And the effort and money required to bring this about will be the best investment that this country ever made. We will never be able to make the greatest industrial and business progress unless there is abundant food for the workers and at reasonable prices. And this can be obtained if there is a readjustment in our laws and economic systems which will allow farmers to buy the necessities at a fair price and which will allow them to obtain a price for their products which will give them some profit.

Mr. President, the first thing is to curb the profiteers and supply agricultural essentials, such as lumber, agricultural implements, clothing, shoes, and the like, at an honest price. We already have all the laws necessary to stop profiteering. If we can get rid of the price gouger, it will hold hundreds of thousands of farmers in the country, who are just on the point of leaving and who will go to the city, perhaps this year, unless something is done quickly.

To have a more prosperous agriculture we must also encourage legislation curbing manipulation of the market and gambling by the grain, provision, and stock-exchange sharks, who seek to control unjustly the supply and the prices of foodstuffs, cotton, and other necessities of life. We should also have Federal supervision of the packing industry.

A further extension in cooperation is needed in both country and city—it is essential in building up the agricultural interests. There should be prompt action on the legislation to remove all artificial restrictions on the sale of farm products, as contemplated in the Capper-Hersman bill, which seeks clearly to establish the rights of farmers to collectively market their own products without legal or other interference. It is along this road that big progress can be made in working out a better system of distribution and marketing. The marketing system of this country as applied to agricultural products is decidedly unsatisfactory in most cases. It must be made more efficient and less expensive. If farmers are allowed to work out a cooperation system of their own through the American Farm Bureau Federation, the Grange, the Farmers' Union, the Society of Equity, and the other loyal and efficient farm organizations, they will do much to eliminate the profit hogs and supply food to the cities at a lower cost, while making more than the cost of production themselves.

Then we must take up a serious study of the land question, Mr. President. We must recognize the axiom that the most prosperous and contented agriculture can be built only by home owners. If the cities hope to get food at a reasonable price in the future they should be much concerned with reducing the proportion of farm tenants. I think that some very advanced legislation will be necessary to bring this about; we have three "land" amendments to the constitution of Kansas, which will be voted on at the next general election. Conditions must be made easier through amendments of the Federal farm loan act for the ambitious young farmer or the industrious tenant who wishes to buy farm or live stock. The way the system operates now it is absolutely impossible for many of them to ever hope to own a farm, as is well shown by the rapid increase in farm tenants. In the older countries the land question has often been met by bloody revolution. I do not believe we will come to this in America, Mr. President, for I have too great a belief in the intelligence of the general public. That is why I look for an encouraging interest in our land problems in the next few years, and as a result of this some legislation which will have a constructive value.

Further, there must be a reconsideration and revision of methods of taxation that will take into view the checking of the tendency toward land speculation which is slowly but surely taking the land out of the reach of young men bred on the farms. The details of such revision are a matter for the most expert advice, but in a broad way the aim should be through the processes of lower taxes on improvements on the land and graded taxation to discourage speculation, the accumulation of land in excessively large holdings, and the further growth of the tenant system. The principle that we have adopted in the income tax of graduating the rate can probably be applied with regard to land occupied by owner as compared with land owned by nonresident speculator, and with regard to large as compared with small popular holdings.

Farmers must have their chance at the brighter things of life; they like good homes the same as city people, and yet the proportion of bath tubs is small. The money has not been available to make the homes modern. I am glad to say that when it does become available on some of the leading farms the home is getting its share. I think this is especially im-

portant when we consider that the two greatest assets of any nation are its homes and its agriculture. Both are fundamental, both are essential to the national well-being.

Mr. President, there are many things which must be changed if agriculture is to appeal properly to the younger generation which is now leaving the country in such large numbers. Better schools, modern homes, social advantages, and a greater opportunity to get the brighter things of life are essential. These can be obtained if Congress will consider rural problems with more sympathy, and study the fundamental factors of food production. We need more authoritative information from the Government as to the cost of food production on the farm. Then, too, we must encourage a good roads system that will connect the farms with the market towns and the good schools and churches.

But as a start in a constructive program, let's first eliminate profiteering, encourage cooperation, and take up a study of the land question and taxation. Let's try to stop this landslide from the country into the cities. Let's get a vision of what this great Nation can be, Mr. President, with its industrial and business life working in harmony and perfect cooperation with the agricultural interests, and with plenty of food for everyone, at prices which the workers can afford to pay and yet which will supply modern country homes and other essentials for farmers. If we have the wisdom we can work this out. The food question is fundamental. The Nation's future must be worked out with this in view.

Mr. COMER. Mr. President, I wish to offer an amendment, which I ask to have printed and lie on the table.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. COMER'S amendment is as follows:

Add after the word "legislation," in line 25, page 90, the following: "That hereafter each lot of cotton classified as tenderable in whole or in part on a section 5 contract of said act as amended, shall give to the buyer the right to demand that one-half of the contract shall be delivered in the official cotton standard grades of the United States from the grades of middling fair, strict good middling, good middling, strict middling, and middling, and that the seller shall have the option of delivering the other half of said contract from any of the official cotton standard grades as established in said act."

The next amendment of the Committee on Agriculture and Forestry was, on page 17, line 17, after the words "cattle ticks," to strike out "$681,160" and insert "$731,160, of which sum $50,000 may be used for live stock and dairy demonstration work, in cooperation with the States Relations Service," so as to make the clause read:

For all necessary expenses for the eradication of southern cattle ticks, $731,160, of which sum $50,000 may be used for live stock and dairy demonstration work, in cooperation with the States Relations Service: *Provided*, That no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

Mr. WADSWORTH. Mr. President, I have no objection to the appropriation of $50,000 to be used for live stock and dairy demonstration work in those areas of the Southern States which have been freed from the cattle tick, but it seems to me that we are building up a system of confusion here by adding $50,000 for dairy demonstration work upon a cattle-tick appropriation. There it will live from year to year, and get buried in that item, and the administration of cattle-tick appropriation will be confused with the administration of the dairy demonstration, and I am wondering if we can not take care of that in a better way by reducing the item back to $681,000 and appropriating the $50,000 perhaps on the next page, in the item which commences on line 5. I may be mistaken as to the place where it should be put, but let us put the $50,000 for dairy work under the item appropriating for dairy work. It will be found on page 18, line 5, as follows:

For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated butter factories and markets, $300,000.

I ask the chairman of the committee if that is not a better place to put the $50,000.

Mr. GRONNA. May I be permitted to read a brief statement from the Secretary of Agriculture?

Mr. WADSWORTH. Certainly.

Mr. GRONNA. He says:

This appropriation was reduced $52,400 by the House bill. The Senate committee amendment increases the amount by $50,000 and restores the language setting aside $50,000 for live stock and dairy demonstration work in cooperation with the States Relations Service.

The purpose of this amendment is to enable the department to continue its demonstrations in live-stock production and dairying in the South, which have been conducted in cooperation with the States Relations Service during the past four years. The work has proved very beneficial to the areas from which the tick has been eradicated, by demonstrating to the people how they may utilize to the best advantage the benefits derived through the elimination of the pest by the improvement and extension of live stock and dairy industries. This work grows in importance as areas freed of ticks increase from year to year, and there is no doubt that it would be to the best interests of the agriculture of the South, including the stock production and dairying, to continue the appropriation.

Of course, there is a great deal of force to the Senator's argument, but let me say to the Senator that this is what I consider special work. It is not the same class of work that is being done in the dairying work generally. This is to experiment, if I might say so, with dairying in this tick-freed area. I think I am correct in stating that the work is somewhat different from the work that is being carried on in the areas where there has been none of these pests. I think perhaps we might do an injury to the people of the areas where this work has been going on if we make this change. The department is very anxious that this appropriation should remain in the bill. We know that in some portions of the southern country the Department of Agriculture has made great progress, not only in eradicating the tick but in encouraging the industry of dairying. Dairying, as we all know, has been carried on mostly in the Northern States heretofore, but the department has been very helpful, I understand, in promoting dairying in the South, and I believe we ought to leave this amount in this particular bill.

Mr. NUGENT. Mr. President——

Mr. GRONNA. In just a moment I will yield the floor. I agree with the Senator from New York that it is confusing to have appropriations for the same purpose in more than one place, but I do think this is work somewhat different from the work that is generally carried on in the dairying industry.

Mr. WADSWORTH. Mr. President, I agree with everything the Senator says about the value of this work, but let me say to him—and I think he will acknowledge the truth of the statement—that the dairy problem in the State of Mississippi is not essentially different from the dairy problem in north Texas. A dairy is a dairy wherever you find it. There are certain ways of running a dairy and certain ways of not running it. I assume that the $50,000 is well spent in encouraging the development of the dairy industry in those regions which have been freed from the southern cattle tick. As those vast regions are freed from the southern cattle tick, why can they not be treated like all other regions that were formerly freed from the southern cattle tick, and the dairy work done in those regions just as it is done in the rest of the United States? My suggestion is that this $50,000 item be taken out of this particular appropriation and placed on the next page, where there is special provision "for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated-butter factories and markets, $300,000." Make that $350,000, and the department will use that $50,000 where it has been using it before—in the tick-freed areas of the South.

I object to having money appropriated in two, three, or four different parts of this bill, all for the same purpose. It adds to confusion and inevitably it adds to the cost of administration, because somebody is employed in each one of these different bureaus to do work which one man in one bureau alone could do. That is all, Mr. President.

Mr. GRONNA. Unless we specifically provide that at least $50,000 be used for that purpose in the tick-freed country, there might be such a thing as the money not being used.

Mr. WADSWORTH. That would be entirely satisfactory to me.

Mr. GRONNA. I should have no objection whatever to a transfer of the appropriation, providing it is understood that this $50,000 shall be used in this particular area. We might appropriate a lump sum for the entire country, but our country is enormously large, and there is always great demand from all sections of the country for aid from the States; but if the Senator can agree on a proposition to specify that $50,000 shall be used for this particular purpose, I shall be very glad to have the transfer made.

Mr. WADSWORTH. That will be entirely satisfactory to me.

Mr. GAY. Mr. President——

Mr. GRONNA. The Senator from Idaho rose first, and I promised to yield to him.

Mr. NUGENT. I will say to the Senator that the Senator from New York covered the matter to which it was my intention to call attention.

Mr. GRONNA. Very well. I yield to the Senator from Louisiana.

Mr. GAY. Mr. President, I merely want to ask the Senator, the chairman of the committee, if by changing this amount as

suggested by the Senator from New York [Mr. WADSWORTH] there is not grave danger that the money will not be used for the purpose specified? As I understand it, this is for demonstration work to show what has been accomplished in the uplifting of the live-stock and dairying industry in those sections where the tick still prevails, showing what has been done in the eradication of the cattle tick, and if that amount is transferred over to the next page and added to the appropriation of $300,000, from the reading of that clause it seems to me the money could be used for other purposes. I for one would be opposed to making the change.

Mr. WADSWORTH. We can put a proviso there.

Mr. GRONNA. I agree with the Senator from Louisiana that it could be used anywhere, unless we specifically provide that this amount shall be used in the tick-infested area.

Mr. GAY. Under those conditions there would be no occasion to make the change in the wording.

Mr. GRONNA. I do not think so.

Mr. WADSWORTH. Yes; there is a most distinct reason for making the change. Dairy industry is not part of cattle-tick eradication, and the two should not be put under one set of men or in one appropriation.

Mr. GAY. But this is to show the benefit that has been derived from the eradication of the cattle tick, and it is certainly for live stock and dairy demonstration work.

Mr. WADSWORTH. Then it should be carried under the provision for live stock and dairy demonstration work. I am perfectly willing, on the next page, to make the sum $350,000 and add a proviso that not less than $50,000 of this sum shall be spent in areas freed from cattle tick.

Mr. GRONNA. With that understanding I will have no objection to the change, because that I think would take care of the situation.

Mr. HARRISON. Has the Senator his amendment prepared?

Mr. WADSWORTH. I was just writing it. It is to change the figures $300,000 to $350,000 on line 8, page 15, and add a proviso as follows:

Provided, That not less than $50,000 of this sum shall be expended in areas freed from the southern cattle tick.

Mr. HARRISON. Then in the language as embodied on the preceding page——

Mr. WADSWORTH. Yes.

In cooperation with the States Relations Service.

Mr. GAY. Why not use the exact language?

Mr. WADSWORTH. It is practically provided in the bill, on lines 6 and 7, page 18—

Cooperative investigations of the dairy industry.

Mr. HARRISON. You would not object to having it read "dairy demonstration"?

Mr. WADSWORTH. Oh, not at all; investigations and experiments are demonstrations.

Mr. GAY. On the previous page it does not so provide. It is confined to dairy demonstration work for live stock.

Mr. WADSWORTH. Put that in too. This would involve disagreeing with the committee amendment.

Mr. HARRISON. Let us have it reported.

Mr. WADSWORTH. I may recite it again:

Provided, That not less than $50,000 of this sum shall be expended in areas freed from southern cattle tick for live-stock and dairy demonstration work.

Mr. GRONNA. Does the Senator increase the amount?

Mr. WADSWORTH. It is increased on line 8.

Mr. HARRISON. In cooperation with the States Relations Service.

Mr. WADSWORTH. That is surplusage.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 17.

Mr. GRONNA. With the understanding that the language proposed by the Senator from New York will be adopted, I ask that we disagree to the amendment proposed by the committee.

The committee amendment was rejected.

Mr. GAY. I suggest that this matter be passed over until put in writing so that it can be reported by the Secretary.

Mr. WADSWORTH. On page 18, line 8, strike out "$300,000" and insert "$350,000" and the words "*Provided*, That not less than $50,000 of this sum shall be expended in areas freed from the southern cattle tick for live-stock and dairy demonstration work."

Mr. GAY. "In cooperation with States Relations Service."

Mr. GRONNA. I think it necessary to change that, if the Senator will modify his amendment. I think the language should be—

Of which sum $50,000 may be used for live-stock demonstration in cooperation with the States Relations Service in the areas freed from the southern cattle tick.

Mr. WADSWORTH. Instead of "not less than $50,000," simply say "$50,000."

Mr. GRONNA. Very well.

Mr. HARRISON. What would the Senator from New York think of the suggestion in line 6, page 18, which would be a matter of surplusage—that is, it would be repetition in the proviso—right after "experiments" to say "and demonstrations in the live-stock and dairy industry."

Mr. WADSWORTH. I am perfectly willing to have those words inserted.

Mr. HARRISON. That is repeating what is in the proviso, but the proviso would include what is in there.

Mr. WADSWORTH. I think it makes no difference.

Mr. GRONNA. Let these two amendments go over, so that it will give the Senator from New York time to prepare his amendment in the form that he wants it. I ask that the amendment at the bottom of page 17 and at the top of page 18 go over temporarily.

The PRESIDING OFFICER. The amendments will be passed over.

Mr. ASHURST. Mr. President, I desire at this time to give notice of a motion to suspend a certain rule so I may be in order at the proper time to offer an amendment. I ask the Secretary to read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Reading Clerk read as follows:

NOTICE.

Under and by virtue of the provisions of Rule XL of the Standing Rules of the Senate, I hereby give notice that at an early date I shall move to suspend paragraphs 2 and 3 of Rule XVI of the Standing Rules of the Senate for the purpose of offering and proposing to H. R. 12272, being an act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, the so-called Agricultural appropriation bill, the following amendment, namely: Add a new section, as follows:

"That for the purpose of carrying on and completing irrigation projects and units thereof heretofore begun or heretofore surveyed, estimated for and approved but not begun for lack of funds, and for the investigation, commencement, and completion of such new projects as may be deemed feasible and desirable to undertake, and that can be completed within the limit of the reclamation fund as increased by the amount herein provided, there is hereby authorized to be appropriated and placed in the reclamation fund, from time to time as estimates are submitted therefor, the sum of $250,000,000 to be expended under the terms and conditions of the act commonly known as the reclamation act and acts amendatory thereof, and to be repaid as is by said act and amendments thereto provided.

"SEC. 2. That in the expenditure of said reclamation fund and in the undertaking of new projects the Secretary of the Interior is authorized and directed to enter into such agreements for cooperation with States, counties, duly authorized irrigation districts and municipalities as he may deem wise and advantageous."

Mr. ASHURST. Mr. President, I have been examining the rules of the Senate and am convinced that although the proposed amendment is the language of a bill that has been reported favorably from a standing committee of the Senate it nevertheless would be obnoxious to Rule XVI, and in order to become subject to a vote the rules would have to be suspended.

A word of explanation about this proposed amendment. It will be observed that it is simply the Jones bill, that is to say it is the exact form of the bill introduced by the able Senator from Washington [Mr. JONES], which proposes to appropriate or lend, rather, to the reclamation fund $250,000,000. That Senator has prepared the bill with much care and I never have any hesitancy about adopting and supporting a meritorious bill when I see it.

There has been a favorable report submitted to the Senate by the able Senator from Oregon [Mr. MCNARY], being report No. 335, showing the propriety, the feasibility, aye, sir, the necessity for such legislation. Although the figures $250,000,000 make a large, round mouthful, only $10,000,000 would be available or used this year, and the remaining portion would be used during the next 10 years. I do not hesitate to say that of all the legislation which this Congress shall enact, the bill proposed by the Senator from Washington [Mr. JONES] and which has been reported favorably from the Committee on Irrigation and Reclamation of Arid Lands by the Senator from Oregon [Mr. MCNARY] is the most valuable and the most constructive, and it simply follows out a policy which was adopted by Congress when, on June 17, 1902, the reclamation policy took life.

The hour is late, and I do not want to harass the industrious chairman of the committee by any further discussion of this amendment at this time, but will simply point out at an appropriate time that of the moneys that have been advanced by the Government, to wit, $154,000,000, nearly $35,000,000 have been repaid, and that the repayments only began within the last four years. If the Federal Government will lend its aid to the Western States there will soon be no deserts in the West; there will no longer be any cacti to lift spiny limbs into the

heated air, for the deserts will be transformed into orange groves; into vineyards; where the purple grapes grow, the olives and the grapefruit flourish.

So I hope at the appropriate time to secure a two-thirds vote for the adding of this amendment to the bill, because I am convinced it would be obnoxious to a point of order unless the rules are suspended. Although it has been reported favorably from a standing committee of the Senate, it carries with it general legislation, and in my judgment the rule would be required to be suspended. I am now laying down the premise for a short speech I am going to make in a few days urging this appropriation.

I beg of Senators not to permit the large figures of $250,000,000 to frighten them. Only $10,000,000 will be needed the first year.

Mr. JONES of Washington. Mr. President, I merely want to emphasize what the Senator from Arizona has said with reference to the amendment proposed by him. It does not involve the appropriation of $250,000,000 now. It simply involves the expenditure of $250,000,000, as he stated, in about 10 years. Every dollar of it will be paid back to the Treasury of the United States. That has been demonstrated by the experience in connection with the reclamation act, as will be shown, I think, by the report to which the Senator referred, made by the Committee on Irrigation and Reclamation of Arid Lands.

I simply want to add to what he so well said, that the Government could not make an appropriation that would be of more benefit and more substantial benefit to the country than to act along that line. I am glad the Senator has proposed the amendment. I noticed that some of the Senators present rather had a smile on their faces when the suggestion was made that we should suspend the rule. Possibly they are not in favor of suspending the rules to do a good thing like this, but I hope they will reconsider it and will feel that it is absolutely justified.

Mr. HARRISON. May I ask the Senator, if the Senate should suspend the rule and incorporate this provision in the bill, does the Senator think the steering committee of the Republican Party of the other House would acquiesce in it and allow the House to accept it?

Mr. JONES of Washington. I want to say that I am not concerned about what the steering committee of the House of Representatives would do with reference to a matter of this kind. I am not governing my actions here by what the steering committee of the House would be disposed to do one way or the other. I would act upon this proposition, as I do upon all other propositions, in the way I believe to be right from the standpoint of the public good.

Mr. HARRISON. That is a very proper way. The thing that prompts me to ask that question is the fact that the steering committee of the House required the Committee on Agriculture to reduce the appropriation bill from the estimate of about $37,000,000 to $30,000,000, and I am fearful that they would not want to see incorporated in it a new proposition appropriating $250,000,000.

Mr. JONES of Washington. Let us not allow our fears to control our actions as to what the steering committee of another body will do.

Mr. HARRISON. I will not be influenced by it.

Mr. JONES of Washington. I am sure the Senator will not be. Furthermore, I want to again emphasize that this is not an appropriation of $250,000,000. It is an authorization, so that a program of development can be laid down and carried out over a period of 10 or 15 years.

Mr. ASHURST. I have here a copy of a letter, and ask that it may be inserted in the RECORD as an appendix to my remarks. This letter is from the Interior Department, addressed to myself, under date of September 10, 1919. It contains some figures which disclose the fact that under the reclamation law signed by President Roosevelt on the 17th of June, 1902, $154,127,905 have been advanced, and that although the Western States have only started to repay the money to the Federal Treasury, the sum of $35,703,922 has already been repaid within that four years. I ask that the entire table be incorporated into the RECORD. I thank the Senator from New York.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The letter and table referred to are as follows:

DEPARTMENT OF THE INTERIOR,
UNITED STATES RECLAMATION SERVICE,
Washington, D. C., September 10, 1919.

Hon. HENRY F. ASHURST,
United States Senate.

MY DEAR SENATOR: In accordance with telephone request from your office I am sending herewith a tabulation of investments in Government reclamation projects up to the close of the past fiscal year. This shows in each case the total investment of the United States and the reimbursement and other credits against these investments and the net investment on that date.

These are the figures you want, as I understand it, but there is a word of caution in connection with any such statistics. The operations involved in the construction and management of large irrigation projects are so varied that it is difficult or impossible to express all of the financial facts in a few simple terms. For example, the figures given for total investments include actual cash disbursements from the reclamation fund, appropriations for "increase of compensation," and other special appropriations, such as that of a million dollars for the Elephant Butte Dam by the act of March 4, 1907, for judgments of the Court of Claims, etc. This also includes the agreed value of machinery, equipment, materials, etc., transferred from one project to another, in which case we make book credits and debits of appropriate amounts. For all projects such transfers amount to upward of $7,300,000 in the inclosed statement.

Similarly the column of reimbursements and credits includes the other side of such transfer entries, as well as actual cash collections for construction charges, operation and maintenance repayments, water rentals, and miscellaneous items for the sale of electricity, abandoned equipment, etc.

At the bottom of the table you will notice a number of other items added to bring the figures in agreement with our book totals. The "secondary projects" include the great number of possibilities that have been surveyed and examined more or less completely, in addition to the projects actually undertaken. For example, in Arizona this includes the San Carlos, San Pedro, Sentinel, and other propositions that will occur to you.

Jackson Lake, in Wyoming, we converted into a reservoir for one of our constructed projects. Later the storage was enlarged mainly for the benefit of private projects in the same drainage basin, and the companies thus interested deposited in advance the funds used in this later construction. These were deposited to the credit of the reclamation fund and disbursed in the usual manner. The account has not been finally closed out, and there is a small balance remaining to the credit of these companies, which accounts for the item marked "deduct" in tabulation.

The item of general expense includes headquarters offices at Washington and Denver, legal services, and many other items which can not readily be allocated to particular projects except in bulk from time to time on the basis of expenditures or other similar criterion.

This is the largest item included under the head of "Transfers," already mentioned.

The item entitled "Indian projects" represents expenditures from the reclamation fund reimbursed by the Indian Bureau.

I hope the inclosed tabulation and this explanation will give you what you want. If not, and I can give you any further information, please let me know.

Very truly, yours, A. P. DAVIS, *Director.*

Reclamation project investments to June 30, 1919.

State.	Project.	Total investment of United States.	Reimbursements and credits.	Net investment of United States.
Arizona	Salt River	$14,738,768.28	$4,597,289.88	$10,141,478.40
Arizona-California	Yuma	10,491,156.17	1,384,435.55	9,106,720.62
California	Orland	1,142,775.82	262,285.10	880,490.72
Colorado	Grand Valley	3,638,306.40	123,755.05	3,514,551.35
Do	Uncompahgre	7,500,573.50	941,185.43	6,559,388.07
Idaho	Boise	13,818,129.69	2,065,497.76	11,752,631.93
Do	King Hill	653,828.22	17,837.55	635,990.67
Do	Minidoka	7,152,963.40	2,500,397.80	4,652,565.60
Kansas	Garden City	402,424.80	59,014.76	343,410.04
Montana	Huntley	2,322,584.94	771,833.28	1,550,751.66
Do	Milk River	3,448,555.50	155,623.91	3,292,931.59
Do	St. Mary storage	2,696,879.42	134,175.64	2,562,703.78
Do	Sun River	4,040,415.07	390,854.44	3,649,560.63
Do	Lower Yellowstone	3,577,571.06	258,244.93	3,319,326.13
Nebraska-Wyoming	North Platte	11,924,724.39	1,825,559.61	10,099,164.78
Nevada	Newlands	7,195,680.51	1,015,471.89	6,180,208.62
New Mexico	Carlsbad	1,720,306.28	515,728.93	1,204,577.35
Do	Hondo	407,745.12	35,750.26	371,994.86
New Mexico-Texas	Rio Grande	10,396,711.35	1,100,745.60	9,295,964.75
North Dakota	North Dakota pumping.	1,376,345.42	417,859.85	958,485.57
Oklahoma	Lawton	14,774.99	877.13	13,897.83
Oregon	Umatilla	2,951,431.20	655,256.24	2,296,174.95
Oregon-California	Klamath	3,454,702.40	749,301.66	2,705,400.74
South Dakota	Belle Fourche	4,104,082.40	800,031.64	3,304,050.76
Utah	Strawberry Valley	3,908,218.17	555,605.22	3,352,612.95
Washington	Okanogan	1,128,384.53	209,960.55	918,423.98
Do	Yakima	12,935,413.10	4,033,299.44	8,902,113.66
Wyoming	Shoshone	6,631,353.38	1,013,007.04	5,618,346.34
Various	Secondary	1,362,125.54	211,853.08	1,150,272.46
Subtotals		145,136,931.05	26,802,740.22	118,334,190.83
Wyoming	Jackson Lake enlargement.	850,945.95	856,706.44	[1] 5,760.48
General expense		4,992,981.79	4,899,407.55	93,574.24
Indian projects		3,147,046.68	3,145,068.66	1,978.02
Total		154,127,905.48	35,703,922.87	118,423,982.61

[1] Deduct.

Mr. GAY. Will the Senator from Arizona permit a question?

Mr. ASHURST. I have not the floor.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Louisiana?

Mr. WADSWORTH. I do.

Mr. GAY. I wish to ask the Senator from Arizona a question.

Mr. WADSWORTH. I yield for a question.

Mr. GAY. I wish to ask the Senator from Arizona if it is his intention to include not only the irrigation projects but the projects involving reclamation by drainage?

Mr. ASHURST. I should have no objection to that; I should consent to any modification of my amendment that would effectuate such a purpose.

Mr. WADSWORTH. Mr. President, after consultation with the Senator from Louisiana and the Senator from Mississippi, I offer the amendment which I send to the desk in conjunction with the understanding that the committee amendment on page 17 will be disagreed to.

The PRESIDING OFFICER. The amendment offered by the Senator from New York will be stated.

The READING CLERK. On page 18, line 8, it is proposed to strike out "$300,000" and to insert "$350,000" and to add:

Provided, That $50,000 of this sum may be expended in areas freed of southern cattle ticks for live-stock and dairy demonstration work in cooperation with the States Relations Service.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New York. Without objection, the amendment is agreed to. The question is now on agreeing to the committee amendment on page 17.

The amendment was rejected.

Mr. HARRISON. Mr. President, I do not think it would be necessary, perhaps, but in view of the fact that we have added the proviso that $50,000 of the $350,000 may be expended as stated in the amendment, it would seem to me that the body of the provision should not only provide for investigations and experiments, but that, on line 6, after the word "experiments," the words "and demonstrations" should be added; also, in line 6, after the word "in" and before "dairy industry," the words "live stock and" should be included, for the reason that the amount appropriated applies only to investigations and experiments, and we have added to the clause a proviso that allows the carrying on of demonstration work. It would seem to me, if the proviso is going to carry that language, that the body of the provision should also carry the same language.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi offer his suggestion as an amendment?

Mr. GRONNA. I trust the Senator from Mississippi will not ask to have the language changed. The $300,000 is to be used exclusively for the purpose specified in this particular language.

Mr. HARRISON. I understand, Mr. President——

Mr. GRONNA. We specify in the amendment proposed by the Senator from New York [Mr. WADSWORTH] specifically for what purpose $50,000 shall be used. I should be opposed to changing the provision so that the money could be expended, you might say, altogether for demonstration work. I hope the Senator from Mississippi will not insist upon his amendment.

Mr. HARRISON. It is not my intention to do that. I wish to clarify it, for I am afraid that some one else might interpret the provision exactly as the Senator from North Dakota has interpreted it. If I understand the Senator, the amount of $300,000 as embodied in the bill has been increased to $350,000?

Mr. GRONNA. Yes, sir.

Mr. HARRISON. In other words, if the proviso were not inserted it would read:

For all necessary expenses for investigations and experiments in dairy industry, * * * $300,000.

But after the proviso is inserted, demonstration work is provided for.

Mr. GRONNA. For that purpose $50,000 is provided.

Mr. HARRISON. Yes; $50,000.

Mr. GRONNA. But not $350,000.

Mr. HARRISON. It seems to me the body of the provision ought to contain the words "demonstration work," so that the proviso might be included.

Mr. GRONNA. I will say to the Senator from Mississippi that, as one member of the committee, I can not accept that amendment, because we have large amounts appropriated for demonstration work. This is for dairying.

Mr. WADSWORTH. Appropriations have been made for demonstration work in other parts of the bill.

Mr. GRONNA. Appropriations have been made in other parts of the bill for such work.

Mr. HARRISON. The Senator from North Dakota does not want to understand me as desiring more than $50,000 to carry on this work.

Mr. GRONNA. I understand the Senator.

Mr. HARRISON. I do not want any more. I am afraid, however, that, as the proviso includes demonstration work, which is not included in the body of the paragraph, it might be construed against the appropriation in some way. I can not see where it would hurt anything to add "and demonstration work" after "investigations and experiments," for there can not be spent over $50,000 in carrying on the demonstration work; it is expressly limited to $50,000.

Mr. GRONNA. I understood the Senator to desire to change the language in the original bill.

Mr. HARRISON. Yes; on line 6, merely to add "and demonstration work."

Mr. GRONNA. I hope the Senator will not ask that that be done.

Mr. HARRISON. I am merely seeking to perfect the text; that is all I am trying to do.

Mr. GRONNA. Mr. President, may the amendment of the Senator from New York [Mr. WADSWORTH] be stated?

The PRESIDING OFFICER. The amendment of the Senator from New York has been agreed to.

Mr. GRONNA. I understand that; but may we not have it read for the information of the Senate?

The PRESIDING OFFICER. The amendment proposed by the Senator from New York, which has been agreed to, will be stated.

The READING CLERK. On page 18, line 8, it is proposed to strike out "$300,000" and to insert "$350,000: *Provided*, That $50,000 of this sum may be expended in areas freed of southern cattle ticks for live stock and dairy demonstration work in cooperation with the States Relations Service."

Mr. HARRISON. Mr. President, I am not going to insist on my suggestion; I merely thought it would be better to perfect the text.

Mr. THOMAS. Mr. President, may I ask if amendments by individual Senators to the bill are now in order?

Mr. GRONNA. It was agreed that the committee amendments should first be considered.

Mr. THOMAS. I so understood, but it appears from the discussion that amendments are being offered from the floor.

Mr. HARRISON. The only reason for that was that we were trying to transpose an item reported as a committee amendment.

Mr. THOMAS. I was merely endeavoring to find out what the procedure was.

The PRESIDING OFFICER. It has been agreed that committee amendments shall be first considered. The Secretary will state the next amendment.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 18, line 16, after the word "expenses," to strike out "$269,180" and insert "$282,820," so as to read:

For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside of the District of Columbia, and all other necessary expenses, $282,820.

The amendment was agreed to.

The next amendment was, on page 18, in line 17, after "$282,820," to strike out "*Provided*, That of the sum thus appropriated $20,000 may be used for experiments in the breeding and maintenance of horses for military purposes."

Mr. WADSWORTH. Mr. President, I do not know whether there are any lovers of the horse left in the Senate. I think I may say the Senator from Massachusetts [Mr. LODGE] is one and the Senator from Wyoming [Mr. WARREN], I am sure, is one, and I presume there are some others.

Mr. SMOOT. The two Senators from Louisiana ought to be.

Mr. WADSWORTH. I will not call the roll of Senators on this question; but the amendment reported by the committee wipes out all the work of the Department of Agriculture in connection with the development of saddle horses in the United States.

There are two stations now being operated by the Department of Agriculture which have been operated for some time. One is in Vermont and one, until recently, at least, was in Colorado, although, perhaps, it is now in Wyoming. The denial of this appropriation, of course, will close both of those stations and will compel the Government to discharge its employees and get rid of the horses. I think it is pretty ungrateful treatment of our good old friend, the horse. So far as I can see he is the one animal now that the United States Government does not care a rap about. We take care of the other friends of man—the cattle, the sheep, and the hogs—but not of the horse.

Mr. President, it is a fact that while these two stations are not large, going concerns, and were never intended to be, they have possibilities of a great deal of good in them. They were established, in the first instance, as I recollect, to work out, in connection with the Army authorities, some plan for increasing the supply of cavalry horses in the United States. The supply of artillery horses is more than adequate; indeed, the tremendous number of horses required in the recent war for artillery purposes scarcely scratched the surface of our supply of such horses; but the supply of cavalry horses, or horses suitable for

cavalry, is steadily diminishing, and our Government has a great deal of trouble in finding horses of a suitable type for that branch of the service. That trouble is going to increase from time to time.

The station in Vermont is engaged in an effort to restore and perpetuate the Morgan breed of horses. A very famous horse was the old Morgan of Vermont and northern New England, whose blood spread far over the country—a horse of medium weight and of tremendous endurance, and most excellent disposition. Henry Ford and the Buicks and the other quantity producers of jitneys have pretty nearly driven out the medium-sized horse. The lightweight horse still lives on the cattle ranges, and is used for handling cattle, but the medium-weight horse, which is suitable for saddle purposes and for cavalry purposes, is being driven to the wall. It seems to me that it is an unwise thing for the Government to give up all efforts toward perpetuating a most valuable animal in the United States.

The station in the Rocky Mountain States—I think it is in Colorado—has made experiments along several lines of breeding, using the thoroughbred and the standard-bred trotter, and I think it made the awful mistake on one occasion of trying a hackney. I understand that effort has been abandoned; but the effort has been made there to establish and encourage the breeding of types of horses that can be used for saddle purposes and especially for cavalry.

The amount of money involved is only $20,000, and it seems to me rather shortsighted deliberately to cut it all out and destroy the work that has been done, and say, "We will have none of it." On behalf of my friend, the horse, I plead with the Senate for the restoration of the item.

Mr. KENDRICK. Mr. President, I just want to offer a word of testimony in support of the statements so well made by the Senator from New York [Mr. WADSWORTH].

It seems an inopportune time to take this step, calculated to discourage entirely the production of this type of a very useful animal, for the reason, as the Senator has pointed out, that while it is possible to secure an unlimited number of almost every other kind of horse that can be named, it is very difficult even now for the Government to supply its own wants with this particular type of horse.

This action on the part of the committee at the present time is in striking contrast with the attitude of the Government in other departments, particularly the Bureau of Indian Affairs. They are doing exactly the reverse of what the Government is doing elsewhere; and it is needless to say that the selection of these stations has been made with the very best judgment in regard to the places where the horses can be produced to the best advantage. It seems to me highly unwise to terminate, without any regard to the consequences, this effort that has been so well started.

I hope the Senator's motion will prevail.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. GRONNA. I ask that this item may be passed over for to-night.

The PRESIDING OFFICER. Is there objection? If not, the item will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 19, line 9, after the word "products," to strike out "$106,400" and insert "$139,800," and in line 10, after the word "sum," to strike out "$25,000" and insert "$47,720," so as to make the clause read:

For all necessary expenses for scientific investigations in diseases of animals, including the maintenance and improvement of the bureau experiment station at Bethesda, Md., and the necessary alterations of buildings thereon, and the necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, $139,800: *Provided*, That of said sum $47,720 may be used for researches concerning the cause, modes of spread, and methods of treatment and prevention of the disease of contagious abortion of animals.

The amendment was agreed to.

The next amendment was, on page 19, line 18, after the word "authorities," to strike out "$410,000" and insert "$641,045," and in line 20, before the words "be available," to strike out "shall" and insert "may," so as to make the clause read:

For investigating the disease of hog cholera, and for its control or eradication by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers' associations, State or county authorities, $641,045: *Provided*, That of said sum $188,280 may be available for expenditure in carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: *And provided further*, That of said sum $29,520 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of this disease.

The amendment was agreed to.

The next amendment was, on page 20, line 11, after the words "general expenses," to strike out "$3,678,266" and insert "$4,190,791," so as to make the clause read:

In all, for general expenses, $4,190,791.

Mr. GRONNA. Let that item of the totals go over.

The PRESIDING OFFICER. It will be passed over.

The next amendment was, on page 20, line 21, after the words "Animal Industry," to strike out "$5,327,236" and insert "$5,736,581," so as to make the clause read:

Total for Bureau of Animal Industry, $5,736,581.

The PRESIDING OFFICER. This total also will be passed over, without objection.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, under the subhead "Bureau of Plant Industry," on page 21, line 7, before the word "clerks," where it occurs the second time, to strike out "seventeen" and insert "eighteen"; in line 8, before the word "clerks," to strike out "five" and insert "fifteen"; in line 9, before the word "clerks," where it occurs the first time, to strike out "twenty-eight" and insert "forty-three"; in line 10, before the word "clerks," where it occurs the first time, to strike out "eighty-six" and insert "eighty-nine"; in line 13, after the word "each," to strike out "forty-three clerks, at $900 each; one clerk or draftsman, $900"; in line 15, before the word "messengers," to strike out "forty-four" and insert "fifty-three"; on page 22, line 12, before the words "messenger boys," to strike out "three" and insert "five"; in line 14, after the word "each," to strike out "five messenger boys, at $420 each; sixteen messenger boys, at $360 each"; and in line 16, after the words "in all," to strike out "$526,960" and insert "$528,500," so as to make the clause read:

Salaries, Bureau of Plant Industry: One physiologist and pathologist, who shall be chief of bureau, $5,000; 1 assistant to the chief, $3,000; 1 executive assistant in seed distribution, $2,500; 1 officer in charge of publications, $2,250; 1 landscape gardener, $1,800; 1 officer in charge of records, $2,250; 1 executive clerk, $2,000; 4 executive clerks, at $1,980 each; 1 seed inspector, $1,000; 1 seed warehouseman, $1,400; 1 seed warehouseman, $1,000; 12 clerks, class 4; 18 clerks, class 3; 15 clerks, at $1,500 each; 43 clerks, class 2; 3 clerks, at $1,320 each; 89 clerks, class 1; 2 clerks or draftsmen, at $1,200 each; 2 clerks, at $1,100 each; 5 clerks, at $1,080 each; 7 clerks, at $1,020 each; 30 clerks, at $1,000 each; 11 clerks, at $840 each; 1 laborer, $780; 53 messengers or laborers, at $720 each; 8 messengers or laborers, at $660 each; 17 messengers or laborers, at $600 each; 1 artist, $1,620; 1 clerk or artist, $1,400; 2 clerks or artists, at $1,200 each; 2 laboratory aids, at $1,440 each; 1 laboratory aid, $1,380; 4 laboratory aids or clerks, at $1,200 each; 1 laboratory aid, clerk, or skilled laborer, $1,080; 3 laboratory aids, clerks, or skilled laborers, at $1,020 each; 2 laboratory aids, at $960 each; 2 laboratory aids, at $900 each; 6 laboratory aids, at $840 each; 7 laboratory aids, at $720 each; 1 map tracer or laboratory aid, $900; 2 gardeners, at $1,440 each; 4 gardeners, at $1,200 each; 8 gardeners, at $1,100 each; 15 gardeners, at $900 each; 19 gardeners, at $780 each; 1 skilled laborer, $1,100; 1 skilled laborer, $960; 2 skilled laborers, at $900 each; 3 skilled laborers, at $840 each; 1 assistant in technology, $1,400; 1 assistant in technology, $1,380; 1 general mechanic, $1,400; 1 mechanician, $1,080; 1 mechanical assistant, $1,400; 1 mechanical assistant, $1,200; 1 carpenter, $900; 1 painter, $900; 1 teamster, $840; 21 messengers or laborers, at $540 each; 29 messengers or laborers, at $480 each; 5 messenger boys, at $660 each; 14 messenger boys, at $600 each; 10 messenger boys, at $480 each; 4 charwomen, at $480 each; 21 charwomen, at $240 each; in all, $528,500.

The amendment was agreed to.

The next amendment was, on page 23, line 14, after the word "fruits," to strike out "$80,935" and insert "$90,935," so as to make the clause read:

For the investigation of diseases of orchard and other fruits, $90,935: *Provided*, That $8,000 of said amount shall be available for the investigation of diseases of the pecan.

The amendment was agreed to.

The next amendment was, on page 26, line 3, after "$86,410," to strike out "*Provided*, That not more than $7,500 of this sum may be used for experiments in cottonseed interbreeding," so as to make the clause read:

For acclimatization and adaptation investigations of cotton, corn, and other crops introduced from tropical regions, and for the improvement of cotton and other fiber plants by cultural methods, breeding, and selection, and for determining the feasibility of increasing the production of hard fibers outside of the continental United States, $86,410.

Mr. SHEPPARD. Mr. President, I move to strike out "$86,410" and to insert in lieu thereof "$111,410." I do this for the purpose of providing a sum to take care of the last installment in a project adopted by Congress two or three years ago at the instance of the Department of Agriculture. The chairman of the committee will recall the fact.

Mr. GRONNA. Will the Senator defer that until the committee amendments have been adopted?

Mr. SHEPPARD. I shall be glad to have the matter go over until later, if that is desired by the chairman of the committee.

Mr. HARRISON. Mr. President, as I understand, this item is passed over without prejudice.

Mr. SMOOT. The Senator has reference to the committee amendment on lines 4 and 5, page 26?

Mr. HARRISON. Yes. The Senator from Texas has offered an amendment increasing the amount and also striking out the proviso, as I understand.

Mr. SHEPPARD. No.

Mr. GRONNA. The proviso has been stricken out by the committee.

Mr. SHEPPARD. I am not so much interested in the proviso as I am in having the amount of $86,410 increased by the sum of $25,000.

The PRESIDING OFFICER. The Chair understands that the amendment of the Senator from Texas does not relate to the committee amendment.

Mr. SHEPPARD. It may be that the committee amendment will have some bearing on the motion I have made, and if the chairman does not object, I should be glad to have the two matters go over until we can determine the question.

Mr. GRONNA. I have no objection to letting the item go over, if it is desired.

The PRESIDING OFFICER. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 26, line 9, after the word "investigations," to strike out "$59,820" and insert "$39,820," so as to make the clause read:

For the investigation, testing, and improvement of plants yielding drugs, spices, poisons, oils, and related products and by-products, and for general physiological and fermentation investigations, $39,820.

The amendment was agreed to.

The next amendment was, on page 26, after line 11, to strike out:

For biophysical investigations in connection with the various lines of work herein authorized, $32,500.

The amendment was agreed to.

The next amendment was, on page 26, line 25, to strike out "$36,680" and insert "$41,680," so as to make the clause read:

For studying and testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa, and lawn-grass seeds secured in the open market, and where such samples are found to be adulterated or misbranded the results of the tests shall be published, together with the names of the persons by whom the seeds were offered for sale, and for carrying out the provisions of the act approved August 24, 1912, entitled "An act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes" (37 Stat. L., p. 506), $41,680.

The amendment was agreed to.

The next amendment was, on page 27, line 6, after the word "production," to strike out "$212,505" and insert "$359,705," and in line 9, after the words "stripe rust," to insert: "*Provided also*, That $147,200 shall be set aside for the location of and destruction of the barberry bushes and other vegetation from which such rust spores originate," so as to make the clause read:

For the investigation and improvement of cereals and methods of cereal production, and the study of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broom corn and methods of broom-corn production, $359,705: *Provided*, That $50,000 shall be set aside for the investigation and control of the diseases of wheat, oats, and barley known as black rust, leaf rust, and stripe rust: *Provided also*, That $147,200 shall be set aside for the location of and destruction of the barberry bushes and other vegetation from which such rust spores originate.

Mr. SHEPPARD. I ask that this item go over until I can see the chairman regarding it. The cut of $80,000 there affects two or three cereal experimentations in certain parts of Texas and Oklahoma.

Mr. GRONNA. I have no objection to letting it go over, if the Senator desires.

The PRESIDING OFFICER. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment was, on page 28, line 7, after the word "agriculture," to strike out "$85,000" and insert "$94,115," so as to make the clause read:

For sugar-plant investigations, including studies of diseases and the improvement of the beet and beet seed, and methods of culture, and to determine for each sugar-beet area the agricultural operations required to insure a stable agriculture, $94,115.

The amendment was agreed to.

The next amendment was, on page 28, line 12, after the word "conditions," to strike out "$150,000" and insert "$159,000," so as to make the clause read:

For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, $159,000: *Provided*, That no part of this appropriation shall be used in the free distribution, or propagation for free distribution, of cuttings, seedlings, or trees of willow, box elder, ash, caragana, or other common varieties of fruit, ornamental, or shelter-belt trees in the Northern Great Plains area, except for experimental or demonstration purposes in the States of North and South Dakota west of the one-hundredth meridian, and in Montana and Wyoming east of the 5,000-foot contour line.

The amendment was agreed to.

The next amendment was, on page 28, line 25, after the word "regions," to strike out "$52,380" and insert "$73,580," so as to make the clause read:

For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the reclamation act, and other areas in the arid and semiarid regions, $73,580.

The amendment was agreed to.

The next amendment was, on page 30, line 2, after the word "subjects," to strike out "$71,940" and insert "$86,940," so as to make the clause read:

For horticultural investigations, including the study of producing and harvesting truck and related crops, including potatoes, and, in cooperation with the Bureau of Markets, studies of the behavior of vegetables while in the processes of marketing and in commercial storage, and the study of landscape and vegetable gardening, floriculture, and related subjects, $86,940.

The amendment was agreed to.

The next amendment was, on page 30, line 22, after the word "country," to strike out "$82,700" and insert "$92,700," so as to make the clause read:

For investigations in foreign seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions, and for experiments with reference to their introduction and cultivation in this country, $92,700.

The amendment was agreed to.

The next amendment was, on page 31, line 13, after the word "expenses," to strike out "$2,098,063" and insert "$2,272,078," so as to make the clause read:

In all, for general expenses, $2,272,078.

The amendment was agreed to.

Mr. GRONNA. I ask that the Secretary may be authorized to change the totals wherever it is necessary.

The PRESIDING OFFICER. Without objection, it is so ordered.

The next amendment was, on page 31, after line 13, to strike out:

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $239,416. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants, shall upon their request, after due notification by the Secretary of Agriculture, that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry and other rare and valuable trees, shrubs, vines, cuttings, and plants.

Mr. SMOOT. Let that go over, Mr. President.

Mr. POMERENE. Mr. President, may I ask just one question in regard to the amendment? Was the committee unanimous in its recommendation in regard to that?

Mr. GRONNA. Of course there are a good many members of the committee here. As far as I remember, the committee was unanimous, unless it was the Senator from Mississippi [Mr. HARRISON].

Mr. HARRISON. I was not present at the time the vote was taken. I happened to be on the committee to attend the funeral of the late Senator from Alabama [Mr. BANKHEAD].

Mr. GRONNA. I will say, in answer to the Senator from Ohio, that not only were the members of the committee who were present unanimous in striking this item out, but the new Secretary of Agriculture wrote a lengthy letter advocating the abolishment of the congressional distribution of seeds. This item carries nearly $240,000.

Mr. SMOOT. I simply ask that it go over for to-night.

Mr. HARRISON. I, too, was going to make that request, because I want a record vote on the proposition, and I do not care to demand it this afternoon.

Mr. GRONNA. I simply want to express a hope that Senators will consider this matter carefully. I believe that it is not only a waste of money to appropriate this large amount for seeds, but we should take into consideration the fact that we are carrying that tremendous amount of merchandise by mail, instead of letting the seeds go by freight. We are here paying out $240,000 for seeds, and we are perhaps paying out more money than that for the transportation of them by mail. It seems to me, Mr. President, that it is indefensible.

Mr. SMOOT. Mr. President, the nomination of Hon. William Martin Williams, of Alabama, to be Commissioner of Internal Revenue, I desire to have acted upon to-day if possible, and I am going to ask the Senator having the bill in charge if he has any objection to an executive session?

The PRESIDING OFFICER. It is understood that the amendment which has just been reached will go over.

Mr. GRONNA. Mr. President, we are considering the Agricultural appropriation bill. It is a farmers' measure, and as a rule on the farm we are used to working later than 5 o'clock.

Mr. SMOOT. We have plenty of work to do yet, I will say to the Senator.

Mr. GRONNA. Of course, I have no objection to an executive session, whenever the Senate desires it.

EXECUTIVE SESSION.

Mr. SMOOT. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. GRONNA. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until to-morrow, Wednesday, March 24, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 23, 1920.

AMBASSADOR TO MEXICO.

Henry Morgenthau, of New York City, to be ambassador extraordinary and plenipotentiary of the United States of America to Mexico.

ATTORNEY GENERAL FOR PORTO RICO.

Salvador Mestre, of Porto Rico, to be attorney general for Porto Rico.

COAST AND GEODETIC SURVEY.

The following-named officers of the United States Coast and Geodetic Survey in the Department of Commerce to be hydrographic and geodetic engineer (by promotion from junior hydrographic and geodetic engineer):

Kenneth Tress Adams, of Ohio, vice A. J. Ela, resigned.

Maurice Eli Levy, of Massachusetts, vice G. D. Cowie, promoted.

The following-named officers of the United States Coast and Geodetic Survey in the Department of Commerce to be junior hydrographic and geodetic engineer (by promotion from aid):

Louis Morris Zeskind, of Maryland, vice A. P. Ratti, promoted.

Henry Caperton Warwick, of West Virginia, vice E. O. Heaton, promoted.

Jacob Stanley Rosenthal, of Maryland, vice L. W. Burdette, promoted.

The following-named officer of the United States Coast and Geodetic Survey in the Department of Commerce to be junior hydrographic and geodetic engineer (by promotion from extra observer):

Floyd Woodsworth Hough, of New York, vice E. F. Lewis, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 23, 1920.

COMMISSIONER OF INTERNAL REVENUE.

William Martin Williams to be Commissioner of Internal Revenue.

COAST AND GEODETIC SURVEY.

William Humphreys Overshiner to be junior hydrographic and geodetic engineer, Coast and Geodetic Survey.

POSTMASTERS.

NEW YORK.

William J. Powers, Pittsford.

OKLAHOMA.

Frank S. Neptune, Bartlesville.
Harry T. Wolfe, Bristow.
Blanche R. Harrison, Byars.
Paul H. Shelton, Covington.

WEST VIRGINIA.

Stella I. Wells.
Samuel C. Young, Charles Town.
Aileen J. Calfee, Eckman.
Nona P. Johnston, Filbert.
Michael E. Ginther, Ravenswood.

WYOMING.

William B. Cooper, Green River.
Rachael G. Chappell, Superior.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 23, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Infinite and Eternal Spirit, from whom all blessings flow, through whose divine guidance and gracious providence we have been brought as individuals and as a Nation to the present hour, we come, giving Thee hearty thanks for all the manifestations of Thy love, praying that Thou wilt continue the same, that we may fulfill to the uttermost our destiny here in this world, and by its discipline be prepared for whatever awaits us in the great beyond. This we ask in the name and spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

COLIN M. SELPH, POSTMASTER AT ST. LOUIS, MO.

Mr. STEENERSON. Mr. Speaker, on the 1st of March certain papers and documents relating to the official conduct of the postmaster at St. Louis were introduced, and by the House referred to the Committee on the Post Office and Post Roads. That committee have examined those papers. We came to the conclusion that the Post Office Committee has no jurisdiction to inquire into the matter. The fact that a man happens to be postmaster does not give that committee jurisdiction. The committee has jurisdiction to legislate on matters concerning the post office and post roads, and to recommend appropriations——

Mr. GARNER. Mr. Speaker, a point of order. What is the object of the gentleman in addressing the House? Is it to make a speech or a request?

Mr. STEENERSON. No; I simply present a report, that the committee have directed me to report these papers back with the recommendation that they be referred to the Committee on the Judiciary.

Mr. GARNER. Well, but, Mr. Speaker, this is a matter referred to the Post Office Committee in the due process of the proceedings of the House. Now, if it is going to be taken away from that committee and sent to the Judiciary Committee, it must come under the regular rule, and I think that is by unanimous consent or by a motion.

Mr. STEENERSON. No; this is the report of the committee.

The SPEAKER. The gentleman has a right to move a rereference. Does he do that?

Mr. GARNER. He has a right to move a rereference, but he has no right to make a report and then debate it.

The SPEAKER. The gentleman is correct. The gentleman from Minnesota has no right to debate it, except by consent of the House.

Mr. STEENERSON. I thought I would have to make an explanation as to why we do this.

Mr. GARNER. I will ask the gentleman, if I may, if he has made a motion——

Mr. MANN of Illinois. This is all out of order.

Mr. GARNER. This is out of order, and I do not desire to proceed out of order. If the gentleman from Minnesota has a motion to make, I will utilize my rights under that motion.

Mr. MANN of Illinois. There is no right to debate under that motion.

Mr. GARNER. That may be, but I will avail myself of whatever right I have, if he makes that motion.

Mr. GARD. Mr. Speaker, do I understand that the gentleman from Minnesota is making a report from his committee, or that he is offering a motion?

Mr. STEENERSON. I was making a report.

The SPEAKER. The Chair asked the gentleman if he was going to make a motion to rerefer.

Mr. GARNER. He has not done that. He said he was making a report, and I make the point of order that a written report from the committee is not in order under the circumstances, and I would like to have a ruling on that.

Mr. GARD. May we have the motion read?

The SPEAKER. Is the report in writing?

Mr. STEENERSON. The report is in writing. I supposed it was privileged.

Mr. MANN of Illinois. It is a privileged motion to move to rerefer to the Committee on the Judiciary. After a report is made by the Committee on the Post Office and Post Roads it is not in order to send it to the Judiciary Committee.

The SPEAKER. The Chair will ask the Clerk to read the report. The Chair thinks it is in order.

The Clerk read as follows:

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, submitted the following report:

The Committee on the Post Office and Post Roads, to whom was referred the petition (Exhibit A) signed by Joseph Dixon and 19 other citizens of the city of St. Louis, in the State of Missouri, charging Colin M. Selph, the duly appointed and acting postmaster of the city of St. Louis, a United States post office of the first class, with certain high crimes and misdemeanors in office, therein specified and set forth, and which, if found to be true, constitute grounds for impeachment, together with a petition (Exhibit B) signed by Joseph Dixon and other citizens of the city of St. Louis, in support of said charges, and a further petition (Exhibit C) signed by Robert J. Ebrecht and other citizens of the city of St. Louis, report the same back with the recommendation that said charges and papers be referred to the Committee on the Judiciary, with directions to investigate the same and take such action as may be proper in the premises.

Mr. GARNER. Now, Mr. Speaker, do I understand the Chair to say that he holds that that report is in order?

The SPEAKER. The Chair thinks that the gentleman has a right to move a change of reference.

Mr. GARNER. Yes; but, Mr. Speaker, I did not make a point of order against his making the motion for a change of reference. I made a point of order against this report; and I submit, if the Chair will permit, that this recommendation of the committee in the report is not to transfer the matter to the Judiciary Committee, but it is to instruct the Judiciary Committee to make an investigation. Now, if that report is in order, of course any committee having a bill sent to it can report it back to the House with any character of report it desires to make, with instructions to transfer it to another committee and for that committee to make certain investigations, and so forth, and so on, which I think the Chair will conclude is not in order under the rule which gives the right of transfer from one committee to another.

Mr. DYER. I take it that a motion to rerefer the matter from the Post Office Committee to the Judiciary Committee would be in order.

Mr. STEENERSON. I will ask to strike out those last words about instructions.

The SPEAKER. The Chair thinks the gentleman from Minnesota, if he so desires, has the right under the instructions of the committee to move to rerefer it.

Mr. GARNER. But, Mr. Speaker, I insist that the Chair shall rule upon my point of order. I think the notes of the official reporter will show that the Chair held that it was in order.

The SPEAKER. The Chair is disposed to think that he was in error in that.

Mr. GARNER. That is all I want to say. Now, Mr. Speaker if I may, let me say that I have no objection to this matter going to the Committee on the Judiciary, where it may have intelligent consideration, but I do suggest to the Chair that if a committee having a bill referred to it is permitted to come in here with a long report in the way of an argument and instructions to another committee, to hold that in order would undoubtedly create a precedent that the Chair, I think, does not want to create.

The SPEAKER. The Chair does not intend to do that.

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent that the matter may be referred to the Committee on the Judiciary.

Mr. GARD. Mr. Speaker, reserving the right to object, what, then, becomes of this report that the gentleman has filed? I think the report should not be considered, because while I assume the committee has the right to make the recommendation it clearly has no right to transfer it from the Committee on the Post Office to the Committee on the Judiciary.

Mr. STEENERSON. Not without the consent of the House.

Mr. GARD. What becomes of the gentleman's report with the papers?

Mr. MANN of Illinois. Mr. Speaker, I ask unanimous consent that the report and the papers be referred to the Committee on the Judiciary.

Mr. GARD. The original papers—the whole thing.

Mr. MANN of Illinois. The whole thing.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the report and the papers be referred to the Committee on the Judiciary. Is there objection?

Mr. STEVENSON. Mr. Speaker, do we understand that that means that the report, with the matter which the gentleman from Minnesota [Mr. STEENERSON] said that he would like to have stricken out, stricken out of the report, or the report as it is.

Mr. MANN of Illinois. It does not have any effect. It has not been agreed to by the House.

Mr. BLACK. Mr. Speaker, reserving the right to object, I did not understand when the matter was before the Committee on the Post Office this morning that we were making any recommendations to investigate this matter, else I should have asked more time to consider it.

Mr. MANN of Illinois. It does not make any difference, because it will go by unanimous consent to the Committee on the Judiciary.

Mr. BLACK. But I should object to its going with the recommendation to the Committee on the Judiciary to investigate it.

Mr. MANN of Illinois. But there is no recommendation from this House.

Mr. BLACK. There is from the committee, something which we did not mean to give.

Mr. STEENERSON. I understood that it was unanimous in the committee that this should be referred to the Committee on the Judiciary.

Mr. BLACK. That is true, and I have no objection to its being referred, but as a member of the Committee on the Post Office and Post Roads I do not care to recommend to the Committee on the Judiciary that it investigate these charges, because they may be unworthy of investigation.

Mr. DYER. Mr. Speaker, I will say to the gentleman from Texas that the Committee on the Judiciary would not pay any attention to any recommendation made to it by the Committee on the Post Office and Post Roads in so important a matter as this.

Mr. BLACK. But we do not want to put ourselves in the attitude of making a recommendation, because the charges were not read to the committee.

Mr. DYER. It is not my understanding that any recommendation is made.

Mr. BLACK. But it is made in the language of the report.

Mr. DYER. If it is, it will be entirely ignored under the unanimous-consent agreement. We would not consider it.

Mr. STEENERSON. I would state to the gentleman that the reason the charges were not mentioned——

Mr. BLACK. Mr. Speaker, I object until the report is modified.

The SPEAKER. Objection is made.

Mr. DYER. Mr. Speaker, I suggest to the gentleman from Minnesota that he withdraw his report.

Mr. STEENERSON. I can not do that. I move that the papers be referred to the Committee on the Judiciary.

Mr. MANN of Illinois. Mr. Speaker, I would have to make the point of order to that at this stage. The report is now in the hands of the House, these papers are now in the House. The Committee on the Post Office and Post Roads has lost jurisdiction by making a report, and it is not in order now for

that committee to move to have the matter recommitted to any other commitee.

Mr. KITCHIN. Let us table the report, and let them ask unanimous consent to refer it to the Committee on the Judiciary.

Mr. GARNER. Mr. Speaker, let me get the ruling of the Chair upon the point of order made by the gentleman from Illinois [Mr. MANN]. I think the point of order is correct, but I want to get a ruling upon it, for it is a precedent.

The SPEAKER. The Chair thinks that if the Committee on the Post Office and Post Roads has made a report to the House, that report is now before the House and, therefore, the gentleman has exhausted his jurisdiction.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Under the ruling, would it not be within the province of the Chair to send these papers to whatever committee he might desire to send them to?

Mr. MANN of Illinois. They go on the House Calendar.

Mr. GARNER. Oh, this is a report from a committee and it would take the same course of any other report.

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent to correct the record, and in connection with that I ask unanimous consent to proceed for two minutes in order that I may explain the correction.

Mr. STEENERSON. Mr. Speaker, I object to that now.

The SPEAKER. What does the gentleman from Minnesota wish to do.

Mr. STEENERSON. Is the matter disposed of?

The SPEAKER. The Chair awaits any other motion that is in order.

Mr. STEENERSON. I move to rerefer the matter to the Committee on the Judiciary.

The SPEAKER. The Chair does not think that is in order.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Would it not be in order, and would it not be the best way to dispose of the matter, to have the gentleman ask unanimous consent to withdraw his report and then make the motion to rerefer the matter? That would save complications. I suggest that to the gentleman.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to withdraw the report, and I shall follow that by a motion to rerefer it to the Committee on the Judiciary.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to withdraw the report. Is there objection?

Mr. GARNER. If I understand it, the matter now goes to the calendar under the regular rule, after the committee has made a report upon it?

The SPEAKER. That is correct.

Mr. GARNER. Then I object to it.

The SPEAKER. Objection is made.

LEAVE TO ADDRESS THE HOUSE.

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent to proceed for two minutes in explanation of a statement made by me.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. DONOVAN. Mr. Speaker and gentlemen, when the resolution for the investigation of the Board for Vocational Education was before the House on Saturday last, as will be seen on page 4646 of the RECORD, I made the following statement:

> On March 12, during the examination, in the ordinary way I chanced to ask Mr. Littledale a question in respect to his own history. I had no knowledge of him; I had never seen him before then. In answer to my question whether he was a citizen of the United States, he answered that he was not. He is an alien. He is a citizen of Great Britain, although he has been a resident of the United States for 14 years.

This statement refers to Mr. Littledale, the reporter of the Evening Post. On page 4648 of the RECORD, the Gentleman from Texas [Mr. BLANTON] subsequently said:

> I might add that it was my question which brought forth the information that the witness was a citizen of England and not of this country, and that he had lived in the United States 14 years and made a living here.

On page 12, part 1, of the hearings of the Committee on Education, under date of March 12, appears the following:

> Mr. SEARS. Where do you live?
> Mr. LITTLEDALE. My home is in South Orange, N. J.
> Mr. DONOVAN. Are you a native of America?
> Mr. LITTLEDALE. No, sir.
> Mr. DONOVAN. Are you a citizen of the United States?
> Mr. LITTLEDALE. No, sir.
> Mr. DONOVAN. Where were you born?
> Mr. LITTLEDALE. Bombay, India.
> Mr. DONOVAN. Of what country are you a citizen?
> Mr. LITTLEDALE. I am a British subject.
> Mr. BRAND. Were you here during the war?
> Mr. LITTLEDALE. No, sir.
> Mr. BRAND. Where were you?
> Mr. LITTLEDALE. In France.
> Mr. BRAND. Were you in the service there?
> Mr. LITTLEDALE. I was driver of a tank.
> Mr. DONOVAN. In the British service or the United States?
> Mr. LITTLEDALE. In the British service.
> Mr. DONOVAN. How long have you been in America?
> Mr. LITTLEDALE. Some 14 years.
> Mr. DONOVAN. What has been your occupation during that period?
> Mr. LITTLEDALE. A writer.

Mr. BLANTON rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. First, I have a short letter from the Secretary of Agriculture, Mr. Meredith, which I ask to insert in the RECORD.

The SPEAKER. The gentleman from Texas asks unanimous consent to insert in the RECORD a letter from the Secretary of Agriculture. Is there objection?

There was no objection.

The letter is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, March 23, 1920.

Hon. THOMAS L. BLANTON,
House of Representatives.

DEAR MR. BLANTON: I think you will be interested in the inclosed copy of a letter which I recently wrote to Senator GRONNA, chairman of the Senate Committee on Agriculture and Forestry, recommending that the appropriation for the "congressional seed distribution" be eliminated from the bill. It seems to me that this appropriation can well be discontinued in the interest of economy. Certainly the money now devoted to it could be much more advantageously utilized in the prosecution of urgent and important work on problems of crop production. I sincerely hope that the Senate will confirm the action of the Senate committee in striking the item from the bill and that it will be agreed to by the conferees.

I am also taking the liberty of sending you a copy of my letter of March 1 to Senator SMOOT, chairman of the Joint Committee on Printing. May I not call your attention especially to the suggestion that the present edition of the Yearbook, which, as you know, is an annual publication, might well be reduced and that the farmers' bulletins, four-fifths of which are now allotted to Members of Congress, should be handled entirely by the Department of Agriculture. As you perhaps know, only 30,000 copies of the Yearbook are allotted to the department, the remaining 470,000 copies being distributed through Members of Congress. If only a few thousand copies were issued, as suggested in my letter, a considerable saving could be effected. So far as the farmers' bulletins are concerned, I am convinced that much better results would be secured if the matter of their distribution were placed entirely under the control of the department. Under the present arrangement, when four-fifths of the bulletins are available to Members of Congress, it is possible for the department to comply with only a very small portion of the demand for them. I do not know what action the Joint Committee on Printing will take with reference to these matters, but I sincerely hope that the recommendations I have made will receive favorable consideration. Our appropriation for printing is carried in the sundry civil bill, which has not yet been reported out by the House Committee on Appropriations:

Very truly, yours,
E. T. MEREDITH,
Secretary.

Mr. BLANTON. Now, Mr. Speaker, as to the matter spoken of by the gentleman from New York [Mr. DONOVAN], I ask permission to proceed for one minute to ask him a question.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. BLANTON. If the gentleman from New York had only read further from the hearings before the Committee on Education of March 12, 1920, part 1, page 13, the following would appear:

> Mr. BLANTON. You have been here 14 years. Do you expect to remain here permanently?
> Mr. LITTLEDALE. Some personal questions are involved in that.
> Mr. BLANTON. I want to find what your intentions are. If a man lives here 14 years and does not take out citizenship papers, it does affect his standing in this country in a certain respect. Do you expect to become a citizen of the United States.
> Mr. LITTLEDALE. Yes, sir.
> Mr. BLANTON. You have been living here 14 years without taking out any papers.

And again let me quote from page 14:

> Mr. DONOVAN. I forgot to ask you, Mr. Littledale, are you a married man?
> Mr. LITTLEDALE. No, sir.
> Mr. DONOVAN. I wondered if you had your family here. Are your parents here.
> Mr. LITTLEDALE. No, sir.
> Mr. BLANTON. But you have been making a living in the United States for 14 years and you have not thought enough of the flag to either fight for it or take out citizenship papers.

And note following from part 2, hearings of March 13, 1920:

> Mr. LITTLEDALE. I say the record leaves out an answer to the question of Mr. BLANTON: "You have been making a living in the United States of America for 14 years and yet you do not think enough of the

flag of this country to either fight for it or to take out your citizenship papers." No reply is given. That is an omission, I say, in the record.

* * * * * * *

Mr. BLANTON. I think the gentlemen should proceed in his own way and make it clear. It is a pretty strong accusation against a man that he has remained in this country 14 years and making a living in it, and not be willing to take out citizenship papers or fight. No one should assert that his answer to that charge is not in the record, when he answered it specifically.

The gentleman from New York will admit that in that very record the question arose in the committee where Mr. Littledale asked for his answer to be inserted in reply to my question where I asked him if he had not been living in this country for 14 years and had made a living here and had never taken out his first papers for citizenship.

Mr. DONOVAN. That is true.

Mr. BLANTON. And I asked him that question.

Mr. DONOVAN. No; the gentleman did not ask that question; he made the statement.

WOMAN SUFFRAGE.

The SPEAKER laid before the House a communication from the governor of New Mexico announcing the ratification of the amendment to the Constitution relating to suffrage for women.

RANK OF ARMY NURSES.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to strike H. R. 2492, granting rank to Army nurses, from the Calendar of Motions to Discharge Committees, as the provisions in the bill have been included in the Army reorganization bill.

The SPEAKER. The Chair can not now recognize the gentleman for that purpose.

EXTENSION OF REMARKS.

Mr. BLACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Fess bill, amending the zone postal laws, containing my own remarks.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. BUTLER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13108, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MANN of Illinois in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will read the title.

The Clerk read the title.

The CHAIRMAN. When the committee arose yesterday there was pending an amendment to the proviso on page 28, to which amendment the gentleman from Texas made a point of order. Does the gentleman from Texas wish to be heard on his point of order?

Mr. BLANTON. Mr. Chairman, I withdraw the point of order because I do not think the amount is too large.

Mr. KELLEY of Michigan. Mr. Chairman, the gentleman from Oklahoma [Mr. MCKEOWN] moved to increase the amount in line 17, page 28, from 30 cents to 50 cents. In my judgment there is no necessity for making the change, and probably the motion is made under a misapprehension as to what the present situation is.

The fact is that the boys who are in the naval prisons are given the regular Navy rations; whatever is given to other enlisted men they get. This is a provision that has been carried in the law for a long time, which in certain cases would permit the commutation of rations for cash. My understanding is that it was necessary because of the fact that we did not at one time have naval prisons with a sufficient capacity to take care of all the prisoners. We had to have some boys confined in State penitentiaries, and in order to pay for their keep in the State institutions this provision was carried. It does not in any way affect the boys in the prisons in the Navy now. They get the regular Navy rations. This does not apply except when they are in some situation which makes it advisable to commute the rations for cash. Therefore I do not think it would be advisable to change the amount. Nobody has ever made any complaint about it and no one has ever made any recommendation in regard to it. There is no grievance, and I see no reason for making the change.

Mr. MCKEOWN. Mr. Chairman, now here is the proposition. My amendment does not hurt the situation, because it says that it shall not exceed 50 cents per day.

Mr. KELLEY of Michigan. When any officer or enlisted man commutes a ration in the Navy it is done on the basis of 40 cents. This increases the possibility of paying State penitentiaries 50 cents instead of 30 cents.

Mr. MCKEOWN. I will say to the gentleman that an unfortunate prisoner has no opportunity to be heard, and for that reason there are probably no complaints coming to the committee, but I will say to the gentleman——

Mr. PADGETT. If the gentleman will yield to let me explain. Prisoners are fed whether it costs 50 cents, 75 cents, or a dollar a day to feed them. They get the Navy ration regardless of cost. This 30 cents only applies when they are sent to a State penitentiary or some other prison and they pay that for their support during their confinement. So it does not affect a prisoner in our prisons.

Mr. HUSTED. Does the gentleman think that 30 cents is the proper amount to provide in case they are confined in some institution, considering prevailing prices?

Mr. PADGETT. We have heard no complaints. If there had been complaint, we would have heard.

Mr. KELLEY of Michigan. If any State prison is paying more for the care of these boys than it is getting out of it, I imagine the Federal Government would have heard of it long ago.

Mr. MCKEOWN. I just want to say this to the committee. I offered this amendment because during the war I had a circumstance that came to my attention that showed what 30 cents will not do. Some men were ordered to report to go abroad from halfway across the continent, and the officers figured that it would take five days' time to make the trip, and the men were given the munificent sum of $1.50 to buy food while making the trip. If it had not been for friends who contributed to their wants and necessities, these men would have gone hungry. Now, if you increase the allowance of midshipmen to $1.08, I see no reason why the provision which we are writing here as a law at this time should not be changed to give 50 cents allowance to a prisoner, however unfortunate he may be. Some of these prisoners are the sons of some good citizens of the United States and some of the heavy taxpayers of the United States, and while those prisoners in charge of the Navy get the full naval ration, why should there be objection to saying it shall not exceed 50 cents when——

Mr. KELLEY of Michigan. Will the gentleman yield? Will the gentleman tell me why the Federal Government should pay a State prison 50 cents when it is now paying 30 cents and when there is no complaint from any State prison?

Mr. MCKEOWN. Yes, sir; that if the gentleman will consult some of the men getting the 30 cents per diem food he will find out that it is not at this time sufficient to maintain the men, and why should we write a statute here that provides for food for these prisoners that would not be sufficient for a galley slave? I want a record on it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. MCKEOWN) there were—ayes 23, nays 47.

So the amendment was rejected.

Mr. PADGETT. Mr. Chairman, I offer an amendment.

Mr. KING. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. KING. Are we in the Committee of the Whole House on the state of the Union or in the regular House? I was noticing the mace.

The CHAIRMAN. That point of order is well taken; the mace should be taken down. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Page 27, line 23, immediately after the parenthesis, insert the following: "At 68 cents per diem."

Mr. PADGETT. Mr. Chairman, the purpose of that is that yesterday, in changing the 68 cents to $1.08, the idea was that it was for the benefit of the midshipmen at the Academy; but I notice that there was a group at 68 cents, and this is to correct it so that the others will remain at 68 cents and the amendment will apply only to the midshipmen. It is to perfect the amendment that was offered yesterday.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent to return to page 16 of the bill.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to return to page 16 of the bill. For what purpose?

Mr. BRITTEN. On yesterday——

The CHAIRMAN. For the purpose of offering an amendment?

Mr. BRITTEN. For the purpose of offering an amendment.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Concerning what?

Mr. BRITTEN. I will explain.

Mr. BLANTON. We want to know.

The CHAIRMAN. The Clerk will report the amendment for the information of the committee.

The Clerk read as follows:

Amendment offered by Mr. BRITTEN: Page 16, line 14, after the word "depots," insert: "*Provided*, Quarterly reports on all gasoline passenger and freight automobiles shall be made on form No. 124, and one copy of each report shall be filed in the Bureau of Yards and Docks."

The CHAIRMAN. Is there objection to returning to page 16 for the purpose of offering the amendment which has just been reported? [After a pause.] The Chair hears none.

Mr. BRITTEN. Mr. Chairman, on yesterday the committee provided an amendment, in line 8, page 16, which returned to the Bureau of Ordnance motor-propelled vehicles, and the amendment which I have just sent to the Clerk's desk is intended to perfect the amendment of yesterday.

Mr. BUTLER. May I ask the gentleman a question?

Mr. BRITTEN. Yes.

Mr. BUTLER. So that the Bureau of Yards and Docks may have among its papers the reports of the use of these automobiles?

Mr. BRITTEN. Just as it has over all other automobiles used in the Navy, except those under the Bureau of Medicine and Surgery.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Maintenance, Bureau of Supplies and Accounts: For fuel; the removal and transportation of ashes and garbage from ships of war; books, blanks, and stationery, including stationery for commanding and navigating officers of ships, chaplains on shore and afloat, and for the use of courts-martial on board ships; purchase, repair, and exchange of typewriters for ships; packing boxes and materials; interior fittings for general storehouses, pay offices, and accounting offices in navy yards; expenses of disbursing officers; coffee mills and repair thereto; expenses of naval clothing factory and machinery for the same; laboratory equipment; purchase of articles of equipage at home and abroad under the cognizance of the Bureau of Supplies and Accounts, and for the payment of labor in equipping vessels therewith, and the manufacture of such articles in the several navy yards; musical instruments and music; mess outfits; soap on board naval vessels; athletic outfits; tolls, ferriages, yeomen's stores, safes, and other incidental expenses; labor in general storehouses, paymasters' offices, and accounting offices in navy yards and naval stations, including naval stations maintained in island possessions under the control of the United States, and expenses in handling stores purchased and manufactured under "General account of advances," and the accounting officers of the Treasury are authorized and directed to credit "General account of advances" with the amount of the net losses which may be certified by the Paymaster General of the Navy as having been incurred in disposing of excess stocks in the naval supply account; and reimbursement to appropriations of the Department of Agriculture of cost of inspection of meats and meat food products for the Navy Department: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for chemists and for clerical, inspection, storemen, store labor, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year ending June 30, 1921, shall not exceed $3,500,000; in all, $10,500,000.

Mr. SNYDER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. SNYDER. Mr. Chairman, on account of my being extremely busy with Indian affairs the last two weeks, holding hearings nearly every day into the afternoon, it has been impossible for me to take part, as I would like to have done, in the debate on the Navy bill, which we are now considering, also the Army reorganization bill, which went through the House a few days ago. I do not desire the Members of this House, however, to think that these measures have not had my careful consideration as they have been progressing through the committees and as they have been under fire here in the House.

I am taking the opportunity at this time to say I have read carefully the bill that is before us, also the report, and that I am heartily in accord with practically every section of the bill. And I want to take this opportunity to congratulate the chairman of the committee and every member of it for their splendid work in bringing about the reduction which has been made in the measure as it was presented to them. While I have heretofore, and am yet, what might be called a big Navy man, I think that splendid judgment has been shown by the committee at this time in cutting out the entire building program except that which is necessary to carry on the original program laid down in 1916.

For my own part, since we are at peace, I can not see why it is necessary for us to have a Navy more than twice as large as we had previous to the war. And therefore I congratulate the committee and the country upon the fact that when this bill finally becomes law it will carry approximately twice the number of men there were in the service when the war broke out, and we will then have a Navy, when once reorganized under this measure, which will be sufficient and able to meet upon the high seas the navy of any country in the world and give a splendid account of itself.

If I may, I would like to say approximately the same thing with regard to the Army reorganization bill. I have always been strong for a medium sized, efficient Army. I believe that we have that now. I am not one of those who has become excited over the lack of morale on the part of the officers of either the Army or the Navy due to the fact that their salaries have not been raised at their request or at the demand of propaganda. I believe that in the main the officers in both the Army and the Navy are men full of enthusiasm and loyalty and in the main they are efficient and able to conduct the responsibilities put upon them in every way satisfactory to the service. There is a good deal of talk about the necessity for an increase in the pay of Army and Navy officers. I believe there is justice in these suggestions. I am firmly of the belief, and have stated it on many occasions, that any man, no matter what his position, who is working for the same rate of wages now that he received previous to the war is working under at least a 40 per cent reduction, and therefore, while I appreciate the condition of the Treasury of the United States at this time, I am firmly of the belief that if a way can possibly be found to do so, the officers as well as the men of the Army and the Navy should receive a substantial increase in pay. And I want to say now that I shall support any reasonable measure of this kind coming before this body.

In closing I desire to say my only disappointment in the Army reorganization bill was that it did not carry a section authorizing the organization of the young men, at least of this country, into a body trained so that they could easily be turned into soldiers if occasion ever required it. I am firmly of the belief that the youth of this country, as well as the economic condition of the country, would be greatly improved by a system of universal military training. [Applause.]

Mr. CARAWAY. Mr. Chairman, I want to oppose the amendment.

I have listened with much interest to the speech just delivered by the gentleman from New York [Mr. SNYDER]. He approved everything which had been done and which had not been done likewise. The subject to which I wish, however, to reply is his expressions of regret that this country has not adopted a universal military service plan.

Mr. SNYDER. I beg the gentleman's pardon. I did not use the word "service."

Mr. CARAWAY. There is no difference between universal training and universal service. A man by the name of Shakespeare once said, "A rose would smell as sweet by any other name." If you conscript a boy and bring him into the Army, he is in the military service. I do not care whether you tell him when you conscript him that he is conscripted to train or to have him perform military service. He will discover that it means the same thing.

When we entered the war we led the world to believe that we were doing so for the purpose of destroying military autocracy. I voted for the war under an honest belief that that was to be the result. Now, we have done that. There is not a first-class power on earth to-day, except our own country, that is able to maintain a huge military establishment. Our allies who joined with us in this war are unable to pay even the interest on their bonded indebtedness incurred in waging this war, and the nations which were engaged against us in the war have perished. There is no Austria-Hungary now. They had to send their babies out of that country, even to take them from their mothers' arms, so that they should not perish of starvation. And the collapse of the late revolution in Germany was the last gasp of militarism in that country. There is no military spirit left in Germany and there is hardly a civil government. For what purpose do we undertake, when all the peoples of the earth have laid down the sword, to make this the greatest military power the world ever saw? Against whom are we arming? What is the purpose of this great military program created in the bill which

has just passed the House? In this measure is a building program for a great Navy, and the ships will rot at the wharves unless you put into it a compulsory service plan, because men are not going to volunteer, and you know that. It is a useless expenditure of public money in order to keep certain interests in this country placated and furnish them opportunity to make profit. The gentleman from California [Mr. KAHN], the most persistent militarist this House has ever been afflicted with—and I use the word "afflicted" advisedly, because it is a good word and no other one would serve—said just the other day that it would cost $1,600 a year to maintain a private in the service. There are a million young men coming of age in this country every year. Multiply that $1,600, the cost of training each private a year, by 1,000,000 and you will have $1,600,000,000 for universal military training alone.

That does not include the reserves.

It does not include the officers.

It does not include the Regular Army.

It does not include the retirement pay.

It does not include the cost of cantonments.

It does not include the cost of hospitals and the care of the sick and injured.

It does not include pensions.

It does not include the millions that must be expended for cannon and shells.

It does not include the vast sums wasted in foolish experiments.

And it does not include the untold millions that would be lost to productiveness—the abandoned farms and idle shops.

It takes no account of the great expenses of the Navy, with its floating palaces called battleships.

It takes no account of the expenses, nearly $15,000,000 per annum, for the education of officers at West Point and Annapolis.

You are going to burden this country with an expenditure for militarism alone that will practically confiscate the property of this Republic.

Mr. HUSTED. Will the gentleman yield?

Mr. CARAWAY. I will.

Mr. HUSTED. Does not the gentleman think there is any investment value in military training, if properly undertaken, to equip the youth of this country for citizenship and strengthen them physically and morally to meet the questions which arise?

Mr. CARAWAY. I want to answer the gentleman from New York. I have never seen any particular advantage come to the young men of this country from service in the Army in time of peace. We are now staggering under the burdens of the high cost of living, the shortage of production, and does it not occur to the gentleman that will be added to by taking a million young men each year out of production, taking them off the farms and out of the factories and mines, and marching them up and down the public highways for the edification of the spectators?

Mr. CALDWELL. Will the gentleman yield?

Mr. CARAWAY. I will.

Mr. CALDWELL. The gentleman will admit that skilled labor will produce more than unskilled labor?

Mr. CARAWAY. Yes; I will admit that, and I will admit that the gentleman's question has nothing to do with the subject. [Laughter.]

I hesitate to take issue with the advocates of great preparedness schemes. Many men of fine ability and great patriotism believe this a wise course to pursue. They speak of war as a special science, above all other sciences, and in some respects it is. But notwithstanding our military schools are the best of their kind in the world, that our officers are selected from the very brightest boys in the country, and are given the most thorough training, the most expensive education, they produce fewer men of first-class ability than any other class of highly trained men. Most of the improvement in their equipment are made by civilians. Most of the ideas of organization and care come from men trained in civil life. Most of the great problems of transportation and supply, the greatest problems of modern armies, had in this last war to be devised by civilians or men trained in civil life.

There is a reason.

The Army tends to standardize men. Their work follows a routine. They know the successive steps of their advancement. They cease to have individual initiative. It is a life wherein the individual no longer rises by his own worth, but goes with the State, the group. All these men are highly trained, of naturally great intelligence, but they are lost to the world so far as productiveness goes.

And all these other men—these million men—under this plan would be lost each year to the arts of peace.

The cost of living now is high. There is a scarcity of all these things that support life. And yet under this system we are to make this shortage greater still. This drain will be especially heavy on the farms. Of all the thousands and thousands of farm boys who went into the Army, only 5 out of every 100 came back to the farm. They are now helping to swell the ever-increasing throngs in the cities, while farms are abandoned or tilled by old men, women, and children.

Universal military service presents to our southern people a more serious problem. The negro is a peculiar being. We who have lived with him all our lives do not know him. We recognize his limitations and his weaknesses. We know he has developed no national pride, no national ideals. In all the history of his race he has builded no civilization, no language or philosophy. He has developed no clear ideas of government or religion. His progress, what it is, is imitative. He is vain, easily excited, quick to use violence. If handled carefully and intelligently he makes fairly good farm help. Arm him, train him, and he ceases to display those virtues of obedience and industry. He will no longer be content to farm. He will no longer be obedient to civil authority. We have seen these results from our recent Army experiences with him. We dare not disregard these experiences, we who live in the South. But, on the other hand, if he leaves our southern farms he goes to northern cities and brings with him new problems, social and economic, for you of the North, who least understand him. Race riots recently in East St. Louis, Chicago, and Washington prove this. Your universal military training plans contemplate the industrial destruction of the Negro race, and imperil our peace, and destroy in many sections of the South its agriculture.

But, again, the cost.

With what it cost to train our young men, white men, we could open to them college doors. We could give them college educations as cheaply as we could make soldiers out of them, or we could put them, if they preferred it, through technical schools, either agricultural or mechanical. Which would you prefer your boy had, a highly trained mind, fitting him for future usefulness, or have him know how properly to salute an officer?

Taxes are now oppressively high. Industry is burdened to meet the staggering costs of war. Farmers are share croppers, taxes taking almost as much as they leave. Shall we again divide this small portion remaining to them to inaugurate this great military program?

We are all filled with national pride. We love to think and speak of our country as the mightiest in the world. We are moved by the sight of marching men either in times of peace or war.

From the earliest of my recollections I thrilled with the sound of martial music, the tread of marching feet. I loved soldiers and the stories of war. I have sat many and many an hour at the feet of some ex-Confederate soldier and in imagination charged with him up the heights at Gettysburg or swept with him down the valley with Jackson's "foot cavalry." I have heard with him the bugle sound the charge and the cannon's sullen roar, as he told of his war experience, how he rode with Forrest or marched with Cleburne. But these were childish dreams that took no account of hardships and wounds and death. They looked not to the long years of want and dispair which followed in war's wake.

I pray God my country may escape the fate of Germany and Austria and Russia; Governments which lived by the sword and by the sword perished.

Our purpose for entering the World War was plainly set out in our declaration. We aimed to strike down the rule of might and exalt that of right. The race for world supremacy by force of arms was put to the test of the sword and failed. We fought that liberty might live and those who loved humanity, not those who sought its destruction, might rule the world. We won.

There is not a country on the face of God's earth that can now threaten the peace of the world. Our friends and allies in that great struggle are financially ruined. They must devote all their energies to the arts of peace or go down in the fierce industrial and commercial struggle ahead of them.

Our late enemies have perished. Their people no longer cry out for blood, but beg for bread. In Austria, as I said above, even the children of tender years are torn from their mothers' arms and sent into strange and hostile lands that they may be fed. Austria as a nation, and almost as a people, exists no more. Germany is in the hands of a milder form of bolshevism. Militarism has ruined the world. Friend and foe alike have perished under its iron heel. Are we now to begin where others perished, to try the experiment which destroyed them? Has the fate which has overtaken all peoples, free or slaves, who sought power and conquest by armed might no lesson for us?

I look to the future with hope. I love my country and its institutions. The fate of others may, I trust, warn us and save us. I want justice, fair dealing, liberty, and tolerance enthroned throughout the world, but if this vision be realized my own America must lift high the torch of liberty and light the way. She has never yet failed the world and will not now.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Fuel and transportation: Coal and other fuel for steamers' and ships' use, including expenses of transportation, storage, and handling the same; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels; and ice for the cooling of water, including the expense of transportation and storage of both, $10,000,000: *Provided*, That the United States Shipping Board shall not require payment from the Navy Department for the charter hire of vessels furnished or to be furnished from July 1, 1918, to June 30, 1921, inclusive, for the use of that department when such vessels are owned by the United States Government: *Provided further*, That $1,000,000 of this appropriation shall be available for use, in the discretion of the Secretary of the Navy, in mining coal or contracting for the same in Alaska, the transportation of the same, and the construction of coal bunkers and the necessary docks for use in supplying ships therewith; and the Secretary of the Navy is hereby authorized to select from the public coal lands in Alaska such areas as may be necessary for use by him for the purposes stated herein.

Mr. BANKHEAD. Mr. Chairman, I desire to reserve a point of order against the two provisos in the bill mainly for the purpose of securing some information from the committee. My interest in the first proviso is suggested by the fact that I am a member of the Committee on the Merchant Marine and Fisheries of the House. I would like to inquire if the provision to the effect that "the United States Shipping Board shall not require payment from the Navy for the charter hire of vessels furnished, or to be furnished," and so forth, is suggested by or acquiesced in by the Shipping Board?

Mr. BUTLER. I understand so.

Mr. BANKHEAD. On what is your understanding based?

Mr. BUTLER. Simply because it avoids an expense otherwise necessarily incurred, and is simply taking money from one pocket and transferring it to another.

Mr. BANKHEAD. The gentleman might readily see that that is a matter of bookkeeping in the Shipping Board, but still the Shipping Board is vitally interested in it.

Mr. BUTLER. This provision was in the bill last year, and we have continued it at the request of the Navy Department, with no protest from the Shipping Board. I had a talk with Admiral Benson on other subjects the other day, and he made no protest against this provision. This was not called to his attention by me, but the Shipping Board made no protest against it last year. It may be necessary for us to call upon the Shipping Board to enable the Navy Department to get some coal around through the canal to the Pacific Ocean. The same provision in last year's bill is in operation now, and so far as I know there has been no opposition whatever to it.

Mr. BANKHEAD. I want to say this to the chairman of the committee, that while I recognize the fact that these are both governmental agencies and the expenditures for transportation really in the long run comes from one or the other, and therefore out of the Public Treasury or its assets, the Shipping Board, of course, is entitled, even as a bookkeeping proposition, to an opportunity to present its views on a matter of this sort which may involve millions and tens of millions of dollars. I simply desired to ask the chairman of the committee if the gentleman thought it of sufficient importance to call it to the attention of the Shipping Board.

Mr. PADGETT. It has been operating for a year, and they have made no complaint about it. The Navy has been training thousands of men for the Shipping Board, and there has been an interchange of services between the two institutions.

Mr. BUTLER. I asked one of the bureau chiefs whether or not we should take that provision out or leave it in, and he asked that it be left in another year on account of some possible emergency that might arise that would require us to call upon the Shipping Board to perform that service.

Mr. BANKHEAD. If that meets the acquiescence of the Shipping Board, I shall not press the point of order.

The CHAIRMAN. The point of order is withdrawn. Without objection, the word "*further*" will be inserted after the word "*Provided*," on line 14 of page 16. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF CONSTRUCTION AND REPAIR.

Construction and repair of vessels: For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; steam steerers, pneumatic steerers, steam capstans, steam windlasses, and all other auxiliaries; labor in navy yards and on foreign stations; purchase of machinery and tools for use in shops; carrying on work of experimental model tank and wind tunnel; designing naval vessels; construction and repair of yard craft, lighters, and barges; wear, tear, and repair of vessels afloat; general care, increase, and protection of the Navy in the line of construction and repair; submarine chasers, patrol boats; incidental expenses for vessels and navy yards, inspectors' offices, such as photographing, books, professional magazines, plans, stationery, and instruments for drafting room, and for pay of classified force under the bureau; for hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, galleys, and chains; specifications for purchase thereof shall be so prepared as shall give fair and free competition; canvas for the manufacture of sails, awnings, hammocks, and other work; interior appliances and tools for manufacturing purposes in navy yards and naval stations; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; naval signals and apparatus, other than electric, namely, signals, lights, lanterns, running lights, and lamps and their appendages for general use on board ship for illuminating purposes; and oil and candles used in connection therewith; bunting and other materials for making and repairing flags of all kinds; for all permanent galley fittings and equipage; rugs, carpets, curtains, and hangings on board naval vessels, $30,000,000: *Provided*, That the Secretary of the Navy is authorized to make expenditures from the appropriation "Increase of the Navy, Construction and Machinery" for repairs and changes on either the *Kearsarge* or *Kentucky* in an amount not to exceed $2,000,000: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, watchmen (ship keepers), and messenger service in navy yards, naval stations, and offices of superintending naval constructors for the fiscal year ending June 30, 1921, shall not exceed $3,500,000.

The CHAIRMAN. Without objection, the Clerk will correct the spelling of the word "magazines," in line 22, page 31.

There was no objection.

Mr. SHREVE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 32, line 20, after colon, following the sum of $2,000,000, insert the following: "*Provided further*, That the Secretary of the Navy is hereby authorized to accept, on behalf of the United States of America, from the city of Erie, Pa., free from all encumbrances and conditions and without cost to the United States Government, title to the naval brig *Niagara*; and, upon delivery of said vessel to the United States, to make expenditures from the appropriation 'Construction and repair of vessels,' for the restoration, preservation, and maintenance of said vessel in the city of Erie, Pa., including the construction of suitable facilities for anchoring said vessel and properly preserving it for historical purposes."

Mr. SNELL. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from New York reserves a point of order.

Mr. SHREVE. Mr. Chairman, I desire to have read in my time a letter from the Secretary of the Navy to the chairman of the Naval Affairs Committee.

The CHAIRMAN. Without objection, the Clerk will read the letter.

The Clerk read as follows:

DEAR MR. BUTLER: Your letter transmitting on behalf of the Committee on Naval Affairs of the House of Representatives, H. R. 6862 [SHREVE], a bill for the repair, preservation, care, and future maintenance of the restored historical naval brig *Niagara*, Commodore Oliver Hazard Perry's flagship in the Battle of Lake Erie, requesting the views and recommendations of the department thereon, has received my consideration.

The restoration of this historical naval vessel and its use as a resting place for the relics of that memorable battle and their exhibition to the public would, in my opinion, serve to keep before the minds of our people the deeds of heroic figures in the earlier naval history of this country.

Naval tradition is regarded as one of the important elements in the building up of morale and navy spirit. Besides these considerations it is believed that the Navy would reap a direct and tangible advantage by the advertisement which the restoration of this old ship would afford. Furthermore, the bill provides that the vessel may be used for a local Navy recruiting station in the city of Erie, Pa., which to my mind is another desirable feature.

I heartily indorse the passage of this bill.

Yours, very sincerely,

JOSEPHUS DANIELS,
Secretary of the Navy.

Mr. SHREVE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. Does the gentleman from New York make the point of order?

Mr. SNELL. I shall have to make the point of order against the amendment.

Mr. SHREVE. Will the gentleman reserve his point of order?

Mr. SNELL. I will reserve it.

Mr. PADGETT. Mr. Chairman, this is a very historic ship.

Mr. BUTLER. Mr. Chairman, I suggest that the gentleman from Pennsylvania [Mr. SHREVE] has the floor.

The CHAIRMAN. The Chair understood that the gentleman yielded the floor and received permission to extend his remarks in the RECORD.

Mr. SHREVE. I desire to continue my remarks now, Mr. Chairman. I believe I have five minutes.

The CHAIRMAN. The gentleman has used five minutes. If he wishes five minutes more he can ask unanimous consent.

Mr. BUTLER. I ask unanimous consent that my colleague may have five minutes additional time.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BUTLER] asks unanimous consent that the time of his colleague [Mr. SHREVE] be extended five minutes. Is there objection?

There was no objection.

Mr. SHREVE. Mr. Chairman and gentlemen of the House, I want briefly to tell you the story of the old *Niagara*. She lay on the bottom of Erie Harbor for nearly 100 years, and the Perry Centennial Commission of Pennsylvania, in the spring of 1913, raised the old ship. The older Members of the House here will recall that a former Congress, perhaps the Sixty-second, appropriated $250,000 toward building a monument to Commodore Perry at Put in Bay. That monument was to perpetuate the name of Commodore Perry, and at the same time to commemorate the 100 years of peace with our mother country. Ten States of the Union joined with the National Government in that enterprise. They were the States surrounding the Great Lakes, and also Massachusetts, Rhode Island, Connecticut, Mississippi, and Louisiana, if I remember correctly.

I do not propose to tell you the story of what happened in that year, but I want to tell you that the old *Niagara*, raised from the bottom of Erie Harbor, sailed out of that harbor on the 1st day of July and visited every important port around the Lakes, where centennial celebrations were held by the various States, and in the city of Chicago alone 100,000 school children visited the old ship. I do not propose to tell you the story of the *Niagara*, how she was constructed in Erie Harbor, how she went out and met the enemy, how Commodore Perry, in the thick of the battle, when the *Lawrence* was disabled, left that ship and in a small boat transferred to the *Niagara;* how she became the flagship, and how in a short time the supremacy of America was established on the Great Lakes and the great Northwest Territory returned to the United States. [Applause.] But I do want to tell you one thing, and that is on the day following the battle, when the fleets lay in Put in Bay Harbor, both sides preparing to bury their dead, and at 4 o'clock in the afternoon Commodore Perry, with his officers and men, and Commodore Barclay, of the British fleet, with his officers and men and their dead, lowered their small boats and moved to the shore. Their landing was picturesque. The place selected for burial was dug beneath the foliage of an old elm tree, and these men, British and American alike, two by two, marched back to this burial place. There those men were buried, a volley was fired, and they returned to their ship. The remains of those men, American and British, side by side, rested there for a hundred years, until they were removed and placed in the vault of the great memorial at Put in Bay, an achievement without parallel in the history of the world, an accomplishment that should give war-stricken Europe of to-day a hope for a better to-morrow.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHREVE. I ask for one minute more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. SHREVE. It was from this old ship, the *Niagara*, that Commodore Perry sent his famous message, "We have met the enemy and they are ours." The least we can do is to turn this old ship over to the Government and let the Government take it and care for it. Let it be forever a reminder of the valor of our fathers, who fought for a government of the people, by the people, and for the people, and let it be an enduring emblem of hope that this country may never again be embroiled in war. Let it be a reminder of the day when the pride of Britannia was humbled and the queen of the seas was uncrowned. [Applause.]

Mr. BUTLER. Mr. Chairman, I concede that the point of order must be sustained if the gentleman from New York insists upon it; but I would ask the gentleman who made the point of order whether he would be willing to withdraw it and allow this amendment to be amended by limiting the amount of money?

Mr. SNELL. Will the gentleman from Pennsylvania yield for a question?

Mr. BUTLER. Yes.

Mr. SNELL. The conditions in regard to this boat are no different from what they have been for a good many years, are they?

Mr. BUTLER. She is wasting away.

Mr. SNELL. She has been wasting away for 100 years.

Mr. BUTLER. She formerly belonged to the Navy. Now, I would not vote for anything like an extravagant appropriation of money to preserve this old boat. I do not want to see her sink, however, and go out of sight. This is the only provision in the bill that has any sentiment in it. Everything else is blood and roaring guns. This ship is an inspiration to the people of the country. Do not let it go, my friends. I will agree to consent to a limitation upon the amount appropriated, if the gentleman desires.

Mr. SNELL. How are you going to limit it if you have taken it over? Let me ask the gentleman this question: How much is it going to cost to rehabilitate the ship?

Mr. BUTLER. It was suggested that it would cost the sum of $25,000.

Mr. SNELL. If it is going to cost $25,000 I shall object.

Mr. BUTLER. If the gentleman will offer an amendment, or accept one that I shall offer, I will ask to limit the sum to $10,000.

Mr. SNELL. Make it $5,000 and I will agree. That will take care of it for the present year.

Mr. PADGETT. Will the gentleman yield? It would be useless to make a limitation of $5,000, because that would be a burlesque; it would not repair the vessel. If we are going to do it, let us do it right, and if we are going to refuse it, let us do it straight out. Let us deal with it in good faith.

Mr. BUTLER. I am not making this suggestion for the purpose of putting anything over on the membership of this House, for I do not believe in doing that. I do not mean to conceal any purpose I have in mind. But I am so anxious that the old ship should come back into the possession of the Government that I am willing to consent to limit the amount now and allow the House to pass on it at some later time.

Mr. FESS. Will the gentleman from Pennsylvania yield for an interruption?

Mr. BUTLER. Certainly.

Mr. FESS. I think there is some misunderstanding about this matter. The ship was on the bottom for 96 years, and in 1913, on the anniversary of the centennial, it was rebuilt. It is in good condition at present.

Mr. SNELL. Then it does not need $25,000 this year; would it not go another year?

Mr. BUTLER. I am willing to limit it to $5,000.

Mr. SNELL. I would agree to limit it to $5,000.

The CHAIRMAN. Does the gentleman from New York make or withdraw his point of order?

Mr. SNELL. I will withdraw it for the present.

The CHAIRMAN. The gentleman can not withdraw it for the present.

Mr. SNELL. I withdraw it.

Mr. BUTLER. Mr. Chairman, I move to amend the amendment by adding the words "*Provided*, That the amount of money to be expended shall not exceed $5,000."

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment of Mr. BUTLER to the amendment of Mr. SHREVE: At the end of the amendment insert: "*Provided*, That the amount of money expended shall not exceed $5,000."

Mr. SEARS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SEARS. If this amendment is voted down, then the original amendment is in order?

Mr. BUTLER. Do not vote that down.

Mr. HARRELD. Mr. Chairman, I would like to ask for further information. This boat was raised several years ago. Where has it been since that time?

Mr. BUTLER. In the bay at Erie, Pa.

Mr. HARRELD. Who claims to own it?

Mr. BUTLER. It was turned over in an informal way to the city of Erie.

Mr. HARRELD. Does the city claim to own it?

Mr. BUTLER. It is conceded that, by what occurred, the city of Erie has title to it.

Mr. HARRELD. I would like to know how we are going to acquire title to it.

Mr. SHREVE. The amendment provides for taking that; it says the title shall be surrendered.

Mr. HARRELD. Let me ask the gentleman, Is the city of Erie trying to unload a white elephant onto us?

Mr. BUTLER. No, sir. The boat belonged to the American Navy. It was abandoned and sunk in Lake Erie along about 1825, and it remained on the bottom of the lake until this celebration occurred, when it was raised and renewed by funds contributed by the city of Erie and the State of Pennsylvania.

Now the title is construed by the Government to be in the city of Erie, and the Government now desires to have it back.

Mr. SHREVE. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. SHREVE. Let me understand this amendment. This is for this year only?

Mr. FESS. It is for only one year.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Pennsylvania [Mr. BUTLER] to the amendment of the gentleman from Pennsylvania [Mr. SHREVE].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. SHREVE] as amended.

The amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. This paragraph carries an immense sum, $30,000,000, for the repair of ships; that is, I anticipate that the most of it will be used for that purpose, although there are other uses to which it may be applied. This is carried in a lump sum, and I suppose it would be impossible for the committee to appropriate it in any other way for the repair of ships. I am not objecting to that. What I am objecting to is the number of old ships that are carried in our Navy, useless ships, under present conditions, upon which I have no doubt some of this money will be expended.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BUTLER. I suppose the gentleman is discussing the proviso for the repair of these two old ships?

Mr. GREEN of Iowa. Oh, no; I do not object at all to the use which is proposed to be made of these two old ships, the *Kearsarge* and the *Kentucky*. They are of no use or value as they stand now; they never were a success, on account of faulty design, and if they can be made into crane ships, I have no doubt that the money will be well expended. I think it could be so well used for that purpose.

In the evolution of naval warfare we keep progressing every year, leaving behind the old vessels; but unfortunately our Navy does not always leave or consign to the scrap pile all that ought to be placed in that heap. At the time of the Civil War we started with the *Monitor*. The original *Monitor* carried only 11-inch smoothbore guns and armor of 11-inch laminated plate. Its projectiles failed to pierce the armor of the *Merrimac* when fired point-blank. The monitors of later construction carried 15-inch smoothbore guns and somewhat heavier armor. About the same time England built her first armored vessel, the *Warrior*, and France hers, *La Gloire*. From these vessels the modern battleship was evolved. The turret system for sheltering the guns, first used on the *Monitor*, was preserved, but what was known as the monitor type was soon discarded.

The early turreted battleships carried, as a rule, about four large guns, with a secondary battery of smaller guns. Such were the *Iowa* and *Oregon*, which we thought wonderful ships in their day; but now broken up. Next in this country the dreadnought was planned. The dreadnought, as I suppose the members of the committee understand, was a ship that had all big guns in its main battery. We built the first two that were ever constructed of that type, the *Michigan* and the *South Carolina*. More dreadnoughts were built to match them by England, and more by our own country. Now we have the superdreadnought, which so far surpasses the dreadnought that it is utterly impossible for the dreadnought either to fight it or run away from it. It can not fight it, because neither its armor nor its guns are sufficient to put it in competition with the superdreadnought, and it can not escape because its speed is lacking. A superdreadnought could stand off out of range of the dreadnought and destroy it without being harmed. It is the same with reference to the cruisers. We started out with the unarmored cruiser, and then we built the armored cruiser, and now we have the battle cruiser, by reason of which all of the armored cruisers are obsolete, the armored cruisers being neither able to fight the battle cruiser nor to run away from it, because their speed is so much slower. In the battle off the Falkland Islands the English battle cruisers choose their distance and sunk the German armored cruisers without receiving any serious damage.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. HUSTED. Are we going to have men enough in the Navy to man all of the vessels we could otherwise put in commission?

Mr. GREEN of Iowa. I do not think so.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUSTED. I think it is perfectly clear that we are not going to have enough men to man the vessels we could otherwise put in commission, and that being true, it seems to me it is the height of folly to maintain the old type of vessels that we have not got men to man and which are going to cost us a great deal of money without adding much, if anything, to the efficiency of the Navy.

Mr. GREEN of Iowa. The gentleman has said what I was about to say—probably much better than I could have expressed it. I notice in the program of the fleet that is expected to be kept in commission there are 13 predreadnought battleships. England plans to scrap all of her predreadnought vessels, and quite properly.

Mr. LITTLE. Will all those ships be obsolete at the time they are completed?

Mr. GREEN of Iowa. I am speaking now of old ships. They were built some 18 years ago, some of them.

Mr. LITTLE. Of those that are on the program, how many will be obsolete when completed?

Mr. GREEN of Iowa. I can not say. I will discuss that later when we come to the construction program. I want to speak of these old vessels. It was stated yesterday by the chairman of the committee that 13 of these predreadnought vessels are to be kept in commission. Of what use are they? Why should they be kept in commission?

As I stated before, they can not fight a dreadnought and they can not run away from it. They can not even match an armored cruiser. They could fight an armored cruiser if the armored cruiser would stand up to them, but it is not expected the armored cruiser would do anything of that kind. They are so slow that they are a drag on any fleet.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BUTLER. By the appropriations which we have made in this bill they will not be able to keep all of these ships in commission. Take, for instance, the coal item alone, which is right before us. I suppose these ships will be kept only in about half commission.

Mr. GREEN of Iowa. I tried to ascertain, in speaking yesterday, just what ships the Navy Department was going to scrap, but I could not find out. I do not know whether the gentleman is in possession of the information or not. England has scrapped 156 of her fighting ships, and very wisely so, because they are of no further use. That is what we ought to do with these old predreadnoughts, and as soon as we get our battle cruisers we ought to scrap all of our armored cruisers, because they will be of no further use.

Our light cruisers are so old and slow that they are obsolete. We have three large armored cruisers, superior in their day to those of any country in the world, because they carried heavier armor and heavier guns than any armored cruisers afloat. They were 14,000-ton ships, mounting four 10-inch guns. We did have four, but one was lost. These ships have a speed of only about 22 knots, which is far surpassed by the slowest of the battle cruisers. We have no scout cruisers, and we need these comparatively small, extremely fast ships, constructed not for fighting but for scouting purposes.

I suppose as long as we have no battle cruisers, and none have been completed yet, we will have to keep our armored cruisers. The program calls for the retention of about all the cruisers we have got now. As I said before, I do not know how we would get along without some cruisers, but they would be useless in the line of battle.

Mr. BUTLER. I do not want to inject myself into the gentleman's remarks unless it is entirely agreeable to the gentleman——

Mr. GREEN of Iowa. I will yield to my friend.

Mr. BUTLER. They tell us that they added to the list of ships which were to be sold 63 vessels, embracing all classes, going back as far as the *Indiana*, the *Massachusetts*, and the *Iowa*.

Mr. GREEN of Iowa. Oh, yes; the *Massachusetts* and the *Iowa* are over 20 years old and ought to have been sold and scrapped a long time ago. I supposed they had been. What I contend is that a large number more should be scrapped.

Mr. FESS. Will the gentleman yield there?

Mr. GREEN of Iowa. I will yield to the gentleman.

Mr. FESS. It has been running through my head whether just because a ship gets out of date it ought to be scrapped. Is that the best use that can be made of it? Does the gentleman mean that it would be absolutely useless in case we got into a war?

Mr. GREEN of Iowa. Practically of no use, but I suppose they might possibly be used as coast defense. That advantage would be very small in that way compared with the expense. I mean that they can not be used satisfactorily. It would not pay for keeping them up, for equipping and manning them with men.

Mr. FESS. Is it inevitable that as fast as we do build these new types of ships that other new types of ships will put them out of date?

Mr. GREEN of Iowa. Oh, yes. When we come to the matter of construction of new vessels I hope to discuss that question also. That is one of the things that in the progress, in the march of events, we must expect, that all the ships that are now being and proposed to be constructed in a few years will become obsolete.

Mr. FESS. Will the gentleman yield for another question a little different?

Mr. GREEN of Iowa. Yes.

Mr. FESS. It was stated yesterday that if England did not propose to increase her program and we continued for three years, that we would equal Great Britain's power on the sea.

Mr. GREEN of Iowa. Correct, except that possibly it would be four years instead of three.

Mr. FESS. Does that take into contemplation the large merchant marine of England that could quickly be converted into auxiliary naval vessels?

Mr. GREEN of Iowa. I think not. I might say to my friend that as naval science has progressed, the science of naval construction, the use of auxiliary cruisers from the merchant marine has decreased. They were used during the late war under great pressure, but they will be used less and less as proper vessels for that purpose are constructed.

Mr. FESS. The question coming to me is when we get on a level with Great Britain on the sea on battleships would we be on a level in our ability to continue?

Mr. GREEN of Iowa. I think so. The fastest merchant vessel is very slow compared to the recent battle cruisers or the scout cruiser. The merchant vessels may be used as troop ships and colliers; in the last war they were also used as cruisers when armed. I do not think they will be again. They would be an easy prey of the battle cruisers, and on account of their structure could not be armed heavily enough to fight the scout cruiser.

In conclusion, Mr. Chairman, I want to say that the Navy Department will be subject to just censure if it does not ruthlessly throw out the old and useless ships from our Navy. If it does not, only one inference can be drawn, and that is that they are retained to furnish an excuse for keeping more officers and men.

Mr. HICKS. Mr. Chairman, I move to strike out the last two words. I do so merely, Mr. Chairman, to clear up, if I can, what may be a little apprehension on the part of one or two gentlemen who have spoken. The gentleman from Ohio [Mr. FESS] asked the question whether or not a battleship merely because it was old became obsolete. Of course, age probably accounts for 75 per cent of the obsolescence of a battleship, but I want to draw attention to the fact that we have to-day some cruisers in the American Navy that are old cruisers, but they are efficient because they have speed. It is largely speed that counts, whether or not a battleship is efficient to-day or not. That, of course, is plus your guns and the armor, but I want to bring out that it is not merely age alone that makes a battleship obsolete.

Mr. GREEN of Iowa. What is the highest speed of any of our cruisers—about 22 knots?

Mr. HICKS. No; some are higher.

Mr. GREEN of Iowa. Will the gentleman consult his book as to that?

Mr. HICKS. I want to state further in regard to some queries asked by the gentleman from Iowa, and that is this: I am a believer myself in crossing off the list many of these old ships unless they have the speed, because there is no use of continuing those ships in service, with all the expense of maintenance. While a few of these ships may be of use as a part of our fighting fleet, they are comparatively of little value. One of the great lessons of the great Jutland fight, if you will read the account of that battle published by the Germans themselves—now published secretly, but in all probability soon to be open to the public—read that from the German standpoint and then read the account from the English standpoint, and one lesson taught is that the old ship of small speed is not an advantage to a fighting fleet, but a detriment in maneuvers, and had better be left in the home port.

Mr. PADGETT. Will the gentleman yield?

Mr. HICKS. In a moment. Now, one of the things that this item is to be used for, I will say to my friend from Iowa, is not merely to repair the old ships, so far as keeping up their engines and their boilers and all that is concerned in ordinary repairs, but a large amount of the money is to be used for permanent improvement in some of the big battleships—rebuilding them—in changing the bridges, in installing fire control, thereby interpreting into iron and steel some of the lessons of this Great War, in order to make those ships more efficient. Now I will yield to the gentleman from Tennessee.

Mr. PADGETT. I just wanted to remind the gentleman that, when we speak of the 13 predreadnoughts or battleships prior to this war, the dreadnoughts that we have are very valuable ships, and they constitute the second line of defense; and in the statements made they overlook the fact that other countries in their navies have ships of like character, but not so good as ours of that type, and ours are valuable as against that type of ship of other countries.

Mr. GREEN of Iowa. Does not the gentleman know that England is scrapping all of these predreadnoughts?

Mr. PADGETT. I do not know that.

Mr. GREEN of Iowa. The gentleman ought to know it.

Mr. PADGETT. The gentleman should not be misled by cursory statements made in the newspapers. The gentleman should not believe that they are throwing away good ships.

Mr. CLARK of Missouri. I would like to ask the gentleman from New York two questions: The first is, Who gained the battle of Jutland?

Mr. HICKS. I appreciate this is a controversial matter, and for years will be in dispute. Personally, I believe the British gained it.

Mr. CLARK of Missouri. How did it happen that it took two months to find it out?

Mr. HICKS. The result of the battle was that the German fleet never came out again, and their morale was undermined.

Mr. CLARK of Missouri. How did it take so long for them to find out that they had gained the victory?

Mr. HICKS. The British are slow to reach conclusions. There were a whole lot of things that were not known until the official reports were made and examined into.

Mr. CLARK of Missouri. The second question is, Why did we not sell those old ships as junk?

Mr. HICKS. I think we ought to sell them, and use every effort to do so. At the present time there may be a chance to sell them to some of these newly organized nations in Europe, who want to have the appearance of being a full-fledged power.

Mr. CLARK of Missouri. Are these newly organized Republics that we created fixing to get up a war?

Mr. HICKS. I think they want the battleships as a sort of indication that they are really nations, and they want to borrow the money from us with which to buy our ships, I presume.

Mr. CLARK of Missouri. They will not do it with my vote.

Mr. HICKS. Nor with mine.

Mr. SNELL. In looking over this last proviso of $3,500,000 for repairs, and so forth, is not that practically the same item that was brought in the House here a while ago in the act providing for $10,000,000?

Mr. BUTLER. No; it is not. We considered those figures in the committee.

Mr. SNELL. From all the information that I can get—and I looked at the hearings, though not fully—part of it is the same item.

Mr. BUTLER. No. It is for drafting, inspection, watchmen, and messenger service, and so forth, not to exceed $3,500,000.

Mr. SNELL. None of that item is carried in that. As to the one turned down in the House, is any of that provided for in the $30,000,000? Is not the same item in it that was turned down in the House two or three weeks ago, when that matter was fully discussed?

Mr. BUTLER. I am going to answer. This sum is a smaller sum than was taken off. The gentleman is referring to the proviso on the bottom of the page.

Mr. SNELL. I am referring to both items. They both refer to the same thing.

Mr. BUTLER. They wanted more money than $30,000,000. The amount of money that was originally agreed to in the committee that we would report to the House for the repair of these vessels was a smaller amount than they asked for. Finally $1,000,000 more was added, because it seemed, after giving a great deal of attention to it, that that sum should be increased. Now, that is necessary to repair and maintain our ships of the first and second lines and our destroyers. There may be in this amount some money that will be used for that purpose, I will say to my friend, but we did not write into the bill the amount of

money, or anything like it—or, as I understand, any portion of it—which the House rejected here some time ago.

Mr. SNELL. Have they reduced the force working in the navy yards since the House refused to grant that expenditure a short time ago?

Mr. BUTLER. I understand—and I am only giving my friend my best understanding; I would not know unless I asked the question directly—but I understand they have reduced it some 12,000 or 15,000 men.

Mr. SNELL. That reduction has taken place since?

Mr. BUTLER. Since Congress declined to make that appropriation.

Mr. SNELL. I looked through the hearings in a cursory manner, and it seemed to me a good many items were carried in there that the House refused to provide for some time ago. I may be mistaken.

Mr. BROWNING. That was a deficiency appropriation they wanted for this year. Our appropriation does not commence until next July.

Mr. SNELL. Does it provide for the same items in making improvements that the House thought could be extended over a year or two, when labor and material would not be so expensive?

The CHAIRMAN. The time of the gentleman from New York [Mr. SNELL] has expired.

Mr. SNELL. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KELLEY of Michigan. If the chairman will permit, in making up this item of $30,000,000 on page 32, and $28,000,000 on page 34, these amounts are determined by the number of ships and the type of ships that the Navy Department said would be the active fleet of the Navy for the coming year. Covering a long period of years, it has been determined by experience that it costs about so much to keep up a ship of a certain type when in active service. Now, figuring the number of ships they intend to keep in commission, of various sorts, it was necessary to appropriate for each of these bureaus the amount carried in this bill.

Mr. SNELL. You do not think, then, that we are appropriating to carry any extra number of men on the pay roll during this time, when labor and material are so high?

Mr. KELLEY of Michigan. No; it is to care for the ships in the active fleet for the coming year.

Mr. KNUTSON. I want to ask the chairman a question. Did the late war demonstrate what type of battleship was best adapted to modern warfare?

Mr. BUTLER. The gentleman means the best sort of ships to use in fighting?

Mr. KNUTSON. Yes.

Mr. BUTLER. I can not answer the question. I do not think so, however. Some of us, however, were impressed with the fact that they want the swift ships and great guns. They are going to reduce the armor, perhaps, but they want 16-inch guns and ships that will travel 25 miles an hour. I think that was the lesson learned in the Great War. You will notice it was said that there was not enough speed in some of the English ships to get between the German ships and the fort—between the German ships and their station. Consequently, as I understand it, the nations of the world propose, as they build more ships, to have them of greater speed and with less armor and heavier guns.

Mr. KNUTSON. Would I be warranted in inferring from the gentleman's remarks that the tendency is to shift from the dreadnought to the battle cruiser?

Mr. BUTLER. No. The battle cruiser is a very effective weapon, their right hand, all the time; but, all in all, as long as men fight on the sea, you will find that the battleship is the spine of the Navy. It is the thing that takes the knocks and the one that is able to give them.

Mr. PADGETT. In the Battle of Jutland the lesson learned was that the cruiser fighting against the battleship would be sunk. All the British ships that were sunk were sunk by gunfire from German battleships.

Mr. KNUTSON. Was that due to the fact that the British battleships did not get up to the scene in time?

Mr. PADGETT. Yes; the cruisers attempted to fight battleships, and they were never intended for that, and they are not intended for that now.

Mr. McKENZIE. Mr. Chairman, I would like to strike out several words in order to ask the chairman a question. Inasmuch as the gentleman from Tennessee [Mr. PADGETT] has again mentioned the Battle of Jutland, which involved the question of armor, I want to ask the gentleman from Pennsylvania [Mr. BUTLER] if he has read a book written, I think, by a man by the name of Barrett, in which he quotes from Admiral Jellicoe's writings, in which Admiral Jellicoe states that while the Battle of Jutland was going on, when, I believe, Admiral Beattie was in command of the British fighting ships, Jellicoe was behind and did not go into the fight because he was trying to figure out whether or not he could get close enough to the German fleet to do any damage to the German ships, without the German ships, which he assumed to be more powerful than his, penetrating the armor of the British ships, and therefore he held back, and the battle was not a real decision.

Mr. BUTLER. No; not conclusive.

Mr. McKENZIE. And he says if Jellicoe had gone in and taken his chances the war would have ended two years sooner than it did.

Mr. BUTLER. Yes. I know that the war has been going on in what is called "the Admiralty" to find out the reason why that battle was not won decisively, and as I gather it the reason was that the officer in command of the cruisers did not have enough of them, and his guns were not large enough to warrant him in going in with safety between the Germans and their port, and therefore the German got by and went back to his lair, as you might call it.

Mr. McKENZIE. After a time the Germans sailed back to their ports and the English to their ports.

Mr. BUTLER. Yes. If the commanding officer in that battle had had these six great ships that are provided for in this bill there would have been a conclusion, and the German would not have gone back to his harbor. With the 16-inch guns and the enormous cruisers of 35-knots speed, they would have headed off the enemy. That is the discussion that is going on. They have their troubles over there, as we have our troubles over here.

Mr. EVANS of Nevada. Mr. Chairman, I move to strike out enough words to permit me to speak.

The CHAIRMAN. The gentleman from Nevada is recognized.

Mr. EVANS of Nevada. Mr. Chairman, it is a source of satisfactory information to follow this committee of distinguished gentlemen, where it appears that all the leading European countries have abandoned to a great extent building the various warcraft, we should join hands with foreign nations in their curtailment of warships program. Where material has been provided, contracts let, and construction under way, there is good reason to complete ships now being built, but there is no good reason for planning and beginning new warships of any description.

We are pleased to note that Europe has checked their usual enormous expenditures upon battleships, requiring five years to build, and to a great extent obsolete upon completion. Let us follow their humane antecedent. There is no fit reason why nations representing modern civilization should persistently pursue the barbarous custom of kingly war.

Great battleships have not prevented, but perpetuated, vile massacres of the first Christian Armenians. What assurance is there that ships of war will guarantee their lives to the civilization which does not mean shooting shells into weaker races of men. Civilization does not mean great parades of glistening bayonets, field kitchens, and terrifying T. N. T. To me it means abolishing barbarism by patient education. It means that nations will observe the Golden Rule, with protection for the weak in all their rights to life and happiness.

Better that America be first in the proud example of peace and justify our claims of good will upon earth. We can well afford to prove our honest and peaceful intentions to all the world by a policy of trust for European peaceful precedent, regretting that our own country was not first in the move toward this humane effort; but we may quickly concur by following their forward step away from barbarism, which will be to them not only common courtesy and to ourselves common sense.

The CHAIRMAN. The time of the gentleman from Nevada has expired. The Clerk will read.

The Clerk read as follows:

One swordmaster, $1,900—assistants: 1 $1,700; 1 $1,500; headmaster in physical training, $2,200; instructors in physical training—1 $2,100, 2 at $2,000 each, 7 at $1,900 each; assistant librarian, $2,500; cataloguer, $1,800; shelf assistants, 2 at $1,400 each; secretary of the Naval Academy, $2,750; clerks—2 at $2,100 each; 2 at $1,900 each; 2 at $1,800 each; 9 at $1,600 each; 4 at $1,400 each; 23 at $1,300 each; 7 at $1,200 each; repair man or seamstress, $1,000; surveyor, $1,700; services of choirmaster and organist at chapel, $1,700; captain of the watch, $1,600; second captain of the watch, $1,500; 30 watchmen at $1,400 each; 5 telephone switchboard operators, at $840 each; mail messenger, $1,200; in all, pay of professors and others, Naval Academy, $436,350.

Maintenance and repairs, Naval Academy: For general maintenance and repairs at the Naval Academy, namely: For necessary repairs of public buildings, wharves, and walls inclosing the grounds of the Naval Academy, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants; machinery; purchase and maintenance of all

horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attandance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor; advertising, water tax, postage, telephones, telegrams, tolls, and ferriage; flags and awnings; packing boxes; fuel for heating and lighting bandsmen's quarters; pay of inspectors and draftsmen; music and astronomical instruments; and for pay of employees on leave, $1,205,000.

The CHAIRMAN. Without objection, the Clerk will correct the spelling of the word "attendance," on page 38, line 11.

There was no objection.

Mr. KRAUS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KRAUS: Page 39, line 4, after the word "list," strike out "$3,705,952" and insert in lieu thereof "$2,382,202."

Mr. KRAUS. Mr. Chairman and gentlemen, this appropriation is based upon the strength of the Marine Corps fixed at 27,400 men. That is not the permanent strength of the Marine Corps. The authorized permanent strength of that corps at this time is 10,000 less, and the reduction involved in this amendment is the reduced amount required because of the proportionate reduction in the commissioned officer personnel of the corps. I submit that there is no justification for an increase in this corps, either in enlisted personnel or commissioned personnel, such as is sought to be maintained in this bill. In saying this I am fully mindful of the wonderful work done by the Marine Corps in our recent war; but the real reason underlying this application to Congress for these additional funds is that it will be possible in the first instance to make use of a great many additional land facilities that were acquired during the war, for the war, and only for war purposes.

As an illustration, I am calling your attention to the large marine land station at Quantico, which no man on this committee would say we would have acquired had it not been regarded as necessary for war uses during the recent war. Its continued use in peace times can be in no way justified.

As a matter of fact the Marine Corps is to-day attempting to invent uses for this particular station, a station so located that vessels of the usual draft which go to foreign ports carrying our marines and their supplies can not come up to this particular base. I am calling attention to this locality because it is illustrative of the entire situation as to what we are required to expend for the maintenance of unnecessary facilities. In this particular instance during the first six months of this fiscal year we have expended over $372,000 for maintenance, repairs, and preservation, and undoubtedly if we continue this course in the next bill you will be asked to replace buildings there which were constructed for temporary purposes, and which were adequate for the purposes for which they were sought to be used. You will be asked to replace them by permanent construction, and you will impose upon the Treasury a permanent expense for maintenance and repair, together with the accompanying overhead at the department.

There is undoubtedly one other major cause underlying the effort to increase the permanent enlisted personnel of the Navy and Marine Corps, and that is under existing law it carries with it automatically a proportionate increase in the commissioned personnel, and the retention in present rank substantially all the officers who obtained temporary advancement during the war. The purpose of my amendment is to have the House make an appropriation in accordance with existing permanent authorized strength of the corps. If at any time in the future we are to have legislation on this subject, it should be reported in a bill for that purpose, so that the House may consider the whole matter seriously and on its merits.

Mr. BUTLER. Mr. Chairman, I have always been interested very deeply in this branch of the service—this famous fighting corps. If there is any part of the service in which I have taken a particular interest it is the Marine Corps. Its performances during the last war have justified the hope that I had in it.

The gentleman asks to strike out a certain amount of money which the committee have recommended that the House appropriate. I have here before me the places to which these men have been assigned, officers and men, during the last year.

Mr. Chairman, we propose to ask this committee to allow us to add a few more men to this great corps. This is needed now because a large part of it was destroyed; and the men now in the corps are waiting to know whether they are to continue in the service of the country. These men faced the enemy at the Marne, and yet if Congress declines to increase the number they will be compelled to go back into civil life. That they may know whether they can remain with the corps, the question ought to be determined now so that it may be known to them.

Now, this is a larger sum than was appropriated three years ago, or the year immediately prior to the war, because they did not have as many men in the Marine Corps as they have now. Congress has permitted the corps to remain at 27,400 men. That provision of law was written into the bill in the last Congress. Now, we have asked that this corps, in which the country takes so much pride, may retain this number of men so that we may have at least one branch of the military service of this Government that is full in numbers. The men can be enlisted in this corps because there is a sentiment which induces men to come from the shops and the schools and join it. The history of the corps is an inducement for men to come in.

Then there is a plan we have before us, to which my friend from Alabama, Mr. OLIVER, has directed much attention, and I am going to ask him to say a word on the matter. We propose to put these men up in the air. These daring fellows were men who marched through the Black Forest and defied the Huns, and they will take the air with the same courage. We propose to have a flying corps that these men may use the flying boats if there is any occasion to fly, and so perform the service for the Navy that they have performed heretofore so well on land and sea.

They now have 17,500 men, and they are entitled to so many officers. This will enable them to remain in the service, and I ask you to bear in mind that many of these young men came into the service in the hour of danger, and they desire to remain in it. Why not let us bring this corps up permanently to the number that it had last year, and let us have a full corps? One-quarter of this corps now is down in Haiti and Santo Domingo. It is distributed around to all stations in the United States. At Quantico there are a few. Quantico came to us in time of war. Those of us who have looked at it say that it is a good place to train men. We can not keep the marines in the navy yards, because the room is needed. We have to have some place where they can be taught to fly; we have to have some place where they can be taught to shoot; and I think the best place is Quantico, established by the Government during the war.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. WOOD of Indiana. In the event that the provision in the bill increasing the strength of the corps to 27,500 should be subject to a point of order, you would not need this appropriation.

Mr. BUTLER. There is a question whether it is subject to a point of order. If Congress determines that the enlisted men in the Marine Corps shall remain at about the present enlisted strength of 17,400, we will not need all of the money for the officers.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. PADGETT. Mr. Chairman, I sincerely hope that the amendment offered by the gentleman from Indiana will not prevail. The present authorized strength of the Marine Corps is 17,500, and this provides for 20,000. The present strength of the corps is something like 14,000 or 15,000; but they are exerting efforts to bring it up. There is need for the full 27,500. In the bill they assume that by the end of the year they could get it to that. In the first part of the year they would not, and so we put it on an average of 20,000.

The service is an honorable service; it is one in which we all have a justifiable pride. Their conduct during the war justified it, and the committee has been, I think, if anything, too parsimonious. I doubt if the 20,000 that we have appropriated for will be a sufficient number, but I hope that the committee will not cut it down.

Mr. HUSTED. Will the gentleman yield?

Mr. PADGETT. Certainly.

Mr. HUSTED. Is not the Marine Corps more actively used in a time of peace than any other branch of the military service?

Mr. PADGETT. Yes.

Mr. HUSTED. Is not there more need now for an increase in that service than there was before the war?

Mr. PADGETT. Yes. If you land soldiers in a foreign country it is an act of war. But you can land marines and it is diplomatic. [Laughter.]

Mr. MADDEN. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. MADDEN. Is it necessary to have two major generals with this Marine Corps?

Mr. PADGETT. There is only one of them that is permanent. The other is a temporary officer, and that officer has been ordered before a retiring board and will pass out in a few days.

Mr. MADDEN. It does not seem to me that it is justifiable to have two major generals.

Mr. PADGETT. There is only one permanent, and the other is limited to the duration of the war.

Mr. MADDEN. That is not what this bill provides. This bill provides for the pay of two major generals.

Mr. PADGETT. That is providing pay for him only while he is on the retired list, and under the law he goes out as soon as peace is declared, or not exceeding six months thereafter.

Mr. MADDEN. When is peace going to be declared?

Mr. PADGETT. And, more than that, I notice in the newspapers the other day that he has already been ordered before a retiring board on account of his health.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The Clerk read as follows:

For pay of officers prescribed by law, on the retired list: For 2 major generals, 4 brigadier generals, 8 colonels, 5 lieutenant colonels, 23 majors, 39 captains, 16 first lieutenants, 7 second lieutenants, 2 marine gunners, 1 quartermaster clerk, 2 pay clerks, and for officers who may be placed thereon during the year, including such increased pay as is now or may hereafter be provided for retired officers regularly assigned to active duty, $278,740.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. Is it customary to put pay clerks on the retired list? Are they a part of the Military Establishment?

Mr. BUTLER. According to my recollection, they were included years ago in the Military Establishment. The pay clerk goes to sea; he goes along with the ship. I can not recall the year when this was done, but it seems to me about a dozen years ago the pay clerk was included in the Military Establishment by provision of law.

Mr. MADDEN. This refers only to the Marine Corps and the Navy.

Mr. BUTLER. Yes.

Mr. MADDEN. And these pay clerks are in the Navy?

Mr. BUTLER. Yes. I doubted very much the wisdom of it, but it was said that they are like the chaplain and have to be on board ship.

Mr. MADDEN. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Pay of enlisted men, active and reserve list: Pay and allowances of noncommissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United States Marine Corps traveling under orders, and including additional compensation for enlisted men of the Marine Corps qualified as expert riflemen, sharpshooters, marksmen, or regularly detailed as gun captains, gun pointers, mess sergeants, cooks, messmen, signalmen, or holding good-conduct medals, pins, or bars, including interest on deposits by enlisted men, post-exchange debts of deserters, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men, and for prizes for excellence in gunnery exercise and target practice, and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks, both afloat and ashore, $10,308,331.20.

Mr. KRAUS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. KRAUS: Page 40, line 4, after the word "ashore," strike out the figures "$10,308,331.20" and insert "$9,081,573.20."

Mr. KRAUS. Mr. Chairman, I will take just a moment of the time of the committee to call attention to the fact that this is an effort to bring the appropriation down to a point where it will take care of the authorized strength of the Navy as it will be after July 1, if there is no change made in substantive law. The appropriations in this item, I understand, are made upon the basis of 20,000 men, while the authorized strength under the law as it will be after July 1, if there is no modification in the meantime, will be 17,400. The figures employed will bring the amount down to that sum.

Mr. BUTLER. Mr. Chairman, this is the same question, and I hope the committee will not reduce the amount. Of course, if we can not appropriate for 20,000 men, we can return and make the reduction accordingly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The amendment was rejected.

The Clerk read as follows:

The authorized enlisted strength of the active list of the Marine Corps is hereby established at 27,400, distribution in the various grades to be made in the same proportion as provided under existing law.

Mr. WOOD of Indiana. Mr. Chairman, I make the point of order against the paragraph.

Mr. JUUL. Mr. Chairman, will the gentleman state what his point of order is?

Mr. WOOD of Indiana. It is legislation on an appropriation bill. It is an attempt to increase the size of the Marine Corps.

Mr. BUTLER. Has the gentleman from Indiana the act before him authorizing that this be done?

Mr. WOOD of Indiana. Yes.

Mr. BUTLER. In what year was it passed?

Mr. WOOD of Indiana. I have before me the act of Congress, the appropriation bill in the Sixty-fifth Congress, where we undertook to and did increase the strength of the Marine Corps temporarily to 27,400 men. The committee is now asking to make it permanent. There was no authorization and I presume the point of order was not raised against the clause. It is clearly subject to a point of order.

Mr. PADGETT. Mr. Chairman, will the gentleman permit me to ask him a question or two?

Mr. WOOD of Indiana. Certainly.

Mr. PADGETT. The value of having this made permanent is because there are a number of very valuable officers in the Marine Corps who fought through the war in France, on the Marne, in Belleau Wood, men who marched up in front of the enemy, and all of that, who demonstrated their ability and their fitness and eminent qualifications. If you keep the Marine Corps on a temporary basis, their status as officers will be temporary. They would not know whether they would remain longer than a year, and they are unwilling to stay with that status. They want to know whether they are to remain officers or are to go out ultimately.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SNELL. Are these men going to remain in the service whether the salary of the officers is increased or not?

Mr PADGETT. As far as I know I have heard nothing on account of that.

Mr. SNELL. Then this is one branch whose officers are not resigning on account of not getting an increase in salary?

Mr. PADGETT. I have not heard of anything of that kind.

Mr. SNELL. And, on the other hand, we have to legislate to make more places to take care of the officers here.

Mr. PADGETT. We have the places now. They are filled by these men at the present time. They are holding them under temporary commissions, and when peace is declared, or not later than six months after the declaration of peace, they will go out. If they are kept on a temporary basis, they are up in the air; they do not know what their future is to be. They are needed. We need the 27,400 men. This is not a useless thing. We have demands for marines in Central America and various places.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HUSTED. Do we need these men at the present time?

Mr. PADGETT. Yes.

Mr. HUSTED. And the service would be crippled if the service was cut down?

Mr. PADGETT. It would. We need them for present duty. To dispense with them would be to injure the service. If these men can not be given a permanent status, they want to go out into civil life, where they are to know what they are to be and where they will have a permanent status.

Mr. SNELL. Mr. Chairman, will the gentleman tell us how many there are in the service at the present time?

Mr. PADGETT. The service is on the basis of 27,400 men, the number we have in this bill; that is the present number.

Mr. SNELL. That is the present number actually in the service to-day, or practically that.

Mr. PADGETT. The officer or commissioned personnel is prescribed by existing law to be 4 per cent upon the enlisted personnel. Now, the permanent commissioned personnel is upon 17,400. Now, there is a temporary commissioned personnel upon the difference between 17,400 and 27,400, or 10,000, but there is this modification. The law authorizing this temporary increase does not give the full percentage of increase in the higher officers. It gives the full increase up to major and then cuts down the percentage on the higher officers on the temporary increase above major. I hope that the gentleman from Indiana, in the interest of the service and for the urgent demand of it, will not insist upon the point of order.

Mr. KNUTSON. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. KNUTSON. Is it not a fact that the marines are the most valuable military arm we have, and that we can send them into all parts of the world, and that the 27,000 men are needed?

Mr. PADGETT. I have stated it was actually needed and——

Mr. KNUTSON. And you can send them where you can not send the Army, because the Constitution prohibits the sending of the Army——

Mr. PADGETT. Diplomatically.
Mr. KNUTSON. And it is different.
Mr. OLIVER. If the gentleman will permit——
Mr. MADDEN. Mr. Chairman, I rise to a point of order. The gentleman from Tennessee is not speaking to the point of order; he is arguing the merits of the question.
Mr. PADGETT. I am addressing myself to the gentleman who made the point of order to see if he would withdraw it.
Mr. MADDEN. I thought there was not anything pending except the point of order, and the gentleman is not speaking to it.
Mr. PADGETT. No; I am not speaking to it. I am speaking to the gentleman, asking him if he will not withdraw the point of order, and submitting to him the condition and the necessities of the service and the reason why it should be withdrawn. I want to say further that there is a very large demand for marines in Central America, in South America——
Mr. JUUL. Will the gentleman yield?
Mr. PADGETT. In a moment—in Mexico, in China, in Japan, and all over the world wherever we have intercourse and communication it is necessary for us to have some marines, and we do have them. There is a necessity for that number, and that service will be greatly embarrassed and crippled if we do not maintain it.
Mr. JUUL. I want to ask the gentleman from Tennessee to what extent would the 27,400 be reduced if the gentleman's point of order prevails?
Mr. PADGETT. It would be reduced to 17,400; it takes off 10,000.
Mr. HUSTED. Will the gentleman yield?
Mr. PADGETT. In just a moment. There must be a little margin for a turnover. For instance, when we send a man down to the Tropics he can not be kept there permanently, as conditions will not permit it; health, living in the Tropics, makes it necessary for them to have a turnover and a change, and the committee has gone into it very thoroughly and fully and has been very conservative.
Mr. OLIVER. Will the gentleman state to the committee that the commissioned personnel of this branch of the service now comes from the enlisted men?
Mr. PADGETT. Yes; that is just what I was going to say, and I am glad the gentleman called it to mind. The commissioned personnel in the Marine Corps is by promotion up from the enlisted personnel. It is the only service where we have the whole commissioned personnel coming up from the enlisted personnel by promotion.
Mr. KNUTSON. And is it not the most democratic form of our military service?
Mr. PADGETT. I say so; and I say it is the best.
Mr. KNUTSON. And the most efficient, too.
The CHAIRMAN. Does the gentleman from Indiana insist upon his point of order?
Mr. WOOD of Indiana. I do.
Mr. PADGETT. Mr. Chairman, that question came up——
The CHAIRMAN. The Chair is prepared to rule.
Mr. PADGETT. All right.
The CHAIRMAN. The point of order was made upon this same item, or practically the same item, in the consideration of this bill a year ago, and the point of order was sustained by the Chairman, the gentleman from Tennessee [Mr. GARRETT]. There is a provision in the statute of 1908 under the head of "Marine Corps" in the naval appropriation act which provided:

That hereafter the number of enlisted men in the United States Marine Corps shall be such as the Congress may from time to time authorize.

That expression in the statute of 1908 is a very common expression in many acts providing for bureaus, departments, and so forth. The present occupant of the chair construes, and construes the decisions of the Chair in the past, that it does authorize the Congress to appropriate for such force here also and specify the number if it so desires. The present provision in the bill, however, goes beyond that, and the present occupant of the chair thinks it would be construed by the executive officers as constituting permanent legislation, although it does not contain that common word "hereafter," which we frequently use for that purpose. In the current law it is provided:

That the active list of the Marine Corps is temporarily increased to 27,400.

"Temporarily increased" is left out of the provision in the pending bill, which says:

The active list of the Marine Corps is hereby established at 27,400.

Which very likely would be construed as permanent legislation. The Chair, therefore, sustains the point of order.
Mr. BUTLER. Mr. Chairman, may I send an amendment to the Clerk's desk?
The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.
The Clerk read as follows:

Page 40, line 5, strike out the paragraph, lines 5 to 8 inclusive, and insert in lieu thereof the following:
"The number of enlisted men in the Marine Corps appropriated for by this act is authorized at 27,400."

Mr. WOOD of Indiana. Mr. Chairman, I raise a point of order on that amendment.
The CHAIRMAN. The gentleman from Indiana makes the point of order. Does the gentleman from Indiana desire to be heard on the point of order?
Mr. WOOD of Indiana. The amendment does not change the proviso in the bill as drawn in any particular. The bill as it reads provides that the authorized enlisted strength of the active list of the Marine Corps is established at 27,400. The amendment provides that the number of enlisted men in the Marine Corps appropriated for by this act is authorized at 27,400. It does not even come within the purview of the language that was had for the appropriation made in the Sixty-fifth Congress, where it established the strength of the Marine Corps temporarily at 27,400. I insist that under the law which provides that the strength of the Marine Corps shall be as fixed by law from time to time it does not mean that the strength of the Marine Corps can be fixed by law in an appropriation bill. It must be fixed by law as the law provides it must be fixed, by an independent act, coming from the proper committee, for the purpose of fixing the strength of the Marine Corps. And I further insist that the provision in the act of the Sixty-sixth Congress would have been subject to a point of order, for that was a change of existing law and it was put in an appropriation bill. This is likewise legislation in an appropriation bill, which is, in the first instance, attempting to make permanent the strength of the Marine Corps, and the amendment proposed does not change that in any particular, for it likewise is attempting to make permanent the strength of the Marine Corps, and providing that the appropriation in this bill shall be for a Marine Corps—of what number? Of 27,400. In other words, the strength of the Marine Corps proposed by this amendment shall be 27,400. It is legislation in an appropriation bill, a thing that can not be done as against a point of order.
The CHAIRMAN. The Chair is prepared to rule.
The Chair quoted before the language of the appropriation act of 1908:

Provided, That hereafter the number of enlisted men in the United States Marine Corps shall be such as the Congress may from time to time authorize.

Of course, it is quite true the rules of the House can not be changed by an act of Congress in which the House has acquiesced. But this provision in the law was put there under construction of the rules by the House and with knowledge of the construction of the rules by the House. It does not seem to the present occupant of the chair that that provision was in the act of 1908 in order to authorize Congress to legislate upon the subject thereafter, because it does not require the permission of an act of Congress to permit Congress thereafter to legislate in the matter of a legislative act, and it is quite clear to the present occupant of the chair that the purpose of putting that provision in the law was to authorize the fixing of the Marine Corps strength in the appropriation and making the appropriation for its support; and that, without apparently Congress making or fixing the enlisted force in the appropriation act or in some other way, there would be no enlisted force provided for at all, because there is no provision now for an enlisted force and strength beyond the present fiscal year. And this law requires that the enlisted force and strength shall be fixed by Congress or shall be as fixed by Congress. The Chair thinks therefore it would have been perfectly clear for the committee to have included an item making an appropriation for such and such a force of enlisted men in the Marine Corps, in the same manner as Congress and the House under the rules of the House constantly increases the number of clerks for various services, letter carriers, and so forth, in the Post Office Department, and as the legislative bill, coming into the House, constantly carries an increase in the number of clerks in the various departments at fixed salaries; and it is quite within the power of the House under the rules of the House to insert an appropriation for so many enlisted men in the Marine Corps. The Chair thinks that is substantially what this amendment does, and the Chair therefore overrules the point of order.
The question is on agreeing to the amendment.
Mr. JUUL. Mr. Chairman, I suggest to the chairman of the committee that his amendment provides for striking out all these lines.
Mr. BUTLER. They go out anyhow.
Mr. JUUL. They were stricken out under the point of order?
Mr. BUTLER. Yes, sir.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Pennsylvania [Mr. BUTLER].

Mr. PADGETT. Mr. Chairman, I want to offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment to the amendment, which the Clerk will report.

Mr. PADGETT. At the end of the amendment add the words:

As the permanent enlisted strength of the Marine Corps.

Mr. WOOD of Indiana. Mr. Chairman, I raise a point of order against that.

The CHAIRMAN. The Chair sustains the point of order.

The question is on agreeing to the amendment of the gentleman from Pennsylvania [Mr. BUTLER].

The question was taken, and the amendment was agreed to.

Mr. McKEOWN. Mr. Chairman, I have an amendment that was prepared to be offered at the end of the paragraph as it stood before the point of order was sustained, and I would like to ask unanimous consent to let it follow the language of the amendment of the chairman of the committee.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment following the language of the amendment just agreed to. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McKEOWN: Page 40, following the amendment just adopted, insert: *"Provided*, That no marine shall be kept in the Torrid Zone for longer than one year at any one assignment."

Mr. BUTLER. I make a point of order against that, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order.

Mr. McKEOWN. Will the gentleman reserve the point of order for a moment?

Mr. BUTLER. I will reserve it.

Mr. McKEOWN. I just wanted to call the attention of the committee, and I hope it will meet the approbation of the department, to the fact that these marines should not be kept in these Torrid Zone regions longer than 12 months or 18 months at the outside, without having a reassignment and bringing them back so that they can recuperate their health. I am sure if the gentleman has talked with any of the marines he will find that such a provision will hold up the morale of these men who are assigned to these islands. Take the case of Haiti——

Mr. BUTLER. If this force stays in the bill and the provision becomes a law, and is authorized for next year, I have not a bit of doubt that the suggestion the gentleman is now making will be followed. They try to renew them every 12 or 18 months. They have been obliged, on account of the war, to keep them longer than that down at Haiti and Santo Domingo and these other places. I know that it is the desire of the Secretary of the Navy and the commandant of the Marine Corps to relieve these men very frequently, so that their health may be secured to them.

Mr. McKEOWN. I withdraw my amendment.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INCREASE OF THE NAVY.

Increase of the Navy, construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized, to be available until expended, $48,000,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. Mr. Chairman, I think that on all the previous bills that have been brought in before this committee I have approved all of the increases that were proposed by the Navy, but I very much regret that this bill provides for so large a sum as is found on this page, totaling $104,000,000 for the "increase of the Navy," and this amount measures only in reality a very small portion of what will be expended when the program is carried out.

Mr. QUIN. How much is it that this carries? I would like to know in dollars and cents.

Mr. GREEN of Iowa. How much it would cost to complete this program?

Mr. QUIN. Yes.

Mr. MADDEN. Five hundred million dollars.

Mr. BUTLER. Including this, my friend is right. It is a little short of $500,000,000. It is $480,000,000 plus.

Mr. OLIVER. It will cost $104,000,000 for 1921, and there will remain due $294,000,000, which should be increased by $70,000,000.

Mr. GREEN of Iowa. The gentleman is correct. I did not have the figures in mind for the moment. In my previous remarks to-day I have already shown how, as the evolution of naval architecture proceeded, at first one kind of a ship and then another became obsolete until we must expect that anything that we could construct at this time would in a few years become obsolete.

Now, we have reached a point where we propose to construct vessels of enormous size, battleships of 43,000 tons—unheard of, unthought of, I might almost say undreamed of, a few years ago; vessels that will cost before they are completed some $40,000,000 each, and vessels which can not be kept in commission, if present prices continue, at less than $2,000,000 per year.

Mr. QUIN. And would not a little old submarine or an airship destroy one of them?

Mr. GREEN of Iowa. I was just about to come to that subject. There are many naval critics of very high authority who have considered that the day of battleships is over. Among them is Lord Fisher, of the English Navy, and Sir Percy Scott, from whom I propose to quote. Sir Percy Scott is one of the most prominent naval authorities in his country. He is the inventor of the fire control now used by our Navy and all other first-class navies in existence. Sir Percy Scott says that the battleship is dead. I do not entirely agree with him, but as I am an amateur I suppose my opinion is not worth very much anyway. I would, however, like to read very briefly from his book, Fifty Years of the English Navy, his reasons for concluding that the day of the battleship is over.

Mr. JUUL. Mr. Chairman, will the gentleman yield for a question?

Mr. GREEN of Iowa. I am afraid it will take up too much of my time.

Mr. JUUL. I will make it very brief.

Mr. GREEN of Iowa. Yes.

Mr. JUUL. I wanted to know from the gentleman how the increase of $104,000,000 is conforming to the program of economy that the steering committee mapped out for the other committees when we started at this session?

Mr. GREEN of Iowa. I will leave that for the steering committee to answer.

In his book, Sir Percy Scott says:

The battleship of to-day costs roughly £8,000,000; she carries about 1,000 shells containing about 100,000 pounds of high explosives; her effective range is, say, 15 miles; she is vulnerable to aircraft with bombs and aerial torpedoes, and to submarines, the latter possibly carrying a 15-inch or 18-inch gun; and the ordinary automobile torpedo is still in process of development, and may, in the future, carry a ton of high explosives, which would probably sink any battleship.

Of course, he is speaking now of the possible development of the submarine, because there is no such submarine in existence at the present time, and the automobile torpedo is still in process of development. By that I suppose he means the airplane torpedo, which in the last war was effectively used on at least one occasion. He says further:

For £8,000,000 we could build many aeroplane-carrying ships, equipped with aeroplanes carrying over 100,000 pounds of high explosives. If these aeroplanes carried fuel sufficient for five hours, their range would be about 150 miles out and 150 miles home.

In the battleship we put all our eggs into one basket. In peace time the aeroplane-carrying ships could be used as passenger ships, and the aeroplanes for carrying passengers instead of bombs.

The aeroplane-carrying ships and the aeroplanes would cost nothing; they would be earning money. The officers and men to form the crews of the ships would belong to the merchant navy. Aeroplane pilots will be as numerous as taxi drivers and get about the same pay. The battleship waddles along at 20 miles an hour, and can not waddle very far, and in comparison with an aeroplane has a very low rate of speed.

The object in war is to introduce high explosive materials into your enemy's ships or country; transmitting this high explosive by guns is expensive as the container of the high explosive has to be very strong, and consequently very heavy, to withstand the shock of discharge. It takes a battleship weighing 30,000 tons to carry 100,000 pounds of this explosive. Ten aeroplanes weighing about 3 tons each would carry the same amount, so the relative weights of the carriers is as 30 tons to 30,000 tons.

That is one among other specifications showing why he considers that the battleship is obsolete at the present time.

As I said, I do not agree with Admiral Scott in his final conclusion. The battleship is still king of the sea and in the last war could and did go anywhere on the high seas when protected from submarines by destroyers. I do say this: That we ought not to go on constructing 10 or 15 of these enormous ships when they are really experiments. I look for the time to come when airplanes will successfully drop tons of explosives on their decks and aerial torpedoes guided by wireless attack them in all directions.

Now, among our battle cruisers are some of 35,000 tons. I believe our present plans are to bring them up to 39,000 tons. They are to have the enormous speed of 35 knots, greater than any other vessels in the world, surpassing even the new English battle cruiser *Hood*, whose speed is only 31 knots. But the

plans of these battle cruisers have been very severely criticized by those high in authority on this subject. I am not competent to say whether those criticisms are well founded; I do not know. But I do know that these enormous ships are more or less in the nature of an experiment. I do believe they are vulnerable to the airplane and to the submarine, and I think that both the submarine and the airplane are but in the infancy of their development; and if they are perfected, as many scientists think they can and will be, these enormous battleships will represent simply millions upon millions of money wasted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GREEN of Iowa. I do not object to some of these ships being built. We have not a solitary battle cruiser in our Navy at this time. There can be no question but that we ought to have some. I would be willing to have two or three built, but as I understand it the program calls for five or six.

Mr. HARDY of Texas. Will the gentleman yield, to state how much one of these battle cruisers will cost?

Mr. GREEN of Iowa. They keep increasing in price. The latest figure, I think, is about $38,000,000. These battle cruisers are more expensive than superdreadnoughts, and I think before they are finished they will cost $40,000,000 apiece.

Mr. HARDY of Texas. They cost $36,000,000 three or four years ago.

Mr. GREEN of Iowa. Yes; and I will say to the gentleman that it is expected to provide them with engines of such enormous size that they will have 180,000 horsepower, or almost as much as is developed by the great Keokuk Dam on the Mississippi. You can imagine how expensive those engines will be and how costly it will be to maintain and operate such a ship. The construction of these ships and their boilers involves placing part of the boilers and engines above the water line. They have been very severely criticized on that account.

Mr. PADGETT. In the new plans that has been remedied, and the machinery is all put below the water line.

Mr. GREEN of Iowa. The new plans ought to provide for that. But, I repeat, we are putting too many eggs in one basket for something that is entirely an experiment, so far as these great leviathans are concerned, and I wish we were not building so many of them.

Mr. HUSTED. Does not the gentleman think our naval policy could most safely be based upon the opinion of the General Board of the Navy?

Mr. GREEN of Iowa. The General Board and the other naval experts, but unfortunately the experts do not agree.

Mr. HUSTED. So far as the construction of ships is concerned?

Mr. GREEN of Iowa. I am perfectly willing to leave it to them so far as the plans for construction are concerned, and I think they are proceeding well. Now, these new battle cruisers will undoubtedly be superior to anything that has ever before been built. The earlier British battle cruisers are now about ready for the scrap pile. It is very fortunate that we did not build battle cruisers like the *Queen Elizabeth* and the *Warspite* and others which England had constructed. We have benefited by waiting, and we might benefit more by waiting further as to a part of this program.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. A good many years ago Representative Peters, of Kansas, was a member of the Committee on Appropriations, and I heard him say once, after he had retired from Congress voluntarily, that there was one thing he was particularly proud of, and that was that when he was a member of the Appropriations Committee he had killed off one battleship. He said it was a great big useless thing, that never would be of any value, and that would become obsolete in a very short time, and would be obsolete by now, and he said: "Of all the things I did in Congress, that is the one I am proudest of—that I saved that money for the people." The Naval Affairs Committee have a program here which is very modest. I want to felicitate that committee upon having cut the enormous requests of the administration as much as they have. I am sorry they did not go further. If the $104,000,000 carried in this appropriation was all that was involved here, I would not have any criticism to offer, but you must remember that it means that we are committed to completing these ships, that we have got to go ahead and spend more than three times as much. Now, I suppose everybody here realizes, of course, that that is just that much waste. You build a battle cruiser for $36,000,000 and some fellow starts out with a $500,000 submarine, and everyone will admit that the battleship will light out for home, and that is the end of the battle. If you want to spend the money, why do you not spend it for 72 submarines, that could drive 72 battleships off the sea? Why do not you appropriate the same amount of money to build flying machines that you appropriate for one battleship? They would make the seas impossible for the big iron tubs. Build aeroplanes and submarines, then scatter mines along the coast in war, and your coasts are impregnable, and then big ships would never venture out in the open, but would lie hid in harbor, like all the big fleets in the late war.

Mr. PELL. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. PELL. The gentleman spoke of the submarine chasing the battleship away and taking control of the sea. In the recent war the Germans had the submarines and the English had the fleet. Who controlled the sea?

Mr. LITTLE. The English fleet was tied up in harbor most of the time behind the wire nets.

Mr. PELL. Who controlled the sea? That is the question.

Mr. LITTLE. The Secretary of the Interior appeared before our Irrigation Committee once and told us that the submarines were sinking more ships every week than were being built every week and that they were in control of the sea. I brought up that question one day, and I was told that the submarines never sank any ship that could run 17 knots an hour. I asked the Secretary why they did not convoy these slower ships.

He said that the experts agreed that that would be putting up two more targets for the submarines to shoot at. There was one graduate of Annapolis killed in this war. He was killed at Chateau-Thierry, fighting with the marines. That is how much fighting the Navy did in this war. The ship that could run the fastest was able to get through to France, and that was all there was of it. The battleship fleets of England and Germany met one night by mistake, and fought for a few hours, and then both of them lit out for home as fast as they could run. Control of the sea! The submarines never had to go ashore. The submarines never saw a moment when they could not stay out as long as they had anything to eat and drink.

Mr. PELL. Did a ship from any neutral country get into Germany? That shows who controlled the seas.

Mr. LITTLE. The question of getting into Germany?

Mr. PELL. Yes.

Mr. LITTLE. I do not think so. I think getting into France was an answer to that question.

Mr. PELL. It was keeping them out of Germany that controlled the sea.

Mr. LITTLE. The coasts around Germany were protected by an immense number of mines. Nobody could get near the coast of Germany, because the mines controlled the sea. The greatest battleship fleet that ever floated stayed within 100 miles of Germany all through the war, and not one of them ever ventured within sight of the German coast. They mined and submarined the coast of Germany, and the ships of England did not dare go outside of the Scotch harbors. The battleship is as obsolete as the tubs with which the victory at Salamis was won over the Persians. You might just as well bring out a wooden ship as a battleship. Any submarine or any aeroplane can chase it off the sea. Every battleship went ashore every time it saw a submarine.

By the time these battleships are finished the improvements in submarines, aeroplanes, destroyers, and mines will leave no room on the ocean for the battleships, except for social purposes and ceremonies.

The committees take the departments altogether too seriously. If their estimates had just been cut in two and reduced one-half we would still be beating the world. Other countries have no money to spend this way. What we need is money for our peace problems. We need to be shown ways to save, not spend.

Mr. KITCHIN. Does the gentleman's amendment strike out the appropriation for the battleship, or just that part of the appropriation for the six that are uncompleted?

Mr. LITTLE. I was speaking on a pro forma motion to strike out the last word.

Mr. KITCHIN. I thought the gentleman had an amendment.

Mr. LITTLE. No; my theory was that if I presented the matter clearly enough, some influential leading Member like the gentleman from North Carolina might then go ahead and offer an amendment and put it through. The administration should desist from its constant demand for big war-time appropriations. Right now we are better prepared for war than we are for peace.

The Clerk read as follows:

Total increase of the Navy heretofore authorized, $104,000,000.

Mr. MADDEN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 47, line 13, after the figures $104,000,000 insert: "*Provided*, That no part of this appropriation shall be paid out for the construction of any battleship, cruiser, or submarine heretofore authorized, the contract for the construction of which has not been let."

Mr. BUTLER. Mr. Chairman, I reserve a point of order to that.

Mr. MADDEN. I wish to be heard on it.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection the amendment will be again reported.

The Clerk again read the amendment.

Mr. MADDEN. Mr. Chairman, I desire to call the attention of the House to the statement made by experts to the Naval Committee to the effect that the ships of the Navy already in existence will become obsolete before the naval program in this bill and those of 1916 have been completed. It is admitted on every hand that every ship in the Navy now existing will be scrapped in 1924. Of course, they will be scrapped if you continue to appropriate money to build new ships. The purpose of those who manage the Navy is to have new floating palaces and to set aside a ship adequate to meet the needs of the present day if they can get the money to build new ones.

If these ships authorized in 1916 have not yet been contracted for, we can well afford to wait until some future time when we may find it necessary to enter on a different program from that on which we have already entered.

Mr. SNELL. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. SNELL. How many new ships are we starting to build?

Mr. MADDEN. I think 13 new ships authorized in this program. Thirteen battleships and cruisers, costing from thirty to forty million dollars each.

Mr. SNELL. How many are already started?

Mr. MADDEN. I understand they have started six of the ships so far, and some people profess to say that the contracts have been let for all of them. I do not believe that that is true.

Mr. SNELL. Am I correct in understanding that no other nation is building ships of that character at the present time?

Mr. MADDEN. I am not in possession of information that will permit me to answer the gentleman with any degree of intelligence.

Mr. GREEN of Iowa. Will the gentleman allow me to answer the gentleman?

Mr. MADDEN. I will.

Mr. GREEN of Iowa. No other except Japan.

Mr. MADDEN. I will say to the gentleman from New York for his information, if he is not already in possession of the information, that the naval program submitted to the House of Commons by the Chancellor of the Exchequer in England a day or two ago is not much over one-half of the appropriation that is being made in this bill.

Mr. SNELL. That was the statement by the gentleman from Wyoming [Mr. MONDELL].

Mr. MADDEN. If you take out the $115,000,000 included in the bill for the payment of obligations created during the war, and then take enough out to represent the exchange, and it is only $5,000 more than half of what this bill carries.

Mr. HUSTED. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HUSTED. Is not the statement as to what England is doing or intends to do based simply on an unconfirmed Associated Press report; that we have no authoritative information about it?

Mr. MADDEN. The only information we have is the statement carried in the Associated Press, said to have been made by the man in charge of appropriations in the English Navy.

Mr. GREEN of Iowa. Will the gentleman allow me?

Mr. MADDEN. Yes.

Mr. GREEN of Iowa. I took pains to have that corroborated from the British Embassy.

Mr. MONTAGUE. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. MONTAGUE. I would like to have the gentleman's judgment upon the statement made as to the rate of exchange; is not the increase in the rate of exchange substantially offset by the decrease in the cost of labor, materials, and supplies in Great Britain?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask that my time be extended five minutes.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MADDEN. I am not able to answer the question of the gentleman from Virginia about the labor cost or the cost of materials in England as compared with the cost here.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. LONGWORTH. The English budget to which the gentleman refers is confined only to construction of vessels and not to the question of pay, or anything of that sort, is it not?

Mr. MADDEN. This is confined to construction.

Mr. LONGWORTH. But the gentleman referred to the amount carried by the bill. The amount that he mentions in England is for the construction of vessels.

Mr. MADDEN. I said the amount was a little over one-half of what this bill carries if we take into consideration the $115,000,000 carried in the bill for the payment of obligations created during the war.

Mr. LONGWORTH. The English budget referred to by the gentleman from Wyoming [Mr. MONDELL] included pay and everything connected with the Navy.

Mr. MONDELL. The statement that I made yesterday with regard to the English budget includes all expenditures, as I understand, including construction.

Mr. LONGWORTH. Expenditures, including construction, including the Marine Corps, including the pay of the men?

Mr. MONDELL. As I said at that time, I do not know whether it includes the Marine Corps.

Mr. MADDEN. Mr. Chairman, in any event, whether it does or not, it seems to me that we can well afford to carry on the program we inaugurated in 1916 to the extent it has already been well begun, and that we can afford to wait on that program that has not yet been started until we see what naval architecture is to say of future needs.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. OLIVER. Is the gentleman informed as to whether the contracts for any of these ships have not been let?

Mr. MADDEN. No.

Mr. OLIVER. The Navy Department informs the committee that contracts for all of the ships have been let, so what effect would the gentleman's amendment have if it should pass?

Mr. MADDEN. It would not have any, if that is true.

Mr. OLIVER. Is it the purpose of the gentleman that it have no effect?

Mr. MADDEN. No; I would be glad to have it amended so that it would have effect.

Mr. OLIVER. The only effect the gentleman's amendment would have would be this: There are three battleships now being constructed in Government navy yards—two at New York and one at Mare Island. These are well on the way toward completion. All of the material has been assembled, the keels have been laid, work has been commenced. Is it the purpose of the gentleman to stop the building of these three great battleships?

Mr. MADDEN. No; and the gentleman knows that I have no such purpose.

Mr. OLIVER. That would the the effect of his amendment?

Mr. MADDEN. He also knows that the work on ships being constructed in the navy yards will be construed and mean contracts let.

Mr. PADGETT. Every battleship and every battle cruiser has been let.

Mr. MADDEN. And the gentleman from Alabama [Mr. OLIVER] does not have to ask that question. He is 21 years old, a man of ordinary good common sense, and he knows very well that the question he asked was asked only for the purpose of attempting to embarrass me, and he can not embarrass me by any such question.

Mr. KITCHIN. May I inquire who is the man who has ordinary good sense in this House?

Mr. MADDEN. The gentleman from Alabama [Mr. OLIVER].

Mr. LONGWORTH. The gentleman did not refer to the gentleman from North Carolina. [Laughter.]

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KELLEY of Michigan. In order to clear up any question about whether or not the Navy Department does let a contract with the navy yards, and I have some little doubt about that——

Mr. MADDEN. Whether they let them or not, if they are carrying on the work.

Mr. KELLEY of Michigan. I would suggest that at the end of the gentleman's amendment he add the words "or construction begun."

Mr. MADDEN. Yes; I will do that.

Mr. KELLEY of Michigan. Then I see no objection to the gentleman's amendment.

Mr. STRONG of Kansas. That will let them all be built.

Mr. MADDEN. No; I think that will stop some of them. I think that broadens the amendment.

Mr. MOORE of Virginia. Mr. Chairman, before the gentleman's amendment is finally submitted will he yield to me for a suggestion?

Mr. MADDEN. Certainly.

Mr. MOORE of Virginia. It is simply this, that if the amendment is to be adopted, in order to have any practical effect, it strikes me there ought to be a date limitation, which will forbid doing what the gentleman contemplates ought not to be done, after March 24, 1920.

Mr. MADDEN. Then I would suggest that the words be added to the amendment "or construction begun as of this date." Let that be put at the end of the amendment.

Mr. MOORE of Virginia. I suggest to the gentleman that he ought to name the date.

Mr. MADDEN. March 24, 1920.

Mr. HICKS. What does the gentleman mean by "construction"? Is it construction of steel or things of that kind?

Mr. MADDEN. Everything that enters into the fabrication of material that goes into the ship is construction.

Mr. HICKS. How about the blue prints, is that part of the construction?

Mr. MADDEN. Not at all. You can not by any stretch of imagination work it out that a piece of paper is any part of the construction of a battleship.

Mr. HICKS. It is a very important part of the ship.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to modify his amendment so that it will read as the Clerk will report.

The Clerk read as follows:

Page 47, line 13, after the figures "$104,000,000," insert: "*Provided*, That no part of this appropriation shall be paid out for the construction of any battleship, cruiser, or submarine heretofore authorized, the contract for the construction of which has not been let or construction begun March 24, 1920."

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois that his amendment be so modified?

There was no objection.

The CHAIRMAN. The Chair understands that the gentleman from Pennsylvania [Mr. BUTLER] reserved the point of order to the amendment.

Mr. BUTLER. Mr. Chairman, I did, but it seems to me that it is a limitation. I am not a very good parliamentarian. I think that would be construed to be a limitation.

The CHAIRMAN. Does the gentleman reserve the point of order?

Mr. BUTLER. I will while I think it over for a moment.

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Illinois be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KITCHIN. I must admit that I know little or nothing about this bill, and, in my opinion, the gentleman from Illinois knows less than I do about it. [Laughter.]

Mr. MADDEN. I just wish to say to the gentleman from North Carolina that with that very lack of knowledge on the matter there is some hope we will get some sense into this bill.

Mr. KITCHIN. That is exactly the point I am trying to make. I understand his amendment will prevent any appropriation of money from being expended for ships not already contracted for and being built.

Mr. MADDEN. Or under contract.

Mr. KITCHIN. None of those, and, as I understand, the principal object of the gentleman's amendment is to save the appropriation for the two battleships, the *Iowa* and the *Massachusetts*, Nos. 53 and 54, which have not yet been begun?

Mr. MADDEN. If it does that, I will be very happy.

Mr. KITCHIN. That is the only real saving the gentleman is going to have by his amendment.

Mr. MADDEN. That will be $60,000,000.

Mr. KITCHIN. The gentleman's amendment does not cover that.

Mr. MADDEN. Yes, it does.

Mr. KITCHIN. The question has been raised as to when the construction of a battleship begins. There is one gentleman who says it is begun when the blue prints are made. Another says it is begun when they assemble the materials, and they have assembled some, a little material. Let us put it right and say that no money shall be expended out of this appropriation for any ship whose keel has not on the 24th day of March been laid.

Mr. MADDEN. Well, I do not know how much that would interfere with the program.

Mr. KITCHIN. I am trying to get it down to something definite.

Mr. MADDEN. I do not want to go to the extent of crippling the whole program. If it is going to affect those two ships, as I believe it will, this amendment will do that.

Mr. KITCHIN. Let me suggest this to the gentleman: That no money under this appropriation shall be expended for the further construction of battleships Nos. 63 and 64, naming the *Iowa* and the *Massachusetts*. Now, if the gentleman wants to save on those two ships, if he wants to do that, as he said he wants to do, or if he wants to do what Mr. GREEN of Iowa says he wants to do, and a great many other Members themselves want to do, that will do it and it will not cripple anything.

Mr. MADDEN. I think I had the floor.

Mr. KITCHIN. It will just cripple those two ships.

Mr. MADDEN. I think the gentleman from North Carolina beyond any question shows he knows nothing whatever about the naval program by making a statement as to the names of the ships that are not yet begun or in connection with which blue prints have not been made. My amendment goes further than his proposal. It provides that no part of this appropriation shall be expended for the construction of any battleship or any cruiser or any submarine the contract for which has not been let and the construction of which has not been begun on the 24th of March, 1920. So that I am not confining this amendment to the question of battleships or to the question of cruisers or to the question of submarines; I am taking in the whole gamut of the naval program. I believe that the adoption of this amendment will result in a saving of $150,000,000, and I am sincere in that. With regard to the question of when the construction of a ship is begun everybody knows that there is no greater joker in the House than the gentleman from North Carolina, and when he asks a question, whether the construction of a battleship——

Mr. KITCHIN. I will not take all of that to myself; I think the gentleman from Illinois is equally——

Mr. MADDEN. Whether the construction of a battleship is begun by the making of blue prints, the gentleman knows very well he is not in earnest. Everybody knows you can not start a battleship by the making of a blue print. You make the design of a ship on a blue print.

The CHAIRMAN. The time of the gentleman has expired.

Mr. POU. Mr. Chairman, I offer an amendment to the amendment.

Mr. BUTLER. Mr. Chairman, after having consulted with the highest authority in the United States I have concluded——

Mr. KITCHIN. MADDEN or myself?

Mr. BUTLER. That there is nothing in the point of order, and I therefore desire to withdraw it.

The CHAIRMAN. The gentleman from Pennsylvania withdraws the point of order. The gentleman from North Caroline offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment offered by the gentleman from Illinois [Mr. MADDEN]: At the end of the amendment insert: "*And provided further*, That the appropriation for naval construction of every kind shall not in any fiscal year exceed the appropriation for the same purpose authorized by the British Parliament."

Mr. WALSH. Mr. Chairman, on that I make the point of order.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order against the amendment. The Chair sustains the point of order.

Mr. KITCHIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KITCHIN. What became of the amendment of the gentleman from Illinois that meant nothing?

The CHAIRMAN. The Chair knows of no such amendment.

Mr. KITCHIN. I thought the gentleman from Illinois offered an amendment a little while ago.

The CHAIRMAN. There is an amendment pending.

Mr. KITCHIN. There is no amendment pending.

The CHAIRMAN. There is an amendment, but that was not the inquiry of the gentleman from North Carolina.

Mr. OLIVER. Mr. Chairman, the change in the attitude of the gentleman from Illinois [Mr. MADDEN] is somewhat amusing. I called his attention to the fact that if statements by naval officers of high repute could be relied on there are no ships provided for in the 1916 program for which contracts had not been let, except three now being built in navy yards and on which much work has been done. I then asked the gentleman if he was really in earnest and sincere in asking that construction stop on the 1916 capital-ship program or any part of it. He replied, "Of course, I am." Now, surely the gentleman could not insist that the ships being built in Government navy yards are under contract.

Mr. MADDEN. Will the gentleman yield?

Mr. OLIVER. In just a moment. Now, when the gentleman was confronted with this fact, in order to make sure that his amendment could accomplish nothing, he amended it further by adding "or on which any construction has been begun."

So the gentleman's amendment now reads:

Provided, That the appropriation carried in this bill shall be expended on any ship for which no contract has been let or on which construction has not yet begun.

The testimony shows that contracts have been let on all ships except three, and——

Mr. MADDEN. That would include the navy yards the gentleman raises the question about.

Mr. OLIVER. That is true, as your amendment now reads, and for that reason it is absolutely meaningless.

Mr. MADDEN. I am not going to admit that.

Mr. OLIVER. Yet that can not be successfully contradicted. In order to make sure that your amendment meant nothing, you accepted the other amendment, "or on which construction has been begun." Seriously, it can mean nothing whatever.

Mr. MADDEN. I do not believe that.

Mr. KITCHIN. I would like to interrupt the gentleman from Alabama a minute.

Mr. OLIVER. Yes.

Mr. KITCHIN. Does not the gentleman from Alabama know that the gentleman from Illinois, by his amendment, intended to mean nothing? [Laughter.]

Mr. OLIVER. I am not in disagreement with the gentleman from North Carolina on that point.

Mr. KITCHIN. The gentleman from Illinois means nothing. He has always got the most serious way of any man in the House. I knew it was a joke when he offered it from the way he looked, because he assumed a more serious appearance than he has at any other time to-day.

Mr. OLIVER. As the gentleman assumed that he knew nothing, I thought it well to inform him that he knew nothing.

Mr. KITCHIN. He said the amendment meant nothing, because it can mean nothing under this bill.

Mr. MADDEN. Well, I am not willing to admit that the making of a blue print is the beginning of a battleship.

Mr. KELLEY of Michigan. Mr. Chairman——

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. CLARK of Missouri. I would like to ask the gentleman from Illinois one question.

Mr. KELLEY of Michigan. The gentleman from Illinois [Mr. MADDEN] has not the floor.

Mr. CLARK of Missouri. But I want him to take the floor.

Mr. KELLEY of Michigan. I yield to the gentleman to ask a question of the gentleman from Illinois.

Mr. CLARK of Missouri. Have all these contracts been let?

Mr. MADDEN. They say they have made the blue prints for some of these ships. If that is letting a contract, they are let; but I do not admit that the making of a blue print, making the map of a ship, is letting a contract for a ship or doing any part of the construction work on a ship.

Mr. CLARK of Missouri. If these contracts have been let, what sense is there in your amendment?

Mr. MADDEN. There would not be much. There might be plenty of sense in it, but there would not be any effect. It certainly would not do any harm to take a chance on it and see whether they are let or not.

Mr. KELLEY of Michigan. It is a very simple matter to find out whether these contracts have been let or not; and if they have been, why, of course, the amendment of the gentleman from Illinois would not be effective.

Mr. MADDEN. I would like to ask the gentleman a question.

Mr. KELLEY of Michigan. Just a minute. Let me make this statement, and then I will yield to the gentleman.

I have here a list of all the ships authorized under the 1916 program, with the names of the contractors, the degree of completion of the ships, and other data relative to this program. And contracts for all of the dreadnoughts, 12 in number, including 2 that were not in the 1916 program, have been let. The work on them has already been started in private or Government yards, so that the gentleman's amendment would not affect any of the dreadnoughts proposed in the 1916 program. The contracts for the six battle cruisers have already been let or work has already been begun in Government yards, so that as to all of the 16 capital ships all the contracts have been let or material has been ordered and work is under way.

Mr. LONGWORTH. Will the gentleman from Michigan yield to a question?

Mr. KELLEY of Michigan. I will.

Mr. LONGWORTH. Are all of these ships named?

Mr. KELLEY of Michigan. I have the names.

Mr. LONGWORTH. May I ask if any one of these ships will rejoice in the name of Scotland Neck? [Laughter.]

Mr. KELLEY of Michigan. I do not see the name of Scotland Neck in the list.

Mr. LONGWORTH. I thought possibly the friendship which exists between the distinguished gentleman from North Carolina and the Secretary of the Navy rather necessitated the fact that one of these ships would be called the Scotland Neck.

Mr. KELLEY of Michigan. I would say this to the gentleman from Ohio, that in the absence of the name of Scotland Neck I do find the name of North Carolina.

Mr. KITCHIN. That is the same thing. Scotland Neck is North Carolina. The gentleman from Ohio [Mr. LONGWORTH] evidently does not know it.

Mr. MADDEN. I would like to ask the gentleman from Michigan to yield.

Mr. KELLEY of Michigan. Yes.

Mr. MADDEN. I would like to know why the Committee on Naval Affairs seems to be so solicitous about the adoption of this amendment if all the contracts have been let for the ships? Why not let it pass and see whether they are let or not? It will call the attention of the department to the condition of things, and if the contracts have not been let they will stop them.

Mr. KELLEY of Michigan. I am simply supplying the information to the gentleman upon which the Naval Committee acted in framing the bill. We did not go ahead and ask for appropriations without knowing the situation in reference to the ships, and I am stating to the committee now that the contracts for these ships have been let, or that on those that are to be built in the Government yards the work has already begun. And so as to the ships named, the large ships, the amendment of the gentleman from Illinois [Mr. MADDEN] would have no effect. The only effect that it would have would be to suspend construction on 12 submarines, 9 destroyer tenders, and 1 transport.

Mr. OLIVER. The gentleman will understand that the Navy Department has already suspended them and has informed us that they did not intend to build them, and we made no appropriation for them.

Mr. KELLEY of Michigan. Yes. We made no appropriation for them.

Mr. KITCHIN. I have followed the gentleman closely, and I know he has stated the facts. So if the amendment of the gentleman from Illinois [Mr. MADDEN] passed it would not save the taxpayers a copper cent, would it?

Mr. KELLEY of Michigan. I do not see how it would.

Mr. KITCHIN. I do not, either. That is what I have been trying to convince the gentleman from Illinois about.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. SNELL. Is there not provision in this bill to increase the cost of these ships, making the appropriations larger?

Mr. KELLEY of Michigan. Yes.

Mr. SNELL. If that is so, why is it necessary, if the contracts have already been let?

Mr. KELLEY of Michigan. As to those ships that are under construction in Government yards it is necessary to increase the cost.

Mr. SNELL. What ones are those?

Mr. KELLEY of Michigan. And a large number of those built in private yards are being built on what is known as the cost-plus contract system, and that makes it necessary to increase the limit of cost.

Now, I am satisfied, Mr. Chairman, that the House has no intention of abandoning the policy of naval construction which we entered upon in 1916. We should finish up those ships that are

started or where the contracts have been let and where millions of dollars have already been invested in material or equipment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MADDEN].

The question was taken, and the amendment was rejected.

Mr. MADDEN. Mr. Chairman, I desire to offer another amendment. It is not in writing, but I can dictate it. It is: "But no part of this appropriation shall be used in payment for any work done on any ship heretofore authorized and now being constructed under the cost-plus contract plan."

Mr. KELLEY of Michigan. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. Will the gentleman from Illinois commit his amendment to writing?

Mr. MADDEN. I will do that. I would like to know what the gentleman's point of order is.

Mr. KELLEY of Michigan. Mr. Chairman, the passage of the amendment suggested by the gentleman from Illinois [Mr. MADDEN] would cost the Government millions of dollars. I do not know how much, but it would run into millions. These great battle cruisers are something new in construction, and the Navy Department has never been able to get anybody to undertake the construction of them on any basis other than cost plus. The contracts have been awarded, materials have been fabricated and supplied, great naval ways have been erected upon which these ships are to be built, and if the gentleman's motion should prevail all work of construction would stop and absolute chaos would result.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. OLIVER. Does the gentleman recall that in November, 1916, before we entered the war, this very matter was brought to the attention of the House, and the House authorized contracts for these vessels to be let on the cost-plus basis?

Mr. KELLEY of Michigan. Yes.

Mr. OLIVER. After a long and extended hearing which the Committee on Naval Affairs held on the subject?

Mr. KELLEY of Michigan. Yes.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. JONES of Texas. I would like to know, as a matter of information, if these contracts that have been let were let for immediate construction?

Mr. KELLEY of Michigan. Yes. Most of the contracts were let a long time ago, but during the war work was suspended on them because the facilities were needed to be used in other directions.

Mr. MADDEN. Mr. Chairman, a point of order. These gentlemen have not been stating the point of order that has been raised. I want them to state what the point of order is.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 47, line 13, after the figures "$104,000,000," insert: *"Provided,* That no part of this appropriation shall be used in payment for any work done on any ships heretofore authorized where such ships are being constructed on the cost-plus contract plan."

Mr. KELLEY of Michigan. Mr. Chairman, I make a point of order against it.

The CHAIRMAN. The Chair overrules the point of order. It is clearly a limitation.

Mr. KELLEY of Michigan. I would not venture to advance any argument in view of the well-known parliamentary knowledge of the Chairman.

Mr. MADDEN. Mr. Chairman, I desire to say, in connection with the amendment that I have pending, that the cost-plus contract plan has been a disgrace to the Nation from the beginning to the end of the war. The scandal that has existed all over the United States in connection with the cost-plus contract plan is a stench in the nostrils of the American people, and the people everywhere throughout the land have reached the conclusion that the time has come when the Congress of the United States should declare in favor of protecting them against the avarice both of Government officials and private individuals with whom they have contracts. Millions upon millions of dollars—yes, billions—have been made and paid out of the taxes drawn from the people of the United States since the beginning of the war until now, and still we are proposing in days of profound peace to go on forever filching the Treasury of the United States under this cost-plus contract plan.

Why, everybody knows that from the beginning to the end of the war men without number were placed upon the pay roll wherever these contracts were being carried forward; wages outrageous were being paid; that three men were employed where one man was needed; that extravagant waste in the purchase of materials was admitted everywhere; and that the inspectors of the Government and officials from the highest to the lowest paid no attention to the cost.

The time has come when the people are going to insist upon protection from highway robbery of this sort. We are here to-day face to face with a condition that we can not ignore. The question arises now, Are we for or against the people? Are we in favor of these men who have become multimillionaires out of the Treasury of the United States? Are we to forever continue to load the backs of the American people with taxes that they are not able to bear? Are we to legislate forever for the men who have Government contracts without limitation as to cost?

The time has come, the hour has struck, and we must declare once for all whether we are for the people or for the grafters. I am for a relief to the people by a reduction in their taxes, and you can not reduce their taxes so long as you permit contracts to be let without any limitation on the cost. [Applause.]

Mr. BUTLER. Mr. Chairman, during the hearings I started out on the same old road that my friend is on. I had hoped that there might have been some way discovered by which we could have suspended it without its costing the Government an enormous sum of money in carrying out this program. So I turned to the hearings. As will be seen by reading them, on February 20 I was informed by Admiral Taylor, chief constructor of the Navy, that they had positively begun the construction of the 10 battleships and the 6 great cruisers. I further learned from him that much of the material had been ordered. We had spent over $100,000,000 of the people's money already toward the completion of this program. I learned further that contracts had been made which could not be canceled. We asked the Bureau of Ordnance to reduce the great sum in this bill, and they satisfied us that the contracts had been made and could not be avoided without putting the Government to an enormous expense.

Mr. TINCHER. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. TINCHER. If the Government were to terminate a cost-plus contract, what damage would the contractor suffer? What would be his measure of damages, and how could the Government lose any considerable amount of money?

Mr. BUTLER. Congress authorized the building of these vessels on the cost-plus plan. They went to the New York shipyard and had it lengthen its ways on which to build these great ships. Furthermore, they authorized the New York yard to employ men, to buy steel, to go to an expense amounting to many hundreds of thousands of dollars to construct these great cruisers. I want to repeat what I said, that I started out on the same line with my old friend from Illinois, but I found it was impossible for us to stop the completion of one of these ships without putting the Government to an enormous liability and very great indebtedness.

Mr. HUSTED. Will the gentleman yield?

Mr. BUTLER. In a moment.

Mr. TINCHER. What I do not understand is this: If they do this work on a cost-plus basis, a form of contract that this Government does not want to tolerate one minute longer than it is necessary——

Mr. BUTLER. I agree with the gentleman.

Mr. TINCHER. If the work to-day was unperformed, what would be the measure of damage?

Mr. PADGETT. I want to say——

The CHAIRMAN. Gentlemen can not interrupt the speaker who has the floor without the permission of the Chair.

Mr. TINCHER. The gentleman from Pennsylvania yielded to me.

Mr. PADGETT. Will the gentleman yield to me for a suggestion?

Mr. TINCHER. If the work has been begun under a cost-plus agreement and if the Government terminates the contract, I wonder if the committee went into the proposition to ascertain what measure of damages the contractor would have against the Government?

Mr. BUTLER. No, my friend, we did not.

Mr. TINCHER. Then, in my opinion, the gentleman is not justified in saying to the House that it would cost the Government millions of dollars to terminate these contracts, because I agree with the gentleman from Illinois [Mr. MADDEN] that you can terminate every one of these contracts now and make legitimate business contracts and save the Government millions of dollars by doing away with these cost-plus contracts.

Mr. BUTLER. I want to say to the gentleman that for two years and a half the Government has been begging contractors to build these ships. They positively will not construct them. We have never been able to get a contract on the old basis. Therefore the Congress authorized the department to have these ships built on a cost-plus contract. I did not like it, but Congress has authorized it to be done.

Mr. PADGETT. What I wished to say was that they can not get flat contracts. They can only get cost-plus contracts.

Mr. TINCHER. Then, I say let us not build the ships. Let us not build them at all if we have got to build ships that are going to be obsolete before they are finished and build them under a cost-plus contract.

Mr. BUTLER. The gentleman did not include that in his question. He did not say anything about the ships becoming obsolete.

Mr. TINCHER. No; I did not.

Mr. BUTLER. These ships will not be obsolete. No ship is obsolete under 22 years.

Mr. HUSTED. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. HUSTED. I would like to ask the gentleman, as a matter of information, whether as a matter of fact it is safe and practical to build these great warships on the ordinary contract plan?

Mr. BUTLER. I wish I could answer my friend. I do not believe it would be possible to get them built in that way. I think they are largely experimental, because of their enormous size and power.

Mr. PADGETT. Mr. Chairman, I sincerely hope that the amendment will not be agreed to, for the simple reason that it will be very ruinous and destructive. The contracts have been made, the work has been begun, the material has been purchased. They have spent about $112,000,000; $160,000,000 have been appropriated; $112,000,000 have been expended; and the remaining $48,000,000 will be expended during this current year, making the whole $160,000,000. To put such a limitation upon it as is here proposed would simply subject the Government to an enormous expense.

Mr. JUUL. Will the gentleman yield?

Mr. PADGETT. Yes; I will yield.

Mr. JUUL. I learn that under this cost-plus plan as high as 8 per cent is allowed. Now, it has been said in this House that one-half of 1 per cent is about the highest per cent that anybody should be allowed to have. [Laughter.]

Mr. PADGETT. I listened to the very exuberant and dramatic speech of the distinguished gentleman from Illinois [Mr. MADDEN] when he left his seat and proceeded to promenade down into the area in front of the chairman, and by the great gusto of his address I was reminded of the young theologue who left the theological school and went out to preach to a country church. He took for his text, "They that turn the world upside down have come hither also."

He said, "I want to call your attention to three subjects. First, you will note that the world is wrong side up; second, that it needs turning right side up; and, third, I am the chap to do it." [Laughter.]

Mr. FOCHT. Mr. Chairman, I will not take up much of my time, as seems customary, in eulogizing the distinguished members of this committee, the chairman, and my friend from Michigan [Mr. KELLEY], and the gentleman from New Jersey [Mr. BROWNING]. Our regard for them is all taken for granted. We all want a good big Navy, a good smart Navy, one that will meet all the necessities that may arise, and until business conditions of the world are settled down to normal. But what are these vessels going to do to help us get back to normal conditions? I understand that these vessels that are partly built will not be completed for four years. If the European world does not get back to normal conditions within four years, it will have reached the point of extinction. Why do you want to spend and waste all this money when these facts are admitted? What I want to say is this one thing: We all know that the outstanding scandal of the World War was the cost plus 10 per cent contracts. It was an outrage on the people and an outrage on the intelligence and patriotism of the country that any party or administration should permit anything so thoroughly asinine, so thoroughly unbusinesslike, as these cost-plus contracts. I am amazed, indeed, that the Committee on Naval Affairs, who have had such long experience and have done such splendid work, should sit here and be willing to perpetuate what is universally regarded an imposition on the people by permitting this cost plus 10 per cent to continue. I call that kind of a thing not only graft but something which approximates treason. In Pennsylvania graft like that in the so-called capitol steal of the State several men went to the penitentiary and three committed suicide. I hope the gentleman from Illinois [Mr. MADDEN], brave and brilliant as he stood here yesterday, will not back away, as he seems to be doing, but put up something that does mean something and thereby meet the challenge of the Democratic side, which seems glad to pass the odium of the 10 per cent business to a Republican administration.

Mr. NOLAN. Mr. Chairman, I am rather in sympathy with the idea contained in the amendment of the gentleman from Illinois [Mr. MADDEN]. I think it is pretty near time in this country that we stopped the cost-plus contracts. But I am thinking of the effect of the amendment of the gentleman on present contracts. The gentleman from Kansas wanted to know the effect of the cancellation of the contracts where work is under way. The committee tells us that in some yards, like that of the New York Shipbuilding Co., hundreds of thousands of dollars have been spent to extend the ways in order to build the big dreadnoughts and battle cruisers. Undoubtedly a lot of ships' keels have been laid and the construction is now under way; they are partly built. Just imagine the effect of canceling contracts where millions or hundreds of millions have been expended on the program. Who is going to take the ships off the ways? What kind of a contract can you enter into with the New York Shipbuilding Co. or the Newport News Co., or any other big company capable of building these large vessels, when the construction has been practically under way and partly completed? If they agree that you shall have the right to cancel the contract, who is going to complete the ships?

I am not in favor of cost-plus contracts. I would like to have the amendment provide that no new contracts be entered into on the part of the Navy or any other branch of the Government, but I am afraid with this amendment you will never get your ships completed. You will have them partly completed and you will have to settle with these companies at the expense of hundreds of millions of dollars.

Mr. MADDEN. Will the gentleman yield?

Mr. NOLAN. Yes.

Mr. MADDEN. The gentleman knows that the Government paid all the money for the construction of the ways and that we are paying 10 per cent on the cost of the ways to the contractor.

Mr. NOLAN. I am in favor of the principle contained in the gentleman's amendment, but I am afraid that the Government will pay dearly for completing the ships already started. I am looking at it from the practical standpoint. I will support any amendment that will stop the cost plus 10 per cent proposition, but do not do something that will cost hundreds of millions of dollars on contracts that are partly completed. You could not take these partly completed vessels off the ways.

Mr. GARLAND. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. GARLAND. Is it not true that it has been usual in all kinds of work where the contractor fails that another contractor comes in and completes the contract and finishes the job. Now, why could not that apply as well here?

Mr. NOLAN. That applies all right if you are building a public building on public ground, but here the vessels that are under construction are built on the ways in a shipyard. You are building the vessel on private property, on private ways, and you can not bring somebody else into that shipyard from the outside to complete the ship. I am in favor of the principle of the amendment of the gentleman from Illinois if he will make it apply generally and not to contracts under way. If he makes it apply to any Government construction for the Navy that is not yet under construction, I will support the amendment, because I am in favor of the principle, but you can not do it and save any money to the Government of the United States in contracts that are partially completed, unless you can take the vessels off the yards and transport them to some other yard

Mr. BUTLER. Mr. Chairman, I made a mistake in a statement I made a little while ago and I want to make it right. It shows how weak one's memory is. We did authorize by an act of Congress the construction of one of these cruisers on the cost-plus plan. I can not find at this time that we authorized the other five on a cost-plus plan.

Mr. PADGETT. There was subsequent legislation.

Mr. GARRETT. Mr. Chairman, there are just a few words that I think ought to be said at this time about the cost-plus contract system, giving an idea which has not been expressed, or at least no emphasis has been laid upon it in the numerous discussions that have been had in the House and elsewhere concerning it.

Now, as to the cost-plus proposition, as a principle of business, under anything like normal conditions, the judgment of the mass of men is probably instinctively and intuitively against it. It is

a fact, however, that many large construction companies, if I have been correctly informed, even prior to the war, were insisting on this character of contracts, and would make no other kind.

It has seemed to me always to present some features fundamentally objectionable. There were differences of opinion in the various departments as to the soundness of the policy. In my experience as a member of one of the investigating committees of the present Congress, we found there were many differences of opinion in the departments. Some of the officials in the War Department looked with favor upon the cost-plus system, while others were opposed to it. The differences of opinion existed there just as they existed elsewhere. I say this particularly in view of the assertion of the gentleman from Pennsylvania [Mr. FOCHT] that the outstanding scandal of the war was this cost-plus contract system. I think it should be emphasized, and I think that people should not be permitted to forget that that was the only way in most instances whereby the department could secure the doing of the great work that had to be done. And why? Because the contractors desired to graft upon the Government? I do not think so at all; I do not so asperse the contractors. There may have been instances in which such a thing was desired, but every man knows——

Mr. FOCHT. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. Yes.

Mr. FOCHT. The gentleman knows that grafting was done. The war is over, and while the necessity may have prevailed during the war, does it prevail now?

Mr. GARRETT. That is not what the gentleman said awhile ago, nor was he then speaking of the present. He asserted that the great outstanding scandal of the war was the cost-plus contract system. I do not believe that was any scandal. The fact is that these great construction companies were absolutely unable to determine a basis upon which they could bid for the Government work. Take these great cantonments, these immense plants costing millions and millions of dollars, like the nitrate plant at Muscle Shoals, Ala., for instance, which comes to my mind. What contractor, what man, what builder in this country could have determined at that time a basis upon which to bid for it? With the cost of material changing every day, going up steadily in price, with the cost of labor changing every week, going up and up in price, no man could have made a contract—that is, one which he could have fulfilled after he had made it. If he had based bids on the labor and material price conditions which prevailed in the early part of 1917, or even in the latter part of 1917, on one of these immense plants that could not be completed for 8 or 10 months—if he had made that the basis of his bids, he would have gone into bankruptcy because of the increase in the cost of materials and the increase in the cost of labor. He would have gone into bankruptcy and the Government would have been left in the lurch, its war activities paralyzed. That much I think ought to be said. I think that the people of this country should be told the facts concerning it. While as a normal proposition, where there is a safe basis upon which to estimate a bid, I do not believe in the soundness of the cost-plus system, yet I know that that was the only way during those times of stress and storm, with the constantly changing conditions and fluctuating prices, by which it was possible for this Government to do those things necessary for the winning of the great struggle in which we were engaged, and I am not willing that the great masses of the people of this country should have doubt aroused as to their country's administration when it was doing its best under the great strain that confronted it. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I think it would be well if we would get down a little nearer to the real facts with reference to these contracts. Gentlemen have asserted that all of these ships covered by cost-plus contracts are under construction. I do not know where they get their authority for that. It is not so stated in the hearings. The vessels that are covered by the cost-plus contracts are these monster battle cruisers. Two of them are being constructed in Government yards and will not be affected by the amendment of the gentleman from Illinois [Mr. MADDEN], and if all of them were I do not know whether I would be willing to vote for it, because I feel the need of constructing some of these ships. There are two of them to be constructed in the Government yards. There are four others to be constructed outside, and what is said with reference to the progress upon these ships? Admiral Taylor stated, on page 852 of the hearings, as follows:

Of the battle cruisers, No. 1, the *Lexington*, is being built by the Fore River Co., at Fore River; Nos. 2 and 4, the *Constellation* and *Ranger*, at Newport News; No. 3, the *Saratoga*, by the New York Shipbuilding Co.; and Nos. 5 and 6, the *Constitution* and the *United States*, at the Philadelphia Navy Yard. They are all practically in the same condition. The plans have reached the point where material has been ordered and some of it is being received, but no progress has been reported except a fraction of 1 per cent on the *Saratoga*, being built by the New York Shipbuilding Co., up to February 1.

Mr. JUUL. What is the date of that hearing?

Mr. GREEN of Iowa. February 20, 1920. I think it appears very clearly that even if work should be stopped as a result of the amendment offered by the gentleman from Illinois—and if stopped I think it would only be for a very short time—that the construction of these two mammoth ships, these leviathans, could go on in the Government yards. As to the other four, they might have to wait until the right kind of contracts could be made, and a contract could be made at the present time that would not admit of all of the graft and scandals we have had in connection with the cost-plus contracts during the war.

Mr. BROWNING. Mr. Chairman, I want to say to the gentleman that nobody would take these battle cruisers and build them in any other way. There has never been such a ship built in this world, and the builders will not undertake construction under such conditions as exist now.

Mr. GREEN of Iowa. These ships are only a little larger and somewhat more powerful than the English battle cruiser *Hood*, which has already been constructed. I do not know any reason why contractors at the present time would not take them, although I can see very easily why during the war they would not; but as far as I am concerned, if work on these ships was temporarily suspended until we could find out a little more whether the great arks are going to be successful, I would not care much.

Mr. HUSTED. Does the gentleman really think that under existing conditions of labor and material costs that any man would make a contract at a fixed price, unless that price was absolutely beyond all reason and beyond all acceptance, to build a battleship which it would take four years to complete?

Mr. MONTAGUE. And, further, is it not a fact that these contracts are already let?

Mr. GREEN of Iowa. These contracts are let on the cost-plus system.

Mr. MONTAGUE. Are they not let under the cost-plus system?

Mr. GREEN of Iowa. I think, however, there is a provision in the contract by which they can be canceled.

Mr. MONTAGUE. If they are let under the cost-plus system, whether it be wise or unwise to do it, is there not something above wisdom—namely, conscience—that should compel us to keep our contracts?

Mr. GREEN of Iowa. Certainly; if the contract is not drawn so it can be canceled; and while I have not examined these contracts recently my understanding is there is such a provision, so that they should be canceled.

Mr. LITTLE. Did the gentleman notice what the gentleman from Pennsylvania [Mr. BUTLER] said about having made a mistake in reference to contracts being let on the cost-plus system, and he said that only one had been contracted?

Mr. GREEN of Iowa. I thank the gentleman from Kansas for the correction. I was following the first statement of the gentleman from Pennsylvania [Mr. BUTLER].

Mr. PADGETT. If I may have the attention of the committee for a moment, I call the attention of the chairman of the committee that he is too hasty in making the admission.

Mr. BUTLER. It may be.

Mr. PADGETT. On August 29, 1916, we authorized six battle cruisers.

Mr. BUTLER. I recall.

Mr. PADGETT. And here is the provision:

That if in the judgment of the Secretary of the Navy the most rapid and economical construction of the battle cruisers authorized herein can be obtained thereby in a contract for the construction of any or all of them upon the basis of actual cost plus a reasonable profit to be determined by him.

That especially provides for all of them.

Mr. BUTLER. Is that 1916?

Mr. PADGETT. August 29.

Mr. BUTLER. I was looking at 1917.

Mr. PADGETT. Nineteen hundred and seventeen simply provided for one additional one and just repeated for the one appropriating for. Now, I want to call attention to another matter.

Mr. NOLAN. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. NOLAN. Does the gentleman know that the Navy Department has contracted on the cost-plus basis for 30 or 40 submarines in San Francisco?

Mr. PADGETT. I did not know about that.

Mr. NOLAN. So they must have authority some way other than the authority cited by the gentleman.

Mr. PADGETT. I am speaking of battle cruisers; I am not speaking of submarines now. Now, there has been a lot said with reference to the cost-plus contract. The Navy Department tried to get a contract on that basis and could not get a bid. It advertised for bids and could not get a single one. The only contract they could get was a cost plus. I want to call attention to another fact, that the Navy Department did not make any contract for a cost plus at 10 per cent. They had a graduated contract lower than 10 per cent, had a maximum limit of profit in addition to the cost, and I want to say again that with all the criticism that has been made I have not found any criticism of the Navy on its cost-plus contracts.

Mr. RICKETTS. Can the gentleman tell us whether any contracts were made since the armistice was signed for the building of ships?

Mr. PADGETT. I do not know it has.

Mr. RICKETTS. The committee had some hearings in reference to when the contracts were let?

Mr. PADGETT. I did not know when the contracts were made. Two of them are to be built in the Philadelphia Navy Yard, and two, I believe, at the New York Ship Building plant, and two at Newport News.

Mr. BUTLER. I want to say to my friend this, that the Navy Department had to coax these contractors to take them. Only last fall the ways were completed, and there has been great hesitation by competent people. They had to beg these men to take these ships.

Mr. RICKETTS. Were any contracts made last fall?

Mr. BUTLER. Well, I can not tell. The ways were only finished last fall, and I can not tell when the contracts were made; I wish I could, but I do not know. I think the battleships have been made a year or two, and we had to increase the cost—no; they were the big cruisers——

Mr. PADGETT. The battleships were all being built on the flat contract price. It is only the battle cruisers that they could get no contract or bid on?

Mr. BUTLER. I want to say to the gentleman from Ohio that he understands that these ships weigh 42,000 tons.

Mr. PADGETT. The battle cruisers 32,000 tons and the battleships 42,000.

Mr. BUTLER. And they have 180,000 horsepower in them.

Mr. MADDEN. What difference does that make?

Mr. BUTLER. Nobody would make a bid.

Mr. MADDEN. No, sir; the bigger they are the easier they are to get people to bid on them.

Mr. WALSH. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. That debate upon the pending amendment is exhausted under the rule of the House.

Mr. KITCHIN. The gentleman got five minutes, and I want him to yield for a question. I notice the gentleman raised three facts in connection with the act authorizing the cost-plus contract. I think he omitted a very material fact; and that is that the gentleman from Illinois voted for the bill that authorized the cost-plus contract, and he should have made objection then instead of voting for it.

The CHAIRMAN. Debate on the amendment has expired. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. MADDEN) there were—ayes 29, noes 81.

So the amendment was rejected.

The Clerk finished reading the bill.

Mr. MILLER. Mr. Chairman, I ask unanimous consent to return to page 6 of the bill——

Mr. HULL of Iowa. Mr. Chairman, I have an amendment right at this point.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa: Page 47, line 28, after the word "expenditure," insert: "That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee, in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and that no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase or acquirement of any article or articles that, at the time of the proposed acquirement, can be manufactured or produced in each or any of the Government navy yards of the United States, when time and facilities permit for a sum less than it can be purchased or acquired otherwise."

Mr. SNELL. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. May the Chair ask the gentleman from Iowa [Mr. HULL], is the language of this amendment the same as that which has heretofore been offered, agreed to, and ruled upon? Does the gentleman know?

Mr. HULL of Iowa. It is the same language. It is cut right out of the bill of last year.

The CHAIRMAN. That the Chair knew.

Mr. BUTLER. I am not sure it has been ruled on, however.

Mr. BLACK. Mr. Chairman, I want to be heard for a moment.

The CHAIRMAN. What the Chair wants is to get the information.

Mr. BLACK. Mr. Chairman, the language of this is identical with the amendment known as the Tavenner amendment, except it adds to it the provision that no material or manufactured article shall be bought outside that can be produced by the navy yards at their own cost. That is an addition to what is known as the Tavenner amendment.

The CHAIRMAN. That is another which has been frequently agreed to.

Mr. BLACK. They are coupled together.

The CHAIRMAN. The Chair overrules the point of order. The question is on agreeing to the amendment.

Mr. BLACK. Mr. Chairman, I wish to be heard in opposition to the amendment.

Mr. HULL of Iowa. Mr. Chairman, I would like to say a few words in regard to the amendment. I hope that no Member of the House thinks I am trying to hamper the naval officials in putting efficiency into the navy yards. I am not. This prohibition is simply a prohibition of the Taylor system. The language is the identical language that has been used on the naval bill, the Army bill, and the fortification bill, for five or six years, since 1914, and it simply prohibits the Taylor system. I want to explain to you briefly what the Taylor system is. That system is not a scheme that produces efficiency. There is not a Member of this House that would work under the Taylor system.

Mr. BLACK. Will the gentleman yield?

Mr. HULL of Iowa. What for? A question?

Mr. BLACK. Does not the gentleman know that his amendment goes beyond the Taylor system and absolutely prohibits the use of any instrument to state the time the man puts on his job?

Mr. HULL of Iowa. I know that this is the amendment that was agreed to to prohibit the Taylor system in the arsenals and navy yards of this country, and it got by the point of order and has been put on the bills, as I said before, for eight years. It simply prohibits the Taylor system. The Taylor system is a scheme, I think, purely theoretical, of a board of engineers whose idea was that they could tell every individual how to perform his task better than he knew himself, although he might have worked 20 or 30 years at his trade. They selected a man who was young and who could produce a certain article at a less time than the older men.

The result was this, that if 100 men were working in a factory, they went in there, and they found the man that produced that article at the very least time. They studied that and timed his movements. Then they went over to another workman, and they said, "Look here; you are taking too much time. You should do it this way." Perhaps the man used his left hand first. They said, "You start with your right hand. This man is doing it that way, and he does it quicker than you can do it." The effect of it was that in every factory in which it has ever been introduced it produced inefficiency. Now, what was the result? This board of engineers tried to put this into the private factories of the country and did not succeed. Labor resented it. I would have resented it. The time was when I had to work at manual labor and had to do as the foreman said, but he was a human being at least and not a machine-made slave driver. But no foreman ever stood over me with a stop watch and told me that he could tell me how to do a certain task better than I could figure it out myself. They never put it wholly into any factory in this country, so far as I know; perhaps they did part of it. They went to the Ordnance Department of this Government some 15 or 20 years ago, and they got them to take it up and try to put it into the arsenals. It resulted in inefficiency in your arsenals, and labor resented it, and it increased the overhead cost very materially. Then, friends of labor came to Congress, and you put that provision on

the bill, and it has been there ever since. I have been trying to find out how to produce efficiency in the arsenals. Two years ago we put an amendment on to the bill, which is the last three lines of this amendment, and that has been producing efficiency in your arsenals. Already it has cut down the overhead expense over 50 per cent, and it simply says to the workingmen in the yards and in the arsenals, "You must compete on a cost basis with outside manufacturers; if you can not make an article for less than they do, the work will go to them, and you are the loser of that much in wages."

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL of Iowa. Mr. Chairman, I would like to have five minutes more.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five minutes more. Is there objection?

Mr. BLANTON. Reserving the right to object, I would like to ask whether or not the gentleman's amendment has been O. K'd by Mr. Gompers?

Mr. HULL of Iowa. I do not know.

The CHAIRMAN. Is there objection?

Mr. MOORES of Indiana. I object.

The CHAIRMAN. Objection is made.

Mr. BLACK. Mr. Chairman, this is the same amendment that we have had before us several times, and each and every time the gentlemen who advocate it hide behind the so-called Taylor system. They have used this Taylor system as a smoke screen, so to speak, to justify a limitation of this kind. But this amendment goes much further than the Taylor system and absolutely prohibits officials of the Government from making, with any kind of a time-measuring device, any sort of a time study of what the Government employee does. Now, let us read what the amendment says:

> That no appropriation made in this bill shall be available for the salary and pay of any officer—
>
> And so forth—
>
> while making or causing to be made with a stop watch or other time-measuring device—
>
> And so forth, covering every conceivable means by which you may make a time study with a time-measuring device.

Now, not long ago we had before the House a proposition to give a deficiency appropriation for the Bureau of Yards and Docks of the Navy, and I read the hearings on that proposition, and I recall that members of the committee asked Admiral Parks and Assistant Secretary Roosevelt if it were not true that the efficiency of the navy-yard employees had fallen off very substantially. I recall that Admiral Parks made a startling comparison of the cost of putting up timberwork, carpenter work, in the Norfolk district prior to and during the war. He stated that prior to the war the cost of doing the work was $24 or $25 per thousand, and that during the war it run up to $160 per thousand. The wage increase had been but 80 per cent, therefore there had been a heavy decline in efficiency. I recall also that Assistant Secretary Roosevelt admitted a substantial decline in the efficiency of labor at the navy yards. He said:

> Last summer my own personal guess—and that is what you might call it—was that we were somewhere between 65 and 70 per cent efficient; that is, we were turning out per day per man 65 or 70 per cent of what we turned out in 1914.

Some member of the committee asked him this question:

> Why do not the officials of the Government make a study of the efficiency of these employees?

And I recall that Mr. Roosevelt answered as follows:

> We do not keep time cards and are not allowed to do so by Congress.

The above testimony which I have quoted will be found on page 333 of the hearings on the second deficiency appropriation bill for the fiscal year of 1920. This testimony tells its own story, and I would be ashamed to look my constituents in the face after having read it and tell them that I had voted for such a proposition as the Hull amendment.

Now, the gentleman from Iowa [Mr. HULL] made the statement that an efficiency system was tried out in the arsenals of the War Department and that it proved a failure. I say to you that his information is not in accordance with the statement of Secretary Baker or of Gen. Crozier, who was then Chief of Ordnance. When this same amendment was before Congress once before I read a letter that Secretary Baker had written to the Hon. CHAMP CLARK, Speaker of the House, and I now want to again refer to it. Here is what Mr. Baker says about this efficiency method which had then been installed in the arsenals of the War Department. Secretary Baker said:

> The wages paid to our operatives in the Watertown Arsenal at a flat rate, irrespective of their response to the time system, is the current rate of the community for similar work, and, in addition to that, premiums are offered—not large, but large enough to stimulate continuance and faithful activity. So far as I know, there is not a case on record at Watertown, since the introduction of this system, of a nervous breakdown or physical exhaustion due to excessive work, nor is it claimed that the operatives in that plant, protected as they are against long hours by a wise eight-hour provision, are in any sense driven or hurried beyond a fair and safe limit.

Secretary Baker also states in his letter that each employee of the Watertown Arsenal on premium jobs had earned an average of $10.66 increase in wages per month by increased efficiency.

And then he closes his letter with these words:

> To prohibit the system of which the record shows undoubted advantages both to the Government and to the employees because of a charge unsupported by evidence or even by attempted evidence—for there has been no effort to prove overwork at the Watertown Arsenal—seems to be most unwise.

Mr. Chairman, I think it is worse than unwise. It is, in my opinion, downright stupidity.

The CHAIRMAN. The time of the gentleman from Texas has expired. Debate on this amendment has expired.

Mr. NOLAN. Mr. Chairman, I ask unanimous consent to speak for five minutes on the amendment.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FESS having taken the chair as Speaker pro tempore, a message from the Senate by Mr. Dudley, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3867. An act authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Hidalgo County, Santa Fe County, and the town of Silver City, N. Mex.;

S. 1533. An act for the relief of Anna M. Tobin, independent executrix of the estate of Frank R. Tobin, deceased;

S. 3223. An act authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes;

S. 175. An act for the relief of Kny-Scheerer Corporation;

S. 3518. An act for the relief of the owner of the steamship *Urubambra;*

S. 3293. An act for the relief of the owner of the derrick *Capitol;*

S. 2452. An act to carry out the findings of the Court of Claims in the case of the Commercial Pacific Cable Co.;

S. 3706. An act authorizing the Secretary of War to make settlement with the lessees who erected buildings on a five-year lease on the zone at Camp Funston, Kans., and for other purposes; and

S. 1551. An act to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 5346. An act for the relief of the Eastern Transportation Co.;

H. R. 1317. An act for the relief of Robert T. Legge;

H. R. 946. An act for the relief of James A. Showen;

H. R. 909. An act for the relief of Ellen Agnes Monogue; and

H. R. 12954. An act providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 1865. An act for the relief of the Baltimore Dry Docks & Shipbuilding Co., owner of a dry dock at Baltimore, Md.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. NOLAN. Mr. Chairman, the debate on this subject has been very extensive in the House at various times, but I would like to call the attention of the members of the committee to

the fact that the Committee on Labor held extensive hearings in the Sixty-fourth Congress in connection with the Tavenner bill. We had before us at that time Gen. Crozier, Chief of Ordnance of the War Department. We had before us also practically every one of the so-called efficiency engineers in this country. We had before us also the opponents of the Taylor or stop-watch system. No man could read the hearings on that subject, no matter what his mind might be on this particular matter, and get the idea that there was any such thing as efficiency—I mean real, simon-pure efficiency in this system.

In the first place, it starts off by the introduction of a stop watch. It studies the movements of the individual by the split second, and then tries to determine exactly what that man's task shall be, for a given time on a certain given piece of work.

It is an attempt to fix the base pay that the men shall get. In addition to that it attempts to fix a so-called premium or bonus system. Now, the gentleman from Texas [Mr. SUMNERS], who was a member of the committee that investigated that matter at that time, put a simple question to the gentlemen who were here favoring the introduction of the Taylor system, or so-called scientific management. He asked one of them this question: Suppose a shoe factory brought in one of your experts to introduce this so-called system of scientific management, and as an illustration it was found that a shoemaker who was making four pairs of shoes a day received for those four pairs of shoes $8, and suppose that expert fixed the task at eight pairs of shoes a day, tell this committee what that man would get for the ninth pair of shoes.

It took an hour and a half before that witness felt at liberty to answer that question, because he did not want the committee to know what those who favored this system had in their minds.

Mr. BLACK. Will the gentleman yield?

Mr. NOLAN. Just a minute. They finally admitted that if the man made the ninth pair of shoes he would get anywhere from 33⅓ cents to 50 cents, although he got $1 for each of the other eight pair. Now, that gives some idea of the premium or bonus system. I can take the hearings and give you illustrations. It is easy to prove the fallacy of this system. All you have to do is to look at those hearings. The system does nothing but produce discontent among the employees, and wherever you have discontent you have inefficiency.

I am not opposed to scientific management. You must have some sort of management in a shop, but it has got to be common-sense management, whether it is in the Government service or in private employment. You can not do it with stop-watch methods. That is the basis of the Taylor system and the Emerson system and the Gantt system and every other form of this so-called scientific management.

Mr. BLACK. Now will the gentleman yield?

The CHAIRMAN. The gentleman's time has expired.

Mr. BLANTON. I move to strike out the paragraph.

Mr. BUTLER. I move to strike out the last two words.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. BUTLER. In 1915 we first inserted in the naval appropriation bill the amendment offered by the gentleman from Iowa [Mr. HULL]. I voted for it then and I have voted for it every year since then, and I do not propose now to vote against it, for I think it is only fair toward the men that they should not be watched. The older I grow the more I am opposed to a system of spying and watching. I believe that if men are put upon their honor, as they are in the Baldwin Locomotive Works in my congressional district, where there never has been any trouble with the men, they will do a fair day's work.

Mr. BLACK. Does the gentleman think there is anything wrong in an official of the Government, who is a foreman of a Government yard, permitting a time study of what his men are doing?

Mr. BUTLER. Oh, no.

Mr. BLACK. Does not this amendment absolutely prohibit the use of any time-measuring device of any conceivable nature?

Mr. BUTLER. I have always conceived this to be a provision against what is known as the Taylor system. I never cared for that. I always thought it authorized the superintendent at a mill or yard to use some sort of a stop clock upon the men to see whether or not they were doing a full day's work. Now, the Secretary of the Navy has written me a letter, which I hold in my hand. In that letter he tells me he is surprised that the paragraph is not in the bill. It is not in the bill because the department struck it out, as I understand. It was not in the first print of the bill when it came to us. I do not ask anyone to vote for it or anyone to vote against it. I have simply made this statement because I hold in my hand the letter of the Secretary of the Navy. He says it is a provision in the Army bill.

Mr. PADGETT and Mr. BLANTON rose.

Mr. BUTLER. I yield to my colleague on the committee, the gentleman from Tennessee [Mr. PADGETT].

Mr. PADGETT. I want to say that in the first committee print of the bill that legislation is always stricken out.

Mr. NOLAN. Will the gentleman yield?

Mr. BUTLER. I will.

Mr. NOLAN. I would like to ask the chairman of the committee if the Secretary of the Navy does not recommend the reinsertion of the stop-watch section of the bill?

Mr. BUTLER. The Secretary of the Navy recommends that it shall be inserted in the bill; not all of it, but the stop-watch part of it.

Mr. BLANTON. Mr. Chairman, I hope that every member of this committee will read the letter from Hon. Herbert D. Brown, Chief of the Bureau of Efficiency of this Government, which I placed in the RECORD on March 5, 1920. That letter discloses that there is a want of efficiency in the administration of affairs in the Government by its employees more than anything else, because of the fact that the demands of the organization to which our Government employees belong are forever and eternally calling on Congress to put restrictions and limitations around the administration of affairs, so that efficiency is absolutely impossible.

Read that letter. It is an eye opener to us, and here is this amendment of the gentleman from Iowa coming from those same organizations, demanded by those same organizations, upheld by their proponents in this House, asking us to place other restrictions around the governmental authorities, so as to keep out even a minimum degree of efficiency.

How much further are we going? Each time the rule is enlarged upon and the restrictions are increased we are placing greater hampers around every Government official to prevent efficiency and not to increase it. We can keep on doing it because the employees' organizations demand it of us, and we keep on complying with their requests. The record which my colleague from Texas [Mr. BLACK] called your attention to a moment ago shows beyond peradventure of a doubt that this amendment should not be passed if we are looking after the best interests of the people of this country. Of course if we are just carrying out the demands and requests and wants of the organized Government employees, we will pass this amendment, like we always pass what they want. But the time is coming some of these days as sure as you and I are on this floor now when we are going to have to turn down some of these demands and vote for the good of all the people. We are going to require the highest state of efficiency on the part of every employee some of these days. The time to do that is now. If this proposed amendment is a good thing to do, why did not the distinguished committee put it in the bill? The committee worked faithfully on the bill weeks and months, and they have accomplished much in the way of economy, and I compliment the distinguished chairman. If I can, I am going to force a roll call record vote on this Hull amendment. And then are you going to vote for the organized Government employees or for all the people?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLACK. Mr. Chairman, I move to strike out the following language in the Hull amendment: "Or other time-saving devices."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLACK to the amendment of Mr. HULL: Strike out on the fifth line the words "or other time-saving devices."

Mr. BLACK. Mr. Chairman, I wish to be heard just a minute. The chief reason urged as an objection to this amendment is that it places the stop watch over an employee. Now, if the House wants to prohibit the use of the stop watch, very well, we may do it, although I do not think it has ever been abused in Government work. But the amendment which has been offered by the gentleman from Iowa [Mr. HULL] is so broad that it absolutely prohibits the Government officials from making any time study of the work done by these employees in the navy yards or the arsenals. If my amendment is adopted, it leaves the prohibition as to the stop watch, but the Government will be left free to use some other kind of a time-measuring device. Surely we do not want to so tie the hands of Government supervisory officials that they can make no time study of the work of a particular employee.

Mr. SNYDER. Will the gentleman yield?

Mr. BLACK. I will.

Mr. SNYDER. I think the gentleman is on the right track. With his amendment I will vote for the proposition, but without it I will vote against it.

Mr. NOLAN. Mr. Chairman, I want just a minute. If the amendment is adopted it leaves the door open to other speed-up time-saving devices. Every latter-day investigator regarding management has come to the conclusion that wherever scientific shop management is introduced the human element is to be considered, and you can not consider it if you adopt the amendment of the gentleman from Texas, because it means that if you do not take the split-second stop watch, you might take some other kind of a stop watch.

The CHAIRMAN. The question is on the adoption of the amendment of the gentleman from Texas to the amendment of the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. NOLAN) there were 58 ayes and 58 noes.

Mr. BLACK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. HULL of Iowa and Mr. BLACK.

The committee again divided; and the tellers reported—ayes 56, noes 65.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by Mr. HULL of Iowa.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 67, noes 52.

So the amendment was agreed to.

Mr. MILLER. Mr. Chairman, I ask unanimous consent to return to page 6 of the bill for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to return to page 6 of the bill for the purpose of offering an amendment, which the Clerk will report for information.

The Clerk read as follows:

Amendment offered by Mr. MILLER: Page 6, line 22, after the word "aeroplanes," insert a new paragraph, as follows:

That the Secretary of the Navy is hereby authorized to accept from King County, Wash., free from any encumbrances and conditions, without cost to the United States Government, a certain tract of land containing 250 acres, more or less, at Sand Point, for use as an aviation base.

The CHAIRMAN. Is there objection to returning for the purpose of offering the amendment which has been read?

Mr. SNELL. Mr. Chairman, I have no objection to the gentleman making a statement, but I shall make the point of order to that amendment when it comes up.

Mr. BLANTON. Mr. Chairman, I object to save time.

Mr. MILLER. Mr. Chairman, I wish the gentleman would withhold his objection until I can make a statement.

Mr. BLANTON. Very well, I withhold the objection.

The CHAIRMAN. The gentleman from Texas reserves the right to object.

Mr. MILLER. Mr. Chairman, after this bill was formulated and on the same day it was reported to the House the authorities at Seattle telegraphed me their desire to tender to the Government 250 acres of land as an aviation base, which tract of land has been selected by the Helm Board as an aviation base. I forwarded the request immediately to the Secretary of the Navy and to the Chief of the Bureau of Operations of the Navy, and I now send to the desk the letters which I received from those gentlemen regarding this offer, which I ask unanimous consent to have read in my time.

The CHAIRMAN. Without objection, the Clerk will read the letters in the time of the gentleman from Washington.

There was no objection, and the Clerk read as follows:

Hon. JOHN F. MILLER, M. C.,
Committee on Military Affairs,
House of Representatives, Washington, D. C.

MY DEAR MR. MILLER: I have to acknowledge the receipt of your letter of March 17, 1920, with telegram inclosed.

The Navy is deeply appreciative of the generous offer made by the people of Seattle. I trust that legislation may be enacted which will permit the Navy to avail itself of their kind offer. Inclosed herewith is a copy of a letter written by the Secretary of the Navy to the chairman of the Senate Naval Affairs Committee on this subject.

Very truly, yours,

R. E. COONTZ,
Admiral, United States Navy.

MARCH 18, 1920.

Senator C. S. PAGE,
Chairman Committee on Naval Affairs,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have to invite your attention to a copy of a telegram from the Seattle Chamber of Commerce addressed to the Hon. JOHN F. MILLER, forwarded herewith, together with a copy of Mr. MILLER'S letter to Admiral Coontz.

The site mentioned in the telegram from the Chamber of Commerce of Seattle has been inspected by naval officers and is deemed the most desirable for the purposes of naval aviation of any to be found in this region. In the no-distant future aviation facilities permitting the use of seaplanes on the part of the Navy will become absolutely necessary in this vicinity.

In view of the extremely generous offer of the chamber of commerce, I have to urge that a provision be inserted in the naval appropriation bill, which is about to be considered by your committee, which will permit the Government to accept this land without cost or obligation at this time.

Very truly, yours, JOSEPHUS DANIELS.

Mr. BLANTON. Mr. Chairman, I renew the objection.

The CHAIRMAN. The gentleman from Texas objects.

Mr. BUTLER. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MANN of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13108, the naval appropriation bill, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BUTLER. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. BLANTON. Mr. Speaker, I demand a separate vote upon the Hull amendment.

The SPEAKER. The gentleman from Texas demands a separate vote upon the Hull amendment, which the Clerk will report.

The Clerk again reported the Hull amendment.

Mr. MANN of Illinois. Mr. Speaker, I suggest that the Speaker take the vote upon the other amendments.

The SPEAKER. Is a separate vote demanded on any other amendments? If not, the Chair will put the other amendments en grosse. The question is on agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER. The question now is on the amendment offered by the gentleman from Iowa [Mr. HULL], on which the gentleman from Texas demands a separate vote.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 74, noes 47.

Mr. BLANTON. Mr. Speaker, the House having divided, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN of Illinois. To-morrow, I believe, is Calendar Wednesday. If the House should adjourn now, with the previous question ordered, would this matter come up before Thursday?

The SPEAKER. It would come up on Thursday morning. The Chair will count. It is apparent that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 222, nays 70, answered "present" 1, not voting 135, as follows:

YEAS—222.

Almon	Campbell, Pa.	Elston	Igoe
Anderson	Candler	Emerson	Ireland
Andrews, Nebr.	Caraway	Esch	Jacoway
Ashbrook	Carss	Evans, Mont.	James
Aswell	Casey	Fairfield	Jefferis
Ayres	Clark, Mo.	Fields	Johnston, N. Y.
Babka	Classon	Fisher	Jones, Pa.
Baer	Cleary	Focht	Juul
Bankhead	Coady	Foster	Kearns
Barbour	Cole	French	Keller
Barkley	Collier	Fuller, Ill.	Kiess
Bee	Cooper	Fuller, Mass.	Kincheloe
Begg	Crisp	Gallagher	King
Bell	Crowther	Gard	Kinkaid
Benham	Dale	Garland	Kleczka
Benson	Dallinger	Godwin, N. C.	Kraus
Blackmon	Darrow	Goodwin, Ark.	Lampert
Bland, Ind.	Davis, Minn.	Goodykoontz	Langley
Bland, Va.	Dent	Graham, Ill.	Lanham
Boies	Dickinson, Mo.	Greene, Mass.	Lankford
Bowers	Dickinson, Iowa	Hadley	Larsen
Brand	Dominick	Hardy, Colo.	Lazaro
Briggs	Donovan	Harreld	Lee, Ga.
Brooks, Pa.	Dooling	Hawley	Lesher
Buchanan	Doughton	Hays	Little
Burdick	Dowell	Hernandez	Lonergan
Butler	Dunbar	Hickey	Luhring
Byrnes, S. C.	Dupré	Holland	McClintic
Byrns, Tenn.	Dyer	Hull, Iowa	McGlennon
Caldwell	Eagan	Hull, Tenn.	McKeown
Campbell, Kans.	Echols	Husted	McKinley

McLane	Newton, Minn.	Rubey	Thompson
McLaughlin, Nebr.	Newton, Mo.	Sanders, La.	Tillman
Magee	Nolan	Scott	Towner
Maher	O'Connor	Sears	Upshaw
Major	Ogden	Sells	Venable
Mann, Ill	Oldfield	Sherwood	Vestal
Mann, S. C.	Overstreet	Shreve	Vinson
Mansfield	Park	Siegel	Voigt
Martin	Pell	Sinclair	Volstead
Mason	Phelan	Smith, Idaho	Watkins
Mays	Pou	Smith, Mich.	Weaver
Mead	Rainey, Ala.	Smithwick	Welling
Michener	Rainey, H. T.	Stedman	Whaley
Miller	Rainey, J. W.	Steenerson	Wheeler
Minahan, N. J.	Ramseyer	Stephens, Ohio	Williams
Montague	Randall, Wis.	Stevenson	Wilson, La.
Moon	Reed, W. Va.	Stoll	Wingo
Mooney	Rhodes	Strong, Kans.	Wise
Moore, Ohio	Ricketts	Strong, Pa.	Woodyard
Moore, Va.	Riddick	Sweet	Wright
Morgan	Riordan	Swope	Yates
Mott	Robsion, Ky.	Tague	Young, N. Dak.
Mudd	Rodenberg	Taylor, Ark.	Zihlman
Nelson, Mo.	Romjue	Temple	
Nelson, Wis.	Rouse	Thomas	

NAYS—70.

Ackerman	Garrett	Madden	Sanford
Andrews, Md.	Good	Merritt	Sisson
Bacharach	Green, Iowa	Milligan	Slemp
Black	Greene, Vt.	Monahan, Wis.	Snell
Blanton	Griest	Moores, Ind.	Snyder
Box	Hicks	Oliver	Stephens, Miss.
Britten	Hoch	Olney	Summers, Wash.
Brooks, Ill.	Humphreys	Padgett	Tilson
Browning	Hutchinson	Parker	Tincher
Burroughs	Johnson, S. Dak.	Parrish	Walsh
Chindblom	Kelley, Mich.	Platt	Wason
Connally	Kitchin	Purnell	Watson
Currie, Mich.	Luce	Radcliffe	Webster
Davis, Tenn.	McArthur	Ramsey	White, Kans.
Elliott	McDuffie	Rayburn	Winslow
Evans, Nebr.	McFadden	Robinson, N. C.	Young, Tex.
Fess	McLaughlin, Mich.	Rowe	
Garner	McPherson	Sanders, Ind.	

ANSWERED "PRESENT"—1.

Hersman

NOT VOTING—135.

Anthony	Freeman	Kennedy, R. I.	Rogers
Bland, Mo.	Gallivan	Kettner	Rose
Booher	Gandy	Knutson	Rowan
Brinson	Ganly	Kreider	Rucker
Browne	Glynn	Layton	Sabath
Brumbaugh	Goldfogle	Lea, Calif.	Sanders, N. Y.
Burke	Goodall	Lehlbach	Schall
Cannon	Gould	Linthicum	Scully
Cantrill	Graham, Pa.	Longworth	Sims
Carew	Griffin	Lufkin	Sinnott
Carter	Hamill	McAndrews	Small
Christopherson	Hamilton	McCulloch	Smith, Ill.
Clark, Fla.	Hardy, Tex.	McKenzie	Smith, N. Y.
Copley	Harrison	McKinley	Steagall
Costello	Hastings	MacCrate	Steele
Crago	Haugen	MacGregor	Stiness
Cramton	Hayden	Mapes	Sullivan
Cullen	Heflin	Mondell	Sumners, Tex.
Curry, Calif.	Hersey	Morin	Taylor, Colo.
Davey	Hill	Murphy	Taylor, Tenn.
Dempsey	Hoey	Neely	Timberlake
Denison	Houghton	Nicholls, S. C.	Tinkham
Dewalt	Howard	Nichols, Mich.	Treadway
Doremus	Huddleston	O'Connell	Vaile
Drane	Hudspeth	Osborne	Vare
Dunn	Hulings	Paige	Walters
Eagle	Johnson, Ky.	Peters	Ward
Edmonds	Johnson, Miss.	Porter	Welty
Ellsworth	Johnson, Wash.	Quin	White, Me.
Evans, Nev.	Jones, Tex.	Raker	Wilson, Ill.
Ferris	Kahn	Randall, Calif.	Wilson, Pa.
Flood	Kelly, Pa.	Reavis	Wood, Ind.
Fordney	Kendall	Reber	Woods, Va.
Frear	Kennedy, Iowa	Reed, N. Y.	

So the amendment was adopted.

The Clerk announced the following pairs:

Until further notice:

Mr. CANNON with Mr. HERSMAN.
Mr. LONGWORTH with Mr. FERRIS.
Mr. LUFKIN with Mr. SUMNERS of Texas.
Mr. MAPES with Mr. DRANE.
Mr. MCKINLEY with Mr. HEFLIN.
Mr. OSBORNE with Mr. HAYDEN.
Mr. WALTERS with Mr. HASTINGS.
Mr. SMITH of Illinois with Mr. HOWARD.
Mr. HERSEY with Mr. GALLIVAN.
Mr. WHITE of Maine with Mr. CARTER.
Mr. TIMBERLAKE with Mr. SABATH.
Mr. ANTHONY with Mr. DEWALT.
Mr. MORIN with Mr. RUCKER.
Mr. MONDELL with Mr. SIMS.
Mr. FORDNEY with Mr. STEELE.
Mr. PAGE with Mr. BLAND of Missouri.
Mr. COSTELLO with Mr. WELTY.
Mr. MCCULLOCH with Mr. WOODS of Virginia.
Mr. EDMONDS with Mr. BRINSON.
Mr. MURPHY with Mr. O'CONNELL.
Mr. KENDALL with Mr. WILSON of Pennsylvania.
Mr. GOODALL with Mr. LINTHICUM.
Mr. KNUTSON with Mr. TAYLOR of Colorado.
Mr. HAMILTON with Mr. CANTRILL.
Mr. BURKE with Mr. EVANS of Nebraska.
Mr. LEHLBACH with Mr. DAVEY.
Mr. KELLY of Pennsylvania with Mr. SULLIVAN.
Mr. WOOD of Indiana with Mr. DOREMUS.
Mr. KAHN with Mr. GOLDFOGLE.
Mr. GRAHAM of Pennsylvania with Mr. RAKER.
Mr. TINKHAM with Mr. KETTNER.
Mr. WILSON of Illinois with Mr. JONES of Texas.
Mr. PETERS with Mr. CULLEN.
Mr. JOHNSON of Washington with Mr. CLARK of Florida.
Mr. CRAGO with Mr. HUDDLESTON.
Mr. VARE with Mr. JOHNSON of Kentucky.
Mr. DENISON with Mr. HUDSPETH.
Mr. PORTER with Mr. SMITH of New York.
Mr. FREAR with Mr. EAGLE.
Mr. GLYNN with Mr. BOOHER.
Mr. KENNEDY of Rhode Island with Mr. NEELY.
Mr. HOUGHTON with Mr. GANDY.
Mr. MCKENZIE with Mr. HARDY of Texas.
Mr. TREADWAY with Mr. HARRISON.
Mr. STINESS with Mr. ROWAN.
Mr. GOULD with Mr. MCANDREWS.
Mr. ELLSWORTH with Mr. CAREW.
Mr. KREIDER with Mr. LEA of California.
Mr. FREEMAN with Mr. HAMILL.
Mr. REAVIS with Mr. FLOOD.
Mr. CHRISTOPHERSON with Mr. HOEY.
Mr. ROSE with Mr. QUIN.
Mr. SANDERS of New York with Mr. GANLY.
Mr. SINNOTT with Mr. SCULLY.
Mr. ROGERS with Mr. NICHOLLS of South Carolina.
Mr. REBER with Mr. GRIFFIN.
Mr. DEMPSEY with Mr. BRUMBAUGH.
Mr. DUNN with Mr. RANDALL of California.
Mr. CRAMTON with Mr. JOHNSON of Mississippi.
Mr. COPLEY with Mr. SMALL.
Mr. HULINGS with Mr. STEAGALL.

The result was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will unlock the doors. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time; was read the third time.

Mr. BLANTON. Mr. Speaker, a point of order. I ask for the reading of the engrossed copy of the bill.

Mr. BUTLER. Of course, Mr. Speaker, the bill can not pass to-night.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1533. An act for the relief of Anna M. Tobin, independent executrix of the estate of Frank R. Tobin, deceased; to the Committee on Claims.

S. 2452. An act to carry out the findings of the Court of Claims in the case of the Commercial Pacific Cable Co.; to the Committee on Claims.

S. 3293. An act for the relief of the owner of the derrick *Capitol;* to the Committee on Claims.

S. 3518. An act for the relief of the owner of the steamship *Urubambra;* to the Committee on Claims.

S. 3706. An act authorizing the Secretary of War to make settlement with the lessees who erected buildings on a five-year lease on the zone at Camp Funston, Kans., and for other purposes; to the Committee on Military Affairs.

S. 3867. An act authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, Hidalgo County, Santa Fe County, and the town of Silver City, N. Mex.; to the Committee on the Public Lands.

S. 175. An act for the relief of Kny-Scheerer Corporation; to the Committee on Claims.

S. 3223. An act authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes; to the Committee on Patents.

S. 1551. An act to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 11309. An act to authorize the Secretary of the Treasury to fix compensation of certain laborers in the Customs Service.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. O'CONNELL, continued, on account of illness of his wife.

To Mr. GOLDFOGLE, continued, on account of illness.

NAVAL APPROPRIATIONS.

Mr. BLANTON. Mr. Speaker, I withdraw the request at the instance of my colleague.

The SPEAKER. The gentleman from Texas withdraws the request. The question is on the third reading of the bill.

The bill was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. WINGO. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 223, noes 13.

So the bill was passed.

On motion of Mr. BUTLER, a motion to reconsider the vote by which the bill was passed was laid on the table.

WOMAN SUFFRAGE AMENDMENT.

The SPEAKER laid before the House a communication from the governor of the State of Idaho announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States extending the right of suffrage to women.

EXTENSION OF REMARKS.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent that all Members who spoke on the naval bill may have five legislative days in which to extend and revise their remarks on the bill only.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that those who spoke on the bill may have five legislative days in which to extend their remarks on the bill.

Mr. GARD. To be their own remarks?

Mr. BUTLER. Oh, yes.

Mr. WALSH. Mr. Speaker, I believe we have granted that sort of permission several times before, and it has not been observed, and therefore I object.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER. Mr. Speaker, I move that the House do now adjourn.

Mr. MONDELL. Will the gentleman withhold that for a moment?

Mr. BUTLER. Yes.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that on Thursday it may be in order to consider bills not objected to on the Private Calendar.

The SPEAKER. The gentleman asks unanimous consent that on Thursday the bills on the Private Calendar unobjected to may be considered.

Mr. BLANTON. Reserving the right to object——

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. The next bill before the House will be the District appropriation bill, and it occurred to me it would be better to continue the consideration of that bill after it came in rather than to have it come in on Thursday and then have the bills on the Private Calendar considered Friday. Therefore I am making the request to consider bills on the Private Calendar on Thursday rather than on Friday.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, I would like to ask the gentleman from Wyoming whether or not if this agreement is made, that after the calendar is called and finished then it would be permissible under this agreement to take up bills that have been objected to on that day and consider them?

Mr. MONDELL. I think not. That would be my opinion.

Mr. BLANTON. Is it the understanding that they would not be taken up unless unobjected to?

Mr. MANN of Illinois. They could not be taken up, because it is not regular Private Calendar Day.

Mr. BLANTON. Then I will not object.

LATE REPRESENTATIVE THOMAS J. STEELE.

Mr. RAMSEYER. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. RAMSEYER. Mr. Speaker, late yesterday evening I received a telegram informing me of the sudden death of Hon. Thomas J. Steele, a Member of this House in the Sixty-fourth Congress from the eleventh congressional district of Iowa. The eleventh Iowa district has always been strongly Republican, and was never represented by a Democrat except during the Sixty-fourth Congress by Mr. Steele.

I did not have an opportunity to make the acquaintance of Mr. Steele until the fall of 1915. It so happened that both of us came to Washington several weeks before the opening of the regular session to look over the ground. We soon met and found much in common, including our views on public questions. A strong friendship grew up between us, which I cherished and valued very highly.

Mr. Steele was reared amidst the hardships of pioneer life in Iowa. He knew the Middle West and its problems. He was a successful business man and farmer. While in this House, he was a member of the great Committee on Agriculture, where he served with ability and distinction.

Mr. Steele was one of the strong and influential men of the State of Iowa. He had the confidence and respect of his friends and all who knew him. With him a public office was a public trust to be administered for the best interests and welfare of all the people. He will be remembered for his sterling character, courage, earnest devotion to duty, and splendid public service. The news of his death brings deep sorrow to all his friends and especially to his colleagues who served with him in the Sixty-fourth Congress.

EXTENSION OF REMARKS.

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. BUTLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 37 minutes p. m.) the House adjourned until Wednesday, March 24, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriation required by the Bureau of War Risk Insurance to defray court costs and other expenses incident to the commitment of the bureau's mentally incompetent patients to asylums or hospitals (H. Doc. No. 697); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Navy, transmitting draft of requested legislation for the relief of Chinese naval officers quartered at the naval proving ground at Indianhead, Md., for loss of personal property by fire; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 13157) authorizing the issuance of patent to Johnson County, Wyo., of lands for poor-farm purposes, reported the same without amendment, accompanied by a report (No. 758), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the petition (No. 1991) of various citizens of the city of St. Louis, Mo., charging the postmaster of the city of St. Louis with high crimes and misdemeanors in office, reported the same with recommendations, accompanied by a report (No. 759), which said petition and report were referred to the House Calendar.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the resolution (H. Res. 500) requesting the President of the United States to furnish to the House of Representatives certain information regarding soldiers in Europe, reported the same without amendment, accompanied by a report (No. 760), which said resolution and report were referred to the House Calendar.

Mr. TOWNER, from the Committee on Education, to which was referred the bill (H. R. 10917) to amend an act entitled "An act to incorporate the National Education Association of the United States" by adding thereto an additional section, reported the same without amendment, accompanied by a report (No. 761), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 13218) granting an increase of pension to Jane Letcher, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GODWIN of North Carolina: A bill (H. R. 13222) for the erection of a public building at Lumberton, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13223) to provide for the erection of a public building at Southport, in the State of North Carolina; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13224) to provide for a site and public building at Dunn, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. EVANS of Montana: A bill (H. R. 13225) providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes; to the Committee on Indian Affairs.

By Mr. GREENE of Massachusetts: A bill (H. R. 13226) to amend section 4404 of the Revised Statutes of the United States as amended by the act approved July 2, 1918, providing that the supervising inspectors of the Steamboat-Inspection Service be included under the classified civil service; to the Committee on the Merchant Marine and Fisheries.

By Mr. WALSH: A bill (H. R. 13227) to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the landing of the Pilgrims; to the Committee on Coinage, Weights, and Measures.

By Mr. NELSON of Wisconsin: A bill (H. R. 13228) to amend section 7 and section 10 of the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. CAMPBELL of Kansas: A bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the women's bureau; to the Committee on Labor.

By Mr. ROBSION of Kentucky: A bill (H. R. 13230) to further amend the interstate commerce act, as amended; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 13231) to terminate Federal control of the coal and coke industry, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: Resolution (H. Res. 501) authorizing and directing the Attorney General to investigate the price of oil and report his findings to the House of Representatives; to the Committee on the Judiciary.

By Mr. FESS: Resolution (H. Res. 502) providing funds for the Committee on Education to investigate the Federal Board for Vocational Education; to the Committee on Accounts.

By Mr. JOHNSTON of New York: Memorial of the Senate of the State of New York, opposing the St. Lawrence ship canal project; to the Committee on Interstate and Foreign Commerce.

By Mr. LUFKIN: Memorial of General Court of Massachusetts, favoring the repeal of restrictions in the freedom of speech and the right of assemblage; to the Committee on the Judiciary.

By Mr. MOTT: Memorial of the Legislature of the State of New York, opposing the St. Lawrence ship canal project; to the Committee on Interstate and Foreign Commerce.

By Mr. O'CONNELL: Memorial of the Senate of the State of New York, opposing the St. Lawrence ship canal project; to the Committee on Interstate and Foreign Commerce.

By Mr. ROWAN: Memorial of the Senate of the State of New York, opposing the St. Lawrence ship canal project; to the Committee on Interstate and Foreign Commerce.

By Mr. SIEGEL: Memorial of the Senate of the State of New York, opposing the St. Lawrence ship canal project; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 13232) for the relief of the heirs, assigns, and legal representatives of Thomas Johnston; to the Committee on the Public Lands.

By Mr. BURDICK: A bill (H. R. 13233) granting a pension to Mary L. Carr; to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 13234) to correct the military record of Joseph Donnelly; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 13235) granting an increase of pension to Rudolph B. Scheitlin; to the Committee on Pensions.

By Mr. FOCHT: A bill (H. R. 13236) granting a pension to Harry M. Owens; to the Committee on Pensions.

By Mr. HARRELD: A bill (H. R. 13237) granting an increase of pension to James R. Compton; to the Committee on Pensions.

Also, a bill (H. R. 13238) granting a pension to Anna Lowe; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 13239) granting an increase of pension to John W. Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13240) granting a pension to Charles Herbst; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13241) granting a pension to William F. Cummins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13242) granting a pension to Henry W. Klages; to the Committee on Pensions.

By Mr. HERNANDEZ: A bill (H. R. 13243) granting a pension to Mattie E. Grimes; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 13244) granting an increase of pension to Robert H. Harlow; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 13245) granting a pension to Mary B. Hazelrigg; to the Committee on Invalid Pensions.

By Mr. NICHOLS of Michigan: A bill (H. R. 13246) granting a pension to Gustav F. Breiter; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 13247) granting an increase of pension to George W. Shoen; to the Committee on Invalid Pensions.

By Mr. SWOPE: A bill (H. R. 13248) granting an increase of pension to Noah P. Janes; to the Committee on Pensions.

Also, a bill (H. R. 13249) granting a pension to William H. Edwards; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 13250) granting an increase of pension to John Howard; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 13251) for the relief of William B. Mounce; to the Committee on Military Affairs.

By Mr. WOODYARD: A bill (H. R. 13252) granting a pension to Julia Ann Hopkins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2543. By the SPEAKER (by request): Petition of United Irish Societies of the District of Columbia in mass meeting assembled March 17, 1920, favoring the independence of Ireland; to the Committee on Foreign Affairs.

2544. By Mr. CALDWELL: Petition of sundry citizens of Brooklyn and Long Island, N. Y., protesting against the enactment into law of a national department of education; to the Committee on Education.

2545. By Mr. CASEY: Petition of Friends of Irish Freedom of Wilkes-Barre, Pa., favoring the passage of the Mason bill, regarding Ireland; to the Committee on Foreign Affairs.

2546. By Mr. CURRIE of Michigan: Petition of Albert Reinhart and 146 others, favoring passage of House bill 10925; to the Committee on Interstate and Foreign Commerce.

2547. By Mr. DYER: Petition of W. H. Markham & Co., Lumaghi Coal Co., and Union Biscuit Co., all of St. Louis, Mo., favoring a 1-cent postage on drop letters; to the Committee on the Post Office and Post Roads.

2548. Also, petition of Grand Lodge of the Ancient Order of the United Workmen of Missouri, urging the granting of a bonus to soldiers and nurses of the World War; to the Committee on Ways and Means.

2549. By Mr. FOCHT: Petition of Frank O. Hommon Post, No. 24, American Legion, Huntingdon, Pa., and Victory Post, No. 25, American Legion, of Selinsgrove, Pa., urging a bonus for the ex-service men of the World War; to the Committee on Ways and Means.

2550. Also, petition of Henry Wilson Post, No. 129, Grand Army of the Republic, of Milton, Pa., favoring House joint resolution 1 and Senate joint resolution 52; to the Committee on the Judiciary.

2551. By Mr. FULLER of Illinois: Petition of Board of Managers of Illinois Society Sons of the American Revolution, favoring the teaching only of the English language in elementary schools; to the Committee on Education.

2552. By Mr. JOHNSTON of New York: Petition of the Medical Society of the County of New York, urging universal military training, etc.; to the Committee on Military Affairs.

2553. By Mr. LONERGAN: Petition of the Common Council of Meriden, Conn., favoring daylight saving in the eastern time zone; to the Committee on Interstate and Foreign Commerce.

2554. By Mr. O'CONNELL: Petition of the Hagemeyer Trading Co., of New York, urging the passage of House bill 13015; to the Committee on Ways and Means.

2555. Also, petition of Borden & Lovell, of New York, regarding the Lever Act; to the Committee on Agriculture.

2556. By Mr. ROGERS: Petition of Lowell Post, No. 87, American Legion, Lowell, Mass., favoring a $50 per month bonus for ex-service men and women; to the Committee on Ways and Means.

2557. By Mr. ROWAN: Petition of Hagemeyer Trading Co., of New York, favoring the passage of House bill 13015 and Senate bill 4027; to the Committee on Ways and Means.

2558. Also, petition of Hagemeyer Trading Co., of New York, favoring the passage of House bill 13015; to the Committee on Ways and Means.

2559. By Mr. SIEGEL: Petition of the Building Trades Employers' Association of the City of New York, protesting against the passage of House bill 12320; to the Committee on Immigration and Naturalization.

2560. By Mr. SINCLAIR: Petition of the North Dakota Society of Engineers, favoring the passage of legislation for a national department of public works; to the Committee on Expenditures in the Interior Department.

2561. Also, petition of Frank Gordhamer Post, Bowman, N. Dak., favoring soldier-bonus legislation; to the Committee on Ways and Means.

2562. By Mr. SMITH of Idaho: Petition of Northwestern Mining Association of Spokane, Wash., urging the enactment of legislation confining the use of silver to subsidiary coins as proposed in the McFadden bill; to the Committee on Coinage, Weights, and Measures.

2563. Also, petition of board of Commissioners, Bliss highway district, Bliss, Idaho, urging Federal aid in construction of highways; to the Committee on Roads.

2564. By Mr. TAGUE: Petition of Lewis Mears Co. and C. A. Browning Co., of Boston, Mass., opposing the passage of House bills 12379 and 12646; to the Committee on Banking and Currency.

2565. By Mr. TINKHAM: Petition of sundry citizens of the State of Massachusetts, favoring the passage of the Raker bill providing for the parole of Federal prisoners (H. R. 1112); to the Committee on the Judiciary.

2566. By Mr. YOUNG of North Dakota: Petition of the Bismark Commercial Club, of Bismark, N. Dak., urging a recount in the census; to the Committee on the Census.

SENATE.

WEDNESDAY, *March 24, 1920.*

(Legislative day of Tuesday, March 23, 1920.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

WAR WITH GERMANY.

Mr. THOMAS. Mr. President, I shall detain the Senate but a moment concerning a subject which is naturally attracting much public attention at this time. I refer to the House resolution the purpose of which is to declare peace between the United States and Germany. This morning's Post informs the public that—

> After a conference yesterday between Senator LODGE and Representative PORTER, chairmen of the Senate and House Committees on Foreign Relations, the conviction grew among Members of both parties in Congress that President Wilson will not be able to prevent an end being made to the existing state of technical war between the United States and Germany. A simple resolution, separate from the Versailles treaty, declaring a state of peace, it was claimed yesterday, will pass both Houses by large majorities, and, according to the present outlook, may reach the two-thirds necessary under the Constitution to override a presidential veto.

Mr. President, I am as heartily and anxiously in favor of the establishment of actual peace between the United States and the Central Empires at the earliest possible moment as any man can be. I am more than willing to stretch any doubt regarding the power of Congress to enact such a resolution as that referred to in the article from which I just read and entertain the resolution. But I am fairly well convinced that the Congress possesses no such authority under the Constitution, and my apology for intruding the subject upon the attention of the Senate this morning is solely due to the fact that there seems to be a general and rapidly growing impression that we have that power and should exercise it. Hence, if the impression be unchallenged and it should then be developed that no such authority is devolved upon Congress a resulting disappointment must follow for those who look confidently to an early period when, by act of Congress, a technical state of war will no longer exist.

There are but three known ways of effecting peace, if the authorities upon international law are reliable. One is by conquest, another by negotiation, and a third by abandonment of hostilities, and none of these even hint at the existence of legislative power in America to so declare. Doubtless the House of Commons should possess that power, as it is the custodian of the superme sovereignty of the British Empire. But no such power inheres in the American Congress.

The subject seems to have escaped the consideration of writers upon international law, doubtless because of the very proper assumption that no such authority exists.

I had occasion when the Knox resolution was introduced to devote a little time to an investigation of the subject, as it then occurred to me that such a power was entirely inconsistent with the right to wage war and with the powers of the President as Commander in Chief of the Army and Navy.

The proceedings of the Constitutional Convention were secret. The only record of its deliberations is the diary of Madison, together with some fugitive reports of discussions here in Yates's Secret Debates. But a little information upon the subject is to be secured from them.

Mr. Madison says that, on August 17, on the motion for adding "and peace" after "war," it was unanimously negatived, the motion, of course, being to amend the phrase to declare war by adding "and peace," so that if adopted the amended clause would read "to declare war and peace."

In volume 1 of Elliott's Debates, page 246, is this recital:

> It was moved and seconded to add the words "and to make peace" to the fourteenth clause, which passed unanimously in the negative.

I gather from this recital that the original proposal upon the subject embodied the word "make" in place of the word "declare," because this report continues:

> On motion to insert "declare" in place of "make," the vote was 8 affirmative to 1 negative.

Mr. Madison's note reads:

> Connecticut voted in the negative; but on the remark by Mr. King that "make" war might be understood to "conduct" it, which was an Executive function, Mr. Ellsworth gave up his objection and the vote was changed to "aye."

Mr. Ellsworth's note reads as follows:

> There is a material difference between the cases of making war and making peace. It should be more easy to get out of war than into it.

I may inject here the opinion that if Mr. Ellsworth had lived well into the twentieth century he would have been disabused of that impression. He continued:

> War also is a simple and overt declaration; peace is attended with intricate and secret negotiations.

It appears, therefore, Mr. President, that the question was actually considered by the Constitutional Convention while framing that document, and that the effort to invest Congress with the power to make peace concurrently with the power to declare war not only failed but was ultimately rejected by the unanimous verdict of all the delegates.

In the Federalist I find this reference to the subject, which is indirect. I read an extract from the Federalist, No. 74, by Hamilton:

> The President of the United States is to be "Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into the actual service of the United States." The propriety of this provision is so evident in itself and it is at the same time so consonant to the precedents of the State constitutions in general that little need be said to explain or enforce it. Even those of them which have in other respects coupled the Chief Magistrate with a council have for the most part concentrated the military authority in him alone. Of all the cares or concerns of government, the direction of war most peculiarly demands those qualities which distinguish the exercise of power by a single hand. The direction of

war implies the direction of the common strength, and the power of directing and employing the common strength forms a usual and essential part in the definition of the Executive authority."

In Paul Leicester Ford's edition of the Federalist is this note of comment on above:

In this brief paragraph is dismissed the gravest problem which our Government has yet encountered regarding the presidential power. Had Mr. Bagehot investigated with any care the history of the wars of 1812 and 1861 he would probably have found our Government sufficiently "elastic," for, as Mr. Bryce remarks, the powers of the President in war time, "and especially in civil war," expand with "portentous speed." Indeed, Lincoln went so far as to assert that "as Commander in Chief of the Army and Navy in time of war I suppose I have the right to take any measures which may best subdue the enemy."

Of course I assume that the resolutions which formed the subject of press comment are joint and not concurrent. Indeed, they could be nothing else, and be considered at all, since the resolution declaring war was a joint resolution approved by the President in April, 1917, thus requiring a similar resolution to repeal it. If that be so, of course the presidential approval is essential to the resolution. Of course peace by joint resolution approved by the Executive, who has the sole power to wage war, is entirely feasible.

I have been, as I said, led to submit these considerations to the Senate solely because of the impression that seems to be gaining ground in the public mind that Congress is endowed, among other things, with the power to make peace wholly independent of the Executive, either because it is an essential part of its authority or because it is necessarily implied in our power to declare war; an impression without foundation, in my judgment, and calculated to mislead the public judgment to our detriment if it shall remain unchallenged.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 13108) making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes, in which it requested the concurrence of the Senate.

ABOLITION OF HOUSING CORPORATION.

Mr. FERNALD. Mr. President, I wish to clear up a parliamentary situation between the two Houses.

On December 17 a bill—H. R. 7656—passed the House abolishing the United States Housing Corporation. It was sent to this body and referred to the Committee on Public Buildings and Grounds. The Committee on Public Buildings and Grounds reported another bill, which passed the Senate, S. 3738.

What I wish to do is to report from the Committee on Public Buildings and Grounds House bill 7656 with an amendment striking out all after the enacting clause and inserting the text of Senate bill 3738, as reported favorably from that committee.

Mr. SMOOT. And the Senator asks unanimous consent for its consideration?

Mr. FERNALD. I ask unanimous consent that the bill may be put upon its passage.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent for the present consideration of the bill which he has just reported. Is there objection?

Mr. GRONNA. If the consideration of the bill leads to no debate, I have no objection.

Mr. FERNALD. It certainly can lead to no discussion, for a similar bill has already passed the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7656) to repeal the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, and to repeal all acts and parts of acts amendatory thereof, and to provide for the disposition of all property acquired under and by virtue of the same, reported from the Committee on Public Buildings and Grounds with an amendment to strike out all after the enacting clause and to insert:

That the power and authority to provide housing, local transportation, and other general community utilities as granted by sections 1, 2, 3, and 4 of the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, shall cease and determine as of the date of the approval of this act: *Provided, however*, That the power and authority granted by the said act of May 16, 1918, to requisition any improved or unimproved land or any right, title, or interest therein, on which houses, buildings, improvements, local transportation, and other general community utilities and parts thereof have been constructed, shall remain vested in the President, to be exercised when necessary to protect the interest of the Government, and to cease with the termination of the war when formally proclaimed by the President.

SEC. 2. That the various offices, bureaus, divisions, and branches of the public service and of the various corporate or other agencies exercising the powers granted by the said act of May 16, 1918, and other acts and parts of acts amendatory theerof, and all that pertains to the same, including such officers, clerks, and employees employed therein, as in the opinion of the Secretary of the Treasury are necessary to carry out the purposes of this act, also the official records and papers on file in and pertaining to the business of the said offices, bureaus, divisions, and branches of the public service and of the various corporate or other agencies and relating to the exercise of the said powers, together with the furniture, equipment, and supplies used in connection therewith, shall be transferred to the Treasury Department on the 30th day of June, 1920: *Provided*, That the unexpended balance of any and all appropriations available during the fiscal year ending June 30, 1920, for the exercise of the power and authority prescribed in said act of May 16, 1918, and other acts and parts of acts amendatory thereof, shall continue available for the purposes appropriated, to be expended under the supervision of the Treasury Department during the fiscal year ending June 30, 1921.

SEC. 3. That the Secretary of Labor be, and he is hereby, directed to deliver to the Secretary of the Treasury on the 30th day of June, 1920, all property of every character whatsoever acquired under the power and authority granted by the said act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof, remaining undisposed of on June 30, 1920, together with all deeds, contracts, agreements, mortgages, assignments, notes, stocks, bonds, and other evidence of security or indebtedness: *Provided*, That the same shall be transferred in such legal form as is required to vest the legal or equitable title in the United States of America for disposal in accordance with the provisions of this act.

SEC. 4. That upon the transfer of the property to the Secretary of the Treasury by the Secretary of Labor as provided for by section 3 of this act the Secretary of the Treasury is hereby authorized—

(a) To sell and convey the real estate, improvements, and furnishings as soon as the same can be advantageously disposed of, and a reasonable effort shall be made to sell the dwelling houses direct to prospective individual home owners who are citizens of the United States, and who desire the houses for their own occupancy: *Provided, however*, That no sale or conveyance shall be made hereunder on credit without reserving a first lien on such property for the unpaid purchase price: *Provided further*, That pending the disposal of the said property, the Secretary of the Treasury shall have full power and authority to care for, rent, and operate the same: *Provided further*, That all deeds, contracts, or other instruments of conveyance executed by the United States Housing Corporation by its duly authorized officer or officers where the legal title to the property in question is in the name of said corporation, and by the United States of America by the Secretary of the Treasury where the title to the property in question is in the name of the United States of America, shall be conclusive evidence of the transfer of title to the property in question according to the purport of such deeds, contracts, or other instruments of conveyance, and in no case shall any purchaser or grantee thereunder be required to see to the application of any purchase money.

(b) To conclude and execute contracts or other obligations made or incurred under the provisions of the said act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof; to collect the principal and interest of loans made or other sums due under such contracts or obligations and to take such other steps as are necessary to protect the interest of the Government and to fulfill the obligations duly incurred in carrying out the power and authority granted by the said act and other acts and parts of acts amendatory thereof: *Provided*, That all moneys received from the disposal of properties or otherwise collected in accordance with the provisions of this act shall be covered into the Treasury as miscellaneous receipts.

SEC. 5. That immediately upon the passage of this act, the Secretary of Labor shall cause to be transferred to the Secretary of the Treasury the houses, dormitories, and schoolhouse on the naval reservation at Indianhead, Md.; the houses and schoolhouse on the naval reservation at Charleston, W. Va.; the land located near the Puget Sound Navy Yard, at Bremerton, Wash., with the improvements thereon, consisting of a hotel and apartment house, together with the land purchased by the United States Housing Corporation adjoining the said hotel; the same to be maintained and operated under the direction of the Secretary of the Treasury: *Provided*, That any unexpended balance of the appropriation made for the operation of the said projects by the act of Congress approved July 19, 1919, entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes," shall immediately upon the transfer of the said projects to the Secretary of the Treasury become available for the purposes appropriated, to be accounted for and audited as funds appropriated for the use of the Treasury Department.

SEC. 6. That section 3 of the act entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanitarium facilities for discharged sick and disabled soldiers, sailors, and marines," approved March 3, 1919, is hereby amended to read as follows:

"SEC. 3. The Secretary of War is hereby authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such hospital furniture and equipment, including hospital and medical supplies, motor trucks, and other motor-driven vehicles, in good condition, not required by the War Department, as may be required by the Public Health Service for its hospitals."

SEC. 7. That immediately upon the passage of this act the Secretary of Labor shall transmit to the Attorney General a full and detailed statement covering transactions of the United States Housing Corporation with architects, contractors, subcontractors, utility companies, and others, in matters covered by the recommendations of the Committee on Public Buildings and Grounds of the Senate in the report submitted December 16, 1919, pursuant to S. Res. 210 (Rept. No. 336), and if in the opinion of the Attorney General such action would be consistent with the best interests of the Government, he shall cause to be instituted the necessary legal proceedings looking toward the recovery of any and all sums of money paid or loaned in excess of amounts legally due the said architects, contractors, subcontractors, utility companies, and others, under the terms of their contracts with the Housing Corporation.

SEC. 8. That the Secretary of Labor immediately upon the passage of this act shall cause to be instituted such legal steps as are necessary to wind up the affairs of the United States Housing Corporation, so as to dissolve the said corporation and all other corporate agencies heretofore and now exercising the powers and authority granted by the act of Congress approved May 16, 1918, and other acts and parts of acts amendatory thereof, and to make effective on June 30, 1920, the transfer to the Treasury Department provided for by this act: *Provided*, That on June 30, 1920, the Secretary of Labor shall report to Congress in accordance with the provisions of the act of Congress approved July 19, 1919, entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes" (United States Housing Corporation), and in addition thereto shall furnish a detailed statement showing all real and personal property acquired under and by virtue of the provisions of the act of Congress approved May 16, 1918, and other acts and parts of acts

amendatory thereof; showing the use to which each piece of property was applied and showing all property disposed of, together with the cost and the amount received from the sale of the same: *Provided further*, That the Secretary of Labor shall furnish a copy of the said report to the Secretary of the Treasury.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. SMOOT. Mr. President, merely for the RECORD, I desire to ask the Senator from Maine if this bill is in the identical language of the bill which he states has heretofore passed the Senate?

Mr. FERNALD. Yes, sir; it is.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. FERNALD. I move that the Senate request a conference with the House of Representatives on the bill and amendment, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the President pro tempore appointed Mr. FERNALD, Mr. SPENCER, and Mr. TRAMMELL conferees on the part of the Senate.

THE LINCOLN MEMORIAL.

Mr. WARREN. From the Committee on Appropriations I report back favorably without amendment the joint resolution (H. J. Res. 316) relating to supervision of the Lincoln Memorial. It consists of a few lines, and will, I am sure, occupy no time. I ask for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That in the exercise of its control and direction for the construction of the Lincoln Memorial authorized by act of Congress approved February 9, 1911, the commission created by said act shall designate to perform the duty of special resident commissioner, to represent the commission in the oversight of the work, the Hon. John Temple Graves, recently appointed a member of the Lincoln Memorial Commission, as the successor of the Hon. Joseph C. Blackburn, deceased, and for the special service of the member so designated he shall be entitled to receive compensation at the rate of $5,000 per annum out of the appropriations for the construction of such memorial.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of South Carolina:

A bill (S. 4123) for the relief of Jesse C. Dennis and William Rhett Eleazer; to the Committee on Post Offices and Post Roads.

A bill (S. 4124) granting an increase of pension to James W. Gray, jr.; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 4125) for the relief of a certain estate; and

A bill (S. 4126) for the relief of Edward C. Roser; to the Committee on Claims.

By Mr. HARDING:

A bill (S. 4127) for the relief of certain estates; to the Committee on Claims.

A bill (S. 4128) granting a pension to John F. Flaherty; to the Committee on Pensions.

THE MERCHANT MARINE.

Mr. MCNARY submitted an amendment intended to be proposed by him to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SUTHERLAND submitted an amendment proposing to appropriate $3,500 for salary of the Librarian of the Senate Library, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CAPPER submitted an amendment proposing to increase the appropriation for salaries, travel, and other necessary expenses of employees of the Agricultural Department outside the city of Washington engaged in field investigations from $168,076 to $370,000, etc., intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to increase the appropriation for salaries, travel, and other necessary expenses of employees of the Agricultural Department outside the city of Washington engaged in field investigations from $168,076 to $216,562, etc., intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and be printed.

Mr. HARRISON submitted an amendment proposing to increase the appropriation for investigations of insects affecting truck crops, etc., from $110,000 to $131,760, intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and be printed.

Mr. GAY submitted an amendment proposing to increase the appropriation to enable the Secretary of Agriculture to carry into effect the provisions of the act of April 26, 1910, known as the insecticide act, from $85,000 to $117,000, etc., intended to be proposed by him to the Agricultural appropriation bill, which was ordered to lie on the table and be printed.

COTTON IN STORAGE.

Mr. SMITH of South Carolina. I send to the desk a Senate resolution for which I ask immediate consideration. It simply asks for certain information from the Census Bureau, which it is very important the Senate should have.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The resolution (S. Res. 340) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Director of the Census is hereby requested to furnish to the Senate at the earliest possible time the number of bales of so-called unspinnable cotton including gin cut, water packed, perished fiber, and linters, in public storage and at concentrating points.

CONGRESSIONAL COMMISSION TO VIRGIN ISLANDS.

Mr. KENYON. I ask that the testimony taken by the commission which was appointed to visit the Virgin Islands be printed, and I ask that the request be referred to the Committee on Printing.

Mr. SMOOT. Perhaps it would be better to request that the testimony be referred to the Committee on Printing with a view to having it printed as a public document.

Mr. KENYON. I desire to make that request if it is the usual form followed in similar instances.

Mr. SMOOT. It is the usual form.

Mr. KENYON. Then I make the request as suggested by the Senator from Utah.

The PRESIDENT pro tempore. Without objection, the request made by the Senator from Iowa is granted, and the testimony will be referred to the Committee on Printing for action.

HOUSE BILL REFERRED.

H. R. 13108. An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes, was read twice by its title and referred to the Committee on Naval Affairs.

AGRICULTURAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, under the subhead "Forest Service," on page 34, line 25, before the word "clerks," where it occurs the second time, to strike out "nineteen" and insert "twenty-six"; on page 35, line 1, before the word "clerks," to strike out "twenty-one" and insert "twenty-eight."

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, I desire to make a few observations on this measure. I do not know that it is necessary to do so in order to aid its enactment, because I believe that the Senate will pass the bill anyway; but I desire to make some comments in reference to the protection of forests, and incidentally the cooperation between the States and the Federal Government in the use of the Air Service.

This bill very properly takes care of the forests in the several States of the Union, and on page 98 it proposes to add to the amount provided for in the bill as it came from the House for the cooperation of the Federal Government with the States.

As the bill came from the House it provided:

Fighting and preventing forest fires: For fighting and preventing forest fires, $250,000, or so much thereof as may be necessary, but not to exceed $150,000 of this fund shall be expended except in cases of extraordinary emergency.

That has been added to by an amendment of the Senate committee. I desire to commend the course of the committee in that regard, and I think their action will be sustained by the Senate.

Mr. GRONNA. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from North Dakota?

Mr. CHAMBERLAIN. Yes.

Mr. GRONNA. I desire to say to the Senator from Oregon that the amendment to which he refers was proposed by his colleague, the junior Senator from Oregon [Mr. McNARY], and is designed to provide $60,000 for the maintenance of an air-patrol service, in order to enable the War Department to cooperate with the Forestry Service.

Mr. CHAMBERLAIN. I understood the amendment had been suggested by my colleague, and I am glad the committee acted favorably upon it. The provision proposed to be added by the Senate committee is—

And to enable the Secretary of Agriculture to cooperate with the War Department in the maintenance of an air patrol for fire prevention and suppression on the national forests of the Pacific coast and the Rocky Mountain regions, $60,000; in all, $310,000.

The problems of the war and of the period since the war have emphasized more than at any previous time the importance of forests to our industries. We have had such an abundance of available timber resources in this country that we have not appreciated the part that these have played in our everyday life. Until comparatively recently it has been possible to obtain lumber in abundance at reasonable prices.

We have, however, been drawing on our original supplies, and even to-day 85 per cent of the lumber found in the general market comes from original timber—that is, from trees from 125 to 250 or more years of age. As one timber center has been cut, the extension of transportation has enabled the opening up of new areas. Thus, we have seen the original forests of the Northeastern States exhausted, then the Central States, then the Lake States, and the center of lumber production finally transferred to the great pine forests of the Gulf States. It now comes as something of a shock to the country to learn that these supposedly inexhaustible pine forests are approaching an end. The original bodies of pine timber in the South—that is, those which are of importance for large quantity production—will be cut out within 10 to 15 years at the present rate of production. This does not mean that every tree will be cut, but that the old growth forests which support the great lumber mills will be largely cut out.

EFFECTS OF FOREST DEPLETION.

The effects of forest depletion are felt long in advance of the cutting of the last tree. The effects are felt just as soon as the production of a given region begins to fall off to a point where the timber from that region is no longer of importance as a competitive factor in the market. We are still cutting white pine in Minnesota, but that region has long ceased to be a factor in the competitive market and the stumpage has progressively risen to $12 to $16 a thousand.

Precisely this is happening in the South to-day, as the Senator from Louisiana [Mr. GAY], who sits near me, I think, will testify. Until recently southern pine has dominated the principal markets of the country. This means chiefly the markets of the East, because the largest per cent of the consumers of lumber live east of the Rocky Mountains. Recently southern yellow pine has been rapidly yielding to the Pacific coast timbers, especially Douglas fir from Oregon and Washington, in the chief competitive fields, so that to-day in many of the central western markets Douglas fir is being used in increasing quantities and southern yellow pine is gradually being withdrawn as a competitive factor. The high price of lumber in the general market is determined not by southern yellow pine, as formerly, but by Douglas fir from the Pacific coast. That is, the purchaser of lumber to-day pays the equivalent of the value of Douglas fir plus freight from the Pacific coast.

INCREASING IMPORTANCE OF WESTERN TIMBER.

This means that for the grades of lumber which can be obtained only from the original forest the country must turn more and more to the Pacific coast. It means that the forests of the Pacific Northwest assume a national significance. They represent a great asset for the Nation which every wood-consuming industry and every purchaser of lumber has a direct interest in seeing properly husbanded, carefully utilized, and perpetuated. We may well deplore the reckless waste with which our eastern forests have been progressively used up and destroyed. The very economic consequences of this dissipation of the eastern forest resources which are now being felt so generally emphasize the absolute necessity for the Nation itself to vigorously take hold of the forestry problem.

The first step in this is to prevent further devastation of such forests as the country has left, and the place to begin is to safeguard the forest resources which are owned by the people themselves—that is, the national forests. The committee of the Senate, and I may say also the committee of the House, have shown by their action that they do not propose to be niggardly in taking steps for the protection of our forests, realizing, as they do, and as they have done for a number of years past, that our forests constitute one of the greatest elements of value to the whole Nation.

THE NATIONAL FORESTS.

The dissipation of our forest resources has resulted primarily from faulty public-land policies. We may be proud of the results of our homestead laws, based, as they were, upon the wise principle of getting the agricultural lands of our country into the hands of the small-home builder. In the early days, however, recognition was not given to the fact that there are large areas wholly unsuitable for agriculture and settlement, which serve their best purpose in the long run in the production of timber. The result was that in the early days no attention whatever was paid to the forests of the public domain. Fires were allowed to burn unchecked and millions of dollars worth of damage was done every year. Enormous timber frauds were perpetrated on the Government under which great areas of public forests wholly unsuited to agriculture passed into the hands of great timber barons.

A number of years ago the policy regarding our public forests was changed and large areas were set aside as national forests, now aggregating about 155,000,000 acres. The forestry policy of the Government, the policy that was adopted of setting aside these forest areas, was condemned and denounced as an unwise policy at the time it was inaugurated; and Members of the Senate will remember that Mr. Gifford Pinchot, who was one of the early advocates of the larger withdrawals, was denounced in many parts of this country for the policy he was urging. I assert, however, that if it had not been for that policy, which withdrew these magnificent forests from private acquisition by a few great timber barons, the forest lands of this country would have been lost to the general public and placed in the hands of a few individuals. I think, now, the people are beginning to commend the policy that was then adopted, instead of condemning those who were the authors of it.

These large areas have been under the administration of the Forest Service in the Department of Agriculture for approximately 15 years. During that time there has been built up a system of fire prevention which involves various improvements in the forests, such as trails, fire lines, lookout points, telephone communications, and so forth. It involves also an organization of men prepared to detect fires and to extinguish such as start.

Adjacent to the national forests and interlocked with them are State lands and private lands. It has been recognized that fire prevention requires a coordinated system applicable to all lands regardless of ownership. It is fruitless for one owner to employ preventive measures on his lands when his neighbor's land is unprotected and a constant menace. In the Northwestern States the Forest Service, the States, and private owners have worked out such a coordinated system of fire protection, which is effective so far as it goes.

We have not fully mastered forest fires. Although excellent work has been done by the Government and other agencies in the Northwest in their efforts to prevent fires, there is still every year a loss far beyond what the public can afford to have occur. It is not merely a question of pecuniary loss in timber, but the destruction of a usable product which requires from 75 to 150 or more years to produce. This is quite aside from the damage which is actually being done every year to the watersheds of rivers of enormous importance to irrigation and manufacturing enterprises.

It should be recalled that the forests of the Northwest are almost wholly coniferous. It should be recalled also that we have a long dry season. In some years there may be no rain at all in certain places for periods as long as 90 days. Under such conditions the soil dries out to a great depth and the surface cover becomes thoroughly desiccated. At such times there are apt to be heavy and constant winds. A small fire set by lightning, by a careless smoker, or from a locomotive spreads under these conditions very rapidly and if not quickly extinguished soon becomes a real conflagration.

Great progress has been made in recent years in educating the public to better care in the matter of fire in the woods. The danger from the negligence of campers has been greatly reduced, but a certain number of fires are inevitable every year from carelessness; and we always have the great unpreventable cause of fires—that is, lightning.

This last year, in spite of the best efforts of the Forest Service, there were 6,800 fires started in the national forests that had to be fought by the protective force. A good many

of these fires were quickly discovered and extinguished before they had covered more than a few acres. Over 70 per cent of these fires were put out before they reached 10 acres. Several hundred fires, however, were in localities where they could not be discovered quickly or could not be reached quickly, and these did a very large amount of damage.

The greatest damage was in the northwestern region, where some of the most valuable timber remaining in the country is located.

The immensity of it is hard to realize; and it is for that reason that I am undertaking to place this statement in the RECORD, so that in the consideration of the protection of the forests in the future the Congress may have some of these figures before them. There was burned over altogether approximately 2,000,000 acres within the national forests, with a damage amounting to about $4,000,000. In addition, it cost the Government approximately $3,000,000 to meet the great emergency of last season. The summer of 1919 was the dryest in the Northwest of any year since 1889. The conditions were therefore unusual. We must, however, expect severe droughts from time to time, and must be prepared to prevent such disasters as occurred last year.

These losses are greater than the country can possibly afford. We must not permit millions of dollars' worth of timber, or even hundreds of thousands of dollars' worth of timber, to be burned up.

Mr. STERLING. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from South Dakota?

Mr. CHAMBERLAIN. I yield.

Mr. STERLING. I wondered whether the losses from forest fires during the last year or possibly two years were not greater because of a depleted Forest Service force, many of the men having gone to the war, for example?

Mr. CHAMBERLAIN. That was a factor, of course; but I will say to the Senator that volunteers were ready at any time in the States, men who were not fitted for military duties, to assist in putting out these fires.

Mr. NUGENT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Idaho?

Mr. CHAMBERLAIN. I yield.

Mr. NUGENT. May I suggest to the Senator one further reason, and that is that a very considerable number of experienced forest men left the service, because of the comparatively small salaries paid to them, and entered other fields of industry, and that it was next to impossible to build up a sufficiently efficient organization last year to cope with these fires.

Mr. CHAMBERLAIN. The Senator is correct about it. Not only did these young men go into the service, as suggested by the Senator from South Dakota, but the men at the head of the Forestry Service went over and did their bit in protecting the forests of France and others upon which the Allies were compelled to rely for timber to carry on the war.

Take Forester Graves, for instance, as one, and others who were immediately under him. They went over, and some of them were decorated for the splendid service they rendered the Allies in the war, so that there was, as both Senators have suggested, some reason for the losses which occurred last year.

Every stick of our timber is needed. More than that, however, these are measurable damages. The national forests are at the headwaters of our rivers and streams upon which the West depends for water for irrigation, for power, and various other purposes. Many instances can be pointed out where the destruction of forests by fire has already had a serious influence on the character and volume of the stream flow. This is well illustrated in years like 1919, when the streams dried up quickly where the slopes had been stripped of their forests, and there was a much more sustained flow where the forests had not been injured.

VALUE OF THE TIMBER.

The volume of timber standing in the national forests in the Northwest and in California aggregates something like 400,000,000,000 feet, board measure. This represents fully three-fourths of the timber which is still in the hands of the Nation. At a valuation of $1 a thousand this represents a tangible value of $400,000,000, and it is a value which is increasing each year; and I may add here that the value I have placed on it as an estimate is extremely low.

In addition to the Government timber there is an immense amount of State and private timber which should also be safeguarded as a resource available for industrial use. It has been estimated that private timber in the region in question amounts to from twelve to fifteen hundred billion feet, board measure. Every private owner has a definite responsibility to handle his lands in such a way that there will not be injury to the public. He must not be permitted to devastate his property and thereby jeopardize his neighbors and the public at large. In practice, however, the individual private owner is helpless unless there is cooperation and assistance of the public.

The character of the public forestry problem is such that the public itself must take the lead. It is absolutely necessary that the public adequately protect its property and take the leadership in the organization of a fire protective system, in which all private owners will be required to participate generously, making such contributions as are equitable and necessary. The public interest in the protection of all the forests of the country is such that it can well afford to contribute liberally, at least in the protection of its own property and in cooperating so as to bring about an efficient protective system on lands which are privately owned.

NEED OF AIR PATROL.

Forest patrol by aircraft is proposed not as a substitute for the system which is now in effect. I am calling attention to this, Mr. President, because a disposition has been shown upon the part of Congress, after billions of dollars have been expended in the development of the airplane, now to abandon it. This disposition is being shown notwithstanding the fact that Great Britain, Italy, and France are spending immense sums for the purpose of developing the airplane to its highest possible development, and for the training of aviators as well. Here is a use to which the airplane may be put in the United States which will not only encourage the development of the airplane but will lead to the training of men who shall operate airplanes in times of peace and in war. I am going to call the attention of the Senate particularly to the splendid work that was done experimentally by airplanes during the fires of last season, which were very destructive; and if it had not been for this service cooperating with the State services and with the Forest Service of the Government, nobody can tell what the losses might have been in the great forests of the Northwest.

What is sought is to supplement the present system so as to make it more effective and to enable us really to conquer the greatest menace to our forest resources. The present system of detecting fires has definite limitations which prevent a 100 per cent efficiency. Supplemental air patrol is just what is needed to overcome the difficulties of the ordinary ground-preventive system.

The experience in California and other States last summer has demonstrated a number of important facts regarding air patrol.

California was the seat, the home, of the airplane, in a measure, because there were more fields there for the use of the airplane than anywhere else; so that, taking it as a point of beginning, there were greater possibilities than in the other States.

1. A moving observer can pick up many fires which are hidden from a stationary observation point. Frequently a fire in a canyon or on the far slope of a mountain may gain considerable headway before the smoke rises high enough to be observed from the ordinary lookout point. The quick discovery of a single fire may result in enough saving to cover the entire amount asked for by the Department of Agriculture for this work.

The possibilities of the airplane were very clearly shown in the magazine sections of nearly all of the large papers the other day in a picture of an airplane flying over the crater of the sleeping volcano Lassen, in California, taken by another airplane photographing the one below. This proves that the airplane can get right to the point for anything that is needed to be seen in the forests and in the danger sections of forest fires.

2. Frequently a distant fire is discovered from a lookout point, but it is impossible to determine its character and the probable number of men needed to extinguish it with any degree of accuracy. Under such circumstances a guess is made and a crew is sent out, which may prove to be either too many or too few. If the country is an undeveloped one, it may take from one to three days to reach the fire, when it will have become a conflagration. If too many men are sent, there has been a waste of money; if too few men are sent, the fire gets out of hand and a great loss ensues. It would require but a very short time for an airplane to inspect and report upon such a fire, enabling the dispatch of men and equipment adequate to extinguish it.

3. The airplane is of great value in directing the work of fire suppression. In the case of a large fire it may take 24

hours or more to make a study of the situation to determine just where the fire fighters should be located. With an airplane this can be determined in a very short time. The same is true in watching the work as the fire fighting progresses. Costly mistakes may thus be avoided and in the long run a great saving made.

4. The moral value of the air patrol is very great. The prevention of carelessness among people who use the woods is one of the greatest needs of to-day. The air patrol is a constant advertisement of the need of care in the woods. It has also an important effect on law enforcement. The existence of such a system, with airplanes flying about, is a notice served on every law breaker in the country.

5. Incidental to the active patrol work, the aviators should be able to do a great deal of mapping, which would be of immense service, not only in the protective work but in the handling of the various other administrative problems of the forest.

COST OF THE ENTERPRISE.

The design is to make the forest patrol incidental to the training of the aviators. It is not proposed to build up a special and additional service in the Army for forest patrol. The Army will have to maintain a certain establishment anyhow, with its planes and all of the incidental expense of operation. If at the same time this establishment can render a civil as well as a military service, it is a great gain to the Government.

There are certain expenses, however, which the Army should not properly be charged with, and the War Department has asked the Forest Service to assume these expenses. They amount altogether to $60,000, and that is the amount included in this bill. These cover the expenses of employees of the Forest Service located at the different bases and subbases of the Air Service, men who constitute a sort of liaison between the Air Service and the regular patrol service of the forests. There are also expenses connected with certain improvements, as in the construction of pigeon lofts for the carrier pigeons used in sending messages and improvement of emergency landing fields. The Air Service will furnish the pigeons which will be needed, but the Forest Service will be expected to maintain them. And, finally, there will be expenses connected with the conferences, which should be held at least once a year and probably oftener, of forest officers and members of the Air Service to plan their work and to receive personal instructions in working out the various technical problems.

Mr. OVERMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from North Carolina?

Mr. CHAMBERLAIN. I yield.

Mr. OVERMAN. Under the amendment which the Senator is discussing I notice that this Air Service is limited to the national forests of the Pacific coast and the Rocky Mountain section. If it is good for that section, why would it not be good for other sections?

Mr. CHAMBERLAIN. There is not any question about that, but this is particularly for the national forests, which hold the largest body of timber.

Mr. OVERMAN. I understand, but they are all national forests, wherever located.

Mr. CHAMBERLAIN. I would be glad to have the bill amended so that the Air Service might function anywhere.

Mr. OVERMAN. That is the reason why I asked the question.

Mr. CHAMBERLAIN. The only reason why it was confined to that section was because it is the only section that seemed to be demanding it at the hands of the committee; and besides, as I have stated to the Senator and have tried to show here, practically all the timberlands which now belong to the people as a whole are located in the national forest reserves in the West.

Mr. OVERMAN. There is no doubt about that, but there are some reserves in the southern country that ought to be protected.

Mr. CHAMBERLAIN. I am in accord with the Senator's views, and we will cooperate with Senators from any section of the country in having the service extended.

Mr. OVERMAN. I know the Senator is always broad and liberal in such matters, and that is the reason why I asked him the question. I hope he will pardon me for interrupting him.

Mr. CHAMBERLAIN. I am glad to be interrupted, and if the Senator will draw an amendment that will assist in extending the use of this air patrol to other sections, I will promise him that I shall do all I can to get it through, because, aside from forestry protection, it will aid in the training of aviators and in preparing for war in case war ever comes.

Now, Mr. President, I want to call attention briefly to the history of the development of the use of the airplane in forestry protection.

HISTORY OF AIR PATROL.

Mr. C. E. Rachford, acting district forester, in a report on airplane forest-fire patrol, gives the history of the movement in California so clearly that I quote from it as follows:

> The first mention of the use of the airplane, so far as is now known, in connection with forestry fires, dates back to 1909, when a resolution adopted at a meeting of the forest supervisors held in El Paso, Tex., called attention to the possibilities of this method of fire patrol on the national forests. The first actual use of aircraft in this connection was made in Wisconsin in 1915. At that time a Curtiss four-passenger flying boat, equipped with a Curtiss eight-cylinder V-type 100-horsepower motor, owned and operated by a Mr. L. A. Vilas, made daily flights, rising from Big Trout Lake over some of the Wisconsin State forests. The ship so used had an air speed of 62 miles and a climbing capacity of 1,000 feet in three minutes. Flying at an average altitude of 1,000 feet above the terrain, the operator was enabled to get a view of about 40 miles in every direction. He returned to his original base, which was Big Trout Lake, to land and report to the State forestry officials any fires that he might detect.

Early in 1919 the Forest Service requested of the War Department that cooperation in fire protection by means of airplane fire patrol be given by the Air Service as an experimental measure and on national forests in the vicinity of regularly established aviation fields. This request was met by the War Department and Air Service personnel, both in Washington and at local fields, with an exceedingly gratifying spirit of willingness.

Organized and sustained aerial forest fire patrol was, therefore, first attempted during the season of 1919. The service was first inaugurated in California. The work was performed by the Air Service using its personnel and equipment. It was on an experimental basis, with the idea of determining the feasibility of using aircraft for this purpose by the actual establishment and operation of regular patrols rather than by means of a few test flights.

Beginning June 1 air patrol was begun from Mather Field, near Sacramento; from March Field, near Riverside; and from Rockwell Field, near San Diego. The individual routes as established and followed were as follows:

From Mather Field there were two routes, the first going via Placerville, Auburn, and Nevada City to Oroville, with a return trip in the afternoon over the same route. This covered the major portion of the Tahoe and the north end of the Eldorado National Forests. The second patrol was from Mather Field to Placerville; thence south over the Eldorado Forest to Chinese, on the Stanislaus Forest; the return being over the same route in the afternoon; and the territory covered including the south half of the Eldorado and the greater portion of the Stanislaus Forests.

From March Field two routes were established. The first covering a circle on the Angeles Forest, touching on its west the San Antonio Canyon, zigzagging eastward along the south slope of the San Bernardino Mountains to about the mouth of Mill Creek; thence returning to the base at March Field. The second route circled eastward to the south side of Mill Creek, on the Angeles Forest, swinging south over Banning, and covering the west slope of the San Jacinto Mountains and the heads of the San Jacinto River, on the Cleveland Forest, turned back to its base. These routes thus covered the Angeles and a portion of the Cleveland National Forests.

From Rockwell Field: One patrol route, covering the central portion of the Descanso district and the northeastern side of the range on the Palomar district, thus completing a patrol of the entire Cleveland Forest.

Thus, beginning July, five daily patrols covering national forest areas of exceptionally high values were in operation, and twice each day five ships covered the better part of some 6,000,000 acres of rough, mountainous, heavily timbered country. The average nonstop run was in the neighborhood of 160 miles, the average round trip some 320 miles.

The opening of the hunting season in northern California in August witnessed a critical flare-up of fires. An unusual number of fires was reported, and for various reasons several of them assumed alarming proportions. The California situation became critical, and in view of past experience and of the situation then prevailing in Idaho, Montana, Oregon, and elsewhere, additional precautionary measures became necessary. Extension of the air patrol to cover practically all the national forests in California was asked by the Forest Service and was as promptly granted by the Western Department Air Service. Two new bases, one at Red Bluff and the other at Fresno, were promptly established.

Existing air patrol routes were modified. The Curtiss planes were replaced by De Haviland 4s, and on September 1 complete patrol twice daily of 15 out of the 17 national forests in

California was inaugurated. No patrol was attempted east of the Sierras on the Inyo and Mono National Forests because of the relative lack of fire risk.

From Red Bluff the first of these new routes led east and north around Mount Lassen, across Hayden Hill, to the landing field at Alturas. The afternoon run went west across the Modoc to the Shasta lava beds and the vicinity of Mount Shasta, south on the divide between the Pitt and McCloud Rivers to Round Mountain, east to the eastern edge of the Lassen, and south and west again to Red Bluff. The second patrol out of Red Bluff went west to the California Forest, north along a divide west of the Sacramento Canyon to Delta, thence west over the Sawyers Bar country, in the Klamath, over the Salmon River and Klamath River country, and back to the field at Montague. The afternoon run, which was, by the way, the longest single leg on any patrol in California, covered the country from Montague west and south over the Salmon River country, south for the full length of the Trinity National Forest on the coast side and south for the full length of the California Forest on the coast side to a landing field at Lakeport. From Lakeport the return to Red Bluff was made via the valley side of the California Forest.

The first patrol from Fresno went east into the high country, north over Huntington Lake and the Yosemite to the landing point at Chinese, which was the southern run of the second of the Mather Field patrols. The return trip was made over the same route in the afternoon. The second Fresno patrol went east over the high country, south across the Sequoia Park and the Sequoia Forest to Bakersfield. The return trip was made again over the same route in the afternoon.

On or about September 1 the daily sustained airplane patrol was being given to 15 of the 17 national forests in district 5, and in addition to the service rendered by regular forest patrols, aviators on cross-country flights, and student and other balloon observers at Arcadia were under instructions to report promptly to the proper authorities any and all fires which they might discover.

In addition to these regular patrols by airplane, the Balloon School at Arcadia stationed a balloon at an elevation of about 3,000 feet where a view was had of the country on the south slope of the San Gabriel watershed between San Dimas and La Canada. This watershed was chosen because of its extreme importance to the citrus and other agricultural interests in the general vicinity of Los Angeles.

EQUIPMENT, PERSONNEL, LANDING FIELDS, ETC.

Beginning June 1 the Curtiss or JN–4–D plane was used on the patrols out of Mather Field. These planes were not equipped with wireless or with any special means of communication. It was, therefore, impossible to report fires discovered until after the planes had landed, either at the home field or at the landing field, at the end of the run. From March and Rockwell Fields the JN–4–H planes were used. These ships were equipped with wireless telegraph. Beginning, approximately, September 1 the De Haviland 4 was substituted throughout the State for the other two types mentioned. No wireless equipment was available on the De Havilands and reporting was done entirely after landing. The De Haviland plane proved apparently more satisfactory than the earlier type used because it could more easily negotiate the altitudes it was necessary to make in the central Sierra and northern California regions, and because, both on account of its speed and its larger gas capacity, it could cover more territory in a given length of time than could the Curtiss planes.

As a matter of fact, Air Service equipment and personnel was used throughout, except that the Forest Service furnished guards for the planes at temporary bases, such as Red Bluff and Fresno, and at landing fields outside of established bases, as at Chinese, Oroville, Alturas, and so forth, except, also, that local transportation at the bases and landing fields was furnished by the Forest Service or by the communities interested in securing the location of the fields.

Observation was accomplished by Air Service personnel, except, as quite often happened, forest officers took flights either for the experience, to get first-hand information as to the possibilities of airplane patrol, or on special occasions to get first-hand definite information about the fire situation in general or about conditions on some individual fire.

Wireless equipment was used somewhat from the two southern fields, as already mentioned. Carrier pigeons were also used to some extent in the South, as were notes attached to small parachutes and dropped from the planes.

The personnel in each plane for northern California made a practice of carrying a gun, canteen filled with water, and emergency rations for two men for seven days. Maps of various types were furnished by the Forest Service. The map most generally used by the Redding patrol was the General Land Office base map of California on a scale of 12 miles to the inch. For the patrol out of Mather Field specially prepared strip maps were used. Information for these maps was taken from the forest-recreation maps, from the General Land Office maps, and from other sources, and the maps were put in such shape that they might be used in connection with the regular roll-holder attachment. On the patrols in southern California, sheets 1, 2, and 3. This is issued on a scale of 1 to 250,000. It was ruled off into squares of 2 miles each, the abscissa being numbered and the ordinate lettered, so that a given fire would be reported as in block 24 T, for example. For the sake of durability, all maps were mounted on cloth, and for convenience in use in flying they were first cut to fold to a size suitable to fit the pockets of a flying suit, not greater than 6 by 8. All lettering and numbering was, for convenience, extended so as to appear on each fold of the sheet.

The landing fields at the end of each patrol were provided in each case by the city or town authorities. To be satisfactory such landing fields had to be level or with a constant grade not over 3 per cent, smooth enough that a Ford could run over them at 25 miles an hour, 2,000 feet long and from 600 to 800 feet wide, free from obstructions, such as telephone poles, wires, trees, and so forth. Facilities for gas, oil, and water were provided locally for each field, as was telephone communication with field. Meals while away from headquarters were provided by the State forester, and at the Red Bluff base a Forest Service man was designated as liaison officer and was stationed continuously at the base. Instructions were issued providing that all emergency landings were to be reported immediately by the regular lookouts, and necessary arrangements were made to succor and transport the pilot, guard the plane, and guide and assist the wrecking crew. Prompt transmission of the pilots' reports was provided for, as was also, toward the latter part of the season, a daily return report, so that all pilots might check their fire locations with the actual locations as determined on the ground. Emergency landing fields were very seldom used, for the ships seemed apparently to be in excellent condition throughout the summer, and very little serious trouble was encountered. That ranches and natural openings, such as meadows in the high country, were used on occasion is demonstrated by the experience fairly early in the season of one of the patrols operating out of Mather Field on the run to Chinese Flat. The pilot in this case had covered about two-thirds of his run when suddenly the entire right bank of his motor stopped like a shot. The pilot, from an altitude of 7,000 feet, picked a small opening as an emergency landing place and dropped some 5,000 feet into a strange field hardly bigger than a dinner plate. The landing was made without a scratch to himself and with only minor casualties to the plane, although in order to make a "safe" landing it was necessary to pivot on one wing, tearing it somewhat, and at the same time dishing the wheel.

ACTUAL ACCOMPLISHMENTS OF AIRPLANE PATROL.

The outstanding feature of airplane patrol in California during 1919 was the fact that with no previous planning daily and practically uninterrupted service was continued from June 1, the date originally set, until October 31, the end of the fire season. In fact the patrol was so regular that the press of California, in commenting upon it, carried a story to the effect that miners and ranchers living back in the mountains actually set their watches each morning as the patrol went by.

For the period June 1 to August 30 five patrols—all that had been asked for—covered twice each day an acreage of some 5,035,142 acres of land within five national forests, and in addition an unestimated acreage of private lands outside the forests was also covered. The Government timber patroled during this period is estimated at 20,219,565,000 feet, board measure, worth some $40,439,130. In accomplishing this work a total of approximately 745 flights actually covered 92,605 miles. There were discovered, located, and reported a total of 118 fires, 23 of them being both discovered and reported in advance of the regular Forest Service detection organization, which was, since the airplane was experimental only, still on the job.

Beginning September 1 airplane patrol was extended to cover 15 out of the 17 national forests in the State. From September 1 to October 31 daily airplane patrol covered then some 21,484,368 acres of land within the national forests, on which was growing 105,112,460,000 feet of Government timber, worth some $210,224,920. In addition to the figures given above, a very appreciable acreage of private timberlands outside the national

forests was covered by the patrol, and it is entirely probable that the figures for stumpage and for the value of that stumpage might appropriately be doubled if the total amount and value of all timber covered by airplane patrol in California were sought.

The total number of flights, number of miles covered, fires discovered, and so forth, for the entire season—June 1 to October 31—is, according to data received, as follows:

Field.	Number flights.	Number miles.	Total number fires discovered.	Number fires discovered first.
Mather		47,658	155	
March		68,549	147	
Rockwell		36,854	24	
Red Bluff		29,239	107	
Fresno		19,709	9	
Total		202,009	442	27

Further consideration of actual accomplishments is discussed under the heads of prevention, detection, location, report, and suppression.

Prevention: There is but one source of unpreventable fires—lightning. All others are caused through some human agency and might, therefore, be prevented had the general public been properly educated and had the necessary preventive measures been taken by Federal, State, and private interests. It follows, then, that to give the necessary publicity to the fire question is a matter of extreme importance. It is hard to overestimate the value of the airplane as an educational factor in fire prevention. It is an object which naturally lends itself to publicity in the daily press.

CONTINUATION OF AIR PATROL.

Experimental airplane forest-fire patrol in Oregon and California has proven a success, notwithstanding the fact that the work was undertaken without previous experience, either by the aviators or by the Forestry Service, with limited equipment and personnel, and without any opportunity of preparation on the part of the Air Service, and without preparation, proper planes, funds, knowledge of airplanes, limitations, and possibilities by the Forestry Service. It has proven such a success that an airplane forest-fire project covering the national forests of the Western States has been proposed by the Air Service to the Secretary of War through the Chief of Staff. The project contemplates the organization of five airplane squadrons by the Air Service, to be known as forest-patrol squadrons, each of these squadrons to have a personnel of 32 officers and 132 enlisted men and 19 airplanes. Under the proposed project the squadrons will be stationed during the forest-fire season at appropriate and feasible places in California, Oregon, Washington, and Montana, with subbases, amongst other places, at Eugene, Medford, and La Grande in Oregon; at Spokane and Camp Lewis in Washington; at Boise in Idaho; at Cody in Wyoming; at Helena and Missoula in Montana.

The Forest Service, acting in cooperation with private owners of timber, will, of course, contribute to the work of providing necessary maps for use on patrol, ground for bases, subbases, emergency landings, telephone communication between bases and subbases, and protection agencies, the necessary personnel for receiving and dispatching reports at bases, subbases, and landings, lofts for pigeons and for the training of the birds, instructions to its personnel by attendance at a course to be conducted by Air Service officials at such places as may be designated, in order to qualify them for their duties under the cooperative plan.

The patrol will cover, more or less extensively, the Federal, State, and private timber in the States of Washington, Oregon, California, Idaho, Montana, and northwest Wyoming, and it is estimated that the timber in these States amounts to approximately 1,524,000,000 feet board measure, which is worth, at a most conservative valuation, not less than $1 a thousand feet. It is divided between the States as follows: Oregon, 547,000,000; Washington, 395,000,000; Idaho, 130,000,000; Montana, 68,000,000; Wyoming, 2,000,000; California, 382,000,000.

The several States in which are situated these forest reserves, as well as individual owners of timberlands, realizing the great value of this timber, have been cheerfully cooperating with the Forestry Service, and will the more cheerfully continue this cooperation because they realize the great possibilities of protection against forest fires by the use of airplane patrol.

The national forests in Oregon patroled by the airplane patrol in 1919 were:

Area and valuation of national forests in Oregon.

Name.	Area.	Value.
	Acres.	
Cascade	1,091,485	
Crater	1,079,325	
Oregon	1,140,866	
Santiam	719,983	
Siskiyou	1,255,250	
Siuslaw	833,441	
Umpqua	1,221,391	
Total	7,344,741	[1] $79,431,250

[1] Total value of estimated stumpage at about $1 per thousand feet b. m.

TRAINING OF AVIATORS.

The World War demonstrated that the airplane was absolutely essential to success in modern warfare. It was the eye of the Army, observing the movements of troops, photographing the terrain over which battles were to be fought, and directing the fire of the artillery. The Allies and the Central Powers vied with each other in the development and the improvement of the different classes of airplanes necessary for military use, and, realizing the necessity of further development, the British, French, Italian, and other Governments are appropriating large sums of money to continue the aviation service, to develop higher types of planes, and to train aviators. The United States alone has seemed reluctant to continue this work in time of peace, failing to profit by the expensive lessons of the war, which found us wholly unprepared in airplane development and production; nor did the expenditure of over a billion dollars enable us to place more than a few hundred planes on the battle front before the armistice was signed.

Here, however, is a practical use to which the Air Service may be put, the airplane developed, and aviators trained, so that in the event of war we will not only have the highest type of machines but the highest class of trained men to operate them.

Mr. President, this is all I have to say. I simply wanted to call the attention of Congress to the actual work done by the air fire patrol and the immense saving made to the country by reason of the participation of the fire patrol with the Forestry Service, in cooperation, of course, with the States and with private owners. I hope that as this bill comes up for consideration each year Congress will realize more fully the importance of the national forests to our industrial life and that larger appropriations, if necessary, will be made in order that the national forests may be absolutely and fully protected for all time to come.

Mr. GAY. I desire to offer an amendment to the pending bill. I ask to have it lie on the table and be printed.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Without objection, it is so ordered.

Mr. HARRISON. I desire to offer an amendment to the pending bill, which I ask to have printed and lie on the table.

The PRESIDING OFFICER. That action will be taken. The question is on agreeing to the amendment reported by the committee, which will be stated.

The ASSISTANT SECRETARY. On page 35, line 2, under "Forestry Service," it is proposed to strike out "nine" and insert "twenty-nine," so as to read:

Twenty-nine clerks, at $1,500 each.

The amendment was agreed to.

Mr. UNDERWOOD. Mr. President, in connection with the pending bill, being a great supply bill to aid agriculture, I do not think there is any more important question to the agricultural interests of the country than an adequate supply of nitrogen. There is a most important bill now pending before the Committee on Agriculture and Forestry seeking to vitalize the war expenditures of the Government for the collection of nitrogen so that it may be used for agricultural purposes.

There has been published in some of the hearings a letter that I would like to have appear in the RECORD. It is a letter from the Secretary of War to the Senator from New York [Mr. WADSWORTH] in reference to that bill, and inclosing a letter from Mr. Arthur Glasgow, who had charge, to a large extent, of the development of these nitrate plants. Instead of taking the time of the Senate now to read those letters into the RECORD, I ask unanimous consent that they may be printed in connection with my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letters are as follows:

WAR DEPARTMENT,
Washington, October 29, 1919.

Hon. JAMES W. WADSWORTH, Jr.,
Chairman Committee on Military Affairs,
United States Senate.

MY DEAR SENATOR WADSWORTH: I inclose a proposed bill providing a method of conducting operations at the United States plant No. 2, at Muscle Shoals, Ala., authorizing the expenditure of such additional sums as are necessary to equip the plant to turn out fixed nitrogen in available form for agricultural uses. I shall be grateful if you will introduce the bill into the Senate, where a discussion can be had upon it from both points of view, namely, first, the importance of maintaining this great enterprise as a military asset for the production of nitrogen for explosives, independently of importations; and, second, the contribution which can be made to the farmers of the country by increasing the available supply of nitrogen for fertilizer.

The investment of the Government in this great plant approximates $70,000,000. In addition to that, under authority already granted by the Congress and by direction of the President, a dam is being constructed at Muscle Shoals which will incidentally improve navigation of the Tennessee River, but the primary purpose of which is the development of an immense water power to be used in connection with the fixation of nitrogen, should the electrical process remain the most economical for that purpose. This investment can only be salvaged by continuing the operation of the enterprise and by improving the processes, with a view to further economies and consequent reduction in price for available nitrogen for agricultural purposes. If we allow the plant to stand idle it will not only deteriorate, but will become obsolescent, while if it can be continued in operation the forward steps in the development of the process can be currently installed, and, should any emergency need arise, the plant will be up to date and ready for immediate use. Because this property now belongs to the War Department it seems wise that legislation affecting it should be introduced by the chairman of the Military Affairs Committee; but the major usefulness of the plant—practically its entire usefulness—in peace times will be to the agricultural interests of the Nation, and it is my hope that from both points of view the suggestion can receive sympathetic study.

It will be observed that the bill proposes operation by a corporation in which the Government will be the sole stockholder, rather than through one of the established bureaus of the War Department. The choice of such an instrument is dictated by the greater freedom with which the commercial and scientific undertakings of the plant can be carried on under such circumstances, and the operation of the Panama Canal Railroad is appealed to as illustrating the advantage of that form of operation in a somewhat analogous, though it seems to me more persuasive, instance.

When the bill has been introduced and referred, it will give me great pleasure to lay all the details of the present situation and such accurate forecasts as our engineers have been able to make before the committee for their consideration. The department believes that it will be possible with the outlay suggested in the bill to produce on a commercial basis recognized chemical products of high value and ready sale, even prior to the completion of the dam and the installation of hydroelectric power. When that end of the project is completed an even more favorable result will be obtained, and the value of the plant, particularly to the farmers, will be great and constantly growing.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

BRIGHTON HOTEL,
Washington, D. C., October 22, 1919.

The SECRETARY OF WAR,
Washington.

DEAR MR. SECRETARY: 1. With the return of our Military and Agricultural Commissions from Europe, our investigations have at last reached conclusions which can now be interpreted into definite recommendations regarding the disposition of United States Nitrate Plant No. 2, at Muscle Shoals.

A convincing feature of these recommendations is that each and every line of investigation, however distinct and whatever the predisposition of investigators, has led invariably to the same conclusions.

2. The war has demonstrated beyond dispute that no nation is safe which is dependent upon a foreign supply of nitrogen. National security demands an adequate domestic supply of high explosives, the consumption of which in modern warfare has been found vastly to surpass all expectations. The cause of the Allies was in constant jeopardy, because of the necessity of importing nitrates from Chile; it does not need Lord Fisher's recent articles, regarding the future of submarine warfare, to demonstrate the uncertainty of importing military supplies. But, while the fundamental requirement of national defense demands self-sufficiency in explosives, this necessity places the United States in a position of some comparative advantages, because only nations able to provide an adequate supply of fixed nitrogen can wage successful war against the United States.

The capture of atmospheric nitrogen, in efficiently utilizable form, now completing, are brought into continuously developing service, they and their products are likely to be obsolescent and useless in the strenuous competition of future warfare. The only way to secure that these plants shall be always immediately available for most efficient military service, and for most efficient economical extension in case of need, is to operate them continuously, whether in peace or war. Fortunately, from this point of view, nitrogen is as essential in peace as in war. It is necessary to preserve life as to destroy life; and is the most expensive component of standard fertilizers.

3. The following discussion describes how we propose to maintain and continuously enhance the military value of United States Nitrate Plant No. 2 at Muscle Shoals, while substituting its peace-time output for imported nitrogen compounds on terms highly beneficial to American agriculture. This will be accomplished, not only without additional cost to the United States, but while earning interest on about one-half of the total war cost of this plant and accessories.

4. The proper utilization of the smaller United States nitrate plant (No. 1) at Sheffield has not yet been determined.

5. The consideration of the Muscle Shoals plant covers three progressive stages:

First. The period prior to June 1, 1921: During this period we have to pay an operating fee to the Air Nitrates Corporation equivalent to $5 per short ton of ammonium nitrate produced (say $2.48 per ton of dry cyanamid) and, in addition, a royalty of $2.53 to the American Cyanamid Co., and a royalty of 57 cents to the Air Reduction Co. per ton of dry cyanamid produced.

Second. The period from June 1, 1921, until the completion of the hydroelectric-power development: During this interim the operating fee is no longer payable, and the royalty payable to the American Cyanamid Co. (nominally about $6.33 per ton of dry cyanamid, or 26 per cent more than the combined operating fee and royalty previously payable) is subject to arbitration. Inasmuch, however, as royalty is measured by superearning power, it seems certain that little if any royalty would be assessed for the use of a process which does not pay Government bond interest upon the reproduction value of the essential plant required.

Third. The continuing period of cheap water power subsequent to the completion of the hydroelectric development: During this future period we shall have not only the relief from royalty due to arbitration but the more positive relief due to the expiration of patents. It is to be noted that the Air Reduction Co.'s royalty of 57 cents per ton of dry cyanamid is payable until January 13, 1931.

6. You are so thoroughly acquainted with the problem under discussion that I need not trouble you with the detailed evidence and reasoning upon which we base the following statements, leading to our final recommendations:

7. Inasmuch as there is no considerable present market for the nitrogen products of the Muscle Shoals plant as it now stands—namely, for cyanamid and ammonium nitrate—it is essential to adapt the plant to the manufacture of a product which is immediately saleable in large quantities, in order to carry the burden of slowly building up a demand for these less saleable products; otherwise the operating and overhead expenses of this great plant will swamp the enterprises financially before markets can be developed for these products. To this end the manufacture of sulphate of ammonia is the most efficient means; and in the Tennessee Copper & Chemical Corporation we have a neighbor who is urgently in need of purchasers of large quantities of sulphuric acid, not to speak of sulphuric-acid manufacture on our own account. We therefore recommend the installation of a neutralizing plant for the manufacture of 110,000 tons of sulphate of ammonia per annum, being one-half of the total capacity of the plant, together with coordinate storage and other facilities, at a total structural cost for this sulphate department of about $1,500,000. This is included in paragraph 18, dealing with new construction for peace-time operation.

8. It is convenient to reckon the capacity of the Muscle Shoals plant by the number of carbide furnaces in use. There are 12 furnaces altogether, each capable of producing carbide for 22,225 tons of dry cyanamid per annum. At full capacity of plant, 10 of these furnaces are working, two being always in reserve for repairs, etc. The local steam power plant at present capacity will operate eight of these furnaces, and, inasmuch as power brought from the Government's unit at the Warrior River station of the Alabama Power Co. is unduly expensive, it is not intended to operate more than eight furnaces (or 80 per cent of the total capacity of the plant), until the cheap hydroelectric power is available.

9. Our present expectation is to utilize the capacity of eight carbide furnaces approximately as follows:

Four furnaces (or 40 per cent of plant capacity) for the manufacture of 86,000 tons of ammonium sulphate;

One furnace (or 10 per cent of plant capacity) for the manufacture of 22,225 tons of dry cyanamid—making 24,445 tons of hydrated and oiled cyanamid;

Two furnaces (or 20 per cent of plant capacity) for the manufacture of 22,000 tons of ammonium nitrate;

One furnace (or 10 per cent of plant capacity) for the manufacture of cyanamid, ammonium sulphate, ammonium nitrate, or intermediate product, according to demand.

When the hydroelectric power is completed the remaining two furnaces will be applied to the manufacture of the then most advantageous product, possibly ammonium phosphate.

Meanwhile every effort will be made to cultivate the use—firstly, of cyanamid, and secondly, of ammonium nitrate, in preference to ammonium sulphate, because the cost per unit of nitrogen is much less in those forms than in the form of ammonium sulphate.

10. To ascertain the financial results of the general plan of operation outlined above we must figure in terms or ammonium sulphate, that being a readily salable commodity of well standardized value. The prewar price of ammonium sulphate was about $60 per ton; it is our best judgment that the post-war prices will average over $70 per ton. Sulphate of ammonia contains about 20.6 per cent and dry cyanamid about 21.1 per cent of nitrogen, whereas ammonium nitrate contains nearly 35 per cent, or more than double the nitrogen content of sodium nitrate from Chile. Moreover, cyanamid contains over 60 per cent of lime, which is a valuable fertilizer in many soils. On the basis of nitrogen content alone, with sulphate of ammonia selling at $70 per ton, hydrated and oiled cyanamid (containing 19.2 per cent of nitrogen) would be worth $65 and ammonium nitrate would be worth $117.50.

11. Unfortunately the toxic features of cyanamid combined with its other disabilities and the hydroscopic qualities of ammonium nitrate interfere with their use for fertilization, as fertilizers as now manufactured and applied. It is therefore necessary to give the farmers and fertilizer manufacturers a sufficient reduction in price to induce them to take the trouble to overcome these disabilities. In view of the fact that within three years we expect to have available hydroelectric power for the full capacity of the plant at an operating and maintenance cost (excluding interest on investment of 0.75 mill, instead of the present steam-power cost of 4 mills per kilowatt hour, we recommend the initial sale of cyanamid at $45 and of ammonium nitrate at $100, compared with sulphate of ammonia at $70 per ton. At this scale of prices a unit of nitrogen in the form of ammonium sulphate would cost 45 per cent more than in the form of cyanamid, or 17½ per cent more than in the form of ammonium nitrate.

12. In other words, we should say to the farmer and to the fertilizer industry:

"We can not sell you ammonium sulphate at less than the market rate, governed by the law of supply and demand; but, if you are willing to take the trouble to use your nitrogen fertilizer in the form of cyanamid or ammonium nitrate, we can make you imediately the very great savings described above. We, for our part, undertake to remove the physiological disadvantages of cyanamid by hydrating and olling, and to relieve the hygroscopicity of ammonium nitrate by coating; and we expect to make further reductions in the prices of cyanamid and nitrate when cheap water power becomes available."

13. Having established the probable selling prices, we must now know the probable costs of the several products, in the three periods described in the beginning of this discussion.

Prior to June 1, 1921, if operating continuously eight of the carbide furnaces (or 80 per cent of the ultimate capacity of the plant), the costs per ton would be as follows:

	Cyanamid (hydrated and oiled).	Nitrate.	Sulphate.
Production costs	$29.02	$80.48	$49.45
Bagging expense	1.75	2.00	.50
Sales expense	1.15	3.08	1.87
Research and Washington office	.95	2.55	1.54
Cost of product	32.87	88.11	53.36
To these must be added royalties and fees to June 1, 1921, as follows:			
Royalty to Air Reduction Co	.52	1.16	.59
Royalty to American Cyanamid Co	2.30	5.11	2.62
Operating fee to Air Nitrates Corporation	2.25	5.00	2.55
Total	5.07	11.27	5.77
Total steam-power costs prior to June 1, 1921	37.94	99.38	59.13

14. For the middle period, from June 1, 1921, until water power is available (say, until December, 1922, or 18 months), we may add 10 per cent to "Cost of product" for the first period, in substitution for operating fee royalties and contingencies, making:

Total costs from June 1, 1921, until water power is available:

Cyanamid	$36.16
Nitrate	96.92
Sulphate	58.70

15. When water power becomes available at 0.75 mill per kilowat hour, and with all royalties eliminated, the respective water-power costs will be:

Cyanamid	$24.57
Nitrate	68.50
Sulphate	43.81

The royalty payable to Air Reduction Co. until 1931 is:

Cyanamid	$0.52
Nitrate	1.16
Sulphate	.59

The nominal royalty to American Cyanamid Co. after June 1, 1921, is:

Cyanamid	$5.75
Nitrate	10.40
Sulphate	6.18

But this is subject to arbitration (see par. 5) and to the lapse of patent rights.

It is believed that 10 per cent added to the above "water-power costs," to cover all contingencies, including royalties, will provide a proper margin of safety. This makes the inclusive water-power costs:

Cyanamid	$27.03
Nitrate	75.35
Sulphate	48.19

16. It must be borne in mind that the estimates of cost for the first two periods, ending when water power becomes available (say, December, 1922), are based upon the continuous operation of eight carbide furnaces, or 80 per cent of the ultimate capacity of the plant. It is obvious that a new industry of these huge dimensions will not thus spring into being; the creation of this unique manufacturing organization and the marketing of this great output must be matters of careful and gradual growth. In fact, this growth will doubtless continue until the water power becomes available, before reaching the full 80 per cent capacity of the present steam-power plant. For this reason the figures for the steam-power costs in the first and second periods are academic rather than practical; they are useful as illustrating the great advantages attaching to cheap water power, rather than as a measure of profit and loss during the initiation of the business. In common with the creation of any new industry, the Muscle Shoals enterprise must sustain initial losses. These are provided for by the "General purposes fund," described in paragraph 20.

17. For any useful conclusion regarding the future financial possibilities of the plant, we must look to the permanent water-power costs, subsequent to, say, January 1, 1923.

Taking the "Inclusive water-power costs," given in paragraph 14 above, and reducing the selling prices of cyanamid, ammonium sulphate, and ammonium nitrate, respectively, to $40, $65, and $90 per ton, we have the following balance sheet, with eight furnaces, or 80 per cent of the capacity of the plant, in operation:

	Tons per annum.	Cost.	Per ton sale.	Profit.	Total profit.
Cyanamid	49,000	$27.00	$37.50	$10.50	$514,500.00
Nitrate	22,000	75.35	90.00	14.65	322,300.00
Sulphate	86,000	48.20	65.00	16.80	1,444,800.00
Annual profit for 8 furnaces (80 per cent)					2,281,600.00

When the whole plant is in operation the balance sheet becomes:

	Tons per annum.	Cost.	Per ton sale.	Profit.	Total profit.
Cyanamid	73,500	$27.00	$37.50	$10.50	$771,750.00
Nitrate	22,000	75.35	90.00	14.65	322,300.00
Sulphate	107,500	48.20	65.00	116.80	1,806,000.00
Annual profit for 10 furnaces (100 per cent)					2,900,050.00

This $2,900,050 is 5 per cent interest on $58,000,000, while ammonium sulphate, at $65 per ton (instead of $70), still costs 61½ per cent more per unit of nitrogen than cyanamid, at $37.50 per ton, and 21½ per cent more than ammonium nitrate, at $90 per ton.

18. To adapt the present plant (which is built exclusively for the production of ammonium nitrate for military explosives) to the manufacture and sale of cyanamid, ammonium sulphate, ammonium nitrate, and intermediate products will require the following new construction and equipment, in addition to some $1,000,000 which must yet be expended for military purposes out of present funds:

Oiling and hydrating equipment for 200 tons of cyanamid daily	$150,000
Sulphate of ammonia plant, buildings, and equipment, capacity 300 tons daily	900,000
Storage and bagging for all products, buildings, and equipment	450,000
Acid storage, capacity 20,000 tons	300,000
Tank cars, shipping containers, sidings, and miscellaneous	400,000
Stores (merchandising) for employees	100,000
Office building	100,000
Reserve for extensions and betterments	600,000
Total fund for new construction	3,000,000

19. The working capital required for 10 furnaces, or full capacity of plant, will be:

Stocks of raw materials and supplies	$1,600,000
Stocks of manufactured products	2,500,000
Excess of bills receivable over bills payable	2,000,000
Cash	500,000
Total working capital	6,600,000

20. A "general purposes fund" will be required to provide (a) for the payment prior to June 1, 1921, of operating fee and royalty and (b) for the expense of creating the organization and the business starting at nil. Both (a) and (b) are to be charged to "Good will," which will be carried as an asset account until it is extinguished by profits. The money will thus be restored to "general purposes fund," to be used for improvements and betterments and in emergencies, in view of the fact that we shall not have the usual right of corporations to borrow money in case of need.

This general purposes fund should be $2,500,000.

21. To summarize, we recommend the promotion of a bill in Congress for—

New construction	$3,000,000
Working capital	6,600,000
General purposes fund	2,500,000
Total appropriation	12,100,000

This will realize the utmost peace-time advantages of the war investment of $70,000,000 in United States nitrate plant No. 2 and of the current investment of $18,000,000 in hydroelectric and navigation development, while at the same time it will promote national security by making this plant always the most advanced example of the art—supplying current military requirements and a model for efficient multiplication in case of need.

22. In addition to granting the necessary funds, namely, $12,100,000, as above, our act of Congress should give us authority to conduct these extraordinary operations so as to utilize the existing plants and this new money with the highest possible efficiency. In other words, we should have authority to establish the administrative organization which will give the best results in such an enterprise. My original memorandum of January 7, 1919, dealing with this subject, expressed the unanimous opinion of all concerned that such an undertaking could not be properly administered by the Army; and my original recommendation was that the fixed-nitrogen administration should be a self-contained bureau of the War Department, under the immediate control of the Secretary of War, but quite independent of the Army. This recommendation was then expanded to include interdepartmental control. But we now revert to my original advice, with the important exception that the fixed-nitrogen administration should be incorporated instead of being a bureau of the War Department.

23. In other words, we recommend that a corporattion should be formed to take over all of the fixed-nitrogen assets of the War Department, together with the funds obtained from Congress, and to perform all of the duties of administering these plants and funds in peace time, while continually enhancing their military value. There could be a nominal amount of common stock, of no par value, issued to the United States and held by the Secretary of War, in exchange for the fixed-nitrogen assets of the War Department, and 5 per cent preferred stock could be sold to the United States at par, from time to time as required, to provide the necessary additional funds of $12,100,000 described in paragraph 21 above. The Secretary of War would be chairman of the board; Mr. Roberts and Col. Burns might be president and vice president, respectively, as well as directors; the Chief of Ordnance might be another director. I should be willing to serve, if you wish, as director (in Europe); and an additional vice president and directors could be appointed as the organization develops and important members materialize. All of the officers and directors would, of course, be appointed and removable by the Secretary of War.

This plan would preserve to the Secretary of War his complete control of the undertaking while giving the responsible officials of this independent agency full executive and administrative freedom in the pursuit of efficiency.

24. I have sought advice in numerous quarters, and all of it strongly supports this conclusion in favor of incorporation. To check this conclusion, I have endeavored to sketch a suppositious order of the Secretary of War establishing the fixed-nitrogen administration as a departmental bureau to give effect to the anticipated congressional appropriations. I attach this draft, marked "Exhibit A," but I find myself quite incapable of producing any instrument which is a fit substitute for the accumulated experience of all past corporation management as now reflected in corporation procedure. Briefly, it seems to me there is nothing to lose and everything to gain by the process of incorporation.

25. I have therefore retained Milton Elliott, counsel for the Federal Reserve Board since its inception until last spring, to draft the proposed bill, which is presented herewith to your consideration, and I venture to ask you to make time for an immediate discussion of the points involved. I have to be urgent, because I am sailing for London November 1. With high respect,

Yours, most sincerely, ARTHUR GLASGOW.

Mr. UNDERWOOD. In addition to that, to show the vital importance of early action on this question, I desire to call to the attention of the Senate a statement by Mr. Frank I. Mann, of Gilman, Ill., a farmer of great ability and learning, which is contained in a letter he wrote to his brother, Hon. JAMES R. MANN, of Illinois. It is not long, and I will therefore ask that the Secretary read that portion of the letter which I have marked.

The PRESIDING OFFICER. The Secretary will read, as requested.

The Assistant Secretary read as follows:

Ever since I learned of the Muscle Shoals project, when in Tennessee a few years ago, I have felt quite an interest in its success, because of the great opportunity it seemed to present for an increased and economical production of crops by supplying a cheaper form of fixed nitrogen. The value of nitrogen and phosphorus in the production of crops has not been properly realized. Take an example of corn, for instance: In 100 pounds of corn there are but about 3½ pounds of materials which were taken from the soil; the balance of the dry weight is made of compounds formed from carbon taken from the air by the leaves of the plants and formed into sugars, starches, oils, etc. The amount of these carbon compounds that can be formed are measured, however, by the amount of materials that could be secured from the soil. If the same plants, which produced 100 pounds of corn, could have secured another 3½ pounds of soil materials—mostly phosphorus and nitrogen—they could have formed another 100 pounds of corn, without any further effort on the part of the grower, and the yield would be increased 100 per cent. On the best corn-belt soils we find it is comparatively easy to double the yields of crops by doubling the phosphorus available to the crops, where there is sufficient nitrogen to match such an amount of phosphorus. The soils which contain such an amount of nitrogen, however, are small in area. On the early glaciated and the unglaciated soils nitrogen is in small amount, and the crops will grow in proportion as they can secure nitrogen, except on the natural rich soils, which are usually alluvial and limited in extent. As a rule, the soils south of the Ohio and Missouri Rivers are unglaciated and low in nitrogen, except the alluvial types. A large part of southern Illinois, Indiana, Missouri, Kansas, Iowa, and Ohio is composed of soil types on which crops—other than legumes—will grow in proportion as the plants can secure nitrogen from the soil.

This increase in yield, which comes from the proper element of fertility, increases food production without an increase in area or of man labor, and is real economic production if the cost of the fertilizing element is small.

A good deal of the corn-belt soils have already or will soon reach a nitrogen limit to their production, and, while we will be able to profitably maintain a nitrogen supply for some time by using legume crops for the purpose, it might also be profitable and economical to supplement this legume nitrogen with a fixed commercial nitrogen. In the South, however, with the high average temperature and rainfall, it is doubtful if it would be possible to maintain enough legume nitrogen in a soil to secure a high production of food products, because of the great destruction of the organic matter in which such nitrogen must be held from the bacterial action and leaching when crops are not taking food from the soil.

I know of no one thing which could add so much to the production of more and cheaper food, and in such an economical way, as to supply cheap nitrogen for these lands so poor in humus. I do not know how cheaply nitrogen might be fixed at Muscle Shoals, but it would certainly be much cheaper than to secure it through legume growth. I figured out once the relative horsepower equivalent at Niagara Falls in fixing nitrogen compared to a clover field. The nitrogen fixed by an 80-acre field of clover, under favorable conditions and a large growth, could be fixed by a 28-horsepower engine working throughout the season. If the Tennessee River can be properly harnessed, it should be able to fix nitrogen at a small fraction of the cost of fixing it by means of bacterial or legume energy.

In these days of low man power on the farms and the need of more food economically produced, it would seem to be almost a crime against civilization to not heed this great need for cheap nitrogen.

If there is any possible and fair way to provide that the Muscle Shoals power might be used for fixing nitrogen, and that it might be obtained cheaply for farm use, it would be a wonderful step in the production of cheaper food and help to quiet the unrest of the present and future.

Mr. UNDERWOOD. Mr. President, I think Mr. Mann in that letter puts his finger on the vital problem that is now confronting the American people, and that is the high cost of living. The way to decrease the high cost of living, which in the end comes largely from the cost of products of the farm, is to enable the farmer to produce more with less labor. There is only one way to accomplish that, and that is by an adequate supply of cheap fertilizer, and an adequate supply of cheap fertilizer is absolutely dependent upon a supply of nitrogen.

During the war the Government, at a cost of $72,000,000, built a great plant for war purposes in order that it might make powder at cost. It is finished; it is prepared to run. It merely needs legislation to carry it from the field of war to the field of agriculture, to enable it to be used in the interest of manufacturing nitrogen and in the manufacture of fertilizer to supply the farmer with the means that he must have to reduce the high cost of living.

I do not say this in any way critical of the Senate or of the committee having charge of these matters, but I feel that it is of great importance to the country, and I think now is the proper time to call it to the attention of the Senate and the country with the hope that we may expect at a very early day a favorable report from the Committee on Agriculture and Forestry of the bill and its early passage by the Senate.

The reading of the bill was resumed.

The next amendment was, in the items for the Forest Service, on page 35, line 6, before the word "clerks," to strike out "one hundred and twenty-two" and insert in lieu thereof "sixty-two," so as to make the line read:

Sixty-two clerks, at $900 each.

The amendment was agreed to.

The next amendment was, on page 36, line 16, in the total, to strike out "$2,488,180" and insert in lieu thereof "$2,487,980," so as to read "In all, $2,487,980."

The amendment was agreed to.

The next amendment was, on page 37, line 5, after the word "erected," to insert "or improved," so as to read:

General expenses, Forest Service: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building erected or improved shall not exceed $1,000.

Mr. SMOOT. Does not the Senator think this limitation on buildings erected not to exceed $1,000 ought also to apply to any improvements that may be made upon the buildings?

Mr. GRONNA. I will say to the Senator that it is not the intention to use as much as $1,000 to complete any building. It was stated to the committee that there were some of the buildings which were not yet completed and for that reason the word "improved" was put in. If the Senator thinks we ought to put a further limitation upon the amount to be expended for improvements, of course I shall have no objection.

Mr. SMOOT. The wording as it is submitted would allow the Forestry Service to begin the erection of a building for $1,000. They could go as far as $1,000 would carry them in the erection of the building, and then immediately turn around and spend $1,000 for improvements. In other words, under the language suggested by the committee $1,000 would be virtually $2,000.

Mr. KENDRICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. SMOOT. I yield.

Mr. KENDRICK. I have the impression that the committee was informed that there was a limitation of $500 upon the cost of these buildings, as was provided in other bills. The buildings are intended for forest stations, and it has been found, under the increased cost of construction, that $500 is not actually sufficient to construct the stations. It is easy to understand that it would be a very difficult matter to build anything like a comfortable habitation for less than a thousand dollars, even though it might be built of timber, as such buildings often are. For this reason the amount was increased.

Mr. SMOOT. The amount authorized for the erection of a building is increased to a thousand dollars, and to that I have no objection; but under the words "or improved," which are here inserted, it means that on the very buildings, the erection of which has been begun on a basis of $500, there may now be expended an additional sum of $1,000, making the aggregate fifteen hundred dollars. In the case of buildings hereafter to be erected, which are supposed to be erected for a thousand dollars, as soon as they are erected, in some form or other, another thousand dollars may be expended upon them. I do not believe the Senator would desire that to happen; I will not say that it will happen; yet with the wording as it now is that is what could happen.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. I yield.

Mr. GRONNA. If the Senator from Utah will permit me, this is what the Department of Agriculture, referring to this language, stated to the committee:

The new language is desired to rectify a legal difficulty that prevents the improvement of buildings constructed under the appropriation act of previous years, in which the building limitation was less than that provided in this bill. The limitation on the cost of buildings in the national forests was formerly $500. This was later increased to $650, and this last year again it was increased. The Comptroller of the Treasury has held that a building constructed or partially constructed under either of these limitations can not be improved or completed under a higher limitation than that in effect during the fiscal year in which the construction of the building was begun. The rapidly advancing cost of materials and the increase in the wages of workmen have made it impossible to complete or to make necessary additions to some of the buildings within the existing limitations. It is important that the construction of these buildings be completed in order that they

may be used in connection with the protection and administration of the national forests. The insertion of the words "or improved," as suggested, would make this possible.

Mr. SMOOT. Mr. President, it is true it would make it possible. It would, however, authorize a great deal more than what the Secretary has stated as set forth in the communication just read by the Senator from North Dakota.

Mr. GRONNA. So far as I am personally concerned I have no objection to further amending the language so as to provide that the cost of a building shall not be more than a certain amount, whatever the Senator from Utah thinks it ought to be.

Mr. SMOOT. I desire the Senator to understand that I am not objecting to the expenditure of a thousand dollars on any building which is to be erected.

Mr. GRONNA. I understand that.

Mr. SMOOT. But with the wording "or improved" in the bill it means that on each of the buildings which are already erected or which have already been constructed there may be expended another thousand dollars. If the Senator from North Dakota will allow this to go over——

Mr. GRONNA. I think we can dispose of it now. I suggest that we amend it by saying that for the erection or improvement of any building the cost shall not be more than $1,000, or that no more than $1,000 shall be expended in all.

Mr. KENDRICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Wyoming?

Mr. GRONNA. Certainly.

Mr. KENDRICK. It occurs to me that there might arise a complication if that change in the language were made, from the fact that some of the stations which have been built heretofore have proven entirely inadequate and unsatisfactory. In such cases it might require as much as $1,000 to improve or rebuild those stations, and the change suggested by the chairman of the committee might interfere with that plan.

Mr. SMOOT. The Senator from Utah recognizes that fact; but that is not all that this provision does. Under the original wording a building which might be started, we will say, on the 1st of July, 1920, under the authorization in this bill, could not have expended upon it more than $1,000; but if the proposed amendment is adopted they could plan immediately for the expenditure of $2,000—$1,000 for improvement and $1,000 for the erection of the building. I do not think the Senator wants that.

Mr. KENDRICK. If they were proceeding under the old law, they could not exceed the sum of $1,500 in any event.

Mr. SMOOT. That is on buildings that have already been erected.

Mr. KENDRICK. And I take it also that that would be true only in unusual cases, because, as I understand the language of the bill, it is intended to rebuild as houses for the forest rangers the stations that have been in use for some time and which are now unsatisfactory.

Mr. GRONNA. Mr. President, if the Senator from Utah will yield further——

Mr. SMOOT. I yield.

Mr. GRONNA. I think by a careful reading of this language it will be found that not to exceed $1,000 can be expended for any of these buildings. It reads:

That the cost of any building erected or improved shall not exceed $1,000.

That means, whether it is a newly erected building or a building that is being improved, it shall not cost to exceed $1,000. It seems to me to be perfectly plain that the cost can, in no event, exceed $1,000.

Mr. SMOOT. Certainly in the case of a building erected under this bill the cost can not exceed $1,000; but suppose the building is already erected——

Mr. GRONNA. It does not say that the improvement shall cost not to exceed $1,000; it says that the building shall not cost more than that amount.

Mr. SMOOT. It says, "or improved shall not exceed $1,000."

Mr. GRONNA. Let me read it again:

The cost of any building—

Leave out the word "erected."

The cost of any building improved shall not exceed $1,000.

It is perfectly plain that the total cost can not exceed $1,000.

Mr. SMOOT. Mr. President, I will ask the Senator to let the amendment go over for the present.

Mr. GRONNA. Very well.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 38, line 19, after the word "Arizona," to strike out "$8,079" and insert "$9,779," so as to make the clause read:

Apache National Forest, Ariz., $9,779.

The amendment was agreed to.

The next amendment was, on page 38, line 21, after the word "Arkansas," to strike out "$10,730" and insert "$15,730," so as to make the clause read:

Arkansas National Forest, Ark., $15,730.

The amendment was agreed to.

The next amendment was, on page 38, line 24, after the word "Montana," to strike out "$5,437" and insert "$7,597," so as to make the clause read:

Beartooth National Forest, Mont., $7,597.

The amendment was agreed to.

The next amendment was, on page 40, line 14, after the words "South Dakota," to strike out "$2,830" and insert "$5,470," so as to make the clause read:

Custer National Forest, Mont. and S. Dak., $5,470.

The amendment was agreed to.

The next amendment was, on page 42, line 9, after the word "Wyoming," to strike out "$6,450" and insert "$9,450," so as to make the clause read:

Medicine Bow National Forest, Wyo., $9,450.

The amendment was agreed to.

The next amendment was, on page 43, line 11, after the word "California," to strike out "$19,803" and insert "$24,203," so as to make the clause read:

Plumas National Forest, Calif., $24,203.

The amendment was agreed to.

The next amendment was, on page 43, line 20, after the word "California," to strike out "$9,774" and insert "$10,774," so as to make the clause read:

Santa Barbara National Forest, Calif., $10,774.

The amendment was agreed to.

The next amendment was, on page 44, line 6, after the word "California," to strike out "$12,660" and insert "$16,360," so as to make the clause read:

Siskiyou National Forest, Oreg. and Calif., $16,360.

The amendment was agreed to.

The next amendment was, on page 45, line 18, after the word "act," to strike out "$76,850" and insert "$84,750," so as to make the clause read:

Additional national forests created or to be created under section 11 of the act of March 1, 1911 (36 Stat. L., p. 963), and lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted for the purposes of said act, $84,750.

The amendment was agreed to.

The next amendment was, on page 46, line 8, after the word "forests," to strike out "$2,068,762" and insert "$2,100,262," so as to make the clause read:

In all, for the use, maintenance, improvement, protection, and general administration of the specified national forests, $2,100,262: *Provided*, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of Agriculture for the necessary expenditures for fire protection and other unforeseen exigencies: *Provided further*, That the amounts so interchanged shall not exceed in the aggregate 10 per cent of all the amounts so appropriated.

The amendment was agreed to.

The next amendment was, on page 47, line 5, after the word "equipments," to strike out "$150,000" and insert "$161,100," so as to make the clause read:

For the purchase and maintenance of necessary field, office, and laboratory supplies, instruments, and equipments, $161,100.

The amendment was agreed to.

The next amendment was, on page 47, line 16, after the word "companies," to strike out "$173,260" and insert "$223,260," so as to make the clause read:

For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing, and the testing of such woods as may require test to ascertain if they be suitable for making paper, for investigations and tests within the United States of foreign woods of commercial importance to industries in the United States, and for other investigations and experiments to promote economy in the use of forest products, and for commercial demonstrations of improved methods or processes, in cooperation with individuals and companies, $223,260;

Mr. GRONNA. Mr. President, I have been requested by the Senator from Wisconsin [Mr. LENROOT] to ask to have this paragraph passed over. He is not present to-day. I refer to the paragraph beginning with line 7 and going to line 16, on page 47.

The PRESIDING OFFICER. Without objection, the paragraph will be passed over.

The reading of the bill was resumed, beginning with line 18, page 47.

The next amendment of the Committee on Agriculture and Forestry was, on page 48, line 5, after the word "lands," to strike out "$35,000" and insert "$103,728," so as to make the clause read:

For silvicultural, dendrological, and other experiments and investigations independently or in cooperation with other branches of the Federal Government, with States and with individuals, to determine the best methods for the conservative management of forests and forest lands, $103,728;

The amendment was agreed to.

The next amendment was, on page 48, line 10, after the word "use," to strike out "$105,000: *Provided*, That $25,000 may be used by the Secretary of Agriculture for the purpose of ascertaining the appraised value of pasturage upon the national forests, which appraised value, when determined, may, in the discretion of the Secretary of Agriculture, be made the basis of the charge for grazing permits upon such forests," and insert "$80,000," so as to make the clause read:

For estimating and appraising timber and other resources on the national forests preliminary to disposal by sale or to the issue of occupancy permits, and for emergency expenses incident to their sale or use, $80,000;

Mr. SMOOT. Mr. President, I want to call the attention of the Senator from North Dakota to this amendment. I am in hearty sympathy with striking out the proposed proviso, just as the committee has done; but when the bill gets into conference the Senate must not yield upon this item, and if there is any likelihood of its doing so I should very much prefer to allow the House provision to go in with an amendment; but under no circumstances would I want them to yield with the House provision stricken out. Therefore I simply take this opportunity to say to the chairman of the committee that if the Senate conferees yield upon this item, I shall feel constrained to call the matter to the attention of the Senate when the conference report comes before the Senate, and ask that the conference report be rejected.

Mr. GRONNA. Mr. President, let me see if I understand the Senator from Utah. My attention was diverted for a moment.

Mr. SMOOT. The Senator from Utah agrees with what the committee has done.

Mr. GRONNA. In striking out the proviso?

Mr. SMOOT. Yes; in striking out the proviso. It is just as the Senator from Utah would have it, and just the way I think those who have studied the situation in detail would have it; but I want to say to the Senator that if this proviso goes back in conference, then I shall ask to have the conference report rejected by the Senate.

Mr. GRONNA. I understand that. The Senator is satisfied with the appropriation of $80,000, is he?

Mr. SMOOT. The appropriation is all right. Everything is as it should be, based upon the action of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 48, line 20, after the words "provided for," to strike out "$25,000" and insert "$31,280," so as to make the clause read:

For other miscellaneous forest investigations, and for collating, digesting, recording, illustrating, and distributing the results of the experiments and investigations herein provided for, $31,280.

The amendment was agreed to.

The next amendment was, on page 48, line 25, after the word "forests," to strike out "$400,000" and insert "$450,000," so as to make the clause read:

For the construction and maintenance of roads, trails, bridges, fire lanes, telephone lines, cabins, fences, and other improvements necessary for the proper and economical administration, protection, and development of the national forests, $450,000.

The amendment was agreed to.

The next amendment was, on page 49, line 18, after the word "expenses," to strike out "$3,324,662" and insert "$3,517,270," so as to make the clause read:

In all, for general expenses, $3,517,270.

The amendment was agreed to.

The next amendment was, on page 50, line 8, after the word "Service," to strike out "$5,812,842" and insert "$6,005,250," so as to make the clause read:

Total for Forest Service, $6,005,250.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Chemistry," on page 52, line 13, after the word "organism," to strike out "$66,400" and insert "$70,400," so as to make the clause read:

For conducting the investigations contemplated by the act of May 15, 1862, relating to the application of chemistry to agriculture; for the biological investigation of food and drug products and substances used in the manufacture thereof, including investigations of the physiological effects of such products on the human organism, $70,400.

The amendment was agreed to.

The next amendment was, on page 52, line 22, after the word "food," to strike out "$52,880" and insert "$62,880," so as to make the clause read:

For investigating the handling, grading, packing, canning, freezing, storing, and transportation of poultry, eggs, fish, shrimp, oysters, and other shellfish, and for experimental shipments of these products, for the utilization of waste products, and the development of new sources of food, $62,880.

The amendment was agreed to.

The next amendment was, on page 54, line 1, after the word "therein," to strike out "$579,361" and insert "$629,361," so as to make the paragraph read:

For enabling the Secretary of Agriculture to carry into effect the provisions of the act of June 30, 1906, entitled "An act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes"; to cooperate with associations and scientific societies in the revision of the United States Pharmacopoeia and development of methods of analysis, and for investigating the character of the chemical and physical tests which are applied to American food products in foreign countries, and for inspecting the same before shipment when desired by the shippers or owners of these products intended for countries where chemical and physical tests are required before the said products are allowed to be sold therein, $629,361: *Provided*, That not more than $4,280 shall be used for travel outside of the United States.

The amendment was agreed to.

The next amendment was, on page 54, after line 3, to insert:

The Secretary of Agriculture shall, from and after the taking effect of this act, execute and perform all the powers and duties conferred on the Secretary of the Treasury by the act approved March 2, 1897 (29 Stat. L., p. 604), entitled "An act to prevent the importation of impure and unwholesome tea," as amended by the act approved May 16, 1908 (35 Stat. L., p. 163), entitled "An act to amend an act entitled 'An act to prevent the importation of impure and unwholesome tea,' approved March 2, 1897": *Provided*, That the bonds given to the United States as security in pursuance of section 1, as amended, shall be subject to the approval only of the collector of customs at the port of entry; that in place of the Board of United States General Appraisers provided for by section 6 of the act, there shall be designated by the Secretary of Agriculture three employees of the Department of Agriculture to serve as the United States board of tea appeals with all the powers and duties conferred by the act on the Board of United States General Appraisers. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000 for carrying into effect the provisions of the aforesaid act until the end of the fiscal year ending June 30, 1921, including payment of compensation and expenses of the members of the board appointed under section 2 of the act and all other necessary officers and employees.

Mr. SMOOT. Mr. President, that is new legislation, and really I do not think it ought to be put upon this bill.

Mr. GRONNA. May I interrupt the Senator to say that this is done at the request of the Secretary of the Treasury? When the law was passed providing for the inspection of tea there was no Agricultural Department; that is, it was not an executive department when that law was first passed.

Mr. SMOOT. The first act, as I remember it, was in 1897, and the amendatory act was approved May 16, 1908.

Mr. GRONNA. It was made an executive department in 1889. Of course, there was an Agricultural Department, but it was not an executive department. I have a letter here from the Secretary of the Treasury, Mr. Glass, in regard to this subject.

Mr. SMOOT. I would like to have the letter read. I do not see why there should be transferred to the Agricultural Department an appropriation of $40,000 for the purpose of carrying out this change when we have already made an appropriation to do this work, and it has been done by and through the Treasury Department for years past.

Mr. GRONNA. Let me say to the Senator that we are appropriating $5,000 less than the money heretofore expended by the Treasury Department for this very work, and the very man employed in the Treasury Department for this purpose will take care of this work in the Agricultural Department. Tea is a food product, as the Senator knows, and it ought to be under the Department of Agriculture. It never ought to have gone to the Treasury Department, and it never would have gone there but for the reason which I have stated.

Mr. SMOOT. This applies only to impure teas imported into the United States, and the question of importation has always been handled by the Treasury Department. But I shall be glad to listen to the letter of the Secretary.

The PRESIDING OFFICER. The Secretary will read the letter.

The letter referred to was read, as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, September 29, 1919.

Hon. ASLE J. GRONNA,
Chairman Committee on Agriculture and Forestry,
United States Senate.

MY DEAR SENATOR: Inclosed you will find a draft of a provision prepared jointly by the Agricultural Department and my department which I would recommend be inserted in the Agricultural appropriation bill for the fiscal year 1921. This provision provides for the transfer of the administration of the act of March 2, 1897 (29 Stat., 604), as amended by the act of May 6 (35 Stat., 163), from the Treasury Department to the Agricultural Department. No changes are made in the act itself except those of an administrative nature.

This act prohibits the importation of any merchandise as tea which is inferior in purity, quality, and fitness for consumption to standards to be fixed and established annually by the Secretary of the Treasury, and provides that such merchandise finally determined to be inferior in purity, quality, or fitness for consumption to such standard shall be exported or destroyed under customs supervision. This act, unlike most pure-food laws, provides for a physical standard of quality as well as purity. The reason for this is because tea must have a standard of quality if it is to be successfully guarded as a food product, as it is possible to have an absolutely pure tea and yet it might be unfit for consumption. The commercial teas are made from the tender leaves of the tea plant. These young leaves contain the stimulating alkaloid caffeine and a complex constituent which give the commercial teas their value and flavor. It has been determined that the lower leaves of the tea bush not only have practically no stimulating value, but increase materially in tannin, the injurious and deleterious constituent of tea, so that if we did not establish a standard of quality as well as purity it would be possible to import tea made from these lower leaves, which, while pure, would be absolutely devoid of any real tea flavor and which at the same time would be so strong in tannin as to be unfit for consumption. In other words, although all tea is made from the leaves of the tea plant, all tea leaves that are made into tea can not be considered as commercial tea, and to prevent the United States from being the "dumping ground" that it was before the present law was enacted Congress very wisely passed the present tea act, which requires all teas entering the country to be measured by the physical standard that represents the minimum of quality. This law, besides protecting the consumer against spurious adulterations and inferior goods which lack the requisite quality to make them of value as a beverage, also protects the merchant against the flood of worthless trash that would destroy his market.

In viewing the foregoing paragraphs and after studying the history of acts of this kind, which I will review in the following paragraphs, I am convinced that your committee will desire to secure legislation which will effect the transfer of the administration of this act to the Agricultural Department, where all acts of this kind are now administered and where I believe this one rightfully belongs.

As nearly as I can determine, the first legislation conditioning the right of importation upon purity, quality, and wholesomeness of merchandise is contained in the act of Congress approved June 26, 1848 (U. S. Stat., v. 9, p. 237), entitled "An act to prevent the importation of adulterated and spurious drugs and medicines." By the terms of this act the Customs Service of this department is charged with its enforcement.

Probably the next legislation of this kind was the act of Congress approved March 2, 1883 (U. S. Stat., v. 22, p. 451), entitled "An act to prevent the importation of adulterated and spurious teas." The Customs Service of this department was also charged with the administration and enforcement of the provisions of this act.

The next legislation, directed to the prevention of the importation of impure, adulterated, and unwholesome merchandise, is contained in the act of Congress approved August 30, 1890 (U. S. Stat., v. 26, p. 414), entitled "An act providing for the inspection of meats for exportation, prohibiting the importation of adulterated articles of food and drink, and authorizing the President to make proclamation in certain cases, and for other purposes." Under the terms of this statute, the Secretary of Agriculture is charged with its enforcement, so far as it relates to the exportation of meats, and the Secretary of the Treasury is charged with its enforcement, so far as it relates to the importation of adulterated articles of food and drink.

The next legislation on the subject is contained in the act of March 2, 1897, supra, which took the place of the tea act of 1883, above referred to, and which was continued under the jurisdiction of the Treasury Department, and the next is the Agricultural appropriation act of March 1, 1899 (U. S. Stat., v. 30, ch. 325, p. 951). This latter act authorizes the Secretary of Agriculture to investigate the adulteration of foods, drugs, and liquors and prohibits the importation of such articles when found to be dangerous to the health of the people of the United States.

The last mentioned act seems to mark a change in the policy of Congress with respect to the enforcement of legislation directed to the prevention of the importation of spurious, adulterated, impure, unwholesome, and misbranded foods, drugs, and liquors, for in all such legislation prior to this act the Secretary of the Treasury is charged with its enforcement, whereas in the said act the Secretary of Agriculture is given jurisdiction.

The act of August 30, 1890, was followed by the acts of—
May 25, 1900 (U. S. Stat., v. 31, ch. 555, p. 196);
March 2, 1901 (U. S. Stat., v. 31, ch. 805, p. 930);
June 3, 1902 (U. S. Stat., v. 32, ch. 985, p. 296);
March 3, 1903 (U. S. Stat., v. 32, ch. 1008, p. 1157);
April 23, 1904 (U. St. Stat., v. 33, ch. 1486, p. 288);
March 3, 1905 (U. S. Stat., v. 33, ch. 1405, p. 874); and
June 30, 1906 (U. S. Stat., v. 34, p. 686).

The successive statutes gradually broaden the scope of governmental control and supervision over the importation of foods, drugs, and liquors, and in each of them the Secretary of Agriculture is given jurisdiction to determine the purity, quality, and wholesomeness of such articles offered for importation, and whether they shall be permitted to enter into consumption in the United States.

The situation is that under existing statutes the Department of Agriculture has jurisdiction to determine the fitness for human consumption and admissibility of all foods, drugs, and liquors offered for importation into the United States, with the single exception of tea, jurisdiction over which remains partly in this department, under the act of March 2, 1897, and partly in the Department of Agriculture, under the food-and-drugs act of June 30, 1906 (26 Op. A. G., 166). In this opinion the Attorney General shows that no repugnancy exists between the special tea-inspection act of March 2, 1897 (29 Stat., 604), and the general food-and-drugs act of June 30, 1906 (34 Stat., 768), preventing them from standing together, and that an importation of tea is, therefore, subject to both acts, in that it must equal the standards of quality and purity established by the Secretary of the Treasury under the tea-inspection act and is also subject to the provisions of the food-and-drugs act regarding adulterations, labeling, misbranding and guaranty.

In the opinion of this department both of these acts are necessary to safeguard the public in the matter of tea, and while the one can not be substituted for the other, as they deal with tea in different particulars, at the same time, if the administration of the "tea law" were placed under the Department of Agriculture the work could be coordinated in the department in which this class of work properly belongs.

If your committee has any doubts as to the advisability of this proposed course or desires information, this department will be glad to have a representative familiar with the matter appear before the committee.

A similar letter has been addressed to the chairman of the Committee on Agriculture, House of Representatives.

Respectfully,
CARTER GLASS,
Secretary of the Treasury.

I concur.

D. F. HOUSTON,
Secretary of Agriculture.

Mr. SMOOT. Mr. President, this item carries an appropriation of $40,000. I am sure there will be no $40,000 taken off any appropriation made for the Treasury Department because of the transfer of this work. It is virtually the expenditure of an additional $40,000, and I do not know what this appropriation will lead to, but no doubt to greater appropriations in the future with no improvement over present conditions. I do not know how much it will increase in the next few years—nobody can tell; but I do know, Mr. President, that this will not make one penny's difference in the appropriation that will be made for the Treasury Department, and therefore in embarking upon this we are embarking upon a new sea for the expenditure of money.

I can see, of course, that there is some justification for having the testing of tea, as it is a food product, made by the Agricultural Department; but I can not see why the Agricultural Department could not detail a man, or whatever number of employees it would take, to do the necessary testing and have it done under the Treasury Department, which has all of the authority and powers granted to it under existing law.

I recognize the fact that the statement in the letter just read is true, that pure tea is not always wholesome tea, but the amendment goes further than that question. The existing law covers the question of the impurity of tea, and the unwholesomeness of the same, and all classes of that character of tea can be and should be, and are as I understand it, prevented from entering the ports of the United States.

Mr. KENYON. Is not all the machinery set up now? I have never been able to understand just why this transfer should be made. It seems to me to be all right as it is now.

Mr. SMOOT. The transfer is to be made just because it is a food product. If you are going to carry out this principle, we might just as well give the power to the Agricultural Department and the officials of that department to inspect every kind of food product imported into the United States. Then we would have two sets of officials and two sets of investigations made of all the foodstuffs that would enter into the United States, first, as to their purity and wholesomeness; and, second, as to their value and what rates of duty should be imposed.

Mr. KENYON. Is it not true that the Board of General Appraisers now carry on this work?

Mr. SMOOT. They do.

Mr. KENYON. And under this amendment we are appointing a new organization to do the work which has heretofore been done by the Board of General Appraisers?

Mr. THOMAS. Not only a new board but a new appropriation.

Mr. GRONNA. Oh, no.

Mr. SMOOT. I have no doubt that Mr. Mitchell will have this work in hand hereafter, and I have no doubt that there will be a new overhead organization built up in time. The appropriation asked for proves that fact and, as I said, not one penny will be deducted from the appropriations for the Treasury Department.

Mr. GRONNA. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. GRONNA. Why does the Senator say that? Is it not possible for Congress to strike out the appropriation which is now carried for the purpose of doing this work?

Mr. SMOOT. No; because the appropriation made for it is in the lump-sum appropriation.

Mr. GRONNA. Then let us reduce the lump-sum appropriation $40,000. That is easy.

Mr. SMOOT. That is easier said than done.

Mr. GRONNA. Will the Senator permit me to have another letter read? In view of what the Senator stated, I will ask to have the letter from Mr. Mitchell read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Reading Clerk read as follows:

(Memorandum.)

MARCH 10, 1920.

Subject: Reason why in proposed transfer of tea law the board of tea appeals shall be composed of three employees of the Agricultural Department designated by the Secretary.

The Board of United States General Appraisers was first provided for in the customs administration act of June 10, 1890, which was amended on several occasions, and which was reenacted in the tariff act of 1909. (See sec. 12.) In both the original act and the reenacted act the functions of this board are stated to be solely to review dissatisfactions with any decison of the collector of customs as to the rate or amount of duties chargeable upon imported merchandise. In the reenacted act the Board of General Appraisers and the members thereof were possessed of all the powers of a circuit court of the United States. There was nothing in the tariff act of 1909, which reenacted the act of 1890, which requires the United States Board of General Appraisers to review the findings of the tea examiners, provided for in the tea-inspection act of March 2, 1897.

When the tea-inspection act of March 2, 1897, which deals solely with the quality and purity of imported teas, and which has nothing to do with rates or amounts of duty on tea, became a law, it provided for the members of the Board of United States General Appraisers to act as the board of tea appeals to review the findings of the tea examiners in case of appeals from the findings of the tea examiners; it also provides that the findings of this board shall be final; that three members of this board were designated in the tea law to review the findings of the tea examiners was solely a matter of convenience, and not because they had any special training by reason of their membership on the Board of United States General Appraisers.

In the provision of this bill now before the Senate transferring the tea-inspection act of March 2, 1897, from the jurisdiction of the Treasury Department to that of the Agricultural Department, it is provided that the Secretary of Agriculture shall designate three employees of the Agricultural Department to serve as the United States board of tea appeals, with all the power and duties conferred by the act of the Board of United States General Appraisers. These agricultural employees composing this board will receive no extra compensation for their work, just as the members of the Board of General Appraisers receive no extra compensation for their work on the board of tea appeals. The number of protests that are received by the board of tea appeals are very few, averaging about 106 per annum, and the number of hearings held by this board for consideration of these protests averages about 15 per annum.

The advantages of this board being composed of employees of the Agricultural Department will be many, viz:

First. This board can be selected from scientific men in the department who have had training as food experts.

Second. The choice for membership on this board will not be confined to nine men, as it is at present.

Third. It will not be necessary to shift the membership on this board from year to year, as is done now, and the members will become more proficient in the performance of their work, and their findings will become more uniform.

To transfer the administration of the tea law from the Treasury Department to the Department of Agriculture and to leave the settling of appeals in the former department would be anything but logical.

GEORGE F. MITCHELL,
Supervising Tea Examiner.

* NOTE.—While the present law does not require the personnel of the board of tea appeals to be changed each year, nevertheless it has been the custom to place three different members on the board of tea appeals each year, so that all nine members of the Board of United States General Appraisers might participate equally in this extra work.

G. F. M.

Mr. GRONNA. Mr. President, I have no other interest in this provision except that, as it was explained to me by Mr. Mitchell, I believed it was in the interest of economy, and from a reading of the letters from the Secretary of Agriculture and the Secretary of the Treasury, both approving it, it seemed to me that it was a wise thing to do. Anyone who has had anything to do with teas knows that it is rather a large question, and that it is a very important one. Tea is a food product, and it is used as a beverage perhaps fully as much as coffee.

There will be no additional expense. It is simply a transfer from the Treasury Department to the Agricultural Department. I do not agree with the Senator from Utah that it means an increase of appropriations. In making up the estimates it is possible that the Treasury Department has for this year estimated for the work. I know nothing about that, but it is reasonable to suppose that it is the last time it will do so.

Of course, as legislation I realize it is subject to a point of order if anyone cares to make it. I am simply presenting it as I understand it, and I believe that it would ultimately be in the interest of economy and in the interest of the public.

Mr. THOMAS. Mr. President, I listened with some care to the communications that were read from the Secretary's desk, and I do not recall anything which indicates that the law as it at present exists has not been properly administered.

Naturally all laws relating to customs and to importations are, and should be, under the jurisdiction of the Bureau of Customs, which is supposed to be composed of men of experience and capacity to discharge properly the very important duties that are devolved upon that bureau. If I am correct in my recollection, the wish of the Agricultural Department is not based upon any complaint of improper or defective administration of the law and its various amendments by the bureau under the supervision of the Secretary of the Treasury.

It is to be assumed that the board of appraisers having charge of the administration of these acts are equipped at present with facilities to enable them to function properly. If that is so, then surely the appropriation provided by this amendment of $40,000 is in addition to an appropriation already in existence and which is being drawn upon by the board of appraisers. That is, for the time being, a duplication of appropriation, since no expression appears in the amendment to the contrary.

I am satisfied, as the Senator from Utah has intimated, that the practical effect of this amendment, if it becomes a law, will be to add another to the various agencies which have grown up in the various departments and have for their respective purposes the administration of specific laws, and I have no particle of doubt that ultimately it will ripen into a bureau or a division having its separate equipment of employees and of appropriations, and, like all others, arrogating as much power to itself as is possible as time shall pass.

Inasmuch, therefore, as no complaint appears and no charge is made regarding a maladministration of the law as it now stands, I am compelled to make a point of order against the amendment as an attempt to incorporate general legislation upon an appropriation bill.

Mr. GRONNA. Mr. President, before the Chair rules on the point of order, I had overlooked the fact that the bill, on page 56, as passed by the House, has a provision very similar to the provision against which the Senator now makes the point of order. I want to inquire of the Chair if the amendment is subject to a point of order when practically the same provision is carried in the bill as it came from the House? There is only a slight difference, I will say to the Senator from Colorado, in the two provisions.

Mr. HARRISON. In other words, this is an amendment of the provision in the House text?

Mr. GRONNA. Exactly.

Mr. HARRISON. And it is not subject to a point of order?

Mr. GRONNA. I believe not. When I recalled that the provision was carried substantially in the bill as passed by the House, I believe that I was mistaken in saying that the amendment is subject to a point of order. It is not new matter. It comes from the House, and the committee have simply amended it, and I do not believe it is subject to a point of order.

The PRESIDING OFFICER (Mr. STERLING in the chair). Standing alone, the Chair would be inclined to hold the amendment subject to the point of order; but being an amendment of a House provision, the Chair thinks it is not subject to the point of order, and therefore overrules the point of order. The question is on agreeing to the amendment.

Mr. THOMAS. I should like to have it put to a vote.

On a division, the amendment was agreed to.

The reading of the bill was resumed, and was interrupted by,

Mr. SMOOT. Mr. President, the Senate committee amendment is not the same as the provision in the House bill.

Mr. GRONNA. The Senator from Utah was absent when I stated to the Chair that upon examining the bill, on page 56, there would be found a provision in the House bill practically identical with the Senate committee amendment, but amended in some particulars, as the committee had a perfect right to amend it. For that reason it is not subject to a point of order, and the Chair has so decided.

Mr. SMOOT. If that is the case, then we ought to have accepted the House provision as it was with an amendment.

Mr. GRONNA. That is what we have done.

Mr. SMOOT. But the committee went to work and struck out entirely the provision on pages 56 and 57 as if the House had not acted and they put a new provision in its place. I first thought it was simply a transfer of the item to a different part of the bill, but I find it is not that. I do not want to call for a quorum——

The PRESIDING OFFICER. The Chair stated that standing alone he would be inclined to rule that the amendment was subject to the point of order, but in view of the matter on pages 56 and 57, which is substantially the same, as the Chair understands from the Senator from North Dakota as the item reported by the committee, it was not subject to the point of order, and the Chair so ruled.

Mr. SMOOT. The ruling of the Chair would have been——

Mr. GRONNA. I do not wish to take the Senator off his feet or off the floor, but I desire to say that this question has been

ruled upon, and other business has been transacted while the Senator was absent from the Chamber.

Mr. SMOOT. Then, I can call for a quorum.

Mr. GRONNA. If the Senator desires that, it is all right, but I do not want to go back. The point of order was raised; the Chair has decided the question and has been sustained, and, I repeat, other business has been transacted.

The PRESIDING OFFICER. The Chair will say to the Senator that he has ruled on the question.

Mr. GRONNA. It is too late now to make the point of order.

Mr. THOMAS. The only business which has been transacted has been to submit the question to a vote.

Mr. SMOOT. That is all.

The PRESIDING OFFICER. The Secretary had resumed and was proceeding with the reading of the bill.

Mr. SMOOT. I shall reserve the right to have a decision on this matter when the bill reaches the Senate.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 55, line 15, after the word "fungicides," to strike out "$20,000" and insert "$25,000," so as to make the clause read:

For the investigation and development of methods of manufacturing insecticides and fungicides, and for investigating chemical problems relating to the composition, action, and application of insecticides and fungicides, $25,000.

The amendment was agreed to.

The next amendment was, on page 55, line 23, after the word "waste," to strike out "$6,000" and insert "$9,000," so as to make the clause read:

For the investigation and development of methods of utilizing wool-scouring waste, $9,000.

The amendment was agreed to.

The next amendment was, on page 55, line 24, after the word "expenses," to strike out "$855,401" and insert "$967,401," so as to make the clause read:

In all, for general expenses, $967,401.

The amendment was agreed to.

The next amendment was, at the top of page 56, to strike out:

Enforcement of the tea importation act: The Secretary of Agriculture shall, from and after the taking effect of this act, execute and perform all the powers and duties conferred on the Secretary of the Treasury by the act approved March 2, 1897 (29 Stat. L., p. 604), entitled "An act to prevent the importation of impure and unwholesome tea," as amended by the act approved May 16, 1908 (35 Stat. L., p. 163), entitled "An act to amend an act entitled 'An act to prevent the importation of impure and unwholesome tea,' approved March 2, 1897": *Provided*, That the bonds given to the United States as security in pursuance of section 1, as amended, shall be subject to the approval only of the collector of customs at the port of entry; that in place of the Board of United States General Appraisers provided for by section 6 of the act, there shall be designated by the Secretary of Agriculture three employees of the Department of Agriculture to serve as the United States board of tea appeals with all the powers and duties conferred by the act on the Board of United States General Appraisers. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000 for carrying into effect the provisions of the aforesaid act until the end of the fiscal year ending June 30, 1921, including payment of compensation and expenses of the members of the board appointed under section 2 of the act and all other necessary officers and employees.

The amendment was agreed to.

The next amendment was, on page 57, line 3, after the word "Chemistry," to strike out "$1,321,591" and insert "$1,393,591," so as to make the clause read:

Total for Bureau of Chemistry, $1,393,591.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Soils," on page 57, line 9, before the word "clerks" where it occurs the first time, to strike out "five" and insert "seven"; in the same line, before the word "clerks" where it occurs the second time, to strike out "ten" and insert "thirteen"; in line 10, after the words "class one," to strike out "seven clerks, at $1,000 each"; in line 13, before the word "draftsmen," to strike out "six" and insert "eight"; and in line 14, before the word "one," to strike out "two draftsmen, at $1,000 each."

The amendment was agreed to.

Mr. POMERENE. Mr. President, I desire to say that I understand there has been a very material reduction in the amount of the appropriation for the Bureau of Soils. A certain part of this money, as I understand, has been expended in making surveys of soils and for other examinations.

Mr. GRONNA. Let me say to the Senator that the Senate committee struck out altogether the provision which will be found at the bottom of page 58 and at the top of page 59, involving an appropriation of $178,900. Several Senators, however, have requested when we reach this paragraph that it may be passed over, and I have no objection to that.

Mr. POMERENE. I simply wish to make a suggestion. My attention was called to the matter in the first place by Prof. Charles Thorn, who is the director of the Ohio Agricultural Experiment Station at Wooster, Ohio. I know he is a very high-class man, not only professionally but personally, and I have every confidence that he would not make any complaint in this regard if he did not feel that his duty to the people of the State of Ohio required him to do so. He is very anxious to have this item restored, and while I confess that I am not very familiar with it, I do know that the Bureau of Soils has been doing excellent work, and that they are constantly appealed to by the farmers in all sections of the State.

Mr. GRONNA. I agree with the Senator from Ohio that a great number of high-class men are very much in favor of this appropriation. I have received several letters from my own State from some very excellent men in reference to the subject, protesting bitterly against the elimination of this paragraph. If it were not for the fact that we are trying to economize, the action proposed would not be taken; in normal times the committee would not think of striking out this provision, but it is believed that this work can be deferred.

As the Senator knows, in connection with the soil survey work men go throughout the various States, and I was told that most of the money under this item would be expended in my own State—and I dislike to have to acknowledge that on the floor of the Senate, as I know it will go into the RECORD—but I said "it makes no difference if it does go to my State." I have the names of a number of counties in my State in which it was intended to make soil surveys.

Mr. POMERENE. I mean no reflection on the Senator's State, but I think a good part of the appropriation ought to go there, as well as to other States. It is said our farmers do not understand intensive farming, and there is some foundation for that claim, particularly in certain sections. I think that we are not only benefiting the farmers themselves, but we are benefiting the entire population of this country when we do anything toward the betterment of the soil and the study of fertilizers in connection with the soil, and I think that it is false economy to cut out an appropriation of this character.

Mr. GRONNA. Mr. President, I do not disagree with the Senator. I believe that it is a valuable work; it is important that men should go out and examine the soil and make out their charts and their analyses so that they may be used by the people in the various sections of the country wherever a survey is made; but this work can be deferred for at least a year or two, and if we can save many appropriations of $100,000 or $200,000 in the aggregate they will make up a great total running into the millions. It is for that reason only that the committee has recommended striking out this item; there is no excuse for such action, I will say to the Senator, except in the interest of economy.

Mr. POMERENE. Mr. President, I think that same argument could be made against practically every other item in this bill. I can only repeat that I regard it as false economy when by an expenditure of a little money in this way we can benefit the agricultural interests and thereby the interests of the entire country. Although we have not yet reached it, I hope that the amendment will not be agreed to when it comes to be considered.

Mr. SMITH of South Carolina. Mr. President, may I ask the chairman of the committee a question?

Mr. GRONNA. Certainly.

Mr. SMITH of South Carolina. I understood him to say that he had requested that the paragraph referred to by the Senator from Ohio be passed over.

Mr. GRONNA. Yes; the Senator from Mississippi [Mr. HARRISON] and also the Senator from South Dakota [Mr. STERLING], who is now occupying the chair, have requested that this particular paragraph be passed over when it is reached.

Mr. POMERENE. I am glad we have the sympathy of the Chair.

Mr. SMITH of South Carolina. Mr. President, it may be necessary for me to be absent during a part of the consideration of this bill, and I wish to take this occasion to say that I have been surprised at the number of letters which have been received in regard to this very point. They have not come from my State to any extent, although I have received some, but from perhaps 20 States, and, while not addressed to me directly, they have been shown to be my others, or I have been told about them. I am amazed to find how great a desire is expressed by the farmers throughout the country that this particular work of cooperating with the Federal Government in the surveying and plotting of the soil should be continued in order that information may be furnished as to the constituent elements of the soil, the character of fertilizer needed, the best processes of drainage, whether tile or open ditch, and numerous other matters.

Mr. POMERENE. I am quite satisfied the Senator would receive complaints from his State——

Mr. SMITH of South Carolina. I have.

Mr. POMERENE. But he has been so diligent in telling them that they need nitrates down there that everybody knows that fact in South Carolina; but they do not know what character of fertilizer they need in some of the other States; and so at the present time I am appealing to the Senator from South Carolina for aid to have this provision retained.

Mr. SMITH of South Carolina. The farm survey in my State, I presume, has covered as much territory as in other States. I understand that there are very few counties that have not been surveyed under the cooperation of Clemson College and the Federal Government, and the character of the work has been very satisfactory. I presume those counties that have not been surveyed are of such homogeneity with those that have been surveyed that they are more or less in a position to benefit by the observations in other counties; but I can understand how a wonderful benefit has accrued to my State from this work, resulting in the saving of millions of dollars, both in informing the farmers as to the character of the soil and what was needed to improve it, as well as in regard to drainage and other matters affecting putting it in condition for the best return.

I am glad to hear the chairman of the committee say that this matter will be still further considered; and I want to take this occasion, in case I should be absent, to say that so far as I am concerned, having gotten the information that I have, I would be rather in favor of restoring this appropriation, even if we had to curtail somewhere else.

Mr. SMOOT. Mr. President, if the appropriation just spoken of, amounting to $178,900, for the investigation of soils, is stricken from the bill, then I think I shall want to offer some amendment as to the salaries in the bureau. In other words, the work that is required here in the District of Columbia that comes to the department after the soil survey is made within the States would be considerable, and I do not think we will need as many clerks if this work is not carried on as we will if it is; so I give notice now that if we do strike out this item I shall want to return to the other one.

Mr. GRONNA. Mr. President, I think I ought to state for the RECORD that when this paragraph was stricken out by the Senate committee Mr. Harrison, the Assistant to the Secretary of Agriculture, was assisting the Senate committee, and, of course, he protested most bitterly; but so far as the number of men employed in this particular work is concerned, I will say to the Senator that it is only the number required outside of the Bureau of Soils.

Mr. SMOOT. Perhaps the Senator did not understand me. The men that are employed directly for this work in the field are paid out of the $178,900, but that work after it is done in the field is reported to the department here in Washington, and then the work of disseminating the information and the result from the expenditure of the appropriation is done by the clerks in the bureau.

Mr. GRONNA. Yes; I agree that there would be more work to do if we give these field agents the money to go out and make the examination. There would, of course, be increased work, and if that is not done it might be possible that we could reduce the clerks by one or two.

Mr. McKELLAR. Mr. President, with reference to the item of $178,900 stricken out by the committee for the investigation of soils, I have had a number of letters from my State against striking out this appropriation. They say that it is one of the most valuable of the appropriations; that it is doing the farming industry of our State an immense amount of good by giving the farmers information as to what kind of fertilizer is necessary for their soil, and they do not think it ought to be stricken out; and I hope the Senate will not agree to the amendment striking it out.

Mr. SMOOT. Mr. President, every Senator knows that wherever there is an agricultural college there is going to be a protest against striking this item out of the bill. It goes into the States and passes through the agricultural departments of the States, and we know very well that wherever there is an item stricken from the appropriation bill there will be a protest; but I did not base my statement as to the value of this work merely on the fact that there was a protest from any State or from any institution within the State.

Mr. McKELLAR. Of course I know that the Senator is correct about basing a protest on that fact, and that would not be a sufficient basis for the action of the Senate; but if this is a good work, and is for the benefit of the farmers in the various farming States, as I am advised that it is, I think we ought to keep this item in. I think if it has been heretofore found to be a good work, the mere fact that it is done through agricultural colleges is no reason why it should be stricken out.

The PRESIDING OFFICER. The Secretary will resume the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 57, line 17, before the word "two," to strike out "one messenger or laborer, $480"; in line 18, after the word "each," to insert "one messenger or laborer, $660"; and in line 20, after the words "in all," to strike out "$78,060" and insert "$78,040," so as to read:

One messenger, $840; 2 messenger boys, at $480 each; 1 messenger or laborer, $660; 3 laborers, at $600 each; 1 laborer, $300; 1 charwoman or laborer, $480; in all, $78,040.

The amendment was agreed to.

The next amendment was, on page 58, line 11, after the word "survey," to strike out "$23,110" and insert "$25,610," so as to make the clause read:

For chemical investigations of soil types, soil composition, and soil minerals, the soil solution, solubility of soil, and all chemical properties of soils in their relation to soil formation, soil texture, and soil productivity, including all routine chemical work in connection with the soil survey, $25,610.

The amendment was agreed to.

The next amendment was, on page 58, after line 20, to strike out:

For the investigation of soils, in cooperation with other branches of the Department of Agriculture, other departments of the Government, State agricultural experiment stations, and other State institutions, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations, $178,900.

Mr. SMITH of South Carolina. Let that be passed over.

Mr. GRONNA. I ask that the amendment be passed over.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. SMOOT. Mr. President, I should like to ask the chairman of the committee if he knows what the result has been from past appropriations for exploration and investigation within the United States to determine possible sources of supply of potash, nitrates, and other natural fertilizers. That appropriation has been carried in the bill for quite a number of years past, and I should like to know whether any report has ever been made.

Mr. GRONNA. Mr. President, I can not say that I have read many of these reports. I will say, however, that that question came up before the committee, and we took up this very paragraph, among others, and discussed it with Mr. Harrison, and one of the experts in the Department of Agriculture called me out of the Chamber one day and called my attention to the importance of this work.

A great deal of criticism has been made with reference to the expenditure of money for the manufacture of potash from kelp. It has been generally understood that the results have been bad. We were informed that the Department of Agriculture will sell this year from the plant in California, where they manufacture potash from kelp, more than a million dollars' worth of potash; and when we take into consideration the fact that the Government of the United States did not go into this work merely for the purpose of making it a commercial proposition, but that it is an important scientific work, and when we realize what it has been, especially during the war, it seems to me that this kind of work ought to go on.

The paragraph which we are passing upon just at the moment provides only for research, and I will say to the Senator from Utah that I believe very great and important work is being done both with reference to nitrates and with reference to potash.

Mr. SMOOT. The appropriation, however, is not made for research. All that it is made for is for exploration and investigation to determine possible sources of supply of potash, nitrates, and so forth.

Mr. GRONNA. Yes; that is true.

Mr. SMOOT. I think almost any Senator here can tell you that there are sources in the United States from which these materials can be derived.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, I do not think he has put a broad enough meaning on the phrase "determine possible sources." The chairman of the committee is right when he says that they investigate the availability of the sources. They may find potash in some of the rocks. There are reports out in reference to it. I have one now where they report on the matter of kelp, I think, in the Senator's State. They investigated some of the potash rock there, and they also have investigated the green shales both of the New England States and of the Southern States, to ascertain their potash content, and the practicability of extracting it in commercial quantities.

Mr. SMOOT. We all know that. When that investigation is completed, and a report is made, I think it will show that if the

potash deposits that are known now in the United States are developed, this country can be furnished with potash for the next thousand years.

Mr. SMITH of South Carolina. The Senator is aware of the fact that the freight from the Pacific coast and from his State to the great fertilizer-using sections of this country is prohibitive.

Mr. SMOOT. That is exactly why it seems to me that this appropriation ought to be for a different purpose than that named in the bill.

Mr. SMITH of South Carolina. But, if the Senator will allow me to conclude, that freight will not be prohibitive if the fact can be established that potash can be economically produced in those sections, because I think that since Congress has charge of the public carriers of this country, if America has a supply of this material, certainly we ought to be able to bring it across the continent and furnish it to our people as cheaply as it can be brought across the ocean from the potash wells of Germany and sold here. I think, therefore, that this investigation is entirely justified; and not only that, but it is my impression now—I have not the old law before me—that this is a smaller appropriation than has been carried heretofore.

Mr. SMOOT. What I had in mind was this: Whenever an appropriation is made for any particular purpose in any appropriation bill, it remains there forever unless some one calls attention to it. Nobody is more interested in the original appropriation for this purpose than I. I thought it was very wise, and I think now that perhaps it would be a splendid thing for Congress to make an appropriation to find out the best methods of extracting potash and the best methods of handling it, rather than to make an appropriation here to determine the possible sources of supply in the United States. Take the State of Wyoming: There is enough potash rock in the State of Wyoming to furnish potash to the United States for the next 100 years, and that rock is in sight to-day. It is worth nothing unless it is for its potash content.

Mr. SMITH of South Carolina. But the method of extracting it is too costly.

Mr. SMOOT. They have already erected a large plant there, and I think it more than likely that it will not be very long until that plant is perfected to the point where thousands of tons of the very highest grade of potash will be produced in that State. I would rather see an appropriation made for the purpose of determining the best method of extracting the potash, and how to get it to the States that need it than to have an appropriation here to determine the possible sources of supply of potash.

Mr. SMITH of South Carolina. Would not the Senator think this money was well spent if this investigation goes on solely for the purpose of discovering new sources of supply, if they do discover a valuable source of supply contiguous to the territory that uses it in such great quantities? I am sure the discovery of the green shales on the Atlantic seaboard was a valuable one and also the by-product from this blackstrap molasses.

Mr. SMOOT. Of course, we all understood that before. The only question was as to its location and the transportation question involved.

Mr. SMITH of South Carolina. I would not be surprised at any time if these investigations reveal a source we now know nothing of.

Mr. GRONNA. I do not wish to take the Senators from the floor, but this is not a committee amendment. It is a provision which comes from the House.

Mr. SMOOT. That makes no difference. The amendment of the committee was presented, and any Senator can speak upon it.

Mr. GRONNA. But the Senator was considering the paragraph beginning in line 18.

Mr. SMOOT. I was, but I can speak on any part of the bill I desire. I am not out of order, I will say to the Senator.

Mr. THOMAS. Mr. President, I do not want to prolong the discussion needlessly, but this appropriation is such an admirable illustration of the way the United States does business that I feel justified in briefly commenting upon it.

The purpose of this paragraph is to appropriate $36,840 for exploration and investigation within the United States to determine possible sources of supply of potash, nitrates, and natural fertilizers. In other words, Government agents and so-called Government experts will be authorized under this appropriation, and have been authorized under similar appropriations, to make investigations and explorations; and what do they amount to? In the first place, there is no inducement to discover or ascertain the subject matter of the appropriation, for once it has been accomplished the occupation of the official is lost and gone; he must either seek new sources of activity or he must continue his search. I do not know of any instance—there may be some, but I can recall none—where work of this kind, carried on by Government officials under Government appropriations, ever accomplished anything. The great deposits of metallic ores and of rare minerals have been exploited and exposed by private initiative, and that initiative has been stimulated by the prospect of gain. That is elemental in human nature, and it always will be.

As the Senator from Utah has said, there is plenty of potash in the United States, and there is sufficient talent and genius, chemical and otherwise, now dormant in the United States to make these deposits commercially available. The difficulty is, however, that no private incentive exists to attract private investigation along these lines. The Government has segregated these lands from private occupation and does not permit them to be exploited except under conditions that are not attractive to the men who would like to engage in that sort of business. Senators representing States needing this identical fertilizer to my certain knowledge have joined in the enactment of just that sort of legislation, with the best of motives, of course, and unquestionably from a desire to subserve the interests of the country, but unfortunately they have paralyzed that enterprise which is necessary to secure these much-needed natural resources.

The great phosphorus beds of Florida were not discovered by Government agency. It was private enterprise, stimulated by the desire for gain, which brought those valuable elements into the market and which has done so much to stimulate agricultural interests the world over. I prophesy that you can make this appropriation for the next 25 years and you will have nothing to show for it at the end of that time.

If the Government will say to the American citizen, as it once said, "Go upon the public domain, investigate it, examine it, exploit it, and if you discover anything which is sufficiently attractive, locate it, and we will give you a patent," there will be some incentive for private enterprise to enter this field of activity. A few years ago I knew of a number of men who went into Wyoming, two or three of them engineers and chemists, for the purpose of investigating the potash deposits, and locating and developing them if their investigations were satisfactory. They made tests of the rock, all practical tests, and satisfied themselves of the prospect of a good business, and made their locations under the laws of the United States accordingly. When their locations came to Washington for patent, they were subjected to investigation, and after the investigation they were turned down. That is under the new dispensation, the offspring of Mr. Gifford Pinchot and the cult of the Pinchot association. The result is that these great potash beds have not been subjected to exploitation. The Government will not do it; the Government can not do it.

The way in which to ascertain where these beds are, what their possible sources of supply may be, and how they are best to be developed is the good old way of relying upon individual initiative and depending upon the confidence which the individual has in himself. Instead of that we have the modern Government way, to withhold all the resources of nature from the people, suspect the honesty and integrity of every citizen desiring to investigate, adopt a leasehold policy, and fix royalties at a point which no sensible or prudent man cares to consider, and then make an appropriation under the terms and conditions of which a lot of scholastic gentlemen, excellent people, theorists, may go out with their microscopes and other paraphernalia and examine into the crystallizations of rock and report progress.

Nowadays, Mr. President, we shoot vermin and predatory animals by Government order, and we have extended our civil service so far as to arm officials with shotguns and pay them so much a day to kill skunks and prairie dogs. A man earns just as much sitting by a good fire and shooting such animals as are attracted by curiosity or otherwise within his range as he will by going out and doing a day's business. I have no doubt the time will come when all these various agencies will be similarly exercised and provided for, and just so long as it is done we will depend upon foreign countries for very essential elements needed in agriculture and in the other pursuits of life. Let us go back to the good old way of doing business, where men are men, who do not need the Government for a wet nurse whenever anything is to be done requiring the exercise of capacity or involving the danger of expense. I think that this entire item should be eliminated from the bill, because it is in the end nothing but a sheer waste of the public money.

The reading of the bill was resumed.

The next amendment was, on page 59, line 16, after the word "expenses," to strike out "$462,975" and insert "$286,575," so as to make the clause read:

In all, for general expenses, $286,575.

The amendment was agreed to.

The next amendment was, on page 59, line 17, after the word "Soils," to strike out "$541,035" and insert "$364,615," so as to make the clause read:

Total for Bureau of Soils, $364,615.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Entomology," on page 59, line 23, before the word "clerks" where it occurs the second time, to strike out "ten" and insert "eleven"; in line 25, before the word "clerks," to strike out "eight" and insert "six"; on page 60, line 3, after "$1,200," to strike out "1 entomological preparator, $1,000" and insert "4 entomological preparators, at $1,000 each"; in line 9, after the word "each," to strike out "1 laborer, $540; 1 laborer, $480"; and in line 11, after the words "in all," to strike out "$132,810" and insert "$134,390," so as to make the clause read:

Salaries, Bureau of Entomology: One entomologist, who shall be chief of bureau, $5,000; 1 chief clerk and executive assistant, $2,250; 1 administrative assistant, $2,250; 1 editor, $2,250; 1 financial clerk, $1,800; 5 clerks, class 4; 11 clerks, class 3; 18 clerks, class 2; 25 clerks, class 1; 6 clerks, at $1,000 each; 1 insect delineator, $1,600; 2 insect delineators, at $1,400 each; 2 entomological draftsmen, at $1,400 each; 1 entomological draftsman, $1,080; 1 photographer, $1,200; 4 entomological preparators, at $1,000 each; 4 entomological preparators, at $840 each; 8 entomological preparators, at $720 each; 1 laborer, $1,080; 2 messengers or laborers, at $900 each; 1 messenger or laborer, $840; 3 messengers or laborers, at $720 each; 6 messenger boys, at $480 each; 2 charwomen, at $480 each; 3 charwomen, at $240 each; in all, $134,390.

The amendment was agreed to.

The next amendment was, on page 61, line 3, after the word "available," to strike out "*Provided*, That $9,600 of said sum shall be available for the investigation of insects affecting the pecan and method of control of same," so as to make the clause read:

For investigations of insects affecting deciduous fruits, orchards, vineyards, and nuts, $178,500, of which $30,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 61, line 11, after the words "Argentine ant," to strike out "$125,000" and insert "$170,000," so as to make the clause read:

For investigations of insects affecting southern field crops, including insects affecting cotton, tobacco, rice, sugar cane, etc., and the cigarette beetle and Argentine ant, $170,000, of which sum $25,000 shall be immediately available.

The amendment was agreed to.

The reading of the bill was resumed, the last paragraph read being as follows:

For investigations of insects affecting truck crops, including insects affecting the potato, sugar beet, cabbage, onion, tomato, beans, peas, etc., and insects affecting stored products, $110,000.

Mr. HARRISON. I have an amendment that I want to offer to the paragraph just read. Are individual amendments now in order?

The PRESIDING OFFICER. They are not.

Mr. HARRISON. I do not want to lose my right to offer an amendment to that provision.

The reading of the bill was resumed.

The next amendment was, on page 62, line 2, after the word "insects," to strike out "$52,330" and insert "$62,330," so as to make the clause read:

For investigations, identification, and systematic classification of miscellaneous insects, including the study of insects affecting the health of man and domestic animals, household insects, and the importation and exchange of useful insects, $62,330.

The amendment was agreed to.

The next amendment was, on page 62, line 7, after the word "expenses," to strike out "$740,670" and insert "$795,670," so as to make the clause read:

In all, for general expenses, $795,670.

The amendment was agreed to.

The next amendment was, on page 63, line 3, after the word "expenses," to strike out "$200,000" and insert "$302,650," so as to make the clause read:

Preventing spread of moths, Bureau of Entomology: To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown-tail moths by conducting such experiments as may be necessary to determine the best methods of controlling these insects; by introducing and establishing the parasites and natural enemies of these insects and colonizing them within the infested territory; by establishing and maintaining a quarantine against further spread in such manner as is provided by the general nursery-stock law, approved August 20, 1912, as amended, entitled "An act to regulate the importation of nursery stock and other plants and plant products, to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests, to permit and regulate the movements of fruits, plants, and vegetables therefrom, and for other purposes," in cooperation with the authorities of the different States concerned and with the several State experiment stations, including rent outside of the District of Columbia, the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $302,650.

Mr. POMERENE. Mr. President, if I may have the attention of the chairman of the committee for a moment, in this appropriation under the title "preventing the spread of moths," the House appropriated $200,000. It is proposed to increase that by the Senate committee amendment to $302,650. May I ask what was the appropriation last year?

Mr. GRONNA. It was $304,000, I will say to the Senator.

Mr. POMERENE. I have had a large number of communications from Ohio bearing on the subject and one of them from the entomologist from the Ohio Agricultural Experiment Station. He suggests that $400,000 would not go any further in the prosecution of this work than the appropriation of last year, due to the increased cost of the work. I think the work is so very important that I should dislike very much to see the department crippled for want of funds.

Mr. GRONNA. I will say to the Senator that the committee took that into consideration, but the experts who appeared before our committee believed that they could get along with $302,000 as provided in the amendment. We realize that much important work is being done by the experts, and that it is necessary to provide ample funds for the continuance of the work.

Mr. THOMAS. May I inquire of the Senator having charge of the bill what progress is being made in this investigation toward the accomplishment of the end desired? These moths seem to flourish along with the appropriations.

Mr. GRONNA. I will say to the Senator that the country infested with these moths has been, as the Senator knows, mostly in the Eastern and New England States. I understand, from the reports and from the statements made by the experts, that a great deal of work has been done; in fact, they have been able to keep the insects from spreading. I could read from the report which I have here showing that at one time the gypsy moth had gone as far west as New York.

The Senator, of course, realizes, perhaps better than I do, the difficulty of exterminating or eradicating this moth. It is not an easy matter to do. It is a good deal like the boll weevil in the South. We have not been able to eradicate completely the boll weevil, but the department has been able to eradicate it in certain sections and the department has also been able to keep it from spreading.

Mr. THOMAS. Of course, the Senator knows that they are erecting monuments to the boll weevil down in Alabama.

Mr. GRONNA. The Senator from Colorado told me the other day that they are erecting such monuments. Nevertheless, it is important that sufficient sums of money shall be appropriated to eradicate these pests. It must be done.

I want to say to the Senator from Ohio that I believe the work can be done with the amount provided for in the amendment.

Mr. POMERENE. The Senator from Colorado has asked a question with reference to the gypsy moth. I have here before me a signed statement by Mr. N. H. Shaw, secretary of agriculture of the State of Ohio; Mr. E. C. Totten, chief of the Bureau of Horticulture; Prof. Herbert Osborne, professor of entomology, Ohio State University; and T. H. Parks, extension entomologist of the Ohio State University. In discussing this subject, after speaking of the crippling of the department because of insufficient funds, it is stated that:

This is particularly true in the case of the gypsy-moth work, where the reduction of one-third from the amount previously appropriated is little less than a calamity. However, this reduction, if consummated, would be in line with the disastrous and expensive policy of temporizing that has hitherto marked legislative efforts in connection with the control of this pest.

Beginning about 1890 the State of Massachusetts made liberal annual appropriations, until the insect was well under control and, in fact, far on the way toward eradication, when the cry of "economy" caused the legislature to cut off the appropriations. This false economy and the resulting cessation of control work for a period of four years was directly responsible for a rapid increase and spread of the insect and the necessity for the expenditure of large sums by State and Federal Governments since 1902. Now that the work is again beginning to show results the cry of "economy" is again heard, which, if successful in its purpose, will practically nullify and bring to naught the really remarkable results attained through the expenditure of State and Federal funds. When this insect again becomes serious, as it unquestionably will if the appropriations are reduced, we will have to begin again, not where we left off in 1920 but back where we were in 1902.

The request for an addition of one-third to the amount previously appropriated was in our opinion very conservative, for the additional sum is not commensurate with the advance in the cost of labor and materials.

I think that practically demonstrates the situation, at least as it appears to these men who have given special attention to the subject.

Mr. THOMAS. I am glad to know that some progress is being made in that direction. I asked the question very largely

from curiosity, because when the subject of the boll weevil is reached I want to call the attention of the Senate to some eulogies that are being pronounced upon that very interesting little insect in certain parts of the South, where it seems to be regarded more as a benefactor than as a pest.

Mr. SMITH of South Carolina. Mr. President, I think if the Senator from Colorado understood the situation he would not indulge in this seeming humor about the erection of monuments to the boll weevil. People who had been, as we call it, running on the one-crop plan of planting cotton, when the boll weevil came in such disastrous numbers that he killed the cotton crop out so that it was impossible to plant, found that by planting peanuts in certain tracts they could get a better return than they did from their cotton. What would be the condition of the producers of this country if all the territory now planted in cotton were to be planted in the insignificant and negligible crops that have been so very profitable to these people?

The Senator must understand that we are face to face now with the calamity of losing our monopoly of the world's greatest staple through the inroads of this miserable little insect. Sixteen million bales of cotton were produced in 1914 and the rapid spread of this insect over the cotton States has reduced that crop in the last five years to an average of only 11,000,000 bales, entailing a loss in the five years of 20,000,000 bales of cotton running up into billions of dollars, meaning that unless we can find some method of handling it—and we have found no method of stopping his progress over the country there, but we have found a method by which we can make a partial crop—the billion dollars of European gold that has been brought into this country and exchanged for our manufactured and raw cotton will have to be surrendered to some one else.

There are untold millions of dollars in the form of cottonseed meal and cottonseed hulls, which in the Senator's own State are finding a market and a valuable place in competition with his grain and his hay. All cattle raisers as far west and south as Colorado and New Mexico, and all down to the Mexican border, find there is no feed on earth that will put cattle in condition for the market and put on as much fat in a short time as will the use of cottonseed meal. Just night before last we had an illustration of the way the soil is being depleted, and the sources of renewing it by virtue of artificial fertilizers are being exhausted; and the marvelous statement was made that in place of 80 per cent of the by-product known as cottonseed meal, out of which is extracted the oil which has heretofore been used as fertilizer, practically this entire output of the enormous southern cotton crop is now used in the form of cattle feed.

Why should Senators stand here and absolutely eulogize the poor, foolish individuals who, taking the little local view the Senator from Colorado seems to commend, that because they can raise a few bushels of peanuts and a few head of cattle a little more profitably in their locality than they have been able to raise cotton under the boll-weevil conditions, therefore they would erect a monument to the boll weevil because he enabled them to plant peanuts and make a little more than they had made out of the cotton under adverse conditions?

I think the Senate ought to understand here this afternoon that there has appeared now an insect which probably will menace the corn crop of this country, known as the miserable corn borer, threatening the entire corn crop. You can not get the farmers of this country nor disinterested parties to go out and study the habits and varieties of this insect and prepare some way to combat it.

You have the gypsy moth and you have the San Jose scale. I have here before me this afternoon a comparative statement of the loss to the apple crop from insects. I presume it would be quite as logical for the apple growers of the Northwest, if temporarily during the apple season they could go out and raise a few angora goats where they had raised apples and make a little more than they had made out of apples, to raise a monument to the little insects that destroy the great apple industry of this country. I take this occasion, Mr. President, to deplore the fact that Senators scrutinize and criticize the number of dollars that are included in agricultural appropriation bills without apparently having an intelligent idea of what has been the result of the expenditure of those dollars in the past years. I think it is the duty of a Senator to scrutinize the expenditure of public money when he is charged with the responsibility of appropriating it, but I think it is equally his duty to understand what is being done with and what is the result of such expenditures.

I confidently state here this afternoon that there is not a department of the Government that has been of as much benefit to the American people as has the Agricultural Department, nor has there been as little extravagance and as little useless expenditure of money in any other department as there has been in the Department of Agriculture. Only the other day there appeared before us the new Secretary of Agriculture, deploring the fact that we had trimmed the Agricultural appropriation bill as we had, particularly in reference to certain divisions and salaries. He furnished a list of some 40 or 50 men, bright, trained scientists, who had worked patriotically and loyally to discharge the responsibilities which were put upon them, to help the great agricultural interests of the country to produce for the benefit of 110,000,000 American people. These men of necessity being responsible for their wives and children, and being in the earning period of their lives, have been offered four or five times as much by private institutions as they were offered under the Government, and so necessarily under existing conditions they have accepted.

He stated that we could not retain the best talent in this country on the meager salaries being paid, and in addition to that have Congress every time the Agricultural bill comes up rawhide these men as being parasites, barnacles on the public, and as giving no quid pro quo.

I think the committee ought to invite scrutiny of their work, investigation, and criticism; but it has become popular for Senators to stand on the floor of the Senate and laugh to scorn the very source from which three times every day they go and replenish their energy. After having gone into the dining room and eaten the products of the farm and field they then come back and scorn and sneer at the efforts that the Government is making to help those who are the most notoriously helpless of all the great classes of our workmen.

The manufacturers are necessarily organized; they are artificial producers; they can control their seasons and their output. The agriculturist when he has made his investment in the soil and purchased land, stock, and material then has to wait upon the caprices of an uncertain season as to whether or not he will get any return. Yet when we come to make appropriations and to extend help to that class of people there is a perfect chorus of criticism here that we are squandering the people's money when we are only trying to help these men in their struggle against the uncertainty of the seasons and also against the inroads of insects and all kinds of destructive fungus and other plant diseases. We are met with this unjust criticism whenever we bring in an Agricultural appropriation bill.

I do not know to what extent it is possible to eradicate any of these pests; but I do know that millions upon millions of dollars have been added to the meat supply of the country by the actually demonstrated eradication of what is known as the cattle tick, the carrier of Texas fever. I know that the Agricultural Department in developing vaccine has added millions upon millions of dollars to the meat supply by holding in check hog cholera. You and I know that the outbreak of the foot-and-mouth disease a year or two ago was promptly checked and finally stamped out by the Agricultural Department. Who can calculate the millions of dollars thereby saved to the people? Yet whenever any little item comes up on the Agricultural appropriation bill some great economist stands on the floor of the Senate and scrutinizes it, as to whether or not the money has been properly expended.

We ought to give the farmers all the encouragement possible. The total appropriation in this bill is less than the cost of one battleship, and yet every battleship in America is dependent upon the appropriations contained in this bill. I think it is time for us all to join hands and do what we can to encourage "the man with the hoe."

Mr. THOMAS. Mr. President, the Senator from South Carolina is always supersensitive when any criticism is made or any information is requested regarding items of appropriation in the Agricultural appropriation bill. There is no question that the Department of Agriculture has accomplished a great deal of good in the country and has been the source of infinite benefit to the farming communities throughout the land. It is equally true, however, that the Agricultural bill has become the nesting-place for more little, unnecessary, and seemingly experimental appropriations than any other one appropriation bill that we have to consider. I have had occasion heretofore to criticize a number of these so-called appropriations, and so long as I am here I propose to exercise my right of criticizing others.

I try to distinguish—with what success others must determine—between appropriations that are needful and appropriations which experience demonstrates lead nowhere, as well as approprations that are designed to do for the farmer what he can do a great deal better for himself. I recall an appropriation of several thousand dollars designed to instruct the farmer upon the farm how to make sauerkraut or cottage cheese. Possibly that was a very useful appropriation, but I am inclined to think that the average farmer's wife could come down here and give

the Agricultural Department a great deal more instruction along those lines than any so-called expert could give to any farming community in the United States; and so with a great many other appropriations which I might mention, but I will not take the time to do so.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. McKELLAR. Does not the Senator get letters from farmers and farmers' wives in his State very regularly asking for bulletins as to all these matters?

Mr. THOMAS. Oh, yes.

Mr. McKELLAR. I will say to the Senator that my own experience has been that the farmers of my State receive very valuable information from the reports of different investigations and from the advice that is given to them and to their families by the Agricultural Department. If we want to save money it seems to me that we can find other departments of the Government in connection with which we might save a great deal more than by attempting to save the small appropriations that go to the Agricultural Department. It is the most important institution that we have to deal with, and we ought, in my opinion, to build it up in every possible way.

Mr. THOMAS. Mr. President, the thing that we are discussing is always the most important when it comes to economy; it makes no difference what it is.

Mr. McKELLAR. Does not the Senator, in all fairness, think that the agricultural interests of this country are the most important of all its interests?

Mr. THOMAS. I think that it is one of the most important interests in the country.

Mr. McKELLAR. I take issue with the Senator, for I think it is the most important, because without it we could not live at all.

Mr. THOMAS. The Senator does not take issue with me at all; the Senator expresses his opinion, and I express mine; at least, I answer his question. The Senator asks me if I do not get requests for bulletins from people in my State. I answer, "Yes, I do;" and I receive a great many other requests. I receive requests for appropriations under this bill which I have not the audacity to present to the committee, and I have no doubt that many similar requests come to other Senators. That is the difficulty. The people are becoming so dependent upon the Government of the United States that they are losing all initiative, and the time is rapidly coming when even the farmers, who are noted for their initiative, will have the same sense of self-dependence, and will come to the Government of the United States for relief from every conceivable ill which is either actual or apprehended.

It would appear possibly from the comments that have been made by the Senator from Tennessee and the Senator from South Carolina that I am making a specialty of attacking the Agricultural appropriation bill.

Mr. McKELLAR. I hope the Senator will not include me in that category.

Mr. THOMAS. And that I allow all other bills considered by the Senate to pass without criticism.

Mr. SMITH of South Carolina. Mr. President, the Senator is the least among the sinners in that respect, although he is one of them.

Mr. McKELLAR. If the Senator will yield to me for just a moment, I hope he will not think that I was alluding to him especially. I was merely taking issue with a particular statement made by the Senator.

Mr. THOMAS. I did not say that the Senators were accusing me; I said that from what had been uttered by them such an inference might be drawn by others. I have tried to prevent the building of all of the $37,000,000 battleships that so far have been the subject of legislation by Congress. I think every dollar expended from now on upon a battleship is so much money thrown away. The day of the battleship is gone, long ago. Sir Percy Scott, of the British Admiralty, predicted that the submarine—and this was before the German war—would in active warfare render the battleship obsolete; but we are still appropriating money for them and still building them, while we are neglecting the air, the control of which will be absolutely essential to our national security. We are economizing upon what is obvious as a result of this war and squandering money like drunken sailors upon other things that are either obsolete or unnecessary at this time.

Mr. McKELLAR. Will the Senator yield?

Mr. THOMAS. I certainly do.

Mr. McKELLAR. If the Senator desires to consider the question of economy—and I think that question should be uppermost in the minds of all of us—I call his attention to a bill reported out by the Committee on Military Affairs, of which he and I are both members, under which, if enacted into law, there will be about $1,300,000,000 expended next year on our Army—about five times as much as German militarism in the heyday of its glory in peace times cost. If we desire to economize, it seems to me we had better try to bring about economy by stopping the spigot instead of stopping the little leaks that may occur in a bill like this, which involves only about $33,000,000, I believe, in comparison with $1,300,000,000 that is sought by the bill to which I have referred to be appropriated for our Army next year.

Mr. THOMAS. I know that whenever the Army is mentioned, the Senator from Tennessee sees red. He is opposed to it absolutely.

Mr. McKELLAR. Oh, quite the contrary. That is very unfair.

Mr. THOMAS. Then I withdraw the statement.

Mr. McKELLAR. I am glad the Senator does. I believe we should have an Army, but I do not believe we should fasten German militarism upon the people of this country.

Mr. THOMAS. Mr. President, we are at one again. I do not believe so either. I am in favor of reducing the actual expenses of the Government in every department to the very lowest point commensurate with the national safety and the national need. I want to see the knife applied as far as we can do it with safety and security to the Army, to the Navy, and to all the other departments, not excepting the Agricultural Department. I know that what I want and what will be done will be as far apart as the poles. I have often had occasion to say that the microscopic, undiscoverable point in national legislation is the point where we should begin to economize. We can not find it. It is not there. No microscope was ever constructed of sufficient enlarging power even to locate it. We know how all of these criticisms are met, and we know the results. In the matter of economy we are apt, as they do in the matter of taxes, to pass it on, and it is passed on in circular form, so that it continues a spiral movement and never gets anywhere.

This is not the time to continue any discussion in regard to the boll weevil. I am sorry that I mentioned the subject, since the mere mention of it created such a tremendous flurry. I do intend to say something when that part of the bill is reached, because I am not convinced that many of the appropriations which this and previous bills have carried have been of that demonstrated usefulness which a continuing appropriation should have, and which experience must justify or else disapprove of.

I regret to see the scientific, experienced, expert employees of the Agricultural Department leave the public service. I think it is a great misfortune. I regret to see the experienced officers of the Navy and of the Army forced out of the Government employment for the same reason—that is to say, that the amount of their compensation is not commensurate with the needs of life. I have never criticized, and I hope I never shall criticize, proper compensation for those employees in the Government service who follow a line of technical work, who have prepared to do it, who are dependent upon the work as their life work, and who can be retained only by giving them a sufficient remuneration to enable them to live. They, however, are suffering from the enormous congestion in all these departments of a superfluity of civil-service employees. They are making vicarious atonement for the policy and practice of the Government in crowding employees into the various departments until they are so congested that the work itself frequently languishes. True economy requires, and ought to receive, scientific treatment; and the number of ordinary employees should be reduced to the very lowest degree commensurate with the public needs. On the other hand, these scientific men, these experts in the various lines of public endeavor, should be continued in the service, notwithstanding the fact that it may result in an immediate temporary increase of expenditures.

I think I have made myself clear upon that branch of the subject.

Mr. SIMMONS. Mr. President, I have no disposition to join in any criticism of the Senator from Colorado [Mr. THOMAS] because of his criticisms of this bill. I am sure that he is entirely conscientious in the position which he takes. But, Mr. President, ever since I have been in this body I have noticed a greater disposition to criticize and pick flaws in the Agricultural bill than is evidenced toward any other appropriation measure that comes before this body. At times I have been very much astonished by the fact that frequently Senators representing agricultural States seem disposed to seize upon every little item of appropriation in the Agricultural bill for the purpose of criticism.

If you will except the river and harbor bill, no bill appropriating money is as much the subject of this sort of captious and frequently unwarranted and unjust criticism as the little bit that we are able to give for the benefit of the farmers of this country.

Everybody knows that outside of the relatively small amounts that we appropriate to aid in the instruction of men who are engaged in agriculture we are not able to legislate in a way directly to help the farmer. There is very little tariff legislation we can enact that will be effective that will directly benefit the farmer. There is a great deal of tariff legislation that we can enact and do enact that seriously injures the farmer; and it does seem to me, in view of the fact that by reason of the limitations under which we act here we are able to do so little for the farming interest of this country—the interest that lies at the very foundation of our prosperity—that Senators ought not to begrudge to the farmers the crumbs that fall from our legislative table.

Mr. President, our tariff bills come up here laden sometimes with thousands of different items intended to encourage and stimulate and develop the industries of this country, and we very frequently discuss only briefly the great and far-reaching schedules of those measures. Through our legislation we are enabled to extend, and we do extend, substantial aid to almost every other industry in this country—direct, positive aid—not by way of instruction but by way of helping to make profitable the other industries of this country. When we come to the farmer, we can not extend the same direct, effectual aid.

What is the situation, Mr. President? We find that every great industry in this country, except that of agriculture, is to-day able to command all the labor that is reasonably required for its prosecution; and yet the men who are engaged in producing the things that we need and upon which we subsist, and who are engaged in producing the raw materials out of which the clothes that we wear are made, can not secure anything like an adequate supply of labor to efficiently carry on their business, and every Senator who is here representing an agricultural State will tell you to-day that the prospects are that the next crop in this country is going to be disappointingly short, because labor is leaving the farm and going where? Going into the other industries of the country. Why? Of course, Mr. President, labor always goes where it can get the biggest wage, and the man who makes the biggest profit can pay and does pay the biggest wage; and it is because the farmers can not afford to pay the same price for labor that the other industries of this country pay that these other industries have all the labor they need and the farmers have less than they need.

Mr. President, I say that we are in danger in this country of overstimulating some channels of the activities of the people of the country. You can so overstimulate by legislation and other processes certain lines of work and industry in this country as to starve the agriculturist of his labor; and when you do that, you strike a blow at the very foundations of our prosperity.

I would not say one word against proper legislation here to develop the industries of this country, but I do warn Senators that we can go so far in artificially stimulating the activities of the people in certain lines that it will recoil upon those who are engaged in other lines. What good will it do us to manufacture all the goods that the world needs at this time if as a result our entire population flocks to the cities and flocks to the factories and flocks to the mines? What shall we gain by making all the goods the world needs at this time if by so doing we find our fields neglected and we are not able to produce the food upon which we subsist and the raw materials out of which clothes are made in this country? I can not conceive of a more disastrous situation than that, especially at a time when, if we can not ourselves produce the foodstuffs that we require, there is no quarter of the world from which we can obtain them at a reasonable price.

I do not mean to inveigh against any and every person who objects to an item in the Agricultural bill; but I am making these remarks in order solemnly to call the attention of the Senate of the United States and the people of the United States to the situation in which the farmers of this country are now placed with reference to labor, due to the fact that labor can find so much more profitable employment in other lines of activity in this country, and to inquire whether it would not be better to do a bit more for the farmer if we can, stimulating him somewhat, if practicable, in his efforts to supply us with the necessary things of life rather than to go too far in artificially stimulating the activities of the people who are engaged in other industries.

Mr. THOMAS. The Senator from North Carolina has asked a general question, and I would like to reply to him by asking another. Can the Senator suggest any method of legislation, either through the Agricultural appropriation bill or otherwise, that would prevent this exodus from the farm the consequences of which he very justly apprehends; and if so, what would his recommendation be? I am painfully aware of the fact that the farmers of the United States are short in labor, and I greatly fear that as time passes that shortage will increase rather than otherwise. I do not know of any method of legislation, no matter what you do with your Agricultural appropriation bill, that would take care of that.

Mr. SIMMONS. The Senator will recall that I said that there was very little we could do; but what little we can do, let us do.

Mr. THOMAS. What little can we do? Will the Senator mention a thing in this Agricultural appropriation bill that will stop the flow of labor from the farm and reverse the current? If he can, I will vote for it.

Mr. SIMMONS. No; I can not mention any specific thing that might be done through the Agricultural appropriation bill. But I can suggest, Mr. President, that gentlemen should not, by their course in the Senate and in the other branch of this Congress, try to strike out of that bill the little that we do provide and are able to give to the farmers.

A great deal has been accomplished in this country in the interest of agriculture, Mr. President, in recent years, through the Agricultural Department. We have advanced wonderfully in our system of cultivation in this country, and as a result of the instruction which that department has given, the information which the department has afforded, the demonstrations which that department has made possible in this country in the way of illustration as to the manner in which crops may be most profitably cultivated, attended, tilled, harvested, housed, and marketed, a great deal has been accomplished in the interest of agriculture. Any man who is acquainted with farming in this country to-day knows that the farms are more productive than they were in the past. I do not know, and I have not said, that we could do anything to at once stop this movement of labor from the farm to the factory and the town. But I have said, Mr. President, and I repeat it, that if there is any chance for us to do anything to further equip and aid the farmer to increase the productiveness of his business, and further aid him to improve his methods of cultivation, we ought to do it, and the relatively small sums that we expend here upon the Agricultural Department in order to better enable that department to furnish helpful and necessary information to the farmers of the country ought not to be begrudged by anybody. The sums here appropriated will carry benefit. This may be all we can do. But, Mr. President, on the other hand, it behooves us to be very careful, in view of the little we can do directly for the farmer, not to overstimulate the other industries of this country and as a consequence further accentuate the unbalanced condition of the people of this country.

Mr. SMITH of South Carolina. If the Senator will allow me, I would just like to state that we are not likely to encourage the young men and the laborers to stay on the farms by discouraging all we can any appropriation or any help to the farmer. One method of helping them will be to withhold unjust criticism.

Mr. THOMAS. Mr. President, I merely wish to add to the discussion the reflection that the logic of the Senator from North Carolina [Mr. SIMMONS] would seem to lead to the proposition that no matter what appears in the Agricultural appropriation bill, it should be accepted by the Senate and enacted into law.

Mr. McKELLAR. Mr. President, I want to indorse what the Senator from North Carolina [Mr. SIMMONS] has well said about this bill, speaking generally. What gave rise to this flurry in the debate was, I understand, the appropriation concerning the boll weevil. I am very frank to say that we do not have that very dastardly little animal down in my State. We have been fortunate enough in Tennessee not to have this insect; but I happen to know from personal inspection the great ravages it has made in the lands below, in Mississippi, Louisiana, Alabama, and in other far-southern portions of our country, and it is getting nearer to us all the time. It is an important matter, just as Senators have said. Whole farms have been rendered useless for raising cotton because of it, and it is perfectly right and perfectly natural that an appropriation should be made by the Government to stamp out this evil if it can be stamped out.

Speaking generally about the provisions of this bill, I have always thought that the appropriations made in the Agricultural appropriation bill were, comparatively speaking, almost

stingy. Before the conditions of the last three or four years, brought on by the war, my recollection is that the Agricultural appropriation bill carried but five or six millions of dollars, and since the war has come on, when it was necessary to stimulate production all over our land, the appropriations in this bill have been largely increased, and I think the war has taught us that all the money we have spent in the stimulation of production of agricultural products in our land has been money well spent. Indeed, I do not believe that the Congress can spend money for a better purpose, one which will bring a greater return, than money for this purpose.

Several years ago, in making a campaign, I went into every county, I believe, in my State, and it happened to be in the harvest time, and I saw the results of the experimental work that was being carried on by the Department of Agriculture in all those counties in my State. My State is an agricultural State. These experimental agents, agents of the Government, giving instruction, giving lessons to the farmers, and showing them how to make the most out of their farms, how to cultivate the crops that they had, what crops were best suited to the kinds of land, and all their manifold activities, have increased production almost beyond measure. In addition to that, many crops were raised that were not raised before, and in that way production was largely increased by reason of the work of these agents of the Government and of this department.

For these reasons I know of a certainty that this work ought to be fostered. I am not speaking for any particular item of the bill. I never served on the Committee on Agriculture and do not know anything especially about the various items. But I do know that the work generally is a great work, and a work that ought to be encouraged.

The idea of spending $33,000,000 on the most important thing we have in this country, and spending billions on others that are less important to the welfare and happiness of our people, is almost a monstrosity, in my judgment. I think we could well afford to spend much more to enable the farmers of this country to produce more and more each year, and I know that the work of this department has been along that line, and has had that effect for many years past, and we ought to see to it that it is kept up and that the necessary appropriations are given.

There may be some individual instances where misappropriations are made. There may be some individual appropriations that fall short of what is expected. There may be some that we do not get results from. I have not the slightest doubt that we make mistakes about them.

Anyone who is inclined to find fault can unquestionably find that mistakes have been made in the use of some of these appropriations. But, Mr. President, where is the man who is worth anything who has not made mistakes? We all make mistakes. No man gets anywhere unless he does make mistakes. The very word "experiment" shows that mistakes are expected to be made at times. But simply because we do make mistakes, simply because there are errors made, is no reason why we should discontinue this great work, and I feel as if it ought not only to be continued but that we ought to add to it, wherever it is necessary, all along the line.

Mr. SIMMONS. Mr. President, I should like to ask the chairman of the committee a question. A Member of the House from the South met me a few days ago and suggested that what is known as the pink bollworm has entered the cotton territory. Its activities at this time, he said, are confined to one or two counties, but it is apprehended that unless it is checked it will very rapidly spread, probably much more rapidly than did the boll weevil, and that probably it is a more destructive insect than the boll weevil. He said that the bill makes provision for some appropriation for the eradication of that insect, but he made this additional statement, that the Agricultural Department—and I am quoting him because I have not had opportunity personally to investigate the matter—is of the opinion that about the only effectual way of combating that insect is the total destruction of the crop which it attacks; and the Member suggested that if a part of the fund which the commitee proposes to appropriate to combat it were set apart for the compensation of the owners of such crops as had to be destroyed it would be much more effectual.

Of course, I know that in adopting the course this Member suggested we would be entering upon a very dangerous field of legislation; but there are precedents for it. My recollection is that where cattle that are affected with certain virulent diseases have to be killed in order to prevent the spread of the diseases, we make provision for the compensation of the owners of the cattle so slaughtered. That is somewhat on all fours, if not altogether so, with the proposition advanced to me by the Member of the House of whom I have spoken.

I ask the chairman of the committee if that matter has been presented to him, and if any consideration has been given to it.

Mr. GRONNA. Mr. President, the question of indemnity to farmers where the crop has to be destroyed in eradicating the pink bollworm was not presented to the committee, and it was not discussed. I will say to the Senator, however, that the Senate committee has made a liberal increase in this bill for eradicating the insect known as the pink bollworm. We think it is absolutely necessary that the appropriation should be made.

Mr. SIMMONS. I am very much in favor of such an appropriation.

Mr. GRONNA. It may be considered by some that it is an unnecessary expense; but, after hearing the experts and after hearing the men who had actually seen the work of this insect, the committee were unanimous in recommending that this increased appropriation should be made. I do not think that we can at this time make any allowance or create an indemnity fund to reimburse the farmers.

Mr. SIMMONS. The Senator will not understand me as urging that. I simply wished to call the matter to his attention, and to inquire whether it had been called to his attention by anyone else, and to ask that he would look into it. I think it is worthy of investigation.

Mr. GRONNA. I agree with the Senator that it is worthy of investigation.

Mr. SIMMONS. If it be true that the Agricultural Department thinks that the course suggested to me by the House Member is the only effective way of eradicating this pest, of course it will be wise public policy to require the destruction of any crop that may be attacked. People are deeply interested in that industry, and if a crop is destroyed, in the interest of the whole industry, the one man whose crop happens to be the victim of this pest ought not to suffer a total loss.

Mr. GORE. Mr. President, I would remind the chairman of the committee that no claim was really presented covering anything in the way of indemnity to the people who have lost their crops. The matter was mentioned by the Senator from Louisiana [Mr. RANSDELL], who is a member of the committee. The pink bollworm has made its presence known in Texas and in Louisiana. In Louisiana the State itself and the counties make provision for indemnifying the farmer for loss. In fact, they are encouraging farmers to substitute other crops, with a view to the possible eradication of the pink bollworm. It is supposed to be a more deadly pest than the boll weevil itself.

I might say in behalf of the Department of Agriculture that the appropriation for the current fiscal year, as I recall it, was $586,000. The department felt that it had the work sufficiently in hand to recommend a reduction of $200,000, asking in their estimate, as I recall it, but $386,000 for the next fiscal year. An outbreak in Louisiana constrained them to ask for $586,000 for the next fiscal year as well as for the current year. It turned out that several carloads of seed in the infected locality had been shipped to other communities, and it is desirable and, in fact, necessary, to pursue that seed and, if possible, recover and destroy it. The department has that work in view. It is highly desirable to bring about the complete eradication.

Mr. SIMMONS. The gentlemen who spoke to me about the matter did not suggest a specific appropriation for the purpose, but suggested the wisdom of permitting the department to use a certain portion of the fund that should be appropriated for the purpose of indemnity in case, in its judgment, it would be necessary.

Mr. GORE. I will say that the Senator from Louisiana [Mr. RANSDELL] suggested that he did not think there would be any necessity for that; that the State and counties and communities were meeting that matter.

Mr. MYERS. Mr. President——

Mr. GORE. I yield to the Senator from Montana.

Mr. MYERS. Does the Senator say the State of Louisiana is doing something to suppress this evil?

Mr. GORE. Yes.

Mr. MYERS. I am glad to hear it. This is the first time I have heard in a long time of a State doing anything that might be done by the Federal Government.

Mr. GORE. I will say to the Senator that the States cooperate with the Federal Government in a great many activities provided for by the Agricultural appropriation bill. In fact, the destruction of tubercular cattle and the losses resulting from that source are shared by the States and the Federal Government. Of the money appropriated for the eradication of the boll weevil, the States and counties and localities not only put up dollar for dollar, but various localities and organizations contribute much more than is contributed by the Federal Government.

It strikes me that it is not always true that prevention is better than cure, but certainly it is with respect to these pests affecting agriculture. Many of them sometimes pass beyond control. There are certain pests in this country to-day toward which we are establishing what the doctors call a tolerance. We have lost hope of their complete eradication. I might say that the corn borer is one of them. This bill carries an appropriation of half a million dollars to arrest and restrict the corn borer, for the eradication is hopeless. The insect is a calamity. Any appropriation that would bring about the eradication of that pest would be a national economy. It can not be done. It has not yet reached the great corn belt in the Central West, but if it ever reaches that great agricultural empire the losses to this country would be incalculable and would minimize any effort of any appropriation that might have been made to restrict its advance toward that section.

The question was raised a moment ago as to what the General Government could do for the farmers. We realize there is not a great deal the Government can do to help the farmer directly. There are a great many things the Government can avoid doing that would hurt the farmer. The farmers of this country have never been the beneficiaries of special privileges. It must be said to their credit that they have never sought to become the beneficiaries of special privileges. The farmers have been fortunate when they could escape and they will be fortunate when they can escape becoming the victims of those who have been invested with special privileges by the Government. The farmer is one man who has occasion to feel that he is lucky when he gets justice.

Mr. SHEPPARD. Mr. President, the pink-bollworm situation is so critical that the Department of Agriculture will hold a hearing next week in this city on the question of quarantining the country against the States of Louisiana and Texas in an endeavor to arrest the spread of the pink bollworm from those States to other States in the neighborhood.

As Senators well know, the labor shortage and the inclemency of the season make it certain that the cotton crop this year will be small, and if this pink-bollworm pest can not be arrested there is imminent danger of the destruction of a large part of this year's crop. I do not see how we can consistently destroy the plantings of a farmer in arresting this pest without making some kind of remuneration.

The Senator from Oklahoma stated that the State of Louisiana had made provision for property damaged or destroyed through efforts to arrest this pest. I do not know how it is as to Louisiana. I ask the Senator from Louisiana [Mr. GAY] if the State of Louisiana has made any appropriation in this respect.

Mr. GAY. I will say to the Senator from Texas that the State of Louisiana has made no appropriation up to this time. The legislature will meet in May, and I understand that legislation will be proposed at that time. Representatives from various cotton States have had a meeting in Louisiana only recently to discuss methods of eradicating the worm. I have a letter from the Commissioner of Agriculture of the State of Louisiana. He says, in part:

> There is only one way of stamping out the pink bollworm, and that is by not planting cotton, but we expect to compensate the parties that are prevented from growing cotton for the next year or two.

That, I believe, will be done by putting a tax upon the cotton producers of 50 cents a bale in order to compensate those planters in the one parish where this bollworm has so far shown for the losses that they will experience from not being able to plant.

So far a very small section of one parish in the State of Louisiana has been affected, and I regret to say that this worm seems to have come from the State of Texas, where it has existed for several years.

Prompt and energetic measures are necessary, and the Government of the United States should be liberal in helping to combat this new menace to the great cotton crop of this country.

Mr. SHEPPARD. Nothing will be done in the way of remuneration in Louisiana until June?

Mr. GAY. Not until the legislature meets in May.

Mr. OVERMAN. Mr. President, may I ask the Senator from Texas [Mr. SHEPPARD] if he can state the difference between the boll weevil and the pink bollworm? I want to know what the pink bollworm is. We have in our State what the farmers complain of as a pest known as the pink spider.

Mr. SHEPPARD. I am not sufficiently versed in scientific matters or in entomology to give the Senator an exact description.

Mr. SMITH of South Carolina. The bollworm is very similar to the corn borer. It bores into the boll before it is matured, destroys the seed before they are matured in the boll, and therefore destroys the life of the fiber and the boll becomes blackened and there is no fiber in it. It is a misnomer to call it the boll weevil. That has the shape of the blue weevil. It attacks the little bud before the flower comes and punctures it and deposits the egg, and the larvæ there destroy the bloom.

The only process by which they have been able to get cotton in the weevil-infested section is by early planting, extraordinary stimulation of the plant by labor and fertilization. If you get a boll a quarter grown or just get it set good, as they call it, you will have that boll come to maturity. The presence of the bollworm means neither bolls nor blooms.

Mr. SHEPPARD. Is it not a fact that the pink bollworm is the most destructive cotton pest that has yet appeared?

Mr. SMITH of South Carolina. Yes; it takes a whole crop. It does not leave any boll or any fiber at all.

Mr. SHEPPARD. I have brought out the fact that, so far as the State of Louisiana is concerned, no provision has been made for remuneration and can not be made for some months. In Texas the legislature passed a law providing that remuneration might be made, but made no appropriation when it enacted the law. The Texas Legislature does not meet again until next January. Consequently Congress is face to face with a crisis in this matter and should make some provision in order to meet it. I intend, when we reach this particular phase of the bill, to offer an amendment along the line I have indicated.

Mr. POMERENE. Mr. President, I want to move an amendment to the pending amendment. I move to substitute the figures "$400,000" for the figures "$302,650." I do that for the reason that the officers who have written me on the subject have stated that heretofore the appropriation for several years was approximately $300,000, and that $300,000 would not do as much work as $400,000 would do now. I do not want to see the work of attempting to eradicate the gypsy moth crippled in any wise. I think it would be mighty poor economy to do it.

We have heard Senators from the South speak of the boll weevil, and I share their concern in the attempts to eradicate that pest, but the boll weevil is to cotton what the gypsy moth is to the northern section of this country, particularly in and about Massachusetts. There is very great danger of having this pest spread; indeed, it has spread. I have called attention to what has been its history in Massachusetts; and it is because the Massachusetts authorities relaxed their efforts to eradicate the pest that it has increased and spread. For that reason I offer the amendment to the committee amendment.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Ohio to the committee amendment.

Mr. POMERENE. I ask for a division on the amendment.

The question being put on a division, Mr. POMERENE's amendment to the committee amendment was rejected.

The PRESIDENT pro tempore. The question is upon agreeing to the committee amendment. Without objection, it will be agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 63, line 4, after the word "Entomology," to strike out "$1,073,840" and insert "$1,232,710," so as to make the clause read:

> Total for Bureau of Entomology, $1,232,710.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Biological Survey," on page 63, line 11, before the word "clerks," to strike out "nine" and insert "ten"; in line 12, before the word "clerks," to strike out "thirteen" and insert "fourteen"; in the same line, after the words "class 1," to strike out "1 clerk, $1,100" and insert "2 clerks, at $1,100 each"; in line 14, before the word "clerks," to strike out "four" and insert "two"; in the same line, after the word "each," to strike out "1 clerk, $840; 1 clerk, $720"; in line 18, after the word "each," to strike out "1 messenger boy, $360"; and in line 19, after the words "in all," to strike out "$68,870" and insert "$68,850," so as to make the clause read:

> Salaries, Bureau of Biological Survey: One biologist, who shall be chief of bureau, $4,000; 1 chief clerk and executive assistant, $1,800; 1 administrative assistant, $2,250; 1 executive assistant, $1,800; 2 clerks, class 4; 4 clerks, class 3; 1 clerk, $1,500; 10 clerks, class 2; 1 clerk, $1,260; 14 clerks, class 1; 2 clerks, at $1,100 each; 1 clerk, $1,080; 3 clerks, at $1,000 each; 2 clerks, at $900 each; 1 preparator, $1,200; 1 preparator, $900; 1 messenger, $720; 1 photographer, $1,300; 1 game warden, $1,200; 2 messenger boys, at $480 each; 1 laborer, $600; 2 charwomen, at $240 each; in all $68,850.

The amendment was agreed to.

The next amendment was, on page 64, line 11, after the words "United States," to strike out "$34,600" and insert "$39,735," so as to make the clause read:

> For the maintenance of the Montana National Bison range and other reservations and for the maintenance of game introduced into suitable localities on public lands, under supervision of the Biological Survey,

including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, and other improvements necessary for the economical administration and protection of the reservations, and for the enforcement of section 84 of the act approved March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States," $39,735, of which sum $2,500 may be used for the purchase, capture, and transportation of game for national reservations.

The amendment was agreed to.

The next amendment was, on page 65, line 1, after the word "gophers," to strike out "ground squirrels," so as to read:

For investigating the food habits of North American birds and other animals in relation to agriculture, horticulture, and forestry; for investigations, experiments, and demonstrations in connection with rearing fur-bearing animals; for experiments, demonstrations, and cooperation in destroying wolves, coyotes, prairie dogs, gophers.

Mr. MYERS. Mr. President, I wish to be heard on that amendment. I hope the committee amendment will not prevail. I do not think the words "ground squirrels" should be stricken out, and I hope the chairman of the committee will not insist upon the amendment. I had a call the other day from Dr. Fisher, of the Department of Agriculture, and he objected very strongly to the amendment.

Mr. GRONNA. Mr. President, I will say to the Senator from Montana that I believe the committee will agree with the Senator that the committee amendment should be rejected.

Mr. MYERS. Then, I have nothing more to say, and I hope the amendment will be defeated. I ask that the question may be put on the adoption of the committee amendment.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 65, line 5, to reduce the appropriation "for investigating the food habits of North American birds and other animals in relation to agriculture, horticulture, and forestry," and so forth, from $456,040 to $441,040.

Mr. MYERS. Mr. President, I notice that in this case the Senate committee has reported in favor of striking out "$456,040" and inserting "$441,040." In conversation with me, Dr. Fisher said he hoped the proposed reduction of that item to the sum of $441,040 would not be acceded to. He felt that the larger sum, the sum allowed by the House, should be appropriated, if the item were to provide for extermination of ground squirrels, and I agree with him. I have had a number of communications from Montana in relation to ground squirrels, which are about as bad in Montana as are the wolves, coyotes, prairie dogs, or gophers. In Montana ground squirrels do quite as much damage as any of the other animals or rodents mentioned. I have had a number of petitions and requests from Montana very urgently asking that an item be inserted in the bill in order that it may be particularly devoted to exterminating ground squirrels. Now that we have retained the words "ground squirrels" in the bill, naturally the item calls for more with ground squirrels in than it would with ground squirrels out. I hope the larger sum may be allowed.

I think the excess allowed by the House over that recommended by the Senate committee very reasonable. I am sure there is need for the larger sum.

Mr. SMOOT. Mr. President, as I understand the matter, with the words "ground squirrels" included in the bill $15,000 were proposed to be appropriated by the other House for their extermination; and $15,000 having been spent in the past, that amount will be required under this appropriation if the item in regard to destroying ground squirrels is restored. What Dr. Fisher told me was that the $456,040 which the House had appropriated should be restored. When the Senate committee struck out the words "ground squirrels" they deducted $15,000 from the House appropriation because of the fact that $15,000 was to be spent for that purpose.

Mr. MYERS. Mr. President, the Senator from Utah is correct. There was a $15,000 reduction proposed which Dr. Fisher opposed, and I am in accord with him. Parties in Montana, too, have written me to the same effect. I ask that the committee amendment be rejected and that the figures be restored to the amount fixed by the House.

Mr. McNARY. Mr. President, I only speak of the matter as one of the members of the committee. As I recall, a specific lump sum was appropriated for the eradication of these various pests, but there was no itemized or specific sum allowed the department and included in this appropriation for the extermination of ground squirrels. So I do not believe that the restoration of the ground-squirrel item in any way affects the total.

Mr. SMOOT. Mr. President, if we are going to restore the item, it will be necessary to have some kind of an appropriation to enable the work to be done. I know that the amount that was assigned in the last appropriation bill for the extermination of ground squirrels was $15,000, and I know also that if that work were provided for it was the intention of the department to assign $15,000 to it during the fiscal year. Fifteen thousand dollars were taken off the amount that the House appropriated; so that if the department is called upon to do the work, then it will be necessary to restore the $15,000.

Mr. MYERS. The Senator from Utah is undoubtedly correct about that. I hope the amount fixed by the House may be granted and urge that the committee amendment be not adopted.

Mr. GRONNA. Mr. President, the Senator from Oregon [Mr. McNARY] correctly states the conditions. No one who appeared before the Senate Committee on Agriculture made any objection to striking out any provision in regard to particular pests or rodents or whatever they may be called. It was suggested that we ought to strike out the item in regard to gophers. The whole general scheme was discussed.

Mr. WILLIAMS. Mr. President, will the Senator yield to me for a few moments?

Mr. GRONNA. I yield.

Mr. WILLIAMS. I expect to leave to-night for home, and for that reason I have come in somewhat out of order.

I wish to say in connection with the pink bollworm problem that it threatens the cotton production of the United States, and, as a consequence, indirecly the cotton industry of the world, more than anything that has ever menaced us. The Mexican boll weevil, as bad as it has been, has been child's play in comparison with it, and yet the Mexican boll weevil has perhaps cut the cotton crop down, despite the immense motives for increased production, one-third of what it otherwise would have been, and has increased the price to a very great extent.

All over the South numberless plantations have been turned from cotton farms into stock farms; numbers of acres of land have been taken out of cultivation of cotton and put into pasturage. I for one have had that experience with my own home place; and throughout a good part of southern Mississippi and southern Louisiana and Texas the production per plantation, although not the production per acre, has been cut down half. We have managed to keep up the production per acre by reducing the acreage, intensifying the cultivation, and hurrying up the crop so as to get it fruited and bearing before the boll weevil was ready to depredate upon the plant. Now, the pink bollworm, which is another curse coming up from Mexico, is infinitely worse than the Mexican boll weevil and will do infinitely more harm unless it can be almost immediately checked.

Mr. President, I think you know, as I think every Member of the Senate knows, that I have very seldom spoken on any subject from the standpoint of a personal or a class interest. I do not regard this as a personal or class matter because it does not affect the man who raises cotton alone but it affects the man who buys cotton to weave into cloth, and it affects the man who buys the cloth to clothe himself and his children. There could not be any greater world calamity than a permanently high price for cotton goods, and there will be not only a permanently high price for cotton goods but we will have profiteering added, so long as there is an underproduction of cotton owing to any natural calamity like this not to be controlled by the farmer himself.

I am very much in favor of every possible form of economy. I have been thoroughly disgusted with the multiplicity of the demands from every class and quarter for increased appropriations out of the United States Treasury. Every industry, every class, every form of patriotism, almost, is seeking to be capitalized and to put its hands into the Treasury. It is, therefore, a little bit out of keeping with my usual thought to ask an increased appropriation upon any subject, and I would not do so but for the fact that this is so important to the main foreign export business of the United States. Cotton gives us and maintains our balance of trade in normal times, and America's strength in the industrial world very largely grows not only out of the raw cotton which she produces but out of the manufactured product which she makes nearer the fields, with less freight charge, and therefore can, in competition with other countries, sell at lower prices, provided it is a high enough quality of goods.

So it would be a national calamity not to remember in this connection the old adage that "a stitch in time saves nine"; and if we should be a little penny-wise and pound-foolish with regard to this pink bollworm now, we might regret it very much, not only in the cotton fields of the South but in the cotton mills of New England and everywhere else, and in the homes of the people as well, because ultimately, of course, the father of the

family must pay for the finished product that started in the field and was concluded in the factory.

Mr. GRONNA. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. GRONNA. I agree with the Senator that it is a very important matter, and I want to say that the Senate committee increased the appropriation for the eradication of the pink bollworm from $288,560 to $588,560. In other words, we increased it $300,000, in round numbers.

Mr. WILLIAMS. Over the amount estimated?

Mr. GRONNA. Over the amount proposed by the House.

Mr. WILLIAMS. I have been necessarily compelled to be ignorant of some of the details of the pending appropriation bill, but I had understood that the proposition upon the part of the committee was not to give what the House had given.

Mr. GRONNA. The Senate committee increased it $300,000.

Mr. WILLIAMS. I want to say that much, at any rate, about the importance of it all; and if that is enough, then it is enough, of course.

Mr. SHEPPARD. Mr. President, I want to say that the question now is whether any provision is to be made to remunerate the owners of property damaged and destroyed in eliminating the pest. That is the question we have to face now.

Mr. WILLIAMS. I have taken it for granted that if one of the suggested methods of fighting the pest was adopted, a part of the money appropriated would be devoted to the indemnification of the men who suffered by it. Down in Texas, along the border, it may be necessary to fix a sort of a quarantine line and to prevent the cultivation of cotton for a year or two above a certain line. If that is done, undoubtedly some reckoning ought to be made of the losses of those people while they are suffering from the lack of employment of their land and of their labor. There ought to be some provision made in the bill whereby the amount appropriated may be so divided as to indemnify losses that necessarily grow out of a quarantine land campaign against the worm.

DEATH OF REPRESENTATIVE BROWNING, OF NEW JERSEY.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced to the Senate the intelligence of the death of Hon. WILLIAM J. BROWNING, late a Representative from the State of New Jersey, and transmitted resolutions of the House thereon.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The resolutions were read, as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
March 24, 1920.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM J. BROWNING, a Representative from the State of New Jersey.

Resolved, That a committee of 18 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect, this House do now adjourn.

Mr. LODGE. I offer the following resolutions, and ask that they be read.

The resolutions (S. Res. 341) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM J. BROWNING, late a Representative from the State of New Jersey.

Resolved, That a committee of six Senators be appointed by the presiding officer to join the committee appointed by the House of Representatives to take order for the superintending of the funeral of Mr. BROWNING at Camden, N. J.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The PRESIDENT pro tempore. Under the second resolution the Chair appoints Mr. FRELINGHUYSEN, Mr. EDGE, Mr. FERNALD, Mr. FRANCE, Mr. HARRIS, and Mr. GAY the committee on the part of the Senate.

Mr. LODGE. Mr. President, I move, as a further mark of respect to the memory of the deceased Representative, that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 25, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 24, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father, who art in Heaven, we stand before Thee with bowed heads and sorrowing hearts, under the flag at half-mast. Suddenly, without warning, a Member of this House, a hard worker, a willing worker, a patriotic worker, passed from earth to the Great Beyond. The tenure of life is uncertain. We pray that his friends and loved ones may be strengthened and upheld by Thy loving arm in this hour of grief, that we may all be prepared, so that when the call comes we may answer, "Here am I, Lord; do as Thou wilt, for I am Thy child, erring, yet loving, grateful." Be with us now and always, and bring us finally to Thee, Our Father in Heaven, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

DEATH OF REPRESENTATIVE BROWNING, OF NEW JERSEY.

Mr. HUTCHINSON. Mr. Speaker, it is my sad duty to announce to this House the death of the Hon. WILLIAM J. BROWNING, a Member of the House from the State of New Jersey, who passed away suddenly this morning.

I shall ask the House at a later date to set aside a day when proper tribute may be paid to the life, character, and public service of the distinguished deceased. At this time I offer the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 503.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM J. BROWNING, a Representative from the State of New Jersey.

Resolved, That a committee of 18 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to unanimously.

The SPEAKER. The Chair appoints the following committee, which the Clerk will report.

The Clerk read as follows:

Mr. HUTCHINSON, Mr. HAMILL, Mr. SCULLY, Mr. EAGAN, Mr. BACHARACH, Mr. LEHLBACH, Mr. RAMSEY, Mr. ACKERMAN, Mr. RADCLIFFE, Mr. MCGLENNON, Mr. MINAHAN of New Jersey, Mr. BUTLER, Mr. BRITTEN, Mr. KELLEY of Michigan, Mr. MUDD, Mr. PADGETT, Mr. RIORDAN, and Mr. OLIVER.

ADJOURNMENT.

The SPEAKER. The Clerk will report the concluding resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to unanimously.

Thereupon (at 12 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Thursday, March 25, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the District of Columbia for the purchase of land as a site for a plant for the disposal of miscellaneous refuse (H. Doc. No. 698), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

Mr. MCCLINTIC introduced a bill (H. R. 13253) to grant the consent of Congress to the Elmer Red River Bridge Co. to construct a bridge across the Red River, which was referred to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PAIGE: A bill (H. R. 13254) granting a pension to Henrietta L. Whitney; to the Committee on Invalid Pensions.

By Mr. SCULLY: A bill (H. R. 13255) for the relief of the estate of George B. Spearin; to the Committee on Claims.

By Mr. WOODYARD: A bill (H. R. 13256) for the relief of Gill I. Wilson; to the Committee on Interstate and Foreign Commerce.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2567. By Mr. ASHBROOK: Petition of John S. Wilson and 60 others, of Newark, Ohio, of the American Legion, favoring House bill 12906; to the Committee on Ways and Means.

2568. By Mr. FULLER of Illinois: Petition of the Illinois Lumber & Builders' Supply Dealers' Association, of Chicago, Ill., favoring the repeal of the excess-profit tax; to the Committee on Ways and Means.

2569. By Mr. STEENERSON: Petition of citizens of Kittson County and Karlstad, Minn., favoring House bill 11641; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *March 25, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, our lives are lived in the open before Thee. Thou dost read the secrets of our hearts. Thou art sending us messages through the providence of life, through the opening avenues of usefulness, through the cause of human need, through the inspirations of our own spirits. We come opening our hearts to Thee this morning, praying that we may be replenished by Thy grace for the duties of this day and so fulfill Thy divine will that we may come to the end of the day with the blessed satisfaction of having done the best we could to follow the commandments of our God. We ask these blessings for Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 25, 1920.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. CHARLES CURTIS, a Senator from the State of Kansas, to perform the duties of the Chair during my absence.

ALBERT B. CUMMINS,
President pro tempore.

Mr. CURTIS thereupon took the chair as Presiding Officer.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday, March 23, 1920, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PERSONAL EXPLANATION—TREATY OF PEACE WITH GERMANY.

Mr. NORRIS. Mr. President, I rise to a question of personal privilege.

On the 19th of this month there was printed in the Omaha World-Herald a Washington dispatch, sent by the correspondent of that paper, giving a review of the proceedings in the Senate of the day before, the 18th of March. That was the day when the Senate adopted a motion to lay on the table the Egyptian reservation to the treaty of peace with Germany and the Irish reservation which was pending as an amendment to that reservation, and also the Korean reservation which was pending as an amendment to the Irish reservation.

I will not read all of this article, because there is only a small portion of it which bears directly on the point to which I desire to call the attention of the Senate. It is an article headed "Republicans unmask upon Ireland issue." The object of the correspondent in the article is to show that the Republicans were opposed to the Irish reservation and that the Democrats were in favor of it. In the course of the article the language is used which I shall read. I pause here to say that when I decided to call the attention of the Senate to this matter I telephoned to the office of my colleague in order that he might be present, but I learned that he is out of the city and probably will not be back for several days. I quote this from the article:

Senator HITCHCOCK, Democratic leader, voted with those opposed to administering the knockout blow to the Irish cause. Senator NORRIS, of Nebraska, voted the same way his colleague did, but Senator NORRIS went to Senator SHIELDS Tuesday and tried to get him to withdraw the resolution, because it might "put somebody in the hole."

Senator SHIELDS, however, declined to take this free advice. He wanted to have noses counted, and to have the world know what Senators had been "spoofing" all along in their pretended friendship for Ireland.

This article, Mr. President, in so far as it says that I either directly or indirectly suggested to the Senator from Tennessee [Mr. SHIELDS] that I did not want to put somebody in a hole, or that I wanted him to withdraw his pending amendment because it would put somebody in a hole, is absolutely and entirely false, without any foundation whatever.

The Omaha World-Herald is a daily newspaper printed in Omaha. It is owned, published, and edited by my colleague, the senior Senator from Nebraska, GILBERT M. HITCHCOCK. The Omaha correspondent of that paper is Earl B. Gaddis, who holds a position by virtue of the appointment of my colleague that gives him admission to the floor of the Senate, and he draws a salary from the taxpayers of the United States. There are men and there are newspapers who would rather tell a lie than the truth if the same thing could be accomplished. Mr. Gaddis is one of those men, and he is working for one of those newspapers. In the community where he is best known his uncorroborated sworn testimony would not be taken even as prima facie evidence of a fact.

It might be well, Mr. President, for me to review just briefly the parliamentary situation which existed at the time that this story in the Omaha World-Herald undertakes to describe conditions. The correspondent makes no reference to anything except that an Irish reservation was pending, which, as Senators know, at that time was not the true situation.

The Senator from Oklahoma [Mr. OWEN] had offered a reservation to the treaty in regard to Egypt. To this the Senator from Tennessee [Mr. SHIELDS] offered an amendment that in effect added a reservation in regard to Ireland. To this amendment the Senator from Colorado [Mr. THOMAS] offered a motion that in effect added a reservation by way of an amendment regarding Korea. The Senate was in that parliamentary situation when I went to see the Senator from Tennessee [Mr. SHIELDS], and we had a conference as to what was the best proceeding to attempt in order to secure the adoption of the Irish reservation. I told the Senator from Tennessee that I was in favor of every one of the three propositions which were pending; that I would vote for them singly or collectively; but that I believed it was unwise to couple them together; that I thought they ought to be voted on as separate propositions. What I feared was that some one would make a motion to lay on the table the original proposition, which was the Egyptian reservation, and that Senators who were opposed to any one of the three would vote for that motion, and it would table the whole thing, because if we tabled the original proposition it would take with it the amendments that were pending. And, Mr. President, that is just exactly what happened.

To demonstrate further that I was right in my judgment, the next day, on the 19th of March, the Irish reservation was offered and voted on as a separate proposition, and, as the Senate and the country know, it was adopted not only in Committee of the Whole but also in the Senate on two different roll calls.

Mr. President, a newspaper or a writer has the right to draw any conclusion it or he may see proper from the official action of any Senator or other public officer, from his vote, from what he says, and from what he does, but no one has a moral right to tell a lie, and then base his conclusion on his own falsehood.

I showed this clipping to the Senator from Tennessee [Mr. SHIELDS]. He would have been here this morning but he had to leave last night for his home, to be gone several days; but before he went away he wrote me a letter which I send to the desk and ask to have read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Reading Clerk read as follows:

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
March 24, 1920.

Hon. GEORGE W. NORRIS,
United States Senate, Washington, D. C.

DEAR SENATOR: I have read the clipping from the World-Herald of Omaha, which you sent me, and remember the conversation between us upon the Egyptian and Irish reservations very distinctly.

We were discussing the policy of joining the two reservations, and you approached me solely in the interest of both of them.

You suggested that it might be best to separate them as some would support one and might not support the other.

I was of a different opinion, and thought it best to keep them together.

You were, as you expressly stated, in favor of the Egyptian reservation, offered by Senator OWEN, and the Irish reservation, offered by me, and that you would support them both, jointly or separately, and your suggestion was as to the best policy to pursue in the matter.

Yours, truly,

JOHN K. SHIELDS.

Mr. NORRIS. Mr. President, it does not seem to me to be quite fair that a Member of the Senate owning a newspaper should appoint as the Washington correspondent of that newspaper a man whom he then puts on the pay roll of the United States and permits him to draw a salary from the taxpayers of the country. That is particularly true when the position to which he appoints him gives him access to the floor of the Senate, where other correspondents are denied admission. It is, in my judgment, indirectly a violation of the rules of the Senate. Such a correspondent ought to be stricken from the pay rolls, and the Senator who brings about such a condition deserves, in my humble opinion, the censure not only of the Senate but of the taxpayers of the country.

Mr. THOMAS. Mr. President, as regards the position of the Senator from Nebraska [Mr. NORRIS] upon the so-called Irish reservation, no man who has attended the sessions of the Senate as regularly as I have done will have any doubt that he is one of the Members of this body who supported sincerely and conscientiously the Egyptian and the Irish and the Korean reservations. Hence I am sure that no explanation is necessary to establish that fact, but inasmuch as this subject has been again brought up, I shall reemphasize the fact that both the Irish reservation and the resolution preceding it were mere demagogy. They never should have entered into the discussions of the treaty. They were inspired by political considerations, a fact for which both sides of the Chamber are responsible and of which both sides should be ashamed.

Mr. NORRIS. Mr. President, any man has a right in the Senate or out of it to draw any conclusion he sees fit. I would defend a Senator or a newspaper or a writer for doing that, even though I did not agree with the conclusions reached, even though I thought the conclusions wrong or even malicious; but I want to say here and now that there never was a time while the treaty was pending when the Irish reservation was under consideration that I did not believe in it; that I did not believe it was right. I am not ashamed for having defended it; I am not ashamed of having voted for it; I should do so again under similar circumstances; but I am not going to question any other Senator's motives. I am willing to concede that, whether he voted for it or against it, he was moved by the highest and the noblest of motives; but no matter whether there were some demagogues or no demagogues or all demagogues, there is not any man, either in the Senate or out of it, who has any right to accuse anybody else of occupying a false position, to tell a lie about him, and thus to put him in a false light.

I have no political capital to make; I have no personal gain to secure here or elsewhere. There is nothing that I could gain by voting for a reservation on the treaty or against a reservation on the treaty. There is no politics in it for me anywhere.

I know those of us who wanted to put reservations on the treaty were accused of insulting Great Britain. It was said, "You are doing things here that are insulting to Great Britain." We were even told, or almost told, that we were saved from destruction by Great Britain. I know I entertain no bad feeling against Englishmen or against the English Government. I think probably that when the criticism was made it had more application to me than to anyone else, because I went more into detail as to the promises, particularly on the Egyptian proposition, that England had made than did any other Senator. I thought England broke them, and I told about it; I told what I believed to be the truth, and it stands here uncontradicted up to this hour. I defy any man to contradict any of the statements I made in that regard. I do not criticize the man who does not agree with me; but I am not one of those who believe that we owe everything which we have to Great Britain. I presume there are Senators who think that we would have lost the Civil War if it had not been for Great Britain; that we would have lost the War of 1812 if it had not been for Great Britain. During that war we know how Great Britain defended the Capital here, and we know how she defended our fathers in the Revolutionary War. So she has always been helping us and always been saving us.

I have not had in this treaty fight, as I said a while ago, anything to gain. I think I can express my position by what the darky said when he was talking to his girl. He said, "I hain't got nothin'; I never had nothin'; and I don't want nothin'." That is the way with me, politically. We shall all have to stand or fall upon the record we make. If we make a conscientious record, then we shall get some satisfaction out of it, even though we fall after we have made it. That may be and probably will be my fate. I am ready to accept it at any time and take the consequences. I do not have very long to live, but during that time I am going to live at peace with my own conscience, whatever may be the consequences.

Mr. GRONNA. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. NORRIS. I yield.

Mr. GRONNA. I dislike very much to interrupt the Senator when he is speaking to a question of personal privilege, but, if he will permit me, I wish to say that the Senator from Nebraska spoke to me and stated practically what the Senator from Tennessee [Mr. SHIELDS] stated in his letter with reference to the vote on the Irish question and on the Egyptian question and on the Korean question.

I simply want to say to the Senator from Nebraska and the Senate that during the war, when everyone was excited, there was an Associated Press dispatch sent out charging me with voting against the appropriation of $640,000,000 for the Air Service. The RECORD will show there was no record vote on it; that there was not a dissenting voice against that appropriation bill. Yet I was criticized most severely by my constituents for having voted against it. I did not speak of it in the Senate; but I agree with the Senator from Nebraska that it is unjust for any newspaper correspondent or anyone else to tell a malicious, willful lie about public servants or anyone else.

If the Senator from Nebraska will pardon me further, I find no fault with any Senator construing a vote in any way he pleases; but, so far as I am personally concerned, the votes which I cast upon the question of liberating subject nations and according to them the right of self-determination were cast conscientiously and from a sense of duty. I voted for the amendment prepared by the Senator from Colorado [Mr. THOMAS] with reference to Korea; I voted for the reservation in behalf of the Egyptians, and while it might be charged that I voted for the Irish reservation in order to gain votes from the Irish, I can not possibly be charged with voting for the Egyptian reservation with the motive of gaining votes, because, so far as I know, there are no Egyptians in my State who enjoy the privilege of voting.

Mr. WARREN. Mr. President, will the Senator from Nebraska yield?

Mr. NORRIS. I have not yet yielded the floor; but I will be through in just a moment, if the Senator will allow me to proceed.

Mr. WARREN. Very well.

Mr. NORRIS. The Senator from North Dakota has reminded me of one matter to which I omitted to refer. It is said that Senators who voted for the Irish reservation were playing politics and were demagogues because there are some Irish voters.

If I desired to reciprocate in kind, I would say something that I never have said or will say—that probably those who voted the other way were demagogues, because they had the English vote in mind, because they realized the enormous financial power of Great Britain and her financial allies scattered all over the United States. But, Mr. President, if I am a demagogue because I vote for the Irish reservation in order to get the Irish vote, what am I when I vote for the Egyptian reservation? I devoted a considerable amount of time to Korea in connection with the discussion of the treaty, probably more time than any other Senator gave to that subject, and I also devoted a great deal of time to Egypt. I did that before the Irish reservation came up. I might answer those who say "You wanted to get the Irish vote" that I do not need the Irish vote, because, on the same theory, when I raised my weak voice in behalf of downtrodden Korea I was a demagogue and I got the Korean vote, and when I did what I could to save Shantung for China I was a demagogue playing for the Chinese vote, and when I came as well as I could to the rescue of Egypt, I was playing politics and trying to get the Egyptian vote and losing the English vote in the meantime, probably. So, Mr. President, I am solid with the Korean vote; I am solid with the Egyptian vote; I am solid with the Chinese vote; and what in the world do I want with the Irish vote?

STORAGE OF ARMY SUPPLIES.

Mr. CALDER. Mr. President, my attention has been called to an article appearing in the Brooklyn Daily Eagle of Thursday, March 18. The headline of this article is:

Big Army stores, prey of storms, piling up losses. Thousands of dollars daily depreciation due to storage out of doors.

In this connection recently I received a letter from a reputable business concern in New York, calling my attention to this par-

ticular subject. The gentleman who wrote me, among other things, stated:

We recently sent one of our buyers to Governors Island—

Which, as Senators know, is an Army post located on an island in the harbor of New York—

to examine some of this merchandise, and the report received is astonishing. This buyer reports, and from previous information we believe it can be easily confirmed, that merchandise at Governors Island has been allowed to be exposed to the elements until it is absolutely useless. The waste of money because of this must be stupendous, for not only are the small goods neglected this way, but such items as automobiles are left exposed to the elements, with their hoods raised, and are utterly ruined.

Mr. President, the Brooklyn Eagle evidently sent one of their correspondents to examine into conditions at Governors Island, for, among other things, they say in this article:

A visit to the island revealed an enormous amount of "imperishable" material and equipment in varying stages of deterioration piled about; some covered with pieced-together burlap or canvas; much without any pretense of protection. All had the appearance of much-used merchandise, yet it all is absolutely new, or at least unused, according to the authorities.

GARBAGE CANS NOT UP TO SAMPLE.

In several towering pyramids there are 100,000 garbage or ash cans, for which there is little market even at the phenomenally modest price of $3 each, at which they are offered. The market price for these cans is about $6 each. Many buyers who have taken a "flyer" in them because of the low price, quoted on a fair-looking sample, have repudiated the deal on delivery because the cans did not measure up to the sample.

However, it is very difficult to get any of these buyers to comment on the situation. They say frankly that it would be a ruinous business policy for them to criticize the methods of so good a customer or source of supply as the Government, and that they prefer simply to pocket their losses and hope for better luck next time; for it is a fact that much of the material being offered by the Government makes an attractive purchase for dealers and speculators.

This article goes on to indicate that at Governors Island, N. Y., there are vast quantities of property purchased by the United States Government for war purposes which has been taken out of the storehouses and lying there exposed to the elements and going to ruin.

I have called this matter to the attention of the War Department. It has been called to the attention of all the people in New York City by the newspapers, and I bring it to the attention of the Senate, and particularly to the Senate Committee on Military Affairs, in the hope that they may summon before them the officials of the War Department and insist that steps be taken to preserve this property, which has been paid for by the money derived from the taxes levied upon the people.

If we expect to have a contented citizenry, struggling as they are under oppressive burdens, it is important that the officials of the Government should see to it that their property is not squandered in so outrageous a manner as this article indicates.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer:

H. R. 909. An act for the relief of Ellen Agnes Monogue;

H. R. 946. An act for the relief of James A. Showen;

H. R. 1317. An act for the relief of Robert T. Legge;

H. R. 5346. An act for the relief of the Eastern Transportation Co.;

H. R. 12467. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes; and

H. R. 12954. An act providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food.

WOMAN SUFFRAGE.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The Chair lays before the Senate a certified copy of joint resolution adopted by the Legislature of the State of Idaho ratifying the Susan B. Anthony amendment to the Constitution extending the right of suffrage to women, which will be filed.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a petition of the Upper Peninsula Development Bureau, of Marquette, Mich., praying for the passage of the so-called pure-fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Iron Mountain, Mich., praying for the enactment of legislation providing public protection for maternity and infancy, which was referred to the Committee on Public Health and National Quarantine.

He also (for Mr. NEWBERRY) presented a petition of the Upper Peninsula Development Bureau, of Marquette, Mich., praying for the passage of the so-called pure-fabric bill, which was referred to the Committee on Interstate Commerce.

He also (for Mr. NEWBERRY) presented petitions of Bearl V. Pettinger Post, American Legion, of Detroit; of Fred Strong Post, No. 234, American Legion, of Hart; and of Henry Bushway, jr., Post, No. 24, American Legion, of Hamtramck, all in the State of Michigan, praying for the enactment of legislation providing a bonus for ex-service men, which were referred to the Committee on Military Affairs.

Mr. McLEAN presented a petition of A. C. Tyler, Camp No. 8, United Spanish War Veterans, of Willimantic, Conn., praying for the enactment of legislation granting pension to Spanish War veterans, which was referred to the Committee on Pensions.

He also presented a memorial of the Chamber of Commerce of New Britain, Conn., remonstrating against the enactment of legislation to change the present system of weights and measures, which was referred to the Committee on Standards, Weights, and Measures.

He also presented a petition of the court of common council, of Meridian, Conn., praying for the enactment of legislation providing for daylight saving for the eastern time zone, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Leon Goodale Post, No. 56, American Legion, of Glastonbury, Conn., remonstrating against the proposed legislation providing a bonus for ex-service men, which was referred to the Committee on Military Affairs.

Mr. SMITH of Maryland presented a petition of Wicomico Post, American Legion, Department of Maryland, of Wicomico, Md., praying for the enactment of legislation providing for universal military training, which was ordered to lie on the table.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. WARREN. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, and I submit a report (No. 488) thereon. I wish to say that I shall endeavor to call up the bill immediately following the consideration of the Agricultural bill, which is now before the Senate, and of the Post Office bill, provided that bill follows the pending bill.

The PRESIDING OFFICER. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NUGENT:

A bill (S. 4129) to add certain lands to the Boise National Forest, Idaho; and

A bill (S. 4130) for the relief of Lyn Lundquist; to the Committee on Public Lands.

By Mr. NUGENT (for Mr. KING):

A bill (S. 4131) to appropriate funds for the purchase of Zion National Park stamp-canceling dies; to the Committee on Appropriations.

By Mr. JONES of Washington:

A bill (S. 4132) granting an increase of pension to Richard Burnside (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 4133) to amend an act entitled "An act to provide for the promotion of vocational education, to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries, to provide for cooperation with the States in the preparation of teachers of vocational subjects, and to appropriate money and regulate its expenditures," approved February 23, 1917; to the Committee on Education and Labor.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. JONES of Washington submitted an amendment authorizing the Secretary of the Navy to accept from King County, Wash., a certain tract of land containing 250 acres, more or less, at Sand Point, for use as an aviation base, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

ACTIONS FOR DEATH ON THE HIGH SEAS.

Mr. DILLINGHAM. I send to the desk a concurrent resolution, and I ask unanimous consent for its present consideration.

The concurrent resolution (S. Con. Res. 25) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters the Secretary of the Senate be, and he is hereby, authorized and directed to strike out, on page 2, line 15 of the engrossed bill, the word "fault" and insert "default" in lieu thereof.

WAR WITH GERMANY.

Mr. THOMAS. Mr. President, the Washington Post of this morning quotes me as saying yesterday:

Congress has no constitutional power to pass over the President's veto a joint resolution declaring a state of peace between the United States and Germany.

I am not conscious of having made any such statement.

MEMORIAL ADDRESSES ON THE LATE SENATOR MARTIN.

Mr. SWANSON. Mr. President, I ask unanimous consent that the Senate designate Saturday, April 10, for the delivery of eulogies upon my late colleague, Senator THOMAS S. MARTIN, of Virginia.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOVERNMENT PRINTING.

Mr. SMOOT. Mr. President, in an effort to effect economy in the use of Government printing, as chairman of the Joint Committee on Printing I directed that an inquiry be made as to publications and other printed matter which various governmental agencies are sending to each Senator's office and each Representative's office. I requested that the publications that were of no use whatever to the Congressman or Senator be held for one week, and that reports be made to me, as chairman of the Joint Committee on Printing, as to those publications that are of no use to the Senator or Congressman.

In answer to that letter, I wish to say that I have here upon my desk a bundle of governmental publications that were sent to one Senator's office for one week that he desires not to be sent to him hereafter. These are only samples of the publications that go to the 435 Congressmen and the 96 Senators. These publications go into the wastebasket, and are sold for about 60 cents a hundred pounds as waste paper.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. I yield to the Senator.

Mr. POMERENE. May I ask to what subjects those publications relate?

Mr. SMOOT. I have not the list prepared, but they are copies of hearings, they are reports of departments, they are the daily statements of the United States Treasury that we also find here upon our desks every morning. They are all sorts of articles that are published in Government publications, that are frequently duplicated in the annual reports made by the departments. This is only one evidence of the wicked waste of public money that the Joint Committee on Printing is trying to eliminate.

I wish to say, in this connection, that we have already stopped 106 governmental publications. The Senator from Wyoming [Mr. WARREN] asks me if I have a list of those. I will say to the Senator that I am going to make a full and complete report just as soon as we are through with the work; but thousands and tens of thousands of tons of paper are being used for no good purpose, and absorbs appropriations that were made to benefit the people in general.

I desire at this time to thank the Senators and also the Members of Congress who have responded to the letter, and the committee will segregate them and find out just how many there are that should be discontinued.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. I yield.

Mr. POMERENE. If I may say just a word, I realize that there are a good many of these publications that perhaps are worthless; but, on the other hand, because a publication may not be of any particular interest to my constituents in my own State, it does not necessarily follow that it is not of interest to people living in Florida or in Louisiana or in California or in some other State where the industries are entirely different from those in my State.

Mr. SMOOT. Those referred to by the Senator are public documents. The ones I have referred to are mostly assorted circulars and publications. All I want to learn is how many of them are of no use whatever, and then we can stop at least those that go to the Senators and to the Congressmen.

MONTANANS KILLED IN WAR WITH GERMANY.

Mr. MYERS. Mr. President, I crave the indulgence of the Senate for a minute. I have here a brief clipping from the Helena (Mont.) Independent, embodying an Associated Press dispatch of a recent date, which says:

The final report of the War Department on casualties shows that Montana exceeded every State and Territory in the Union in the percentage of battle deaths.

There were 681 Montanans either killed in action or died of wounds in France. This does not include marines attached to the Army. As Montana furnished 39,511 men to the Army, the percentage of battle deaths was 17.2 to the thousand. Pennsylvania, with a loss of 17 men in every thousand, was the second State. North Dakota, with 16.9 to the thousand, was third.

I am glad to give publicity here to this additional tribute to Montana for the splendid work she did for our country during the war with Germany.

AMNESTY TO PRISONERS (S. DOC. NO. 249, PART 2).

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read:

To the Senate:

I transmit herewith a further communication from the Secretary of State replying to the resolution of the Senate, dated January 13, 1920 (No. 278), requesting that it be furnished with information showing what, if anything, Great Britain, France, Italy, and Belgium, or either of these Governments, have done, through legislative or executive proclamation, or otherwise, looking to the granting of amnesty to military, political, or other prisoners since the signing of the armistice, November 11, 1918.

WOODROW WILSON.

THE WHITE HOUSE,
24 March, 1920.

Mr. CHAMBERLAIN. Mr. President, I think messages from the President are usually printed. I ask that this message be printed. It is part of a report which has heretofore been made, which was ordered printed.

The PRESIDING OFFICER. The Chair is informed that, under the rule, the message and accompanying papers will be printed and referred to the Committee on Military Affairs.

AGRICULTURAL APPROPRIATIONS.

Mr. GRONNA. I ask unanimous consent that the Senate proceed to the consideration of the Agricultural appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

The PRESIDING OFFICER. The pending amendment will be stated.

The ASSISTANT SECRETARY. The pending amendment is on page 65, line 5, in the total of the item for investigating the food habits of North American birds, and so forth.

Mr. GRONNA. Mr. President, I find upon closer examination that it was stated in the estimates that $15,000 would be used for the eradication of ground squirrels; and as the Senate amendment striking out the provision for ground squirrels has been rejected, I ask that the Senate amendment with reference to this appropriation be also rejected.

Mr. MYERS. Mr. President, do I understand the request of the Senator from North Dakota to be that the amount be restored to that fixed by the House?

Mr. GRONNA. Yes.

Mr. MYERS. I thank the Senator. I am glad to understand it.

Mr. THOMAS. Mr. President, I think the entire phrase could be improved by eliminating from it the specification of different animals, so that it would apply to "animals injurious to agriculture, horticulture, forestry," and so forth.

The enumeration of a certain class or classes of animals would naturally limit the expenditure of the appropriations to those and include no others. Other animals would fall within the general basket clause, which are "animals injurious to agriculture," and so on. At the same time, the principal expenditure would be upon the enumerated animals rather than upon those which might fall in the general clause. Of course, there is no danger of the extermination of any of these breeds, because that would end the occupation of those Federal employees who are to kill them off at so much per day. I think, therefore, that if the clause could be so changed as to prevent the enumeration it would help conditions very materially.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SMOOT. That question has been discussed several times in the Senate, and I have always thought the position taken now by the Senator from Colorado is the correct one. The only excuse I have ever heard for the enumeration of the different animals was that in making up the estimate the committee in the past have asked, "What is the money going to be spent

for, and where is it to be spent?" Some animal in some other part of the country, which was not taken care of under the original appropriation, was inserted by motion on the floor of the Senate, and then each year the estimate carried the amount of money that was to be expended upon each of the animals named. That is the excuse of naming the animals; but I do not think it is necessary.

Mr. THOMAS. If my recollection serves me aright, this appropriation, first made about four years ago, was aimed at wolves and coyotes. Some Senator then thought that some of the money should be expended in his State, and he probably suggested prairie dogs. Then it occurred to another that he should get some of it for his State, and suggested gophers; and still another ground squirrels. So the process of enumeration has expanded as the supposed need for the local expenditure of the appropriation became manifest.

Mr. MYERS. Is the Senator objecting to the enumeration in the first line on page 65?

Mr. THOMAS. I think it would be better to eliminate that enumeration.

Mr. MYERS. I hardly think it would be better to do that, because by enumerating them it suggests the animals, rodents, and so on, which are the most destructive, to which most of this appropriation should be devoted.

Mr. THOMAS. Yes, and the destructive propensities of other animals may become manifest, and then it might occur to some one that the number of employees should be increased by extending the enumeration. I think, therefore, that the general clause is much better. I shall not make a motion; I know it would be rejected. The appropriation will be expended also, but a similar one will follow next year, for the animals will not be exterminated.

The amendment was rejected.

Mr. KENYON. I should like to ask the Senator from North Dakota when he expects to have a vote on what is generally known as the free-seed proposition?

Mr. GRONNA. I do not know. We hope to get through with the bill this afternoon.

Mr. KENYON. I was anxious to have an opportunity to vote against the free-seed proposition, as I have always done before; but I have to leave the city to-night, and I was wondering whether there would be a vote to-day.

Mr. GRONNA. I hope we may be able to finish the bill this afternoon.

The reading of the bill was resumed.

The next amendment was, on page 67, line 16, after the word "expenses," to strike out "$713,300" and insert "$703,435," so as to make the clause read:

In all, for general expenses, $703,435.

The amendment was agreed to.

The PRESIDING OFFICER. Without objection the clerks at the desk will be authorized to change the totals to conform to amendments made.

The next amendment was, on page 67, line 17, after the word "Survey," to strike out "$782,170" and insert "$772,285," so as to make the clause read:

Total for Bureau of Biological Survey, $772,285.

The amendment was agreed to.

The next amendment was, under the subhead "Division of Accounts and Disbursements," on page 67, line 24, before the word "clerks," to strike out "six" and insert "eight"; in the same line, after the words "class two," to strike out "twelve" and insert "thirteen"; and on page 68, line 1, after the words "class one," to strike out "four clerks, at $1,000 each," so as to make the clause read:

Salaries, Division of Accounts and Disbursements: One chief of division and disbursing clerk, $4,000; 1 supervising auditor, $2,250; 1 cashier and chief clerk, $2,250; 1 deputy disbursing clerk, $2,000; 1 accountant and bookkeeper, $2,000; 2 clerks, class 4; 4 clerks, class 3; 8 clerks, class 2; 13 clerks, class 1; 1 messenger, $720; 1 messenger boy, $600.

The amendment was agreed to.

The next amendment was, on page 68, line 3, after the word "disbursements," to strike out $48,220" and insert "$50,620," so as to make the clause read:

Total for Division of Accounts and Disbursements, $50,620.

The amendment was agreed to.

The next amendment was, under the subhead "Division of Publications," on page 68, line 7, after "$3,500," to insert "one executive assistant, $2,500"; in line 15, before the words "two assistants," to insert "one assistant, $2,400; two assistants, at $2,340 each; one assistant, $2,200"; in line 18, after the word "each," to insert "one indexer or compiler, $1,800"; in line 20, after "$2,500," to insert "two draftsmen or photographers, at $1,800 each"; in line 21, before the word "draftsmen," to strike out "two" and insert "three"; in line 23, before the word "draftsmen," to strike out "three" and insert "two"; on page 69, line 1, after the word "colorist," to strike out "$900" and insert "$1,200"; in line 2, before the words "1 assistant," to insert "1 laboratory aid, $840"; in line 4, after "$1,500," to insert "two foremen, at $1,400 each; 1 foreman, $1,200"; in line 6, before the words "class 4," to strike out "1 clerk" and insert "2 clerks"; in the same line, before the words "class 3," to strike out "1 clerk" and insert "5 clerks"; in line 7, before the word "clerks" where it occurs the first time, to strike out "seven" and insert "ten"; in the same line before the word "clerks" where it occurs the second time, to strike out "fourteen" and insert "eighteen"; in line 9, before the word "clerks," to strike out "fifteen" and insert "five"; line 13, before the word "messengers," to strike out "fourteen" and insert "six"; in line 17, after the word "each," to strike out "two messenger boys, at $480 each," and insert "one messenger boy, $480"; and in line 19, after the words "in all," to strike out "$240,500" and insert "$264,980," so as to make the clause read:

Salaries, Division of Publications: One chief of division, $3,500; 1 executive assistant, $2,500; 1 chief editor, $3,000; 1 assistant chief of division, $2,500; 1 assistant in charge of exhibits, $3,000; 1 assistant in charge of information, $3,000; 1 assistant in charge of motion-picture activities, $3,000; 1 superintendent of distribution, $2,500; 1 assistant in charge of indexing, $2,000; 1 chief clerk, $2,000; 1 assistant in exhibits, $2,000; 1 assistant $2,400; 2 assistants, at $2,340 each; 1 assistant, $2,200; 2 assistants, at $2,000 each; 1 assistant editor, $2,000; 3 assistant editors, at $1,800 each; 1 assistant editor, $1,600; 2 assistants, at $1,400 each; 1 indexer or compiler, $1,800; 1 indexer, $1,400; 1 assistant in charge of illustrations, $2,100; 1 artist and designer, $2,500; 2 draftsmen or photographers, at $1,800 each; 3 draftsmen or photographers, at $1,600 each; 2 draftsmen or photographers, at $1,500 each; 2 draftsmen or photographers, at $1,400 each; 1 draftsman or photographer, $1,300; 10 draftsmen or photographers, at $1,200 each; 1 assistant photographer, $960; 1 lantern-slide colorist, $1,200; 1 laboratory aid, $900; 1 laboratory aid, $840; 1 assistant in charge of document section, $2,000; 1 assistant in document section, $1,800; 1 foreman, miscellaneous distribution, $1,500; 2 foremen, at $1,400 each; 1 foreman, $1,200; 2 clerks, class 4; 5 clerks, class 3; 10 clerks, class 2; 18 clerks, class 1; 18 clerks, at $1,100 each; 40 clerks, at $960 each; 5 clerks, at $900 each; 5 machine operators, at $1,200 each; 1 chief folder, $1,200; 3 messengers or laborers, at $900 each; 10 messengers or laborers, at $840 each; 4 messengers or laborers, at $780 each; 6 messengers or laborers, at $720 each; 3 messengers or laborers, at $600 each; 1 folder, $1,200; 2 folders, at $1,000 each; 8 skilled laborers, at $1,100 each; 9 messenger boys, at $720 each; 6 messenger boys, at $600 each; 1 messenger boy, $480; 3 charwomen, at $480 each; 4 charwomen, at $240 each; in all, $264,980.

The amendment was agreed to.

The next amendment was, on page 70, line 23, after the word "Government," to insert "for the purchase of necessary supplies and equipment; for telephone and telegraph service, freight and express charges; for travel, and for every other expense necessary, including the employment of assistance and the payment of rent outside the city of Washington, $70,000," so as to make the clause read:

To enable the Secretary of Agriculture to make suitable agricultural exhibits at State, interstate, and international fairs held within the United States, in cooperation with other departments of the Government; for the purchase of necessary supplies and equipment; for telephone and telegraph service, freight and express charges; for travel, and for every other expense necessary, including the employment of assistance and the payment of rent outside the city of Washington, $70,000.

The amendment was agreed to.

The next amendment was, on page 71, after line 6, to insert:

Hereafter employees of the Division of Publications may be detailed by the Secretary of Agriculture for publication, information, and related work in any of the bureaus or offices of the department, for duty in or out of the District of Columbia, and employees of the bureaus and offices may also be detailed to the Division of Publications for duty in or out of the District of Columbia, traveling expenses of employees so detailed, when necessary, to be paid from the appropriation of the bureau or office in connection with which such travel is performed.

The amendment was agreed to.

The next amendment was, on page 71, line 17, after the word "Publications," to strike out "$372,570" and insert "$397,050," so as to make the clause read:

Total for Division of Publications, $397,050.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Crop Estimates," on page 71, line 23, before the word "clerks," where it occurs the first time, to strike out "twenty-four" and insert "fifty"; in the same line, before the word "clerks," where it occurs the second time, to strike out "nineteen" and insert "nine"; in line 24, before the word "one," to strike out "24 clerks, at $900 each"; in the same line, after the words "1 messenger," to strike out "$840" and insert "$900"; on page 72, line 1, before the word "each," to strike out "$660" and insert "$720"; in the same line, after the word "boy," to strike out "$480" and insert "$600"; and in line 3, after

the words "in all," to strike out "$129,300" and insert "$129,260," so as to make the clause read:

Salaries, Bureau of Crop Estimates: One statistician, who shall be chief of bureau, $4,000; 1 chief clerk, $1,800; 6 clerks, class 4; 9 clerks, class 3; 15 clerks, class 2; 1 clerk, $1,300; 50 clerks, class 1; 9 clerks, at $1,000 each; 1 messenger, $900; 3 messengers or laborers, at $720 each; 3 messenger boys, at $720 each; 1 messenger boy, $600; 1 charwoman, $540; 1 charwoman, $360; 1 charwoman, $240; in all, $129,260.

Mr. ROMERENE. The Senator from North Dakota, who is in charge of the bill, made some explanation the other day as to the reason for the increases in the numbers of the clerks provided for in the earlier part of the bill. Does that same rule apply to the changes in this paragraph?

Mr. GRONNA. Throughout the entire bill, I will say to the Senator. It reduces the number 192 in the various bureaus.

The amendment was agreed to.

The next amendment was, on page 72, line 4, under the heading "General expenses, Bureau of Crop Estimates," to insert "and other Federal, State, and local agencies."

Mr. GAY. I ask that this and the following amendments to line 20 may go over for the time being. I understand that the Senator from Kansas [Mr. CAPPER] has some amendments to propose, and he is not here at this time.

The PRESIDING OFFICER. Is there any objection to the amendments going over?

Mr. GRONNA. The Senator means that all the items under the Bureau of Crop Estimates shall go over?

Mr. GAY. Yes.

Mr. HARRISON. The amendment that was proposed yesterday by the Senator from Kansas [Mr. CAPPER] is to strike out, on line 18, page 72, "$168,076" and to insert "$370,000." There was also another amendment, touching the total. I know the Senator from Kansas is interested in these items.

Mr. GRONNA. Mr. President, as chairman of the committee I certainly want the Senator from Kansas, who is a member of the committee, to say what he cares to say with reference to this appropriation. I will say, however, that, speaking for myself, instead of increasing the appropriation for the Bureau of Crop Estimates, I feel that it ought to be decreased. The Senator from Utah [Mr. SMOOT] this morning called attention to a number of periodicals which were sent to him unopened. I received this morning quite a number of the market reports issued by the department, sent to me by the Secretary of the Philadelphia Produce Exchange, Samuel S. Daniels. He states in his letter that it is a matter of waste. I also received a letter from the senior Senator from Pennsylvania [Mr. PENROSE] with reference to this kind of work, calling my attention to the fact that we ought to begin to economize and to do away with some of these useless, wasteful expenditures. I am simply making this statement to show that there is a reason for cutting down some of these appropriations.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Mississippi——

Mr. HARRISON. Mr. President, all in the world that I am doing is just to ask, as a courtesy to the Senator from Kansas, that it go over. I am not asking for any action to be taken.

The PRESIDING OFFICER. Without objection, the item relating to the general expenses of the Bureau of Crop Estimates will be passed over.

The reading of the bill was resumed on page 72, line 21.

The next amendment was under the subhead "Library, Department of Agriculture," on page 72, line 23, after "$2,000," to insert "1 clerk, class 4"; line 24, before the words "class 3," to strike out "1 clerk" and insert "2 clerks"; in the same line, after the words "class 3," to insert "1 clerk, $1,440"; in line 25, before the words "class 2," to strike out "1 clerk" and insert "2 clerks"; on page 73, line 2, before the words "1 messenger," to strike out "6 clerks, at $900 each; 1 clerk, at $840," so as to make the clause read:

Salaries, Library, Department of Agriculture: One librarian, $2,000; 1 clerk, class 4; 2 clerks, class 3; 1 clerk, $1,440; 2 clerks, class 2; 6 clerks, class 1; 3 clerks, at $1,080 each; 3 clerks, at $1,020 each; 4 clerks, at $1,000 each; 1 messenger, $720; 1 messenger boy, $660; 3 messenger boys, at $600 each; 2 charwomen, at $480 each; in all, $32,880.

The amendment was agreed to.

The next amendment was, on page 73, line 11, after the word "expenses," to strike out "$18,000" and insert "$22,000," so as to make the clause read:

General expenses, Library: For books of reference, law books, technical and scientific books, papers, and periodicals, and for expenses incurred in completing imperfect series; for the employment of additional assistants in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, $22,000.

Mr. SMOOT. I would like to ask the Senator having the bill in charge what amount for general expenses of the library of the Department of Agriculture was carried in the last appropriation act?

Mr. GRONNA. The Senator has reference to the general expenses for the library?

Mr. SMOOT. Yes; the general expenses for the library. The House gave $18,000 and the Senate committee has raised it to $22,000.

Mr. GRONNA. Eighteen thousand dollars is carried in the present law. The department estimated for $26,200 and the House allowed $18,000, the same as the amount carried in the present law. The Senate committee increased it to $22,000.

Mr. SMOOT. That is as I thought it was, but is there any real reason why the appropriation should be increased above the existing law? I think we ought not to give additional appropriations for "papers and periodicals, and for expenses incurred in completing imperfect series," and so forth. If we are going to economize in this bill at all, I very much prefer to begin to economize under the general expenses of the departments than I would where the appropriation affects the farm direct and where the result of the investigation means an advantage to the farmer himself. I am frank to say that I think the House was right in what has been done, in not increasing the appropriation at this particular time.

Mr. GRONNA. May I reply to the Senator?

Mr. SMOOT. I shall be glad to hear the Senator.

Mr. GRONNA. I want to read from the statement of the Secretary of Agriculture:

The Senate committee has increased the item for general expenses of the department library by $4,000, which will, in a measure, enable the library to meet most urgent needs. From this fund are purchased the books and periodicals for the use of the department in Washington. These reference books are absolutely essential in the investigations of the department.

The letter is rather long. I will say to the Senator that is the only justification for the increase. They say the books are absolutely essential.

Mr. SMOOT. We have, of course, the Congressional Library in Washington and everything is to be found there. I am perfectly willing to maintain the present library of any of the departments outside of the Congressional Library, but I wish to say to the Senator that there is a tendency in every one of the bureaus and divisions of the Government to build up a library for the bureau itself. It is a duplication of books that can not be defended. The Committee on Appropriations began last year to cut out such appropriations for the purchase of additional books. I think it ought to be done. If it is not done there is no limit to the extent to which we will have a library in every department of the Government as well as a library in every bureau. I believe that it would be proper to leave the appropriation just as it was last year, if not to decrease it.

Mr. GRONNA. I realize that there is a great deal of force in what the Senator says, but the department made such an urgent plea for $4,000 in addition to what the House appropriated that the committee was unanimous in allowing it. If the Senator will allow it to go in, I am sure we will give it due consideration before it is disposed of in conference.

Mr. SMOOT. I am not going to call for a vote upon it, but I predict now that the $4,000 will be spent for the employment of additional assistants in the city of Washington. That is what the money will be spent for.

The amendment was agreed to.

The next amendment was, on page 73, line 12, after the word "Library," to strike out "$50,880" and insert "$54,880," so as to make the clause read:

Total for Library, $54,880.

The amendment was agreed to.

The reading of the bill was continued to line 13, on page 74, the last paragraph read, being as follows:

Rent of buildings, Department of Agriculture: For rent of buildings and parts of buildings in the District of Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, $164,666: *Provided*, That only such part of this sum shall be available to pay rent for space which can not be furnished by the Public Buildings Commission in Government buildings located in the District of Columbia.

Mr. SMOOT. Can the Senator from North Dakota tell me offhand what part of the sum of $164,666 is available to pay rent for space which can not be furnished by the Public Buildings Commission in Government buildings located in the District of Columbia?

Mr. GRONNA. I will say to the Senator that this is a matter which came from the House, and it was not contested in the Senate committee. Of course, the estimates will give the full explanation of it. I know it is important, and I am glad the Senator has called attention to it.

Mr. SMOOT. I am going to ask the Senator to allow it to go over for the present.

Mr. GRONNA. There is no objection to that course.

Mr. SMOOT. The reason why I have made the request is that the Department of Agriculture has not been satisfied with the space assigned it by the Public Buildings Commission allowing so much space to each employee. I think to-day that every employee in that department has allotted a space of at least 70 square feet, and more is asked for. This means, of course, that they are going to use part of the $164,666 to rent additional space in the District of Columbia. I would like, before it is finally passed upon, to get word from the department as to what part of this appropriation of $164,666 they intend to use for the renting of space in the District of Columbia.

The PRESIDING OFFICER. The matter will be passed over.

Mr. DIAL. Mr. President, I am interested in agriculture, and also very deeply interested in economy. Just for the information of the Senate, I desire to say that I have a paper here to which I wish to call the attention of the Senators, so that they may know that we are making no mistake in trying to extinguish the boll weevil. I never saw that insect except one in a bottle, but recently he has been making an advance on our State. Just this last season he got into the State of South Carolina, in a few counties, and for the information of the Senate I will read some figures from this statement.

This is a bulletin from the Department of Commerce, gotten out on the 20th of this month. The boll weevils are only in a few of the counties in our State, in the southwestern part. In the county of Barnwell this last season that county raised 30,496 bales of cotton, and the preceding season of 1918 that county raised 70,099 bales of cotton. Beaufort last season raised 2,232 bales of cotton and the preceding season raised 9,745 bales. Charleston County—I am not certain whether the weevil is in Charleston County or not—last season raised 8,723 bales of cotton as against 18,176 bales of cotton the preceding season. In Hampton County last season they raised 10,692 bales of cotton as against 25,928 bales the preceding season. In Jasper County they raised only 2,025 bales of cotton last season as compared with 7,296 the preceding season.

So it seems to me we ought to be liberal in appropriations in this bill, because in my opinion there will be a premium offered for the production of cotton within a very few years. It is a difficult matter to get labor, and the boll weevil is making great inroads. Our State raised over 100,000 less bales last season on account of this insect.

While we are appropriating money to destroy the ground squirrels, prairie dogs, and the cattle tick, I think at the same time the owners of the property ought to get exceedingly busy to help eradicate these pests. I looked over a map yesterday and I saw they have freed a large portion of the country from the cattle tick, but it is infesting a good many other sections yet. It seems to me they have been at that work a good long time, and I would like to have the Government money expended in the same way that individual money is spent. We ought to get 100 cents worth of work for $1 of Government money as well as other money. The people of this country ought to realize that while that is being done for the public good, at the same time it is work on individual property. I think the time will soon come when we will have the whole country rid of these pests, and if they do not come in, if the owners of the property do not come in and aid the Government agents in destroying these pests, possibly the appropriations will be discontinued. They are a little bit slow in bringing the cattle in and having them dipped. The people all over the country ought to realize the liberality of the Government and ought to join in and make every effort to have these pests destroyed rapidly, so we will be able to stop having to appropriate money. It will be a glad day in the South when it is entirely freed of the tick.

The next amendment of the Committee on Agriculture and Forestry was, under the subhead "States Relations Service," on page 74, line 17, after "$2,000," to insert "2 clerks, at $2,000 each"; in line 25, before the word "clerks," where it occurs the second time, to strike out "six" and insert "three"; on page 75, line 1, after the word "each," to strike out "1 clerk, $840; 1 clerk, $720"; in line 3, after the word "each," to strike out "1 messenger or laborer, $600" and insert "2 messengers or laborers, at $600 each"; and in line 7, after the words "in all," to strike out "$235,840" and insert "$236,180," so as to make the clause read:

Salaries, States Relations Service: One director, $4,500; 1 chief clerk, $2,000; 1 clerk or chief accountant, $2,400; 1 financial clerk, $2,000; 2 clerks, at $2,000 each; 1 clerk, $1,980; 1 clerk or proof reader, $1,800; 5 clerks, class 4; 1 executive clerk, $1,740; 11 clerks, class 3; 2 clerks, at $1,500 each; 17 clerks, class 2; 2 clerks, at $1,320 each; 1 clerk, $1,260; 52 clerks, class 1; 1 clerk or artist-draftsman, $1,200; 1 clerk or machine operator, $1,200; 27 clerks, at $1,100 each; 39 clerks, at $1,000 each; 3 clerks, at $900 each; 2 messengers or laborers, at $840 each; 5 messengers or laborers, at $720 each; 2 messengers or laborers, at $600 each; 1 messenger or laborer, $480; 4 messenger boys, at $600 each; 13 messenger boys, at $480 each; 1 skilled laborer, $900; 4 charwomen, at $480 each; 16 charwomen, at $240 each; in all, $236,180.

The amendment was agreed to.

The next amendment was, on page 77, line 15, after the word "be," to strike out "alloted" and insert "allotted," so as to read:

For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision as the additional appropriations made by the act of May 8, 1914 (38 Stat. L., p. 372), entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture," $1,500,000.

The amendment was agreed to.

The next amendment was, on page 78, after line 7, to strike out:

To enable the Secretary of Agriculture to investigate and report upon the organization and progress of farmers' institutes and agricultural schools in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations, and of improved methods of agricultural practice, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $16,360.

The PRESIDING OFFICER (Mr. KIRBY in the chair). The question is on agreeing to the amendment.

Mr. HARRISON. Mr. President, I do not think this clause should be stricken out. I am not going to take up the time of the Senate in discussing the matter; I am merely going to ask that the question be taken on a division as to whether or not the provision should be stricken out. It occurs to me that this clause provides for a very valuable work, and I think the action of the other House should be concurred in. The Department, however, has suggested an amendment to the clause.

The PRESIDING OFFICER. Does the Senator from Mississippi desire to propose an amendment to the amendment of the committee before the vote is taken on agreeing to it?

Mr. HARRISON. Yes; I will offer the amendment which I send to the desk as a substitute for the action of the Senate committee.

The PRESIDING OFFICER. The amendment proposed by the Senator from Mississippi to the committee amendment will be stated.

The ASSISTANT SECRETARY. In lieu of the words proposed to be stricken from the bill by the committee, it is proposed to insert the following:

To enable the Secretary of Agriculture to investigate and report concerning agriculture, for the purpose of agricultural education, and to cooperate with the Federal Board for Vocational Education in carrying out the provisions of section 6 of the act of Congress approved February 23, 1917, entitled "An act to promote vocational education," with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations, and of improved methods of agricultural practice, including the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $13,000.

Mr. GRONNA. Mr. President, it is possible that some of the work provided for in this clause should be carried on, but I desire to remind the Senate of the fact that in the pending bill we have changed the Office of Farm Management to the Bureau of Farm Management and Farm Economics, and that we have added $127,000 for that work. As I understand, the money appropriated by the paragraph is proposed to be expended entirely by the Department of Agriculture under the particular bureau referred to. I think it is the opinion of a large majority of the Members of the Senate that we ought to eliminate this provision, at least for a while, until the country is able to get on its feet. Appropriations of $16,000 here and there run into the hundreds of thousands and the hundreds of thousands run into the millions of dollars. I believe the Department of Agriculture will be able to do this proposed work just as efficiently and just as well in the interest of agriculture if this provision is eliminated.

Mr. HARRISON. May I ask the chairman of the committee a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. GRONNA. I do.

Mr. HARRISON. Does the Senator think that this work and the instruction in these schools can go on without this special provision being incorporated in the bill?

Mr. GRONNA. Yes; I believe this work can go on just the same as though this provision were inserted, I will say to the Senator.

Mr. HARRISON. But we should, then, have to increase the appropriation for some other provision, should we not?

Mr. SMOOT. No. I wish to say to the Senator that there is a permanent appropriation for that very purpose; that appropriation under the law increases each year from now on for two more years; and this amendment would simply be an appropriation of $13,000 for the duplication of work which is already being done.

Mr. HARRISON. Then, why has this appropriation been carried in previous bills?

Mr. SMOOT. For the same reason that applies in reference to other appropriation bills. Once an appropriation is inserted in an appropriation bill, it never goes out unless it is specifically eliminated by Congress.

Mr. HARRISON. I did not get the impression from the department that this work would continue if this specific appropriation were not made. Of course, if the department can do the work without the appropriation just as well as they can do it with the appropriation, I do not wish to see the money appropriated; but my impression, gathered from the communications which I have received and from the hearings, was that it was necessary that this appropriation be retained in the bill if the work was to continue.

Mr. GRONNA. Mr. President, of course, if we had plenty of money, it would perhaps do no harm to make this appropriation; but it only provides for reports as to the progress of farmers' institutes.

Mr. HARRISON. Yes.

Mr. GRONNA. The Senator from Mississippi knows that there is carried in this bill—we have just gone over that—an appropriation from the Treasury of about $1,500,000 for demonstration work; then the Smith-Lever law carries $3,580,000 this year, which will increase for two years more, until 1923; so that ultimately the appropriation will be $4,580,000, plus whatever is appropriated out of the Treasury. I really believe that we ought to stop right here and not try to duplicate this particular work, although I agree with the Senator from Mississippi that it is an important work.

Mr. HARRISON. I merely have offered the amendment as an expression of sentiment.

Mr. GRONNA. I am very glad to have the Senator offer the amendment.

Mr. SMOOT. I wish to say to the Senator now that all the farmers in this country are watching these appropriations very carefully. I have a letter from Mr. Frank E. Williams, of Elkton, Md., which I received this morning, in which he says:

> MY DEAR SENATOR SMOOT: I beg to congratulate you upon your opposition to a new Government bureau in charge of farm management. I am, I suppose, the largest farmer in this county. My three grown sons are all practical working farmers. I am in contact daily with many farmers. What they want is relief from governmental extravagance; they are not calling for more bureaus to farm the farmer. We need real producers and fewer so-called experts running around the country to increase our expenses without adding anything of practical value.
>
> Yours, truly,
>
> FRANK E. WILLIAMS.

Mr. GRONNA. Mr. President, that is a very good letter, and I agree with the farmer in the main; but let me say to the Senator that the farmer is entirely mistaken in one respect. The money which we appropriate is not appropriated for the purpose specified in the letter sent to the distinguished Senator from Utah——

Mr. SMOOT. That is to "farm the farmers."

Mr. GRONNA. It is not to "farm the farmer," nor to show the farmer how to do his work. The money we appropriate in this bill—and I hope Senators will understand that—is to enable the Department of Agriculture and the farmers themselves to ascertain the costs of production. In all seriousness, what is more important to any industry than to know the cost of the articles produced? How long would the boot-and-shoe industry or a clothing manufacturing concern continue in business if they did not know their costs. Here we have an industry which, according to the report of the Secretary of Agriculture, will show an estimated value upon the prices fixed by the Department of Agriculture for the cereal crops alone of more than $14,000,000,000. The total value of all crops, including stock, amounts to more than $24,000,000,000. It seems to me that is a fairly good-sized business; and why any farmer should object to the adoption of a financial system so as to enable him to ascertain the cost of the article he is producing, whether it is a cereal, whether it is cotton, or whether it is stock, I can not understand. As I have said, the letter is a good letter, but the writer misunderstands the appropriation which we provide for in this bill of $127,000 to carry on the additional work which will be done under the Bureau of Farm Management and Farm Economics.

The PRESIDING OFFICER. The question is upon the amendment proposed by the Senator from Mississippi as a substitute for the House text proposed to be stricken out.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now recurs on the amendment proposed by the committee to strike out from line 8 to line 18, inclusive.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 78, line 24, after the word "expenses," to strike out "$205,000" and insert "$210,000," and on page 79, line 6, after the words "United States," to strike out "$15,000" and insert "$20,000," so as to make the clause read:

> To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands of the United States, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, $210,000, as follows: Alaska, $75,000, of which $11,800, or so much thereof as may be necessary, shall be immediately available for the erection of buildings, purchase of breeding live stock, and other expenses connected with the stock-breeding experiments on the island of Kodiak and at the Matanuska station; Hawaii, $50,000; Porto Rico, $50,000; Guam, $15,000; and the Virgin Islands of the United States, $20,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands of the United States, and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii $10,000 may be used in agricultural extension work in Hawaii.

The amendment was agreed to.

The next amendment was, on page 80, line 7, after the word "expenses," to strike out "$4,630,280" and insert "$4,618,920," so as to make the clause read:

> In all, for general expenses, $4,618,920.

The amendment was agreed to.

The next amendment was, on page 80, line 8, after the word "Service," to strike out "$4,866,120" and insert "$4,855,100," so as to make the clause read:

> Total for States Relations Service, $4,855,100.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Public Roads," on page 80, line 18, before the words "class 2," to strike out "1 clerk" and insert "6 clerks"; in line 20, before the word "clerks," to strike out "six" and insert "seven"; on page 81, line 1, before the word "clerks," to strike out "nine" and insert "four"; in line 2, before the words "1 mechanician," to strike out "4 clerks, at $900 each"; and in line 13, after the words "in all," to strike out "$117,900" and insert "$117,500," so as to make the clause read:

> Salaries, Bureau of Public Roads: One chief of bureau, $6,000; 1 draftsman or clerk, $1,920; 1 clerk, $1,900; 1 instrument maker, $1,800; 1 model maker, $1,800; 4 clerks, class 4; 7 clerks, class 3; 1 clerk or editorial clerk, $1,600; 3 clerks, at $1,500 each; 1 clerk or photographer, $1,440; 1 clerk or instrument maker, $1,440; 1 clerk or tabulator, $1,440; 6 clerks, class 2; 2 clerks, at $1,380 each; 2 clerks, at $1,320 each; 4 clerks, at $1,260 each; 7 clerks, class 1; 1 clerk or editorial clerk, $1,200; 1 draftsman, $1,320; 1 clerk or draftsman, $1,200; 1 clerk or draftsman, $900; 1 clerk or photographer, $1,200; one clerk or photographer, $1,000; two clerks, at $1,140 each; 1 clerk, $1,100; 2 clerks, at $1,080 each; 1 clerk, $1,020; 4 clerks, at $1,000 each; 1 clerk or skilled laborer, $1,000; 1 mechanician, $1,680; 1 clerk or instrument maker, $1,200; 1 lantern-slide colorist, $1,320; 1 mechanic, $2,100; 1 mechanic, $1,500; 1 mechanic, $1,200; 1 skilled laborer, $1,200; 1 skilled laborer or mechanic, $840; 1 laboratory aid, $960; 1 telephone operator, $720; 2 laborers, at $900 each; 2 messengers or laborers, at $840 each; 2 messengers, laborers, or laboratory helpers, at $720 each; 2 messengers or laborers, at $660 each; 4 messengers or laborers, at $600 each; 3 messenger boys, at $600 each; 1 fireman, $720; 8 messenger boys, at $480 each; 8 charwomen, at $240 each; in all, $117,500.

The amendment was agreed to.

The next amendment was, on page 82, line 7, after the word "maintenance," to insert "including cooperation with State and municipal governments in roadside planting of ornamental fruit and nut-bearing trees, the beautification of highways, and the education of the public to a fuller appreciation of scenic values as a factor in rural development and as a nationalizing influence, $102,300," so as to make the clause read:

> For investigations of the best methods of road making, especially ordinary sand-clay and dirt roads, and the best kinds of road-making materials, and for furnishing expert advice on road building and maintenance, including cooperation with State and municipal governments in roadside planting of ornamental fruit and nut-bearing trees, the beautification of highways, and the education of the public to a fuller appreciation of scenic values as a factor in rural development and as a nationalizing influence, $102,300.

Mr. GRONNA. I ask that this paragraph go over, at the request of the Senator from Utah [Mr. SMOOT].

The PRESIDING OFFICER. Without objection, the paragraph will be passed over.

The next amendment was, on page 82, after line 17, to insert:

For conducting field experiments and various methods of road construction and maintenance, and investigations concerning various road materials and preparations; for investigating and developing equipment intended for the preparation and application of bituminous and other binders; for the purchase of materials and equipment; for the employment of assistants and labor, $50,000.

Mr. GRONNA. I ask that this paragraph be passed over, at the request of the Senator from Utah [Mr. SMOOT].

The PRESIDING OFFICER. Without objection, the paragraph will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 84, line 5, after the word "farm," to insert "sanitary," and, in line 6, before the word "disposal," to strike out "drainage" and insert "sewage," so as to make the clause read:

For investigating farm sanitary domestic water supply and sewage disposal, the construction of farm buildings, and other rural engineering problems involving mechanical principles, including the erection of such structures outside of the District of Columbia as may be necessary for experimental purposes only, the employment of labor in the city of Washington and elsewhere, supplies, and all other necessary expenses, $25,000.

The amendment was agreed to.

The next amendment was, on page 84, line 16, after the word "expenses," to strike out "$372,720" and insert "$422,720," so as to make the clause read:

In all, for general expenses, $422,720.

The amendment was agreed to.

The next amendment was, on page 84, line 17, after the word "Roads," to strike out "$490,620" and insert "$540,220," so as to make the clause read:

Total for Bureau of Public Roads, $540,220.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Markets," on page 84, line 21, after "$2,500," to insert "1 administrative assistant, $2,100"; in line 23, before the word "executive," to strike out "three" and insert "four"; on page 85, line 1, before the word "clerks," to strike out "fifteen" and insert "sixteen"; in line 2, after the word "three," to insert "1 clerk, $1,500"; in line 3, before the word "clerks," to strike out "thirty-three" and insert "thirty-five"; in the same line, after the words "class 2," to strike out "1 clerk, $1,380" and insert "2 clerks, at $1,300 each"; in line 5, before the word "clerks," to strike out "one hundred and fifty" and insert "one hundred and ninety-three"; in line 6, before the word "clerks," to strike out "sixty-five" and insert "seventy-eight"; in line 7, before the word "clerks," to strike out "ninety-five" and insert "fifty-eight"; in line 8, after the word "each," to strike out "2 clerks, at $960 each; 24 clerks, at $900 each; 3 clerks, at $840 each"; in line 10, after "$1,200," to strike out "1 laboratory helper, $900; 1 laboratory aid, $960; 3 laboratory aids, at $900 each; 1 laboratory aid, $840; 1 laboratory aid, $720"; in line 17, after "$1,320," to strike out "7 telegraph operators, at $1,200 each; 1 telegraph operator, $1,080"; in line 22, after "$720," to strike out "1 map tracer, $600," and insert "4 machine operators, at $1,400 each"; in line 25, before the word "machine," to strike out "eleven" and insert "thirteen"; on page 86, line 1, before the word "three," to strike out "7 machine operators, at $900 each"; in line 6, before the word "messenger," to strike out "eight" and insert "ten"; in line 8, after the word "each," to strike out "3 messenger boys, at $420 each; 1 messenger boy, $360; 1 messenger boy, $300"; and in line 12, after the words "in all," to strike out "$715,130" and insert "$713,750," so as to make the clause read:

Salaries, Bureau of Markets: One chief of bureau, $5,000; 1 chief clerk, $2,000; 1 administrative assistant, $3,000; 1 administrative assistant, $2,500; 1 administrative assistant, $2,100; 1 clerk in charge of supplies and accounts, $2,250; 4 executive clerks, at $2,000 each; 2 clerks, at $2,000 each; 1 executive assistant, $1,980; 1 administrative assistant, $1,980; 11 clerks, class 4; 1 clerk, $1,740; 16 clerks, class 3; 1 clerk, $1,500; 1 clerk, $1,440; 35 clerks, class 2; 2 clerks, at $1,380 each; 5 clerks, at $1,320 each; 1 clerk, $1,300; 193 clerks, class 1; 1 clerk, $1,140; 78 clerks, at $1,100 each; 58 clerks, at $1,000 each; 13 clerks, at $1,080 each; 7 clerks, at $1,020 each; 1 custodian, $1,200; 1 photographer, $1,400; 1 photographer, $1,200; 1 superintendent of telegraph, $2,000; 1 supervising telegrapher, $1,620; 5 telegraph operators, at $1,600 each; 47 telegraph operators, at $1,400 each; 1 telegraph operator, $1,320; 2 telephone operators, at $900 each; 1 telephone operator, $840; 1 draftsman, $1,400; 3 draftsmen, at $1,200 each; 1 draftsman, $1,000; 1 draftsman, $900; 1 map tracer, $900; 1 map tracer, $720; 4 machine operators, at $1,400 each; 4 machine operators, at $1,200 each; 2 machine operators, at $1,100 each; 13 machine operators, at $1,000 each; 3 chauffeurs, at $900 each; 3 skilled laborers, at $900 each; 3 laborers, at $840 each; 6 laborers, at $720 each; 4 laborers, at $660 each; 5 laborers, at $600 each; 2 laborers, at $540 each; 3 messengers, at $900 each; 2 messengers, at $720 each; 10 messenger boys, at $600 each; 15 messenger boys, at $540 each; 20 messenger boys, at $480 each; 1 charwoman, $540; 6 charwomen, at $480 each; 6 charwomen, at $300 each; 9 charwomen, at $240 each, in all, $713,750.

The amendment was agreed to.

The next amendment was, on page 87, line 1, after the word "products," to strike out "$275,980" and insert "$317,520: *Provided*, That not less than $20,000 shall be used for a study of the methods of prevention of losses by deterioration, decay, and freezing of fruits and vegetables in storage and in transit in refrigerator cars, heater cars, and ocean vessels, including demonstrations of such methods," so as to make the clause read:

For acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, independently and in cooperation with other branches of the department, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distributing of farm and food products, $317,520: *Provided*, That not less than $20,000 shall be used for a study of the methods of prevention of losses by deterioriation, decay, and freezing of fruits and vegetables in storage and in transit in refrigerator cars, heater cars, and ocean vessels, including demonstrations of such methods.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, with reference to the amendment that has just been agreed to, I want to urge the members of the committee who are likely to be upon the conference committee to use their best efforts to keep that amendment in the bill. We really ought to have a larger amount, but I feel that the committee have done the very best they felt they possibly could do under the circumstances.

I desire to say that according to my information something like 2,000 or 2,500 carloads of apples were very greatly damaged during the last winter because of failure to be cared for as they ought to have been, and failure to receive proper protection from the weather in bringing them across the country. The purpose of this amendment is to develop and demonstrate better methods of caring for fruit, especially in refrigerator cars and in transportation.

As I said, I wish we could have had more, but I am very glad the committee have felt justified in putting in this amount, and I am satisfied that it will bring great benefit if they can get the House to see it as they have seen it. I hope they will be able to do that.

Mr. MYERS. Mr. President, I very heartily concur in what the Senator from Washington has just said. This is a most highly important amendment. My attention has been called to it by many correspondents from the Northwest. It is a matter of great importance to the Northwest, and covers a character of work that heretofore has not had much attention for lack of funds; but the department now realizes the necessity of that class of work, and, being given some funds, I am sure it will receive adequate attention, and will be highly beneficial, if the item is retained in conference, as I hope it may be.

Mr. MCNARY. Mr. President, there is no doubt of the value of the work that can be accomplished under this appropriation, nor of the great losses that have been sustained along this line by the fruit growers of the West and Northwest.

The Senator from Washington states that the amount should be larger. I want to state, for his benefit and that of the Senator from Montana, that when the matter was presented to the department at a hearing before the Agricultural Committee I spoke to the representative of the department about the necessity and practicability of this work, and the agent of the Department of Agriculture stated that he would not only use the $20,000 specifically provided by this amendment, but such a general sum out of the aggregate appropriation as would bring the total to the amount of $40,000, which was the sum sought by the Senator from Washington.

That explanation, perhaps, is due on that item.

The reading of the bill was resumed.

The next amendment was, on page 87, after line 6, to strike out:

To enable the Secretary of Agriculture to gather from stockmen, live-stock associations, State live-stock and agricultural boards, common carriers, stockyards, commission firms, live-stock exchanges, slaughtering and meat-packing companies, and others information relative to the number of different classes and grades of marketable live stock, especially cattle, hogs, and sheep in the principal live-stock feeding districts and growing sections; prices, receipts, and shipments of the different classes and grades of cattle, hogs, and sheep at live-stock market centers; prices of meats, fish, and meat and fish food products and the amounts of such products in storage; to compile and publish such information at such frequent intervals as most effectively to guide producers, consumers, and distributors in the sale and purchase of live stock, meats, fish, and other animal products; and to gather and publish any related information pertaining to marketing and distribution of live stock, meats, fish, and animal by-products, the sum of $89,320.

The amendment was agreed to.

The next amendment was, at the top of page 88, to insert:

For collecting and distributing by telegraph, mail, and otherwise timely information on the market supply, demand, commercial movement, disposition, quality, and market prices of live stock, meats, fish, and animal by-products, the sum of $89,320.

The amendment was agreed to.

The next amendment was, on page 88, line 7, before the word "supply," to insert "market," so as to make the clause read:

For collecting and distributing, by telegraph, mail, and otherwise, timely information on the market supply, demand, commercial movement, location, disposition, quality, and market prices of fruits, vegetables, peanuts and their products, dairy and poultry products, grain, hay, feeds, and seeds, $314,600.

The amendment was agreed to.

The next amendment was, on page 89, line 6, after the word "contained," to strike out "$141,700" and insert "$150,000," so as to make the clause read:

For enabling the Secretary of Agriculture to investigate and certify to shippers and other interested parties the quality and condition of fruits, vegetables, poultry, butter, hay, and other perishable farm products, when received in interstate commerce at such important central markets as the Secretary of Agriculture may from time to time designate, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, $150,000.

The amendment was agreed to.

The next amendment was, on page 89, line 20, after the word "methods," to strike out "$40,000" and insert "$77,750," so as to make the clause read:

To enable the Secretary of Agriculture to cooperate with the several States in the employment of agents to acquire and diffuse useful information connected with the distribution and marketing of farm products through investigational, demonstrational, or extension methods, $77,750.

The amendment was agreed to.

The next amendment was, on page 90, line 12, after the word "expenses," to strike out "$1,042,805" and insert "$1,130,395," so as to make the clause read:

In all, for general expenses, $1,130,395.

The amendment was agreed to.

The next amendment was, on page 90, after line 21, to insert: ": *Provided*, That the amendments to said act contained in section 6 of the act of March 4, 1919 (Public, No. 348, 65th Cong.), are hereby recognized and declared to be permanent legislation," so as to make the clause read:

Enforcement of the United States cotton-futures act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States cotton-futures act, as amended March 4, 1919, including all expenses necessary for the purchase of equipment and supplies; for travel; for the employment of persons in the city of Washington, and elsewhere; and for all other expenses, including rent outside of the District of Columbia, that may be necessary in executing the provisions of this act, $142,611: *Provided*, That the amendments to said act contained in section 6 of the act of March 4, 1919 (Public, No. 348, 65th Cong.), are hereby recognized and declared to be permanent legislation.

Mr. GRONNA. Mr. President, I think it will be necessary to further amend this amendment. I offer the following as a substitute.

The PRESIDING OFFICER. The Secretary will state the proposed substitute.

The ASSISTANT SECRETARY. In lieu of the reported proviso at the end of page 90, insert the following:

Provided, That the amendments relating to cotton provided for in section 6 of the act known as the wheat-guarantees act approved March 4, 1919, are hereby recognized and declared to be permanent legislation.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. The bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. GRONNA. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRONNA. The junior Senator from Alabama [Mr. COMER] has an amendment to the amendment proposed by the Senate committee. So I will ask that it may go over until we finish the reading of the bill.

Mr. HARRISON. Mr. President, that amendment does not affect the Senate committee amendment at all. It is a new matter, and deals entirely with a different subject, as I understand it.

Mr. UNDERWOOD. I would like to ask the Senator in charge of the bill to let it be disposed of now. I do not think it will take long. It relates to the same subject matter as the committee amendment.

Mr. HARRISON. But the purposes of the two are not the same?

Mr. UNDERWOOD. Yes; they are for the same purpose.

Mr. GRONNA. I have no objection to considering it now if the Senator thinks it relates to the same matter. I have no objection to the amendment of the Senator from Alabama [Mr. COMER], and so far as I know none of the Senators from the cotton States have any objection to it. If I am not correct in that statement, I trust that some of them will correct me.

Mr. UNDERWOOD. I know of no opposition to it myself, and I would be glad if the Senator in charge of the bill will give an opportunity to have it considered now.

Mr. GRONNA. Very well.

Mr. COMER. Mr. President, I offer the following amendment to the amendment.

Mr. HARRISON. It ought to read "*And provided further*," I should think.

Mr. UNDERWOOD. I do not think so. I think the amendment does not require any further proviso. It merely amends the existing law to the extent that the amendment reads. The Senator's amendment explains itself. It does not require a proviso. It is to be inserted, as the amendment provides, at the end of line 25, page 90.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. Add after the word "legislation," on page 90, line 25, the following:

That hereafter each lot of cotton classified as tenderable in whole or in part on a section 5 contract of said act as amended, shall give to the buyer the right to demand that one-half of the contract shall be delivered in the official cotton standard grades of the United States from the grades of middling fair, strict good middling, good middling, strict middling, and middling, and that the seller shall have the option of delivering the other half of said contract from any of the official cotton standard grades as established in said act.

Mr. COMER. Mr. President, this amendment is offered for the purpose of giving cotton contractors on exchanges protection in delivery. As it is now, there are 10 different grades of cotton delivered under contract—low middling, strict low middling, middling, good middling, strict good middling, and middling fair—and in the colored grades strict middling tinges, good middling tinges, and good middling yellow stained.

In the contract as at present written the seller has from the 25th of the preceding month to the end of the succeeding month to tender delivery, or, in other words, to name the date at which he will deliver under the contract. He has no special date except within that time. In addition to that the seller has the option of delivering any one of these grades, or any two of them, any three of them, or any combination of them, the buyer having to take just what is offered him within that time, at the time it is offered him.

The purpose of this amendment is to give the buyer the one-half, I will call it; in order words, give him from middling to middling fair for one-half of it, leaving the seller to select from those grades such as he would want to deliver within that limit. It also leaves the seller to deliver the other 50 bales, any part of the 10 grades that he wishes. He still has a free scope in the matter.

I am free to admit, Mr. President, that the restrictions ought to be much closer than that. In other words, a cotton contract ought to be exactly like a corn contract or a wheat contract or a meat contract. You can go and buy from one to ten thousand bushels of wheat, or from one to ten thousand bushels of corn, or any quantity of meat, and they deliver what you buy. With cotton it has been very, very different, and this multiplicity of grades is the cause of all this trouble which we have with the cotton exchanges.

The cotton exchanges are intended to be the barometer of the market, not the thermometer. You can see how the barometer is and you know what the weather is or is going to be, and that is right; it shows the true weather condition and indicates the future.

But the cotton exchange is like a thermometer. You can heat the bulb and the mercury goes up, or you can put the temperature down and the mercury goes off. In other words, it is governed by fluctuating conditions, and cotton is the only agricultural product we have where the mercury is used or allowed to be used. In other words, with every other crop except cotton it is the law of supply and demand that governs the exchanges. With cotton it is very different from that, and the greater the number of grades that can be tendered on a contract the greater the possibility of the use of the gambling facilities. We had 21 grades before this amendment was made last year. The seller could select any combination of those 21 grades, if he saw proper, and deliver to a buyer, and deliver

within 30 days, too, and thus bring factitious conditions on the mercury.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Utah?

Mr. COMER. Certainly.

Mr. SMOOT. I notice in the proposed amendment of the Senator that there are five grades of cotton mentioned that will be classified as tenderable on a cotton contract. The Lever Act I think covers the same matter, and as I remember there were only four grades mentioned in that act. The Senators from South Carolina and the Senator from Oklahoma [Mr. GORE] have been very much interested in having this class of legislation enacted at as early a date as possible on account of the Lever Act expiring with the close of the war, which would leave the sale of the cotton on the cotton exchanges the same as it was before the passage of the Lever Act. I wanted to ask the Senator what grade is added in his proposed amendment to those which are now included in the Lever Act?

Mr. COMER. I am glad the Senator asked me that question. There is no grade added. It is simply an arrangement of the grades by which the seller will have to deliver one half of it, running from middling to middling fair of five grades. He can deliver the other half of it just as he pleases within the 10 grades.

Mr. OVERMAN. There are not 21 grades now.

Mr. COMER. Under the old act there were 21 grades, but that was found to be perfectly inoperative. The Lever Act made 10 grades. There is no change in the number of grades. There is just some limitation in the delivery of the grades, that is all.

Mr. SMOOT. This is the law:

In the fifth subdivision of section 5 of said act, strike out the words "good ordinary" whenever the same occur and substitute therefor the words "low middling"; strike out the words "low middling" and substitute therefor the word "middling"; and strike out the words "if stained, cotton that is below the grade of middling," and substitute therefor the words "if yellow stained, cotton that is below the grade of strict middling, or, if blue stained, cotton that is below the grade of good middling," so that the said subdivision shall read as follows.

Mr. COMER. I know that; I am perfectly familiar with all the bills on it and can answer any questions. The eliminations that are authorized by law reduce them from 21 grades to 10 grades, and those grades commence with low middling and go to middling fair. It carries seven grades called white cotton. In the colors it goes from strict middling tinges to good middling tinges and good middling light yellow stains, and these are the very grades we are dealing with now. There is no reduction from the number of grades. The only thing we are proposing to do is to make some specific arrangement as to the delivery of these.

Mr. SMOOT. I am aware of the workings of the law, but what I am getting at is that the Finance Committee have already agreed on an amendment to existing law. In the amendment there are only four grades named, and the amendment of the Senator from Alabama mentions five grades. I am perfectly willing to allow the five grades to be put in, but I was not certain whether the Senator from South Carolina would be willing.

Mr. COMER. Senators are certainly easy with a new man, and I wish to thank them all. This is the first speech I have tried to make in 10 years, except one. I will state to the Senate that I am a farmer and a manufacturer. As the Senator from Utah [Mr. SMOOT] said awhile ago, I have handled quite a bit of cotton on the exchanges, and my experiences make me perfectly familiar with it. It would have been perfectly easy for me to answer any questions, because I have gone into the matter very carefully. I want to thank the Senators for their consideration.

Two-thirds of the cotton crop runs middling and better, and two-thirds of the cotton mills use those grades of cotton. This is the reason why I wanted these changes made. There is a great deal of trouble in controlling the cotton exchanges and getting them to represent anything like the commercial price basis. I have the daily papers here. In the New York Times of March 24 March cotton was quoted 42.50. At one time it was quoted 43.18 and closed at 42.80. At New Orleans on that date March cotton was 38.50 and closed at 38.45. In New York July cotton was 35.02, 36.31, and 35.60. This simply shows you how they vary in it. In other words, here is July cotton more than 7 cents a pound cheaper than March cotton at the same time, and you have to go through the same crop to get to July. The same thing is true of May; we have May 2 or 3 cents a pound cheaper than March, and you have to go through this year's crop to get it. You can not get a crop before that time.

To give you further evidence, I have from the Bureau of Markets the figures on cotton for the past month. On February 20 March cotton in New York was 36.52, and I have just read you that a few days ago it was 42.50, even as high as 43.18.

You may ask why do you not buy these distant months at the lower price and hold them until they mature? I am perfectly candid. There is this trouble, that the dealer who can not afford to take the contract up is frequently compelled to sell the contract out and involve in serious loss in that way. Take March cotton, which was yesterday at 43.18 and was 36.52 on the 20th of February. It was the man who had sold this hedge that was hurt. This is what they call shearing the lamb, and it is very thoroughly done, but it is the buyer who can hold out and receive a tender that reaps the harvest. Anyone who will take the New York Exchange quotations from February 20 to March 25, 1920, noting the remarkable changes in which March cotton advanced more than 6 cents a pound, while all the spot-cotton markets varied the least, will appreciate just how the exchange market varies and the danger of it. The producer and the manufacturer want a reliable regular market, showing at all times the true condition of things. Violent fluctuations in the futures market are dangerous to all business except the gambler, and, as a rule, it is the gambler who makes it. The futures market should always be the true reflex of the commercial market.

Mr. DIAL. Mr. President, I have not spoken with the Senator from South Carolina [Mr. SMITH] and I do not know what his views about the bill are, but I know he is very anxious to have the bill remain as it is reported by the committee. I see no objection to the amendment proposed by the Senator from Alabama [Mr. COMER]. In fact, I think it is perfectly proper. The objection to the limited number of grades would be that there would be less chance for the growers of cotton to get rid of their cotton.

If you restrict it to a few numbers you will not get rid of the offgrade cotton.

I think the amendment is absolutely proper as offered by the Senator from Alabama and makes the provision as it ought to be. It merely specifies what you are getting, at least in part. It does not go far enough, really, but if he is content with it I am. It is just like this: If you want to buy a carload of brick you would not know whether you meant hard-burned brick or salmon brick or something like that.

Mr. SMOOT. You would know before you purchased it.

Mr. DIAL. You ought to know, but you do not. That is not in this contract. In the amendment the grower is authorized to select 1 of 5 grades and the purchaser to select the other grades out of the 10 grades mentioned in the general law.

Mr. SMOOT. I am familiar with the form of transaction under the purchase of futures in cotton. I have purchased cotton that way myself. I have no objection to the amendment, if the Senators from South Carolina and the senior Senator from Alabama do not object. I am perfectly willing to the five grades instead of four.

Mr. DIAL. I see no objection to it.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued.

The next amendment was, on page 91, line 14, after the word "elsewhere," to strike out "$24,400" and insert "$50,000," so as to make the clause read:

Administration of the United States warehouse act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States warehouse act, including the payment of such rent outside of the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $50,000.

The amendment was agreed to.

The next amendment was, on page 91, line 21, after the word "bureau," to strike out "$15,000" and insert "$5,000," so as to make the clause read:

Completion of wool work: To enable the Bureau of Markets to complete the work of the Domestic Wool Section of the War Industries Board and to enforce the Government regulations for handling the wool clip of 1918 as established by the Wool Division of said board, pursuant to the Executive order dated December 31, 1918, transferring such work to the said bureau, $5,000.

The amendment was agreed to.

The next amendment was, on page 91, line 22, after the word "Markets," to strike out "$2,478,569" and insert "$2,580,379," so as to make the clause read:

Total for Bureau of Markets, $2,580,379.

The amendment was agreed to.

The next amendment was, under the subhead "Enforcement of the insecticide act," on page 92, line 2, after the word "each," to strike out "two clerks, at $1,000 each" and insert "one clerk, $1,000"; in line 3, before the word "insecticide," to strike out "three" and insert "four"; in line 4, after the word "each," to strike out "two clerks and sample collectors, at $1,000 each"

and insert "one insecticide and fungicide inspector, $1,400," so as to make the clause read:

Salaries, enforcement of the insecticide act: One executive officer, $2,750; 1 executive assistant, $2,000; 1 clerk, class 3; 1 clerk, class 2; 4 clerks, class 1; 2 clerks, at $1,140 each; 1 clerk, $1,000; 4 insecticide and fungicide inspectors, at $1,600 each; 1 insecticide and fungicide inspector, $1,400; 1 sample and storeroom custodian, $1,200; 1 laboratory helper, $840; 1 laboratory helper, $720; 1 laboratory helper, $600; 1 unskilled laborer, $600; 1 unskilled laborer, $480; 2 messenger boys, at $480 each; 1 messenger boy, $360; 2 charwomen, at $480 each; in all, $30,350.

The amendment was agreed to.

Mr. GAY. Mr. President, I have an amendment which I desire may be stated.

Mr. GRONNA. I trust the Senator will kindly defer offering his amendment until we have finished the committee amendments. The Senator may then offer his amendment.

Mr. GAY. Then I will defer offering my amendment at this time.

The PRESIDING OFFICER. The Chair will state to the Senator from Louisiana that under the unanimous-consent agreement committee amendments must first be disposed of, and after they shall have been disposed of the Senator may offer his amendment.

Mr. GAY. Very well.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, under the subhead "Federal Horticultural Board," on page 93, line 3, after "$2,280," to strike out "1 executive clerk, $2,000; 1 executive clerk, $2,000" and insert "2 executive clerks, at $2,000 each," so as to make the clause read:

Salaries, Federal Horticultural Board: One secretary of board, $2,280; 2 executive clerks, at $2,000 each; 1 clerk, $1,980; 1 clerk, class 4; 1 clerk, class 3; 1 clerk, $1,560; 3 clerks, at $1,440 each; 2 clerks, class 2; 2 clerks, at $1,260 each; 7 clerks, class 1; 1 messenger boy, $600; 1 messenger boy, $480; 2 messenger boys, at $360 each; 1 charwoman, $240; in all, $33,300.

The amendment was agreed to.

The next amendment was, on page 94, after line 7, to insert:

Plant quarantine act: That the plant quarantine act, approved August 20, 1912 (37 Stat., p. 315), be, and is hereby, amended by adding at the end thereof the following section:

"SEC. 15. That in order further to control and eradicate and to prevent the dissemination of dangerous plant diseases and insect infections and infestations no plant or plant products for or capable of propagation, including nursery stock, hereinafter referred to as plants and plant products, shall be moved or allowed to be moved, shipped, transported, or carried by any means whatever into or out of the District of Columbia except in compliance with such rules and regulations as shall be prescribed by the Secretary of Agriculture as hereinafter provided. Whenever the Secretary of Agriculture, after investigation, shall determine that any plants and plant products in the District of Columbia are infested or infected with insect pests and diseases, and that any place, articles, and substances used or connected therewith are so infested or infected, written notice thereof shall be given by him to the owner or person in possession or control thereof, and such owner or person shall forthwith control or eradicate and prevent the dissemination of such insect pest or disease, and shall remove, cut, or destroy such infested and infected plants, plant products, and articles and substances used or connected therewith, which are hereby declared to be nuisances, within the time and in the manner required in said notice or by the rules and regulations of the Secretary of Agriculture. Whenever such owner or person can not be found, or shall fail, neglect, or refuse to comply with the foregoing provisions of this section, the Secretary of Agriculture is hereby authorized and required to control and eradicate and prevent dissemination of such insect pest or disease and to remove, cut, or destroy infested or infected plants and plant products and articles and substances used or connected therewith, and the United States shall have an action of debt against such owner or persons for expenses incurred by the Secretary of Agriculture in that behalf. Employees of the Federal Horticultural Board are hereby authorized and required to inspect places, plants, and plant products and articles and substances used or connected therewith whenever the Secretary of Agriculture shall determine that such inspections are necessary for the purposes of this section. For the purpose of carrying out the provisions and requirements of this section and of the rules and regulations of the Secretary of Agriculture made hereunder, and the notices given pursuant thereto, employees of the Federal Horticultural Board shall have power with a warrant to enter into or upon any place and open any bundle, package, or other container of plants or plant products whenever they shall have cause to believe that infections or infestations of plant pests and diseases exist therein or thereon, and when such infections or infestations are found to exist after notice by the Secretary of Agriculture to the owner or person in possession or control thereof and an opportunity by said owner or person to be heard, to destroy the infected or infested plants or plant products contained therein. The police court or the municipal court of the District of Columbia shall have power, upon information supported by oath or affirmation showing probable cause for believing that there exists in any place, bundle, package, or other container in the District of Columbia any plant or plant product which is infected or infested with plant pests or disease, to issue warrants for the search for and seizure of all such plants and plant products. It shall be the duty of the Secretary of Agriculture, and he is hereby required, from time to time, to make and promulgate such rules and regulations as shall be necessary to carry out the purposes of this section, and any person who shall move or allow to be moved, or shall ship, transport, or carry, by any means whatever, any plant or plant products from or into the District of Columbia, except in compliance with the rules and regulations prescribed under this section, shall be punished, as is provided in section 10 of this act."

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous," on page 97, line 21, after the word "elsewhere," to strike out "$30,000" and insert "$47,000," so as to make the clause read:

Demonstrations on reclamation projects: To enable the Secretary of Agriculture to encourage and aid in the agricultural development of the Government reclamation projects; to assist, through demonstrations, advice, and in other ways, settlers on the projects; and for the employment of persons and means necessary in the city of Washington and elsewhere, $47,000.

The amendment was agreed to.

The next amendment was, on page 98, line 1, after the word "emergency," to insert "and to enable the Secretary of Agriculture to cooperate with the War Department in the maintenance of an air patrol for fire prevention and suppression on the national forests of the Pacific coast and the Rocky Mountain regions, $60,000; in all, $310,000," so as to make the clause read:

Fighting and preventing forest fires: For fighting and preventing forest fires, $250,000, or so much thereof as may be necessary, but not to exceed $150,000 of this fund shall be expended except in cases of extraordinary emergency; and to enable the Secretary of Agriculture to cooperate with the War Department in the maintenance of an air patrol for fire prevention and suppression on the national forests of the Pacific coast and the Rocky Mountain regions, $60,000; in all, $310,000.

The amendment was agreed to.

The next amendment was, on page 98, line 16, after the word "rivers," to strike out "$75,000" and insert "$125,000," so as to make the clause read:

Cooperative fire protection of forested watersheds of navigable streams: For cooperation with any State or group of States in the protection from fire of the forested watersheds of navigable streams under the provisions of section 2 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," $125,000.

Mr. NUGENT. I desire to offer an amendment to the committee amendment. On page 98, line 16, I move to amend the committee amendment by striking out the numerals "$125,000" and inserting the numerals "$200,000," so as to make the appropriation $200,000.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Idaho to the committee amendment.

Mr. NUGENT. Mr. President, in company with the Forester, I appeared before the Senate Committee on Agriculture in respect to the matter of the protection of our forests from fire, and it was presented in considerable detail. I desire to say that I am grateful to the committee for its action in increasing the appropriation made by the House to the extent of $50,000, and I am offering this amendment not because I am not grateful, but because of the tremendous interest, on the part of the people of the West particularly, in the protection of the forests from ravages by fire.

Mr. President, the people of the State of Idaho are very deeply interested in this question, as are also the people of the country generally, and they would manifest a much deeper interest in it, in my judgment, if they were familiar with the facts. In Idaho there are 720,000 acres of timberlands owned by the State; in other words, the people of that State, as a whole, own that number of acres of forest lands; and there are millions of acres in my State of timberlands owned by the Federal Government. I take the position that as timber is one of the great natural resources of the country, every possible effort should be put forth to preserve it.

It is a conceded fact, Mr. President, particularly in arid States such as Idaho, that it is vitally necessary to the prosperity, the happiness, and the well-being of all the people that the watersheds be not denuded of timber and undergrowth; otherwise, there will not be sufficient water for agricultural purposes. If the watersheds on our streams are denuded of such timber and undergrowth, as a matter of course, there will be no means by which the water supply, consisting of snow and rain, may be conserved; with the result that in the spring there will be a rapid run-off of the snow which has fallen during the winter months, with a consequent flood stage, so far as the streams are concerned, for a time and a low-water stage and practically a drought at times at the season of the year when the crops are maturing. Such a condition would lead to incalculable loss, so far as our farmers are concerned. The same thing is true in large measure of the stock interests.

Mr. President, I desire to call the attention of the Senate to a few figures in connection with this matter, in order that there may be a full and complete understanding of the importance of the preservation of the forests.

I desire to say that approximately one-half of all the standing merchantable timber in the United States is located in the States of California, Oregon, Washington, Montana, and Idaho, and that it is estimated that in those States there are 1,523,000,000 thousand feet, board measure. At the low estimate of $1 per thousand feet, that represents a money value of $1,523,000,000. In those States the timber within national forests aggregates 407,309,635 thousand feet, board measure, and at the same estimate of $1 per thousand it represents a money value of $407,309,635. In the State of Idaho alone there is now in Government ownership more than one-third of all the standing merchantable timber, to wit, 49,110,374,000 feet. The value of that timber at $1 per thousand feet, board measure, is in excess of $49,000,000.

Mr. President, the sum of money represented by this standing timber, as must be apparent to the mind of every man, is tremendously large, and if the timber is destroyed by forest fires, as a matter of course, the money is lost. It is my judgment that the Government of the United States should cooperate in every possible way to protect the interests of our people in the timber throughout those five Western and Northwestern States.

I was very glad to do everything I could to bring about the establishment of an airplane patrol of our forests, and I do not doubt that the establishment of that patrol will result in the saving of large areas of timberlands throughout the West. At this time it is in more or less of an experimental stage, but I hope it will prove so effective that within the next two or three years it will be extended to all other sections of the country on which there are forests.

I desire also to call attention to the fact that, in the five States I have mentioned, in 1918 there was an area burned over within the national forests of 619,694 acres, and outside of the national forests 432,136 acres, or a total of 1,051,830 acres. The quantity of timber destroyed in 1918 inside and outside of the national forests amounted to $1,737,774 and the timber that was damaged inside and outside of national forests amounted to $1,455,624. Last year was the dryest year known in the Northwest for many years prior thereto, and the loss of timber by fire was enormous. There was one fire in the neighborhood of what is known as the Thunder Mountain section of Idaho that extended over 160 square miles of land and destroyed hundreds of thousands of dollars' worth of timber—not only timber in Government ownership but also timber in private ownership—and it is estimated that the quantity of timber destroyed in the States mentioned last year aggregated the sum of about $3,976,981.

I have made some inquiry for the purpose of ascertaining what steps were taken in 1919 by the private corporations owning timber in Idaho, as well as by the State, for the purpose of protecting the forests against fire, and also for the purpose of ascertaining the sums of money expended in that behalf, and I have here a telegram from the secretary of the Northern Idaho Forestry Association, in which he says, among other things:

> The amount spent by the North Idaho associations only in protecting forests from fire was $360,000, of which amount the State spent about $98,000. The balance was paid by lumber companies.

In other words, the State of Idaho, owning 700,000 acres of timber land, expended in its protection the sum of about $98,000 and the private lumbering interests in northern Idaho alone expended the sum of $262,000. This telegram also states that private agencies in Montana, Idaho, Washington, Oregon, and California project 25,000,000 acres, of which lumber companies own about 1,125,000 acres, and that private agencies in the above five States spent over $800,000 last year in forest protection.

I also communicated with the governor of the State of Idaho in respect of the same matter, and he has advised me as follows:

> In 1919 the State expended $97,672, of which $58,609 has been paid by the State. The balance is a deficit to be met by the legislature. No funds for the present year. State holding approximately 720,000 acres. There are in Idaho 13,000,000 acres public domain not included in the forests, half of which is subject to grass and timber fires. This needs protection on account water conservation.
>
> D. W. DAVIS.

In 1911 what is commonly known as the Weeks law was enacted by the Congress, and it is that law that is referred to in the item in the pending bill on page 98 which I am seeking to amend. That bill provided, among other things, for the appropriation of $200,000 to be expended in cooperation with the States that desired to cooperate in the preservation of watersheds of navigable streams, and so forth, throughout the country. According to my understanding of the matter the Secretary of Agriculture this year estimated for the $200,000 that was appropriated in 1911, and sums have been appropriated each year since under that law. The House committee, however, for reasons satisfactory, no doubt, to its members, saw fit to reduce the sum estimated for to $75,000, and the Senate Committee on Agriculture and Forestry increased it to $125,000.

Mr. President, last year there were 24 States participating in that fund, and I have been advised that the allotment to the State of Idaho amounted to approximately $4,500, which, as a matter of fact, was but a small sum in comparison with the sums expended by the State and by private lumbering interests. In other words, while under this particular law there were $4,500 allotted to Idaho, private lumbering interests in the northern part of that State expended approximately $262,000, while the State expended about $98,000 in the protection of the forests.

As I stated before, in view of the tremendous importance of such protection, and in view of the very large sums of money that are being expended both by private lumbering interests and by the State, it appears to me that the Government should not be at all niggardly in appropriations in that behalf. More particularly is that true when those appropriations are used for the purpose of protecting about 80,000,000 acres of forested land now in Government ownership.

Before I take my seat, I desire to call the attention of the Senate to another fact, and that is that last year the receipts from national forests amounted to the sum of more than $4,300,000, and the major portion of those receipts was derived from grazing permits. In other words, there are hundreds of thousands—yes, millions—of sheep, cattle, and horses grazing within the forest reserves throughout the entire West, and the revenue derived by the Government by reason of that fact is increasing year by year. I do not doubt that if the forests are protected in order that the snows may be conserved and the ranges preserved, the number of live stock ranging within them will be increased with each succeeding year, and, as a matter of course, the revenue derived by the Governmest therefrom will also be increased.

I trust that the chairman of the committee may see his way clear to accept this proposed amendment.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). The question is upon the amendment proposed by the Senator from Idaho [Mr. NUGENT] to the amendment of the committee, which will be stated.

The READING CLERK. On page 98, line 16, in the amendment proposed by the committee, it is proposed to strike out "$125,000" and insert "$200,000."

Mr. GRONNA. Mr. President, I fully realize that this is a matter of very great importance; but the Senate Committee on Agriculture and Forestry thought they were rather liberal in increasisg this appropriation $60,000. That was done to enable the War Department to cooperate with the Agricultural Department in locating and extinguishing fires. Speaking for the committee—I do not say all the members, but I believe a majority of the members—we think that this amount is sufficient, and that we ought not further to increase this appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. NUGENT] to the amendment of the committee.

Mr. NUGENT. I call for a division.

The PRESIDING OFFICER. A division is called for. Those in favor of the amendment to the amendment will rise and be counted. Those opposed will rise and be counted. Those in favor of the amendment are 12, and those opposed are 5; therefore the amendment to the amendment is agreed to.

Mr. POMERENE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Ohio will state it.

Mr. POMERENE. Does or does not the statement just made indicate whether or not there is a quorum present?

The PRESIDING OFFICER. It is always in order to suggest the absence of a quorum, but as long as the present occupant of the chair is in the chair he is going to let the Senate know by what votes things are done. He is not going to ask Senators to take the opinion of the Chair and declare that an amendment is carried without letting Senators know how many voted for it and how many voted against it.

Mr. GRONNA. Mr. President, I find no fault with the announcement of the Chair. I fully realize that the amendment is carried, and I agree to that; but I simply want to say that the Senator from Idaho is endangering the amount of $60,000, because the probability is that the whole thing will go out in conference. It was my purpose, as chairman of the committee, to keep the $60,000 in the bill. I must confess to the Senate

that I can not and will not in conference agree to the increased amount carried in the amendment offered by the Senator from Idaho.

The PRESIDING OFFICER. The Chair will state to the Senator from North Dakota that a separate vote can be had upon this matter when the bill comes into the Senate.

Mr. GRONNA. I shall ask for a separate vote on it in the Senate.

Mr. SMOOT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Utah will state it.

Mr. SMOOT. I understood the Chair to say that there were 12 Senators who voted for the amendment and 5 who voted against it.

The PRESIDING OFFICER. That is correct.

Mr. SMOOT. Is it possible to have an amendment agreed to when the RECORD shows only 17 Senators voting?

The PRESIDING OFFICER. The Chair stated the result of the vote. More voted in favor of the amendment than voted against it. The Senate can take such course as it pleases upon that statement. The Chair can not make any motion.

Mr. SMOOT. Of course, my object was not to have it appear in the RECORD that an amendment could be agreed to by a vote of 12 for and 5 against, less than a majority of the Senate voting upon the question. In my opinion, the amendment has not been agreed to.

The PRESIDING OFFICER. If the Senator from Utah desires to raise any parliamentary inquiry, the Chair will submit the matter to the Senate.

Mr. GRONNA. I trust the Senator from Utah will not do that. I think the committee is perfectly satisfied. The amendment of the Senator from Idaho [Mr. NUGENT] was carried, and, so far as I am concerned, I think the members of the committee are satisfied that it did carry.

Mr. KENYON. Mr. President, I make a parliamentary inquiry. Is not an announcement by the Chair that only 17 Senators are present equivalent to the suggestion of the absence of a quorum?

The PRESIDING OFFICER. No one suggested the absence of a quorum. The Senator from Ohio [Mr. POMERENE] commented on the significance of the figures.

Mr. NORRIS. May I make a parliamentary suggestion to the Chair? The Chair only announced the result of the vote. It may be that there are 96 Senators sitting here, and that only 17 voted. That is all the Chair is concerned with, is it not?

The PRESIDING OFFICER. It may be that the matter is receiving absent treatment.

Mr. JONES of Washington. Mr. President, I rise to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Washington will state it.

Mr. JONES of Washington. I understand that the Chair has not announced whether the amendment is carried or not.

The PRESIDING OFFICER. The Chair did state that the amendment was agreed to. The Chair, however, is not infallible, and each Senator may have his opinion as to whether it was agreed to or not.

Mr. KIRBY. Mr. President, it seems to me that when the Chair announces that 17 Senators only have voted, without a further statement that there is not a quorum present, it raises the question of a quorum itself, and there can not be any business transacted without the showing that there is a quorum present.

The PRESIDING OFFICER. If the Senator will pardon the Chair, the Chair does not agree with his statement. Frequently upon a call of the Senate a quorum is disclosed, and so announced, and yet many motions are carried with only one Senator voting, and a great many are declared carried where there is no response on either side.

Mr. KIRBY. But the RECORD does not show in those cases that there were only 17 Senators here.

The PRESIDING OFFICER. Very well; on the next vote there may be a quorum here. However, if anyone wants to suggest the absence of a quorum, of course the Chair will order the Secretary to call the roll.

Mr. SMOOT. Mr. President, I am not going to suggest the absence of a quorum, but I do not want this vote to be appealed to in the future as a precedent that 17 Senators can pass an amendment, 12 for and 5 against. I say now, for the RECORD, that there is not a quorum present, and it is very doubtful whether we could get one to-day.

The PRESIDING OFFICER. The Chair will state frankly to the Senate that the object of the Chair is, as far as he can, to put an end to the practice of deceiving the public by stating that a matter is carried, when the figures handed to the Chair by the clerks at the desk show that there was no quorum present. The Chair does not care to participate in that system of deception.

Mr. SMOOT. I agree with the Chair.

Mr. NORRIS. Mr. President, I still contend that the vote does not show that there is no quorum present. It shows that there was no quorum voting.

The PRESIDING OFFICER. That is all.

Mr. NORRIS. I agree with the Chair entirely. I think the Chair has done right in announcing the vote. There has not been any official determination yet that there is no quorum here.

Mr. KIRBY. Mr. President, it seems to me, since all the discussion here discloses that no one thinks there is a quorum present, and as the vote as counted shows that there is not a quorum present, it ought to be ascertained whether there is a quorum present, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair will state that the vote did not show the absence of a quorum. It showed that a quorum had not voted. There is no rule or law which requires a quorum to vote. The presumption is that a quorum is present unless the contrary is shown. The Senator from Arkansas suggests the absence of a quorum, and the Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	Lenroot	Sutherland
Brandegee	Gore	McNary	Swanson
Calder	Gronna	Norris	Thomas
Capper	Hale	Nugent	Townsend
Chamberlain	Harris	Overman	Trammell
Culberson	Harrison	Phelan	Underwood
Curtis	Jones, Wash.	Pomerene	Walsh, Mass.
Dial	Kendrick	Sheppard	Warren
Dillingham	Kenyon	Smoot	
Fernald	Keyes	Spencer	
Gay	Kirby	Stanley	

Mr. SWANSON. The senior Senator from Nevada [Mr. PITTMAN], the Senator from Kentucky [Mr. BECKHAM], and the junior Senator from Nevada [Mr. HENDERSON] are detained on official business.

The Senator from South Dakota [Mr. JOHNSON] is absent on account of illness.

Mr. MCNARY. I announce the absence of the Senator from North Dakota [Mr. MCCUMBER] on account of illness in his family.

Mr. CURTIS. I was requested to announce the absence of the Senator from Illinois [Mr. SHERMAN] on account of illness in his family. I ask that this announcement may stand for the day.

I also announce the absence of the Senator from Indiana [Mr. NEW] on account of a death in his family. I make this announcement for the day.

I also desire to announce the absence of the Senator from Delaware [Mr. BALL] on official business.

Mr. DIAL. My colleague, the Senator from South Carolina [Mr. SMITH], is detained from the Senate on official business.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum of the Senate present. The Secretary will call the names of the absent Senators.

The Assistant Secretary called the names of the absent Senators, and Mr. BORAH and Mr. PAGE answered to their names when called.

Mr. SIMMONS entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-four Senators having answered to their names, a quorum of the Senate is not present.

Mr. GRONNA. I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

Mr. KIRBY. I move that the Senate adjourn.

The Senate refused to adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Dakota.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. MYERS entered the Chamber and answered to his name.

After a little delay,

Mr. GRONNA. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 26, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 25, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, impart unto us grace, strength, that we may cast out the demons—selfishness, greed, covetousness, jealousy, hatred, revenge—that brood of vipers which enter by stealth into the soul of man, to corrupt and despoil it; that the angels of honesty, integrity, purity, justice, mercy, generosity, brotherly love may enter in, sweep the house, garnish it, and thus make it a fit dwelling place for the holy spirit of truth; that the world may be a safe dwelling place for Thy children. Under the spiritual leadership of Thy son, Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

UNITED STATES TROOPS IN GERMANY.

Mr. KAHN. Mr. Speaker, I desire to call up a privileged resolution that has been favorably reported by the Committee on Military Affairs of the House.

The SPEAKER. The gentleman from California offers a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 500.

Resolved, That the President be, and he is hereby, requested, if not incompatible with the public interest, to inform the House of the exact status of the American military forces now stationed in German territory; the scope to which their operations are confined under the terms of the armistice between the allied nations, the Government of the United States, and Germany; the extent of the authority exercised over them by Field Marshal Ferdinand Foch, commander in chief of the allied forces in the occupied Rhine Provinces, and how far their activities may be directed without express orders from the President of the United States.

Mr. KAHN. Mr. Speaker, I am informed by my colleague on the committee, the gentleman from Alabama [Mr. DENT], that the Secretary of War informs him that there is no objection on the part of the War Department to the passage of the resolution.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. KAHN. I yield to my colleague.

Mr. DENT. I stated the substance of the resolution to the Secretary over the telephone yesterday afternoon, and he said he had not read the resolution, but from my statement of it the War Department had no objection to giving that information.

Mr. KAHN. I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE TO ADDRESS THE HOUSE.

Mr. KITCHIN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from North Carolina rise?

Mr. KITCHIN. I ask unanimous consent that the gentleman from Mississippi [Mr. HUMPHREYS] be permitted to address the House for 30 minutes after the disposition of matters on the Speaker's table.

Mr. RAMSEYER. When—to-day?

Mr. KITCHIN. Yes; to-day.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the gentleman from Mississippi [Mr. HUMPHREYS] be allowed to address the House for 30 minutes. Is there objection?

Mr. BLAND of Indiana. On what subject?

Mr. KITCHIN. A right interesting subject—not a partisan matter at all.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

Mr. DICKINSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks on the ultimate consumer and the effect of certain legislation already enacted and proposed upon the ultimate consumer.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD on the effect of legislation on the ultimate consumer. Is there objection?

Mr. WALSH. Reserving the right to object, is this the gentleman's remarks or a lot of editorials and newspaper views?

Mr. DICKINSON of Missouri. It will be my own remarks. I may possibly quote very briefly, but not at any length.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLAND of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Sells pension bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD on the subject of the Sells pension bill. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed the following resolutions:

Senate resolution 341.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM J. BROWNING, late a Representative from the State of New Jersey.

Resolved, That a committee of six Senators be appointed by the presiding officer to join the committee appointed by the House of Representatives to take order for the superintending of the funeral of Mr. BROWNING at Camden, N. J.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

And that in compliance with the second resolution the President pro tempore had appointed Mr. FRELINGHUYSEN, Mr. EDGE, Mr. FERNALD, Mr. FRANCE, Mr. HARRIS, and Mr. GAY as the committee on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution:

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters, the Secretary of the Senate be, and he is hereby, authorized and directed to strike out on page 2, line 15, of the engrossed bill the word "fault" and insert "default" in lieu thereof.

The message also announced that the Senate had passed without amendment House joint resolution 316, relating to the supervision of the Lincoln Memorial.

CORRECTION OF THE RECORD.

Mr. KAHN. Mr. Speaker, I desire to correct the RECORD of March 13, 1920. On page 4299 an amendment was offered by the gentleman from Idaho [Mr. FRENCH]. The RECORD shows that the amendment was agreed to. It should show that it was not agreed to.

The SPEAKER. Without objection, the RECORD will be corrected.

Mr. MANN of Illinois. The statement which the gentleman now makes goes into this RECORD, but if the RECORD of that date is already printed, it can not be corrected there.

Mr. KAHN. It generally takes about 10 days, and I understand that they are not right up to time.

Mr. CLARK of Missouri. Mr. Speaker, I should like to ask the gentleman from Illinois a question. Years ago we had to hand in these changes for the permanent RECORD within 8 or 10 days. Then they got so that they strung it out to three or four or five weeks. Now, what is the rule about it?

Mr. MANN of Illinois. They will make changes in the permanent RECORD at any time before the permanent RECORD is printed.

Mr. CLARK of Missouri. I know, but when is that?

Mr. MANN of Illinois. That depends on the Printing Office. They were delayed, I think, during the special session of Congress, but when this matter came up here recently the gentleman from Pennsylvania [Mr. KIESS], chairman of the Committee on Printing, made an inquiry at the Printing Office as to how nearly the permanent RECORD was down to date, and, as I recall, he was told at that time that it was up to within about 10 days.

Mr. CLARK of Missouri. Within the last month or so permission has been obtained to correct the permanent RECORD a month or two after the thing happened.

Mr. MANN of Illinois. They got permission here recently to correct the RECORD, I think, of last December, with the proviso that it should not require a reprinting of the RECORD, which ended the correction.

Mr. CLARK of Missouri. There ought to be some rule about it.

LEAVE TO ADDRESS THE HOUSE.

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes immediately after the remarks of the gentleman from Mississippi [Mr. HUMPHREYS], the subject being some resolutions adopted by the American Legion.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to address the House for 10 minutes on the subject of some resolutions adopted by the American Legion. Is there objection?

There was no objection.

Mr. EDMONDS. Reserving the right to object, to-day was set apart for bills on the Private Calendar. If it is to be taken up by speeches, there is no use in making a unanimous-consent agreement.

Mr. CLARK of Missouri. The unanimous-consent agreement has already been made and the gentleman from Mississippi has leave to speak for 30 minutes.

Mr. JOHNSON of South Dakota. I have asked for leave to speak for 10 minutes.

Mr. EDMONDS. I am not going to object to this, but I shall object to any other requests.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from Mississippi [Mr. HUMPHREYS] is recognized for 30 minutes.

PRESIDENTIAL THIRD TERM.

Mr. HUMPHREYS. Mr. Speaker, on September 14, 1874, there appeared in the New York Daily Tribune an article under the caption "The American Rubicon," from which I quote the following excerpt:

From present indications the time is rapidly approaching when the people of the United States will have to decide whether, under any conceivable circumstances, they would be willing to confer the office of President for more than two terms upon anyone, and whether an unbroken usage of nearly a century, having its origin in the august example of Washington, has established a precedent which has or has not acquired the moral authority of a constitutional provision.

Several presses, and some politicians of local influence, have already begun to agitate the renomination of President Grant, and no indication has thus far reached the public from any authoritative quarter that a reelection would be otherwise than agreeable to him.

As President Grant is the first Chief Magistrate of this country who has held the presidential office for two terms, and allowed the public to believe that a third nomination would be agreeable to him, the question for the American people is practically a new one, the responsibility for deciding which will for the first time rest entirely with themselves.

As it is a question which in certain aspects involves all that distinguishes ours from a dynastic government, it is obviously our duty to meet it with deliberate firmness and promptitude that would be due to any proposal that contemplated a fundamental change in the form and policy of our political institutions.

The question of a second reelection turns upon entirely different considerations from those which control the question of a first reelection. It is not so much whether the incumbent's mode of administering the Government is acceptable to the people, but rather whether it would be prudent to confide to any Chief Magistrate more power and influence than could accumulate in his hands in the course of two consecutive terms.

As this question has much wider bearings than is commonly supposed, the serious discussion of it can no longer be considered premature. In the contribution which we propose to make to this debate there will be no question of persons. The considerations we shall offer will have just as much or just as little force with one candidate as with another. We shall not ask whether Gen. Grant should be reelected, but whether any man, however popular and capable, should be elevated to the Chief Magistracy of this country for more than two consecutive terms.

There is much in this article which suggests the situation confronting us to-day. So far as I am advised, President Wilson has not stated that he would not be a candidate for a third term, nor have his closest political friends been forbidden to urge that course when the delegates shall have been chosen to the Democratic convention to nominate his successor.

It is true, however, as it was when the article just quoted was written, that "several presses, and some politicians of local influence, have already begun to agitate" his renomination.

It has been customary heretofore for Presidents elected to a second term to indicate far in advance their fixed determination not to offer for a third election. The most recent instances of this were the announcements of President McKinley and Col. Roosevelt.

Mr. McKinley was inaugurated the second time on March 4, 1901. Few men had ever enjoyed a wider popularity than he, and the suggestion that he would be elected for a third term began to appear early in his second administration.

On the 10th of June, 1901, he gave out a statement directly to the people, saying:

I regret that the suggestion of a third term has been made. I doubt whether I am called upon to give to it notice, but there are new questions of the gravest importance before the administration and the country, and their just consideration should not be prejudiced in the public mind by even the suspicion of the thought of a third term.

In view, therefore, of the reiteration of the suggestion of it, I will now say, once for all, expressing a long-settled conviction, that I not only am not and will not be a candidate for a third term, but I would not accept a nomination for it if it were tendered to me.

[Applause.]

My only ambition is to serve through my second term to the acceptance of my countrymen, whose generous confidence I so deeply appreciate, and then with them to do my duty in the ranks of private citizenship.

In the campaign of 1904 it was charged on the stump generally, and in the press by those who opposed the election of Col. Roosevelt, that so vaulting was his ambition that if elected to the Presidency he would set aside all precedent and endeavor to seat himself so sure that he could not be defeated for a third term.

This argument was urged with such earnestness and persistency that during the campaign he was advised, and the advice was insisted upon by his party leaders, to make a public statement renouncing any such intention. This he refused to do.

His election was so overwhelming that the result was known early in the evening of election day and before midnight he issued the following statement:

On the 4th of March, next, I shall have served three and one-half years, and this three and one-half years constitutes my first term. The wise custom which limits Presidents to two terms regards the substance and not the form, and under no circumstances will I be a candidate for or accept another nomination.

[Applause.]

True it is that in 1912 he did become a candidate and undertook to interpret his very lucid and unequivocal election-night statement as meaning that he would not accept the nomination for a third consecutive term.

It must be clear—

He said—

to any reasonable man that the precedent which forbids a third term has reference only to a third consecutive term. It grew out of the fact that a President of the United States under the present convention system of electing delegates can, if he knows how to use the machinery at his disposal, renominate himself, even though the majority of his party is against him. But after he has been out of office for a term he has lost control of that machinery. He is in the position absolutely of any private citizen. The machinery is then in the hands of the man occupying the office of President.

His friend, the Rev. Dr. Lyman Abbott, further explained the apparent inconsistency in Mr. Roosevelt's action in this wise:

When a man says at breakfast in the morning, "No, thank you; I will not take any more coffee," it does not mean that he will not take any more coffee to-morrow morning or next week or next month or next year.

[Laughter.]

However this may be, the fact remains that he announced on the day he was elected to the second term that under no circumstances would he be a candidate for or accept another nomination.

I am a Democrat. I have supported the measures of the Wilson administration during the past seven years as loyally as any man in this House.

I believe that the accomplishments of his administration under his great leadership will secure for him a place high on the roll of our great Presidents. [Applause.]

I regret, therefore, all the more that he has remained silent as to his intentions in the matter of the third term, and that he has permitted so many of his friends, including members of his own Cabinet, to advocate publicly his reelection to a third term and, by remaining silent, allowed the country to believe that he was willing to break the ancient precedent.

He has written much of the history and political structure of our Government, has commented freely on the character and make-up of its coordinate branches, but, so far as I have been able to discover, he has never intimated in any of his books that he subscribed to the principle, taught by most of the fathers, of the ineligibility of the President to a third election.

In his book on Congressional Government, for instance, he says:

The business of the President, occasionally great, is usually not much above routine. Most of the time it is mere administration, mere obedience of directions from the masters of policy, the standing committees. Except in so far as his power of veto constitutes him a part of the Legislature, the President might not inconveniently be a permanent officer, the first official of a carefully graded and impartially regulated civil-service system, through whose sure series of merit promotions the youngest clerk might rise even to the Chief Magistracy.

In another place he says:

Administration is something that men must learn, not something to skill in which they are born. Americans take to business of all kinds more naturally than any other nation ever did, and the executive duties of government constitute just an exalted kind of business; but even Americans are not Presidents in their cradles. One can not have too much preparatory training and experience who is to fill so high a magistracy. It is difficult to perceive, therefore, upon what safe ground of reason are built the opinions of those persons who regard short terms of service as sacredly and peculiarly republican in principle. If republicanism is founded upon good sense, nothing so far removed from good sense can be part and parcel of it. Efficiency is the only just foundation for confidence in a public officer under republican institutions no less than under monarchs; and short terms which cut off the efficient as surely and inexorably as the inefficient are quite as repugnant to republican as to monarchical rules of wisdom. Unhappily, however, this is not American doctrine.

I think it will be interesting to note what a very different view of this subject, both in preachment and in practice, was taken by the fathers who founded the Republic and set it upon its feet.

When the convention which framed the more perfect Union met in Philadelphia, one of the most, if not the most, important and vexing question which was presented related to the Chief Magistracy. Many suggestions were made and discussed, with the final result that one Chief Magistrate was agreed upon, whose "style shall be 'President of the United States,' and his title shall be 'His Excellency.'"

Several methods for his selection were suggested, debated, and voted upon. First, that he should be elected by the people; second, that he should be appointed by either electors chosen for that purpose or by the State legislatures; third, that he should be chosen by the National Legislature or by the Senate.

After much debate it was decided that he be chosen by the legislature, and his term of office was fixed at seven years, and that he should be ineligible for reelection.

Much opposition developed in the convention later on to having the President selected by the legislators, and the whole matter was reconsidered and referred to a special committee. The final result was the adoption of the electoral-college system, and the term was fixed at four years, but with no restriction as to reeligibility. This was a compromise.

Alexander Hamilton believed that the President should serve for life or during good behavior. Others insisted that his term should be limited and that he should not be elected a second time.

The compromise was stated by Jefferson thus:

My opinion originally was that the President of the United States should have been elected for seven years and forever ineligible afterwards. I have since become sensible that seven years is too long to be irremovable and that there should be a peaceable way of withdrawing a man in midway who is doing wrong. The service for eight years, with a power to remove at the end of the first four, comes nearly to my principle as corrected by experience.

Lafayette was very much disappointed that the ineligibility for reelection had not been placed in the Constitution and was fearful that some ambitious man might by successive reelections finally convert the Government into a real monarchy.

In a letter to him dated April 28, 1788, Washington said:

Guarded so effectually as the proposed Constitution is in respect to the prevention of bribery and undue influence in the choice of President, I confess I differ widely myself from Mr. Jefferson and you as to the expediency or necessity of rotation in that appointment.

The matter was fairly discussed in the convention, and to my full conviction, under an extended view of this part of the subject, I can see no propriety in precluding ourselves from the services of any man who, in some great emergency, shall be deemed universally most capable of serving the public.

Let us keep in mind clearly just what it was that he differed widely from Mr. Jefferson and Mr. Lafayette about. They favored a single term of six or seven years and ineligibility forever after. There was no discussion as to a third election. Washington's course thereafter shows clearly that he thought one term was sufficient unless a great emergency demanded that another term be allowed.

The great emergency did, as a matter of fact, arise in his first term, and he was "deemed universally most capable of serving the public" for another four-year term, but he refused flatly even to consider a third term despite the great emergency which still remained.

The letter to Lafayette and the circumstance that in Washington's Farewell Address opposition to the principle of a third term is not cited as one of the reasons which impelled him to retire have been made the basis of extended arguments by those who from time to time have taken issue with this old tradition.

It may not be inappropriate, therefore, to examine somewhat the genesis of this great document.

During Washington's first administration he determined not to be a candidate for reelection. Mr. Madison states that in conversation with him Washington said:

He had forborne to communicate his intentions to any other persons whatever but Mr. Jefferson, Col. Hamilton, Gen. Knox, and myself, and of late to Mr. Randolph. Col. Hamilton and Gen. Knox, he observed, were extremely importunate that he should relinquish his purpose, and *had made pressing* representations to induce him to it.

Mr. Jefferson had expressed his wishes to the like effect. He had not, however, persuaded himself that his continuance in public life could be of so much necessity or importance as was conceived, and his disinclination to it was becoming every day more and more fixed, so that he wished to make up his mind as soon as possible on the points he had mentioned.

What he desired was to prefer that mode which would be most remote from the appearance of arrogantly presuming on his reelection in case he should not withdraw himself, and such a time as would be most convenient to the public in making the choice of his successor.

Some days after this Washington and Madison met on the road between Mount Vernon and Philadelphia, when Washington again renewed the subject, and gave him a letter setting out his views in brief on the subjects which this Farewell Address should contain. Among other things, this letter contained the following:

I will without apology desire, if the measure itself should strike you as proper or likely to produce public good or private honor, that you would turn your thoughts to a valedictory address from me to the public, expressing in plain and modest terms that, having been honored with the presidential chair and to the best of my abilities contributed to the organization and administration of the Government; that having arrived at a period of life when the private walks of it in the shades of retirement become necessary and will be most pleasing to me (and as the spirit of the Government may render a rotation in the elective officers of it more congenial with the ideas (the people have) of liberty and safety), that I take my leave of them as a public man.

Complying with this request, Madison prepared a text for the address, following the lines mapped out by Washington in his conversations with him and in the letter above quoted. The paragraph in Washington's memoranda that "the spirit of the Government may render a rotation more congenial with the ideas of liberty," and so forth, as rewritten by Madison, was in these words:

May I be allowed, further, to add as a consideration far more important, that an early example of rotation in an office of so high and delicate a nature may equally accord with the republican spirit of our Constitution and the ideas of liberty and safety entertained by the people.

Had he not been persuaded that a great emergency demanded his further continuance in office, the address would have been published in 1792, and these words would undoubtedly have been in it.

During the first years of his second term there were sharp divisions in the Cabinet, as well as among his lifelong friends and compatriots, who with him had won our independence and ordained and established the more perfect Union.

His relations with Madison, we are told, were not quite so cordial and intimate as formerly, whereas the friendship and most cordial relations with Hamilton had grown stronger. The draft of the Farewell Address which Madison had originally prepared was this time submitted to Hamilton with sundry notations and with the request that he put it all into proper shape for publication. Hamilton was of those—perhaps I may say was the leader of those—who preferred that the Executive should hold his office for life, and to this fact is uniformly attributed the omission of the words in the Madison draft relating to rotation in the Presidency.

Some 25 or 30 years after this there was much public discussion as to the real authorship of the Farewell Address. In a letter written by Madison to Jefferson in 1823, he expressed much regret that the question of Washington's authorship of the Farewell Address had been raised. He feared, in spite of the fact that it was all Washington's except the mere matter of phraseology, the public might lessen somewhat their reverence for it by the mere discovery that it was even in that slight particular "the performance of another held in different estimation."

Referring evidently to the omission of the sentence which related to rotation in the President's office, he said:

At some future day it may be an object with the curious to compare the two drafts, made at different epochs, with each other, and the letters of Gen. Washington with both. The comparison will show a greater conformity in the first with the tenor and tone of the letter than in the other; and the difference will be more remarkable perhaps in what is omitted than in what is addded in the address as it stands.

A reply to the Farewell Address was adopted by the House of Representatives, and for the present purpose it will suffice to quote only one passage:

Yet we can not be unmindful that your moderation and magnanimity, twice displayed by retiring from your exalted stations, afford examples no less rare and instructive to mankind than valuable to a Republic.

The resolutions adopted by the Senate upon the same occasion concluded in these words:

The most effectual consolation that can offer for the loss we are about to sustain arises from the animating reflection that the influence of your example will extend to your successors, and the United States thus continue to enjoy an able, upright, and energetic administration.

It is quite apparent from the foregoing that Washington was in thorough accord with those who held that rotation in the presidential office was a part of the spirit, though not the letter, of the Constitution, and the tenor of the addresses of the House and Senate demonstrates quite clearly that they, too, concurred in that view.

Nothing but "a great emergency" when some exceptional man should "be deemed universally most capable of serving the public" could, in Washington's opinion, justify the exception.

Had that great emergency arisen? No greater man has appeared in all our history than Washington, and, in my opinion, none so truly great, and certainly none more modest. The fact that it was universally conceded that Washington would be called upon to act as the first Executive was a most potent influence in determining the convention to agree to the proposal to have one Chief Executive.

An experiment was to be made in self-government, an effort to demonstrate, if possible, that a republic "conceived in liberty and dedicated to the proposition that all men are created equal could long endure."

Believing, as he had stated in his letter to Madison, that the spirit of the Government might render rotation in the elective officers of it more congenial with the ideas of liberty and safety, his modesty forbade him to assume that he was "deemed universally most capable of serving the public," if in deed and in truth a great emergency really existed.

In Europe the opinion was very general among all statesmen that our republican experiment would be short-lived. All previous history clearly justified that belief, and the thinking men of our own country awaited the test of the experiment with much anxiety.

A very interesting letter, which throws light on this subject, appears in Washington's published correspondence from the Rev. William Gordon, an English clergyman, at one time Chaplain of the Provisional Congress and author of "A History of the Rise, Progress, and Establishment of the Independence of the United States of America." In that letter he says:

There is a prevailing idea in Great Britain, if not in other parts of Europe, that whenever you are removed the Federal Union will be dissolved, the States will separate, and disorder succeed, for that the American Government can not, in its own nature, be lasting. The confusions in France and the eccentric publications in the United States tend to strengthen the idea. I am fully convinced from what I have read in the manuscripts you possess that nothing will give you greater satisfaction than being the means of disappointing such expectations. Some conjecture that when you have been removed from these lower regions (may it be to the regions of perpetual bliss), for a few years the States will quarrel about who shall be President, and thereby produce a separation. I am fully convinced that one, if not more, of the first persons of the United States is of opinion that, in time, an hereditary President must be chosen to prevent the dangerous contests that periodical elections will produce, similar to what has happened repeatedly in choosing Polish sovereigns. An hereditary President will become, most probably, in a series of years, but another name for an hereditary monarchy, and the whole spirit of government be changed into European, Asiatic, or African, whatever may be its bodily shape. Allow me, then, to ask your opinion whether the following plan might not, if brought into execution, be preventive of such a deplorable event.

The plan which he suggested was that the President should be selected from each of the States alternately. Before the time for holding the second election came the most convincing proof that a great emergency had arisen and that Washington was "deemed universally most capable of serving the public" can best be demonstrated by reading extracts from some of the letters which were written to him by those for whose opinion we must have the greatest respect.

Jefferson, who had originally been most insistent upon limiting the presidential term to a fixed period, with ineligibility for reelection, wrote as follows:

When you first mentioned to me your purpose of retiring from the Government, though I felt all the magnitude of the event, I was in a considerable degree silent. I knew that, to such a mind as yours, persuasion was idle and impertinent; that before forming your decision you had weighed all the reasons for and against the measure, had made up your mind in full view of the result. Pursuing my reflections, too, I knew we were some day to try to walk alone, and if the essay should be made while you should be alive and looking on we would derive confidence from that circumstance and resource if it failed. The public mind, too, was calm and confident, and therefore in a favorable state for making the experiment. Had no change of circumstances intervened, I should not with any hopes of success have now ventured to propose to you a change of purpose. But the public mind is no longer confident and serene; and that from causes in which you are no ways personally mixed. Though these causes have been hackneyed in the public papers in detail, it may not be amiss, in order to calculate the effect they are capable of producing, to take a view of them in the mass, giving to each the form, real or imaginary, under which they have been presented.

After enumerating these causes he continues:

The confidence of the whole Union is centered in you. Your being at the helm will be more than an answer to every argument which can be used to alarm and lead the people in any quarter into violence and secession. North and South will hang together if they have you to hang on; and if the first correction of a numerous representation should fail in its effect, your presence will give time for trying others not inconsistent with the union and peace of the States.

I am perfectly aware of the oppression under which your present office lays your mind and of the ardor with which you pant for domestic life. But there is sometimes an eminence of character on which society has such peculiar claims as to control the predilections of the individual for a particular walk of happiness, and restrain him to that alone arising from the present and future benedictions of mankind. This seems to be your condition, and the law imposed on you by Providence in forming your character and fashioning the events on which it was to operate; and it is to motives like these, and not to personal anxieties of mine or others who have no right to call on you for sacrifices, that I appeal and urge a revisal of it, on the ground of change in the aspect of things. Should an honest majority result from the new and enlarged representation, should those acquiesce whose principles or interest they may control, your wishes for retirement would be gratified with less danger, as soon as that shall be manifest, without awaiting the completion of the second period of four years. One or two sessions will determine the crisis, and I can not but hope that you can resolve to add more to the many years you have already sacrificed to the good of mankind.

It was natural, of course, that Gen. Hamilton would insist upon Washington serving another term. He had none of Jefferson's misgivings, but the reasons which he sets out in his letter are well worth considering:

That the affairs of the National Government are not yet firmly established; that its enemies, generally speaking, are as inveterate as ever; that their enmity has been sharpened by its success and by all the resentments which flow from disappointed predictions and mortified vanity; that a general and strenuous effort is making in every State to place the administration of it in the hands of its enemies, as if they were its safest guardians; that the period of the next House of Representatives is likely to prove the crisis of its permanent character; that if you continue in office nothing materially mischievous is to be apprehended; if you quit, much is to be dreaded; that the same motives which induced you to accept originally ought to decide you to continue till matters have assumed a more determinate aspect; that, indeed, it would have been better, as regards your own character, that you had never consented to come forward than now to leave the business unfinished and in danger of being undone; that in the event of storms arising there would be an imputation either of want of foresight or want of firmness; and, in fine, that on public and personal accounts, on patriotic and prudential considerations, the clear path to be pursued by you will be again to obey the voice of your country, which it is not doubted will be as earnest and unanimous as ever.

Mr. Randolph, the Attorney General, was apparently more excited than the others. He expressed his protest against Washington's retirement in these words:

The Constitution would not have been adopted but from a knowledge that you had once sanctioned it, and an expectation that you would execute it. It is in a state of probation. The most inauspicious struggles are passed; but the public deliberations need stability. Should a civil war arise you can not stay at home, and how much easier will it be to disperse the factions which are rushing to this catastrophe than to subdue them after they shall appear in armies!

Gouverneur Morris, who believed that the term of the Executive should not have been limited at all, wrote as follows:

As to your reacceptance, sir, you know my sentiments, which, on that, as on some other subjects, are, I think, unchangeable. It will be time enough for you to have a successor when it shall please God to call you from this world's theater. If such successor is then able to fill the President's chair, it will be matter of surprise to those who can form a competent idea of the office; but during your life I consider the thing as utterly impossible. And do not imagine, my dear sir, that you can retire, though you may resign. You will, in such case, become the man of the opposition. However your good sense may differ from their madness, and your virtue from their villainy, depend on it they will cite you as being of their sentiment. If you are silent, you assent; and if you speak, you are committed. In the meantime, your poor successor is obliged to struggle under all the weight of your reputation, as well as that of the office. And he must be a strong man who can carry either; of course, a very rash man who would attempt to take up both.

Aside from the reasons assigned by these statesmen, the situation as we glean it from our histories constituted a very great emergency.

The reprehensible conduct of "Citizen Genet" had added greatly to our already embarrassing relations with England and France, and the always perplexing and ever ominous situation in the Mississippi Valley, where the free navigation of the river was in the opinions of the settlers even paramount to the preservation of the Union, was a constant menace to our peace with Spain.

Only a few years before, when Jay had suggested what concessions might be demanded by Spain as a prerequisite to any treaty, a veritable fire of indignation swept the whole western country.

News traveled slowly in those days, and rumors grew into frightful realities in proportion to the distance traveled.

It was the firm conviction of the settlers beyond the mountains that an agreement had been reached whereby the navigation of the river had been closed for 20 years.

No less a personage than John Rogers Clark had organized a military force with the express determination of waging war on all the Spanish settlements throughout the valley, and the separation of the transmountain country from the United States was openly and quite generally advocated.

In his life of Washington, Woodrow Wilson, explaining why Washington abandoned his intention of retiring at the end of his first administration, says:

It was his clear perception what the danger would be should America be drawn into the gathering European wars that had led him to accept a second term as President. It had been his wish to remain only four years in the arduous office; but he had no thought to leave a task unfinished; knew that he was in the very midst of the critical business of holding the country to the course which should make it a self-respecting Nation.

These were the circumstances under which Washington yielded to the unanimous wish of his countrymen and consented to serve for a second term, and I think all will agree that in truth and in fact "a great emergency" had arisen.

THE THIRD TERM.

The same influences were brought to bear on him to induce him to remain in the Presidency which had succeeded in persuading him to accept the second election, and it is quite certain, if we may accept the testimony of his compatriots, that he could have received a third term as he had the first and the second, by the unanimous vote of the electors.

In his "Life of Washington," John Marshall, the great Chief Justice, says:

Already the determination of his fellow citizens had been unequivocally manifested, and it was believed to be apparent that the election would be unanimous when he announced his resolution to withdraw from the honors and toils of office.

It is equally true that had he so desired, "the posture of public affairs," as the expression ran, could easily have justified the claim that a great emergency demanded his further retention of the office.

The war clouds of Europe were again threatening to break over us and to involve us in hostilities with one or the other of the belligerents.

The question of the free navigation of the Mississippi River was still unsettled.

It was not until October 27, 1795, that Pinckney had concluded the treaty of San Lorenzoet Real, by the terms of which navigation of the Mississippi River was to be free to our citizens of the upper valley, but the corollary and the necessary privilege of deposit and export at New Orleans was limited by the treaty to three years, and the flame of threatened war or insurrection was liable to blaze up again.

The Jay treaty with England in 1796 had disturbed the peace of the country as nothing else had done. In his Hundred Years of American Diplomacy, Mr. Foster says:

The question of its ratification precipitated the most dangerous crisis through which the country has passed up to the Civil War. Of this crisis John Quincy Adams has said, "it brought on the severest trial which the character of Washington and the fortunes of our country have ever passed through. No period of the War of Independence, no other emergency of our history since its close, not even the ordeal of establishing the Constitution, * * * has convulsed to its inmost fibers the political associations of the North American people with such excruciating agonies as the consummation and fulfillment of the great national composition of the conflicting rights, interests, and pretensions of this country and Great Britain."

How few men in all the world's history, under such inviting circumstances, would have set aside the proffered crown.

No hour so meet, no time so apt, had ever before or has ever since presented so great a temptation, and this world will not endure long enough for the lovers of liberty everywhere to forget to point to Washington's action as the high tide of patriotic and self-effacing abnegation. Small wonder he was "First in war, first in peace, and first in the hearts of his countrymen."

In all the years of our history since that great day no man has been permitted to cross that Rubicon, and may our children's children in all the years to come be able to boast this same unbroken precedent.

THOMAS JEFFERSON.

The name of Thomas Jefferson is still, thank God, a name to conjure with. The seekers after liberty still read his writings for guidance and direction. [Applause.] He was and is and will continue to be "The philosopher of democracy."

I have already quoted from a letter which he wrote to his friend, J. Taylor, on the 6th of January, 1785, then upon the very threshold of his second term. I will quote further:

The danger is that the indulgence and attachments of the people will keep a man in the chair after he becomes a dotard, that reelections through life shall become habitual, and election for life follow that. Gen. Washington set the example of voluntary retirement after eight years. I shall follow it. And a few more precedents will oppose the obstacle of habit to anyone after a while who shall endeavor to extend his term. Perhaps it may beget a disposition to establish it by an amendment of the Constitution. I believe I am doing right, therefore, in pursuing my principle. I had determined to declare my intention, but I have consented to be silent on the opinion of friends, who think it best not to put a continuance out of my power in defiance of all circumstances. There is, however, but one circumstance which could engage my acquiescence in another election, to wit, such a division about a successor as might bring in a monarchist. But that circumstance is impossible.

It will be noted in this letter that Jefferson also recognizes one emergency which could justify a candidacy for a third term:

Such a division about a successor as might bring in a monarchist. But—

He adds, well and wisely—

that circumstance is impossible.

In a letter written to Mr. Weaver June 7, 1807, he says:

That I should lay down my charge at a proper season is as much a duty as to have borne it faithfully.

[Applause.]

What a splendid soul-inspiring sentiment!

He continues:

That there are in our country a great number of characters entirely equal to the management of its affairs can not be doubted. Many of them, indeed, have not had opportunities of making themselves known to their fellow citizens; but many have had, and the only difficulty will be to choose among them. These changes are necessary, too, for the security of republican government. If some period be not fixed, either by the Constitution or by practice, to the services of the First Magistrate, his office, though nominally elective, will, in fact, be for life, and that will soon degenerate into an inheritance.

The statement "That there are in our country a great number of characters entirely equal to the management of its affairs" is exactly the thought expressed in different words by Cassius when he exclaimed:

When went there by an age since the great flood
But it was famed with more than with one man?
When could they say till now, that talked of Rome
That her wide walls encompassed but one man?

[Applause.]

When the time comes when the citizenship of this Republic has so degenerated in all the attributes requisite to the uses and purposes of the Republic that we are limited in our choice of a Chief Executive to "one only man," then the day for our judgment is at hand. [Applause.]

When the end of Jefferson's second term was approaching the situation of the country was again such as an ambitious man might easily interpret to be "the great emergency" mentioned by Washington.

Europe was in a perfect maelstrom. The man on horseback was abroad in every land. We were a small people far away in the wildernesses of America, struggling earnestly to establish the truth of our declaration that "governments derive their just powers from the consent of the governed."

We neither had the good will nor the serious respect of any crowned head in Europe. They did not believe that any democracy could defend itself. They did not believe that any chief executive was worthy of consideration who had not waded through slaughter to his throne.

England, by her orders in council, had forbidden our merchant ships to land at any port of France. Napoleon had proclaimed a paper blockade of the British Isles, and between the two our ships were denied the right to sail the seas. If we undertook commerce with France or Great Britain, between this upper and nether millstone we were to be crushed. Our flag was insulted upon every sea. Our ships were boarded and our sailors pressed into the service of our bullying tormentors.

Our ship of war *Chesapeake* had been attacked at our very doors by His Majesty's ship *Leopard* and a part of her crew forced ignominiously into the service of England.

In a desperate though ultimately unsuccessful effort to keep our country out of the war, which was shaking the very foundations of all Europe, Mr. Jefferson resorted to the embargo. This simply saved our enemies the trouble of driving us off the seas.

The internal affairs of the country were in a most unhappy state; actual dissolution of the Union was threatened.

Early in 1808 John Quincy Adams told Mr. Jefferson "that there was a plan afoot in New England to nullify the embargo and defeat the laws, and that secession, it might be, and union or at least alliance with England would follow."

The troubles which faced us then, the dangers which beset our path and threatened the very life of our new experiment in liberty, differed from the present both in kind and in degree and were infinitely more ominous. Yet Mr. Jefferson did not doubt "that there were in our country a great number of characters entirely equal to the management of our affairs."

Nor was there any lack of evidence of a public demand for his continued service. In the fall of 1806 the Vermont Legislature passed a resolution expressing its deliberate wish that Mr. Jefferson would permit the use of his name as a candidate for a second reelection. In reply to this he wrote:

Believing that a representative government, responsible at short periods of election, is that which produces the greatest sum of happiness to mankind, I feel it a duty to do no act which shall essentially impair that principle, and I should unwillingly be the person who, disregarding the sound precedent set by an illustrious predecessor, should furnish the first example of prolongation beyond the second term of office.

Similar resolutions were passed by a number of States—Maryland, Rhode Island, Pennsylvania, New Jersey, New York, Georgia, and North Carolina. Oh! The air was full of voices! [Applause.] In addition to these, the Society of Baptists of the Appomattox Association of Virginia addressed him a letter and urged him to consent to serve for a third term. In response to this very pressing letter, he replied as follows:

Believing that a definite period of retiring from this station will tend materially to secure our elective form of government, and sensible, too, of that decline which advancing years bring on, I have felt it a duty to withdraw at the close of my present term of office and to strengthen by practice a principle which I deem salutary.

The SPEAKER. The time of the gentleman has expired.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi may proceed for 10 minutes—until he concludes his remarks.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the gentleman be permitted to conclude his remarks——

Mr. MANN of Illinois. We ought to fix the time definitely.

Mr. LONGWORTH. I ask that the gentleman continue for 15 minutes.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the gentleman from Mississippi may proceed for 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREYS. It would be as tedious as it is unnecessary to undertake to quote further from Mr. Jefferson. He believed, as in fact most of his compeers seemed to believe, and as I now verily believe, that to extend the term beyond one reelection would, in effect, be to elect the President for life, and that would mean the end of liberty as we understand it.

The Book says, "The fear of God is the beginning of wisdom." Jefferson believed, as all Democrats must believe, that the fear of power is the beginning of liberty. [Applause.]

ANDREW JACKSON.

In 1828 another great American came into the Presidency, one of the choice and master spirits of the age; a man who loved liberty and had fought for it; who hated monarchical government and had fought against it; a soldier, a statesman, whose passion was patriotism—Andrew Jackson. [Applause.]

Jackson believed that he had been cheated out of the Presidency in 1824. He believed, with much good reason, that he was the choice of the people at that time. He believed as fervently, though perhaps with less reason, that his defeat had been accomplished through "bargain and corruption." He believed also most firmly in the precedent which Washington and Jefferson had set him, but he was not willing to leave that question open.

In his first message to Congress he said:

I would therefore recommend such an amendment of the Constitution as may remove all intermediate agency in the election of the President and Vice President. The mode may be so regulated as to preserve to each State its present relative weight in the election, and a failure in the first attempt may be provided for by confining the second choice between the two highest candidates. In connection with such an amendment it would seem advisable to limit the service of the Chief Magistrate to a single term of either four or six years.

And for eight years thereafter in every one of his annual messages he repeated that recommendation.

In his last annual message he reminds the Congress of his theretofore reiterated suggestion that the Constitution should be amended so as to limit the term to one of either four or six years, and concludes with these words:

All history tells us that a free people should be watchful of delegated power and should never acquiesce in a practice which should diminish their control over it. This obligation, so universal in its application to all the principles of a Republic, is peculiarly so in ours, when the formation of parties founded on sectional interests is so much fostered by the extent of our territory. These interests represented by candidates for the Presidency are constantly prone in the zeal of party and selfish objects to generate influences unmindful of the general good and forgetful of the restraints which the great body of the people would enforce if they were in no contingency to lose the right of expressing their will. The experience of our country from the formation of the Government to the present day demonstrates that the people can not too soon adopt some stronger safeguard for their right to elect their highest officers known to the Constitution than is contained in that sacred instrument as it now stands.

LINCOLN.

The temptation never came to another President until Lincoln was elected to his second term. Unfortunately he was removed from the scenes of his earthly activities a few weeks after his second inauguration.

I do not believe that Lincoln's heart could ever have entertained for a moment the suggestion that he should attempt the overthrow of this palladium of our liberties. It is unthinkable that the voice which spoke the immortal words at Gettysburg could ever have been tempted into an utterance which runs so counter to all the spirit of our institutions and jangles so harshly out of tune with the teachings of the fathers. [Applause.]

GRANT.

I am not familiar with the circumstances mentioned in the Tribune article, from which I have already quoted, touching Gen. Grant's willingness to continue in office for a third term. I do not doubt that great pressure was brought upon him to permit the use of his name. There were many selfish interests in that particular time which were deeply concerned in retaining the dominant party in power. In addition to that, Gen. Grant was a popular military hero. He had saved the Union on the battle field, and the soldiers of his armies were dominant in the politics of the country. There can be no doubt that thousands of those who had followed his lead on so many battle fields were unwilling to see him retire from the great office to which their favor had appointed him.

The period immediately following the Civil War is frequently referred to by political historians as "the rule of the major generals." This is just another way of expressing the recognized fact of the dominance of our politics by the military, or rather soldier, element.

It will be interesting, however, to note that even under such circumstances the House of Representatives, on the 15th of December, 1875, representing, as they did, constituencies influenced largely, if not indeed controlled, by the ex-soldiers of the Union Army, by a vote of 233 to 18 adopted the following resolution:

Resolved, That in the opinion of this House the precedent established by Washington and other Presidents of the United States in retiring from the presidential office after their second term has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom will be unwise, unpatriotic, and fraught with peril to our free institutions.

In 1880 Gen. Grant was a candidate for the Republican nomination. He was championed by no less a personage than Roscoe Conkling, then at the height of his power in the councils of his party. A new doctrine was then advanced—that the old principle related only to three successive terms, just as Col. Roosevelt interpreted it later on.

I think no one would challenge the loyalty of Massachusetts or of Pennsylvania or of Kansas to the cause which Gen. Grant led to victory at Appomattox. But the Republican conventions in those States nevertheless passed the following resolutions:

In Massachusetts this one:

That sound reason, as well as the wise and unbroken usage of the Republic, illustrated by the example of Washington, requires that the tenure of the Chief Magistracy of the United States shall not exceed a second term.

The Republicans of Pennsylvania resolved as follows:

That we declare a firm and unqualified adherence to the unwritten law of the Republic which wisely and under the sanction of the most venerable of examples limits the presidential service of any citizen to two terms; and we, the Republicans of Pennsylvania, in recognition of this law, are unalterably opposed to the election to the Presidency of any person for a third term.

The Republicans of Kansas adopted this resolution:

That the unwritten law enacted by the example of the Father of his Country in declining a reelection to a third term is as controlling as though it was incorporated in the National Constitution and ought never to be violated.

A national convention of Republicans who were opposed to a third term, whether successive or otherwise, was called to meet in St. Louis in May, 1880.

Resolutions protesting against the election of any man to the third term were unanimously adopted, together with the following preamble:

In pursuance of the demand, and representing the convictions of what we believe to be a majority of the Republican Party throughout the Union, this convention of Republicans has assembled for the purpose of declaring those convictions with reference to the present aspect of political affairs. This action is necessary in view of the determined efforts to force upon the party the nomination of a candidate for the Presidency for a third term in defiance not only of the traditions of the Government but also of the solemn declarations of the Republican Party through its conventions in the largest and controlling Republican States, reaffirmed by its Representatives in the popular branch of Congress and adopted by the entire party in the declarations of its latest presidential candidate.

Despite the most vigorous effort of Mr. Conkling and his Stalwarts, and refusing to be swept from their moorings by the most impassioned and perhaps the most eloquent nominating speech ever delivered to a convention, the Republican national convention held fast to the old tradition and refused to nominate Gen. Grant for a third term.

These are the precedents which have come down to us from those who have carried the torch of liberty through a century of effort to negative and discredit the theory of the divine right of kings. It was because we sensed danger in the air and reckoned accurately that this old tradition was about to be challenged that we wrote these words into the Democratic platform in 1912:

We favor a single presidential term, and to that end urge the adoption of an amendment to the Constitution making the President of the United States ineligible for reelection, and we pledge the candidate of this convention to this principle.

[Applause.]

I am aware, most painfully aware, that we have drifted from the old moorings to which our fathers clung with such devoted tenacity, but I do not believe we are ready yet to abandon this ark of the covenant. [Applause.]

I know we are told that the old order changeth; that this old turbulent earth has had a new birth of freedom; and that out of the travail and misery of it all a new evangel has come to bless mankind; but I also know that there was never liberty in this world until it was adjusted to the orderly processes of our institutions; that never until our fathers ordained and established the more perfect Union was the breath of life breathed into the proposition that governments derive their just powers from the consent of the governed.

The air indeed is full of voices, but as I hear them they do not sound the chorus of the Union that Lincoln told us of. To my ear, unattuned to these new measures, they are as "sweet bells jangled out of tune and harsh."

Mr. Speaker, our fathers had to fight for their liberty, and having won it they knew its value. We inherited ours, and it sometimes happens that a favored heir undervalues his legacy.

We have tampered, unwisely I think, with the fundamental law of the land, but I pray we may not in our somnambulism forget also even the traditions of the fathers, for we are told by a great historian—

No people who have not cherished with pride the deeds of their remote ancestors have ever achieved anything worthy to be remembered with pride by their remote descendants.

Above all, let us not abandon this, our oldest if not most sacred, tradition, sanctioned as it is by the accumulated wisdom of all our history, unless unhappily we are also ready to say with the elders of Israel: "Behold thou art old and thy sons walk not in thy ways; now make us a king to judge us like all the nations." [Loud applause.]

The SPEAKER. The gentleman from South Dakota is recognized for 10 minutes.

Mr. JOHNSON of South Dakota. Mr. Speaker, the membership of this House must be congratulated in the opportunity that they have had to listen to the inspiring and patriotic address of the gentleman from Mississippi [Mr. HUMPHREYS] on this question of a third presidential term. Every man who listened to this address will know that it will be quoted on the floor of this House, on the floor of the Senate, and throughout the United States generations after every present Member of this body has passed from the Chamber, and I know that we ought to be proud to be Members of a body that has a man with the courage, patriotism, and ability displayed by the gentleman from Mississippi. [Applause.] He called attention, Mr. Speaker, to a broken pledge; and perhaps the example given in high places of the breaking of this pledge might have inspired some of the lesser lights of the administration to a violation of a law to which I expect to call attention to-day.

It is my desire to call the attention of the House very briefly to a grave violation of the laws of the United States by the Postmaster General, and a violation aimed directly at ex-service men. The facts are clear; and in my opinion, without any expense, either the Committee on Reform in the Civil Service or the Post Office Committee of the House of Representatives should conduct an investigation, determine the facts, and if possible see that the law is complied with and justice done to men entitled to it. The post office referred to is in Nashville, Tenn., in the district of the Hon. JOSEPH W. BYRNS, who I have been told by American Legion officers and personally know is in no way responsible for the situation or violation of law, is and has been a consistent friend of the ex-service man. The facts are as follows:

1. Applicants: The two applicants for this position were Mr. Robert C. Webster, ex-soldier, and Mr. Charles McCabe, former secretary of Senator SHIELDS.

2. Ratings: After the examination Mr. McCabe was rated 75 per cent and Mr. Webster was rated 71 per cent; but the Civil Service Commission, under the soldiers' preference rule, certified to the Post Office Department the name of Mr. Webster as the highest qualified eligible.

3. General statement: A general statement of the case is set out in a protest filed with the President, hereto attached.

4. Webster's age: Mr. Webster was born January 20, 1890, and filed his application for this office on December 27, 1919. He was, therefore, 24 days less than 30 years old at the time of filing his application. However, on January 26, 1920, six days after he became 30 years of age, he amended his application by swearing to same, and this new oath was made before the Civil Service Commission had rated his papers, before his name had been certified to the Post Office Department, and before the time limit for the filing of his application had expired. This time limit had been fixed by the Civil Service Commission as January 31, 1920.

5. Webster's qualifications: The Civil Service Commission ruled that Mr. Webster was qualified as to age, and Mr. Morrison, of the Civil Service Commission, supported by the opinion of the Attorney General of the United States, takes the position that an age waiver is provided for ex-service men, and, furthermore, that, had no waiver been provided, Mr. Webster's amended application met all the requirements of the laws and regulations. The Civil Service Commission further takes the stand that the commission is the sole judge of all qualifications of applicant except the qualifications of character and residence.

6. Mr. Burleson's statement: Mr. Burleson frankly states in the correspondence herein quoted that Mr. Webster's name was certified to him as the highest qualified eligible, but that he disqualified Mr. Webster on account of not meeting age requirements.

And this in spite of the fact that his amended application was filed within the time limit and after Mr. Webster became 30 years of age.

I have a resolution, introduced before the national executive committee by Mr. Berry, State commander for the State of Tennessee, and, as I shall not have time to read it, I ask unanimous consent that I may be allowed to extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. As these statements are very vital, I am incorporating them herewith. The first of these statements is a telegram as follows:

HARRY S. BERRY,
State Commander, American Legion, Nashville, Tenn.:

Answering your telegram to Postmaster General, Mr. McCabe was the highest eligible, and for that reason his nomination was forwarded to the Senate. Records of department show that Mr. Webster filed his application and oath December 27, 1919, at which time he was not yet 30 years of age. Requirements for position of postmaster at office of this size state applicants must be at least 30 years at time of making application.

J. C. KOONS, *First Assistant.*

I quote the following extracts from Mr. Burleson's letter of March 8:

The application of Mr. Webster states that he was born on January 20, 1890, and that he was 29 years of age his last birthday, and the oath to the application was made on December 27, 1919, or prior to the time that he reached the age of 30, and in the opinion of the department he was ineligible. The fact that he reached the age of 30 before a report reached the Post Office Department would not affect the case, as the requirement as set forth plainly states that he must have reached the age of 30 on the date of making oath to the application. The amended application, in the form of a sworn statement, referred to, was not filed with the department, but had it been it could not have been given consideration, as we would have been compelled to consider his original application.

Mr. Webster could not have been the highest eligible, as he did not attain as high a rating as Mr. McCabe, and could only have been the highest eligible had he been given the benefit of the preference statute. As he did not meet the requirements set forth above, in the judgment of the department he was not eligible; and, as stated before, in order that he might be given further consideration, his name was submitted to the President.

I also quote the following extract from Mr. Burleson's letter of March 12:

Referring to that part of your letter which states that because of the department's decision in this case, and the requirement of the Executive order that the name of the highest eligible shall be submitted to the President for appointment, you are unable to understand why the department submitted the name of Mr. Webster, I have to say that the department did not submit Mr. Webster's name to the President for appointment, but submitted for approval by the President the name of the highest eligible, Mr. McCabe, and a full statement of the conditions relative to Mr. Webster and his application. This was done because of the fact that the Civil Service Commission had disregarded the age limitation in his case and submitted his name as eligible for appointment; also in order that the President might have all the facts before him in his decision in the case.

Mr. BLACK. Will the gentleman yield for one question?

Mr. JOHNSON of South Dakota. I have only a minute, but I will yield to the gentleman.

Mr. BLACK. Does the gentleman contend that the appointments of postmasters in the presidential class are on the same basis as the civil-service employees in the different departments?

Mr. JOHNSON of South Dakota. I certainly do contend that the same rules should apply. It was clearly the intent of the Congress in the act of July 11, 1919, that the President of the United States, the present President, when he puts postmasters under the civil service, civil-service rules should apply; if not, the President is faking the civil service.

Mr. BLACK. Will not the gentleman insert in his remarks the Executive order of the President as to presidential postmasters? I would be glad if he would do that.

Mr. JOHNSON of South Dakota. I shall be glad to insert it, because I want all the facts given to the House. Following is the order:

APPOINTMENT OF FIRST, SECOND, AND THIRD CLASS POSTMASTERS.

The President, on March 31, 1917, issued the following Exectutive order:

"Hereafter when a vacancy occurs in the position of postmaster of any office of the first, second, or third class as the result of death, resignation, removal or, on the recommendation of the First Assistant Postmaster General, approved by the Postmaster General, to the effect that the efficiency or needs of the services requires that a change shall be made, the Postmaster General shall certify the fact to the Civil Service Commission, which shall forthwith hold an open competitive examination to test the fitness of applicants to fill such vacancy, and when such examination has been held and the papers in connection therewith have been rated, the said commission shall certify the result thereof to the Postmaster General, who shall submit to the President the name of the highest qualified eligible for appointment to fill such vacancy,

unless it is established that the character or residence of such applicant disqualifies him for appointment. No person who has passed his sixty-fifth birthday shall be given the examination herein provided for."

Mr. KITCHIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. KITCHIN. I want to say to the gentleman that I do not know how it has been done in other districts, but the present Executive order has been rigidly enforced and literally in my district, to my great sorrow.

Mr. JOHNSON of South Dakota. I am delighted to have the gentleman assure me that there has been some attempt to comply with the law at least in one district of the United States. That, I dare say, was probably owing to the fact that the gentleman from North Carolina always stands for the enforcement of law when he can find what the law is, and his influence is so great with the President and the Postmaster General that they complied with the law in that one instance.

Mr. KITCHIN. In that one respect I have had no influence with them, and my opinion on the matter is such that I would vote to repeal that order.

Mr. JOHNSON of South Dakota. I will say to the gentleman that I agree with him in that and, in the interest of efficient service, hope it will be modified and repealed immediately after March 4, 1921.

If there is one thing that the American Legion stands for in the United States, it is the enforcement of law, and this clear violation was taken up by Harry S. Berry, the State commander of the American Legion, at Nashville, Tenn. There can be no politics in the matter, because the Postmaster General is a Democrat, Mr. Berry is a Democrat, the Member of Congress in that district [Mr. BYRNS] is a Democrat, and practically everyone who lives in Nashville are Democrats. The facts were thoroughly gone into at a meeting of the American Legion now being held in the city of Washington, attended by representatives of every Democratic State in the United States, and the following resolution, introduced by Mr. Berry, the State commander for the State of Tennessee, was passed by the meeting:

Whereas under the civil-service laws, regulations, and Executive orders, and also under the interpretation of said laws, regulations, and orders by the Attorney General of the United States, the sole power to determine qualifications (character and residence excepted) of postal employees is vested in the Civil Service Commission; and

Whereas it is made mandatory by presidential Executive order that the Postmaster General submit to the President the name of the highest eligible certified to him by the Civil Service Commission; and

Whereas the Civil Service Commission, under the soldiers' preference provisions of the Revised Statutes, certified the name of an ex-service man as the highest qualified eligible for the position of postmaster at Nashville, Tenn.; and

Whereas the Postmaster General, in violation of law, regulation, and Executive order, not only failed to submit to the President the name of the highest certified eligible, but, on the contrary, substituted therefor the name of another applicant not entitled to the benefit of the soldiers' preference law; and

Whereas two requests for a hearing in this case were made upon the Postmaster General by officials of the American Legion, the first of which was ignored and the second denied; and

Whereas immediately following a request for a hearing this nomination was rushed through the Senate within 24 hours after the presentation of the name of the nominee, which action is without precedent where a contest had developed on the nomination: Be it

Resolved, That the action of the Postmaster General is declared irregular and illegal, and that it constitutes an act and establishes a precedent most discriminatory against ex-service men and women; be it further

Resolved, That the President be most earnestly requested to rectify this injustice and discrimination by declaring vacant the office of postmaster at Nashville, Tenn., and by directing that the name of the highest eligible as determined by the Civil Service Commission be forthwith submitted for confirmation; and

Whereas there have developed numerous other cases of unjust discrimination against ex-service men and women by the Post Office Department, for example the Edward G. Strickler case at Chambersburg, Pa.: Be it

Resolved, That Congress is hereby petitioned to take such measures as may be necessary to secure for ex-service men and women the benefits now provided for them in law, regulation, and Executive order.

Carried:

LEMUEL BOLLES, *National Adjutant.*

Further than that Mr. Berry has written the President of the United States a letter strenuously objecting to this violation of law and discrimination against ex-service men by the Postmaster General, and that letter is as follows:

NASHVILLE, TENN., *March 3, 1920.*

To His Excellency Hon. WOODROW WILSON,
The President of the United States, Washington, D. C.

DEAR SIR: In response to a telegram to the Postmaster General making inquiry as to why the civil-service preference for ex-service men, now provided in law, was not extended in the case of the postmastership at Nashville, I received the following reply:

"WASHINGTON, D. C., *March 2, 1920.*

"In response to telegram to Postmaster General, Mr. McCabe was the highest eligible, and for that reason his nomination was forwarded to the Senate. Records of department show that Mr. Webster filed his application and oath December 27, 1919, at which time he was not yet 30 years of age. Requirements for position of postmaster at office of this size state applicants must be at least 30 years old at time of making application.

"J. C. KOONS, *First Assistant.*"

This statement is in essence untrue, and if it does not reveal a corrupt and dishonest motive it is an admission of a stupid mistake.

In the first place, Mr. McCabe was not the highest eligible as determined by the Civil Service Commission. Mr. Webster held the place at the top of the list of eligibles, and the Postmaster General, under the law and regulations, could only pass over him by reason of charges involving his character or his residence, and no charges of any nature were filed. In the second place, Mr. Webster was 30 years and 6 days old when he completed his application by reswearing to same on January 26, 1920. So the statement that the original application was signed on December 27, 1919, can only be conjured into a phantom technicality which vanished when the applicant reswore to the application. Furthermore, the regulations authorize the waiver of all age requirements in the case of ex-service men, and this again makes the Postmaster General's objection appear ridiculous. The civil-service act reads as follows:

"The Civil Service Commission shall certify the result (of examination of all applicants) to the Postmaster General, who shall submit to the President the name of the highest qualified eligible to fill such vacancy."

The Civil Service Commission in this case certified the name of Mr. Webster, and therefore the Postmaster General acted in violation of law when he submitted the name of Mr. McCabe.

Therefore the American Legion insists that the action of the Postmaster General was illegal and demands that the office of postmaster at Nashville be declared vacant.

Your administration has professed a friendly interest in the ex-service men and women and has passed laws which have been advertised as conferring certain definite benefits upon the ex-service men and women. And yet in the first case to arise, and under circumstances most suspicious, the first ex-service man who comes to receive the benefits that he has earned on merit, as determined under civil-service laws and regulations, is robbed of what the law provides for him and by what appears to be a low and sordid subterfuge.

The question involved is not the candidacy of an individual for a particular office, but the honest interpretation and administration of law. The question is not a matter purely local, but an issue that is nation wide.

Mr. President, the legion feels that this matter has never come to your attention, or if it has that you have been misled by misinterpretation in fact, and for this reason the legion wants the matter to be presented to you in its true perspective.

In this connection it is appropriate to remark that the unprecedented haste with which the confirmation of Mr. McCabe was railroaded through the Senate, within 24 hours after the name of the nominee was presented, was suggestive of a burglar making his get-away with his plunder.

The issue before you is to declare here and now whether the alleged benefits conferred upon service men by the laws enacted at your direction are a reality or a myth, and 5,000,000 ex-service men and women await your answer.

Respectfully,

HARRY S. BERRY,
State Commander.

I do not desire to introduce any resolution demanding information from the Postmaster General and that some committee conduct an investigation, because it is a useless waste of time. The Committee on Reform in the Civil Service has jurisdiction, and its chairman can take the matter up at once if he desires to do so; the Post Office Committee has jurisdiction, and can take the matter up if the Committee on Reform in the Civil Service does not.

There must come a time when direct violation of law by the Cabinet officers of this administration must stop, and one would think that common, ordinary judgment would dictate to the representatives of this administration that they can not discriminate against ex-service men in clear violation of the law and get away with it.

I ask that the matter be taken up by one of these committees, that the facts be determined, and that justice be done if it can be done.

The SPEAKER. The time of the gentleman from South Dakota has expired.

ELECTION TO COMMITTEE VACANCY.

Mr. KITCHIN. Mr. Speaker, I move the election of Mr. MOORE of Virginia to fill the vacancy on the Committee on Roads caused by the resignation of Judge Saunders from Congress.

The SPEAKER. The gentleman from North Carolina moves the election of Mr. MOORE of Virginia to the vacancy caused by the resignation of Judge Saunders on the Committee on Roads. The question is on agreeing to the motion.

The motion was agreed to.

THE PRIVATE CALENDAR.

The SPEAKER. Under the special order for to-day the House will consider unobjected bills on the Private Calendar.

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent that these bills may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Pennsylvania, chairman of the Committee on Claims, asks unanimous consent that the bills be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN of Illinois. Will the calendar be called in regular order under this arrangement?

The SPEAKER. It will.

JOHN A. GAULEY.

The first business on the Private Calendar was the bill (H. R. 2396) for the relief of John A. Gauley.

Mr. EDMONDS. Mr. Speaker, owing to the absence of the gentleman from Massachusetts [Mr. DALLINGER], I ask that that bill be passed over without prejudice.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that this bill be passed over without prejudice. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the next bill.

PAY AND ALLOWANCES TO HEIRS OF COAST GUARD OFFICERS.

The next business on the Private Calendar was the House joint resolution 215, authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel September 26, 1918, to receive pay and allowances that would have accrued to said officers.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Reserving the right to object, I would like to ask the gentleman a question.

Mr. WALSH. Will the gentleman let the resolution be reported first?

Mr. BLANTON. I will.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 215) authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel September 26, 1918, to receive pay and allowances that would have accrued to said officers.

Whereas certain officers of the United States Coast Guard, serving on board the Coast Guard cutter *Tampa* in European waters, had been appointed by the President, by and with the advice and consent of the Senate, to temporary advanced grades in the Coast Guard, in accordance with law; and

Whereas the Coast Guard cutter *Tampa*, with all hands on board, was sunk at sea in the Bristol Channel, presumably by a German submarine, before commissions could be issued to the said officers; and

Whereas the accounting officers of the Government have ruled that under existing law the accrued pay and allowances under the said commissions may not be paid to the families of the deceased officers: Therefore be it

Resolved, etc., That the appropriate accounting officers are authorized to pay to the legal heirs of the following-named officers of the Coast Guard the pay and allowances which would have accrued to said officers to and including September 26, 1918, had said officers received and accepted the temporary commissions on the respective dates that they became eligible for advancement, as follows: First Lieut. of Engineers John Thomas Carr to be a temporary captain of engineers from and including July 1, 1918; Second Lieut. John Farrell McGourty to be a captain from and including July 1, 1918; First Lieut. Roy Ackerman Bothwell to be a temporary captain from and including September 21, 1918; Second Lieut. James Marsden Earp to be a temporary first lieutenant from and including July 1, 1918, and to be a temporary captain from and including September 21, 1918.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, I would like to ask the gentleman in charge of the bill what precedent we have for this legislation?

Mr. FOCHT. Innumerable precedents, I believe, could be cited. We are acting under the letter and the report we have from the Secretary of the Navy, giving the details and virtually recommending that the amount be paid.

Mr. BLANTON. Can the gentleman cite us a precedent?

Mr. FOCHT. I really can not. I do not think it is really necessary to have a precedent. We could make one by granting this allowance.

Mr. MANN of Illinois. Mr. Speaker, I will state that there was a case that Congress acted on recently where a general in the Army had been recommended for promotion in Texas, while on the border line in connection with the Mexican difficulties. He died, and Congress passed a resolution authorizing payment of pay and allowances at the advanced rank.

Mr. BLANTON. As I understand in this case, the commissions were ordered to be issued.

Mr. FOCHT. They were issued, and they are asking for the difference in time when the men went down on the *Tampa*——

Mr. BLANTON. They are asking for the difference between what they would have received and what they did receive before this accident?

Mr. FOCHT. That is all.

Mr. GARD. Will the gentleman yield?

Mr. FOCHT. Yes, sir.

Mr. GARD. I am in thorough accord with the resolution, but I want information in regard to the procedure. I note in the report of the Secretary of the Navy, as it appears on page 2 of the report of the gentleman from Pennsylvania, that these officers who were lost on the *Tampa:*

Whose appointments to the higher grades were not issued until after the date of their demise or not issued at all.

Would there not be a very considerable difference between the issuing of the advanced rate, because that would put them on the list, and the fact that they were not issued at all? If they were not issued at all it would not correspond to the language in the resolution which provides that these men had been appointed by the President, by and with the advice and consent of the Senate, to temporary advanced grades in the next grade in accordance with the law. The report of the Secretary of the Navy is not clear on that, because he states they were "not issued until after the date of their demise or not issued at all."

Mr. FOCHT. But the recommendation had been made, and I do not see how there could be a conflict of dates, when the Secretary of the Navy would certainly know the status of these officers of the Navy. Consequently, it seems to me, if we are guided by his recommendation, we can not go far afield in making this allowance that means several hundred dollars.

Mr. GARD. I understand what his recommendation is. I believe in recognizing the advanced grade, however the grade has been made, but if the advanced grade had not been authorized at all, then a different state of affairs is presented.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. GARD. With the consent of the gentleman from Pennsylvania.

Mr. FOCHT. I will yield.

Mr. EVANS of Nebraska. The conditions at present with reference to these men is the following: Under the law they were entitled to the grade. If they had gotten to shore, to a place where they could have accepted it, they would have had the grade by their action and would have drawn the pay. But they were on the water in the performance of their duty, and while in the performance of their duty it prohibited and made impossible the acceptance by them of the grade which they otherwise would have had.

Mr. GARD. If the gentleman will pause a minute, the point I make is that they could not accept the appointment unless the appointment had been issued by the naval authorities.

Mr. EVANS of Nebraska. As the gentleman will note in the letter of the Secretary of the Navy, he says, "Under the law they were entitled to the advanced grade." Under the law they were entitled to it. He says there were four who were due for advancement in accordance with the law. He says that in the second paragraph. It was an advancement that was theirs if they could take it. All they had to do was to get to the shore and accept.

Mr. GARD. Yes; and the appointment had to be issued by the Navy Department, and that was not done.

Mr. EVANS of Nebraska. They would have secured their allowance and advanced salaries simply by accepting.

Mr. GARD. I do not object to the resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The SPEAKER. The Clerk will report the joint resolution for amendment.

The joint resolution was read.

Mr. WALSH. Mr. Speaker, I notice that this resolution has been reported with the preamble retained. It is customary in acting upon resolutions of this character for either the committee to strike out the preamble or so to amend the resolution as to identify the particular action that is sought. I was wondering if the Committee on War Claims intended to strike out this preamble, or whether, if it was stricken out, it would still leave the language of the resolution in such shape as to convey the information as to the necessity for its passage.

Mr. FOCHT. It is ready for its passage.

Mr. WALSH. It seems to me, Mr. Speaker, the preamble ought to be eliminated, and in line 5 of page 2 there should be inserted the words "who were lost at sea September 26, 1918."

Mr. FOCHT. On lines 11 and 12 that is indicated already.

Mr. WALSH. Yes; but it does not indicate in the body of the resolution that the reason for passing this resolution is because of the loss at sea during the war of the cutter *Tampa*. That is stated in the preamble. It seems to me that ought to be included in the body of the resolution somewhere and the preamble eliminated.

Mr. FOCHT. Let the gentleman offer an amendment.

Mr. WALSH. I suggest that the preamble be stricken out, and that on page 2, line 5, after the words "Coast Guard," there

be inserted the words "late of the Coast Guard cutter *Tampa*, which was destroyed in Bristol Channel September 26, 1918."

Mr. FOCHT. Mr. Speaker, we accept the amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 1, strike out all of the preamble, and on page 2, line 5, after the words "Coast Guard," insert "late of the Coast Guard cutter *Tampa*, which was destroyed in Bristol Channel, September 26, 1918."

Mr. FOCHT. The committee accepts the amendment.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the joint resolution.

Mr. BLANTON. Mr. Speaker, I ask for a division on the passage, for a record vote.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 78, noes 2.

So the resolution was passed.

On motion of Mr. FOCHT, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

The SPEAKER. The Clerk will report the next one.

ST. CROIX CHIPPEWA INDIANS OF WISCONSIN.

The next business in order on the Private Calendar was the bill (H. R. 2264) for the relief of the St. Croix Chippewa Indians of Wisconsin.

The title of the bill was read.

Mr. GARD. Reserving the right to object, Mr. Speaker——

Mr. ELSTON. Mr. Speaker, the subject matter of the bill has been covered in the last Indian appropriation bill. I therefore ask unanimous consent that this bill be stricken from the calendar.

Mr. GARD. Mr. Speaker, I object to the consideration of the bill.

Mr. ELSTON. Mr. Speaker, I move that, inasmuch as the subject matter of this bill has already been disposed of by the House, the bill be laid on the table.

The SPEAKER. The gentleman from California moves that the bill be laid on the table. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next one.

MAJ. GEN. ENOCH H. CROWDER.

The next business in order on the Private Calendar was the bill (H. R. 2867) to authorize the President, when Maj. Gen. Crowder retires, to place him on the retired list of the Army as a lieutenant general.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HAWLEY. I object.

The SPEAKER. Objection is made. The Clerk will report the next one.

HEIRS OF LEWIS J. BLAIR.

The next business in order on the Private Calendar was the bill (H. R. 3791) to pay to the heirs of Lewis J. Blair, late lieutenant colonel of the Eighty-eighth Regiment Indiana Volunteer Infantry, the amount found due by the Court of Claims.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, Mr. Speaker, I make the reservation for the purpose of receiving further information regarding this claim, especially in the light of the communication of The Adjutant General in charge of the office, J. T. Kerr, of May 3, 1919, wherein it appears that the claim is now being made by Mr. F. P. Blair, of Laporte, Ind., who has certain information concerning the claim of his father, Lewis J. Blair.

Mr. HICKEY. Mr. Speaker, this is the claim of Col. Lewis J. Blair, father of Mr. F. P. Blair, with whom the father lived during the last years of his life. I will state that this claim was pending before the death of the father and passed the House, I believe, at one time, and went over to the Senate and was tacked on to some Indian claims and was lost in that way. The matter was also referred to the Court of Claims, and it was found that this amount was due to Lewis J. Blair, and they recommended the payment of the same.

Mr. GARD. It appears from the letter of Adjt. Gen. Kerr to Representative HICKEY that Mr. Blair continued in his military authority as major, and that nothing has been found of record in the office of The Adjutant General to show that he was mustered into the service as lieutenant colonel, that he performed the duties of that grade, or that he was recognized by the military authorities as lieutenant colonel at any time prior to June 7, 1865. I do not think the facts are shown with sufficient clearness to entitle the man to the rank of lieutenant colonel.

Mr. DEWALT. Will the gentleman yield?

Mr. GARD. Yes; I yield.

Mr. DEWALT. I gather from what has been stated that there was an adjudication of this by the Court of Claims.

Mr. HICKEY. Yes.

Mr. DEWALT. And if there was an adjudication of it, why inquire any further? Unless that adjudication was appealed from by some competent authority, certainly the party is entitled to it.

Mr. HICKEY. And they found that he rendered this service.

Mr. GARD. The adjudication is that the Court of Claims found that he was refused to be mustered into the service as lieutenant colonel, because the command was below the minimum strength, and there was not anything to do.

Mr. DEWALT. Will the gentleman yield further?

Mr. GARD. Yes; surely.

Mr. DEWALT. Does the adjudication go so far as to say that this claim is a just claim and the amount is awarded?

Mr. GARD. No.

Mr. HICKEY. It shows that he performed the service, that there was no other officer there to perform the service, that a commission had been issued to him by the governor of the State of Indiana, that the law authorized the Government at that time to issue such a commission, and that there was due to this man the sum named in the bill.

Mr. DEWALT. That there was due to him the sum named in the bill?

Mr. HICKEY. Yes.

Mr. DEWALT. Well, that is an adjudication.

Mr. MANN of Illinois. The Court of Claims does not ever make a finding of that kind. Will the gentleman from Indiana yield?

Mr. HICKEY. Yes.

Mr. MANN of Illinois. Is this one of those cases where a commission was refused because the command under the officer was not of sufficient size to warrant the issuance of a commission? There are innumerable claims of that kind where commissions were recommended, but under the law could not be issued because the company or regiment, or whatever it was, did not have a sufficient number of men in it to warrant a commission of that rank. I think those cases have invariably been rejected by Congress in the past. I do not know whether this is one of them or not.

Mr. DEWALT. Will the gentleman yield for a question?

Mr. MANN of Illinois. Yes.

Mr. DEWALT. Is that so where there has been an adjudication of the Court of Claims in favor of the claimant?

Mr. MANN of Illinois. The Court of Claims does not adjudicate these claims at all.

Mr. DEWALT. That is what I was asking about.

Mr. MANN of Illinois. All that the Court of Claims does is to make findings of fact.

Mr. GARD. The Court of Claims only found that if the said Lewis J. Blair should be deemed lieutenant colonel of the Eighty-eighth Regiment Indiana Volunteer Infantry, and entitled to the pay of that grade, the difference between his pay and allowances as a major, which he received, and that of a lieutenant colonel, to which he would have been entitled had he been mustered in, for the period from October 30, 1863, to June 14, 1865, would amount to $434.14. That is all they found.

Mr. MANN of Illinois. This was a case determined by the Court of Claims upon reference by Congress. All the Court of Claims does in these cases is to find facts.

Mr. DEWALT. Well, but the gentleman from Indiana [Mr. HICKEY] has stated affirmatively that the Court of Claims has said this party is entitled to a certain sum of money. That is an adjudication.

Mr. MANN of Illinois. That is the way the title of the bill reads. It is the natural assumption that a court renders a judgment of some kind.

Mr. DEWALT. Yes.

Mr. MANN of Illinois. That is simply in the main a lack of familiarity with the proceedings of the Court of Claims in the cases referred to it by Congress.

Mr. BLANTON. Mr. Speaker, I think this debate has gone far enough to develop the facts in this case. I demand the regular order.

The SPEAKER. The regular order is demanded. Does the gentleman from Ohio object?

Mr. GARD. I object.

The SPEAKER. The gentleman from Ohio objects.

CERTAIN OFFICERS OF THE ARMY.

The next business in order on the Private Calendar was the bill (S. 2448) for the relief of certain officers of the United States Army, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I desire to ask the chairman of the committee a question. Section 8 of this bill contains the following:

SEC. 8. That the President of the United States be, and he is hereby, authorized to restore Harry Graham, captain of Infantry, to his former position on the lineal list of captains of Infantry immediately below that of Capt. John Randolph.

I am in favor of this proposed legislation. I voted for it once before, when it was before this House. The House passed a separate bill containing this provision. The Senate passed it, and it went to the President of the United States, who vetoed it; but it was sent back to the House, and is now either on the Speaker's table or has been referred back to some committee. What has become of it, I would like to know?

Mr. WALSH. It went to the Committee on Military Affairs.

Mr. BLANTON. It went to the Committee on Military Affairs. The question I am raising is, Can we get around a veto by the President of the United States in this manner? The President having vetoed this legislation and sent it back to the House, I take it that it is the constitutional right of this House to vote on that veto. I am in favor of passing the legislation over the President's veto, and have always favored it, which requires a two-thirds vote; but I am not in favor of trying in this way to put something over the President. To pass this bill will require merely a majority vote. I take it that you can not fool the President with this kind of action; that if he vetoed this legislation once, he is going to veto it again, and send it back to us if we pass it as a rider in this bill. So what is the use of wasting our time in any such manner? Why do we not have the veto message brought before the House, and take a vote on it in the constitutional way?

Mr. FIELDS. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Kentucky.

Mr. FIELDS. It is my opinion that the report of the Judge Advocate General had not reached the Secretary of War or the President before the President vetoed that bill.

Mr. BLANTON. The President vetoed it on the recommendation of the Secretary of War.

Mr. FIELDS. The report of the Judge Advocate General, the head of the legal branch of the War Department, had not been called to the attention of the Secretary of War and the President. It is my opinion that if it had been called to the attention of the Secretary of War and of the President the bill would not have been vetoed. In view of that fact, and in view of the further fact that there are other provisions in this bill which are very meritorious, I trust that the gentleman from Texas will not object.

Mr. BLANTON. I do not think I shall object to it, for I am in favor of the legislation.

Mr. FIELDS. My candid opinion is that if the report of the Judge Advocate General had been called to the attention of the Secretary of War the bill would not have been vetoed.

Mr. BLANTON. I want to ask the gentleman from Kentucky, who is fair, and the chairman of the committee, who is fair, whether it is right to other parties whose rights, wholly distinct from this legislation, are embraced in this bill—is it fair to them to place this as a rider on their measure and to send back to the President a bill incorporating several different items with one that he has heretofore vetoed, when we who know the President know that when he makes up his mind it is made up?

Mr. MANN of Illinois. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. MANN of Illinois. In view of the fact that the President only vetoed the bill and gave no reasons in his veto message, notwithstanding the Constitution requires it, may it not have been that the President vetoed the bill because it did not contain provisions contained in this bill that he thought ought to go in?

Mr. BLANTON. No; if the distinguished gentleman from Illinois, who rarely ever misses anything contained in a document pertaining to legislation, will read the veto message again, he will find that the President did give a reason, stating that it was on the recommendation of the Secretary of War.

Mr. MANN of Illinois. The President in that document said that he returned the bill unapproved for reasons stated in a letter written by the Secretary of War. The Constitution requires the President in a veto message to give his reasons, and not by referring to John Smith or Harry Jones. However, it is vetoed.

Mr. BLANTON. I take it for granted that the distinguished gentleman from Illinois knew what was in the letter referred to by the President, because if he did not it is the first document that I ever heard of connected with congressional matters that the gentleman from Illinois was not familiar with. [Laughter.]

Mr. MANN of Illinois. Fortunately I was engaged in a better business at that time.

Mr. BLANTON. I would rather see the bill as we passed it before come back here and be presented to the House in a constitutional way than to send it back to the President in this manner, although I shall not object.

Mr. GARD. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Ohio demands the regular order, which is equivalent to an objection.

CORRECTING ERROR IN INDIAN ALLOTMENT.

The next business on the Private Calendar was the bill (H. R. 9615) authorizing the Secretary of the Interior to correct an error in an Indian allotment.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of correcting an error made in the allotment on the public domain of Domatil E. Lafournaise, an Indian of the Turtle Mountain Band of Chippewa, whereby the same is in conflict with the allotment of Jenoir Brien, a member of the same band, and to clear title to the land allotted to Jenoir Brien, the Secretary of the Interior is hereby authorized to issue a patent in fee to lot 5 of the southeast quarter of section 6, township 159 north, range 103 west of the fifth principal meridian in North Dakota, in favor of Henry E. Thomas, holder of a deed to the allotment of Domatil E. Lafournaise (now Patnaude); said patent to issue upon the execution by Henry E. Thomas of a quitclaim deed in favor of E. L. Hugelen, purchaser of the allotment of Jenoir Brien, covering lot 3 of the same section allotted to Jenoir Brien and erroneously included in the allotment of Domatil E. Lafournaise.

Mr. RHODES. Mr. Speaker, this bill was introduced by the chairman of the Committee on Indian Affairs, Mr. SNYDER, at the request of the Interior Department, to correct an error. I think the report is clear on that point.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RHODES, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CAROLYN WHEELER KOBBE.

The next business on the Private Calendar was the bill (H. R. 1827) for the relief of Carolyn Wheeler Kobbe.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carolyn Wheeler Kobbe, widow of Gustav Kobbe, who was killed as the result of an accident caused by a United States Navy seaplane, the sum of $10,000.

The following committee amendment was read:

Page 1, line 8, strike out the figures "$10,000" and insert "$2,500."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. EDMONDS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SCHOOL DISTRICT NO. 8, SHERIDAN COUNTY, MONT.

The next business on the Private Calendar was the bill (S. 2709) authorizing the Secretary of the Interior to issue patent to school district No. 8, Sheridan County, Mont., for block 1, in Wakea town site, Fort Peck Indian Reservation, Mont., and to set aside one block in each town site on said reservation for school purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to school district No. 8, of Sheridan County, Mont., for block 1, in Wakea town site, in the former Fort Peck Indian Reservation, Mont., upon filing its applica-

tion therefor, said block to be used and maintained for public-school purposes.

SEC. 2. That the Secretary of the Interior is authorized and directed to set apart for public-school purposes not exceeding one block of unappropriated land in each town site in the former Fort Peck Indian Reservation, Mont., created under the act approved May 30, 1908 (35 Stats., p. 558), and to cause patents to be issued therefor to the school districts within such town sites, respectively, upon their filing application therefor, such lots or blocks to be used and maintained for public-school purposes: *Provided*, That Indian children residing in such school districts shall at all times be received in schools used and maintained for public-school purposes in the town sites covered by this act on equal terms with white children.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. RHODES, a motion to reconsider the vote whereby the bill was passed was laid on the table.

GEORGE B. HUGHES.

The next business on the Private Calendar was the bill (S. 2257) for the relief of George B. Hughes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to George B. Hughes, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, as compensation for the loss of his right arm while in the performance of his duties as an electrician in the Government Printing Office during the month of January, 1899.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, and I do it for the purpose of calling attention to the fact that here was an accident that occurred 21 years ago, by which a man lost his right arm in some mechanism in the Government Printing Office. It seems to me that there has been a most unusual delay, if this be a meritorious case, and probably it is.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GARD. Yes.

Mr. GREEN of Iowa. I had some experience with the Committee on Claims a number of years ago, and I will say that the delay is not at all unusual. On the contrary, if a man can get his money for an injury in 15 or 20 years he is doing very well.

Mr. GARD. I am not criticizing the Committee on Claims, but it is indeed unfortunate that a man who has lost his right arm has been unable before this time to get his compensation.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. GARD. Yes.

Mr. WALSH. Is there not on the statute books at the present time a law which takes care of injuries such as this?

Mr. GARD. A very excellent law—the compensation law.

Mr. WALSH. This accident occurred long before that law was passed?

Mr. GARD. Yes.

Mr. WALSH. The gentleman from Iowa [Mr. GREEN] stated something about money owing to people as the result of an injury. This is not money owing to them; it is a pure gratuity, as I understand it; a gift from the Government.

Mr. GARD. There is no question but that from a legal standpoint it is a gratuity. I do not suppose there could be any legal liability shown, but nevertheless it is true that the Government should recognize a man as much as it recognizes a piece of machinery.

Mr. WALSH. We have done that and have passed a law, and now we are picking up a lot of cases that occurred 20 years before the law was passed—just gathering them up.

Mr. GARD. If the cases have merit, I am disposed to agree to them.

Mr. MANN of Illinois. Mr. Speaker, at the time this accident occurred it was not the policy of the Government to pay anything at all for injuries incurred in the civil service of the Government. It was not until long after this accident happened that the Committee on Claims, during the time that Mr. CANNON was Speaker, for the first time, with one or two exceptions, brought in bills to pay a gratuity, or, as it is sometimes called, a recompense—though it could not be a recompense—to people who have been either injured in the Government service, while in the service, or to people who were injured by people who were in the Government service. After that we passed a general law on the subject, to be applied to future accidents, and Congress deliberately declined to make that act retroactive. The Committee on Claims, after the general act was passed, decided in a number of cases that they would report special bills to Congress covering accidents which had occurred recently prior to the passage of the general act, giving the same compensation that employees of the Government who were injured would have received if the general act had been applicable when the accident occurred, and likewise applying it also to people outside of the Government service who were injured by people inside of the Government service. Gradually, through the pressure brought to bear, the Committee on Claims more or less increased the time that it would go back and increased the amount that would be granted. I am not going to object to this bill. I have quit paying very much attention to private bills. Of course there is no more reason why the Government should pay a man who was injured 20 years ago than there is why it should pay a man who was injured 30 years ago, and no more reason for that than there is for paying a man who was injured 40 years ago. In fact, you could easily go back to the foundation of the Government, if there were people alive now who needed the money. Just where we will end I do not know. I have been under the impression that the Committee on Claims, under the leadership of the distinguished gentleman from Pennsylvania [Mr. EDMONDS], had been very careful about the bills that it reported on claims of this kind and on other claim subjects. That applies also to the other gentleman from Pennsylvania [Mr. FOCHT], who is chairman of the Committee on War Claims.

It now costs several millions of dollars a year to pay for these accidents in the Government service, and very much more every year than it cost the year before. Why that is so I do not know. It costs very much more than the people who asked for the legislation said it could possibly cost at the time it was enacted. Of course public sentiment everywhere justifies paying a man who is injured in the Government service, because the public is always in favor of paying money out of the Treasury to some one, but never in favor of paying it in by themselves.

Mr. GREEN of Iowa. Mr. Speaker, every schoolboy knows, of course, that in the absence of some special statute a suit can not be brought against the Government. When I was speaking of the Government owing these people who have these claims, I was speaking of the moral obligation, and I take it that the Committee on Claims is not going to allow any of these claims unless it thinks a moral obligation exists. I know nothing about this particular claim, whether it ought to be paid or ought not to be paid, but I do know that when I was serving on the Committee on Claims, some eight years ago, there were claimants then who had been knocking at the doors of Congress for 10 years, using every power they knew to get just claims considered, and I know that some of those same claims—and I have in mind one, for example, where a man had his eye put out by careless shooting of the Marine Corps in practice—are still pending and still unpaid. The United States Government is the hardest creditor and the meanest debtor that I know of.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. WALSH. When the gentleman was speaking I thought he possibly had in mind claims which had been referred to the Court of Claims, and adjudications made. I see now that he was referring to what he considers moral obligations, aside from purely legal considerations.

Mr. GREEN of Iowa. That is what I had reference to entirely.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GREEN of Iowa. Mr. Speaker, reserving further the right to object, I desire to ask the chairman of the committee a question. As I understand, during the war there was a period when none of these private claims was considered.

Mr. EDMONDS. I do not think there was a claim passed for the two years we were in the war.

Mr. GREEN of Iowa. That naturally resulted in some accumulation.

Mr. EDMONDS. Yes; and this claim is one that has been up several times. This man is still alive.

Mr. GREEN of Iowa. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to George B. Hughes, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, as compensation for the loss of his right arm while in the performance of his duties as an electrician in the Government Printing Office during the month of January, 1899.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 66, noes 0.

So the bill was passed.

On motion of Mr. EDMONDS, a motion to reconsider the vote by which the bill was passed was laid on the table.

BLANCH UTLEY.

The next business in order on the Private Calendar was the bill (H. R. 10317) for the relief of Blanche Utley.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I think that this bill for the relief of Blanche Utley is entirely unreasonable in the amount of damages which was reported by the committee. Why, we only a few moments ago allowed $2,500 in the case of a death, and in the last but one bill $1,000 for the loss of a right arm, occurring 24 years ago, I think, and here is an allowance of $5,000 for mere superficial injuries, and under the surgeon's statement I am inclined to object to the passage of the bill, but I will reserve the right to object if the gentleman from Texas desires to make a statement.

Mr. LANHAM. Mr. Speaker, of course there is no monetary standard by which an injury of this kind to a young girl can be accurately and minutely determined. I should like to recite briefly the circumstances of this accident. This young girl, 7 years of age, a very beautiful child before this injury, as her pictures will show, was with her father and her mother on a public highway. A Government aeroplane in which the engine was defective and upon which the pilot had been working, was making a trial flight with the engine which this officer had repaired. He made all proper allowance for the extra distance necessary for rising from the ground, but, nevertheless, through some defect of the machine, it failed to clear a barbed-wire fence that skirted the public highway, and the underpart of the aeroplane caught up the top strand of the barbed wire and pulled it forcefully across the face, arms, and body of this little child. This was near one of the flying fields at Fort Worth, Tex. I would just like to read——

Mr. GREEN of Iowa. Will the gentleman yield there?

Mr. LANHAM. Yes, sir.

Mr. GREEN of Iowa. Where was the child at the time, on a public highway?

Mr. LANHAM. Yes, sir; on a public highway. I would just like to read from the report of the surgeon as to the nature of the injury:

Blanche Utley, age 7 years: Transverse wound across face, involving both sides of face; complete severance of nose to alar; incised wound from center of forehead to bridge of nose, 2 inches long, meeting wound running transversely across face, sutured. Skin wound on body, left side, region of last rib, superficial, 3 inches long, sutured. Multiple lacerations about right elbow.

Now, a subsequent report from the surgeon on December 29, 1919, shows that the injuries are even more severe than was supposed at the time of the injury, and that they are permanent. I saw this child at Fort Worth just after the adjournment of the special session last November. She has been transformed from a beautiful child into one who is maimed and disfigured for the remainder of her life. Now, as to what this means in terms of dollars and cents to a beautiful girl, I am unable to say, but I am inclined to think that the sum of $5,000 is not out of all proportion for an injury of that character to a beautiful girl of 7 years. The photographs of the child are here. I should like for any doubtful Member to look at them and see the injury pictorially. The photographs do not adequately represent the actual condition, but I should like for any doubtful man to see as well as he can pictorially the injury which has been done to this child. It seems to me that this is a case in which the Government ought to feel a sense of obligation, as much as it can so feel, and be responsible in the case of a private claim. While this arose clearly by accident, nevertheless it was during necessary governmental operation of the defective airplane. And here is a claim that must certainly appeal to the hearts and humanitarian instincts of every man who will consider the case. A beautiful child on a public highway, through no fault of hers, has been maimed and disfigured for life by the operation of a faulty Government machine. It is difficult to determine monetarily the standard by which such a case could definitely be measured, but I, for one, should not undertake to say that $5,000 is too great compensation or too great a gratuity for the Government to give to this girl who, through all the years of her life, must bear the scars of this injury which it has accidentally inflicted.

Mr. GARD. Will the gentleman yield?

Mr. LANHAM. I will.

Mr. GARD. I am very sympathetic with the unfortunate accident which occurred to this girl. I notice on page 14, as Exhibit A, the statement that only $25 was paid in full payment for medical services to this girl. It seems to me that injuries of the magnitude and extent described by the gentleman, which undoubtedly existed, should be given the very best of medical attention in the hope of restoring her features.

Mr. LANHAM. Mr. Speaker, I am glad the gentleman called attention to that. Practically the only attention that could be given was simply to sew up the wounds. Investigations were made, for instance, with the Johns Hopkins University, to see if there could be——

Mr. WALSH. I will say to the gentleman with all due respect that I have read the report, and he is giving a very accurate description of what happened and of the seriousness of the injury, but that is not making any impression upon me, and the point I made is I shall object because we can not start in paying money out of the Federal Treasury at these times for these particular claims based upon any such standard of providing for a couple of scratches on the forehead and scars across the face of an 8-year-old girl.

Mr. LANHAM. Will the gentleman withhold his objection long enough for me to call attention to one thing further?

Mr. WALSH. I will reserve the right to object for the gentleman to make a further statement.

Mr. LANHAM. I wish to say to the gentleman that, while there is no standard perhaps by which it could be accurately measured, the sum was not arrived at in a haphazard way. A board of officers was appointed to make an investigation of this case, a personal examination of the girl's condition and all the circumstances of the case. That board of officers, after hearing the witnesses, and after seeing and examining the child, and after verifying every detail of the surgeon's report, recommended this payment of $5,000, and I may say that it was approved here in so far as it could be approved, but there was no authority for any such payment without an appropriation by the Congress.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

Mr. KEARNS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. KEARNS. Mr. Speaker, I ask unanimous consent to return to the bill S. 2448, page 16 of the Private Calendar, with a committee amendment to strike out the first and eighth sections of the bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent to return to the bill S. 2448; and what is the gentleman's request?

Mr. KEARNS. With a committee amendment to strike out sections 1 and 8 of the bill.

The SPEAKER. Is there objection?

Mr. MANN of Illinois. Mr. Speaker, I object.

RELIEF OF OWNERS OF SCHOONER "WILLIAM H. SUMNER."

The SPEAKER. The Clerk will report the next bill.

The Clerk read as follows:

A bill (H. R. 8647) for the relief of the owners of the American schooner *William H. Sumner*.

The SPEAKER. Is there objection?

Mr. GARD. I make a reservation, Mr. Speaker and gentlemen of the House, for the purpose of asking the chairman of the Committee on Claims as to the policy pursued in claims of this sort. As written, this bill provides for a definite payment of money out of the Treasury to reimburse the owners of the American schooner *William H. Sumner*, whereas there are certain bills upon this same calendar which provide that, instead of making the appropriation directly, authority is given to proceed in the courts of admiralty for the purpose of determining the liability of the United States, and following it out along that line. Now, it seems to me to proceed in the latter way, and conferring the authority to sue for the purpose of determining liability, is better than making this outright payment.

Mr. EDMONDS. The policy of the committee is this: If it is acknowledged by the department that the accident is the fault of the department, and the amount of damages has been properly adjudicated by the department, we pass a bill appropriating that money. If there is a question as to the liability of the Government in the collision, we hold the case up and send it to the Court of Claims for adjudication.

Mr. GARD. There are other cases where the same situation prevails?

Mr. EDMONDS. Yes. But there are no cases that there is any doubt about. Here is a case where the department itself acknowledges they were to blame for the collision.

Mr. GARD. I read from the report of the Secretary of the Navy that the responsibility rested on the U. S. S. *North Dakota* for not moving out of the way, because it was being propelled by steam, whereas this other boat was a sailboat and could not get out of the way.

Mr. EDMONDS. That is ordinary maritime law.

Mr. GARD. I understand that. But it seems to be that, instead of making this direct appropriation, even when the Secretary of the Navy gives his——

Mr. MANN of Illinois. Will the gentleman yield?

Mr. GARD. Yes; I will be glad to yield.

Mr. MANN of Illinois. Would there be any good policy in requiring the owner of a vessel to sue in the Court of Claims if he is willing to take the amount which the Secretary of the Navy or the head of the Government department admits that he would recover?

Mr. GARD. I do not know whether the Secretary of the Navy could make any agreement as to what a man would recover from this Congress or anybody else.

Mr. MANN of Illinois. He could not make an agreement, but it is up to him to furnish the testimony in behalf of the Government, and if he admits the amount in controversy, where is there any benefit in requiring the Government to defend a suit and the claimant prosecute a suit?

Mr. GARD. The benefit is this, as I view it, that when a case of this kind is presented authority should be given to bring a suit in a court. Then, if the Government through its proper executive officer recognizes the liability it can file their answer, admitting it is liable in a certain amount, whereby the court, with the consent of the parties——

Mr. MANN of Illinois. The gentleman can readily see that it is practically impossible for the Government to secure a decree or judgment in a less amount than is admitted by the department, and might be struck for a much larger amount which would be claimed by the claimant.

Mr. GARD. The matter is open for investigation. It confers, as I look at it, and I have tried to look at it recently, an authority in the executive officer to determine what the amount of damage in a particular case would be. He might say it was $5,000, and there might be deserved criticism for his saying it was $5,000 when in reality it was only $2,500. There might be criticism of the Secretary of the Navy for gross extravagance on the floor of this House, and such criticism could be obviated, as I look at it, by the adoption of a definite policy of sending these cases to a court for judicial determination which would be binding on the Secretary of the Navy and a recommendation to this House.

Mr. MANN of Illinois. The gentleman knows that up to a limited amount it is the constant practice of the Congress now under a law which we passed to allow the Secretary of the Navy to settle all these claims when of limited amount, and various other departments of the Government do the same thing.

Mr. GARD. My recollection is, when it only amounts to $500.

Mr. MANN of Illinois. A small amount; but still they settle these matters, and they state the reasons for the amounts that are awarded by them. I can see where the Government could lose, but I can not see where the department could gain by going into a lawsuit for an amount, when the man in charge of it says we owe it.

Mr. GARD. I could see where the Government could lose where somebody in charge of it would return a hasty liability on the part of the Government, returning a sum that the Government should not stand for in any legal sense.

Mr. BLANTON. Will the gentleman yield?

Mr. GARD. I will.

Mr. BLANTON. I want to call the attention of the gentleman from Illinois to this difference, where it is merely a certification by the Secretary of the Navy that is dependent mostly upon the contention of the claimant. The claimant presents certain matters connected with his claim before the Secretary of the Navy. The Secretary of the Navy does not hunt up evidence as to whether or not those allegations are true and proper——

Mr. MANN of Illinois. The gentleman is entirely mistaken.

Mr. BLANTON. I mean to the extent that the Government would be protected the same as if the matter was before a tribunal for adjudication, where the witnesses could be cross-examined.

Mr. MANN of Illinois. It would be in those cases just as it would be in this case, where an accident occurs, where the officers in charge of the ship involved make an investigation, and usually a commission or something of that sort may be appointed in addition, and they find the amounts in specific items. I do not think that they ever give them what is awarded, unless it be in a matter of demurrage, in which case the Congress ought to allow it. But they find the amount and know how it is made up in all of these cases.

Mr. BLANTON. The point I make is that the good which is usually derived from cross-examination of the claimant's witnesses in a court of justice is not available in so far as these reports of the Secretary of the Navy are concerned.

Mr. MANN of Illinois. The Government could not cross-examine its own witnesses.

The SPEAKER pro tempore (Mr. GREEN of Iowa). Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William C. Reid, managing owner, and other owners of the American schooner *William H. Sumner*, out of any money in the Treasury not otherwise appropriated, the sum of $2,354.57, to reimburse said owners of the American schooner *William H. Sumner* for damages suffered by their vessel as a result of a collision with the U. S. S. *North Dakota* off of Cape Henry, Va., on November 21, 1914.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas asks for a division.

The House divided; and there were—ayes 35, noes 0.

So the bill was passed.

On motion of Mr. EDMONDS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next one.

ESTATE OF JOHN M. LEA.

The next business in order on the Private Calendar was the bill (S. 2440) for the relief of the estate of John M. Lea, deceased.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, in full settlement of the following claim, to the Nashville Trust Co., administrator de bonis non cum testamento annexo of the estate of John M. Lea, deceased, late of Nashville, Tenn., the sum of $6,883.31, that being the amount found due by the Court of Claims for rents collected by the Quartermaster Department, United States Army, during the Civil War from the tenants of said John M. Lea, which rents were paid into the Treasury of the United States, as reported to Congress in Senate Document No. 48, Sixty-fourth Congress, first session.

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman having the measure in charge if the amount found due, some $6,800, is held in the Treasury? The report states that "the money is in the Treasury." It is held for this particular purpose?

Mr. REED of New York. Yes.

Mr. WALSH. And has been for all these years?

Mr. REED of New York. Yes.

Mr. MANN of Illinois. Of course, the money is not in the Treasury, except as it has been raised by taxes since.

Mr. REED of New York. This money was collected as rents at that time and covered into the Treasury.

Mr. MANN of Illinois. Very well. It has been paid out many years ago.

Mr. FOCHT. But not to these heirs of John M. Lea.

Mr. MANN of Illinois. I know that reports frequently say that the money is in the Treasury, and the statement is frequently made in the House that certain money is in the Treasury, but the money does not stay in the Treasury that long, and money is not impounded in the Treasury.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the Senate bill.

The Senate bill was passed.

On motion of Mr. FOCHT, a motion to reconsider the vote whereby the Senate bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next one.

JOHN K. ASHLEY, JR.

The next business in order on the Private Calendar was the bill (H. R. 1790) for the relief of John K. Ashley, jr.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money heretofore appropriated for the purchase of a site and construction of a building to be used by the Government as a post office, and for other purposes, at Sandpoint, Idaho, the amount of $40 in full compensation of claim of John K. Ashley, jr., for services rendered and money expended in connection with the preliminary survey and examination of a site that is being considered as the site of such building, the amount of $40 being paid by the said John K. Ashley, jr., to men in his employ for a period of time when, through no fault of his, work for which the men were retained could not proceed because a representative of the Government was not at hand to observe the surveys, tests, and experiments being made by Mr. Ashley.

With a committee amendment as follows:

Page 1, line 11, strike out the words "the amount of $40 being," and on page 2, lines 1 and 6, inclusive, the words "paid by the said John K. Ashley, jr., to men in his employ for a period of time when through no fault of his work for which the men were retained could not proceed because a representative of the Government was not at hand to observe the surveys, tests, and experiments being made by Mr. Ashley.

Mr. WALSH. Mr. Speaker, I wanted to ask the gentleman who introduced this bill what the preliminary survey and examination of a site, or the site that is being considered as the site of such building, has to do with imposing a liability on the Government for such survey when it is made by some other than a Government officer?

Mr. FRENCH. I would say that the Treasury Department entered into a contract with Mr. Ashley to make a preliminary survey.

Mr. WALSH. Then this is the result of some contractual agreement?

Mr. FRENCH. To this extent: A claim for $40 is the result of the inspector failing to be present for four days after being notified by Mr. Ashley, and actual expenses incurred by Ashley on account of this delay. That part of it was an oral understanding.

The SPEAKER pro tempore. The question is on agreeing to the amendment to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

On motion of Mr. FRENCH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

HERMAN W. SCHALLERT.

The next business in order on the Private Calendar was the bill (H. R. 6414) for the relief of Herman W. Schallert.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, I would like to have some information in addition to the short statement of Mr. Schallert, contained in the very limited report. There is no report save the letter of the Postmaster General and the statement of Mr. Schallert.

Mr. BEE. Mr. Speaker, if the gentleman from Ohio will permit, as I understand this case it is one that addresses itself to a great extent to the equitable powers of the Congress more than in a general way. This man was a postmaster at a little place of 200 inhabitants. His yearly compensation by commissions amounted to about $400. I think I am correct in that.

Mr. VOIGT. That is right.

Mr. BEE. It amounted to $400 a year. There was a robbery of his post office one night, and the safe was blown open, and $642 worth of material was stolen out, which he was compelled to pay.

The department was unable to make payment because of the fact that the postmaster under the regulations was required to lock the outer door and the inner door of the safe as well. He locked the outer door, but did not lock the inner door to the smaller compartment of the safe.

Mr. GARD. The gentleman is mistaken. He locked the inner door, but did not lock the outer door.

Mr. BEE. It may be that the reverse of my statement is correct as to that.

Mr. GARD. He left the door unlocked.

Mr. BEE. But anyway it was immaterial whether he locked it or not, for the reason that the safe was blown open by an explosion. The committee considered that question very seriously. If it had been a question of the forcing of the safe by any mechanical device the situation would have been different, and the postmaster certainly would not have been entitled to recover for his own negligence, but where it was burglary by an explosive that scattered the goods in the store all over the place it is immaterial, and whether it was the outer or the inner door that was locked makes no difference. If the gentleman from Wisconsin will permit the statement, what appealed to the committee particularly was the fact that here was a man living in a small place of 200 inhabitants, getting only $400 a year, while serving as postmaster for the accommodation of the people of that community, and without fault on his part by burglary of the store not only has he lost his $400 compensation that he would have received but he is required to pay $242 in addition. In other words, it is costing him $642 to serve the people of this small community as postmaster and get nothing whatever for it. It seems to me to be a case that appeals very strongly to the good conscience of the Members of the House, and that they ought to be willing to grant this relief.

Mr. GARD. Notwithstanding the man's small compensation as postmaster, he was given this amount of Government material to keep not for his own use but for the benefit of the postal patrons.

Mr. BEE. I understand that.

Mr. GARD. And he was supposed to protect it in a safe, which he did not do.

Mr. BEE. Yes; he did. If the gentleman will permit me, I tried to make that clear at the beginning. If this had been a burglary by the appliance of some mechanical device to the safe his negligence would have precluded him from being relieved from the loss of Government property; but any action that he might have taken could not have changed the result in view of the explosion by which the safe was blown open. For that reason the committee thought the case was taken out of the postal regulations, which prohibit repayment.

Mr. GARD. The letter of the Postmaster General states that the case is not taken out of the postal regulations, and there is no evidence submitted which would warrant the relief.

Mr. BEE. Let me say to the gentleman from Ohio that as I understand it, if this man had in all things complied with the postal regulations he would have been entitled to his money without coming to Congress, and this bill would not have been necessary. It is only necessary because he does not come within the category of the relief granted by the Post Office Department, which has funds on hand for that purpose.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $657.81 to Herman W. Schallert to reimburse him for stamps stolen from the post office at Chaseburg, Wis., on April 23, 1915, while said Schallert was the postmaster of said place.

With the following committee amendment:

Strike out, in line 5, "$657.81" and insert "$642.90."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. EDMONDS, a motion to reconsider the vote by which the bill was passed was laid on the table.

THOMAS BAYTON AND BERTHA M. HARTT.

The next business in order on the Private Calendar was the bill (H. R. 3984) for the relief of Thomas Bayton and Bertha M. Hartt.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, this is a claim for the payment of $300 for the loss of a bull which was killed by becoming entangled with a telephone wire, the property of the United States, on the Olympic National Forest in the State of Washington. Was this forest let out to pasturage?

Mr. HADLEY. The claimants owned the land adjacent to the forest reserve, and the telephone wire in which the animal became entangled was strung from the forest across the corner of the pasture of these claimants over their private lands. In some way the wire became loosened and fell from its anchorage, and the bull became entangled in it.

Mr. WALSH. Yes; but the bill says that the bull was killed by becoming entangled with a telephone wire, the property of the United States, on the Olympic National Forest. What was the bull doing in the forest?

Mr. HADLEY. Mr. Speaker, the Olympic National Forest had a telephone wire on it which was maintained by the United States Government. The employees in charge had been maintaining it there, but during that season it had not been in current use, although it was still strung. It passed across the pri-

vate land of these claimants. The bull is not represented as being on the Government reserve. He was in the private pasture of the claimants. The wire was strung across the corner of their field, and in some way the bull became entangled in the wire. He was near the edge of a bank, and when the wire was cut loose, the bull, in his struggles having been thrown and his head pointing down a steep bank, he struck his head against a log in the ravine and was killed.

Mr. WATSON. What evidence came before the committee that the animal was worth $300?

Mr. WALSH. He had a registered pedigree.

Mr. HADLEY. The claimants say that the bull was worth a good deal more than that. He was an imported, registered Guernsey bull, 2 years old at the time he was killed. They paid $140 for him when he was 6 months old, bringing him from Canada. He was their herd sire, designed for that purpose, and had already been employed in that service. They submitted the question to the forest reserve people on the basis of $500. The representative of the Forestry Department made inquiry, through sundry correspondence in the States of Oregon and Washington, among breeders and cattle raisers and people well informed on the subject, and certainly the preponderance of evidence will show the value of the bull to have been as much as $300, if not in excess of that amount. The Government acquiesced in the amount of $300, and no question has been raised as to it.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. GARD. Reserving the right to object, I note in the report that this bull, whose name was Joyfuls Glenn, was found by a man named Dougherty entangled in the wire, and when he arrived at the scene the bull was kicking a great deal and apparently unhurt and very much alive; that he cut the wire, and the bull pitched down the embankment, his whole weight pressing his head against a log lying in the creek, which shut off his wind. That seems to have been the fate of Joyfuls Glenn. [Laughter.]

Mr. HADLEY. The bill says that he was killed by becoming entangled in the telephone wire. This man Dougherty, to whom the gentleman refers, came upon the scene by the request of a young boy, who, when he was hunting the cows, found the bull. The bull was not then dead. Mr. Dougherty was not the representative of the Government, neither was he the representative of the claimants. He cut the wire, and the animal, which was struggling to get relief, pitched headlong down the embankment.

The Government, after investigation, made no claim of negligence on the part of the claimants, and if there was any question of negligence on the part of Dougherty it was not raised, and the Government took the position that even if Dougherty's act was negligence it was not such an intervening cause as to break the causal connection between the negligence on the part of the Government's representatives and the death of the bull.

Mr. GARD. The report further says that the bull could have been saved by proper precautions before the wire was cut.

Another remarkable bit of testimony showing the versatility of the animal is that a woman identifies the bull as being suspended by the hind legs from a telephone pole. I am wondering how the bull did come to his untimely end. [Laughter.]

Mr. HADLEY. I have stated the substance of the record, whatever that testimony may have been. I am familiar with the main facts of the record.

Mr. GARD. I am willing to accept the testimony of the supervisor. It seems to me rather queer that one person says he was suspended from a telephone pole and another one says that he came to his death by falling down an embankment and jamming his head against a log.

Mr. HADLEY. There is no doubt but that he is dead and that he was worth more than $300.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Thomas Bayton and Bertha H. Hartt, of Elwha, Clallam County, Wash., the sum of $300, as compensation for the loss of a bull owned by them, which was killed September 15, 1915, by becoming entangled with a telephone wire, the property of the United States, on the Olympic National Forest in the State of Washington.

Mr. HADLEY. Mr. Speaker, I move to amend by striking out the initial "H.," in line 6, and inserting the initial letter "M."

The Clerk read as follows:

Page 1, line 6, strike out the initial "H." after the word "Bertha," and insert the initial "M."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HADLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ACTIONS FOR DEATH ON THE HIGH SEAS.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate concurrent resolution 25 and to consider the same.

The Clerk read as follows:

Senate concurrent resolution 25.

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters, the Secretary of the Senate be, and he is hereby, authorized and directed to strike out, on page 2, line 15, of the engrossed bill, the word "fault" and insert "default" in lieu thereof.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate concurrent resolution?

There was no objection.

The resolution was agreed to.

GEORGE E. PAYNE.

The next business on the Private Calendar was the bill (H. R. 3212) for the relief of legal representative of George E. Payne, deceased.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Reserving the right to object, I would like to ask the gentleman who proposes the legislation what action was taken in the Fifty-ninth Congress?

Mr. DUPRÉ. If the gentleman will look at page 11 of the report, he will find a statement there made that from the 10th of December, 1862, the second day after the seizure of his property, the claimant has been earnest and energetic in pressing his claim. Further on page 11 he will see that the matter went to the Court of Claims in 1887. It was subsequently referred again to the Court of Claims, and consideration of the case then was dismissed because it was held that only one House of Congress did not have the right to make such a reference.

I will add that I have been here 10 years and I have been pressing this claim ever since I have been here. On two previous occasions the bill has been favorably reported to the House, but no opportunity was had for its consideration. This is the first time since I have been here that an opportunity has been given to thrash this matter out on the floor.

If the gentleman will review the very voluminous report upon the subject, he will see that there has been no laches in pressing this claim, that there has been a persistent attempt to have it adjudicated in the various tribunals provided by law and before the Congress.

Mr. WALSH. The liability is alleged to have attached in 1862?

Mr. DUPRÉ. Yes.

Mr. WALSH. About how much will this cost the Government if the adjudication is made?

Mr. DUPRÉ. I was just now asked that question by the chairman of the Committee on War Claims [Mr. FOCHT], because he assumed, as I did, that that would be a timely and a pertinent inquiry. I have been trying to find out by reviewing the report exactly how much the maximum award of the Court of Claims could be, and while I do not want to make the assertion finally and definitely, yet I think the maximum amount involved is about $6,688. That statement, however, is very hastily made, not intended to be authentic or binding. For instance, on page 11—has the gentleman found the part to which I refer?

Mr. WALSH. I have found the part that refers to those figures, but of course that does not mean that that is the liability or the extent of it.

Mr. DUPRÉ. Of course, as the gentleman realizes, this is not a matter of payment out of the Treasury; it is a matter of adjudication by the Court of Claims.

Mr. WALSH. Is the gentleman satisfied that if this bill should become a law, this claim of the legal representatives of Mr. Payne can be properly passed upon by the Court of Claims, so that Congress can act intelligently in the future?

Mr. DUPRÉ. I have that hope.

Mr. WALSH. Of course, it has been there twice before.

Mr. DUPRÉ. Yes.

Mr. WALSH. It went out once on a question of jurisdiction, and another time because only one branch of the Congress referred it. Is the gentleman satisfied this follows the usual reference of claims of this sort?

Mr. DUPRÉ. I understand that the present bill has been drafted in the light of these previous decisions of the court and

in conformity with the precedents that apply to cases similarly situated.

Mr. WALSH. Recent precedents?

Mr. DUPRÉ. I have had some correspondence with the gentleman who has been most deeply interested in this matter, a gentleman from my State, who informs me that he thinks the bill is in proper shape, and that, if sent to the Court of Claims, at last we might have an adjudication on its merits.

Mr. WALSH. Who is the legal representative of George E. Payne?

Mr. DUPRÉ. I am not prepared to state whether he is an executor or an administrator, but the Payne family are people who are very well known in my home city of New Orleans. George E. Payne, who owned this property, was a citizen of New York, who came down to Louisiana about 1850. He purchased this property and his descendants have been living in Louisiana ever since. The gentleman has observed that the reservation of Mr. Payne's loyalty has been again inserted into the bill, but that while the Court of Claims heretofore dismissed the claim on account of want of jurisdiction, yet it found that Mr. Payne had been loyal during the war. This property was within the zone that was exempted from the operations of President Lincoln's proclamation.

Mr. WALSH. In view of the information given by the gentleman from Louisiana, I have no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RHODES. Mr. Speaker, I reserve the right to object for the purpose of asking a question. I have a claim coming to me from a constituent, based on a claim of this same character. I recently addressed an inquiry to the clerk of the Court of Claims, and if I am not mistaken I was told in the reply that Congress recently passed a law refusing further reference of Civil War claims to the Court of Claims.

Mr. DUPRÉ. That is what is known as the Crawford amendment. I think this bill has been so drawn as to overcome the Crawford amendment and the reference to the Court of Claims by only one branch of Congress. This bill contemplates action by both the Senate and the House, and therefore it would have the effect in its passage and in its reference to the Court of Claims of doing away with what is generally known as the Crawford amendment or any other law of Congress.

Mr. RHODES. Does the gentleman mean to say that by the employment of methods pursued in this legislation Civil War claims are not referred to the Court of Claims?

Mr. DUPRÉ. I take the position that both Houses of Congress, with approval by the Executive, have the right to pass an act referring a particular bill to the Court of Claims, and that if any contrary antecedent legislation has been had on the subject, quoad a—this particular claim—previous law is repealed by this bill if it becomes law. I am not an authority on war claims, I will say to the gentleman.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the legal representative of George E. Payne, deceased, of New Orleans, La., for personal property taken by United States officers, and for the crop of sugar sold by the sequestration commissioners, and the net proceeds transferred by them to the Quartermaster's Department and used for public good, and for the use and occupancy of the plantation of said deceased, taken by United States Army officers and turned over to the United States Treasury agent, and by said agent leased to William Spear for the year 1864, and for the use and occupancy by the Freedmen's Bureau for the year 1865, be, and the same is hereby, referred to the Court of Claims of the United States for adjudication, at the fair and reasonable rental and the value of the property taken and used as aforesaid, on the evidence heretofore presented and such other evidence as may be adduced, any statute of limitations to the contrary notwithstanding: *Provided, however*, That it be shown to the satisfaction of the court that said George E. Payne did not give any aid or comfort to the late Civil War, but was throughout the war loyal to the Government of the United States.

Mr. EVANS of Nebraska. Mr. Speaker, I move to amend, on page 2, line 3, after the word "the" by inserting the word "competent," and on line 4, same page, by striking out the words "such other evidence as," and inserting in lieu thereof the word "that."

Mr. DUPRÉ. Mr. Speaker, in that connection, if the gentleman will permit, I will say that I understand those are the amendments recommended by the committee in its report at the end of the bill.

Mr. EVANS of Nebraska. At the end of the bill.

Mr. DUPRÉ. In the copy of the bill which I have, as reported from the committee, there are no amendments reported. May I ask the Speaker whether the Clerk is reading from a copy that has the committee amendments reported?

The SPEAKER pro tempore. He is not.

Mr. DUPRÉ. That is evidently an oversight. I am very glad to have the amendment offered by the gentleman accepted.

The SPEAKER pro tempore. The gentleman from Nebraska offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. EVANS of Nebraska: Page 2, line 3, after the word "the" where it occurs the second time in the line, before the word "evidence," insert the word "competent," and, on page 2, line 4, strike out the words "such other evidence as" and insert in lieu thereof the word "that."

Mr. WALSH. Mr. Speaker, does the gentleman offer this as a committee amendment?

Mr. EVANS of Nebraska. I do.

Mr. DUPRÉ. And may I say, further, that I called the attention of the chairman of the Committee on War Claims to the fact that this amendment was recommended by the committee in its report.

Mr. FOCHT. Yes; just a moment ago, and the committee accepts the amendment, of course.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment offered by the gentleman from Nebraska.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FOCHT, a motion to reconsider the vote by which the bill was passed was laid on the table.

EDWARD A. PURDY.

The next business in order on the Private Calendar was the bill (H. R. 9583) for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station, and located at Nos. 621 and 623 First Avenue north, in said city.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask how the Committee on the Post Office and Post Roads came to have jurisdiction of this bill?

Mr. STEENERSON. This is a claim for burglary, and we have uniformly reported such to the House. We have passed a good many of them.

Mr. WALSH. We have passed one here to-day that came from the Committee on Claims, where this bill properly belongs under the rules of the House.

Mr. STEENERSON. I will say to the gentleman I understand those claims that are referred to the Committee on Claims are those where there is a question whether the postmaster was guilty of negligence. There is no question of that kind in this case, and under the statute where a claim is less than $10,000 the Postmaster General is authorized to and always does pay the claim, but where it exceeds $10,000 he is required to investigate the fact and report to the Congress with his recommendation. You will find his recommendation here on the first page of the report.

Mr. WALSH. We passed claim No. 104 appropriating $642.90 to reimburse the postmaster for stamps stolen. He was not guilty of negligence.

Mr. STEENERSON. No. But let me call the attention of the gentleman to the fact that the Postmaster General in that case had full authority to pay, but disapproved the claim. Unless it had been disapproved it could never come before the Committee on Claims, because it would have been paid by the department.

Mr. WALSH. But it was necessary to file a bill, which was filed and referred to the Committee on Claims.

Mr. STEENERSON. Oh, no; the Postmaster General could have paid that bill without any reference to the Congress, but because he did not do it they had a bill presented to the Court of Claims.

Mr. WALSH. It did not go to the Court of Claims.

Mr. STEENERSON. I meant to the Committee on Claims.

Mr. WALSH. That is where this bill belongs. What is in the rule that takes this away from the Committee on Claims?

Mr. STEENERSON. We have done that several times and it is generally considered that both committees would have jurisdiction. We have reported in the last two or three years half a dozen of these bills that have been sent to Congress with a formal letter of approval of the Postmaster General, which was done in this case.

Mr. WALSH. Is it the gentleman's contention that the Post Office Committee is willing to let the Committee on Claims deal with $40 or $50 claims or $500 or $600 claims, but when it gets up to $13,000 that the Committee on Claims can not be relied on to pass intelligently upon it and it must go to the Committee on the Post Office and Post Roads?

Mr. STEENERSON. No. It was referred to the Post Office Committee, and that has been the custom, because it is a case where there is no question of negligence, nobody claims that there was any, but it was a clear case of burglary, and the Postmaster General found that it was such a case, and he would pay it except under the statute it says where it is in excess of $10,000 he would have to transmit it to Congress in a formal way for payment.

Mr. WALSH. Well, that has not anything to do with the jurisdiction of the committee, whether it is $10,000 or whether it is $100. The rules provide that we have a committee here to consider and report upon claims. Now, we have passed a bill appropriating some $600 for a similar case, theft of postage stamps, and here is one calling for $13,000, coming from the Committee on the Post Office and Post Roads, and I have not heard the discussions with reference to the jurisdiction to which the chairman of the Committee on the Post Office and Post Roads refers.

Mr. STEENERSON. I will say the gentleman from Colorado [Mr. TIMBERLAKE] had a bill for some ten or twelve thousand dollars about a year ago, when the gentleman from Tennessee [Mr. MOON] was chairman of the committee, and the discussion was quite involved, and both committees claimed to have jurisdiction of that kind of claim, and it was recognized and the bill was passed. Now, in this case it was referred to the Committee on the Post Office and Post Roads in the House and we have given it consideration, heard testimony, and reported it. It seems to me that the proper time to have raised the point would have been at the time it was referred.

Mr. TILSON. Mr. Speaker, further reserving the right to object, do I understand the gentleman from Minnesota to say that the line of demarcation between the jurisdiction of these two committees is determined by whether it is clearly a case of burglary without negligence on the part of the postmaster or whether there is doubt as to negligence on the part of the postmaster? Is that the line of demarcation?

Mr. STEENERSON. I do not think that is the line of demarcation as specified in the rule.

Mr. TILSON. In the Schallert case the report shows that the outer door of the safe had been left unlocked, and that the Postmaster General would not allow this credit because of the fact that the outer door of the safe was left unlocked. Now, in this case it appears that both doors of the safe were locked, according to the regulations. Does the gentleman now claim that on this account the Committee on the Post Office and Post Roads has jurisdiction? Is that correct?

Mr. STEENERSON. No; I do not make that contention. I say that has been the practice in these cases that have been referred to us. It is simply a matter of form of transmitting them to the Congress. We have acted upon them and make the appropriation. Of course there is no appropriation really involved here, because it simply credits the account of the postmaster with this amount.

Mr. TILSON. I am interested in the matter of committee jurisdiction and wondered how the line was drawn between the jurisdiction of these two committees.

Mr. STEENERSON. I would say we have had cases before the Post Office Committee where they were of a nature described by the gentleman, and because we did not care to go into doubtful questions as to negligence they were referred to the Committee on Claims.

Mr. HICKS. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. HICKS. How does this bill come before the Post Office Committee? Who assigned it to that committee—the Speaker?

Mr. STEENERSON. Certainly.

Mr. HICKS. Then he has jurisdiction of it and not the gentleman from Minnesota.

Mr. STEENERSON. Who?

Mr. HICKS. The Speaker; he is the one who assigned it.

Mr. STEENERSON. Certainly. There is a regular House document, consisting of the letter of the Postmaster General—House Document No. 175, Sixty-sixth Congress—and that was referred to the Post Office Committee.

Mr. HICKS. I presume the gentleman from Minnesota will admit that the Committee on the Post Office and Post Roads is more liberal than the Claims Committee, will he not?

Mr. STEENERSON. Oh, no. I will not do that. I do not think we have passed favorably on a claim where there really was any dispute about it.

Mr. WALSH. Mr. Speaker, if the Committee on Claims have no objection to having the real claims passed upon by the Post Office Committee and they take care of the "chicken feed," I shall not object, but I can not agree with the contention of the gentleman from Minnesota that because there may be some little difference in the authority and jurisdiction of the Postmaster General, based upon whether there is negligence or fault on the part of the postmaster where the loss occurs, as to whether he can settle it or it must be done through an act of Congress, that that necessarily distinguishes between the jurisdiction of these two committees. We have a Committee on Claims against the United States, and this is a claim. It seems to me that under the rules this belongs to the Claims Committee.

Mr. GARD. Will the gentleman yield for a question?

Mr. WALSH. For a question.

Mr. GARD. What authority is there for this particular bill being on the Claims Calendar when it does not come from the Claims Committee?

Mr. WALSH. Oh, well, I think other committees report private bills that are within their jurisdiction and that do not come from the Claims Committee under the rules. I was just about to say when interrupted that if the Claims Committee are content with this matter, I shall not press my objection.

Mr. BLANTON. Mr. Speaker, reserving the right to object, now that the gentleman from Massachusetts [Mr. WALSH] has delivered his lecture to the Claims Committee on having their rights invaded and jurisdiction assumed by some other committee, I would like to call attention to the fact that several months ago I raised this same question of jurisdiction on this kind of claim, and the gentleman from Minnesota [Mr. STEENERSON] then gave me the same answer that he now gives to the gentleman from Massachusetts [Mr. WALSH], that if the claim had been under $10,000 it would naturally have gone to the little Claims Committee, but being over $10,000——

Mr. EDMONDS. Will the gentleman yield?

Mr. BLANTON. In a minute. I want to finish my statement. But being over $10,000, his Committee on the Post Office and Post Roads assumed jurisdiction of it. And then I called the attention of the gentleman from Minnesota to the fact that the Claims Committee has had before it claims involving $100,000,000. So his contention inferentially that the Claims Committee is too small to consider a claim of $13,861.24 is without merit.

Now, there are some questions which I want to ask seriously of the gentleman from Minnesota in regard to the merits of this bill. There are two classes of this kind of claims; one is where the department regulations have been met in every particular. For instance, the department has a regulation that before a postmaster may be reimbursed for stamps and money and other postal articles alleged to have been stolen, if he is furnished with a combination-lock safe it must be shown at the time of the alleged robbery or burglary that that safe, inclosing the alleged stolen goods, was at the time locked with its combination lock in its most secure condition, and that unless that appears the Postmaster General will not approve a claim of this kind.

The gentleman stated it correctly that where the claim is under $10,000, and the postmaster met the requirement of the Postmaster General, which is a reasonable one, then the Postmaster General settles the claim himself without having the matter put before Congress. But where the postmaster does not meet the regulation, or where the claim is over $10,000, the matter must be presented before Congress by a bill. As to the second class of claims, where they do not meet the requirements of the orders of the Postmaster General, is this one of that kind of claims?

Mr. NEWTON of Minnesota. Will the gentleman yield there?

Mr. BLANTON. I yield.

Mr. NEWTON of Minnesota. At the time of this robbery I was first assistant county attorney of the county of Hennepin, where the robbery occurred.

Mr. BLANTON. I am not accusing the gentleman of being connected with the robbery. [Laughter.]

Mr. NEWTON of Minnesota. It would not make any difference if the gentleman had.

Mr. BLANTON. I am sure the gentleman who has just demanded the regular order does not want to force me to object to this bill. I am trying to ask a few questions to get some information. I am not going to object, if the information is satisfactory.

Mr. STEENERSON. I am willing to answer.

Mr. BLANTON. But if the gentleman forces me to do so, by demanding the regular order, I will object.

Mr. STEENERSON. I would like to answer if I can.

Mr. BLANTON. This is what I want to know, whether the regulations of the Postmaster General and his department have been met by proof in this case?

Mr. STEENERSON. They have, absolutely.

Mr. BLANTON. And the Postmaster General recommends this claim?

Mr. STEENERSON. Yes.

Mr. BLANTON. I have no objection.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9583) for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station and located at Nos. 621 and 623 First Avenue north, in said city.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit Edward A. Purdy, as postmaster of the said city, in the sum of $13,861.24, said sum being the amount of certain postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash, from the money-order funds taken and stolen by unknown burglars, on or about 4 o'clock in the morning of the 23d day of October, 1918, from one of the branch post offices of the said city of Minneapolis, to wit: That certain branch post office located at Nos. 621 and 623 First Avenue north, in said city, and commonly known and described as the traffic station; and that the said Edward A. Purdy be, and he is hereby, released from payment to the Treasury of the United States of the said sum of $13,861.24 and every part thereof as such postmaster, and that his account in connection with the aforesaid traffic station branch post office be credited with the said amount of $13,861.24 by reason of the aforesaid loss caused by the said burglars.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. NEWTON of Minnesota, a motion to reconsider the vote by which the bill was passed was laid on the table.

VAN DORN IRON WORKS CO.

The next business on the Private Calendar was the bill (H. R. 9257) for the relief of the Van Dorn Iron Works Co.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. WALSH. I will reserve the right to object.

Mr. EMERSON. Mr. Speaker, this is a bill for the payment of $3,052.50 for 555 mail-package boxes, at $5.50 per box, which were manufactured by the Van Dorn Iron Works Co., of Cleveland, Ohio, and which are furnished the Government, and which the Government has used for many years. These were furnished by the Columbia Supply Co. to the Government. The iron works did not have a contract with the Post Office Department. It was discovered that the Columbia Supply Co. contract, together with the other Post Office supply contracts, was procured by fraud, but there has been no fraud on the part of the Van Dorn Iron Works Co. The Columbia Co. has gone out of business, and their rights against the Government have lapsed.

Mr. HICKS. Will the gentleman yield for a question?

Mr. EMERSON. Yes.

Mr. HICKS. I notice in this report that the price paid by the Government was $5.50, but the contract price of the Government with this defunct supply company was $10.80 a box.

Mr. EMERSON. Something like that.

Mr. HICKS. With a price of $5.50 per box was this company making any money out of that contract?

Mr. EMERSON. I can not say. They are simply trying to get the money.

Mr. BLANTON. Can not the gentleman settle this claim by sending this company some valuable 1919 yearbooks?

Mr. EMERSON. I do not know. This company has furnished these materials to the Government. There is no fraud on the part of the Van Dorn Iron Works Co., as the report shows. They took this contract from the Columbia Supply Co. That company is charged with fraud, but there is no fraud on the part of the Van Dorn Iron Works Co. Whether or not they made any money out of it I do not know. The man who represents the company appeared before the committee and presented his claim. I never appeared before the committee at all nor heard the testimony on it. I think the report of the committee should be sustained. I think the claim should be paid.

Mr. WALSH. Well, I have read the report, and it seems to me, Mr. Speaker, it would be rather questionable to pass this bill.

Mr. McKINIRY. Mr. Speaker, will the gentleman yield?

Mr. EMERSON. Yes.

Mr. McKINIRY. I reported this claim, and I do not think the gentleman from Ohio [Mr. EMERSON] has accurately stated the claim.

Mr. EMERSON. The gentleman may be right.

Mr. McKINIRY. The Van Dorn Iron Works Co. was a subcontractor. This contract was directly between the Post Office Department and the Columbia Supply Co. On the discovery of the fraud which was involved here the Columbia Supply Co. pressed a suit in the Court of Claims, and in that litigation the Court of Claims refused to give judgment to the Columbia Supply Co. for the full contract price of these boxes. That was the contract price of $8.80. But at that time the Court of Claims stated that the Columbia Supply Co. could, if there had been no fraud, have recovered. The Van Dorn Iron Works Co. simply had a contract to deliver these boxes to the Columbia Supply Co., and the Columbia Supply Co. had the contract with the Post Office Department. The Van Dorn Iron Works Co. was simply a manufacturer and had no part whatever in any fraud. It furnished these boxes to the Government, and the Government has received them and used them. The price here claimed by the Van Dorn Iron Works Co. is its manufacturer's price, and not the contract price that the Columbia Supply Co. engaged to furnish the boxes to the Post Office Department for.

Mr. BEGG. Mr. Speaker, will the gentleman yield?

Mr. McKINIRY. Yes.

Mr. BEGG. Would not the action for recovery raised against the Columbia Supply Co. run against the Government?

Mr. McKINIRY. Ordinarily that would be true, but in this case, as the affidavit shows, attached to the report, the Columbia Supply Co. was simply a dummy for a man by the name of McGeehan. McGeehan was indicted, and the treasurer of the Columbia Supply Co. committed suicide. The company is defunct. There is no doubt but that the Columbia Supply Co. was involved in the fraud. It has gone out of existence and has no assets. Therefore the Van Dorn Iron Works Co. has no one to whom it has recourse for recovery of this money but the Government.

Mr. BEGG. Mr. Speaker, will the gentleman yield again?

Mr. McKINIRY. Yes.

Mr. BEGG. Did the Government ever pay the claim of the Columbia Supply Co. for these specific boxes?

Mr. McKINIRY. No. The report shows that the Government has never paid anybody one penny for these boxes.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

Mr. McKINIRY. Yes.

Mr. RAMSEYER. Do I understand that the Van Dorn Iron Works Co. delivered these boxes directly to the Post Office Department?

Mr. McKINIRY. Yes; but there was no privity of contract between the Van Dorn Iron Works Co. and the Post Office Department.

Mr. RAMSEYER. Yes; but the Post Office Department received the boxes. Why did not the Van Dorn Iron Works Co. bring its claim against the Post Office Department and get paid for it?

Mr. McKINIRY. It did present its claim.

Mr. RAMSEYER. Why did not the Government pay it?

Mr. McKINIRY. The Post Office Department refused to pay this because there was no contract between it and the Van Dorn Iron Works Co.

Mr. RAMSEYER. There was a contract between the Post Office Department and the Columbia Supply Co.?

Mr. McKINIRY. Yes. The gentleman will understand that there was a huge fraud not only with regard to this contract but with regard to others, and for years litigation in regard to that fraud has been going on. Under the circumstances the Post Office Department refused to pay anyone and allowed each simply his legal redress. The statute of limitations has run, and the Van Dorn Iron Works Co. has no one now to look to except the Government for the recovery of this money.

Mr. RAMSEYER. Were these boxes tainted with this fraud?

Mr. McKINIRY. The boxes, of course, were the subject matter of the fraud.

Mr. RAMSEYER. I mean the manufacture?

Mr. McKINIRY. The report of the Acting Postmaster General states specifically that the Van Dorn Iron Works Co. was innocent in the whole transaction.

Mr. WALSH. What has become of the liability of the Columbia Supply Co.?

Mr. McKINIRY. That liability still exists. The Columbia Supply Co., I will state, did sue in the Court of Claims.

Mr. EMERSON. That decision was adverse to them.

Mr. SIEGEL. As to the Van Dorn Iron Works Co., the Columbia Supply people had no cause of action?

Mr. McKINIRY. No cause of action.

Mr. BLANTON. How much more is this claim than this claimant would receive from the Columbia Supply Co.?

Mr. McKINIRY. It is exactly the same amount.

Mr. BLANTON. It is exactly the contract price?

Mr. McKINIRY. Yes; it is exactly the contract price, no more and no less.

Mr. BLANTON. Does the Postmaster General recommend the payment of this claim under restrictions?

Mr. McKINIRY. Yes. Subsequently the Post Office Department purchased other boxes from the Van Dorn Iron Works Co. at exactly the same price.

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. McKINIRY. Yes.

Mr. TILSON. As indicating the true value of the boxes, did not the Government afterwards purchase the same kind of boxes from this company at the same price?

Mr. McKINIRY. Yes; the Government has done that.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. WALSH. Under the circumstances, Mr. Speaker, I think I shall object. I appreciate the information that has been given, but——

The SPEAKER pro tempore. The Chair did not understand the gentleman.

Mr. WALSH. I object.

The SPEAKER pro tempore. The gentleman from Massachusetts objects. The Clerk will report the next bill.

FRANK S. BOWKER.

The next business in order on the Private Calendar was the bill (S. 696) to carry out the findings of the Court of Claims in the case of Frank S. Bowker.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,759.80 to Frank S. Bowker, of Phippsburg, Me., as managing owner of the schooner *William H. Davenport*, and of the cargo thereof, for the damages caused to said schooner and her cargo of lumber by a collision with the United States lighthouse steamer *Azalea*, which occurred on the 2d day of October, 1899, as found by the Court of Claims and reported in House Document No. 334 of the Sixty-fifth Congress, first session.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. EDMONDS, a motion to reconsider the vote whereby the Senate bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

NEW JERSEY SHIPBUILDING & DREDGING CO.

The next business in order on the Private Calendar was the bill (H. R. 10989) for the relief of the owner of a drill boat known as drill boat *No. 3* and a dredge known as dredge *No. 9*.

The Clerk read the title of the bill.

Mr. EDMONDS. Mr. Speaker, I ask to take from the Speaker's table an identical Senate bill (S. 3472).

Mr. GARD. May we have this bill reported first?

Mr. WALSH. Let us have this bill reported first and see whether consent is given to consider it.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. The gentleman has asked to take the Senate bill from the Speaker's table.

Mr. EDMONDS. Yes.

Mr. WALSH. Let the Senate bill be reported.

Mr. GARD. Reserving the right to object, I think the Senate bill should be first reported.

Mr. EDMONDS. I ask unanimous consent to take from the Speaker's table S. 3472, which is identical with this bill, and which has passed the Senate.

The SPEAKER pro tempore. The gentleman asks unanimous consent to take from the Speaker's table a bill, which the Clerk will report.

The Clerk read the title of the bill (S. 3472) for the relief of the owner of a drill boat known as drill boat *No. 3* and a dredge known as dredge *No. 9*.

Mr. BLANTON. Is this the companion bill?

Mr. EDMONDS. This is an identical Senate bill.

The Clerk read the bill S. 3472, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J., owner of a drill boat, known as drill boat *No. 3*, and a dredge, known as dredge *No. 9*, out of any money in the Treasury not otherwise appropriated, the sum of $118,309.16 to reimburse said owner of drill boat *No. 3* and dredge *No. 9* for loss sustained as a result of damages suffered by said drill boat *No. 3* and said dredge *No. 9* through collision with the United States Navy barge *Nahunta* in tow of the U. S. S. *Woodcock*, off Halletts Point, New York Harbor, on April 19, 1919.

Mr. WALSH. Reserving the right to object, Mr. Speaker, when did this Senate bill come over?

The SPEAKER pro tempore. The Clerk informs the Chair that it came over on February 6.

Mr. WALSH. And the House bill was reported January 13, 1920?

Mr. EDMONDS. Yes. I ask unanimous consent for the present consideration of the Senate bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, this bill involves quite a large sum of money—$118,000. Has there ever been an adjudication of it?

Mr. EDMONDS. By the Navy Department.

Mr. BLANTON. I mean an adjudication by the Court of Claims?

Mr. EDMONDS. It has not been sent to the Court of Claims.

Mr. BLANTON. In view of the fact that it involves $118,000, is it not the idea of the chairman of the Committee on Claims that this ought to go to the Court of Claims for adjudication?

Mr. EDMONDS. I should like to say to the gentleman from Texas that this case appeals to me particularly because it involves the sinking of dredges working in the opening of Hell Gate in New York Harbor. These dredges were anchored permanently at certain points.

Mr. BLANTON. The fact that they were in Hell Gate would not affect the claim any more than if they were in some other gate, would it?

Mr. EDMONDS. No; but the question of continuing the dredging at that point is involved, because the contractor is financially involved in the loss. If we send this to the Court of Claims it may be 6, 8, or 12 months that the work will be delayed while the contractor is securing the money to continue his contract.

Mr. MACCRATE. Mr. Speaker, there were six weeks of hearings by Navy boards on this claim. The commander of the naval ship was ordered to be court-martialed, and court-martial proceedings were held.

Mr. BLANTON. I am not discussing the question of who was to blame or anything of that kind. I am discussing the amount and measure of damages.

Mr. MACCRATE. After that the claim was referred to the Bureau of Supplies and Accounts, and they sent their accountants to this place. The Army and Navy officials are superintending this work as it goes along. They have taken every item and have checked up all the bolts, screws, nuts, and everything else, down to the smallest amount. The Navy Department is urging the passage of this bill for the reason that this contractor has suffered $500,000 worth of damage in this place where 30 of these accidents have occurred, and this money must be paid in order to enable the contractor to go on with his work.

Mr. BLANTON. Does the Secretary of the Navy recommend the payment of this amount?

Mr. MACCRATE. The Secretary of the Navy approves the finding and recommends the payment of this amount.

Mr. TILSON. I want to call the attention of the gentleman to this statement of the Assistant Secretary of the Navy:

In view of the fact that the record indicated that the Navy is clearly responsible for the damages suffered by the claimant as a result of the said collision, and further that the claimant is engaged in important Government work in deepening and widening the Hell Gate Channel, I have the honor to recommend that the bill receive favorable consideration by the Committee on Claims.

Mr. BLANTON. Does the bill provide that this shall be accepted in full settlement of the matter?

Mr. MACCRATE. I do not know that that language is in the bill, but I have no objection to it.

Mr. BLANTON. If it is not in the bill, you would not object to such an amendment?

Mr. MACCRATE. I would not object to an amendment including those words, limiting it to this particular injury for this occurrence of April 19, 1919.

Mr. PARRISH. Reserving the right to object, I believe the gentleman from New York stated that there were other accidents at this same place. Why is it that they are having so many accidents here?

Mr. MACCRATE. Since November 19, 1919, the number of accidents has lessened because the War Department has issued

instruction to all craft coming through Hell Gate to be careful. This company itself before this accident sent to all craft a notice that they were operating there and that their cables were laid, and asking all craft to avoid this place. But in a very short space of time, during the war especially, because of the heavy traffic in that part of the river, there were so many boats coming down they tried to pass three abreast, and they were not careful of the moorings.

Mr. PARRISH. How many accidents did the gentleman state there were?

Mr. MACCRATE. About 30. Since November 19, when the War Department issued strict orders that they were not to go past with a speed of over six knots an hour, there have been no accidents.

Mr. HICKS. Mr. Speaker, in order that the gentleman may have fuller information, let me say that right at this point at Hell Gate, when the tide is either flood or ebb and running strong, the Harlem River comes in from the westward, and the tide running out into the East River makes an offset on the Brooklyn side, and it is almost impossible to keep vessels straight either on a flood or an ebb tide on account of the Harlem River.

Mr. PARRISH. Have there been any other accidents in which the damages were as large as this?

Mr. MACCRATE. No. In this particular case the *Woodcock*, the United States boat, was pulling a barge, and a danger signal was given by a New Haven Railroad boat. The commander of the United States boat thought it was a passing signal and responded with a passing signal. The New Haven boat started to pass and the commander of the United States boat, realizing the danger, stopped all the engines suddenly and the rope broke, and it turned against the boat of the claimant, and the boat and the barge went down straight against the rocks where most of the damage occurred.

Mr. PARRISH. Have they settled the other claims?

Mr. MACCRATE. They have settled some of the others on the same basis, because the Shipping Board had one of these claims and they figured out the cost, and those figures have been reinvestigated by the Navy Department.

Mr. GARD. Mr. Speaker, reserving the right to object, in order to get some additional information, I note on page 5 of the report "that the total claim for damages made by the New Jersey Shipbuilding, Repairing & Dredging Co. in the sum of $122,826 is excessive, and includes sundry items which are not proper claims against the Government." What court was that?

Mr. MACCRATE. That was the Navy Board of Claims. They had an investigating board, and they recommended that four thousand odd dollars should be cut off.

Mr. GARD. The report further says that the court is unable to determine the correctness and reasonableness of the various items making up the total claim for damages of the New Jersey Shipbuilding, Repairing & Dredging Co., as set forth in exhibit 10, but tentatively adopt the figures given in exhibit No. 10, excepting the items mentioned in paragraph "h."

Mr. MACCRATE. Thereafter the Navy caused an inspection division to investigate, and they made a recommendation that instead of the one hundred and twenty-two thousand and some odd dollars it should be reduced to $118,000.

Mr. GARD. Is the gentleman satisfied that the sum of $118,000 now found to be due by the naval authorities is after complete investigation of the case?

Mr. MACCRATE. Yes; and in addition we have the recommendation by the department.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania to take the bill from the Speaker's table and consider it?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J., owner of a drill boat, known as drill boat *No. 3*, and a dredge, known as dredge *No. 9*, out of any money in the Treasury not otherwise appropriated, the sum of $118,309.16 to reimburse said owner of drill boat *No. 3* and dredge *No. 9* for loss sustained as a result of damages suffered by said drill boat *No. 3* and said dredge *No. 9* through collision with the United States Navy barge *Nahunta*, in tow of the U. S. S. *Woodcock*, off Halletts Point, New York Harbor, on April 19, 1919.

Mr. BLANTON. Mr. Speaker, I offer the following amendment: At the conclusion of the bill strike out the period, add a semicolon, and the following: "such sum to be in full settlement for all damages arising from said alleged injury."

Mr. GARD. Will the gentleman allow a suggestion? After the figures "$118,000" add the words "in full settlement."

Mr. BLANTON. Yes; Mr. Speaker, I ask to modify my amendment. After the figures "$118,000" add the following: "in full settlement."

Mr. MACCRATE. Let me suggest that after the words "dredge *No. 9* for loss sustained" you put in the words "in full settlement."

Mr. TILSON. Mr. Speaker, it seems to me that the same purpose is attained by leaving the bill as it is. If this slight amendment is put on, it means that the bill must go back to the Senate, and we do not know how long it will take. If the gentleman's amendment served any real purpose, I would not oppose it.

Mr. BLANTON. The gentleman from Connecticut has overlooked the fact that our friends at the other end of the Capitol may act with great dispatch when they have the willingness to do so. How long did it take them to pass the last big appropriation bill?

Mr. TILSON. It takes us longer to pass a little bill on the Private Calendar than it does to pass a big appropriation bill, because Private Calendar days are so rare.

Mr. BLANTON. I think it would be much better to place safeguards around this legislation, even if it causes the Senate a little trouble to possibly meet for five minutes, than to have these claimants in this bill come here with further claims before the committee. Therefore I insist on my amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 9, after the figures "$118,309.16," insert the words "in full settlement."

Mr. EDMONDS. Mr. Speaker, we will accept the amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

The title was amended.

On motion of Mr. EDMONDS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The bill H. R. 10989, similar to the Senate bill, was ordered to lie on the table.

WENDELL PHILLIPS LODGE, KNIGHTS OF PYTHIAS.

The next business on the Private Calendar was the bill (H. R. 9794) for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would ask the gentleman in charge of the bill whether the situation with reference to this bill is substantially this: This lodge wanted to present an ambulance to the War Department for use by the department or the Red Cross, and had ordered the ambulance of the motor-car manufacturers. After they had placed the order the War Department issued a regulation prohibiting officials from accepting these gifts, and the lodge wants the Government to appropriate $381.65, the amount which they have expended for the body of the ambulance.

Mr. MACCRATE. The statement of the gentleman is correct, except that the Government has the body of the ambulance.

Mr. WALSH. They were going to give it to the Government in any event.

Mr. MACCRATE. And in addition to that, when the order of the War Department came out saying it would not accept these gifts from private individuals or associations, this lodge then said, "We will take that money and buy another ambulance and give it to the American Red Cross." They did that. They took the same amount of money and bought another ambulance and gave it to the American Red Cross, expecting that they would get back this money that they had already expended.

Mr. WALSH. What gave rise to any such expectation as that?

Mr. MACCRATE. Only because they never dreamed, and I suppose no reasonable creature would dream that once the Government had refused to accept the gift it would accept a part of it. They did not expect that the Government would accept the chassis and reject the body.

Mr. WALSH. And the Government did that?

Mr. MACCRATE. Yes.

Mr. WALSH. And the lodge is kicking because the Government did not take the whole thing?

Mr. MACCRATE. No; they are not. They are objecting only to this: They appropriated out of their lodge fund a specific sum of money for one ambulance. They had only that amount of money to expend for that purpose. Relying on the proposition that the Government would not take anything, they concluded that they would give the ambulance to the American Red Cross. Now, instead of giving one ambulance, they find

they have given one ambulance and the body of another ambulance.

Mr. MANN of Illinois. If the Government refused to take it, how does the Government have it?

Mr. MACCRATE. The Government had contracted with a certain contractor for a great many of these parts, and this part was one that the contractor sent to the Government.

Mr. MANN of Illinois. Then the Government should pay that contractor. How does the Government refuse to take a thing and then have it?

Mr. MACCRATE. Only because the lodge used the same contractor. They were told to order the body from a certain contractor with whom the Government was doing business. This contractor made the body and delivered it.

Mr. MANN of Illinois. The contractor had a contract with the Government and with the lodge. The lodge can not be held responsible for a body that was delivered to the Government.

Mr. MACCRATE. Oh, yes; because it was the lodge that ordered it, and it was delivered to the Government at the lodge's request.

Mr. MANN of Illinois. But the Government refused to take it at the lodge's request.

Mr. MACCRATE. No; one department of the Government——

Mr. MANN of Illinois. That is what the report says.

Mr. MACCRATE. One department of the Government was working at odds with another department. One was accepting the gift of ambulances. The War Department then promulgated an order that no more gifts should be accepted.

Mr. MANN of Illinois. Which department was accepting these ambulances?

Mr. MACCRATE. The Medical Department.

Mr. MANN of Illinois. That is the War Department.

Mr. MACCRATE. Yes; but two branches or divisions of the same department were working at odds.

Mr. MANN of Illinois. One took them, and the War Department regulations said they could not take them. Is that the way of it?

Mr. MACCRATE. That is the way of it.

Mr. MANN of Illinois. In any event the lodge lost the ambulance.

Mr. MACCRATE. It lost part of the money that it had in its treasury, and the Government has something for that money.

Mr. MANN of Illinois. Oh, I suppose the Government has given it away by this time.

Mr. TILSON. Mr. Speaker, further reserving the right to object, do I understand that the Government received from this contractor one more body than it paid for?

Mr. MACCRATE. That is what it amounts to.

Mr. TILSON. Did the Government receive the body that this lodge paid for?

Mr. MACCRATE. Yes.

Mr. TILSON. The Government received it and the lodge paid for it?

Mr. MACCRATE. Yes; and the contractor says that the lodge has no claim against it because it did the work it agreed to do for the lodge.

Mr. TILSON. And furnished the body to the Government?

Mr. MACCRATE. Yes.

Mr. TILSON. And the Government accepted it?

Mr. MACCRATE. The Government has accepted that part of it.

Mr. TILSON. And has never paid for it?

Mr. MACCRATE. Has never paid for it.

Mr. FOCHT. And the lodge did.

Mr. WALSH. Mr. Speaker, this lodge endeavored to perform a very generous, patriotic service. There is no question about that. Its members were imbued with the highest motives, and because of the delay, probably, in giving notification of the change of attitude on the part of the War Department, the General Motors Co. shipped this body to the War Department along with a lot of other bodies that the War Department had ordered. The lodge was intending to make this gift anyway to the Government, and the Government got the body despite the change in the regulations and evidently made use of it. I can not quite see why, because the Secretary of War declined to accept an entire ambulance, both the chassis and body, but did accept part of the ambulance, the body, the lodge should now ask the Government to come in and pay for the part that it did get.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman permit a suggestion?

Mr. WALSH. Certainly.

Mr. MANN of Illinois. The lodge wanted to give an ambulance to the Government if it would take it directly. The Government declined to take it, and then the lodge wanted to give the ambulance to the Government indirectly through giving it to the Red Cross. Through some confusion in the War Department the Government received an additional ambulance. After all, is there any reason why we should make the lodge, desiring to do a very patriotic thing, suffer for the trouble in the War Department, which got another ambulance and needed it?

It seems to me that we might well encourage these organizations in their patriotic efforts to give something free to the Government directly or indirectly, and by giving it to the American Red Cross they are giving it indirectly, and then being satisfied to receive an ambulance to endeavor to give——

Mr. MACCRATE. Give a coat and take a cloak also. If the gentleman from Massachusetts will permit, this lodge, as he understands, is a fraternal organization. They set aside so much money for war work.

Mr. WALSH. Will the gentleman answer a question? Did they, in fact, spend money for a completed ambulance and make a gift to the Red Cross?

Mr. MACCRATE. They gave a completed ambulance to the Red Cross after the refusal of the War Department to accept the gift.

Mr. WALSH. Well, I will not object.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, does the bill in its present form meet the demands of the War Department in section 2 and section 5 of the report, wherein it states:

> It seems that if possible the Anderson Electric Car Co. should be allowed to charge to the Government $381.63 which was paid by the Wendell Phillips Lodge, or to turn over to them the completed ambulance body.

It seems this is a case that when the Government decided not to accept any more gifts of these ambulances the General Motors Truck Co. returned the money paid by the Wendell Phillips Lodge for it; that this Anderson Truck Co., or whatever it is—Anderson Electric Car Co.—refused to return the money which the lodge had paid to it, so that thereby the body of the truck went to the Government anyhow, where the lodge wanted it to go. Now, if there is to be any return at all, should not we adopt the suggestion of the major of the Motor Transport Corps, so that this same money should be required to be refunded from the Anderson Electric Car Co. to this Wendell Phillips Lodge? I think the lodge is trying to do a very excellent and patriotic thing, and that seems to be what should be done.

Mr. MACCRATE. From a purely legal standpoint, the Pythian lodge would have no claim against them even for the return of the money back from this body company.

Mr. GARD. Well, now, apparently what the Pythian lodge wants now is to get back the money paid for the body. They have got the money back for the truck part, but they did not get the money back for their body. Now they want the money for the body.

Mr. MACCRATE. If you authorize the payment of this amount of money to the body company you would not be able to give the Pythian lodge a cause of action against them unless you made it conditional in your bill.

Mr. GARD. That is what the major of the Transport Corps says—that we should pay the body company the sum of money with the reservation that it be transferred to this lodge.

Mr. MACCRATE. Well, it seems that would be doing indirectly something he might not have thought of, namely, giving a cause of action to the lodge. Now, the Pythian lodge has no right against these people to get the money. The safest and surest way to get it paid into their hands is by this method.

Mr. GARD. As I understand it, the Pythian lodge wanted to donate an ambulance and bought a body, and the War Department was opposed to receiving this ambulance and the General Motors Co. gave them back the money. The Anderson Electric Car Co. would not give them back the money. Now they want the money back from the Government.

Mr. MACCRATE. Because the Government got the body.

Mr. GARD. I understand the Government got the body finally, because the Anderson Car Co. claims they have fulfilled the contract with the Pythian lodge and refuse to return the money and insist that the body company——

Mr. MACCRATE. If they gave the money back to the Anderson Body Co., the Pythian lodge would be still left high and dry, because it has no legal claim against the Anderson Co.

Mr. GARD. It has no legal claim against anybody.

Mr. MACCRATE. No claim of any kind.

Mr. GARD. It has no existing claim now. This is purely a matter of taking from the Government some money and giving it back to this lodge, and I think that probably would be good, because the lodge acted in a very patriotic spirit.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $381.65 which was paid by the Wendell Phillips Lodge for the body of an ambulance which under the law the Federal Government could not accept.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

HARVEY R. BUTCHER.

The next business in order on the Private Calendar was the bill (H. R. 10115) for the relief of Harvey R. Butcher.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of this bill? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Harvey R. Butcher, out of any money in the Treasury not otherwise appropriated, the sum of $1,770.33 for the payment in full of the claim of said Harvey R. Butcher, being a claim for reimbursement of the sum of $1,770.33 paid by the said Harvey R. Butcher out of his personal funds in settlement of an alleged shortage in his accounts while acting as disbursing officer, Quartermaster Corps, United States Army, at Camp Funston, the said shortage not being due to any negligence or default on his part.

The committee amendment was read, as follows:

Page 1, line 6, after the figures "$1,770.33," strike out "for the payment in full of the claim of said Harvey R. Butcher, being a claim for reimbursement of the sum of $1,770.33 paid by the said Harvey R. Butcher out" and insert "to reimburse him for moneys paid out." In line 10, after the word "of," strike out "an alleged" and insert "a."

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. EDMONDS, a motion to reconsider the vote by which the bill was passed was laid on the table.

W. LOAIZA & CO.

The next business on the Private Calendar was the bill (H. R. 11067) to refund certain duties paid by W. Loaiza & Co.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. GARD. Reserving the right to object, this seems to be a matter, as I gather from the reading of the report, where W. Loaiza & Co. imported what was supposed to be merchandise paying a dutiable rate of 25 cents per bushel, as under the law applicable to black-eyed beans, and later discovered that it should be assessed for duty on peas, at the rate of 10 cents per bushel instead of 25 cents per bushel, but that no protest was made and no application for refund or for action ever taken by this firm until this present bill was offered for relief.

Mr. ELSTON. I think the gentleman is in error in the statement in regard to the fact that no application was made for the refund. If the gentleman will read the letter of the collector of the port, at the end of the report on this bill, he will see that there is a reasonable excuse there given for the fact that no protest was made. It seems that the importer was the agent of the real purchaser in New York; that the importer had no more than a mere formal function to perform, and did not examine the consignment and did not check it in any particular; that the provisional rates were paid there on a classification made by the collector of the port of San Francisco, and there was no responsible person there to check his provisional classification. Later, when the consignment got to New York and it was found that a wrong classification had been made, the presumption here is that it was too late to make the protest in the time required by law.

An application was made, but it was denied by reason of the fact that the application was made too late. Now it appears, on account of all the circumstances that I have mentioned, this importer has paid to the Government of the United States a sum of something over $800 more than he should have paid, and it is clearly an overpayment which should be returned to him, and it would have been returned to him if it had not been for these equitable circumstances which excuse him for not having made the protest.

Mr. GARD. The matter arises, as I view it, from what is said in the letter of L. S. Rowe, acting secretary, that:

No timely protest having been filed, however, the liquidation was final and conclusive against all persons interested, as provided in paragraph N, Section III, of the tariff act, and the department was unable to grant relief.

And that is supplemented by the language of Mr. Davis, collector, that there was no application for reliquidation within the one-year limitation period. So that the period of one-year limitation had been allowed to pass by these importers, and nothing was done until as the acting secretary said:

The case is typical of many others where the importers have failed to take the necessary steps provided by law to protect their interests and secure a correction of erroneous assessments of duty.

Mr. ELSTON. Will the gentleman read the following from the letter of the collector, which says that the applicant further said:

The merchandise in question did not belong to W. Loaiza & Co., of San Francisco, the importers, but were to be forwarded to W. Loaiza & Co., of New York.

And that it was not discovered, for reasons given in the letter, that the consignment had been erroneously classified. And the implication from the whole of the letter of the collector is that it was an excusable oversight in not making the protest. I do not see anything here that indicates the application was not made and indication given to the applicant that he might be too late.

I will state to the gentleman that this bill was introduced by me at the request of responsible persons, and I made no personal appearance before the Claims Committee at all, but the committee reported this bill out on its merits and on the documents they had before them, and I did not know it was reported at all until I saw it on the calendar.

Mr. GARD. It seems to me if we accepted the case as being typical, we would open wide the door to reliquidation of assessments at the port of entry where a man has not availed himself of the proceedings guaranteed to him by law in the statutory period. Therefore I object.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent that the bill may go to the foot of the calendar.

The SPEAKER pro tempore. The Chair will state to the gentleman that under the rule it will remain on the calendar.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed with amendment the bill (H. R. 7656) to repeal the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, and to repeal all acts and parts of acts amendatory thereof, and to provide for the disposition of all property acquired under and by virtue of the same, had requested a conference with the House of Representatives on the bill and amendment, and had appointed Mr. FERNALD, Mr. SPENCER, and Mr. TRAMMELL as the conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. DAVIS of Minnesota reported the bill (H. R. 13266) making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, which was referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. CLARK of Missouri. Mr. Speaker, I reserve all points of order on the bill.

PRIVATE CALENDAR—BENJAMIN O. KERLEE.

The next business on the Private Calendar was the bill (S. 25) for the relief of Benjamin O. Kerlee.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentlemen of the committee how they arrived at the amount fixed as the basis for payment of this man for injuries received?

Mr. EDMONDS. We did not arrive at any amount from any judgment of our own. The Senate bill was for $1,200, and we thought that that was really what was due the man under the circumstances, as he had been permanently injured. He received $100 a month for 10 months, which, in addition to this $1,200 asked for, would make $2,200.

Mr. WALSH. How did he get the $1,000?

Mr. EDMONDS. He was given a year's pay under the regular law.

Mr. WALSH. Under the compensation act?

Mr. EDMONDS. I presume so.

Mr. WALSH. If he has already received what is due him under the general law, I do not think we ought to come in with a special bill and add to that compensation.

Mr. EDMONDS. That is what they have done in this case. It seemed to be a special case and deserving of special consideration, and the committee gave it special consideration. He has received $1,000, which was 10 months' pay while he was in the hospital, and that was full compensation under the law.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. MANN of Illinois. Under the law the pay is not confined to 10 months; that is, under the old law it was not. Is it the policy of the Committee on Claims, where a man who is injured has received full compensation allowed by the general law, to bring in a private bill for an additional amount?

Mr. EDMONDS. It is not the policy, but we have done so at times. We did so in 1914 and 1915 in some Panama Canal cases.

Mr. MANN of Illinois. I know it was done at times, and most of these bills were objected to and never passed. As I understood when this matter was up, the Committee on Claims was not going to do that any more. That is what we have a general law for.

Mr. EDMONDS. We have tried to keep away from bringing in any extra compensation.

Mr. MANN of Illinois. But, of course, every time you allow one, everybody else who is injured wants his claim allowed for an additional amount. It is perfectly natural.

Mr. WALSH. I regret that this former employee has been in rather pitiable circumstances. According to the report, this gratuity will not any more than enable him to pay some indebtedness that he has outstanding. But he has come under the general provisions of the law and has received what the law gave him, and I do not think that we ought to embark upon this policy of supplementing that by special legislation, and therefore I shall object.

The SPEAKER pro tempore. Objection is made. The Clerk will report the next bill.

KATIE NORVALL.

The next business in order on the Private Calendar was the bill (S. 1546) for the relief of Katie Norvall.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Reserving the right to object——

Mr. BLANTON. May we have the bill reported, Mr. Speaker?

The SPEAKER pro tempore. The bill will be reported in case there is no objection.

Mr. MANN of Illinois. Of course, it can be reported.

Mr. BLANTON. I ask that the bill be reported, so that we can understand what we are to pass upon.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of $1,173.12 as full compensation to Katie Norvall for the death of her husband, G. Norvall, who was drowned while engaged in the performance of his duties as fireman and engineer, as a result of a collision between the navy-yard launch *Highlander* and the ferryboat *Vallejo* near the Mare Island ferry slip, Vallejo, Calif.

Mr. WALSH. Mr. Speaker, I understand this compensation is fixed on the basis of a year's pay?

Mr. EDMONDS. Yes.

Mr. BLANTON. When did this accident occur?

Mr. EDMONDS. In 1907—May 14.

Mr. BLANTON. That is about 13 years ago?

Mr. EDMONDS. Yes. There was no compensation law then. The only law we had then was for one year's pay.

Mr. BLANTON. This is another one of the cases that the gentleman is talking about, behind the compensation law?

Mr. EDMONDS. No. There was a compensation law in 1907, I believe, allowing one year's pay.

Mr. MANN of Illinois. There was no compensation law then.

Mr. BLANTON. There was no compensation law at that time.

Mr. EDMONDS. Was there not a law in 1907 which gave a man compensation when he was employed in a hazardous occupation and was injured?

Mr. BLANTON. There was no such law at that time.

Mr. EDMONDS. I understand there has always been a law of that kind on the statute books.

Mr. BLANTON. The gentleman is mistaken about that, clearly. Then the Committee on Claims did not realize, when they reported this bill, that they were establishing a precedent by this bill?

Mr. EDMONDS. We are not establishing a precedent by this bill. We have granted hundreds of claims of this kind since I have been a member of this committee.

Mr. BLANTON. What does the gentleman say about hundreds of other claims of this character coming up?

Mr. EDMONDS. There are not many of them.

Mr. BLANTON. The gentleman knows there are a great many of them waiting for each one to pass here.

Mr. EDMONDS. I venture to say that the House passed 50 or 60 claims of this kind since I have been a member of the committee.

Mr. BLANTON. For the present, Mr. Speaker, I shall object to this bill.

The SPEAKER pro tempore. Objection is made. The Clerk will report the next one.

CAPT. FREDERICK B. SHAW.

The next business in order on the Private Calendar was the bill (S. 2343) for the relief of Capt. Frederick B. Shaw.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Frederick B. Shaw, United States Army, the sum of $356.50, which sum, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, said sum to be payment in full for all losses of personal property incurred by him by reason of the sinking of the United States transport *Meade* in the harbor of Ponce, P. R., on or about May 16, 1899: *Provided*, That the accounting officer of the Treasury shall require a schedule and affidavit from him, such schedule to be approved by the Secretary of War.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. BLANTON. Mr. Speaker, I demand a division.

The SPEAKER pro tempore. A division is demanded.

The House divided; and there were—ayes 37, noes 0.

So the bill was passed.

The SPEAKER pro tempore. The Clerk will report the next one.

FORREST R. BLACK.

The next business in order on the Private Calendar was the bill (H. R. 9904) for the relief of Forrest R. Black.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, will the gentleman yield me six minutes?

Mr. EDMONDS. The gentleman can take time. I have no time.

Mr. MANN of Illinois. You can not yield six minutes. Five minutes is the limit.

Mr. BLANTON. Mr. Speaker, I think I should call the attention of the House to——

The SPEAKER pro tempore. Did the gentleman reserve the right to object?

Mr. BLANTON. Yes. I have asked recognition from the Chair on the bill.

The SPEAKER pro tempore. The question was whether there was objection?

Mr. BLANTON. I reserve the right to object.

Mr. MANN of Illinois. The gentleman can not do that.

Mr. McKEOWN. Mr. Speaker, may we have the bill reported, so that we will know what it is?

The SPEAKER pro tempore. Without objection, the bill will be read for information merely.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Forrest R. Black, out of any money in the Treasury not otherwise appropriated, the sum of $142, in reimbursement for money and valuables lost while they were properly in the custody of the United States Government.

The SPEAKER pro tempore. Does the gentleman from Texas [Mr. BLANTON] reserve the right to object?

Mr. BLANTON. No; I ask for recognition.

Mr. MANN of Illinois. The gentleman can strike out the last word.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. MANN of Illinois. It has been reported.

Mr. BLANTON. It has already been reported, Mr. Speaker.

The SPEAKER pro tempore. It has been reported for information, not for consideration. The Clerk will again report it.

The bill was again read.

Mr. BLANTON. Mr. Speaker, the few Members present, barely more than a handful comparatively, prompt me to call attention to the fact that when we do set aside a day for the consideration of the Private Calendar it is the cue for a great many of our colleagues to leave or go home, and those who remain for the consideration of the bills are mostly our colleagues who are interested in these various private measures. That makes, after all, a kind of a packed jury. How far would a man get if he were to make objection to one of these bills of our friends who are here, each one especially interested in a bill and wanting to pass it?

Mr. MADDEN. Will the gentleman yield?

Mr. BLANTON. In a minute I will. I want to call attention to a story I heard. A number of years ago this same transaction occurred, when the House set apart a certain day for the

consideration of private bills, and each Member after he got his bill passed would get up and leave. Finally, when the last bill was called and the last Member present got his bill passed, out of the door he went. The Speaker chased him down the central aisle, beat him to the outside entrance, and said, "Hold on here; come back here. Hell, you are not going to leave me here with nobody to adjourn the House!" [Laughter.] That is pretty near the situation here to-day. We are going to keep on dwindling down and dwindling down until we will not have anybody here to adjourn the House.

Mr. MADDEN. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Illinois.

Mr. MADDEN. The gentleman made the statement a while ago that a man would not get very far if he made an objection. The fact is that anybody can object to any bill that comes up for consideration, and it can not come up if he objects.

Mr. BLANTON. Oh, yes; it can. The gentleman from Illinois knows well that he or any other Member present can keep a bill from coming up to-day, but on the next private bill day he may object his head off and he can not keep it from coming up, because it comes up then as a matter of right on the next claims day. Then the gentleman would have here to pass on the merits of the bill his fellow colleagues, the few of them who were present, as they always are here on claims day, almost every one of them interested in a private bill, and every one of them knowing that if he voted against any other colleague's bill it would invite opposition from that colleague to his own measure. I say it is a very unfortunate situation for us to find ourselves in.

Mr. MADDEN. He can object on the second day just as well as he can on the first.

Mr. BLANTON. Oh, no; because these bills are not considered by unanimous consent on regular claims days. On regular claims days they come up as a matter of right, and it is then not necessary to request unanimous consent.

Mr. MANN of Illinois. Mr. Speaker, for fear some one reading the RECORD—if the gentleman puts his remarks in the RECORD—might think that the incident which the gentleman related ever occurred, I want to say that it is purely the result of the gentleman's vivid imagination.

Mr. BLANTON. I was told that story by the distinguished gentleman from Wyoming, the great majority leader of this House, as a true incident in the history of this House.

Mr. MANN of Illinois. The gentleman makes the statement that he was told that by the gentleman from Wyoming?

Mr. BLANTON. Yes; the distinguished gentleman from Wyoming [Mr. MONDELL] told me that.

Mr. MANN of Illinois. I think that is another illustration of the gentleman's vivid imagination. I simply wish to say that that incident never occurred. Now, as a matter of fact, there are a very respectable number of Members of the House present, and a very high quality of membership of the House present, certainly not all of them interested in claims. I do not believe the gentleman from Texas has any claim on the calendar. I may be mistaken. I know I have none. I know too much to have one. I know many Members here who would hesitate long about introducing a private bill of any kind. I simply do not want people to get the impression that these bills are considered with no one here, after they have been reported from the committee, though I agree in many respects with the gentleman from Texas that Members with bills on the calendar are more numerously represented usually on Private Calendar day than Members without bills on the calendar.

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. MANN of Illinois. I yield to the gentleman from Ohio.

Mr. LONGWORTH. The gentleman from Texas has said, as he frequently says, that there are only a handful of Members present, and I suppose he would appeal for evidence of that to the record of the number who voted on the demand for a division. Now, I observed that there were a large number of gentlemen present who did not rise at the behest of the gentleman from Texas when he demanded the division.

Mr. BLANTON. If the gentleman will yield, I will test it the first time there is a vote, and we will see exactly how many there are here, and then, if it is necessary, I will have a roll call.

Mr. LONGWORTH. That is the gentleman's privilege, if he desires to delay the transaction of the public business.

Mr. BLANTON. I would like to ask the gentleman from Ohio what is his estimate as to the number of men here? Are there 100 men now on the floor? There certainly are not 100 men here out of the membership of 435.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Mr. BLANTON. Division, Mr. Speaker. I am sure that the Speaker pro tempore, who is an honest ex-judge, will give us a fair count.

The question was taken; and there were—ayes 71, noes none.

Accordingly the bill was ordered to be engrossed and read a third time and was read the third time.

Mr. LONGWORTH. I merely desire to remark, Mr. Speaker, that there were gentlemen who did not rise to vote.

Mr. BLANTON. Four in number. I counted them.

The SPEAKER pro tempore. This is all out of order. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. BEGG, a motion to reconsider the vote by which the bill was passed was laid on the table.

KING COAL CO.

The next business on the Private Calendar was the bill (H. R. 6077) directing the Secretary of the Treasury to pay the claim of the King Coal Co., of San Francisco, Calif.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Reserving the right to object, I notice that the committee has by an amendment proposed to send this matter to the district court of the United States for the northern district of California for an adjudication. Is that because the amount stated in the original bill was less than what the actual damage was?

Mr. ELSTON. No; it was not. The bill was introduced with certain evidence, which consisted mainly of the certificates of the various naval boards who estimated the damages and admitted the liability of the Government and recommended that the claim be paid. It was supposed that that evidence was sufficient for the committee to pass favorably on the bill. When the bill was introduced the regular request for a report from the Secretary of the Navy was made, and his letter comes in recommending that, in view of the fact that there was mixture of liability, it would be better to have the case tried in the United States court. It was my opinion on reading over the evidence that it was a clear case of liability upon the part of the Government.

Mr. WALSH. The gentleman has read the evidence?

Mr. ELSTON. I have read the findings of the Navy Board. Under the bill, the case goes to the district court for a regular trial on its merits. The claimant should be given his day in court, especially in view of the fact that the Secretary of the Navy practically admits in his letter that there is a liability.

Mr. WALSH. There is no sound basis in the contention that because a man has an accident or a collision, and the Secretary of the Navy says that the Navy Department is at fault, it does not necessarily follow that the Government should be sued or that we should consent to it. We just passed an act a few days ago, and I think we just corrected it by a concurrent resolution, which, of course, would not apply to this particular case; but I wanted to ask the gentleman with reference to this damage. He states that he has read the evidence. Was there any general concurrence in fixing the damages at $24,126.29?

Mr. ELSTON. My memory is that there was a bill of particulars setting forth all the items of damage, and that those items were checked by the Naval Board and found to be correct.

Mr. WALSH. And it was agreed upon?

Mr. ELSTON. That is my recollection. The gentleman realizes that the King Coal Co. is put to suit and must establish by due process of law what the damage was and whether the Government is liable.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the King Coal Co., of San Francisco, Calif., the sum of $21,126.29 in full compensation for the claim of the said King Coal Co. against the United States for the sinking by the United States submarine *R–19* of the barge *Ruth*, belonging to said King Coal Co.

The following committee amendment was read:

Page 1, strike out all of lines 3 to 10, inclusive, and insert the following: "That the claim of the King Coal Co., of San Francisco, Calif., owner of the barge *Ruth*, against the United States for damages alleged to have been caused by collision between the said barge and the United States submarine *R–19* in San Francisco Harbor, may be sued for by the said King Coal Co. in the District Court of the United States for the Northern District of California, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the King Coal Co., or against the King Coal Co. in favor of the United States upon the same principles and measures of liability as in

like cases in admiralty between the private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act."

Mr. WALSH. Mr. Speaker, I move to strike out the last word for the purpose of asking the gentleman from California a question. It says "upon the same principles and measures of liability as in like cases in admiralty between the private parties." Is not the word "the" surplusage?

Mr. ELSTON. I can not answer for this part of the bill. That is in the amendment proposed by the committee. I should say to strike out the word "the" would make it better.

Mr. WALSH. There are no other private parties involved in this accident according to the report, and that language would seem to refer to the parties involved in this litigation.

Mr. Speaker, I move to amend by striking out the word "the," on line 15, page 2, after the word "between."

The Clerk read as follows:

Page 2, line 15, strike out the word "the" after the word "between."

Mr. McKEOWN. Does not that language give a broader right; does it not extend the rule of negligence?

Mr. WALSH. It gives the King Coal Co. the right to sue the United States in admiralty under the same rules as would apply between private parties.

Mr. McKEOWN. That is all right; I did not know but that it extended the right.

Mr. WALSH. I do not think so.

Mr. BLANTON. Mr. Speaker, now that our friends who were called in from the cloakroom for counting a while ago have returned thereto, and our friends who claimed a while ago that they remained seated during the vote are no longer sitting or standing on the floor, and since the question was raised as to the number of our colleagues actually present, I want to say that this is a matter so easily discernible in a definite way that we should not quibble about it. If we have but a small number here, we ought to admit it. If you will exclude the Members of the Senate who happen to be present, if you will exclude the Sergeant at Arms and the Doorkeeper and the employees of the House, and count only the membership of this House right now, we have but 62 Members present, counting the Acting Speaker, by actual count. What is the use of quibbling about that? Of course, when I raised the question a while ago and we had a count on a division, Members were called in from the cloakrooms. They always respond when they are called, because they are patriotic; but when we have but 62, why claim a greater number; why not admit it?

Mr. TINCHER. Mr. Speaker, the gentleman surely does not want to exclude the Senators present.

Mr. BLANTON. They do not count on a vote. They outvote us at the other end of the Capitol, and the gentleman from Kansas certainly ought not to want to include them here also.

Mr. TINCHER. I am quite sure they would not exclude us if we were to go over there.

Mr. BLANTON. I know that you gentlemen in the majority do not like to admit that you can not keep a quorum here on even private claim day. The gentleman from Illinois [Mr. MANN] endeavored to eliminate all of the intended facetiousness out of my joke a while ago by claiming that it was imagination on my part or on the part of the gentleman from Wyoming. Why, the gentleman from Wyoming has not any imagination to speak of. He is one of these serious, matter-of-fact statesmen, if you please, and he was the author of that joke. I was merely repeating what he told me. The gentleman from Illinois [Mr. MANN] is really with me on this question, as is the gentleman from Massachusetts [Mr. WALSH], and my other colleagues ought to be with me. If there are private claims which ought not to be passed, we ought to have a sufficient number of the membership of the House present who are not interested in them to keep them from passing.

Mr. EDMONDS. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. The distinguished gentleman from Illinois [Mr. MANN] used to be one of the most careful watchers of these claims that I ever heard of. Why, I used to read his objections to these claims in the RECORD long before I ever thought of Congress.

Mr. EDMONDS. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. EDMONDS. I am with the gentleman also.

Mr. BLANTON. I am sure the gentleman is, because the distinguished chairman of this committee in this Congress has kept down bill after bill from being reported in his committee against which during the last—Sixty-fifth—Congress I filed minority reports. I admire him and commend him for it. He has kept them down. The gentleman from Minnesota [Mr. STEENERSON] assumes jurisdiction of certain bills, as if only small bills ought to come before this committee. The distinguished chairman of the Claims Committee remembers that in the Sixty-fifth Congress we had one bill which totaled $101,000,000 before our committee, against which bill I filed a minority report, and he has kept it from being reported so far, and I commend him for it.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired. The question is on the amendment of the gentleman from Massachusetts to the committee amendment.

The amendment to the amendment was agreed to.

The SPEAKER pro tempore. The question now is on the committee amendment as amended.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows:

A bill for the relief of the King Coal Co., of San Francisco, Calif.

On motion of Mr. ELSTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

JOSE RAMON CORDOVA.

The next business on the Private Calendar was the bill (H. R. 1034) for the relief of Jose Ramon Cordova.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, in this bill and the succeeding bill it is asked that certain money be appropriated from the Treasury of the United States for the payment, in the first bill, to Jose Ramon Cordova, and in the second bill I believe to the widow of the gentleman named Akin for certain damages inflicted by members of the Piute Tribe of Indians. What I would like to have information about is whether there is not a liability on the part of this Piute Tribe of Indians and no liability on the part of the United States.

Mr. TAYLOR of Colorado. Mr. Speaker, my understanding from the Commissioner of Indian Affairs is that this Piute Band, as they are called, is a renegade band of Indians, that they have no funds and no responsibility, and that there is no way of collecting any money from them.

Mr. GARD. There is no such report as that. I notice that there are two affidavits here on pages 2 and 3 of the report. One is the affidavit of Cordova, in which he prays judgment and damages in the sum of $5,000 and attorney fees in the sum of $1,000 against the United States and against the Southern Ute Indians and the Piute Indians, and in it he appoints one Cofield, of Cortez, Colo., as his attorney to prosecute the claim. The same thing appears in the affidavit of Cordova, on page 3 of the report, appointing Cofield as his true and lawful attorney to appear for him and in his name. Now, I think that these men should be——

Mr. TAYLOR of Colorado. I would like to make a brief statement concerning this matter.

Mr. GARD. I would be glad to permit a statement. What I want to know about is that we should have some information from the Department of the Interior regarding these Piute Indians, because I can not see why if a band of Indians, or a member or members of a band of Indians, to whom the Government is continuing to give money, kill a white man, a man called in a posse for the purpose of arresting an Indian murderer, why if there be any liability the liability should not be from those persons and not from the General Government?

Mr. TAYLOR of Colorado. Mr. Speaker, the beginning of this matter was back in 1914, when a Mexican was believed to have been murdered by one of a small band of renegade Indians, and in February of 1915 there was a complaint made and warrant issued and put in the hands of the United States marshal of the State of Utah to go out and arrest an Indian by the name of Tse-ne-gat, nicknamed Hatch, for this murder. The Indian was sent word to come in, but instead of that he and others went out in the hills, hid in the rocks, and refused to be arrested. The United States marshal went down into that country in southeastern Utah to arrest the Indian. The marshal had this warrant and he was properly empowered, as the Federal officials say in their report, to make the arrest. He appointed a number of men as a posse for the purpose of assisting him in making this arrest. The Indians resisted arrest and in this attempt to arrest the Indian there was a running-fire fight, lasting some two or three hours, and a great many shots fired, and a man by the name of Joseph C. Akin was killed and another

man by the name of Jose Ramon Cordova was shot through the left arm and through the lungs, through the body, and it came out on the other side. The statement of the physician and officials is as follows:

EXHIBIT C.

CERTIFICATE.

STATE OF COLORADO,
County of Montezuma, ss:

In re claim of Jose Ramon Cordova:

This is to certify that I am a regular practicing physician and surgeon and was in the month of February, 1915, such practicing physician and surgeon; that I am a graduate of the Chicago College of Medicine and Surgery.

That I attended professionally one Joseph Ramon Cordova at Bluff, Utah, who was wounded in the Indian uprising and fusillade at that place on or about February 21, 1915; that he was then suffering from a bullet wound of a 30–30 caliber shot, passing through his left arm, severing the musculospiral nerve, causing paralysis of the arm. It then penetrated the left thoracic cavity, piercing the lung, passing into the right pleural cavity and out on the posterior border of the right axilla. This was a very serious wound and only prompt and skilled service could have saved his life, as a marked degree of infection set in and he was in a serious condition for a long time. The paralysis is still present and it is a doubt in my mind if he ever will have the proper use of his arm and hand.

EMIL E. JOHNSON.

Subscribed and sworn to before me this 18th day of November, 1916.
[SEAL.] FRANK L. MILLER,
Notary Public.

My commission expires February 5, 1917.

EXHIBIT D.

AFFIDAVIT.

STATE OF UTAH,
County of Salt Lake, ss:

In re claim of Jose Ramon Cordova for damages on account of injuries inflicted by Piute Indians:

Aquila Nebeker, being first duly sworn, on his oath deposes and says that he is United States marshal for the State and district of Utah, and was such United States marshal and officer of the United States at the time of the Piute Indian uprising in the State of Utah on or about February, 1915. That as such officer he deputized J. N. Gingles, of Cortez, Colo., to take command of a posse to capture the renegade Piutes, among which were Tse-ne-gat, Polk, and Posey and others of said band. That among others duly and regularly appointed in said posse was one Jose Ramon Cordova. That on or about February 21, 1915, there was an encounter between said posse men under command of said J. N. Gingles and the said renegade Piute Indians, in which said Jose Ramon Cordova was shot by said renegade Piute Indians, or some one of them, and severely wounded, the ball passing through his, said Jose Ramon Cordova's, right shoulder and the upper part of his lungs and out under his left arm, inflicting a severe and dangerous wound upon his person, on account of which wounding and shooting as stated his life was despaired of, and from the effects of which wounding affiant believes that said Jose Ramon Cordova will never fully recover. That said gunshot wound was received by said Jose Ramon Cordova while in the line of duty, acting under authority and by order of the United States.

AQUILA NEBEKER.

Subscribed and sworn to before me this 21st day of June, 1916.
[SEAL.] JOHN W. CHRISTY,
Notary Public, Salt Lake County, Utah.

My commission expires July 1, 1918.

EXHIBIT E.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, January 22, 1917.

Hon. E. W. POU,
Chairman Committee on Claims, House of Representatives.

MY DEAR CONGRESSMAN: In reply to your communication of the 6th instant, inclosing, for report thereon, copy of H. R. 18809, Sixty-fourth Congress, second session, "A bill for the relief of Jose Ramon Cordova," proposing an appropriation of $5,000 to Jose Ramon Cordova for injuries received while serving as deputy marshal at Bluff City, Utah, I have the honor to transmit herewith copy of a report of the Auditor for the State and Other Departments of the 10th instant, stating that said Cordova was employed from February 17 to March 9, 1915, and that the account of Aquila Nebeker, United States marshal, district of Utah, for the quarter ended June 30, 1915, shows that Jose Ramon Cordova was employed as one of a number of posse men engaged in assisting to arrest an Indian named Tse-ne-gat, alias Everett Hatch, indicted for murder by a Federal grand jury in the district of Colorado.

The auditor calls attention to House Report No. 137, Sixty-fourth Congress, first session, on H. R. 5729, for the relief of Dr. E. E. Johnson, in which it is stated that Jose Ramon Cordova was seriously wounded February 21, 1915, while in the discharge of his duty and was under the constant care of Dr. Johnson for 26 days thereafter.

It is suggested that the Department of Justice may have information relating to the case.

Very truly, yours, W. G. MCADOO, *Secretary.*

EXHIBIT F.

OFFICE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS,
January 10, 1917.

HONORABLE SECRETARY OF THE TREASURY,
Division of Bookkeeping and Warrants.

SIR: In reference to House bill No. 18809, for the relief of Jose Ramon Cordova, of Cortez, Colo., in the sum of $5,000, I have the honor to submit the following report:

It appears from the account of Aquila Nebeker, United States marshal, district of Utah, for the quarter ended June 30, 1915, that Jose Ramon Cordova was employed by the said marshal under proper authority as one of a number of posse men engaged in assisting to arrest, near Bluff, Utah, an Indian named Tse-ne-gat, alias Everett Hatch, indicted for murder by a Federal grand jury in the district of Colorado.

The said Cordova was employed from February 17 to March 9, 1915, inclusive, and was paid the sum of $105, at $5 per day, for his services for that period, and his actual expenses in addition, which sums were paid by Marshal Nebeker.

It further appears from the report (H. Rept. 137, 64th Cong., 1st sess.) on the bill (Private, No. 94, 64th Cong., H. R. 5729) for the relief of Dr. E. E. Johnson, that the said Cordova was seriously wounded on February 21, 1915, while in the discharge of his duty and was under the constant care of Dr. Johnson for 26 days thereafter.

The papers are herewith returned.

Respectfully, E. D. HEARNE, *Auditor.*

Cordova was at the point of death for some 26 days, under the care of a physician, and he never will be able to do any hard work any more. His arm was paralyzed a year after, and I understand he is in that condition yet. He has a wife and four little children. It was a very tragic matter. The War Department sent out one of the generals of the Army from Washington—Gen. Scott, I believe it was—to suppress these Utes and bring them in, and there was a large amount of expense and excitement connected with it. The people in that country evidently supposed that a claim of this kind would have to be presented to the Court of Claims, possibly, and the lawyer would have to come to Washington and present the matter, and that there was a great deal of formality about it. They afterwards found that the Interior Department and the Bureau of Indian Affairs said there was no way a claim of that kind could be put upon the Indians; that it must be presented to Congress and that was their only relief, and for that reason, while this attorney never had anything to do with the matter here, I will say to the gentleman from Ohio I am perfectly willing, and the gentleman from Utah, who knows all about these facts, has an amendment prepared that no part of this money shall be paid to any attorney at all. I might say further that they asked for $5,000 in this case, and in the next case also, for the widow of the man killed, but the committee has cut it down from $5,000 to $3 a day for one year, or $1,095. I do not know why they cut it down to $3 a day, because the United States auditor and the Treasurer in their reports, page 4, say that these deputy marshals were receiving $5 a day. Strictly speaking, under the rule of the House, we have for years and years when there was a death or an accident of this kind existing in the employment of Government service, when deputy marshals were duly empowered, duly appointed, when a death or accident occurred allowed a salary of one year. However, they have cut that down to $3, and made the amount $1,095.

I may say this bill was reported in the last Congress, and, as I recall it now, the gentleman from Illinois [Mr. MANN] asked for further information. After his suggestion I got the report of the Attorney General, and the Secretary of the Treasury, and the auditor, all of them, and added it to the report, and, as I understand it—at least, he told me to-day—it satisfied him, and I assumed that that would be perfectly satisfactory to the House, as the Claims Committee had reported out this sum twice. I do feel that they ought to be allowed $5,000, but I have not seriously objected to it, because it is only $1,095 for a widow, Mrs. Akin, that was left penniless, and with one little girl three or four years old, and this man Cordova is paralyzed and very seriously injured for life, and has a wife and four young children, and to give them only $1,095 it seems to me is a very small amount. I feel it is not right for the sum to be cut from $5,000 in both cases to $1,095. But that is the amount the committee reported, and that is the amount they reported the last time, and I certainly hope that inasmuch as this matter has been pending here a long time, and that the widow and this man have been without recognition for so long, the bill ought to meet with the approval of the House at this time. I certainly hope that neither the gentleman from Ohio nor any other gentleman will object to the consideration of this measure. I have tried to pass this bill for several years, and it is a very small amount for the loss which they have sustained in loyally rendering an enforced service to the Government of the United States.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. GARD. Reserving the right to object, there being no information furnished in the very meager report as to why this particular amount, $1,095, as the gentleman from Colorado says, could not be assessed against the tribe of Indians, or at least taken up by some apportionment by the Government, because they were interested in the depredations, and it is they who injured this man, I am constrained to object.

Mr. WELLING. Will the gentleman withhold the objection for a moment?

Mr. GARD. I will if I am guaranteed any amendment that will protect that.

Mr. WELLING. I can assure the gentleman this is a small band of Indians that has no tribal funds at all. There are tribal funds belonging to the Ute and Uncompahgre Bands in eastern Utah, but these Indians are 300 miles from those people. They are a segregated band of renegade Indians that

never have in the past subjected themselves to the provisions of the Government and gone onto a reservation.

Mr. GARD. I do not question the gentleman's statement at all.

Mr. WELLING. They have absolutely no tribal funds.

Mr. GARD. The gentleman is well informed about Indian affairs——

Mr. WELLING. I would like to ask the gentleman a question in this connection.

Mr. GARD. Certainly.

Mr. WELLING. How in the world could he hold a tribe responsible for a murder committed by a member of the tribe, even if they had funds. The gentleman would not want the members of a white community to be held responsible for a murder committed by a white man simply because he lived in that community?

Mr. GARD. That is what you are doing. You are making the Government of the United States responsible. When this matter is presented as a claim of $5,000 against the United States and against the Southern Ute Indians, what I want to know is why the claim can not be paid by the Southern Ute Indians?

Mr. WELLING. The gentleman is basing his information on data prepared by an attorney in this case. The attorney brings in the Government of the United States and these particular Ute Indians. You might bring in a hundred other people, but that does not affect the validity of the claim at all.

As a matter of fact, the United States marshal went out and told them to get the outlaws, three or four men who had been creating the entire disturbance, and had fortified themselves, and these deputy marshals went after the renegade Indians and were killed in the discharge of their duty just as much——

Mr. BEE. Will the gentleman yield for a question?

Mr. WELLING. Yes.

Mr. BEE. In view of the suggestion of the gentleman from Ohio, if this Congress does not allow to these people the claim that the committee has recommended, is there any tribunal upon the face of the earth from which these people will ever get any relief?

Mr. WELLING. There is none.

Mr. BEE. Then why should not the Congress give that relief when there is no one else that can possibly give it?

Mr. GARD. I have no objection to Congress giving relief. I know that Congress is passing upon all these private claims. What I want is to have some information from the Secretary of the Interior regarding these Southern Ute Indians and their responsibility and their tribal responsibility, if any. For that reason I object.

Mr. WELLING. They can have no tribal responsibility.

The SPEAKER. Objection is made. The Clerk will report the next bill.

WIDOW OF JOSEPH C. AKIN.

The next business in order on the Private Calendar was the bill (H. R. 1035) for the relief of the widow of Joseph C. Akin.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. That is practically the same case. I object.

The SPEAKER. Objection is made. The Clerk will report the next one.

CAPT. E. V. DICKSON.

The next business in order on the Private Calendar was the bill (H. R. 9840) for the relief of Capt. E. V. Dickson.

The title of the bill was read.

The SPEAKER. Is there objection to the consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Capt. E. V. Dickson, One hundred and thirty-second Regiment United States Infantry, the sum of $474.80, out of any money in the Treasury not otherwise appropriated, to reimburse the said Capt. E. V. Dickson for the sum of $474.80, United States currency, which was stolen from the said Capt. E. V. Dickson, without fault or neglect on his part, while he was captain, One hundred and thirty-second United States Infantry, and acting disbursing officer at St. Maurice, France, and which said sum the said E. V. Dickson has since paid into the Treasury of the United States in discharge of his liability as such disbursing officer.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FOCHT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

G. T. AND W. B. HASTINGS.

The next business in order on the Private Calendar was the bill (H. R. 7567) for the relief of G. T. and W. B. Hastings, partners trading as Hastings Bros.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, if we pass any more bills to-day it will take all day to-morrow to read the Journal. How much longer does the gentleman propose to sit?

Mr. EDMONDS. I think the gentleman would like to have a recess of an hour to-morrow while the Clerk is reading the Journal.

Mr. BLANTON. Will the gentleman move to adjourn at 5 o'clock?

Mr. EDMONDS. Yes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the claim of G. T. and W. B. Hastings, partners trading as Hastings Bros., and doing business in the city of Norfolk, Va., owners of the steam water boat *Iola*, against the United States for damages alleged to have been caused by collision between the said steam water boat and the U. S. tug *Hercules* in Elizabeth River on the 3d day of April, 1919, may be sued for by the said Hastings Bros. in the District Court of the United States for the Eastern District of Virginia, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the said Hastings Bros., or against the said Hastings Bros. in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. EDMONDS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

EDWARD S. FARROW.

The next business in order on the Private Calendar was the bill (S. 2259) for the relief of Edward S. Farrow.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, Mr. Speaker, is there any report from the Committee on Military Affairs on this bill?

Mr. EDMONDS. I can not answer that.

Mr. WALSH. There is printed report No. 587.

Mr. GARD. Yes; I have that in my hand. The report I intended to ask for was from the Committee on Military Affairs. Is there anyone present from that committee, so that it could be explained? If not, I shall ask that it be temporarily passed over.

The SPEAKER. The gentleman from Ohio asks that the bill be temporarily passed over. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

LEAVENWORTH BRIDGE CO.

The next business in order on the Private Calendar was the bill (H. R. 12015) for the relief of the Leavenworth Bridge Co., of Leavenworth, Kans.

The title of the bill was read.

Mr. EDMONDS. Mr. Speaker, I ask that the bill be passed over. The gentleman from Kansas [Mr. ANTHONY], the author of the bill, is not here.

Mr. WALSH. I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. I object.

The SPEAKER. Objection is made. The Clerk will report the next one.

BLACKFEET INDIAN RECLAMATION PROJECT.

The next business on the Private Calendar was the bill (S. 1329) to authorize the Secretary of the Interior to acquire certain Indian lands necessary for reservoir purposes in connection with the Blackfeet Indian reclamation project.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to expend the sum of $5,944.93 from any money now available for construction of irrigation systems on the Blackfeet Reservation, in Montana, in the purchase of lands embraced in the allotments of George W. Cook and David La Breche, described as lots 3 and 5, section 27, and lots 1 and 2, section 34, township 32 north, range 13 west, in consideration of the relinquishment by the allottees of all their right, title, and interest in and to said lands, and of their right to select lieu land under the provisions of section 14 of the act of June 25, 1910 (36 Stat. L., pp. 855, 859), and the release of all their claims whatsoever against the United States or the Blackfeet Tribe of Indians by reason of said lands being required for reservoir purposes in connection with the irrigation system on the aforesaid Indian reservation.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. EVANS of Montana, a motion to reconsider the vote by which the bill was passed was laid on the table.

V. E. SCHERMERHORN, E. C. CALEY, G. W. CAMPBELL, AND PHILIP HUDSPETH.

The next business in order on the Private Calendar was the bill (S. 1330) for the relief of V. E. Schermerhorn, E. C. Caley, G. W. Campbell, and Philip Hudspeth.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. I object. If the gentleman from Kansas desires to make a statement, I will reserve my objection.

Mr. STRONG of Kansas. Mr. Speaker, this is a claim for the destruction of farm property and an orchard by a fire caused by soldiers at Fort Riley, the farmers living near the reservation of the fort. The principal claim is for about 12½ acres of orchard, on which there were 637 trees actually destroyed, the trees being about 8 to 10 years old. A fair estimate of their value was $10 a tree. The officers themselves made an investigation and reported the damage to be about $4,200. Then they counted the trees after the farmer had dug them up, and found 625 trees, which they found to be worth about $2,700. The bill has been pending for several years. The farmer went in debt to buy his farm, and it was a very severe loss to him, as the orchard was expected to help meet the payments. He has waited all these years for his money. The committee have now recommended the $2,700, being the last amount reported, and, rather than wait any longer, he has decided to accept that amount. I think the small amount that has been allowed him ought to be paid.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, further reserving the right to object, is he still living there on the same farm?

Mr. STRONG of Kansas. He is still living there on the same farm.

Mr. WALSH. What did these other farmers lose?

Mr. STRONG of Kansas. Mr. Schermerhorn is the man who lost the largest amount. The other farmers did not lose so much. There is no dispute about the amount they lost. The fire occurred in 1908.

Mr. WALSH. Mr. Schermerhorn is the man who lost the orchard?

Mr. STRONG of Kansas. He lost over 12 acres of bearing orchard.

Mr. WALSH. Two hundred and twenty-five dollars an acre, and 28 bushels of apples at 40 cents. Is he willing to accept this amount as his loss?

Mr. STRONG of Kansas. He is willing to accept that, it being what the Senate reported.

Mr. WALSH. Of course, this amount was very much larger when it was reported in former Congresses. I doubt the propriety of our passing claims for injuries such as this, the result of a fire getting away from soldiers, but it is possible that if this goes over for another session or two we can still further cut down this amount. I see it is gradually shrinking as the result of continued consideration by the committee.

Mr. STRONG of Kansas. Let me say to my colleague that the actual loss was over 600 bearing apple trees on 12 acres of ground, and his damage was undoubtedly $6,000 or $7,000. He put in a bill for just exactly what the agricultural college told him that the trees were worth. Then they submitted it to the officers, who reported $4,243 as the amount of the damage. Then reported again at $2,767. The Senate has finally passed it at $2,767. As he has waited all these years he is willing to take that rather than wait any longer, and it does not seem to me it is fair to keep him waiting longer. I hope my colleague will not object.

Mr. WALSH. I regret that I do not think we ought to pay this sort of a claim. So I will object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

HOUSE BILL WITH SENATE AMENDMENT REFERRED.

Under clause 2 of Rule XXIV, House bill (H. R. 1865) for the relief of the Baltimore Dry Dock & Shipbuilding Co., owner of a dry dock at Baltimore, Md., with Senate amendment, was taken from the Speaker's table and referred to the Committee on Claims.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12954. An act providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food;

H. R. 946. An act for the relief of James A. Showen;

H. R. 12467. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 5346. An act for the relief of the Eastern Transportation Co.;

H. R. 1317. An act for the relief of Robert T. Legge; and

H. R. 909. An act for the relief of Ellen Agnes Monogue.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed joint resolution and bill of the following titles:

On March 23, 1920:

H. J. Res. 299. Joint resolution extending the term of the National Screw Thread Commission for a period of two years from March 21, 1920.

On March 24, 1920:

H. R. 11309. An act to authorize the Secretary of the Treasury to fix compensation of certain laborers in the Customs Service.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GRIFFIN, for three days, on account of important business.

To Mr. ECHOLS, for three days, on account of business.

To Mr. MACGREGOR, indefinitely, on account of illness in his family.

To Mr. BANKHEAD, indefinitely, on account of important business.

To Mr. BARBOUR, for three days, on account of important business.

To Mr. GARRETT, indefinitely, on account of illness in his family.

ABSENCE OF A QUORUM.

Mr. GARD. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Ohio makes the point of order that no quorum is present. Evidently there is no quorum present.

ADJOURNMENT.

Mr. EDMONDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Friday, March 26, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting communication submitting estimates of appropriation required by the American Printing House for the Blind (H. Doc. No. 699); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication submitting supplemental estimate of appropriation required for repairs at the main power plant of the Columbia Institution for the Deaf (H. Doc. No. 700); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GARLAND, from the Committee on Mines and Mining, to which was referred the bill (H. R. 13091) to provide further for the relief of war minerals producers, and to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, reported the same without amendment, accompanied by a report (No. 762), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE, from the Committee on the Library, to which was referred the joint resolution (H. J. Res. 302) authorizing an appropriation for the participation of the United States in the observance of the three hundredth anniversary of the landing of the Pilgrims at Provincetown and Plymouth, Mass., reported the same with an amendment, accompanied by a report (No. 765), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DYER, from the Committee on the Judiciary, to which was referred the resolution (H. Res. 501) authorizing and directing the Attorney General to investigate the price of oil and report to the House of Representatives, reported the same with amendments, accompanied by a report (No. 763), which said resolution and report were referred to the House Calendar.

Mr. ELSTON, from the Committee on the Public Lands, to which was referred the bill (H. R. 5006) to add certain lands to the Sequoia National Park, Calif., and to change the name of said park to Roosevelt National Park, reported the same with amendments, accompanied by a report (No. 764), which said bill and report were referred to the House Calendar.

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (H. R. 12466) authorizing the granting of certain irrigation easements in the Yellowstone National Park, and for other purposes, reported the same with amendments, accompanied by a report (No. 767), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVIS of Minnesota, from the Committee on Appropriations, to which was referred the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, reported the same without amendment, accompanied by a report (No. 768), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the bill (H. R. 12502) providing for a report on the cost of improving and maintaining the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park, reported the same without amendment, accompanied by a report (No. 769), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 13161) granting an increase of pension to Ralph Waite; the Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13256) for the relief of Gill I. Wilson; Committee on Military Affairs discharged, and referred to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. MADDEN: A bill (H. R. 13257) to incorporate the American Volunteers of the Canadian Expeditionary Forces; to the Committee on the Judiciary.

By Mr. DENT: A bill (H. R. 13258) to recognize the services of certain officers and enlisted men of the National Guard or Organized Militia of the several States and Territories and the District of Columbia during the War with Spain; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 13259) to amend sections 404, 406, and 407 of Title IV of the revenue act of 1918; to the Committee on Ways and Means.

By Mr. CURRY of California: A bill (H. R. 13260) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii; to the Committee on the Territories.

By Mr. FULLER of Massachusetts: A bill (H. R. 13261) to provide for weekly pay days for postal employees; to the Committee on Expenditures in the Post Office Department.

By Mr. McFADDEN: A bill (H. R. 13262) to prohibit the destruction of gold and subsidiary silver coins of the United States and of foreign gold or silver coins which have been made lawfully current and are in circulation as money within the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. HUTCHINSON: A bill (H. R. 13263) donating a captured German cannon or fieldpiece to the town of Robbinsville, county of Mercer, State of New Jersey, for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. GREENE of Massachusetts: A bill (H. R. 13264) to provide for the award of a medal of merit to the personnel of the merchant marine of the United States of America; to the Committee on the Merchant Marine and Fisheries.

By Mr. LEHLBACH: A bill (H. R. 13265) to provide for the improvement of navigable rivers and harbors; to the Committee on Rivers and Harbors.

By Mr. DAVIS of Minnesota: A bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes; to the Committee of the Whole House on the state of the Union.

By the SPEAKER: Memorial of a group of Americans in Warsaw, Poland, urging America to send relief to the starving people of Poland; to the Committee on Ways and Means.

By Mr. CULLEN: Memorial of the Senate of the State of New York, protesting against the proposed St. Lawrence Ship Canal project; to the Committee on Interstate and Foreign Commerce.

By Mr. GOULD: Memorial of the Legislature of the State of New York, protesting against any Federal action toward Americans' financial aid in the construction of the Canadian ship canal via the St. Lawrence route; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFIN: Memorial of the Legislature of the State of New York, opposing the proposed St. Lawrence Ship Canal project; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 13267) granting an increase of pension to Samuel Wagoner; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 13268) granting an increase of pension to Mary E. Dodds; to the Committee on Invalid Pensions.

By Mr. DOMINICK: A bill (H. R. 13269) granting a pension to Jefferson H. Murray; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 13270) granting an increase of pension to John Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13271) granting an increase of pension to Frank H. Bruce; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 13272) granting a pension to Mary Bowser; to the Committee on Pensions.

By Mr. HILL: A bill (H. R. 13273) granting an increase of pension to Mary J. Norman; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 13274) to convey to the Big Rock Stone & Construction Co. a portion of the military reservation of Fort Logan H. Roots, in the State of Arkansas; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 13275) granting a pension to Frank Arnett; to the Committee on Pensions.

By Mr. LEHLBACH: A bill (H. R. 13276) for the relief of Nunzio Viola; to the Committee on Claims.

By Mr. PADGETT: A bill (H. R. 13277) granting an increase of pension to Albert Riley; to the Committee on Invalid Pensions.

By Mr. PARRISH: A bill (H. R. 13278) granting a pension to Calvin S. Hines; to the Committee on Pensions.

By Mr. RAMSEY: A bill (H. R. 13279) granting an increase of pension to Gilbert J. Jackson; to the Committee on Pensions.

By Mr. REED of West Virginia: A bill (H. R. 13280) granting an increase of pension to Taylor R. Dodrill; to the Committee on Pensions.

By Mr. RICKETTS: A bill (H. R. 13281) granting a pension to Peter Crosby; to the Committee on Pensions.

Also, a bill (H. R. 13282) granting an increase of pension to Laura A. McCormick; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 13283) granting an increase of pension to Elijah W. Sorber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13284) granting an increase of pension to Levi Maule; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 13285) granting a pension to Mary I. Carey; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 13286) granting an increase of pension to Hiram Strayer; to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 13287) granting an increase of pension to John House; to the Committee on Invalid Pensions.

By Mr. BUTLER: Resolution (H. Res. 504) authorizing the payment of $1,000 to John C. Pugh for extra and expert services to the Committee on Naval Affairs during the first and second sessions of the Sixty-sixth Congress; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2570. By Mr. FULLER of Illinois: Petition of McNeil & Higgins Co., of Chicago, favoring the 1-cent drop postal service; to the Committee on the Post Office and Post Roads.

2571. Also, petition of the American Home Economies Association, favoring the Fess bill, House bill 12078; to the Committee on Education.

2572. Also, petition of the Illinois State Federation of Labor, in favor of increased pay for the Steamboat-Inspection Service; to the Committee on Appropriations.

2573. By Mr. HERNANDEZ: Petition of Chester L. Thompson Post of the American Legion, of Fort Bayard, N. Mex., favoring the passage of the Kahn bill, House bill 11848; to the Committee on Military Affairs.

2574. By Mr. HULL of Tennessee: Petition of ex-service men of Putnam County, Tenn., favoring adjusted compensation and other legion proposals; to the Committee on Ways and Means.

2575. By Mr. JAMES: Petition of the Upper Peninsula Development Bureau, of the upper peninsula of Michigan, favoring passage of House bill 11641, the fabric bill; to the Committee on Interstate and Foreign Commerce.

2576. By Mr. McGLENNON: Petition of Guglielmo Lodge 24, Sons of Italy, favoring the Mason resolution in connection with Irish freedom; to the Committee on Foreign Affairs.

2577. By Mr. MOONEY: Petition of sundry citizens of the State of Ohio, favoring the passage of the Raker bill, House bill 1112; to the Committee on the Judiciary.

2578. Also, petition of sundry citizens of the State of Ohio, favoring the passage of the Lehlbach-Sterling bills for retirement of civil-service employees; to the Committee on Reform in the Civil Service.

2579. Also, petition of City Council of Cleveland, Ohio, favoring a $50 per month bonus for each month of service during the war for ex-service men and women; to the Committee on Ways and Means.

2580. By Mr. MURPHY: Memorial of St. Clair Grange, urging passage of "truth-in-fabric" bill; to the Committee on Interstate and Foreign Commerce.

2581. By Mr. O'CONNELL: Petition of the Crockery Board of Trade of New York and the Thompson Milling Co., of Lockport, N. Y., favoring enactment of 1-cent rate on drop letters; to the Committee on the Post Office and Post Roads.

2582. Also, petition of B. Boley, of Brooklyn, N. Y., favoring improvements in the merchant marine; to the Committee on the Merchant Marine and Fisheries.

2583. By Mr. PETERS: Petition of Milton O'Dean and 442 other employees of the Edwards Manufacturing Co., of Augusta, Me., in favor of the daylight saving law; to the Committee on Interstate and Foreign Commerce.

2584. By Mr. SNYDER: Petition of various Polish organizations in the thirty-third New York district, opposing the depriving of foreign-language newspapers of the second-class mail rates; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, *March 26, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that the whole process of our national life and Government is in accord with the spirit of prayer, that we have never withdrawn ourselves from Thee, that we have ever sought Thy guidance and direction, and we have ever received Thy blessing. We desire to put ourselves in the hands of the great God, whose mind and heart and hand govern the affairs of the whole universe, that we may be in accord with Thy divine plan and work out a system of life that will be pleasing in Thy sight and accomplish the divine purpose and will in us. We ask Thy guidance to-day. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 26, 1920.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. CHARLES CURTIS, a Senator from the State of Kansas, to perform the duties of the Chair during my absence.

ALBERT B. CUMMINS,
President pro tempore.

Mr. CURTIS thereupon took the chair as Presiding Officer for the day.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills:

S. 696. An act to carry out the findings of the Court of Claims in the case of Frank S. Bowker;

S. 1329. An act to authorize the Secretary of the Interior to acquire certain Indian lands necessary for reservoir purposes in connection with the Blackfeet Indian reclamation project;

S. 2257. An act for the relief of George B. Hughes;

S. 2343. An act for the relief of Capt. Frederick B. Shaw;

S. 2440. An act for the relief of the estate of John M. Lea, deceased; and

S. 2709. An act authorizing the Secretary of the Interior to issue patent to school district No. 8, Sheridan County, Mont., for block 1, in Wakea town site, Fort Peck Indian Reservation, Mont., and to set aside one block in each town site on said reservation for school purposes.

The message also announced that the House had passed the bill (S. 3472) for the relief of the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J., with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the concurrent resolution of the Senate authorizing the Secretary of the Senate, in the enrollment of the bill (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters, to strike out, on page 2, line 15, of the engrossed bill, the word "fault" and insert "default" in lieu thereof.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 1790. An act for the relief of John K. Ashley, jr.;

H. R. 1827. An act for the relief of Carolyn Wheeler Kobbe;

H. R. 3212. An act for the relief of legal representative of George E. Payne, deceased;

H. R. 3984. An act for the relief of Thomas Bayton and Bertha M. Hartt;

H. R. 6077. An act for the relief of the King Coal Co., of San Francisco, Calif.;

H. R. 6414. An act for the relief of Herman W. Schallert;

H. R. 7567. An act for the relief of G. T. and W. B. Hastings, partners, trading as Hastings Bros.;

H. R. 8647. An act for the relief of the owners of the American schooner *William H. Sumner;*

H. R. 9583. An act for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station, and located at Nos. 621 and 623 First Avenue north, in said city;

H. R. 9615. An act authorizing the Secretary of the Interior to correct an error in an Indian allotment;

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias;

H. R. 9840. An act for the relief of Capt. E. V. Dickson;

H. R. 9904. An act for the relief of Forrest R. Black;

H. R. 10115. An act for the relief of Harvey R. Butcher; and

H. J. Res. 215. A joint resolution authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel, September 26, 1918, to receive pay and allowances that would have accrued to said officers.

PETITIONS AND MEMORIALS.

Mr. CALDER. I present resolutions adopted by citizens of Oswego, N. Y., at a mass meeting, held March 17, 1920, at St. Johns Hall, urging the recognition of the republic of Ireland. I ask that the resolutions be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

MEETING OF THE CITIZENS OF OSWEGO, N. Y., ON MARCH 17, 1920, AT ST. JOHNS HALL.

"Whereas under a decree of the British Government and at a time chosen by the British prime minister general elections were held in every one of the election districts throughout the republic of Ireland by ballot, on the basis of adult suffrage, in the month of December, 1918, such election being conducted under conditions which were conceived to operate in securing an unfavorable result to the republic and in favor of Great Britain; and

"Whereas under the most unfavorable circumstances which could possibly be arranged by the said election of December, 1918, out of a total of 101 representatives 72 stood unequivocally for an independent Irish republic and 6 others were self-determinationists, or a majority of 3½ to 1 against union with Great Britain; and

"Whereas the results of the said election of December, 1918, conclusively showed that of the 32 counties in Ireland in no one county was an entirely unionists representation elected and in only 4 did the unionists poll even a majority, but that the republicans polled a majority in 27 counties and secured the entire representation in 24 counties, all of the foregoing indicating unmistakably the will of the Irish people; and

"Whereas after four years of the most terrible conflict known since creation the right of self-determination of small nations has been conceded and the hand of tyranny has been stayed, God willing, for all time, and this God-given right of self-determination having been demanded by the Irish people through the ballot in the election of December, 1918, the means adopted by Great Britain to justify her tyranny before the civilized world: Now be it

"*Resolved*, That it is the sense of this meeting of the people of the city of Oswego, N. Y., here assembled that the Government of the United States, through its duly credited authorities, should officially recognize the republic of Ireland and that its people are and of right should be free and independent; and be it further

"*Resolved*, That we here assembled indorse and unqualifiedly request that the Mason bill, so called, now before the House of Representatives of the United States, be passed and become a law; and be it further

"*Resolved*, That copies of this resolution be forwarded to Hon. Woodrow Wilson, President of the United States of America, and to each Member of the Senate and the House of Representatives."

Mr. NELSON presented a petition of the Minnesota State Association of Optometrists praying for the repeal of the so-called luxury tax on spectacles and eyeglasses, which was referred to the Committee on Finance.

He also presented a petition of the Engineers' Club of Duluth, Minn., praying for the enactment of legislation to regulate the salaries of assistant and junior engineers and chief clerks and to provide for their retirement, which was referred to the Committee on Commerce.

BURIALS IN NATIONAL CEMETERIES.

Mr. SPENCER. I was directed by the Committee on Military Affairs to report back favorably without amendment the bill (S. 4082) to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897, and to ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 4878 of the Revised Statutes, as amended by the act of March 3, 1897 (chap. 378, 29th Stat. L., p. 625), be, and it hereby is, amended to read as follows:

"SEC. 4878. All soldiers, sailors, or marines dying in the service of the United States, or dying in a destitute condition after having been honorably discharged from the service, or who served, or hereafter shall have served, during any war in which the United States has been, or may hereafter be, engaged, and, with the consent of the Secretary of War, any citizen of the United States who served in the Army or Navy of any government at war with Germany or Austria during the World War and who died while in such service or after honorable discharge therefrom, may be buried in any national cemetery free of cost. The production of the honorable discharge of a deceased man in the former case, and a duly executed permit of the Secretary of War in the latter case, shall be sufficient authority for the superintendent of any cemetery to permit the interment. Army nurses honorably discharged from their service as such may be buried in any national cemetery, and, if in a destitute condition, free of cost. The Secretary of War is authorized to issue certificates to those Army nurses entitled to such burial."

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL AND JOINT RESOLUTION INTRODUCED.

Bill and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRANDEGEE:

A bill (S. 4136) for the relief of certain estates; to the Committee on Claims.

By Mr. NELSON:

A joint resolution (S. J. Res. 177) to amend the sixteenth amendment to the Constitution of the United States; to the Committee on the Judiciary.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. CALDER submitted an amendment proposing to appropriate $2,250,000 for the construction and equipment of a mail tunnel and its terminals between the Grand Central post-office station and the main post office, or Pennsylvania Terminal, in New York City, N. Y., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

HOUSING CORPORATION—CONFERENCE COMMITTEE.

The PRESIDING OFFICER. The junior Senator from Florida [Mr. TRAMMELL] has asked to be excused from serving as one of the conferees on the bill to abolish the Housing Corporation. Without objection, the request will be granted, and the Chair appoints the junior Senator from Louisiana [Mr. GAY] to fill the vacancy.

NEW JERSEY SHIPBUILDING & DREDGING CO.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3472) for the relief of the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J., which was, on page 1, line 9, after "$118,309.16," to insert "in full settlement."

Mr. CALDER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HOUSE BILLS AND JOINT RESOLUTION REFERRED.

The following bills and joint resolution were severally read twice by their titles and referred to the Committee on Claims:

H. R. 1790. An act for the relief of John K. Ashley, jr.;

H. R. 1827. An act for the relief of Carolyn Wheeler Kobbe;

H. R. 3212. An act for the relief of legal representative of George E. Payne, deceased;

H. R. 3984. An act for the relief of Thomas Bayton and Bertha M. Hartt;

H. R. 6077. An act for the relief of the King Coal Co., of San Francisco, Calif.;

H. R. 6414. An act for the relief of Herman W. Schallert;

H. R. 7567. An act for the relief of G. T. and W. B. Hastings, partners, trading as Hastings Bros.;

H. R. 8647. An act for the relief of the owners of the American schooner *William H. Sumner;*

H. R. 9583. An act for the relief of Edward A. Purdy, postmaster of the city of Minneapolis, Minn., for postage stamps, postal-savings stamps, war-savings stamps, war-tax revenue stamps, and cash from money orders stolen from the branch post office at Minneapolis, Minn., commonly known and described as the traffic station, and located at Nos. 621 and 623 First Avenue north, in said city;

H. R. 9794. An act for the relief of Wendell Phillips Lodge, No. 365, Knights of Pythias;

H. R. 9840. An act for the relief of Capt. E. V. Dickson;
H. R. 9904. An act for the relief of Forrest R. Black;
H. R. 10115. An act for the relief of Harvey R. Butcher; and
H. J. Res. 215. A joint resolution authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel, September 26, 1918, to receive pay and allowances that would have accrued to said officers.

H. R. 9615. An act authorizing the Secretary of the Interior to correct an error in an Indian allotment was read twice by its title and referred to the Committee on Indian Affairs.

ADDRESS BY SENATOR BRANDEGEE.

Mr. MOSES. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered recently by the senior Senator from Connecticut [Mr. BRANDEGEE] at New Haven, Conn., before the Republican State convention.

The PRESIDING OFFICER. Without objection, the request is granted.

The address is as follows:

ADDRESS DELIVERED AT NEW HAVEN, CONN., BEFORE THE REPUBLICAN STATE CONVENTION, MARCH 24, 1920.

Gentlemen of the convention, it is a great pleasure to me as one of the representatives of the grand old State of Connecticut in the United States Senate to meet with you in conference upon this highly important occasion. I appreciate deeply the compliment implied and the honor conferred by this body, representative of the vast interests and welfare of over a million and a quarter of the best people in America, in your designation of me as your presiding officer. The Republican conventions of 1908, 1914, and 1916 called me to the same position. To-night we take the first step in that process of organization, deliberation, and selection which I am firmly convinced will result in placing at the head of this Nation, for the critical period of the next four years, a Republican President and a Congress of the same political faith to cooperate with him.

In the summer of 1914 the World War broke upon an unsuspecting world with a suddenness and destructive effect equaled only by the cyclonic forces of nature itself. Since that time, and for a period of six years, civilization has rocked upon its foundations, like the earth when rent and upheaved by a great seismic convulsion. The minds, the emotions, and the institutions of great peoples everywhere, over the entire world, have been torn from their accustomed channels and habits and have been diverted into new courses and have been of necessity applied under the spur of insistent emergency to the preservation of civilization. All the people of the world have lived under the stress of a tremendous strain and all the conditions of existence have been threatening and uncertain. In the whole history of recorded time the world has never been so disturbed nor has its population suffered so severe a shock as during the few years which we have just survived. Great Governments have crashed to their destruction; whole peoples and races have become free; dynastic rulers have been overthrown; the boundaries of empires have been changed; armies and navies have been created and dispersed; millions of lives and of property have been destroyed; financial inflation, debt, and burdensome taxes have come upon us; unrest, dissatisfaction, and high prices prevail; drastic and questionable laws have been enacted, justified, if at all, only under the so-called war power. Espionage acts, statutes limiting commerce with other nations and their nationals, and authorizing the control by the Central Government of the transportation and sale of our domestic products, have been passed. Rigid censorship of the press, more drastic regulation of the right of speech and assembly, have been prescribed. In a word, the ordinary course of life of peoples and of nations has been transformed from that which obtains in time of peace to that which prevails in time of war, as the status of nations has changed from peace to war and back again from war to peace. Our statutes passed to aid the war activities of our Nation are still in existence. Some of them by their terms are to remain in operation until six months after the termination of the war shall have been proclaimed by the President. They are irritating, burdensome, oppressive, and unnecessary, and should be repealed at the earliest possible moment. Every effort should be used to free our people from war-time restrictions and reestablish the conditions of peace to which we were accustomed. It is not to be expected that the means of production, transportation, and marketing of products can be changed forthwith, and successfully changed, without great inconvenience and disturbance, but the attempt to reestablish the peaceful processes which were interrupted by the war should be, at least, begun immediately and steadily continued.

The experiences through which the world has passed have necessarily been productive of great mental apprehension and unrest. The nervous system of the world has been impaired and in many respects seriously and, perhaps, permanently damaged. The human system can not endure war, pestilence, and famine without affecting the entire constitution. The lightning changes of war, the extreme tension, the sudden readjusment of the emotions from hope to hope deferred and then to despair, the rebound to the attainment of the most cherished aspirations, the alternating currents of fear, pity, and revenge, necessarily produce a certain lack of mental balance, in many cases approaching to hysteria. The tremendous and vital processes of reconstruction must operate upon and be operated by human beings thus constituted. The interplay of the forces, physical and spiritual, which have been thus generated produces an infinitely complicated environment. The world has never had greater need of patience, poise, and balance than it requires to-day. Under such conditions it is inevitable that a flood of fanciful remedies should be advocated. The fundamentals of government and of institutions and of beliefs have been seriously disturbed. Many ships of state have dragged their anchors. New crews have been enlisted and new pilots and captains are navigating the craft. The political as well as the geographical seas of the world have been sown with mines, and they are charged with high explosives. We must for a long time steer cautiously until we have swept away the mines and made of the greenhorns before the mast, as well as in the captain's quarters, able seamen and skilled mariners.

"What is needed now is composure. The world has had enough of artificial stimulants, and what it needs now is the anodyne of peaceful pursuits and liberty regulated by law. Lawlessness is contagious. The mob is the symbol, the result, as well as the cause, of anarchy. Stability is the condition precedent of all readjustment and of all progress. It is better not to move at all unless one knows whither he is bound. If one is not sure of his direction, he is more likely than not to wander around in circles. Fundamentally there is nothing the matter with this Government or its institutions. We are blessed in the possession of a continent flanked by the two great oceans of the world. Its resources are inexhaustible. If properly developed they are capable of supporting a population tenfold that which now inhabits it. Every citizen is free and is the equal of every other citizen. Every one of them is protected by the guaranties of a Constitution which has always been and is now the wonder and admiration of the world. We are the richest, the most powerful, the best educated, the most tolerant, the most philanthropic, and the ablest people in the world. Surely we should be proud of these blessings. We should venerate the fathers who secured them and transmitted them to us. We should respect their experience, their advice, and their teachings. Their wisdom and foresight should be an inspiration to us and should implant in us a firm purpose to preserve and transmit, unimpaired, our priceless heritage.

The framers of our Constitution established a representative form of government as well as a dual form of government. Our revolution against Great Britain, from the success of which we owe our existence as a nation, was a protest and a revolt against autocracy and arbitrary power. Our ancestors refused to assent to the doctrine of one-man power. They declined to recognize any overlord or king. The only sovereign to which they would pledge allegiance was the people. They distributed the powers of government among three great departments, the executive, the legislative, and the judicial, and by a system of checks and balances, and requirements for coordination, they made it impossible for one department to become supreme to the exclusion of the others. They intended to form an effective and a strong government, and they intended to make forever impossible a dictator or an autocrat. They limited the powers of the Federal Government to such as were specifically granted and necessarily implied from those granted.

As soon as the Union was formed they amended the Constitution by adopting the first 10 amendments known as the Bill of Rights, and provided that "the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people," and also that "the powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States, respectively, or to the people." These two amendments to the Constitution, being articles 9 and 10, were proposed to the legislatures of the several States by the very first Congress on the 25th of September, 1789, and were duly ratified by the necessary number of States, thus becoming a part of the fundamental law itself. They demonstrate how jealous the founders of our Government were of the powers of the States and of the people, and how careful they were to provide for what have since come to be known as the "reserved rights of the States." Many good but not well-informed people seem to think that the doctrine of "State rights" was an error closely related

to secession and was extirpated when the War of the Rebellion in 1861 was concluded. The only State right, so called, which was repudiated by that war was the alleged right of secession from the Union. No well-informed person, whether Republican, Democrat, or Whig, has ever claimed that the rights of the States as defined in the Constitution and as reserved in the tenth amendment thereto were not in as full and complete existence to-day as they were when the Government was founded. The several States should guard these reserved rights with the greatest vigilance.

It is inevitable that with the increase in the population, wealth, and importance of the country the Federal Government will increase in power, and there is a constant temptation on the part of the Central Government to encroach upon the jurisdiction and powers of the several States. As our population increases and more and more divides itself into special industries and activities of all kinds, those who have special interests inevitably organize along the lines of their particular interests, and when they desire legislation to promote those interests, instead of attempting to procure it by uniformity of legislation in the 48 States, there is a strong disposition to organize nationally and demand such legislation from Congress. Thus, a continual conflict is produced between the jurisdiction of Congress and the jurisdiction of the legislatures of the States. Any object which is praiseworthy in itself is sought to be brought to the consideration of Congress in order that means for its attainment may be extended over the entire Nation. A conspicuous example of this kind was afforded in the child-labor law, by which an attempt was made to prohibit the transportation from one State to another of any article in the production of which the labor of any child under a certain age, or who had worked more than a certain number of hours, had entered. This legislation was claimed to be justifiable under the commerce clause of the Constitution, which conferred upon Congress the power to regulate commerce among the several States. If this legislation could have been sustained Congress could have, with equal legality, passed a law prohibiting the transportation of commodities from one State to another into which negro labor had entered as a factor or upon which any member of a labor union had worked. This law was declared to be unconstitutional by the Supreme Court of the United States. Congress recently submitted to the several States a proposed constitutional amendment prohibiting the States from discriminating between its citizens in relation to the elective franchise on account of sex, which has already been ratified by the legislatures of nearly a sufficient number of States to make it a part of the United States Constitution, although both of the great political parties had in the platforms of their last national conventions favored the principle of woman suffrage, but declared it to be a matter falling more properly within the jurisdiction of the States than a subject for an amendment to the Constitution of the United States.

I was unable to support this amendment because I considered it wiser public policy for the several States to prescribe the qualifications of their own electors. An amendment to the Constitution of the United States has recently been adopted which prohibits the manufacture, transportation, or sale of intoxicating liquors within the jurisdiction of the United States. I was unable to support this amendment because I was of the opinion that it was an infringement upon the reserved rights of the States, an attempt to impair the police power of the States, and a violation of the principle of home rule. If this amendment to the Constitution is sustained by the Supreme Court, I am unable to perceive any limit beyond which the invasion of the rights of the States may not proceed. My opinions upon these questions involving the demarcation of the line between the rights of the States and the powers of the Central Government are based solely upon the legal aspects of the case and are formed entirely irrespective of the merits of the proposals involved. Several suits are now pending in the Supreme Court which it is hoped will furnish a sure guide as to the extent to which the Constitution is susceptible of amendment. If there is no limit in the processes provided for amending the Constitution, that great charter of fundamental law, designed to describe and apportion the powers of our form of Government, may before long be filled with statutes regulating the lives of the people. Former Senator Elihu Root, addressing the Senate once, referred to the danger in the following impressive language:

"In this highly developed interdependent condition day by day we grow to rely more and more on the Government that is regulating all the agencies that are necessary to our lives. What government shall perform that function? If the State government is abandoned, if we recognize the fact that we can not have honest legislatures, sir, the tide that now sets toward the Federal Government will swell in volume and in power. Here is a power that can answer the demands of life.

"Let me tell the gentlemen who are solicitous for the preservation of the sovereignty of their States that there is but one way in which they can preserve that sovereignty, and that is by repudiating absolutely and forever the fundamental doctrine upon which this resolution proceeds. Let them go home to their States when this session ends and invoke the patriotism of their people to make the government of their States worthy of the great duties that rest upon them and competent to preserve the autonomy of their States against that incursion of Federal power which is being continually urged, urged by those who fail to find satisfaction from the governments of the States.

"In my humble judgment, sir, the most vital thing to be done in the United States to-day is to strengthen the legislatures of the States. I fear the breaking down of the Government of the United States by the accumulation of demands upon it, through the gradual weakening of the State governments, through the failure of the State governments to keep pace with the continually increasing demands of our social and business life.

"We have come very near the limit, sir, of what we can competently do, very near the limit of what we can do as well as it ought to be done. Our executive officers are overburdened. The business of this Congress is conducted with less and less knowledge on the part of the Members of the body in general as to what committees have been doing. We are forced session by session to more complete reliance upon the reports of the committees, with less and less consideration from the Members of Congress at large. Our judicial force is being overburdened and our calendars clogged, and we are looking about for ways to relieve this court and that from too heavy a burden and to prevent the law's delays.

"Let us continue upon the theory that State governments are corrupt and incompetent. The time will come when the Government of the United States will be driven to the exercise of more arbitrary and unconsidered power, will be driven to greater concentration, will be driven to extend its functions into the internal affairs of the States; and then, sooner or later, the people of the country will reject a Government that has subjected their personal and intimate neighborhood affairs to the control of a central power in Washington, and then in the place of competent States governing their own affairs we shall go through the cycle of concentration of power at the center while the States dwindle into insignificance, and ultimately the breaking up of the great Republic upon new lines of separation.

"* * * We have gone far, far away from the days of the old New England town meetings. I doubt if some of the Senators coming from the States of small population realize how far we have gone in the great industrial communities of the East and the Middle West from that condition in which direct democratic government is possible.

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"The true remedy for the evils that we see is not to abandon our duty, but to perform it.

The Constitution of the United States provides for its own amendment by a two-thirds vote of both Houses of Congress when approved by the legislatures of three-quarters of the States. The people have no voice whatever in this process. No State constitution can be amended without the proposed amendment being submitted for the approval of the electors of the State. The Constitution of the United States, however, can be amended by the vote of the two legislative bodies referred to above without any reference to the people whatever. This condition, which may have been tolerable so long as amendments to the Federal Constitution were confined to subjects germane thereto, becomes unbearable and undemocratic if the amendment process is to be invoked for the purpose of embedding in the Federal Constitution matters relating to the food, drink, and intimate concerns of the people in their daily vocations. With a view of providing a remedy for the correction of this abuse I introduced and have secured a favorable report upon Senate joint resolution 41 by the Committee on the Judiciary of the Senate. This resolution proposes to amend article 5 of the Constitution so that in the future Congress may propose amendments to be ratified by the electors in three-quarters of the States instead of by the legislatures as now provided. Under the present provision of the Constitution for its amendment, the legislatures of the States may be called upon to ratify amendments which have never been discussed by the people and upon which they have rendered no expression of their opinion. Organizations interested in securing an amendment to the Constitution, it may easily be imagined, could, if properly financed by wealthy people, interested in what they consider to be a worthy cause, by skillful advertising and the employment of influential agents, artificially create the semblance of a wide demand for the ratification of some amendment, when, if the matter was submitted to the people, so that the other side of the question could be heard and the whole matter properly discussed and voted upon, the verdict of the people might be overwhelmingly against the proposal.

In my addresses to the Republican conventions of 1914 and 1916 I reviewed, in so far as it could be done in the brief time which could be devoted to the task, the character and defects of the present Democratic administration. It is my sad duty to announce that it has neither improved its character nor remedied its shortcomings. It has, on the other hand, gone from bad to worse. No President of the United States has ever been so shielded from just criticism by events as has the President of the United States. Within a few months after the ruinous tariff law which his party enacted had gone into operation the country was saved from the complete disaster which inevitably impended by the outbreak of the Great War.

During the entire period of the war inefficiency, incompetency, and extravagance of the grossest kind were overlooked by an indulgent and patriotic people on the theory that such criticism might afford aid or comfort to the enemy. The President, as Commander in Chief of the Army and Navy of a nation engaged in war for the salvation of civilization, assumed and exercised what was nearly equivalent to a dictatorship. In the minds and hearts of a patriotic and united people his person and his words and deeds were well-nigh sacrosanct. Congress, in its recognition of a state of war, had pledged the entire resources of the country to bring the war to a successful conclusion. Whatever was demanded by the Executive or the heads of his departments was granted in its entirety almost without question. Men and money and credit were furnished without stint. A veritable orgy of expenditure ensued, based upon and excused by the fact that we had entered the war almost entirely unprepared. The condition of unpreparedness was largely the fault of the President. For three years the Allies had conducted the war while the President was stating that we were too proud to fight; that the causes of the war were of no concern to us; that he was unable to discern any difference between the purposes of the two sets of belligerents; that it was our duty to be neutral even in thought; that there must be peace without victory; and that America must lead her own life and keep clear of European entanglements. In 1916, after this record, he was reelected on the ground that he had succeeded in keeping us out of the war, and within a few weeks after his inauguration he appeared before Congress and recommended that we should get into the war. When Members of Congress attempted to make any preparation, the President appeared before us and stated that we were getting nervous and excited. Of course, under this kind of leadership, there was and there could be no effective preparation. The result was that when the President, finally compelled by the irresistible sweep of aroused public opinion, reversed his attitude, it took $5 to accomplish what $1 would adequately have accomplished if spent under peace conditions. It can never be estimated what the misconception of the situation by the President cost the country in blood and lives and treasure. When the tide of battle had finally turned and the allied armies could have marched to Berlin, and made their victory complete, the President promulgated his 14 points, which resulted in an armistice, and the return of the army of the enemy, with banners flying and bands playing, in safety to his own country. The 14 points were thereupon relegated into innocuous desuetude.

In my address to the convention of 1914 and again in 1916, I referred to the course of the administration in its handling of the Mexican problem as one not deserving the designation of a "policy," and declared that it had been "an impotent and imbecile drift," a "mischievous meddling," and except for that "a do-nothing policy." This futile and disgraceful policy of "watchful waiting" has now extended over a period of six years and conditions in Mexico are worse than ever. American consuls, American soldiers in their uniforms, American aviators, and American travelers are daily kidnapped by bandits and held for ransom. Some are murdered; others are imprisoned; and others are never heard of. After each outrage a note is sent demanding immediate disavowal and reparation. The usual excuse or defiance is made and the incident is closed. No more disgraceful chapter has ever disgraced the pages of our history. American business men engaged in legitimate business operations in Mexico are compelled to pay stated sums to various bandit chiefs for protection.

In many instances the pay rolls due to workers in the mines and oil fields are intercepted by the bandits and are divided with the Carranza soldiers, who make little pretense of affording protection. The files of the State Department are filled with evidence of crimes and outrages of every known variety perpetrated by Mexicans against the persons and property of Americans, but no effective protection is afforded and no punishment is inflicted upon either the perpetrators of the crime or the Mexican officials whose duty it is to protect the peaceable citizens of this country in their rights in Mexico. The situation is simply appaling, but the American people have apparently abandoned all hope of any relief as long as the present administration is in power.

I have called attention to the inefficiency of the various departments of the Government. It is almost unnecessary to enter into the details of what the people already know from their daily reading of events. These departments have been expanded and their expense has increased almost in direct proportion to their inefficiency. Meetings of the Cabinet are few and far between. The Post Office Department perhaps comes as close to the people in their daily life as any one of the great departments. The utter demoralization of the service in this department would be a huge national joke if it were not a tragedy and a scandal. The State Department is a mere shell. It is said that there are more than a dozen duly accredited representatives of foreign governments who have been waiting in Washington for months but have never been able to secure reception by the President. There is almost a complete lack of communication or of coordination between the President and the Congress. Even the leaders of his own party are unable to see him except upon the rarest occasions and upon the most important matters of public business. For nearly six months last passed the President has been unable to perform the duties of his office, yet he apparently has no intention of resigning and allowing the Vice President, upon whom the Constitution devolves the duty in such a case, to perform it. It is apparent to anybody that the tremendously important affairs of this great country of a hundred and ten millions of people can not be properly conducted under such circumstances. When the Secretary of State attempted, during the illness of the President, to see that affairs were conducted by the heads of the departments as best they might be, he was reprimanded and rebuked by the President and dismissed from the service.

Shortly before the November elections in 1918 the President appealed to the country to elect a Congress Democratic in both branches. He stated that no Republican should be elected because, while that party had been loyal and patriotic during the war, it did not support his policies. He stated that unity of command in civil action was just as necessary as it was on the field of battle, and he appealed to the country to indorse his administration by giving him a Democratic Congress in order that he might be their unembarrassed spokesman abroad. The idea that a party comprising more than half of the electors of the country must be disfranchised and placed under disabilities so far as representation in Congress was concerned during the rest of the President's administration so utterly shocked and outraged the electorate that it hastened to the polls and returned a Congress Republican in both branches. One of the defects of our form of Government is that, although the country may have utterly lost confidence in the administration of a President and may have elected a Congress of opposing political faith as an expression of its lack of confidence, it can not get rid of the administration which has been thus repudiated before the expiration of its constitutional term of office. It can, to a certain extent by such an election, impose a check upon the Executive and control the purse strings of the Nation, but the Executive in whom the country has lost faith still has his appointees at the head of all the executive departments, making all appointments to high office of his own political party, continues to manage the foreign relations of the country to suit himself, through his ambassadors and his control of the State Department, is enabled to formulate in the first instance, at least, all foreign policies, and continues to be the Commander in Chief of the Army and Navy.

This can hardly be considered other than a serious defect in our form of government, especially in time of emergencies, when immediate action is required. In other parliamentary governments the government is carried on by a ministry, headed by a prime minister. When the ministry proposes an important measure for which it can not command a majority in the legislative branch of the government or when a vote of lack of confidence in the ministry is passed by the legislative body the ministry falls. An appeal is made to the country, and if the elections go against the party in power a new ministry is formed, which is required to conform the policies of Government to the wishes of the people. This change can be brought about in a few weeks. As soon as the new legislative body is elected the mandate of the people can be put into immediate execution. In this country, inasmuch as only one-third of the Senate is elected at the congressional elections every two years, it frequently happens that, although the country may elect a President by a considerable popular majority, the Senate may remain in control of the opposite political party. Moreover, a House of Representatives chosen in November of one year does not take office in regular course until a year from the December following its election. While this system may have merit at times, it presents a question which calls for the most serious consideration as to whether means ought not to be taken by which the policies of government may be made to respond with less delay to the expressed wishes of the electors.

The people having declined to commission Mr. Wilson as their unembarrassed spokesman abroad, the President, nevertheless, decided to go abroad himself as the head of his own commission to negotiate the treaty of peace. He appeared before a joint session of Congress and informed that body that he regarded it as his imperative duty to go abroad in person upon this commission. He stated that he would keep us advised of all that he did. He denounced secret diplomacy and pledged him-

self to open covenants of peace openly arrived at. His sayings and doings while abroad at the peace conference, to such extent at least as they have become public, have taken place too recently to warrant a rehearsal in detail. The public knows in a vague way that the President made what was equivalent to a royal progress through Europe. He and his family and an entourage of between 1,200 and 1,500 people transported upon Government vessels spent six months in the capitals of Europe. Although what is called a 'procès-verbal,' meaning an official record of what was said and done at this conference with the rulers of Europe, was kept and is in possession of each of those who participated and was shown to the committee on foreign affairs of the French Parliament, it was denied to the American Senate, and the President cabled to M. Clemenceau, the French premier, that it must not be made public. The Senate has repeatedly adopted resolutions calling for information upon various subjects connected with the treaty of peace with Germany. Most of these requests have been denied.

"As soon as the conference had agreed upon the first draft, called a constitution for a League of Nations, the President returned to America. He invited the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives to meet him at the White House in conference upon this great document. He opened this conference by saying that, of course, he had no statement to make, but he thought perhaps some one might want to ask some questions. Many questions were thereupon asked. Discussion was had and the President was informed that in many respects the document was unsatisfactory and would have to be changed.

A few days after this the President made an address in New York City, in which he stated that he was again going abroad, and that when he returned the covenant would be found so interwoven and connected by so many bonds with the peace treaty with Germany that it would be impossible to separate the two documents. The next day he sailed for Paris. Inasmuch as the strictest censorship prevailed, it was difficult to inform the people and the representatives of other nations how the Senate, which was the equal partner with the President in the treaty-making power, viewed the great international contract which the President was in process of making as the other half of the treaty-making power. The Government was in possession of the trans-Atlantic cables. The Governments of Great Britain and France controlled the press of those countries. American censors were placed at the ends of the cables in France to see that nothing from this country entered France which would inform that country of the true state of feeling in this country. Similarly nothing was allowed to come from France or the peace conference from which the people in this country could ascertain what was transpiring in the peace conference. In this atmosphere of secrecy and mystery the covenant for a League of Nations was generated. The day before the President had left upon his second trip to the peace conference the Senate, in order to give warning to the representatives of foreign nations with whom the President was negotiating of the true state of feeling in the Senate, signed a paper which stated in substance that the draft of the covenant which the President had showed to Senators ought not to be accepted by the United States. This document, popularly known as the round robin, will be found in the CONGRESSIONAL RECORD of March 4, 1919, page 4974. It was signed by more than one-third of the total membership of the Senate. The covenant is part 1 of the treaty of peace with Germany. Inasmuch as under the Constitution the President can make no treaty binding upon this country except with the approval of two-thirds of the Senators present, this round robin was fair notice in advance by more than the number of Senators necessary to defeat the treaty that the covenant would not be accepted in the form in which it then was. The CONGRESSIONAL RECORD containing this warning was no doubt sent by the diplomatic representative of every European power to his home Government in this official diplomatic mail pouch, and there can be no question that every Government participating in the peace conference was fairly and duly warned thereby that the President did not represent the views of half the treaty-making power of the United States. It must be borne in mind, however, that these foreign Governments were dependent at the close of this exhausting war upon the United States for financial aid, for raw material, and for food, coal, clothing, and every kind of necessity. They knew also that the President had appointed himself as the head of the peace commission and would remain at the head of all the departments of the Government until the expiration of his term of office on March 3, 1921. When, therefore, in spite of this warning, the President informed them that he would not participate in the making of the treaty of peace with Germany unless they first agreed that the covenant for a League of Nations should be a part of the treaty, it can well be understood that they were compelled to yield. There was none other with whom they could negotiate. They doubtless thought that if they yielded to him they would have his support and good offices, and if he told them that if they did yield to him he would return to America and personally tour the country in the effort to arouse the people to force the Senate to agree with him, they probably thought it was worth while taking the chance.

At any rate, they took the chance, and it does not now lie in the mouth of any of them to plead ignorance of the terms of the Constitution of the United States or to claim that they thought that the President had the constitutional power by his mere word to bind the people to a treaty against the will of the Senate. The President was allowed to exercise his own best judgment and his own free will in negotiating the most important international document which was ever written. Nobody attempted to force him. Nobody presumed to dictate to him. Is it not the clear purpose of the Constitution that the Senate of the United States, which the fathers contemplated should be the equal partner of the President in making a treaty binding upon this Government, should express its own free, untrammeled judgment without coercion by the other branch of the treaty-making power? If the President is to be allowed to coerce the Senate, why should not the Senate try to coerce the President. When the sovereign States formed the Federal Government and provided that each State and its people should be represented in the Senate by two of its citizens who should be Senators of the United States and made the approval of that Senate necessary to the making of any treaty, did they not intend that that body of Senators should voice their real sentiments as to the foreign policy to be adopted by this country? Do the people of this country want the Senate to abandon its matured judgment, after due consideration, and to say that they approve of a treaty when they do not approve of it? Some people seem to think that the Senate should approve of what it disapproves on the ground that some day the treaty may be made into something which it is not now. The provisions of the treaty can only be changed by the unanimous vote of all the signatory powers. The covenant can only be amended by the unanimous vote of all the Governments which are members of the league and who have votes in the council, together with a majority of all the Governments which have representatives in the assembly of the League of Nations.

The basis of the covenant is force. The President, in his recent letter to Senator HITCHCOCK, stated that it erects a tribunal to which all must submit and that its decisions are to be secured by the moral and physical force of all the members of the league. With a full knowledge of what the European members of the league have done since the armistice was effected, do the people of America desire this country to bind itself to this league of force in the hope that some day the great military powers of Europe may by unanimous vote of the council agree to substitute for this covenant another covenant based upon justice and equity? If these powers can now wring from the United States the solemn pledge contained in article 10 of the covenant to protect, as against external aggression, the political independence and territorial integrity of their respective Governments and their vast domains in five continents, is anybody credulous enough to suppose that when their subject nations rise against them and seek to obtain their own independence, that these powers will release the United States from this obligation and will refer the questions in dispute to an international tribunal to decide these questions in accordance with an established code of international law based upon justice and eternal right? With full knowledge of the history of these powers in the past and with a consciousness of the failings and defects of human nature, do the people of the United States want to take this chance? It is said that we might enter this league, and then at the expiration of two years, if we did not like it, we might retire, provided meantime we had performed all our obligations under the covenant and all our international obligations.

The next two years, however, will be the critical time in the whole league. It will be the period in which the international obligations of all kinds will be assumed by the members of the league. Nobody can say what these obligations will be. The President and whoever he might appoint as our representative on the council of the league whose mind would go along with his would no doubt improve the time between now and March 4, 1921, in so inextricably interweaving us into all the interlocking obligations of the league, financial, commercial, diplomatic, and military, that it would be impossible for us to claim that we had performed all the obligations which we had contracted in order to make ourselves eligible for withdrawal.

The father of our country warned us to keep out of entangling alliances with Europe, and stated that they had a set of special interests with which we had no concern and ought not to become involved. President Wilson, the exponent of the new internationalism, insists upon thrusting us into these foreign entanglements. Do the people of this country desire that the Senate should abandon the policy of George Washington and adopt that of President Wilson? Do they desire to reverse the consistent and continued policy of every President from Washington to Wilson and of all the people of America since the foundation of our Government and to project our country into this vast international experiment? Does the great mass of the plain people of this country desire to contribute the man power and authorize the taxes which may be involved in this plunge into the unknown? If the people of Russia decide to march their unnumbered millions across the boundaries of East India, a member of the league, do the voters of America actually favor the conscripting of the youth of the country and the furnishing of the vast sums of money necessary to train, equip, and transport it to the other side of the world to make common cause under article 10 with the British Empire to help it preserve the territorial integrity of East India and enable it to hold the subject millions of that continent under its sway? Do the voters of America conceive that the fathers adopted the Constitution and formed this Government for any such purpose as that? Do our people feel under any obligation to make a contract which may involve such sacrifices? The President states that he is ready to make the supreme sacrifice. He says that he is willing to die for his covenant. Are you? Do you think there is any reason why you should? If you are not willing to carry out such a contract if called upon, do you want the Senate to make it for you?

Europe has been a battle field for a thousand years. It is divided into nations radically different from each other and from us in blood, in language, in civilization, in ideals, in ambitions, in inherited grievances, and in present aspirations. The States of the Balkan Peninsula alone present a problem which has puzzled and baffled the powers of Europe for hundreds of years. Russia, Poland, Germany, Austria, and all central and southern Europe are seething with difficulties and problems about which we as a people are in absolute ignorance. The population of this country, or its ancestors, all came from abroad. The melting pot has hardly begun to do its work. No people of Europe can have a dispute with any other nation unless our fellow citizens in this country who are related to the disputing nations abroad are immediately interested in the cause of their own blood relatives abroad. The people of every country of Europe are in this country in great numbers. If we enter this league our representative sitting abroad in the secret council of the league must cast his vote, possibly the deciding vote, in every dispute. Whenever he casts his vote he makes an enemy of the people against whom he decides. He creates that hostility not against himself but against our country.

The people of this country who are blood relatives of the people of the country against whom our representative has given the decision are interested at once. They protest to the President, to the Senate, and to their Representatives in Congress. They transfer their grievance to the polls. It forthwith becomes a political question in this country, and if the disputes of Europe continue in the future as they have in the past, our political life in this country will be as contentious as the politics of the Old World and the quarrel will be about a question in which this country as a whole may have very little interest. The affairs in this country of the subject races over all the surface of the globe will be in a continuous ferment by propaganda and influence of every kind to interest this people and this Government in active intervention in their behalf. In view of the cosmopolitan character of our population, do the level-headed voters of America want to embark this country upon such a career? In view of the rivalry of races in this country and their conflicting interests, of how much value would we be in a League of Nations? Is our Government itself so stable and are our people of such single mind and purposes as that 3,000 miles away from the troubles of the countries whose boundaries are contiguous and who are perfectly familiar with their own troubles, dangers, and aspirations, as that we can act as a healing poultice and an effective and safe adviser? The President has stated that there would be no use in our entering the league unless we can do it whole-heartedly and with enthusiasm. Yet now the President states that we must have a solemn referendum in a political campaign of partisan politics to decide whether we shall enter or not. It may be true that in a great democracy like this we ought not to enter this league except by the vote of the people, but if that vote should be close, would the half of the country which had been beaten in the election cordially participate in the decision of the bare majority that the whole country should be dragged into this foreign alliance? Can a sullen partner, dragged into a combination against his will, contribute an element for the peaceful and harmonious solution of other quarrels when he represents, at best, a house divided against itself? Will America be more effective for the maintenance of peace in the world, for the abolition of war, for the establishment of justice and equity and its high ideals by becoming a member of this polyglot international association than it could by remaining free and untrammeled in its might and majesty? Will it not have a greater moral influence for the right and justice and equity and fair dealing if it preserves its own independence and is free to announce its unbiased judgment in any contingency that may arise? Can it not through its Executive department and its diplomatic corps consult and advise with other nations in fully as disinterested a way and quite as effectively if it stays out of the league as it could if it was submerged in it? Should our course in a matter of such vast importance be determined by the wishes of other nations who may be looking after their own interests or should our choice be determined by our own best judgment? Should we judge this question upon its merits in the cool light of reason, history, and experience, or should we abandon our advantageous position and our unbroken policy of a century and a half under which we have grown and prospered and take this leap in the dark because other nations have been persuaded to do so? The nations who have joined this league are already announcing that it must be reformed and made over. Is it not more reasonable to suppose that it can be reformed to our satisfaction as the price of our entering it rather than that those who control it will reform it to suit a single member after his admission has been secured? Is it compatible with the self-respect, safety, and best interests of this great Nation to join a league in the voting power of which the British Empire is six times as powerful as we are? Would you employ a lawyer who would advise you to make a contract with a partner who had six votes in the concern to your one? Is such a proposition defensible? If any one of you were Senators, acting as a trustee for the best interests of a great State, and in a larger sense as a representative of the whole country, would you vote, under your oath of office and on your responsibility as a Senator, to bind your Nation to such a contract? I was utterly unable to do so.

The great task now in front of the country is to aid in the return to the paths of peace. Every effort should be made to stimulate our processes of production and commerce. We have an immense debt to pay. The most rigid economy in expenditures should be exercised. The Republican Party should be restored to power in the executive as well as in the legislative branch. The men who have rendered inefficient the present operations of the departments should be retired to private life. New blood should be infused in every department as the directing agency. It is impossible for those who have proved inefficient to conduct the necessary reforms. Appropriations of the vast sums of money needed for the public expenses should be made with a stricter regard for the sources of revenue. Modern business methods should be introduced into the departments. Coordination between the departments, with reference to appropriations, should be inaugurated. Raids upon the Federal Treasury, which have been conducted in the past in order to place upon the General Government the burdens which should be borne by the several States, should be brought to an end. An independent habit of conduct should be encouraged so that the growing tendency of people to demand care by the Government instead of caring for themselves could be checked. All unnecessary impediments upon legitimate business which have been inaugurated by the Government should be released, and business should, as far as possible, be allowed to take its natural course without governmental interference. Cooperation between capital and labor should be encouraged Tribunals for the adjustment of differences between workmen and employers should be erected, to the end that strict and impartial justice may be done to all parties and interests, including the public. Class legislation should be discouraged. It is impossible and it is un-American for a legislative body to pass just laws if they concern themselves about particular classes of people as against the whole body of the people. The public interest should be the supreme law. The great arteries of commerce should be maintained free from all obstruction. The whole people must be made secure in their right to have commerce and transportation proceed without interruption. The great mass of the people will never consent to freeze and to starve while employers and employees abandon their duty to the public to engage in combat to settle their differences by force instead of having them settled by application of the rules of justice and equity. Law and order must be maintained. All the people of this country must be

thoroughly Americanized. Education must be encouraged to this end. It is impossible for a man to become an intelligent or even a safe elector in this country who can not read and understand our Constitution and laws and our history. This country will not tolerate any divided allegiance on the part of its citizens. There is no grander political status in the world than that held by an American citizen. Every American must be that and nothing else. He must be 100 per cent American. Abraham Lincoln said that this was a Government of the people, for the people, and by the people. It can not be too firmly insisted that it is also a Government of the whole people and not of any class. This is a representative form of government. The political power of the people is expressed and carried into action through their representatives in their legislative bodies. These legislative bodies must be absolutely free and independent from all attempt at coercion or intimidation. Their members should be in close touch with their constituents, but they should express their honest judgment in laws and should never yield to threats or attempts to influence their acts in the interest of particular parts of the people against the whole.

We should always preserve in a perfect state of preparation an adequate army and navy. It should never be forgotten that eternal vigilance is the price of liberty. We have too much at stake to ever again commit the fatal folly of being caught unprepared to defend ourselves. The war has not changed human nature, nor has it allayed permanently the jealousies and ambitions of nations. We have become the greatest world power. Our export trade has increased to a point which would have been deemed to be impossible a few years ago. We are in possession of a great fleet of merchant ships. They must be operated under the American flag to carry our goods to the uttermost ends of the earth and to bring to us the products of all the world. The American flag is to float upon the seven seas, and that flag and the ships which carry it must be protected, together with our citizens, everywhere. We have no intention of committing any aggression upon any nation of the world. We desire no more territory, and we have taken none as a result of the war. We desire and we think we deserve the friendship of all nations. We wish them all, happiness and prosperity. We desire to do everything possible, both as a government and as a people, to promote peace and good will upon earth, and it is our duty to set a good example in this respect. There has never been a great calamity in any part of the world to the relief of which America has not been the first to extend aid in generous measure. We welcome to our shores and to the protecting folds of our flag and the guaranties of justice and equality prescribed in our institutions the poor and oppressed of every land and of every clime. All we ask of them is to be industrious and loyal to the land of their adoption.

It is impossible to enumerate the vast array of progressive and beneficial legislative enactments which may be necessary during the process of restoring our Government to the people. This is a government of parties, and parties must be held responsible for carrying out their platform pledges and providing for the welfare of the people as emergencies arise and as the needs of the hour may dictate. The Republican Party appeals to its record in peace and in war since the preservation of the Union as a guaranty that if the country again intrusts it with power it can be relied upon to promote the prosperity and preserve the independence of the whole people of the land.

AGRICULTURAL APPROPRIATIONS.

The PRESIDING OFFICER (at 12 o'clock and 7 minutes p. m.). The morning business is closed.

Mr. GRONNA. I ask unanimous consent that the Senate proceed to the consideration of House bill 12272, the Agricultural appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

Mr. GRONNA. Mr. President, I understand the question pending before the Senate is the amendment of the Senator from Idaho [Mr. NUGENT] to the amendment of the committee increasing the appropriation for fire protection from $125,000 to $200,000. Yesterday, when that question was pending, I was under the impression that the paragraph relating to forest fires, beginning at the bottom of page 93 and ending on line 6, page 98, was pending. I understand, however, that that was disposed of. My attention was diverted for a moment, and I did not know that we had reached the next paragraph.

I find no fault with any Senator for offering amendments and asking for increases where it is absolutely necessary. I failed on yesterday to state that the Appropriations Committee took care of this proposition last year. The Senator from Utah [Mr. SMOOT] knows more about it than I do. But at no time has there been a disposition upon the part of Congress to deny the people in the fire-stricken sections of the country funds for the protection of the forests.

I do not think we should increase this item above the amount allowed by the Senate committee. The House allowed $75,000 for this cooperative work. The Senate committee increased it $50,000, making a total appropriation for the work of $125,000.

I do not care further to delay the Senate and simply ask for a vote unless some other Senator wishes to be heard.

The PRESIDING OFFICER. The Chair is advised that the amendment to the amendment was agreed to yesterday, and the question now is upon agreeing to the amendment of the committee as amended.

Mr. NUGENT. Mr. President, just a word. I went into this matter yesterday afternoon somewhat in detail, and it is unnecessary to repeat what I then said.

So far as this appropriation is concerned, the law originally provided $200,000 for cooperation with the States that desire to participate in the fund. According to my understanding of the matter the Secretary of Agriculture this year estimated for $200,000. The House cut the appropriation to $75,000. I and others appeared before the Committee on Agriculture and Forestry of the Senate, and upon the showing then made the Senate committee increased the appropriation to $125,000. But I called attention yesterday to a fact that I repeat to-day, that there were 24 States which last year participated in this $100,000 fund, the amount which was appropriated last year, and of that sum twenty-six thousand and some odd dollars were allotted to the Western States, in which there is now one-half of all the standing merchantable timber in the United States and 80 per cent of all the timber that is still in Government ownership.

I have not the least doubt in the world that it is a matter of vital importance that the appropriation be increased to the sum originally estimated for by the Secretary of Agriculture. The State of Idaho received but about $4,500 last year and expended $98,000, approximately, in fighting fires. Private lumbering companies in northern Idaho expended $260,000. I fail utterly to see any valid reason why there should be any objection to an increase in this appropriation to the amount estimated for originally by the Secretary of Agriculture.

Of course, after the House reduced the appropriation to $75,000 the new Secretary of Agriculture stated that it was his desire that the appropriation be increased, if I remember correctly, to at least $100,000, but with the sums expended by the various Western States $100,000 allotted to 24 States is, as a matter of fact, comparatively speaking, a mere bagatelle.

Mr. DIAL. Mr. President, I wish to know how we legislate in this body, whether it is done by a majority or by a minority or by the chairmen of committees or by conferees. Yesterday when this amendment was up this is what transpired. The Senator from North Dakota [Mr. GRONNA] said:

> Mr. President, I find no fault with the announcement of the Chair. I fully realize that the amendment is carried, and I agree to that; but I simply want to say that the Senator from Idaho is endangering the amount of $60,000, because the probability is that the whole thing will go out in conference. It was my purpose, as chairman of the committee, to keep the $60,000 in the bill.

Mr. GRONNA. I think perhaps the Senator from South Carolina did not hear my statement this morning. I stated that my attention was diverted for the moment, that I was interrupted by some Senator, and I had reference to the $60,000 appropriation for fire patrol.

Mr. DIAL. Yes; I am just getting to that point. I want to call attention to it. Further, the Senator from North Dakota said:

> I must confess to the Senate that I can not and will not in conference agree to the increased amount carried in the amendment offered by the Senator from Idaho.

Mr. President, I say if that is the attitude of the Senator, then it occurs to me that it would be improper for him to sit in the conference, as I understand conferees are appointed to carry out the will of the majority of the Senate as expressed by our votes here.

Mr. GRONNA. I am perfectly willing to leave that to the Senate, I will say to the Senator from South Carolina.

Mr. DIAL. If the Senator had reference to another item, then, of course, my remarks do not apply to the one that is pending.

Mr. SMOOT. Do I understand that the Chair held that the amendment of the Senator from Idaho [Mr. NUGENT] to the committee amendment had been agreed to?

The PRESIDING OFFICER. The ruling yesterday was that the amendment to the amendment had been agreed to, and the Senator from North Dakota [Mr. GRONNA] reserved a separate vote on the item in the Senate. That is what the RECORD

shows. The question is upon agreeing to the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 99, line 11, after the word "elsewhere," to strike out "$30,000" and insert "$40,000," so as to make the clause read:

Experiments in dairying and live-stock production in semiarid and irrigated districts of the western United States: To enable the Secretary of Agriculture to conduct investigations and experiments in problems connected with the establishment of dairying and meat-production enterprises on the semiarid and irrigated lands of the western United States, including the purchase of live stock, and the employment of necessary persons and means in the city of Washington and elsewhere, $40,000.

The amendment was agreed to.

The next amendment was, on page 99, line 13, after the word "exceed," to strike out "$60,000" and insert "$75,000," so as to read:

That not to exceed $75,000 of the lump-sum appropriations herein made for the Department of Agriculture shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 99, in line 15, before the word "maintenance," to insert "purchase."

Mr. SMOOT. Mr. President, the House refused to insert the word "purchase" in this item for "motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District of Columbia. I was wondering whether it would not be better to leave out the word "purchase," because of the fact that the War Department now has a great many automobiles, and particularly trucks, on hand that are virtually rusting and deteriorating, until in a little while they will not be worth anything. I think it very unwise for the Government of the United States to purchase additional trucks or automobiles for one bureau when another department has a surplus of them. We have so many of these vehicles now that they can not all be kept under cover; and if the Agricultural Department desires an automobile or a truck we should insert a provision in the bill authorizing the transfer from the War Department to the Agricultural Department of trucks or automobiles as may be required for the particular use named in this provision.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. Yes; I yield.

Mr. GRONNA. If the Senator will permit me, I desire to read from my notes in reference to this provision:

The changes proposed in this item by the Senate committee amendment merely restore the identical language in the act for the current fiscal year. This paragraph carries no appropriation. It simply authorizes the use of a small portion of the lump-fund appropriation of the various bureaus for the purchase, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles. Under the House bill the total that may be used for this purpose was reduced from $75,000 to $60,000, and the authority to purchase passenger-carrying vehicles for the $15,000 which has heretofore been available has been eliminated.

It is the intention of the bill as reported to allow them to use not to exceed $15,000 for the purchase of vehicles.

Mr. SMOOT. This provision states:

That not to exceed $75,000—

The House fixed the amount at $60,000, but the Senate committee has stricken out "$60,000" and inserted "$75,000"—

of the lump-sum appropriations herein made for the Department of Agriculture shall be available for the purchase, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District of Columbia.

Then follows a proviso:

Provided, That not to exceed $15,000 of this amount shall be expended for the purchase of such vehicles, and that such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motor trucks in the District of Columbia.

Mr. GRONNA. I see the Senator's point, and I have no objection to striking out the word "purchase," on line 15, page 99.

Mr. SMOOT. That should be done.

The PRESIDING OFFICER. Does the Chair understand the Senator from Utah to move an amendment to that effect?

Mr. SMOOT. All that is necessary in order to reach the matter is for the Senate to disagree to the committee amendment inserting the word "purchase."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 99, in line 19, after the words "District of Columbia," to insert "*Provided*, That not to exceed $15,000 of this amount shall be expended for the purchase of such vehicles, and that such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motor trucks in the District of Columbia."

Mr. SMOOT. This amendment also contains the $15,000 added to the $60,000 item, making $75,000 "for the purchase of such vehicles, and that such vehicles shall be used only for official service outside the District of Columbia." I think we ought to disagree to the amendment.

Mr. GRONNA. I was perfectly willing to disagree to the amendment on line 15, because I can clearly see that that would permit the total amount to be used for purchasing vehicles, but the proviso specifically states that—

Not to exceed $15,000 of this amount shall be expended for the purchase of such vehicles.

The department is very anxious to have at least $15,000 for that purpose.

Mr. SMOOT. I should like to have the $60,000 remain as the House provided, and then add a provision authorizing the Secretary of War to transfer to the Department of Agriculture one truck or one automobile or whatever number they may desire.

Mr. GRONNA. I will say to the Senator that the automobiles generally used for the Agricultural Department may not be found in the list of automobiles owned by the War Department. As the Senator knows, the Agricultural Department use inexpensive cars, because they are much cheaper to operate than the expensive cars; and I doubt if the War Department has any of the cheaper cars.

Mr. SMOOT. I do not know whether they have or not.

Mr. GRONNA. I think it would be economy, especially in the use of gasoline, to purchase new, inexpensive cars which can make from 20 to 27 miles per gallon of gasoline, whereas the larger cars make only from 8 to 10 miles per gallon.

Mr. SMOOT. I recognize the fact that the Senator is right as to that proposition.

Mr. GRONNA. I hope the Senate will not disagree to the amendment.

Mr. SMOOT. Perhaps we had better let it go to conference, and it can be adjusted there.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, in the side heading on page 100, line 11, to strike out the words "including the blowfly and screw worm in live stock and poultry."

The amendment was agreed to.

The next amendment was, on page 102, line 5, after the word "elsewhere," to strike out "$288,560" and insert "$588,560," so as to make the clause read:

Eradication of pink bollworm: To enable the Secretary of Agriculture to meet the emergency caused by the existence of the pink bollworm of cotton in Mexico, and to prevent the establishment of such insect in the United States by the employment of all means necessary, including rent outside of the District of Columbia and the employment of persons and means in the city of Washington and elsewhere, $588,560, as follows.

The amendment was agreed to.

The next amendment was, on page 103, line 12, after the word "distribution," to strike out "$125,000" and insert "$425,000, of which amount $200,000 shall be immediately available," so as to make the clause read:

To conduct surveys and inspections in Texas or in any other State to detect any infestation and to conduct such control measures, including the establishment of cotton-free areas, in cooperation with the State of Texas or other States concerned, as may be necessary to stamp out such infestation, to establish in cooperation with the States concerned a zone or zones free from cotton culture on or near the border of any State or States adjacent to Mexico, and to cooperate with the Mexican Government or local Mexican authorities, or otherwise, by undertaking in Mexico such measures for the extermination of the pink bollworm of cotton as shall be determined to be practicable from surveys showing its distribution, $425,000, of which amount $200,000 shall be immediately available: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of crops or other property injured or destroyed.

The amendment was agreed to.

The next amendment was, on page 103, after line 16, to insert:

Prevention of spread of European corn borer: To enable the Secretary of Agriculture to meet the emergency caused by the spread of the European corn borer, and to provide means for the control and prevention of spread of this insect throughout the United States, in cooperation with the States concerned, including employment of persons and means in the city of Washington and elsewhere, and all other necessary expenses, $500,000, of which $250,000 shall be immediately available.

Mr. SHEPPARD. Mr. President, as I understand, only committee amendments are now being considered?

The PRESIDING OFFICER. That is all.

Mr. SHEPPARD. I have an amendment to offer at this point, but I will wait until it is in order for Senators to offer amendments from the floor.

CAMPAIGN CONTRIBUTIONS.

Mr. BORAH. I ask permission at this time, if the Senator in charge of the pending bill does not object, to introduce a bill and have it referred. I ask that the bill be read in full.

The bill (S. 4134) to provide for the publicity of campaign contributions was read the first time by its title, the second time at length, as follows:

A bill (S. 4134) to provide for publicity of contributions made for the purpose of influencing the election of delegates to national conventions at which candidates for President are to be selected.

Be it enacted, etc., That no candidate for President shall give, contribute, expend, use, or promise or cause to be given, contributed, used, or promised in procuring his nomination for the Presidency any sum in the aggregate in excess of $10,000 for any one State: *Provided*, That money expended by any such candidate for his necessary personal expenses incurred for himself alone for traveling and subsistence, stationery and postage, writing or printing (other than the newspapers), and distributing letters, circulars, and posters, and for telegraph and telephone service shall not be regarded as an expenditure within the meaning of this section and shall not be considered any part of the sum herein fixed as the limit of expense and need not be shown in the statements herein required to be filed.

SEC. 2. That the expenditures made or caused to be made by any individual, committee, or association or corporation upon behalf of a candidate of which the candidate has knowledge shall be included in the amount provided for in the foregoing section: *Provided*, That the candidate shall not be criminally responsible for expenditures under this section after he shall have publicly made protest against such expenditures.

SEC. 3. That any person, partnership, corporation, or organization that makes any contribution for the purpose of securing the nomination of any candidate for President, in excess of $100, shall, within one day after making such contribution, notify the Attorney General of the United States at Washington, D. C., of the making of such contribution, giving the full name and the post-office address of the person, partnership, corporation, or organization to whom or to which said contribution is made. The Attorney General shall keep a list of such contributions, by whom made, and to whom made, and said lists shall be open to public inspection at all times. Any person, partnership, corporation, or organization making such contribution and failing to comply in full with the terms of this section shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine of not more than $25,000 or by imprisonment in the penitentiary for a term of not more than three years, or by both such fine and imprisonment.

SEC. 4. That every candidate for the nomination for President shall within 15 days prior to the nominating convention and within 30 days after such nominating convention file with the Attorney General of the United States a full, correct, and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge and consent from any source in aid or support of his candidacy for nomination, together with the names of those who have furnished the same in whole or in part, and such statements shall contain a true and itemized account of all money and things of value given, contributed, used, or promised by such candidate or by his agent, representative, or other person for and in his behalf with his knowledge and consent up to and for the last day of such nominating convention, together with all the names of those to whom any of such gifts, contributions, payments, or promises were made for the purpose of procuring his nomination: *Provided*, That it shall not be necessary to incorporate in the last statement any item included in the first statement herein provided for.

Any person who shall violate or conspire with another to violate this act shall be deemed guilty of a felony and, upon trial and conviction thereof, shall be punished by a fine of not more than $20,000 or by punishment in the penitentiary for the term of not more than two years, or by both such fine and imprisonment.

The PRESIDING OFFICER. The bill will be referred to the Committee on the Judiciary.

Mr. BORAH obtained the floor.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. POMERENE. I do not want to be inquisitive, but has the Senator from Idaho been favored with an expression of views by each of the candidates bearing upon this subject?

Mr. BORAH. Not yet.

Mr. President, this measure, of course, can not be considered as having its origin either from a party standpoint or from an individual standpoint; but the developments thus early in this campaign, it seems to me, make it necessary for the Congress to take some notice of the situation.

I have drawn this measure in some degree of haste, having in mind the forcing of publicity rather than criminal punishment, although both are provided for. It does seem to me that we ought to enact some measure which would compel publicity in regard to this preconvention expenditure. We have covered some phases of our campaigns with measures which are already part of the laws of the land, but there seems to be no law covering the expenditures of preconvention campaigns. This bill is designed to cover that, and that alone.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. Inasmuch as it requires such a long time to pass a law, does not the Senator believe that a resolution of investigation of campaign expenditures in both parties by all candidates would accomplish the purpose desired?

Mr. BORAH. No. However, I am thoroughly in favor of such a resolution. It does ordinarily take considerable time to pass these laws; but I do not believe that the Congress can hesitate, in the face of the situation that now confronts us, to act as speedily as practicable. Such a law, of course, can not be passed out of hand; but there is no reason why it should not be passed to be effective 40 days prior to the convening of the convention at Chicago. I agree with the Senator from Iowa, however, that a resolution of investigation might be of considerable effect just now. However, in my opinion, if those who have been charged with these expenditures do not report to the public voluntarily, the judgment which will be rendered against them will be quite as effective as any investigation which will be made by Congress.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. My attention was diverted during a portion of the time the Secretary was reading the Senator's bill. Is it broad enough to require reports from the donors and users of money, as well as the candidates?

Mr. BORAH. Yes; that is, it is intended to be, and I think it is.

Mr. THOMAS. There is, as the Senator knows, an open movement, rather boldly or loudly proclaimed, by the American Federation of Labor, that they propose to enter the primaries for the purpose of nominating union candidates, and then undertake to elect them and defeat their opponents. Assuming that to be true, it must carry with it a proposed expenditure of money; and I should like to inquire whether the Senator's bill is broad enough to include such expenditures?

Mr. BORAH. This bill is broad enough to cover any expenditures of that kind made with reference to the presidential nomination. It is not intended to go into the other questions, because I think they are largely covered by Federal laws and State laws already upon the statute books with reference to Representatives and Members of the Senate; but it is broad enough to cover anyone who contributes or takes part, either for or against a presidential candidate, in securing his nomination. This is designed solely to cover the preconvention campaign. If, however, when it gets into the committee, or when it comes from the committee to the Senate, it is deemed advisable to cover any defects in the present law, certainly I have no objection.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. POMERENE. I notice that the order was made that this bill should be referred to the Committee on the Judiciary.

Mr. BORAH. Was it referred to the Judiciary Committee?

The PRESIDING OFFICER. It was referred to that committee. The reference will be changed if the Senator desires.

Mr. BORAH. I did not observe that. I intended that it should go to the Committee on Privileges and Elections.

The PRESIDING OFFICER. Without objection, it is so directed, and the bill will go to the Committee on Privileges and Elections.

Mr. POMERENE. I called attention to the fact because I thought that would be the proper committee to which it should go. I have no particular desire about it.

Mr. BORAH. Did the Senator desire to have it sent to the Judiciary Committee?

Mr. POMERENE. No; I did not. My attention was called to the fact that it was ordered referred to the Judiciary Committee, but I felt that it was properly within the jurisdiction of the Committee on Privileges and Elections; and, while in the past they have taken up this subject of expenditures at various times, they have not been able to get any action by the Senate, at least not within the last three years, except on the bill which was introduced by the Senator from Rhode Island [Mr. GERRY], and which related to the fraudulent purchasing of votes. A subcommittee of the Committee on Privileges and Elections, consisting of the junior Senator from Iowa [Mr. KENYON], the junior Senator from Montana [Mr. WALSH], and the senior Senator from Missouri [Mr. REED], presented a bill which was the result of many weeks, not to say months, of study.

It never got further, I believe, than to be reported to the full committee. Later on, I introduced that same bill in the Senate, and no action has been taken upon it since that time. It was reintroduced on November 21, 1918, and if the Senator will permit me I will reintroduce the bill now and let it go to the same committee so that it may be taken up for consideration.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. In view of the statement of the Senator from Ohio about the report of a subcommittee of which I happened to be a member, made I think three years ago, and in view of the fact that the Senator from Missouri [Mr. REED], the Senator from Montana [Mr. WALSH], and myself worked for some months on a bill that has not yet gotten by the committee and been reported to the Senate, I should like to ask the Senator if he thinks this bill will be out before the convention period?

Mr. POMERENE. I do not know. The Senator realizes the difficulties. I was one of those who favored that bill. There are certain features of it that are open to serious discussion. I do not know what will come of it. I should like to have action upon this matter. I think it would be doing a real service to the country if we could get some proper legislation regulating these large expenditures of money. We are all familiar with the conflicts between the Federal laws and the State laws, and the jurisdiction of the Congress and the jurisdiction of the several States, and I think that leads to many of the troubles that have presented themselves to some senatorial minds.

Mr. BORAH. Mr. President, it is altogether probable, I suppose, in view of the past experience of the Senate with reference to these measures, that there will be some delay in enacting this measure. However, one of the things that the Senate sometimes does is to enact legislation, and it often acts under the inspiration of an exigency or emergency, and sometimes very promptly. In any event, I found no law upon the statute books covering this particular situation. It has been advertised over the country that there was no such law, and I take it that the gentlemen who are making these expenditures feel sure that there is no such law. It was incumbent upon us, therefore, it seemed to me, to make a start. There is no reason why it should not be passed within the next 20 days. In the meantime, however, I shall be glad to support a resolution of investigation, although I have very little faith in investigations. They generally result in a long delay, and by the time the investigation has been completed public interest has died away, and also interest in the Senate. Nevertheless, this may be an instance in which it will do good.

Just a word further, Mr. President. For many years in this country the use of money in elections has been growing with a rapid pace. The extent to which this practice has gone in the control of our preconvention campaigns, and also our elections, is really astounding, and there is every indication that the year 1920 upon both sides of the fence is to see a perfect saturnalia of expenditures in matters of election.

Mr. NELSON. Mr. President, may I ask the Senator whether this can not be regarded as an instance of the high cost of living?

Mr. BORAH. The Senator's observation seems rather irrelevant.

Mr. President, some time ago one of the representatives of the Democratic Party stated in the New York Times, under date of August 24, 1919, that it was proposed to raise $10,000,000 for this campaign. If that is true, it will be proposed to raise a like sum upon the Republican side.

Mr. HARRISON. Mr. President, did not the Senator also read afterwards that the chairman of the Democratic committee denied that statement, and that there was no such statement made?

Mr. BORAH. The statement that I have I think was made. I always quote the New York Times news reports with confidence. I do not remember the denial; but if there was a denial, I am very glad to have it stated. But, Mr. President, that is only a slight indication of what is actually going on now. The amount of money which is actually being expended to control both the national conventions is perfectly shocking.

Mr. ASHURST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Arizona?

Mr. BORAH. I yield.

Mr. ASHURST. Of course, the Senator is correct in his view that money should not be used to influence elections, but it does no good to talk in a circuitous way. What the country and the Senate want to know is who is spending this money. The Senator from Idaho is a Senator of great power and great responsibility, but this general talk will be of no value. If, however, you say that John Smith is spending so much money, you stop him right there. Now, I want to know who is spending this money. I want the Democrat named who is spending money, so that the condemnation of an outraged public conscience may fall on that Democrat. I want the Republican named and the Socialist named who are spending this money illegally. It does no good to talk this way, around the bush. Let us say who is spending the money, not say that there is a report here that somebody is spending it. Name the man, and you will stop improper expenditures mighty quick.

Mr. BORAH. Mr. President, I am always delighted to have a lecture from the Senator from Arizona. I trust he will continue in the same frame of mind throughout the entire fight. I am going to name the parties so far as I know them. If the Senator from Arizona will be equally vigilant and tell the people the names which possibly he knows, possibly together we can make an interesting case for the public.

Mr. ASHURST. Mr. President, I would be quick to tell the public the name of any person who I knew or could prove was spending money improperly in this election or primary campaign. I know of no one at this time in the Democratic Party who is spending money improperly. If I did, I do not need to tell the Senate that I would name the gentleman. But I do not know of anyone, and I can not prove that anyone is, just as I can not prove that a Democrat is trying to get a third term now. I would not hesitate a moment to tell the country that that was wrong.

Mr. BORAH. If the Senator does not know that the third term is being urged, then the Senator is blessed with an innocence which I did not suppose ever characterized the gentleman from Arizona.

Mr. ASHURST. Does the Senator from Idaho know that anyone is trying to get a third term? Does the Senator say that he knows it?

Mr. BORAH. I read a letter a few moments ago which convinced me that the move is on.

Mr. ASHURST. I would like to have that letter read here.

Mr. BORAH. Call on Mr. Jerry Matthews and he will show it to you. I think, Mr. President, that the President of the United States is entitled to a third term in view of the situation on the treaty. Who else is going to lead the fight? Who else is entitled to lead the fight? He stood bravely by his convictions. Why should not the Democrats rally around the man who thus exhibits his great faith in the cause?

Mr. MOSES. Mr. President, the Senator from Idaho means a third nomination, not a third term?

Mr. BORAH. If the candidate of the Senator from New Hampshire keeps on with his present practice and is nominated, it will, I am afraid, be a third term. [Laughter.]

The PRESIDING OFFICER. The galleries will be in order. There must be no expression of approval or disapproval by the occupants of the galleries of any remark by a Senator on the floor. The Senator from Idaho will proceed.

Mr. BORAH. Mr. President, the difficulty of presenting this matter at this time, of course, is that the party presenting it will be charged either with personal antipathies or with partisan feeling. I certainly have not any partisan feeling in regard to it, because the most I shall have to say will be in regard to the practice in my own party. I have not any personal antipathy in regard to it, because if the gentlemen who are charged with these exorbitant expenditures will come out and state the actual facts and satisfy the public, so far as I am concerned I shall be entirely satisfied with their program. I do not ask for anything other than the statement of these gentlemen who are candidates as to who their subscribers are, how much they have subscribed, and what they are doing with the money. I am perfectly willing to accept their statement if they will state facts and not avoid the specific charges.

What I object to, Mr. President, is that men who are candidates for the Presidency on the Republican side have been deliberately charged with having expended vast sums of money, that they have turned themselves over practically to a coterie of financiers, of men who have gathered vast wealth, and are permitting their campaigns to be conducted by those men; and it has every appearance, to the man in the street, and to the onlooker, that it is their deliberate determination through the use of money to control the Republican convention at Chicago. What must the people think when they see on every hand what appears to be a perfect orgie of expenditure and read these charges and hear no denial. If there is a denial possible, honest, self-respecting men would hasten to make it. They would make it out of a sense of self-respect, out of a sense of duty to the party and to the country. As a Republican and as a citizen, I have a right to ask that these charges be met.

There is only one way to meet that kind of a proposition, and that is for the man who is the candidate and charged with the offense to state to the public the actual facts in regard to it. If they will meet the proposition which has been made, and meet it in a candid, open way, then the question will be settled so far as I am individually concerned. I do not believe that any of these men would come out before the public and undertake to make a statement of fact which is not fact; but when they remain in complete silence under this class of charges there is only one inference to be drawn, and that is that the charges made are true.

Mr. President, as I started to say a few moments ago, the last 10 years have witnessed an ever-increasing use of money in American elections. In the last 10 years we have seen here in this Chamber one man expelled because of the use of money in his election, another tried by the Senate, who barely escaped expulsion, and he ought to have been expelled, and now we suffer the humiliation of having a third convicted by a jury. I shall not, of course, indulge in a discussion of the latter case. The time has not come yet to discuss that in the Senate. But must we not take into consideration, in view of this history, that conditions have reached the point where it is obligatory upon us to do everything that legislators may do in order to curtail this vicious practice?

Men do not think of the expending of money in an election as they look upon other practices, so long as there is no law upon the statute books. It is tossed aside and disregarded, and the thought that a party is committing a crime, or is guilty of moral obliquity, seldom is entertained by the parties who are actually doing the wrong. There is only one way, apparently, to bring it home to them, and that is to put a statute upon the statute books so that they will be advised that the public sentiment of the country as crystallized into law is to the effect that such action is to be designated and punished as a crime.

What is the difference between the man who unfortunately stands convicted of this offense under the law, and the men who are candidates for President who are spending hundreds of thousands of dollars? What is the difference between the two men in the court of conscience on the moral proposition? There is no difference at all. It is true that the man who came under the terms of the statute receives his punishment. The only reason why the others do not receive their punishment is because Congress has not hitherto done its duty in covering that particular situation as well as the one which is covered. I have introduced this bill, therefore, for the purpose of bringing it home to the attention of the Senate, so that we may enact proper legislation.

Such things as this, Mr. President, are being printed over the country, and so far with no denial. How shall the Republican Party meet such a charge?

Mr. THOMAS. From what is the Senator about to read?

Mr. BORAH. From this morning's New York Sun:

Branding Maj. Gen. Wood's presidential campaign in the State of Indiana as being fought under the slogan of "Get the nomination at any price" and making the sensational charge that testimonials of indorsement have been bought at $2.50 each, while wires and mails have been clogged with news like medicine advertisements, the Indiana Daily Times this evening printed the following:

"'Get the nomination at any cost.' This word has been passed down the line in the Leonard Wood organization, and his Indiana managers at least have taken those who are financing the campaign at their word.

"The latest publicity plan resorted to is that of obtaining paid 'testimonials.' The Wood campaign thus far has resembled to a great extent a patent-medicine advertising campaign. The testimonials read something like this:

"'Mr. Adolphus Jones, a street-car conductor living on Yandes Street, has indorsed the nomination of Gen. Wood. "I think Gen. Wood would make a good President," said Mr. Jones.'

"The reason for the numerous testimonials has now been revealed. They are being paid for at the rate of $2.50 apiece."

I am advised by a gentleman with whom you are all well acquainted that there are plenty of affidavits, sworn to in an adjoining State, to the same effect.

Mr. President, certainly Gen. Wood himself would not indulge in any such practice; it is inconceivable; but he is responsible before the country if he accepts the benefit of the action of those who do indulge in any such a practice. These men who have supposed that you can buy the nomination and corrupt the American electorate are beginning by paying $2.50 for a testimonial. What will they pay for votes? What will they pay for delegates.

Mr. Wood's managers say that Mr. Lowden, another candidate, is spending more money than they are, and that is the defense which is made, so far, by the representatives of the Wood campaign.

I am inclined to think that is true. There is some indication of it, although I must say for Mr. Lowden's managers that they have expended it with more adroitness and under a better system than the Wood managers.

But, Mr. President, think of the shameless condition of affairs. Two months and a half before the national conventions shall meet men are charged with spending hundreds of thousands of dollars, and their answer is that another man is spending more. There is no honest purpose to be served by putting hundreds of thousands and even millions into a nominative campaign, and the people will not accept the expenditure as being made for an honest purpose.

In my opinion, Mr. President, in less than 10 days, if Mr. Wilson should get out of the campaign, you will find that the amount of money which is expended by those two gentlemen is being in some respects equaled by two candidates on the other side of the fence, at a time, sir, when the people of this country are greatly distressed, when the cost of living is such as to worry and torment the people as to how they shall get through with their affairs. It is no less than criminal that such practices should be flaunted in the face of the people. These war profiteers have apparently combined their efforts and their power and their finances for the purpose of actually controlling the two national conventions through the means of money.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. If they can succeed in doing that in both parties, then, of course, they need make no further effort in the matter; they can go to sleep.

Mr. BORAH. They can not go to sleep, because there will be a fire alarm at midnight.

Mr. THOMAS. I assume the Senator, before he takes his seat, will supply the Senate with the names of the two Democratic aspirants to whom he has made reference.

Mr. ASHURST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Arizona?

Mr. BORAH. I yield.

Mr. ASHURST. I hope the Senator will supply the names of those Democrats who are spending money improperly, because I had up to this point taken no direct interest in the coming national conventions, hoping and believing that an excellent Democrat would be nominated at San Francisco; but if the Senator will give me the names of the two men or any other Democrats who are now spending money illegally, I shall engage in a little activity to see that those gentleman are deprived of some delegations that they might otherwise get. I should like to know their names.

Mr. BORAH. They are not spending it illegally because there is no law against it.

Mr. ASHURST. Are they spending money improperly?

Mr. BORAH. Look over the country. Observe what is going on. It is all right to say present your proof. I say the proof is on everybody's lips.

Mr. ASHURST. I have not been out on lecture tours. I have been here for eight or nine months, and I do not know about the situation except from what I see in the papers.

Mr. BORAH. Why should Senators sit here and be the most innocent cherubs in the whole country?

Mr. ASHURST. It is well to be innocent sometimes.

Mr. BORAH. I claim that when a Senator who is discharging his duty here is so innocent that he does not know what is going on in the country which everybody else knows, it is time that he would resign and go home.

Mr. ASHURST. There are many of us who would serve our country better by resigning than by remaining here, and I am not alone in that class. But what I want is the facts, if the Senator will give them to me. The Senator has stated that two Democrats are now spending large sums of money attempting to control the conventions and thus obtain the nomination for themselves or for some other person. The country has faith in what the Senator from Idaho says. My duty to resign is no higher than his duty to disclose such situation if he really knows the same to exist. It is better to pretend innocence than to pretend that somebody else is guilty and that we know it, and then not disclose the name of the one who is guilty.

Mr. BORAH. I will give the Senator all the facts just as fast as I can get them.

Mr. ASHURST. That is all I ask.

Mr. BORAH. I will give the Senator all the facts before this debate ends, for I intend to pursue this matter from now to convention adjournments.

Mr. ASHURST. That is all I ask.

Mr. BORAH. But I am not going to flush the covey until I get the facts I want.

Mr. ASHURST. I am not sufficiently familiar with poker nomenclature to know what that expression means.

Mr. BORAH. That has nothing to do with poker; it has reference to hunting partridges. [Laughter.]

I will read now from the New York World of March 22:

The World has obtained the following facts:

1. That the initial promotion of the Wood boom was undertaken by Dan R. Hanna, son of the old-time national boss, who "put McKinley over," who undertook to raise $600,000 to be used to bring about the nomination of Gen. Wood.

2. That John T. King, the Republican boss of southern Connecticut and national committeeman from that State, was retained by Gen. Wood and Hanna to manage the Wood campaign, and did so up to two months ago, when he retired in favor of W. C. Procter, the Cincinnati millionaire soap manufacturer, who is now in command of the Wood forces.

3. That King, while acting as political manager for Gen. Wood, raised and disbursed $101,000 contributed by Gen. Wood's personal friends on a promissory note negotiated by him, and $11,000 which he (King) personally provided and for which he was reimbursed.

Two months ago it was reported around the Capitol here, time and time again, that 10 men had sat down to underwrite Mr. Wood's campaign for $100,000 each. Now it is published in a responsible newspaper.

4. That the underwriting of the Wood boom was to have been $1,000,000, made up of contributions of $100,000 each by 10 men, and that the most definite information is that $20,000 of each contribution has thus far been made.

5. That all of the contributions sought and actually made came from men connected with railroad, banking, oil, life insurance, public utility, and other transportation and industrial corporations, the aggregate investment of which is in excess of $1,000,000,000.

MEN OF WEALTH AS THE UNDERWRITERS.

While it would probably require an investigation to determine the exact amount of contributions made to promote the Wood presidential boom, the World is in possession of information which shows that the gentlemen named herewith participated in the underwriting of the Wood syndicate:

Edward L. Doheny, president of the Mexican Petroleum Co., and officer and director in other oil companies, railroads, and banks, with an aggregate capital and investment of $500,000,000.

I do not know whether Mr. Doheny is contributing for the other side of the campaign now or not, but I am informed he did in the last campaign; and he is a candidate for delegate at large to the Democratic national convention from California.

Ambrose Monel, officer and director in nickel, phosphate, motor, steel, bank, and other corporations, with an aggregate capital of more than $215,000,000.

Harry F. Sinclair, head of the Sinclair Oil & Refining Co. and other corporations, and officer and director in many corporations, baseball promoter and racing commissioner of New York State, whose interests total more than $250,000,000.

H. M. Byllesby, officer and director in 29 transportation, light, heat, power, oil, steel, and other corporations in the Middle and Far Western States, the aggregate capital stock of which exceeds $200,000,000.

W. B. Thompson, copper magnate, director in Federal reserve bank and officer and director in many corporations, including the Utah and Inspiration Copper Cos., and the Metropolitan Life Insurance Co. of New York.

Dan R. Hanna, capitalist of Cleveland, Ohio, with interests involving hundreds of millions of dollars in steel, banks, and Lake transportation corporations.

It has been stated to me by a perfectly responsible party that Mr. Hanna stated that he would spend $100,000 to carry the city of Cleveland, and stated it publicly.

E. E. Smathers, capitalist, of New York, promoter of racing and baseball, art connoisseur, with large financial interests.

A. A. Sprague, head of one of the largest wholesale grocery houses in Chicago and director in many corporations.

I read that to call attention to the fact that this has now been published for several days. There has been no denial of the facts stated upon the part of either of the candidates or of those who are managing their campaigns. I must conclude, the country must conclude, that a denial of the facts can not be made. This is the record which these men are building up against the Republican Party. This is the shame they are bringing on the Republic itself. I denounce it. It is intolerable. It means the utter destruction of all confidence upon the part of our people in the party and in our institutions.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Oregon?

Mr. BORAH. I yield.

Mr. CHAMBERLAIN. Has the Senator any information as to whether these distinguished gentlemen are confining their contributions to the campaign of one candidate or may they not be contributing to several others?

Mr. BORAH. I do not know about that. The managers of the Wood campaign claim that Mr. Lowden has his own money; that he does not have to take any contributions; and that is the distinction between the two. I am not able to state in regard to that?

Mr. CHAMBERLAIN. They do that sometimes, do they not?

Mr. BORAH. Yes; they do that sometimes. I stated a moment ago that Mr. Doheny would be in San Francisco as the representative of the Democratic Party of California and he will have contributed $100,000, less or more, to the selection of a candidate for the Republicans. It is also stated that Mr. Doheny has large oil interests in Mexico, and it is very probable that the next administration will have to deal very effectively with the Mexican question. All these things naturally gave rise to suspicion that these gentlemen are looking to the protection of their interests from both sides. It may not be true, but it will be believed to be true if some denial is not made.

The Wood managers put out this campaign statement:

The Lowden campaign fund has not been attacked, nor has that of Mr. Hoover, although both of these other candidates are personally wealthier men than Gen. Wood—whose Army salary is all that he has—and their campaign funds are probably considerably larger. Gov. Lowden is a multimillionaire, with all the wealth of the Pullman interests behind him, and it is evident that Hoover's campaign is amply financed by various wealthy men. It is obviously another evidence of Gen. Wood's strength that the attack is made upon him and upon those independent admirers who have come forward voluntarily and supplied the sinews for the campaign that is intended to educate the Republican voters of the country to the Nation's predicament, its present needs, and the eminent qualifications and character of Gen. Wood.

Mr. President, I received a letter from a gentleman, former friend of mine, complaining very bitterly that while I was attacking Gen. Wood I was not attacking Mr. Lowden. I telegraphed him that I would use any facts which he could supply me with concerning Mr. Lowden or any other gentleman who was in the campaign.

Mr. President, I have no desire to conceal anything in regard to this matter. I simply believe that a national peril confronts us, and I want to get the facts before the country, even if I have to do it in what will be denounced a brutal way, to force some action in regard to the matter. If these gentlemen are not guilty, they have it within their own power to establish their innocence within 48 hours.

I do not hesitate to say that if any candidate for the Presidency is accepting such stupendous favors from those who have their many millions to expend, it is proof positive that they will be called upon to return these favors after they are elected President. Men do not put their millions into a campaign without the expectation of return in some way and somewhere along the line. These are not beneficent benefactors who do not care whether they get any return for their investments or not. They are men who are undertaking to control political conventions for the purpose of securing political results. It is the duty, therefore, of Mr. Wood and Mr. Lowden and of all these other gentlemen who have been named, to give the American public once and for all the details of who are the subscribers and how much they are subscribing and what they are doing with it.

Why, sir, if I should state representations received by me from South Dakota—and the only reason I do not is because I do not know the gentleman personally who sends them—for every vote cast in South Dakota for either Mr. Wood or Mr. Lowden they have expended at least $10. If it is true that Mr. Wood got 29,000 votes and Mr. Lowden 23,000 or 24,000, according to the amount of money which it is claimed by those, some of whom live in South Dakota, that was expended there, they have paid for them in expenditure equal to $10 for every vote that was cast. How long can we tolerate such a proposition? Shall those Republicans who shut their eyes to such a condition of affairs now be able to defend their party against such practices when the campaign shall have opened? Now is the time to clean the Augean stables; and regardless of whom it hits or hurts, regardless of the enemies it may make, now is the time for the Republicans to clear the situation and either establish the cleanness of their candidates or deal with them at Chicago as unclean candidates should be dealt with.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. POMERENE. I share the Senator's detestation, if I may use that word, of the large expenditure of money in elections, and I want to join hands with the Senator in trying to remedy this situation, if it can be done; but I wish to ask the Senator this question: Has he investigated sufficiently to determine, in his own mind, what, if any, constitutional authority Congress has to deal with the subject of presidential primaries or elections? Before the Senator answers that question, if he will permit me to make an observation or two, I desire to say there is no question about our right to control primary or general elections so far as they relate to Representatives in Congress and to Senators, but our courts have held at various times that a presidential elector was not a Federal officer; that he was a State officer, and that the State legislatures have the right to provide for their appointment. That has been construed to

mean either appointment by the legislature or by election. They are now elected by popular vote.

I recognize the fact that Congress has the right to determine the time of choosing the electors and the day on which they shall cast their vote, which day shall be the same throughout the United States.

I had occasion a couple of years ago when this matter was engaging the attention of the committee to look into the question of the right of Congress to control presidential primaries. I know that that matter was given very serious thought by some of the ablest lawyers of this body, and at that time we were of the opinion that we could not control the presidential primaries. I have not had the opportunity to examine the bill which has been presented by the Senator from Idaho, though I heard it in part read. It may be that it is builded upon some different theory. I hope the joint investigation of Senators will lead to a conclusion that there is this power. I present the subject now so that I, for one, may have the benefit of the Senator's views. If there is no such authority, then there ought to be an amendment to the Constitution to cover the case.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. BORAH. I yield.

Mr. KENYON. If I understood the question of the Senator from Ohio, it was as to the power of Congress to interfere as to primaries?

Mr. POMERENE. As to presidential primaries.

Mr. KENYON. I suppose the Senator is familiar with the decision of the Supreme Court in the West Virgina case. While I can not give the details of it, that decision practically upheld the power of Congress as to primary elections where Members of Congress were elected.

Mr. POMERENE. There is no doubt about that; we clearly have the authority to control either primaries or general elections so far as they relate to Representatives in Congress or to Senators, but I am suggesting the question of our power to deal with presidential electors.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Dakota?

Mr. BORAH. I yield.

Mr. STERLING. Mr. President, in view of the statements which have been made by the Senator from Idaho in regard to the cost incurred by two of the candidates in the primary campaign in South Dakota, I think I should say a word. I can not let the inference go unnoticed that the electorate of South Dakota have been corrupted or have yielded to bribery upon the part of the candidates or those who have managed the campaigns of those candidates.

I think, Mr. President, I know something about the voters of South Dakota, and I do not believe there is a more honest or more patriotic body of citizens in any State in this Union than are to be found in South Dakota. I do not know that the Senator said so, but the inference might be drawn from his remarks that from $25,000 to $30,000 were expended by each of those candidates in the corruption of individual voters.

Mr. BORAH. No, Mr. President.

Mr. STERLING. The money might have been spent; I am not denying that.

Mr. BORAH. I did not say it was used for the purchase of votes. I said for each vote obtained they had expended $10. I did not put the amount at $25,000 or $30,000 for each candidate; there is no such small sum as that involved.

Mr. STERLING. If the Senator said it cost on an average $10 for each voter in South Dakota, of course it would not come down to a sum of $25,000 or $30,000, as I understood the Senator to say; but the inference might go out from that bare statement that the money was spent by paying the individual voters. I do not want any such inference—if that is the inference—to be drawn upon the people of South Dakota, for it is a reflection that is wholly unwarranted.

Mr. BORAH. I did not intend to say that they actually bought votes; I did intend to say, however, that the effect of using that money in that way is to corrupt the election.

Mr. STERLING. The Senator does not exactly say in what way—and that is one omission that runs through the Senator's argument. He does not say in what way the money was used. Vast sums, of course, are used in these days; much greater sums are now used than have been used heretofore in the matter of printing material, in the matter of advertising, and so forth; not used for the purpose of corrupting the voters, but to bring the character and virtues of the several candidates and the issues to the attention of every individual voter.

Mr. BORAH. If it takes a million dollars to present the virtues of a candidate to the voters, we had better find somebody who has virtues that do not have to be advertised so highly.

Mr. STERLING. All candidates, more or less, resort to that method, and more now than formerly, as, I think, the Senator well knows.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. I do not understand that the Senator from Idaho is singling out any particular State of the Union except as the result of the primary which has been held in one State—and, I think, the only primary so far held—indicates the extent to which the same practices will be applied to the electorate in other States.

Mr. BORAH. Precisely.

Mr. THOMAS. In other words, South Dakota is no worse, when it comes to the influence exerted upon the voter by large expenditures, than Idaho or Colorado or any other of the Commonwealths of the Union.

Mr. BORAH. Certainly not; that is exactly correct; but in every community in the United States there is always a class of men who can be bought; there is another class of men whose influence can be purchased; and there are always, thank Heaven, a very large class of men who can not be purchased either directly or indirectly; but those who can be controlled by money are the men whose weight generally goes to the place where as a balance of power they will determine the question.

I do not mean to attack the people of South Dakota, but I wish to say to the Senator from South Dakota that there are a great many people in South Dakota to-day who are very indignant because of the situation. While they make no charges that any man was paid $10 for his vote, they feel that had it not been for the extravagant and unconscionable use of money the judgment of that State would have been different.

In reference to corrupting the American electorate, I call attention to the fact that there is no State in the Union which has a finer class of citizens than the State of Ohio. They have been known for their sturdiness of character, for their manhood and their womanhood ever since the great Western Reserve was first settled; yet we all recall that pitiable, pathetic scene of some seven or eight years ago when it was revealed that a large portion of the citizens of one of the counties of that State had either been directly or indirectly influenced by money in an election. By the hundreds men of unquestioned character theretofore and women accompanied their husbands to the probate judge and plead guilty of having received $5 or $10 for their votes. I have an account of that incident here upon my desk. If anyone wishes to treat lightly the use of money in American elections, let him read what money did in one of the most stable communities of the United States, in one of the best States of the Union, and how it humiliated, degraded, and debauched an entire community.

Now, sir, if millions and millions are going to be spent for the purpose of controlling conventions, if millions are going to be spent for the purpose of controlling an election, it is with the view that money counts in elections and in conventions, for otherwise it would not be spent.

I have no objection at all to any candidate for the Presidency visiting the people and discussing public questions, and any expenditure that is necessary on that account will be justified by the people without any question at all, but the money is not used in that way. If this report in the Sun this morning is correct, if the other statements which have been made are correct—and the parties are named and the publications making it are responsible—then candidates or their managers have descended to actual personal corruption; that is all there is to it.

Every single candidate in this campaign, Mr. President, has as his first and foremost plank "Americanization," the preservation of American institutions; and yet the indispensable primary quality of Americanization is to keep clean the American electorate, to withhold the use of money in the control of American elections. We can not have stable, free institutions and consent to the proposition that either conventions or elections can be controlled by money. I ask these gentlemen in advance of the enactment of this bill, in answer to the demand from the public, to say who their contributors are, the amounts that they have contributed, and how they are expending the money. If they do not do so, they should receive the condemnation of the American people regardless of party. The man who will accept money from great corporations and conceal it from the masses

of the people is unfit to hold the high office of President of the United States.

Mr. MOSES. Mr. President, I was not in the Chamber when the Senator from Idaho presented his bill and when it was read, I assume. Therefore, I am not familiar with its provisions, and I can not pass judgment upon its effectiveness. I have heard the greater portion of what he has said in his address, however, together with the extracts which he has read from the New York World; and I wish to congratulate the New York World upon the fact that the Senator from Idaho evidently puts much more credence in the statements published in that newspaper now than he did during the course of the fight over the treaty of peace with Germany.

The alleged facts which the New York World prints, which the Indianapolis Times publishes, and which the Senator has read, I can not discuss, because I know nothing about them. I had thought that I did know something about the campaign which is being conducted in behalf of Gen. Leonard Wood; but my illusion has been shattered, because I find that the New York World and the Senator from Idaho and the Indianapolis Times know much more about it than I ever dreamed of.

I do not doubt, I do not deny, that money is being expended to promote the candidacies of men who seek the Presidency of the United States. I do not doubt—indeed, I know—that money is being expended to promote the candidacy of Gen. Leonard Wood, but that money is being expended legitimately and necessarily; and if the Senator from Idaho wishes to seek the root of this difficulty, if he wishes to do away with the expenditure of large sums of money in American political action, he should not devote himself to limiting expenditures, but he should seek out the cause and eradicate it.

Many States in the Union now select their presidential candidates by direct vote of the people in primaries, just as United States Senators are now elected by direct vote of the people, and in most States are nominated by direct primaries. In carrying the appeal of a candidate, whether for the Senate or the Presidency, to the whole body of the electorate, money must necessarily be expended, and I am here to say that money is necessarily being expended in politics to-day, and so far as the candidacy of Gen. Leonard Wood is concerned no dollar has been expended in his behalf illegitimately, and I have no doubt that if an investigation is made it will be found that the total sum comes nowhere near the tremendous amount which has been mentioned by the New York World and the Senator from Idaho.

Mr. BORAH. Mr. President——

Mr. MOSES. I can not speak with authority about this, because I do not know. I have not collected the money, and I do not know from whom it came; but, so far as my knowledge of the Leonard Wood campaign is concerned, I wish to say that it is immaculate with regard to its expenditure, and it has spent no dollar which has not been made necessary by the kind of a campaign which now has to be carried on. If the Senator from Idaho could have his way, apparently from what he says in connection with the nomination for the Presidency, a man would go out upon his front doorsteps and shout at the top of his voice, "I am a candidate for this, that, or the other office," and the people of the country would rush there the next morning and give him the nomination.

That is not possible nowadays. Money has to be spent. The Senator from Idaho knows it as well as any man in this Chamber or in the country. I have no doubt that he, as he has sought office, has received, if not solicited and probably expended, money in promoting his candidacy, legitimately and properly and for the good of the country; and what contributions have been made to the campaign fund raised in behalf of Gen. Leonard Wood have been made legitimately and will be expended properly and with a motive which makes for the good of this country, because there are men rich and poor, high and low, throughout the United States, sir, who wish to see a man of Leonard Wood's high character and courage and convictions in the Presidency of the United States. Those of us who can give only time and effort to that proposal are giving it; those who can give money have given it, and the motive is the same.

I recall to the Senator from Idaho the burning words of indignation with which he, in 1912, refuted the charge that the candidate for the nomination whom he was then supporting was receiving money improperly from men of great wealth and from corporations who hoped, it was said, to recoup themselves if they were successful in the convention. The Senator from Idaho then said that the character of the candidate whom he supported gave the denial to those assertions; and I say here in his words, though I can not say them as eloquently or with as much vigor as he then used, that the character of the candidate whom I support gives the refutation to all such calumnies.

Mr. BORAH. Mr. President, has the Senator the words which I spoke? I recall no occasion for such a statement.

Mr. MOSES. Mr. President, I got them exactly as the Senator got what he read here this morning—from the columns of a newspaper.

Mr. BORAH. Where is the paper?

Mr. MOSES. Mr. President, I was 6,000 miles away during that episode, and I read few American newspapers, but with great care. They reached me 15 days after the episode, and I followed that tragic movement in American politics with much interest, and what I read was well impressed upon my mind. While I could name to the Senator the few papers which I then read, I am not sure that I could tell him the exact one in which I read it; but this much I am certain of—the thing took place.

Mr. BORAH. The reason why I asked for it was that I did not recall that in the campaign of 1912 this particular issue was raised against Col. Roosevelt.

Mr. MOSES. It was the campaign for the nomination when it was raised.

Mr. BORAH. That is what I had reference to.

Mr. MOSES. Everyone knows that Col. Roosevelt was accused of being financed by men of great wealth, by "the interests," and it was charged that they expected to recoup themselves in the event of his success.

Mr. BORAH. Mr. President, in my judgment the Senator is mistaken in the fact that the Senator from Idaho ever made any statement or was called upon to make any statement. I will say, however, that if Col. Roosevelt had been charged with it, in all probability I would have done so; but I was not fighting that part of his battle.

Mr. President, I am perfectly aware that the Senator from New Hampshire does not know anything about this matter, as he says; but there are people who do know about it. Mr. Proctor knows about it; Mr. Hitchcock knows about it; Mr. King knows about it; Mr. Doheny knows about it; Gen. Wood knows about it. Let us hear from those gentlemen who know.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. BORAH. I yield.

Mr. MOSES. I wish the Senator from Idaho would say whether or not he is bringing a direct charge of complicity in an effort to corrupt the electorate against Gen. Wood.

Mr. BORAH. I say this, without any hesitancy—that the men who are managing Gen. Wood's campaign are proposing to control the Republican convention through the use of vast expenditures of money, and I waive my privilege here upon the floor when I say it. Why are they spending hundreds of thousands and which will run into millions except to control the convention?

Mr. MOSES. The friends of Gen. Leonard Wood intend to nominate him and elect him, and we shall not be balked by rhetoric.

Mr. BORAH. No; you can not be balked with rhetoric. If you used simply rhetoric, I would not object to it. It is the other thing that you are proposing to use that I am objecting to.

Mr. President, I feel so indignant about this matter that I do not hesitate to say that it is an intolerable outrage upon the American people, it is an insult to the intelligence of the American people, to claim that you have got to use hundreds of thousands and millions of dollars to control the convention of the Republican Party. Put the claims of your candidate forward with modesty, with decency, and risk the American people to form a wise judgment.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from New Hampshire?

Mr. BORAH. I yield.

Mr. MOSES. Then, Mr. President, the entire body of the American people stand convicted, because it was necessary to spend millions of dollars to employ the columns of the newspapers, to placard every dead wall, to use flamboyant advertisements, and to cover the country with four-minute men and other orators in order to bring to the people of this country their privilege and duty to buy Liberty bonds; and such is the apathy of the public mind in this country that it is absolutely necessary to organize and carry on campaigns of publicity to advance the worthiest of causes, as we found out to our sorrow during the war.

Mr. BORAH. Mr. President, I acknowledge the necessity of publicity. I do not object to it at all. What I want is publicity. What I am pleading for is publicity. Let us know who the men are that are contributing to the nomination of the man whom the

Senator from New Hampshire hopes to see the next President of the United States. Let us know who they are and what interests they represent.

Mr. MOSES. Mr. President, why pursue the matter? The Senator from Idaho and the New York World have settled it.

Mr. BORAH. Then I understand—and I am glad to have the admission—that the representative of Gen. Wood upon the floor of the Senate accepts the statements of the New York World and the Senator from Idaho as settling the proposition.

Mr. MOSES. No, Mr. President; I say that in their own minds they have settled it, and they are both as mistaken as they have been known to be heretofore.

Mr. BORAH. Well, if we are mistaken, let us have the facts which prove it.

Now, Mr. President, it seems that they not only propose to do this thing, but let us read the statement of Mr. Procter.

Mr. POMERENE. Mr. President, may I ask the Senator from Idaho from what he is reading?

Mr. BORAH. I am reading from a statement made by Mr. Procter and published in the New York Sun. This was made after the publication by the World and after the statement by myself, and this is the only denial:

Gen. Wood is the candidate of the people and not of the politicians.

Everybody knows that Mr. Hitchcock is not a politician and that Mr. King is not a politician.

His campaign is being conducted by men who are not politicians.

I am inclined to agree that there are several in the camp who do not possess that qualification.

His campaign has been conducted solely on the lines of presenting a man of his character and his record to the American people.

And that is the denial of the specific charge that hundreds of thousands of dollars have been contributed by men of special interests and for special reasons. The Senator from New Hampshire makes the similar statement. After stating that he does not know how it was expended—which, of course, I believe to be true—he then says that it is all expended in a legitimate way. Let us have the facts before judgment is rendered upon this proposition.

Does the Senator know how much money Gen. Wood spent in South Dakota?

Mr. MOSES. I do not, Mr. President.

Mr. BORAH. Well, there is somebody who does know. Let the representatives of Gen. Wood state to the people of the United States how much money they put into South Dakota.

Mr. MOSES. Meaning by that that the treasurer of the campaign fund should tell what he spent, or that every friend of Gen. Wood who contributed a dollar in South Dakota shall be brought here and made to testify?

Mr. BORAH. The dollars were not contributed in South Dakota.

Mr. MOSES. Oh, I know of some.

Mr. BORAH. Well, perhaps a couple of dollars [laughter], but I am speaking now of the vast sums which were sent into South Dakota; and if you will do your country a service, you will have Mr. Hitchcock or Mr. King or Mr. Procter state how much money they sent into South Dakota, and then, in order that you may have company, call upon Mr. Lowden to state how much money he sent into South Dakota, and let us see how this campaign is being conducted in order to present the virtues of candidates for the Presidency.

Mr. MOSES. Mr. President, the Senator invites me to a great public duty as he sees it; but I must say to him that I think I am engaged in a greater public duty in trying to elect Gen. Wood President of the United States.

Mr. POMERENE. Mr. President, a moment ago I sent to the desk a bill which during the last Congress was introduced and referred to the Committee on Privileges and Elections. I now ask unanimous consent to introduce it out of order and ask to have it referred to the Committee on Privileges and Elections.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 4135) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes, was read twice by its title and referred to the Committee on Privileges and Elections.

AGRICULTURAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921.

The reading of the bill was continued.

The next amendment of the Committee on Agriculture and Forestry was, on page 103, beginning with line 17, to insert the following paragraph:

Prevention of spread of European corn borer: To enable the Secretary of Agriculture to meet the emergency caused by the spread of the European corn borer, and to provide means for the control and prevention of spread of this insect throughout the United States, in cooperation with the States concerned, including employment of persons and means in the city of Washington and elsewhere, and all other necessary expenses, $500,000, of which $250,000 shall be immediately available.

Mr. SMOOT. The last words of this amendment, "of which $250,000 shall be immediately available," cover one-half of the whole appropriation. That means that for the coming year there will be appropriated only $250,000, and the balance of this year, up to June 30, there will be an additional appropriation of $250,000. It seems to me, Mr. President, that that is not a fair distribution of the appropriation, if it is to be made.

The amendment also provides that this appropriation shall be expended in cooperation with the States concerned, including employment of persons and means in the city of Washington and elsewhere; but it does not say anything about whether the States are to pay one cent toward the work or not. I would like to know whether the States are going to pay as much money as is provided in the appropriation to be paid by the United States or whether this work is going to be carried on by the United States alone. The Senator having the bill in charge will know that appropriations for a particular purpose the States sometimes provide that the State shall put up dollar for dollar for the amount appropriated by the Government, and I would like to ask the Senator why there is no such provision here?

Mr. OVERMAN. Is there any provision that the Government shall decide how much the States are to put up?

Mr. SMOOT. There are such provisions.

Mr. OVERMAN. I wish the Senator would show me such an instance. There are plenty of appropriations here where work has to be done in cooperation with the States, but I would like to see some provision along the line stated by the Senator from Utah.

Mr. SMOOT. I am quite sure I can show the Senator some.

Mr. OVERMAN. Where the Government provides how much the States shall put up? That is impossible to ascertain.

Mr. SMOOT. Mr. President, in all the appropriations that have been made for the enforcement of the Smith-Lever Act the State was to put up a dollar for every dollar appropriated by Congress. Not only that, Mr. President, but there are many appropriations made in the same way.

Mr. OVERMAN. I want the Senator to point me to any provision in this bill where such an appropriation is made. I think the Senator is correct that the State does put up dollar for dollar every time the Government puts it up; but show me anything like that in this bill.

Mr. SMOOT. I think there are items like that in this bill, Mr. President.

Mr. OVERMAN. I will ask the chairman if there is any such item?

Mr. GRONNA. Mr. President, if the Senator from Utah will permit me to say just a word, the Senator from Utah is correct in his statement as to the money appropriated for good roads, and also for the enforcement of the Smith-Lever law. But I hardly think there are any items in this bill—that is, there are no great amounts provided for in this bill——

Mr. OVERMAN. I think that is so, and I do not see how it could be done.

Mr. SMOOT. I am quite sure there are items in this bill where that is provided for, Mr. President.

Mr. GRONNA. Mr. President, I will explain to the Senator from Utah why we did not require this. It was stated to the committee that some of the States had expended a much larger amount than was appropriated by Congress. I think the State of Massachusetts expended over $400,000 for this very purpose. The State of New Hampshire has expended large amounts. The State of New York has expended very large amounts for this particular work. I think I am safe in stating that for every dollar the Government has appropriated the States have contributed at least five. The Senator knows that it is mostly the Eastern States, the New England States, that are infested with this insect, the corn borer. There is an appropriation of $250,000

carried in the present law, and that was found to be entirely inadequate. The department has used $25,000 from another fund, so that $275,000 has been used. But I think I am safe in making the statement that a great deal more than a million dollars has been expended by these States which I have named.

There was a supplemental estimate sent to Congress as early as last summer, asking for a special bill to be passed through Congress, and we allowed $250,000. The department asked for $500,000 more.

I realize it is a large amount, but from the showing made, not only by those who represented the department but by people who live in these States, who are very much concerned about the destructiveness of this pest, we felt that we are fortunate that it has not extended to the West. When we consider that the corn crop of this country is nearly 3,000,000,000 bushels, worth $1.50 a bushel, $500,000 is a small amount to compare with it.

I would not be in favor of allowing a dollar that I thought would be wasted. I was in hopes we could get along with $250,000, but the members of the committee convinced me that we ought to have this amount—$500,000. I trust that the Senate will allow it to go to conference. It is a good deal like the expenditure for the eradication of the boll weevil and the bollworm. There is a serious condition confronting the American people. It may seem like a large expenditure, and, of course, it is a large expenditure; but it is nothing to compare with the value of the crop. We increase the amount for the eradication of the boll weevil and the bollworm to $600,000 in this bill, but I feel that every cent of it must remain in the bill, because every dollar and every penny of it will be needed to eradicate that destructive insect. So I trust that the Senator from Utah will permit this to go in. The Senator knows the reason why the House did not put in an appropriation for the eradication of the corn borer. It was believed it would be carried in another bill, and that was the only reason why it was not in the bill when it passed the House.

Mr. SMOOT. An appropriation of $250,000 has already been made for that purpose.

Mr. GRONNA. Yes; this year, in this act.

Mr. SMOOT. That is what I mean, for the current year. But the House did not provide for an appropriation in this bill. This has all been inserted by the Senate. But this amendment carries the $250,000 appropriation to be spent between now and June 30 of this year.

Mr. GRONNA. Oh, yes; that may be more than is absolutely necessary. But I will say to the Senator there will not be a dollar expended unless it is necessary to expend it. I am perfectly willing, if the Senator wants to reduce that amount, to have him offer an amendment for that purpose.

Mr. SMOOT. There are only three months left of this fiscal year.

Mr. GRONNA. Let me tell the Senator from Utah how this work is being done. The eradication of this pest is a good deal the same as the eradication of the boll weevil. Every straw and every root of the cornstalks must be pulled up, piled up, and burned, and the quicker you can do this work the greater the economy, and the more effective will be the protection. I am quite sure that if enough men could be secured in these States where they have this pest so as to commence the work right now, before the spring crop is put into the ground, there would be a great saving of money.

Mr. OVERMAN. Mr. President, I would like to ask the Senator from North Dakota how this borer gets in his work. Does he bore, as the boll weevil does, into the pulp, or is it in the stalk or in the root of the corn?

Mr. GRONNA. It gets into every stalk and every fiber; and the way it attacks the corn is this: It goes through the husk, and it simply gets onto the corn and eats up every particle of the corn, and leaves only the column.

Mr. SMOOT. I understood that the borer works himself into the pulp of the stalk and does his destructive work there, just the same, I will say to the Senator from North Carolina, as the worm does in the sugar cane in the Hawaiian Islands.

Now, Mr. President, it looks to me as if this is an unfair division. I am not objecting to the appropriation of money for this purpose. I recognize that this industry is important to the United States, more so than many other industries. But I want to say to the Senator that there was $250,000 appropriated last year. Nine months of the year for which the appropriation was made have passed. Grant that they have spent all of the $250,000, and there is only one-fourth of the year yet in which the work can be done. If that is the case, it seems to me that this $250,000 can not be profitably expended within the three months, unless they multiply the amount of work that has been done in the last nine months by four, and that I do not believe is necessary.

Mr. POMERENE. Allow me to suggest to the Senator, however, that they are getting right up to the planting season, and it is a question of the distribution of the seed and other materials, the fibers, which may have the corn borers in them, that leads to the spreading of the borer.

Mr. SMOOT. The corn borer is not found in the seed, I will say to the Senator.

Mr. POMERENE. Perhaps I have not expressed myself as completely as I should have. As I understand, the corn borer has been largely brought over here with the shipment of broom corn and other things from Venice, Italy. I have a memorandum here from some of the experts on this subject, going into the matter very fully and very explicitly, and it is necessary to exercise the greatest care, otherwise this is going to become one of the most serious problems the country has ever had to deal with.

Mr. SMOOT. Of course that same thing will apply, then, to the next year.

Mr. POMERENE. That may be so.

Mr. SMOOT. And this is what this means, that they can spend this $250,000 from now until June 30, this year, then there will be only $250,000 left for the whole of next year, and it will mean that there will be an additional appropriation asked for.

Mr. POMERENE. It may be that it will be necessary for us to make additional appropriations. This corn-borer plague became most serious in Massachusetts, and, as I understand, Illinois quarantined against it for a time; but if the corn borer ever gets out into the great corn belt it will be a public calamity.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. I yield.

Mr. KENYON. I was wondering why the Senator kept saying there was $250,000 that must be spent in the next three months.

Mr. SMOOT. I did not say it must be spent, but it will be spent.

Mr. KENYON. How does the Senator know that?

Mr. SMOOT. They never would ask for the amount unless it was intended to spend it.

Mr. KENYON. It is in the nature of an insurance fund. If this matter gets started—it has not reached my State yet, and I hope it may not, because they are confining it to the East—the destruction by the corn borer will be beyond estimate. We have to rely, it seems to me, upon the honesty of the department that they will only spend what is necessary of this fund.

Mr. SMOOT. I want to say to the Senator that I am not objecting to the $500,000 appropriation. That is not it at all; but it does seem to me that $250,000—50 per cent of the amount that was appropriated for the whole of the present year—is too much to expend within the last three months of the year in addition to what they have already spent.

Mr. KENYON. It is unless the necessity arises, and that we can not foretell.

Mr. GORE. Mr. President, I think the explanation for it lies in the fact that the department intends to make an intensive drive during the next few weeks after the passage of this bill. As suggested by the Senator from Utah [Mr. SMOOT], the corn borer lays an egg in the stalk of vegetable fiber of various sorts, and, so to speak, hibernates in the stalk not only of corn but of broom corn as well. It came to the country, as suggested by the Senator from Ohio [Mr. POMERENE], in broom corn from Hungary, but it is not restricted to corn or broom corn. It affects practically all sorts of vegetable matter.

The few weeks following the passage of this bill will be the peak period in the effort to eradicate and arrest the spread of this pest.

I am sorry to say there is very little hope, if any, of the eradication of the corn borer. They have hoped to arrest its progress and even to restrain it to limited sections of Massachusetts. Of course, the Senator realizes that no expenditure will be too great to confine it to the territory at present occupied. Corn is more widely grown in the United States than any other field crop; the corn crop exceeds in value any other single crop, and to allow the corn borer to infest the corn belt would entail a loss beyond all calculation. This is one incident where certainly if we are to sin at all we ought to sin on the side of extravagance rather than on the side of too strict economy. I hope the Senator will not resist the appropriation.

Mr. McNARY. Mr. President, this matter came up, as I recall, before the Agricultural Committee, and I think the objection of the Senator from Utah to it is because it provides $250,000 to be immediately available. I think the Senator's opposition is due to a want of understanding of the way this

pest is fought. The necessity for the money being available in the next 90 days is for quarantine purposes, to prevent vegetables being shipped out of infested regions. The host of the pest is in vegetables. Forty-two varieties are known to be popular hosts of it, and there is no possibility of extermination. It is a question of the isolation of the pest, and unless these vegetables are kept within the infested district they will go out into new districts and the pest will be carried into them. In the spring months when vegetables are being taken from the garden from infested sections a most strict quarantine must be maintained, and this money must be available now and during this period if it is to be effective.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. GRONNA. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. I wish to add a sentence to what I said a moment ago as to the method of campaign. The intensive method to which I referred is the burning or destruction of stalks and vegetable matter and weeds. These pests hibernate in weeds as well. It is to make a drive for the destruction of these borers that this money is to be used.

Mr. SMOOT. Whenever we see in an appropriation bill an amount that shall be made immediately available, it is generally to cover a deficiency, as I stated yesterday; and although this is not exactly that, it would be a deficiency before the end of the present fiscal year.

Mr. GRONNA. May I ask the Senator from Utah what suggestion he has to make?

Mr. SMOOT. One-quarter of the amount appropriated would be $66,000, but I suggest to make it $150,000.

Mr. GRONNA. Very well, make it $150,000 and let it go to conference.

Mr. POMERENE. Mr. President, before that is done, with the permission of the Senator, I have a joint letter here from N. E. Shaw, secretary of agriculture; E. C. Cotton, chief of the bureau of horticulture; Herbert Osborn, professor of entomology, Ohio State University; and T. H. Parks, extension entomologist of the Ohio State University, and with reference to the corn borer they say:

> The complete elimination of all funds for the control or eradication of the European corn borer from the urgent deficiency bill is especially unfortunate. The funds for this purpose should be immediately available, not only for quarantine but especially for clean-up work. This latter must be done before the middle of May if done this year, and delay until next year will intensely complicate the problem and immensely increase the final cost of the control work, perhaps rendering eradication impossible. Delay at this time must result in continued spread of the pest until it eventually infests the entire country. With an annually recurring loss conservatively estimated to be at least 50 per cent of a $3,000,000,000 crop as the probable price we shall have to pay for delay in starting and vigorously prosecuting this work, it appears to be very poor economy to refuse any appropriation necessary to eradicate the pest, or at least hold it where it is.
>
> The amount asked for by the Secretary of Agriculture for this purpose is but a very small per cent of probable annual loss to the corn crop of the Nation if nothing is done until the pest becomes well established over the whole corn belt, which is likely to occur if nothing is done before May of this year.

Mr. SMOOT. That has reference to the estimate which was sent down for this purpose to be put on the deficiency bill.

Mr. POMERENE. I know. That was stricken out, but this goes to the subject.

Mr. SMOOT. I did not say that it did not. The letter confirms just exactly what I have stated. This work has to be done by the middle of May, which is but 50 days, and 50 days left with this amount would be $5,000 a day. They can not spend the money within that time; but if we make it available up until June 30 every dollar of the $250,000 will be spent in some way or other, and then for next year there will be but $250,000 in all. It can not be possible that they will spend within 45 days more than $150,000, and I think the Senator from North Dakota [Mr. GRONNA] ought to accept an amendment striking out $250,000 and making it $150,000.

Mr. POMERENE. Let me make this suggestion. This appropriation is for $500,000——

Mr. SMOOT. The amount of the appropriation is not changed at all.

Mr. POMERENE. I understand that; but we are trying to deal with a situation so as to give to the country the benefit of the work of these specialists before or during the month of May. The fund will be available for the next crop.

Mr. SMOOT. No; only up to June 30.

Mr. POMERENE. I understand; but we are making appropriation for the fiscal year beginning July 1, 1920, so that a part of it would be available the following spring. I do not think we ought to cripple this department. Of course, I have no personal knowledge about the way in which they are going to do this work, but with all due respect I do not imagine any Senators have.

Mr. SMOOT. All the knowledge I have, I will say to the Senator, is through past experience and past knowledge that I have of appropriations made for any purpose.

Mr. POMERENE. I realize that there is very great force in what the Senators says, speaking generally of appropriations for the departments, but this is certainly a most important matter just at this particular time. We do not appreciate the value of the corn crop until it is gone. If this pest is spread over any particular part of the country, it is going to make it more difficult to control it. I have been told in the correspondence I have had that it has broken out in certain places in Illinois and in Ohio.

My information is very general on the subject, but I do know, from conversations I have had, that some of these men from Ohio who came down here feel that we can not overestimate the danger to the country.

Mr. SMOOT. I am not going to take any more of the time of the Senate to discuss it. I move to amend by striking out "$250,000" and inserting "$150,000."

Mr. KENYON. What is the amendment?

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The READING CLERK. The Senator from Utah proposes to amend, on page 103, line 24, by striking out "$250,000" and inserting in lieu thereof "$150,000."

Mr. SMOOT. That only applies to that made immediately available.

The amendment was rejected.

Mr. POMERENE. I think Senators here are informed on this matter, but I have another letter from Prof. H. H. Gossard, who is entomologist at the Ohio Agricultural Experiment Station at Wooster, Ohio. There is one paragraph relating to this very subject on the corn borer which I ask may be printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

> No appropriation at all is made in the committee schedules to prevent the spread of the European corn borer. I am told by a number of the best entomologists in the United States, including Dr. Herbert Osborn, of the Ohio State University, and Prof. E. C. Cotton, of the Ohio State department of agriculture, who have seen its work, that it destroys about 50 per cent of the value of the corn crop in Massachusetts and that it may reasonably be expected to do the same if it gets into Ohio. If it should prove to do only half as much harm as it seems certain that it will do, I believe Ohio Congressmen would feel like exerting themselves to the utmost to provide for retarding its spread as long as possible. It seems to me that an appropriation of several hundred thousands dollars should be forced into the appropriation bill to rectify this omission by the Agricultural Committee. Please pardon my calling this to your attention at this time, but I think you are not likely to obtain this information unless it is furnished by some of the men who keep in close touch with entomological developments. Can you not see an opportunity to render a real service to your State as well as the Nation by exerting yourself to have these appropriations conform to the request of the Secretary of Agriculture before the appropriation bill is voted on? I believe the European corn-borer item was cut from the urgent deficiency bill.

Mr. POMERENE. I desire to ask, Was not this subject gone into by some other committee within the last year or two?

Mr. GORE. Mr. President, I will say to the Senator from Ohio that what he has in mind is undoubtedly a joint committee, which was constituted exactly as the one provided for in this bill is proposed to be constituted, in pursuance of the Agricultural appropriation bill of 1915. That committee, however, was charged with the duty of investigating long-time rural credits, and I should like to give the Senator a brief history of the long-time rural credits system.

In 1913, following considerable agitation in this country and numerous bills introduced in both Houses from time to time, the Senate adopted an amendment to the Agricultural appropriation bill of that year creating the United States rural credit commission. That commission was charged with the duty of visiting Europe and studying various long-time credits systems. The commission did go to Europe and made its report. Time passed, but nothing was done. In 1915—and I may say this to the credit of the Senate—the Senate adopted an amendment to the Agricultural appropriation bill raising a joint committee of the two Houses, constituted exactly as the proposed new joint committee is to be constituted—in fact, the pending provision is copied from that—and placed that joint committee of the two

Houses under mandatory instructions to report a long-time rural credits bill on or before January 1 following, which was January 1, 1916. That committee, being under mandatory instructions, reported a bill which afterwards became the present law and created the present system. That, however, as the Senator is well aware, relates to long-time rural credits. There is no system of short-time rural credits in this country, but a great deal of progress has been made in European countries in short-time rural credits as well as in long-time rural credits.

Mr. POMERENE. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Ohio?

Mr. GORE. Yes, sir.

Mr. POMERENE. Are not the two systems so interrelated that necessarily the study of one would have been involved in the study of the other?

Mr. GORE. To some extent the Senator is right about that, in a general way, although they are distinct systems, they have distinct institutions, and are based on distinct principles, of course. The objects to be served and to be accomplished are so entirely different that different and distinct systems are necessary.

During the last two or three years a successful system of short-time credits has been instituted in some of the Provinces of Canada; in fact, I have been in correspondence with the commissioner of agriculture of one of the Canadian Provinces recently, who advises me that the system is working admirably there. It is contributed to by the Province, the counties, and the municipalities, and is made to articulate with the existing banking system in the counties. It is not to supersede the banking system; it is not to conflict with it; it is not to interfere with it. The small rural credit organizations cooperate with the banks; the banks have taken an interest in the system and are helping them to fare, and they are faring prosperously.

Now, it seems to me that in this country it might be possible to work out a system that would articulate with our banking system and that might provide the farmers with a much-needed system of short-time credits. Of course, farmers need a longer credit than 90 days; their credit ought to run with the season, as they are in a seasonal business. Regular commercial banks can not provide them with the character of short-time credits which they need and require.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Ohio?

Mr. GORE. I yield.

Mr. POMERENE. I think this is perhaps open to objection.

Mr. GORE. There is no doubt of that.

Mr. POMERENE. But I do not propose to make it. I had this thought upon the subject, that if the subject had already been gone into by a committee we ought not to duplicate the work.

Mr. GORE. No, sir; the committee did not report.

Mr. POMERENE. I think there is a very great opportunity here for some very beneficial legislation upon the subject, and if committees have not familiarized themselves with it I certainly have not the disposition to object to it.

Mr. GORE. The former joint committee did not report a bill on the subject of short-time rural credits.

Mr. SMOOT. Mr. President, I am quite sure that we could not get a quorum or I would ask for a vote upon this item, as the House has not passed on it, but, as it is going into conference, I will let it go through. I desire, however, to express the hope that in conference the House will not agree to it.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 105, after line 19, to insert:

Officers and employees of the Department of Agriculture during the fiscal year ending June 30, 1921, while traveling on official business away from their designated posts of duty may be allowed not to exceed $6 per day for subsistence, but in no case shall they be reimbursed any sum in excess of expenses actually incurred by them.

Mr. SMOOT. I am going to ask the Senator in charge of the bill to allow the amendment just stated and the following item to go out of the bill. I do so because the allowance in lieu of subsistence for officers and employees of other Government departments is involved in these two proposed amendments. We can not give an increased allowance to employees of the Agricultural Department unless we also give it to the employees of the Interior Department, the Department of Labor, and all of the other departments. I wish to say to the Senator that the legislative, executive, and judicial appropriation bill, which has been reported to the Senate and which is now upon the calendar, carries the usual $4 per diem in lieu of subsistence. There was not one of the officials of those departments who appeared before the committee who did not ask that the allowance be increased. The House refused to increase it beyond $4 and the Senate Committee on Appropriations has stood by the House in that matter. Now, if $6 is allowed to the employees of the Agricultural Department instead of $4, the Senators can see what an inconsistency there will be. Whatever the present law provides for in this respect I think we ought to adhere to it in all cases.

Mr. GRONNA. Mr. President, I should like to ask the Senator a question for my own information. As I remember, this question came before the Appropriations Committee in connection with the consideration of the legislative, executive, and judicial appropriation bill.

Mr. SMOOT. It did.

Mr. GRONNA. I do not remember whether or not a change was made in that bill in respect to the allowance for subsistence.

Mr. SMOOT. I will say to the Senator we left it just as the law is to-day, and therefore these amendments ought to go out.

Mr. GRONNA. Then I shall not insist upon the amendments.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I yield.

Mr. HARRISON. I agree with the Senator from Utah that a rule should not be applied to the employees of the Agricultural Department that is not applied to the employees of the other departments, but what reason actuated the committee in refusing to increase the allowance in view of present circumstances and conditions in this country and the high cost of living?

Mr. SMOOT. In some instances the allowance in years past was increased from $3 to $4. In most places where Government employees are compelled to travel, particularly in the country towns, outside of the cities, it does not cost more than $4 a day for the employee to feed and lodge himself at a hotel. That is the reason the committee did not increase the allowance.

Mr. HARRISON. What if they are sent to some city? Does the Senator think they could live on $4 a day in a city?

Mr. SMOOT. Very few of them are sent to the cities.

Mr. HARRISON. Well, the larger sized towns.

Mr. SMOOT. I will say to the Senator that, in my opinion, the allowance now provided is sufficient in such a case.

Mr. HARRISON. I really do not understand how they can live—buy three meals a day and have a room—on the amount now provided.

Mr. SMOOT. I do not wish to go into this matter——

Mr. HARRISON. I do not care to get into any discussion regarding it; I agree that the same rule should be applied to all employees.

Mr. SMOOT. That is all I ask.

Mr. HARRISON. And I think it ought to be handled by the committee that has in charge all such matters. I was merely wondering the reason why an increase was not recommended generally.

Mr. GRONNA. Mr. President, as this bill will be in conference for some time, will the Senator from Utah let the amendments go to conference with the understanding that if no similar increases are made in any of the other bills applying to the other departments, so far as I can I shall agree with the Senator not to insist upon a retention of the amendments?

Mr. SMOOT. I wish to state that the allowance in lieu of subsistence for travel in a foreign country is different from the amount allowed in this country. The amount allowed for subsistence for travel in Alaska is different from the amount allowed elsewhere in this country, and ought to be, as we all recognize; but I will say to the Senator that we allowed the subsistence item for the other departments to remain as provided in the present law.

Mr. GRONNA. And that covers all of the other departments?

Mr. SMOOT. It covers other departments. If the Senator wishes the amendment to go to conference with the understanding he has suggested, well and good, but I know that if the amendment is agreed to here and the other departments do not know of our understanding and agreement about it they will immediately think that they have been discriminated against.

Mr. GRONNA. As one member of the committee, I would not ask that we increase the allowance for subsistence for this particular department unless it is increased generally. There is a possibility, of course, that it may be increased all the way through, and if that should happen I thought it would be a precaution to let this amendment go in the bill and go to con-

ference, with the understanding that if there is no increase in other cases we shall not insist on the amendment.

Mr. SMOOT. I am willing that it shall go to conference with that understanding, but there will be no increase in other instances unless such increase is brought about by amendment on the floor of the Senate while the legislative, executive, and judicial appropriation bill is being considered.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I yield.

Mr. HARRISON. In case of the Internal Revenue Service, for instance, the prohibition agents under the Internal Revenue Bureau, what is the amount they receive?

Mr. SMOOT. We have appropriated $21,000,000 for the Internal Revenue Bureau for the collection of taxes and other work imposed on that bureau, and most of the employees are paid from that lump-sum appropriation, and so I can not say what amount is allowed; but I know that out of that sum we have appropriated for specific purposes there are, I think, 42 employees who have been detailed to other departments. I am not going to repeat what I have said here so often, namely, that the lump-sum appropriation is a curse that leads to great extravagance. We have got to reach it in some way or other or we are never going to be able to economize in the expenditure of the public money.

The PRESIDING OFFICER. Without objection, the amendment reported by the committee is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, at the top of page 106, to insert:

The Secretary of Agriculture during the fiscal year ending June 30, 1921, is authorized to prescribe per diem rates of allowance not exceeding $6 in lieu of subsistence to officers or employees of the Department of Agriculture engaged in field work or traveling on official business outside of the District of Columbia away from their designated posts of duty.

The amendment was agreed to.

The next amendment was, on page 106, after line 7, to insert:

Plant inspection and detention plant, Washington, D. C.: That so much of the appropriation of $50,000 made by the Agricultural appropriation act for the fiscal year 1920 for the purchase of not to exceed 50 acres of land near the city of Washington, D. C., and the erection thereon of all necessary buildings and equipment, and for the establishment of a plant inspection and detention station as remains unexpended at the close of the said fiscal year is hereby reappropriated and made available for expenditure during the fiscal year ending June 30, 1921, for the purposes named under the same conditions as prescribed in the said act.

The PRESIDING OFFICER. If the Chair may have the attention of the chairman of the committee, he desires to call attention to the language in line 8, where it says "detention plant," and the language in line 14, where it says "detention station." Ought not the expression to be the same in both instances; in other words, ought not the word "plant" be changed to "station" or vice versa?

Mr. GRONNA. That is correct, and I will ask that that change be made.

The PRESIDING OFFICER. Without objection, in line 8, the word "plant," where it occurs the second time, will be changed to "station" and the amendment as amended will be agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Agriculture and Forestry was, on page 106, after line 18, to insert:

The Secretary of Agriculture is hereafter authorized to acquire by gift, devise, or by purchase for a sum not to exceed $1 for each site, the sites now occupied by field stations at Chico, Calif., consisting of about 80 acres and used for propagating, testing, and distributing new plant introductions; the site at Bellingham, Wash., consisting of about 60 acres and used as a bulb station and for propagating, testing, and distributing new crop plants; and the sites at Buena Vista, Fla., and Savannah, Ga., consisting of about 25 acres and about 46 acres, respectively, and used for propagating, testing, and distributing new crop plants peculiarly adapted to the warmer parts of the United States.

Mr. SMOOT. Mr. President, I want to ask the Senator if the lands enumerated in this amendment are now being operated by the Government?

Mr. GRONNA. They are. This provision is simply to permit the Agricultural Department to accept donations of land. I see that the Senator from Washington [Mr. JONES] is here, and as this is really his amendment I will ask him to explain it.

Mr. SMOOT. All I desire to ask the Senator from Washington is whether the lands enumerated in the amendment are now being cultivated, for the purposes named, by the Government?

Mr. JONES of Washington. Mr. President, I can speak from personal knowledge with reference to the lands at Bellingham. They are. They have been used for several years. For a while they were used under lease, and then the parties who owned the lands were perfectly willing to deed them to the Government of the United States, and a deed was actually made, accepted by the officers, and placed on record; but the Department of Justice has held that without an act of Congress the title would not pass. The Government got a lease for 30 years for a dollar, but it seems to me it is the wise thing for us to accept the title while the people who own the property are perfectly willing to donate it to the Government.

These lands at Bellingham have been used, as I say, for several years, and bulb propagation has been developed very greatly there and they have demonstrated that we can produce in that section of the country as fine bulbs as they produce in Holland. Some quite valuable buildings have been constructed on these lands; they have been cleared, leveled, cultivated, and so forth.

Mr. SMOOT. Does the Senator know whether there is a provision in the deed requiring the Government of the United States to cultivate the lands for the purposes named in this amendment?

Mr. JONES of Washington. Of course, I really do not know about that, but I am inclined to think there is a provision there that if they cease to be used for the purpose for which they are donated, they shall revert to the original owners.

With reference to the lands at these other points, I can say that I was told by a representative of the Agricultural Department that in the case of the plant in California they have accepted a deed there, and have been cultivating that land, and my impression is that that is being done at all three of those places; but I can speak from personal knowledge of the situation at Bellingham.

Mr. GRONNA. Mr. President, if the Senator will permit me, I wish to corroborate what the Senator from Washington has stated. The committee was informed that all this land at all these stations was being used by the Agricultural Department.

Mr. SMOOT. That is what I wanted to know. Of course, I recognize the fact that if the Government continues cultivating the lands for the purposes named in the amendment, it will be a benefit to the communities in which the lands are located, and I take it for granted that that is the reason why the deeds are offered to the Government of the United States by way of gift, or at the nominal sum of $1.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I do.

Mr. JONES of Washington. I will say that the people at Bellingham who own the property are very public-spirited people. They do not get any benefit in the way of improvement to other lands, as I understand, and I know that these lands are quite valuable. Bellingham is a city of probably 25,000 or 30,000 people. These lands are within a couple of miles of the heart of the city, and are very valuable. I know that the people who own the lands are very public-spirited, and from their interest in the development of this industry they are glad to donate the lands to the Government.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was concluded.

The PRESIDING OFFICER. The Secretary will state the first amendment passed over.

The READING CLERK. The first amendment passed over will be found on page 9, beginning on line 13, passed over at the request of the Senator from Utah [Mr. SMOOT].

Mr. SMOOT. Mr. President, I am quite sure that when the attention of the Senator in charge of the bill is drawn to this amendment, he will ask that it be rejected.

The amendment reads:

And provided further, That the proviso contained in section 11 of the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, shall not prohibit the printing in the printing office of the Weather Bureau in the city of Washington of the maps, bulletins, circulars, forms, and other publications herein authorized.

Mr. GRONNA. Mr. President, it may be that my notes are not correct, but with the consent of the Senator from Utah I should like to read what information I have:

For the entire period of its existence, the Weather Bureau has had authority of law for the maintenance of a printing office in Washington (28 Stat., 601, and previous acts).

Mr. SMOOT. That is correct.

Mr. GRONNA (reading)—

Section 11 of the legislative, executive, and judicial act for 1920, approved March 1, 1919 (Public, No. 314), had the effect of repealing this authority, because of the following provision therein:

Provided further—

This is the provision that is claimed to have repealed the original law:

Provided further, That on and after July 1, 1919, all printing, binding, and blank books for the Congress, the executive office, and the judiciary, and every executive department, independent office, and establishment of the Government, shall be done at the Government Printing Office, except such classes of work as shall be deemed by the Joint Committee on Printing to be urgently necessary to have done elsewhere than in the District of Columbia for the exclusive use of any field service outside of said District.

Mr. SMOOT. That covers the whole subject, and I will explain it to the Senate. It is under the act of June 30, 1920, placed upon the legislative, executive, and judicial appropriation bill, that the Joint Committee of the House and the Senate have stopped all of this useless printing on the part of the Government so far. I expect to sign the report as required under that law within a day or two, and I then want to present it to the Senate, calling attention to the millions of dollars that we have already saved.

Mr. President, the Joint Committee on Printing has not any idea of preventing the Weather Bureau in the city of Washington from printing maps and all of the other work that they have been doing in the past, with the single, solitary exception of the publications that they may be sending out of which they print more than 1,000 copies. Under the law, all that the Weather Bureau has to do is to make an application, like every other department of the Government, to the Joint Committee on Printing for the privilege of printing anything that it is absolutely necessary for them to print for distribution, and the Joint Committee on Printing has not made a single refusal where there was any shadow of reason for the requests made by the different departments.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I yield.

Mr. HARRISON. It was represented to the committee, as I recall, that the Weather Bureau had a printing press——

Mr. SMOOT. They have.

Mr. HARRISON. And that they were fully equipped to do this work, and that in the interest of economy they wanted to continue to do it and not be compelled to send to the Government Printing Office and have something done at an increased expense to the Government. That is the reason why the committee acted.

Mr. GRONNA. That is exactly as I understood it.

Mr. SMOOT. I will say to the Senator from Mississippi that the Weather Bureau has already had an authorization from the Joint Committee on Printing to print, but under the printing law the departments were restricted from printing more than a thousand copies of certain publications. Why, Mr. President, they paid no more attention to that law than they did to the wind. They went on and printed sometimes 100,000 of them. There was no limit. We could not tell anything about it, nor what numbers they were going to print, costing hundreds and hundreds of thousands of dollars each year.

Mr. HARRISON. Mr. President, may I ask the Senator from Utah whether there are any other departments of the Government except the Weather Bureau that have their own separate outfits for printing? Of course I am not talking about the Treasury Department or the Bureau of Engraving and Printing.

Mr. SMOOT. I have a copy of my report here, and I want to get the exact number. The Joint Committee on Printing has investigated 287 printing plants which were maintained in the various branches of the Government service since the passage of this law.

Mr. HARRISON. So the law that was passed in 1919 was passed in order to curtail not only the Weather Bureau in its operation and printing, but all of them?

Mr. SMOOT. No; the object was, as far as possible, to consolidate all of the Government printing in the Government Printing Office. We have the overhead charges of that office, and we might just as well do the printing of the Government there, where it can be under one head, as to have 287 printing plants distributed all through the United States.

Mr. HARRISON. And under the present law, without this amendment being adopted, the Weather Bureau can utilize their printing press, but in certain instances they would have to make application to the Joint Committee on Printing?

Mr. SMOOT. Yes. I will say that the Weather Bureau is the only department of the Government that really should have a printing press, outside of the Government Printing Office; and the reason of that is that the weather charts and the maps that are printed by the Weather Bureau should be under the immediate and direct charge of the bureau. It is very technical work, and they ought to have it, and nobody wants to deny it to them.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. SMOOT. I do.

Mr. GRONNA. As the Senator from Mississippi stated, the committee felt that there was certain printing which was absolutely necessary to be done at the Weather Bureau—that is, the weather maps. If the Senator from Utah will assure me that the Weather Bureau will have the privilege of printing the weather maps I, as one member of the committee, shall have no objection to this provision going out.

Mr. SMOOT. I will assure the Senator that they will, and not only that, but I am perfectly willing that they should have these maps printed here in Washington as far as that is concerned; but the trouble is that they have gone further and they have added the very words that the original law provided for, namely, "bulletins, circulars, forms, and other publications"; or, in other words, they want to be left entirely free to publish all of the other matter. The maps ought to be printed there and the Weather Bureau ought to run that printing press. I want to say to the Senator that I shall see that the Weather Bureau have the right to print all that they have been printing there, unless it be the number of publications; and then, if it is shown to the committee that there are more than a thousand wanted, I want to assure the Senator that the Joint Committee on Printing will never hesitate to grant that request.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I do.

Mr. HARRISON. I thought perhaps the reason why they asked for the printing of the bulletins and circulars was because they were operating this printing press, and they could do it more cheaply because of its being in operation.

Mr. SMOOT. All they have to do is to ask the Joint Committee on Printing and show them the necessity for it, and that is all there will be to it.

Mr. HARRISON. Then they can do it?

Mr. SMOOT. Then they can do it. But, Mr. President, if we allow a general amendment on this Agricultural appropriation bill, every department of the Government would want an amendment on some other bill to relieve them. In fact, I presume Senators here know that three or four times they have gotten in certain appropriation bills provisions very similar to this one. But whenever we yield, if it ever gets into a bill, it is going to cost the Government millions of dollars. I will show that to the Senate just as soon as I get my report ready.

The amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The READING CLERK. The next amendment is, on page 17, line 12, passed over at the request of the Senator from Utah [Mr. SMOOT], after the word "owner" to insert a colon and the following additional proviso:

And provided further, That not to exceed $200,000 of the appropriation for the payment of indemnities, carried in the Agricultural act for 1920, may be used for administrative and operating expenses during said fiscal year.

Mr. GRONNA. The other day, Mr. President, when this matter was up, I did not make it as plain as I should have made it. I have here a letter from the Secretary of Agriculture, which I will ask to have read for the information of the Senate.

Mr. SMOOT. I think I have a letter to similar effect. Let it be read, and I will follow it.

The PRESIDING OFFICER. The Secretary will read.

The Reading Clerk read as follows:

DEPARTMENT OF AGRICULTURE,
Washington, March 24, 1920.

Hon. ASLE J. GRONNA,
Chairman Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR GRONNA: Referring to the discussion on the Agricultural appropriation bill in the Senate, which appears in the CONGRESSIONAL RECORD of March 23, pages 4735 and 4736, in which it has been made to appear that a deficiency has been created in the appropriation for administrative and operating purposes in conection with the investigation and eradication of tuberculosis, I respectfully beg to say that no deficiency has been created, and it is not intended that there shall be.

The expenses chargeable to this fund for the eight months ending February 29, 1920, amount to $376,543.72, leaving a balance of $123,456.28 to carry on the work for the balance of the year. It is apparent that with this balance there is no deficiency; but, as many times explained, this sum will not permit the department to meet the increased demands from the States for this work. Unless the sum is increased, as proposed by both the House bill and in another way by the Senate committee, the bureau will simply be obliged to decrease the present rate of expenditure for salaries and traveling expenses of testing inspectors throughout the States in order to keep within the limit of the funds still available. The request for $200,000 of the amount provided for indemnities to increase the operating balance was made with the view of carrying on the work without the financial handicap

under which it is laboring and in the manner in which the country expects it to be done, as evidenced by the cooperation of the various States.

Very truly, yours, E. T. MEREDITH, *Secretary.*

Mr. SMOOT. The Secretary of Agriculture wrote me a similar letter. I think, after reading over the statement that I made yesterday, there is no discrepancy whatever between the statement made by the Secretary of Agriculture and that made by me, with the exception that I said if the present work were to go on they would spend this $200,000, and virtually it was a deficiency; and that is true.

The Secretary says that if the $200,000 is not given to him to spend between now and June 30, 1920, together with the $123,456.28, the balance still due from the fund, he will have to reduce the rate of expenditure for salaries and traveling expenses. That is all there is to it. The appropriation that was made last year is not enough to enable them to carry out the program that the Secretary of Agriculture has mapped out, and they want $200,000 more for that purpose. The indemnity fund has $200,000 and more in it, and the department wants to take the $200,000 from the indemnity fund and use it for the payment of salaries and traveling expenses of the employees of the department. That is the whole situation in a nutshell. Now, the question arises as to whether we had better tell the Secretary of Agriculture to use the $123,456.28 that is still due out of the appropriation that was made for the fiscal year ending June 30 of this year or give him $323,456.28.

I want to call the attention of the Senate to the fact that if this $200,000 is given as asked for, then for the remaining three months of this fiscal year they will have nearly as much money to pay salaries and traveling expenses as they paid for all the nine months during the present fiscal year. I do not think that is right.

If $123,456 is not enough, how much do they want? They could not possibly ask for more than $100,000, because that would be two-thirds of all they have spent during the nine months, and so if we made it half it would be more than enough. I do not want to cripple the work, but that is not the question at all. I think they ought to have enough, and I am going to ask that the Senator having the bill in charge agree to strike out the $200,000 and insert $100,000, and that gives $223,456 to be spent for this purpose in three months.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I yield.

Mr. HARRISON. I understood that the Senator was against the principle of transferring funds.

Mr. SMOOT. I am.

Mr. HARRISON. If it is wrong to transfer the $200,000, it would be wrong to transfer the $100,000; and the department say they need $200,000.

Mr. SMOOT. The principle is wrong. I do not think the department has said it needs $200,000 more.

Mr. HARRISON. That is what they stated before the committee, and that is what they stated in the letter which was read.

Mr. SMOOT. I will state that even on the showing in the letter it does not show they want $200,000.

Mr. HARRISON. The showing before the committee was that they wanted $200,000, and on that showing the committee gave them $200,000.

Mr. SMOOT. I will state again that in nine months they have used for this purpose $376,543.72. Are they going to use $323,000, nearly the same amount, in three months? It is not consistent, and it can not be defended. They do not claim that they are going to put on any more men, but they claim that if we allow them only $123,000 they will have to reduce the rate of expenditure for salaries and traveling expenses. That is what the Secretary's letter, which was just read from the desk, states, and I have an exact copy of the letter addressed to myself. Therefore, Mr. President, I think, as I said the other day, it is a wrong practice to transfer from one fund to another. But I am perfectly willing to take $100,000, under the circumstances, and let that go to conference.

Mr. GRONNA. I am so anxious to hurry along with this bill that, so far as I am personally concerned, I will be glad to accept the $100,000, if there is no objection.

Mr. HARRISON. I ask for a division on that question.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah to the amendment of the committee.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. Now, the question is on the amendment proposed by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

Mr. ASHURST. Mr. President, I rise to ask for information. All the committee amendments have not been disposed of?

The PRESIDING OFFICER. All the committee amendments have not been disposed of. There are some 10 amendments yet undisposed of.

The READING CLERK. The next amendment passed over, at the request of the chairman of the Committee on Agriculture and Forestry, the Senator from North Dakota [Mr. GRONNA], is on page 18, lines 17, 18, and 19, to strike out the following proviso:

Provided, That of the sum thus appropriated $20,000 may be used for experiments in the breeding and maintenance of horses for military purposes.

Mr. CHAMBERLAIN. I hope the Senate will not agree to the amendment proposed by the committee. The chairman of the Military Affairs Committee, the Senator from New York [Mr. WADSWORTH], is absent to-day, but some days ago he stated the purpose of this appropriation of $20,000. The Government of the United States has two stations, one in the Northeast, I think in Vermont, and the other in one of the Western States, either Colorado or Wyoming. At those stations they are undertaking to improve the breed of saddle horses for the use of the Army.

The supply of horses for Artillery is ample. They have had no trouble in keeping that up. But there has been great difficulty all the time in keeping up the supply of saddle horses for the Cavalry, a horse of a standard type, and one hardy enough to subserve the uses of the Cavalry. As the Senator from New York said here a few days ago, this is the only thing that is done for the horse. It is absolutely essential that the proper animal be bred and raised for Cavalry service, and to refuse this small appropriation of $20,000, which the House allowed, would simply mean that the two stations where these horses are being bred would have to be closed. I hope the Senate will retain the provision.

Mr. GRONNA. Mr. President, this is not the first time that there has been a great deal of opposition to this provision; but the Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from New York [Mr. WADSWORTH] have made such splendid pleas for the horse, and the amount is so small, that, so far as I am personally concerned, I shall have no objection to disagreeing to the committee amendment, although some other member of the committee may oppose this course.

Mr. NORRIS. Mr. President, it seems to me that here is an instance where, if we are moved by the proper ideas of economy, which ought to control us now and which everybody realizes ought to control Congress, an item of this kind ought to be stricken out. As far as I am concerned, I do not believe that the committee amendment ought to be disagreed to. Here is an item in the agricultural appropriation bill to breed saddle horses for the Army, and we are confronted with the fact that there are not enough horses for the officers in the Army, that this would make it very convenient for them to have them, and therefore we ought to let them have them.

It is true of every item, Mr. President, that there is somebody who wants it and somebody can give a good reason for it. If we are going to submit to the little things all the way through, we might just as well quit trying to economize. This is not a big item, it is true, but I do not believe the Government of the United States at present ought to spend money for the purpose of breeding saddle horses for officers in the Army. They need some saddle horses and will be able to get them probably without special breeding places. They will not ride quite as easily, perhaps they will not look quite as nice, but while the rest of us are struggling along trying to pay the debts of the United States the officers of the Army ought to be able to get along with common ponies.

It does not seem to me that this is one of the necessary items to go into the bill. It looks to me as though it is one of the things which we can get along without, inconvenient though it may be. Some officer may have to walk instead of ride, but in order to help out on the plan of economy that is necessary to keep our Government from bankruptcy he ought to be willing to do it. Walking is good. We have the roads improved.

For a year or two, until we get on our feet financially, we can get along without these finely bred animals, as nice and convenient as it would be to have them. I am not criticizing that, but unless we stop somewhere with items of this kind we will not get anywhere. We ought to eliminate everything that is not absolutely necessary now, and this is not necessary; at least I do not believe it is. I will not dispute that it is important, but even some of the necessities we have got to get along without. The great American people are struggling now to make both ends meet with the high cost of living proposition that

confronts them. We are talking even now about issuing some more bonds, and probably we shall have to do it before we get through, and when we do the cost of living will go up higher than it is now.

Mr. STERLING. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. STERLING. The Senator's plea, it seems to me, is on the ground of economy, but if we strike out this item we do not reduce the total appropriation a cent. The item is $282,820, $20,000 of which may be expended for this purpose.

Mr. NORRIS. That is true, but it would reduce the expenditure of money for this particular purpose. The money will be used for a more necessary purpose, in my judgment. I will say to the Senator from South Dakota, if the $20,000 were put on the total sum, then, if we take it out here, we can strike $20,000 off the total, and thus save it.

Mr. GRONNA. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. GRONNA. I hope that will not be done. If we allow the $20,000 for this purpose, then we must increase the total by $20,000, because the department estimated for an appropriation of $58,640 for experiments in poultry feeding and breeding, and we must not reduce that. That is a very important item. I hope the Senate will not be parsimonious about a few thousand dollars for that great industry. I will say that if the item is restored, the total must be increased by $20,000.

Mr. NORRIS. Then, if that is true the adoption of the amendment means a saving of $20,000 in the appropriation bill?

Mr. GRONNA. It does.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The Secretary will report the next amendment passed over.

Mr. GRONNA. Before we leave that, I hope that the Senate will increase the total there.

Mr. OVERMAN. We have already increased it $20,000.

Mr. GRONNA. The Senate committee struck out the provision for experiments for breeding and maintenance of horses for military purposes, and added that to the appropriation made for poultry. The proviso has now been restored, and it seems to me that we ought to increase the total amount $20,000; otherwise the appropriation for poultry will be as it came from the House.

Mr. HARRISON. Mr. President, I think what the Senator had in mind is the amendment on page 17, lines 17, 18, and 19. The Senate committee provision for $50,000 was voted on. The States Relations Service was taken out of the total of $731,160 and put in a separate item, but the $20,000 we have just voted on would not change the total at all.

Mr. GRONNA. Yes, it would, because we increased the amount. I will read beginning with line 20:

That of the sum thus appropriated $25,000 may be used for experiments in poultry feeding and breeding.

The Senate increased it to $58,640.

Mr. SMOOT. I want to call the Senator's attention to the fact that the committee also increased the general appropriation from $269,180 to $282,820. That is to take care of the increase which was made here for experiments in poultry feeding and breeding.

Mr. GRONNA. This amount was for experimenting with the breeding of horses.

Mr. SMOOT. Yes.

Mr. HARRISON. That $20,000 has to be increased in the total?

Mr. GRONNA. Yes.

Mr. NORRIS. Mr. President, I think there is something forgotten about these horses for military purposes. We ought to have an item in here for saddles. It is very appropriate on an Agricultural appropriation bill, you know, to provide for the Army.

Mr. GRONNA. May I ask what was done with the amendment on lines 17, 18, and 19, page 18?

The PRESIDING OFFICER. The amendment was rejected.

Mr. GRONNA. Then I ask to amend by restoring the word "further," in line 19 on page 18. I ask that that amendment of the committee be disagreed to.

The amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next committee amendment passed over.

The ASSISTANT SECRETARY. On page 26 the committee amendment in lines 4 and 5, at the end of line 3, after the numerals "$86,410," strike out the following proviso:

Provided, That not more than $7,500 of this sum be used for experiments in cottonseed interbreeding.

Mr. SHEPPARD. Mr. President, that is where I moved an amendment to make it $111,000 instead of $86,410.

Mr. GRONNA. Is the Senator opposed to the language being stricken out?

Mr. SHEPPARD. I am not opposed to it.

Mr. GRONNA. I will say to the Senator from Texas that the department wants to have the language stricken out.

Mr. SHEPPARD. I am not opposed to striking out that language if I can secure the additional amount in the body of the paragraph. I shall be glad if the Senator will let the matter go over until we can take up an additional amendment.

Mr. SMOOT. If the increase is not granted, then does the Senator want to have the proviso restored?

Mr. SHEPPARD. I would be glad to have the proviso restored then, because we would then have that much money for cottonseed interbreeding work. It is a very important work and one that has been productive of valuable results. The estimates of the department call for this additional $25,000, and this amount represents the third and last installment on a special project which began three years ago.

The PRESIDING OFFICER. Will the Senator give his attention to the Chair for just a moment? The Chair understands the amendment offered by the Senator from Texas amends the House text and is not an amendment to the committee amendment. Therefore it ought to go over until after all committee amendments are agreed to under the unanimous consent.

Mr. SHEPPARD. That is true, but it is so intimately related to the committee amendment that I suggest both matters go over for the present.

The PRESIDING OFFICER. Is there objection to passing them over until after the other amendments are disposed of?

Mr. GRONNA. The House provision was a limitation upon the amount which could be expended for cottonseed interbreeding. The Senate struck out that language, and clearly that is a different proposition than to increase the total. As I understand the Senator from Texas, he wishes a further increase in the appropriation. It seems to me we ought to dispose of the committee amendment first.

Mr. SHEPPARD. I want to call the Senator's attention to the fact that the paragraph provides for work not only in the matter of cotton but as to corn and other crops introduced from tropical regions.

Mr. GRONNA. The Senator from Texas misunderstands me. I have no objection to taking up his amendment just as soon as we dispose of the committee amendment. I have no objection to taking it up at this time, but let us dispose of the committee amendment first.

Mr. SHEPPARD. Very well; that will be satisfactory.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The SECRETARY. The committee amendment, on page 26, beginning in line 3, after the numerals "$86,410," is to strike out the proviso, which reads:

Provided, That not more than $7,500 of this sum may be used for experiments in cottonseed interbreeding.

Mr. SMOOT. Mr. President, this is a limitation on an appropriation that could be expended for experimenting in cottonseed interbreeding. If the Senate is going to increase this amount, I still want that limitation on it, because if we increase it $25,000 it may be taken to mean that we are not only going to spend $75,000, but that the increase of $25,000 is for that purpose. I think $7,500 is ample for the purpose.

Mr. SHEPPARD. How does the Senator know that it is? What basis has the Senator for making his assertion? The Senator has not studied the estimates, has he, that were presented by the department?

Mr. SMOOT. Has the department estimated that the appropriation should be more than $7,500 for experiments in cottonseed interbreeding?

Mr. SHEPPARD. The department estimated that the amount should be $104,000 instead of $86,000.

Mr. SMOOT. For what purpose?

Mr. SHEPPARD. For a special cottonseed interbreeding project in my State. The proviso here refers to cottonseed interbreeding in general. I will admit that it is somewhat complicated, but that is the way the appropriation was divided.

Mr. SMOOT. Why should the Government of the United States spend $25,000 for experiments in cottonseed interbreeding in Texas and only spend in all the remainder of the United States $7,500, including Texas?

Mr. SHEPPARD. Because they got results in Texas that could be applied throughout the entire cotton belt. They have already spent two-thirds of the money which was originally estimated as necessary for that particular project. It will require only $25,000 more to complete that particular investigation. It is one which has been of great value in contributing

to the knowledge on the subject of improved seed throughout the cotton belt. I am anxious to have the project completed.

The PRESIDING OFFICER. The question is on the amendment reported by the committee.

Mr. HARRISON. What is the amendment?

The PRESIDING OFFICER. The Secretary will again state the amendment.

The ASSISTANT SECRETARY. On page 26, after line 3, it is proposed to strike out the proviso as follows:

Provided, That not more than $7,500 of this sum may be used for experiments in cottonseed interbreeding.

Mr. GRONNA. Mr. President, just a word. Let me say to the Senator from Texas that whether we increase the appropriation or not, this language ought to be stricken out. It is in the interest of the places where this work is being done that this limitation be removed, and I am sure the Senator from Texas will not oppose it.

The PRESIDING OFFICER. The question is on the committee amendment.

The amendment was agreed to.

Mr. SHEPPARD. I ask that my amendment be now considered, Mr. President.

The PRESIDING OFFICER. There was a unanimous-consent agreement that no amendments offered on the floor should be considered until after the committee amendments were disposed of, and it would be a violation of that unanimous-consent agreement should the Senator now offer his amendment.

Mr. GRONNA. Of course, I do not wish to violate a unanimous-consent agreement, and I know the Chair is correct in his statement. I will say to the Senator from Texas, however, that I think it will be only a matter of a very short time until we shall have disposed of the committee amendments, and the Senator can then offer his amendment.

Mr. SHEPPARD. Very well; I shall wait.

The PRESIDING OFFICER. The next committee amendment passed over will be stated.

The ASSISTANT SECRETARY. The next committee amendment passed over, at the instance of Mr. SHEPPARD, was, on page 27, line 6, to strike out "$212,505" and to insert "$359,705."

Mr. SHEPPARD. Mr. President, I move that the amount be increased by the sum of $80,000.

Mr. SMOOT. Does the Senator from Texas mean an increase of $80,000 over and above the amount which the committee has reported of $359,705?

Mr. SHEPPARD. I propose to increase that sum by $80,000, I say to the Senator, and I shall give the Senator the views of the department on the subject in a minute. I propose to increase the amount of the appropriation from $359,705 to $439,705.

The department has the following to say regarding this matter:

The department in its estimates requested an increase in the cereal item from $452,505 to $524,705, an apparent increase of $72,200, but, taking into consideration transfers to the statutory roll, the actual increase amounted to $85,000, of which $35,000 was desired for investigations in the culture and breeding of cereals and $50,000 for investigations in the control of wheat scab or blight. The reasons for these increases are set forth in the House committee print of the estimates and in the hearings before the House committee.

Not only were these additional funds denied, but the House committee actually decreased the present appropriation by $80,000, including a reduction of $41,200 in the proviso for the investigation and control of cereal rusts. In the House the total was further reduced $147,200 through the elimination on a point of order of the proviso for the location and destruction of barberry bushes and other vegetation from which rust spores originate. In the bill reported by the Senate committee the barberry proviso, carrying $147,200, has been restored, but the item still lacks $80,000 of the total carried for cereal investigations in the current appropriation act.

A cut of $80,000 in the appropriation for cereal investigations will seriously affect the work now in progress if the bill is passed without the restoration of this $80,000, as indicated below:

I have laid before the chairman of the committee certain data in this regard. I do not know whether he has had as yet an opportunity to examine them.

Mr. GRONNA. Yes; I will say to the Senator I am familiar with those data. It is true, as the Senator states, that there has been a decrease of $165,000 below the department's first estimate, and the Senator now proposes to increase the amount allowed by $80,000.

Mr. SHEPPARD. I am only asking that the $80,000 be restored. Then the department will have the equivalent of its current funds for these items.

Mr. GRONNA. I will say to the Senator that the action taken by the Senate committee does not decrease the total appropriation. The Senate committee added $147,200 for the eradication of the barberry bush to the amount allowed by the other House. I think it is an important item, so far as that is concerned, but there are very many things in the bill which are important, and the committee tried its very best to economize wherever it was possible to do so.

Mr. SHEPPARD. The department has this also to say on the subject:

To bring the work within the reduced appropriation carried by the bill as now drawn, it will be necessary to discontinue the experiments and investigations at present conducted independently or cooperatively at the following field stations: Akron, Colo.; Burns, Oreg.; Highmore, S. Dak.; Knoxville and Jackson, Tenn.; Amarillo, Tex.; Nephi, Utah; and Lind, Wash. It will be necessary also to reduce the extent of the work on some of the other field stations, including those devoted wholly to rice investigations at Crowley, La., and Biggs, Calif.

I ask the Senator from North Dakota if he will not let this apparent increase of $80,000 be adopted now and go to conference, where the matter can be more thoroughly worked out?

Mr. GRONNA. I will say to the Senator that I shall be very glad to have a vote taken on the amendment.

Mr. SHEPPARD. I hope the Senate will adopt the course which I have suggested in the matter, because if the appropriation of $80,000 is not restored there is some very important work in a number of States which will have to be discontinued.

Mr. GRONNA. If the other members of the Agricultural Committee do not object to the amendment of the Senator from Texas, I shall offer no objection to it, but shall let it go to conference. I will not promise the Senator, however, that we can keep it in the bill.

In connection with that statement, I wish to say that during the few years I have been here it has been customary for the chairmen of different committees to announce on the floor of the Senate whether or not they intended in conference to insist upon appropriations inserted in bills by way of amendment on the floor of the Senate. The Senator from South Carolina [Mr. DIAL] this morning seemed to take issue with a statement made by me on yesterday, and I merely say this much now so as to make my position clear: The Senator from North Dakota has no intention, of course, to disregard the wishes of the Senate, but when a committee, consisting of 16 or 17 members, has recommended a certain provision and then some other provision is adopted in lieu thereof, with only 17 Members on the floor voting, it seems to me that the chairman is justified in making such a statement as was made by me on yesterday.

The PRESIDING OFFICER (Mr. STERLING in the chair). The amendment offered by the Senator from Texas to the amendment reported by the committee will be stated,

The ASSISTANT SECRETARY. In the committee amendment, on page 27, line 7, proposing to strike out "$212,505" and to insert "$359,705," Mr. SHEPPARD moves to amend by adding $80,000, which will make the total $439,705.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Texas to the amendment reported by the committee. By the sound the ayes seem to have it.

Mr. SMOOT. I ask for a division.

On a division, the amendment was rejected.

Mr. SHEPPARD. What was the action of the Senate?

The PRESIDING OFFICER. The vote was a tie, and the amendment therefore was not agreed to.

Mr. SHEPPARD. I was under the impression that the chairman of the committee said he was willing to have the amendment go to conference.

Mr. GRONNA. I said that, so far as I was personally concerned, if the other members of the committee were not opposed to it, I should have no objection to the amendment going to conference, but I could not promise to retain it in the bill. I think that was the statement I made.

Mr. SHEPPARD. I wish to reserve a vote on the amendment to the amendment in the Senate.

The PRESIDING OFFICER. The question now recurs on the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The ASSISTANT SECRETARY. On page 27, line 9, after the words "stripe rust," it is proposed to strike out the semicolon, insert a colon, and the following proviso:

Provided also, That $147,200 shall be set aside for the location of and destruction of the barberry bushes and other vegetation from which such rust spores originate.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. KENDRICK. Mr. President, I move to reconsider the vote whereby the committee amendment, on page 28, line 13, increasing the amount there appropriated to $159,000 was there agreed to.

The PRESIDING OFFICER. The question is on the motion of the Senator from Wyoming to reconsider the vote whereby the amendment on line 13, page 28, was agreed to.

The motion to reconsider was agreed to.

Mr. KENDRICK. I now move to amend by striking out "$159,000" and inserting "$169,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming to the amendment reported by the committee.

Mr. McNARY. Mr. President, I should like to have the Senator from Wyoming state for what purpose the additional $10,000 is desired?

Mr. KENDRICK. I shall be very glad to do so in a brief way. The stations provided for in this item are pioneer stations and in the highest sense are serving a useful purpose in the frontier communities in which they are located. Their work, of course, is largely experimental, but on a small scale they are gathering information in regard to crops which may be grown in that climate and in that altitude which heretofore has required experiments on a large and wasteful scale.

I have had the opportunity personally of seeing the workings of two of these stations, and I know that they are conducted in a very economical and sensible manner and that the demonstrations furnished to the farmers of the community are very practical and effective. They grow different varieties of cereals and forage crops in our north plains section. As indicating the results that are obtained from such demonstrations, I wish to refer to the introduction into the southwest portion of the country of kafir corn and milo maize. As a matter of fact, that territory was used, and is used now, largely as a stock-growing region. In spite of the fact that it was a wonderful pasture country it was never really successful in stock growing because of the impossibility of finding winter feed. These two plants, milo maize and kafir corn, were brought into the country and have not only revolutionized the live-stock industry of that country but have made it possible to populate the country very much more thickly; and I dare say that as a result of the introduction here of those grain and forage crops the increased production in that territory, embracing western Kansas, western Oklahoma, eastern New Mexico, and northern Texas—an enormous empire of country—is equal in value to the amount this entire Agricultural bill carries for the year.

These demonstration farms in the North are doing for their separate localities exactly what was done in that southwestern country, and this is a small item. It is an increase of $10,000 over what the department had last year, and is, as I understand, absolutely essential in order to keep all of the stations going.

I hope the amendment providing for the increase may be adopted.

Mr. GRONNA. Mr. President, it is true, as the Senator from Wyoming has stated, that the estimate was more than the House allowed, and it was more than the Senate allowed. It is also true that this is very important work. There are now, I think, some 24 plant stations.

Since the Senate committee took action upon this bill I have received a letter in regard to the subject, and the Secretary states that it would really cripple the work that is being done in the semiarid regions of the West. I shall therefore say that so far as I am personally concerned I have no objection to the Senator's amendment. I believe it ought to be increased the extra $10,000. It will go to conference anyway, because the House allowed only $150,000, the Senate increased it to $159,000, and if the Senate adopts the amendment proposed by the Senator from Wyoming, who is a member of the committee, it will be $169,000; and I trust that it will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. The next amendment passed over will be found on page 31, passed over at the instance of the Senator from Utah [Mr. SMOOT], where the committee proposes to strike out the item for the purchase and distribution of valuable seeds.

Mr. HARRISON. Mr. President, I do not want to take up the time of the Senate on this item. This is the appropriation that is carried in the bill for the free distribution of seeds. Each Senator is familiar with it and knows whether or not he wants to vote for it. It was carried in the House bill. It provides an appropriation of $239,416. I am in favor of the item myself; I think it ought to be increased; and I ask for a vote on the adoption of the Senate amendment striking it out.

Mr. GRONNA. Mr. President, before that is done I should like to have read a letter from the Secretary of Agriculture.

Mr. THOMAS. Mr. President, I merely wish to say that I have succeeded in securing the adoption of this item ever since I have been here by voting against it. I intend to vote against this one, and I have no doubt it will be carried.

Mr. GRONNA. Mr. President, if I may say just another word, I believe that the amendment proposed by the Senate committee to strike out the free-seed item ought to be adopted. The Senator from New York and I made a calculation yesterday morning as to what this costs the Government of the United States, and $240,000 is not what it is costing the Government. I am quite sure that no Senator will contend that a package of seed can be sent through the mails for less than 1 cent, and if it costs 1 cent to send these seeds through the mails, it costs for transportation alone $10,000,000 and more. I think it is indefensible.

I certainly would be the last one to cripple the agricultural industry. I might do it through being mistaken, but I would rather have the Department of Agriculture provided with funds to do research work, and give that information to the farmer, than to provide for the distribution of a few packages of garden seeds.

I ask that the letter which I send to the desk be read.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

DEPARTMENT OF AGRICULTURE,
Washington, March 1, 1920.

Hon. A. J. GRONNA,
Chairman Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR GRONNA: In view of the effort which the Congress is making to economize in expenditures without seriously crippling the constructive work of the department, I beg leave to call your attention to a feature of the pending appropriation bill, which, in my judgment, could be dispensed with without material detriment to the agriculture of the country. This is the provision for "Purchase and distribution of valuable seeds," commonly known as the "Congressional seed distribution," for which the bill as it passed the House carried an appropriation of $239,416.

This activity has been maintained for many years along essentially the same lines as authorized in the present bill, the appropriation for this purpose for the current fiscal year being $358,980. Under this appropriation the department either purchases direct, or contracts for the growth of, seed of standard, tested varieties of vegetables and annual flowering plants adapted to growth in the several distinctive climatic regions of the country.

I understand that this distribution, which, in its inception, was intended definitely to be constructive and experimental in character by making possible the widespread introduction and testing of promising new varieties of useful plants, has for the past 35 or 40 years consisted of old, standard, and thoroughly tested varieties, the value of which for cultivation has long been determined and generally recognized. It is manifest, however, that, in view of the very great advance made in agriculture through the work of the State agricultural colleges and experiment stations and the Federal department in recent years, such need for a distribution of this character as may have existed in the early period of its development has ceased. I would, therefore, respectfully suggest and strongly urge that the Congress thoroughly consider the advisability of terminating this activity and of using the funds thereby released for the prosecution of urgently important investigational work on problems of crop production, which will be seriously crippled if the bill as it now stands becomes law.

In this connection, attention should be called to the fundamentally important investigations in foreign seed and plant introduction by the Bureau of Plant Industry, through which the best and most promising seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries are being studied, secured, propagated, and placed with the State experiment stations and private individuals for testing with reference to their value for introduction and cultivation in this country. The continuation and reasonable enlargement of this work is of peculiar importance at this juncture because of the quarantine restrictions which it has been found necessary to lay against the commercial introduction of plant material from foreign countries to prevent the introduction of additional destructive insects and plant diseases into this country.

I would also call attention to the work which the department is doing in the systematic purchase and distribution of new and rare field-crop seeds, particularly of grasses, alfalfa, clover, and other forage crops, through which the more promising, hardy, drought-resistant, and otherwise desirable forage crops are being placed with individual farmers in quantities sufficient for practical field tests to determine their adaptability to the different soil and climatic conditions of the important agricultural regions of the country. This is a constructive and useful work, which should be continued.

I am convinced that it would be highly desirable to make provision for the work of the Bureau of Plant Industry, and of the other branches of the department, at least to the extent suggested in the detailed memoranda recently transmitted to the Senate committee. I sincerely hope that the committee will give these memoranda careful consideration and that it will adopt the department's recommendation in each case.

Very truly, yours,

E. T. MEREDITH, *Secretary.*

Mr. KENYON. Mr. President, year by year I have consistently voted against this hoary-headed old fraud that creeps into the Agricultural bill. It usually goes out in the Senate, and then it goes to conference and marches in here again, out of the conference, with a smile upon its face. It seems impossible to end it.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. KENYON. I do.

Mr. THOMAS. The Senator makes a statement that does not correspond to my recollection. I do not recall that the Senate has ever been able, on the final vote, to strike out this item.

Mr. KENYON. The Senator is mistaken. We have stricken it out at least twice.

Mr. THOMAS. I am glad to know it, because that is an instance where my vote in favor of reducing appropriations at least corresponded to the majority vote of the Senate.

Mr. KENYON. The Senator's vote amounted to nothing, however, because when the item got into conference it was used for trading purposes, and the other branch of the Congress—which we can not refer to on the floor, apparently—was willing to give anything that the Senate wanted if it could get the free seeds.

We have these speeches on the floor every time the matter comes up, about the great benefit of these free seeds; and I have heard eloquent descriptions here of the mountain side, and the little bit of a farm, and the farmer's daughter with a little sunbonnet on her head, and a watering can in one hand to water the seeds and a flag in the other, thanking God for the beneficence of this wonderful Government. I wish I had the language of the Senator from Connecticut [Mr. BRANDEGEE] to describe it. Words fail me to properly depict this worthless custom.

I do not believe there is anything that has held up the American Congress to so much ridicule and contempt as this free-seed item. We can all go back to the days when we were boys and remember the little package that came with a Representative's name or a Senator's name up in the corner, and we gathered around the table at night under the little green lamp and held this up and said, "The great beneficence of our Congressman is wonderful; God bless our Representatives and Senators. They are sending out these wonderful seeds to us." And then we planted them and waited for them to grow—from radish seeds came onions; from carrot seeds, parsley.

It seems to me this now is a test of whether in the things that relate to Congress and affect Congress itself, it is willing to practice any economy. Of course, seeds do not buy votes, but they are used as a cheap means of introduction to make the average voter think that his Member of Congress is doing some tremendous work for him. It is time to quit it. I think the committee was unanimous in excluding this item. I hope the conferees will not permit this item to go back in this bill, and that they will stand there and let the bill be defeated, if necessary, and let the American people know that the little, cheap scheme involving garden seeds to send out and deceive the people is a thing that is not going to be passed by the American Congress. They do not grow, anyhow. I have planted them in my day, and I know you can raise but little out of them. I am glad the Secretary of Agriculture has recommended the abolition of this item. It will save the amount of this appropriation, something like $240,000, and besides save a million dollars in cost of transportation. Here is a real chance to practice some economy.

The PRESIDING OFFICER. The question is on the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. The next amendment passed over will be found on page 37. The proviso reads:

Provided, That the cost of any building erected shall not exceed $1,000.

It is proposed by the committee to insert the words "or improved" after the word "erected," in line 5.

Mr. SMOOT. Mr. President, I move that after the word "or" there be inserted the word "as," so that the amendment will read "or as improved." That will cover the objection to which I called attention the other day.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. In the committee amendment, on line 5, insert between the words "or" and "improved" the word "as," so that it will read "or as improved."

The PRESIDING OFFICER. The question is upon the amendment of the Senator from Utah to the committee amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. On page 47, beginning with line 7, the paragraph beginning "For investigations of methods for wood distillation," was passed over at the instance of the chairman of the committee.

Mr. GRONNA. As I understand, there is no further amendment to be made, and I ask that a vote be taken upon the committee amendment.

The PRESIDING OFFICER. The Secretary will state the committee amendment.

The ASSISTANT SECRETARY. The committee proposes, on page 47, line 16, to strike out "$173,260" and to insert in lieu thereof "$223,260," so as to make the paragraph read:

For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing, and the testing of such woods as may require test to ascertain if they be suitable for making paper, for investigations and tests within the United States of foreign woods of commercial importance to industries in the United States, and for other investigations and experiments to promote economy in the use of forest products, and for commercial demonstrations of improved methods or processes, in cooperation with individuals and companies, $223,260.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. The next amendment passed over is to be found on page 58, at the foot of the page, where the committee proposes to strike out certain lines in the House text, as follows:

For the investigation of soils, in cooperation with other branches of the Department of Agriculture, other departments of the Government, State agricultural experiment stations, and other State institutions, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations, $178,900.

Mr. HARRISON. Mr. President, I really do not know what reason the committee advanced for striking out this item of $178,900 for soil survey. It has been the policy of the department year by year to appropriate a like amount for this work. I think there are now about 30 States in the Union which are cooperating in this soil-survey work, and by failing to make this appropriation at this time we will cripple a branch of the work of the Agricultural Department that is rendering a great service to the people of the country.

I have much data here touching this work. I shall not take up the time of the Senate in reading it, but I do say to the Senate that if this committee amendment is adopted, striking out the appropriation for soil survey, I shall get a record vote on the proposition.

Mr. OVERMAN. Mr. President, I hope this amendment will not be agreed to. I think one of the most valuable things we have in this department is the making of maps of these counties, showing the farmers what kind of lands they have and what is in them. I gather from what the Senator in charge of the bill said the other day that it is in the interest of economy that it is proposed to be stricken out, because it is expected in the future that other appropriations would have to be made to go along with it. That is false economy, because if you strike out this appropriation you disorganize the whole bureau; you take the splendid young men, equipped and experienced in making these maps, and throw them out of the department, and they will go into some other business, and when you reorganize it you will have to employ new men and inexperienced men. So it seems to me it is false economy.

Mr. THOMAS. Mr. President, I ask the Senator having charge of the bill how long this appropriation has appeared in annual appropriation bills?

Mr. GRONNA. For a great many years. Of course, I do not minimize the work that is being done. The Senator is familiar with the work, of course. It is the making of plats and maps.

Mr. THOMAS. As it has been a feature of agricultural appropriation bills for a great many years, is it not fair to assume that the work has been practically completed?

Mr. GRONNA. I should think so.

Mr. THOMAS. I do not know, except in a general way, much about the subject, but there are provisions found in the bill upon the same page that seem to me to be far more important than this one. If I am correct in assuming that this is an old, established part of the work, of course, the investigations of soils and the making of maps should not be duplicated. Where a county in a particular State has been investigated, and the maps have been made in accordance with the statute, it certainly would be false economy to duplicate that work. I do not know how well founded the rumor is, but I have heard that much of this work is being done twice, or perhaps more than twice. That, of course, is waste. But it seems to me that the provisions from line 7, on page 58, down to and including line 6, on page 59, contain ample appropriations and specify ample bases for their expenditure; so that if we can save this amount of money it ought to be done.

Mr. GRONNA. I agree with the Senator. The Senate committee increased the total for the Bureau of Soils from $286,575 to $364,615, leaving this $178,900 out. I am quite sure that it is possible to delay this work without doing any damage to the agricultural interests of the country.

Mr. OVERMAN. Mr. President, if you delay this work, will you not drive out from this bureau everybody connected with

it, and will you not disorganize the bureau entirely, and will not the men who are experienced, young men who have been at work there, be driven out of employment; and if you begin again, as you say you expect to do, will you not have untrained men, and have to have new men in the business, when you have the experienced men now who know how to take these soils and make these maps?

Mr. GRONNA. It is not difficult work, and if it is done in cooperation with the State colleges of agriculture, there will be no difficulty in having this work done, even if the appropriation is not made for a year or two years.

Mr. SPENCER. Mr. President, I do not know about other States, but in Missouri two-thirds of the farm lands have been mapped in connection with the condition of its soil. That would have been impossible without this Bureau of Soils in the Agricultural Department, and to discontinue it, after it has been running some years, just before the survey has been completed, would be, it seems to me, most extravagant. The advantage of the combination of the Federal Bureau of Soils with the State bureaus of soils is that the soils are mapped and chemically explained upon a basis that is similar everywhere, and it is invaluable to the Government. I can not see, having entered upon this work for so many years, how there can be any economy in discontinuing it for a time, because, as the Senator from North Carolina [Mr. OVERMAN] so well said a moment ago, to resume it would be doubly extravagant. It is invaluable in my State.

Mr. STERLING. Mr. President, I think it was at my instance, perhaps, that this amendment was passed over.

My attention was first called to the subject by the State agronomist of South Dakota, who occupies that position and is also superintendent of substations, and I may be indulged while I read a short extract from his letter of March 16. He says:

> In my opinion, the Federal soil survey as now conducted is a good example of how a nation-wide work can be coordinated in a truly cooperative way. I can not conceive what interests would be so short-sighted as to want to dispense with this work, dealing as it does with the conservation and development of our fundamental national resources. Can you not arrange to have this item replaced in the Agriculture appropriation bill by consulting with the Senate committee or otherwise?

Upon the receipt of that letter I called up by phone the Director of the Bureau of Soils, and he sent me a letter, from which I take the liberty of quoting briefly. I shall not read the entire letter. He says:

> The fundamental importance of the work is generally recognized. Many of the States have entered into cooperative agreements with the department and are matching Federal expenditures practically dollar for dollar, some of the State appropriations being contingent upon the prosecution of the work in cooperation with this department.

I will say, Mr. President, in passing, that the State of South Dakota appropriates $10,000 every year for soil survey work in cooperation with the work carried on by the Federal Government. He says further:

> The States are using the results as a practical basis for intelligent field operations and for scientific experimentation. The work is strongly supported by the State experiment station officials, and the reports issued by the bureau are used by farmers, prospective purchasers, real estate agents, railroads, bankers, life insurance companies, and other financial concerns. A discontinuance of this appropriation will necessitate the complete suspension of the soil survey work on June 30 and the disorganization of the highly trained and well-organized scientific force. It will be difficult to estimate the loss that will be sustained by the Government and the disorganization not only of the Government work but of all State work, as the States are all working under the leadership and through the cooperation of this department.

I had my attention called long before I took the matter up with our State agronomist and with the chief of the Bureau of Soils, and I am satisfied, Mr. President, that this is a most valuable and helpful work in the interest of the farmers. They know through this work of the ingredients that enter into the soil, to what crops the soil is best adapted, and so on. It is a great benefit, and I hope that the committee amendment will not be agreed to.

Mr. SMOOT. Mr. President, I think the Senator from Colorado [Mr. THOMAS] was laboring under a misapprehension when he said that this appropriation was for the same purpose as other appropriations on the following pages of the bill. The appropriation of $15,000 on page 59 is for the "examination of soils to aid in the classification of agricultural lands in cooperation with other bureaus of the department and other departments of the Government."

That, Mr. President, is done in a wholesale way, or, in other words, public lands in general, and is to cooperate with the Geological Survey in classifying those lands, as to what class of lands they really are—whether they are semiarid lands or irrigable lands or grazing lands, or whether they are lands falling under the 640-acre homestead law or the 320-acre homestead law.

That is what may be termed a wholesale investigation or examination, but the investigation of soil, as provided for in the amendment which the Senate committee struck out for soil survey, may be termed a local investigation. In other words, here is a farm the owner of which asks the agricultural department of his State to make a soil survey, with a view of learning just what the ground is best adapted for in raising farm products. That involves a chemical analysis of the land. I have seen upon 20 acres of land in my home State 20 holes dug, and the soil from those 20 holes analyzed, showing exactly the chemical properties of the land. Upon those examinations are based the reports that may be given to the farmer, the owner of the land, or to the community in general as to what crops the land is best adapted to raise.

It seems to me if we are going to make any kind of an appropriation for soil surveys that will reach the farmer direct, it is this appropriation that will accomplish it. I would rather cut out of this bill half a million dollars in other places than to cut this appropriation out. There would be less harm done by it.

The only question to decide is, Are we going to do away with the soil survey? There is no need of doing away with it for the coming year unless we continue to do away with it, because if it is done away with this year the organization will be completely disorganized. So when we vote upon this proposition we must vote upon it with the idea that if this appropriation goes out the soil survey, so far as the Government of the United States is concerned, ceases on June 30, 1920, because we need not make any further appropriation for this purpose if we undertake to make no appropriation now.

Mr. POMERENE. Mr. President, I hope the amendment will be defeated. I have not only talked with specialists on this subject but I have had a number of letters from them. Everyone I have come in contact with favors this appropriation. I do not know of any specialist who is against it. I do not think that Senators, unless they have had occasion to investigate the subject, realize the importance of it.

I happen to have before me a pamphlet containing the soil survey of my own county—Stark County, Ohio. This survey was made by the United States Department of Agriculture, Bureau of Soils, in cooperation with the Ohio agricultural experiment station, of which Mr. Charles E. Thorne is director and John N. Harper is in charge of soil work. Other specialists represented the Federal Government. I know this has been a source of a great deal of value and a great deal of gratification to farmers of my own county. Stark County is one of two or three of the leading agricultural counties in the State, but if it is of value to the farmers of that county it is of value to the farmers of every other county. They have no way of getting this special information, unless they go to extraordinary expense, if the Governments, Federal and State, are not going to aid them.

I want to make the agricultural life of this country just as pleasant and just as profitable as we reasonably can make it, and this is one way by which we can aid the agriculturists, because it is not only to their own immediate financial interest but it is to the benefit of the entire consuming public.

For these reasons, very briefly stated, I hope the Senate committee amendment will be disagreed to.

Mr. KENYON. Mr. President, I do not remember the reasons why the committee struck this amendment from the bill, and I do not remember whether in the committee I voted for that or not, but if I did vote to strike it out, I am satisfied now it was a mistake. I believe this item ought to remain in the bill.

There is a fundamental reason that is controlling me in the matter, and I think if Senators would read an article in Collier's Weekly of this week, with relation to the subject of soil and its relation to the prosperity of the Nation, they would at least commence to think about the necessity of our conserving the soil of our country. This article goes on to say:

> The most vital thing in our lives is three meals a day.
> The most vital thing in a nation's life is food.
> The producer of food is the soil.

Further:

> We are facing an agricultural problem in the United States just as sure as sunrise.

Then the article goes on in a rather interesting way to discuss the planks that have been offered for the political platform of the Republican Party in the New York Tribune contest. There have been over 2,000 planks suggested on foreign relations, Americanization, labor and capital, social legislation, Bolshevism, cost of living, budgets, free speech, Mexico, women voters, tariff, control of big business, prohibition, negro problem, and so forth, but nothing has been suggested as to the great basic proposition that this article speaks of as to the soil of America and its conservation.

We have been mining the land of this country instead of farming it. You can not go on year by year taking from the soil 40 or 50 bushels of corn per acre and returning nothing to the soil. If the day ever comes when the fertility of our soil is destroyed, then we are going to face a national and a world famine. The question of production to-day is the most important question before the American people and before the world, and it all comes back to this question of soil conservation and more work. No one can live except by the things that come from the soil. As a Government we ought to do our part in cooperation with the States to conserve the fertility of our soil. It is a basic proposition.

I believe this estimate, with the force the Department of Agriculture now have, will be helpful along that line, and I think we could well afford to cut other parts of the bill more than we could to cut this. Hence, feeling that way about it, I do not feel bound to support the amendment of the committee, and I shall vote to reject it.

Mr. GRONNA. Mr. President, I am glad that this amendment has made some of the farmers, among them Collier's Weekly, sit up and study farm conditions. I do not suppose there is a Senator here who does not know, as I know, just what this money is used for. The money is used for the Soil Survey to cooperate with the agricultural colleges of the States to take a certain section of a State and to make a soil survey, and maps are then prepared showing the conditions of the soil. If there are any farmers in my State who have ever asked me for one of those maps, I have not heard of them. They have never asked me to send them any of the maps.

What does the real farmer who produces cereals or other crops care about these maps? It seems to me it is an insult to a farmer's intelligence to say that the farmer does not know the soil in his own farm. You may have such farmers in the sections of the country where some Senators live, but I want to assure you that they know in the western part of the country.

I knew that this item would bring out a tremendous propaganda. Every agricultural college throughout the United States is interested in the item. Some of the professors of agricultural colleges in my own State, splendid men, have protested most vigorously against the action of the Senate committee. I am sure the item will go back into the bill, not because of the good it will do to the farmer—and I will challenge any Senator here or elsewhere to successfully prove that it does good—but just because of the propaganda that is going on.

I think I might be pardoned for saying that I spend more money than the average man throughout the United States in experimenting with soils and with crops, and I spend it out of my own pocket. I can tell you where these maps go if you want to know, but you do not know it. These maps go to real estate agents and to people who are anxious to sell land. That is where they go. Did any Senator here ever have a request for a soil-survey map? If so, I would like to hear of it. I never have had one.

Mr. POMERENE. I have had quite a number of requests for these soil surveys.

Mr. GRONNA. I am very glad if the Senator has had them.

Mr. POMERENE. I want to say, with due deference to what the Senator says, that the farmers of Ohio are intensely interested in this subject. The Senator has referred to the fact that he makes his own experiments. He farms on a very large scale, but the man who has a quarter of a section or an eighth of a section is not able to do that, and he wants the assistance of the different governmental agencies that we have.

Let me illustrate the benefit which it may be to a farmer to study the soil. We had some years ago, and it was before this survey of the soil was begun, a man by the name of J. A. Borst, who had a lot of muck land on his farm. He was not able to produce anything on it. It was a black soil. It looked as if it was fertile, but for some reason it would not grow crops. By the sheerest accident he found out that by placing a certain barnyard fertilizer upon this land it became very productive. Now, that land, which years ago was regarded as almost valueless, is used for celery gardens; it is worth $500 an acre; and the celery industry of that county started with that little accidental discovery of Mr. J. A. Borst.

Mr. GRONNA. Will the Senator permit me to ask him a question?

Mr. POMERENE. Yes.

Mr. GRONNA. Was an examination made of that land and was there a report made as to what it should be used for or what should be done on the soil?

Mr. POMERENE. There was not at that time. That was before we knew anything about soil surveys; but I referred to the necessity of soil surveys because it enables farmers to get from the Government the knowledge which otherwise they might not acquire save and except by such accidents as occurred in the case of Mr. Borst.

Mr. GRONNA. The trouble with the contention of the Senator from Ohio is that the money provided for in this item is not used for the purpose which he has so well illustrated, but it is used to make soil maps and plats showing the kind of subsoil, the kind of loam, how much sand there is in it, and what the ingredients of the soil are. That is what it is used for; it is not used to make analyses of the conditions or of the different mineral constituents of the soil.

Mr. POMERENE. It is used to make surveys; but the survey accompanies the very information to which the Senator refers. I have one of these soil-survey maps here. It describes the soils of each one of the several localities of the county surveyed. Here [exhibiting] is a large map graphically showing the kind of soil and the character of the subsoil.

Mr. SWANSON and Mr. SPENCER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from South Dakota yield, and, if so, to whom?

Mr. GRONNA. I yield to the Senator from Virginia.

Mr. SWANSON. The Senator from North Dakota has asked whether or not there is any demand from the farmers for the appropriations for soil surveys. In reply, I will state that I myself have had many requests for them; and the farmers in the different counties and sections of Virginia have asked that such surveys be made. Because of the smallness of the appropriation all of the counties can not be surveyed, but I do not know of any such surveys which have been made in Virginia which have not been satisfactory and valuable. I think it would be a great mistake to stop the surveys, especially in localities where there is a great variety of conditions and of soil and of subsoils. I repeat, there is a demand in Virginia for these surveys. Wherever they have been made their distribution has been asked for in the counties; but there are many counties which have not been able to get them on account of the smallness of the appropriation. I think it would be a mistake to discontinue the appropriation.

Mr. GRONNA. Let me say to the Senator from Virginia that if surveys were to be made to benefit the individual farmers we should have to appropriate very much more than $178,000.

Mr. SWANSON. But these surveys are made for a county or for a certain section.

Mr. GRONNA. The expense would run into billions of dollars, I will say to the Senator.

Mr. SWANSON. These surveys are needed for certain purposes. Some farmers know by experience that they do not need a survey; but certain soil is not productive; certain soil does not yield returns and is not valuable; and farmers living in such sections are anxious to have those lands surveyed to ascertain if the scientific service of this Government can make any suggestions as to why the soil is not valuable.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Colorado?

Mr. THOMAS. I desire to suggest that this matter is covered by other provisions of the bill.

Mr. SWANSON. But under this provision, if the work is done, the maps and publications will be issued, and the people will get the benefit of what the Government has done? What is the use of doing things and then keeping them under a bushel?

Mr. GRONNA. Let me read the provision. It is as follows:

> For the investigation of soils, in cooperation with other branches of the Department of Agriculture, other departments of the Government, State agricultural experiment stations, and other State institutions, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations, $178,900.

Mr. SMOOT. The item is for the investigation of soils; and in the investigations a chemical analysis is made of the land, in order to show just what its character is. There is a key to all of the maps, and certain colors indicate certain classes of land. The whole survey is made in that way after a thorough investigation of the land itself.

Mr. SWANSON. If the Senator will allow me, there are certain lands in Virginia where alfalfa will grow well for one or two years, but after that the subsoil is such, being of clay, that when the roots reach it the plant dies out. From a survey the farmer will know what the subsoil is. Maps showing the character of the subsoil in those sections of Virginia have been valuable. I have a demand for these maps, and to have surveys made of those counties which would supply the knowledge in reference to the character of the soils.

Mr. SPENCER. May I ask the Senator from North Dakota, Is it not true that if a farmer wanted to move from one section of the State to another, or if, by some happy chance, for Missouri, the Senator from North Dakota should desire to enter into

the Garden of Eden and move to Missouri, would not a survey map of the soil, precisely such as that contemplated by the pending provision, be invaluable to him before he bought his Missouri farm?

Mr. GRONNA. I am very glad the Senator from Missouri has asked me that question. If I should ever get it into my head to move to the State of Missouri, I can assure the Senator that I would go into what I understood to be the best section of his splendid State——

Mr. SPENCER. It is all good.

Mr. GRONNA. Then I would talk to the farmers of Missouri and ascertain what kind of crops they were raising, for, let me say to the Senator from Missouri, they know more about the matter than anybody living outside of the State of Missouri can ever possibly know.

Mr. SPENCER. The Senator from North Dakota could depend upon what the farmers of Missouri told him, even though they themselves were going to sell him a farm; but that is not true in every State. [Laughter.]

Mr. SMOOT. Mr. President——

Mr. GRONNA. I have not concluded, if the Senator from Utah will permit me.

I simply wish to say in conclusion that I was quite sure that this appropriation would be advocated, because every professor in the agricultural colleges and State institutions throughout this country naturally wants it. I find no fault with them. If we had money to burn, of course, I should not be a party to striking it out; but if any Senator says that this would in any way increase the production of cereals in the United States of America for the next year I doubt if the statement could be substantiated. I know what the work is; I know how it is being done; and I have stated that I did not minimize the value—that was the exact language I used—of these maps, but they are not used by the farmers. It was for that reason only that I rose to say that those who are always so anxious to help the farmer are not helping the farmer by appropriating money for this specific purpose.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Wisconsin?

Mr. GRONNA. Yes.

Mr. LENROOT. The Senator will agree, will he not, that we must look for increased production to the man going from the city to the land, rather than to the man going from the land to the city?

Mr. GRONNA. Yes, sir.

Mr. LENROOT. And that there are thousands constantly looking for land who are not expert farmers, as is the Senator from North Dakota.

Mr. GRONNA. Mr. President, I have never posed or set myself up as an expert farmer. There are farmers in my State who have forgotten more about farming than I will ever know, and they are not Members of Congress either; they know how to farm and they do farm. We have agricultural colleges in North Dakota, as has the State of Wisconsin, and we obtain intelligent information from the professors of those colleges, as other States do from similar sources; but that is another proposition. The making of soil maps is a cooperative work carried on by the Federal Government. It is unnecessary to explain the maps, because, I imagine, Senators are familiar with them. Certainly I know what they are; I know the key to them and I know that they illustrate by different kinds of coloring the character of the soil. The agents of the department take a county at a time, and generally finish up that county before proceeding elsewhere.

I do not discredit that work, and, if we had plenty of money, I should like to see it carried on. It was not from any desire to discredit the work that the committee struck the item out, but we thought we could get along without it at least for one year.

Mr. LENROOT. I should like to ask the Senator if it is not true that the average man from the city who goes to the land knows very little if anything about farming and must have reliable data as to the character of the land which he purchases?

Mr. GRONNA. No, Mr. President; there are thousands of people living in the cities who know a great deal about farming; in fact, they know too much about it, for they know that farming is not profitable; they know that farming has been the most unprofitable business in the world.

Mr. LENROOT. But it is not that class who are going back to the land.

Mr. GRONNA. They do not go back, because they know it is not profitable.

Mr. LENROOT. I am speaking of the class of people from the cities who are returning to the land.

Mr. GRONNA. There are people in the cities, of course, who do not know anything about the land. I am not in a position to say whether the soil maps would or would not give them information they desire; perhaps they might afford valuable information; as to that I am not sure, but I am rather inclined to believe that those in the cities who want to move to the country generally get in touch and correspond with people in the country whom they happen to know, and get the information in that way. They learn from such sources whether a particular section is productive or unproductive, and not from these maps; because the maps can not possibly furnish the information necessary to induce people to go from the city to the country.

Mr. NORRIS. Mr. President, I have always favored this work, although it is my belief that many people have overestimated its importance. If we were living under normal conditions now I would still favor it; but unless Senators and Members of the House are able to stand up against propaganda and say that, in order to meet conditions that confront the country, they are going to cut down appropriations, then all similar items to this will go in the appropriation bills. I think this work is important to be carried on; it is along scientific lines, but the country can get along without it; we need the money now, and we ought not to expend it for this purpose. It will not be true, as has been stated here, in my humble judgment, that if we quit appropriating money for this purpose we never will be able to begin again. I do not think there is anything in that argument.

When soil surveys are to be made the agents of the department go out and take a county at a time, or several counties, and survey them entirely. They do not, as might be thought from some things that have been said here, survey a man's farm when he requests that it be surveyed, but they take a county and complete it.

They may have taken a particular farm here or there, but that is not the way I have ever seen it done, and a great deal of this work has been carried on in my State and is being carried on there now.

This is one item in regard to which I have received a great deal of criticism since the Agricultural Committee reported this bill; it is the only one. Up to to-day I have been able to say that I believed the committee was right and that under existing financial conditions Congress ought to stand behind the committee, and the country ought to do likewise. I presume letters have been written to all Members of Congress asking that the committee be overridden in this matter, and it looks as though such action is going to be taken by the 15 or 16 Senators who have congregated here and that this item is going back into the bill, and, as I have already stated, under ordinary conditions I would be in favor of its going back. But this item, together with thousands of other similar items that we can get along without now, we ought to get along without, in my humble judgment.

It is said here, "Suppose a man in the city wanted to buy a farm, and sent and got one of these maps; he could see just what he was going to get." Well, now, here is a map of Stark County, Ohio. Here is the Senator from North Dakota [Mr. GRONNA]. We will say that he is a city fellow. He lives in New York. He never has been out in the country; he does not know anything about it; so he sends to Stark County, and he gets this map, and he looks at it, and immediately when he sees it he knows just what you can do on a farm in Stark County!

Mr. President, it is perfectly foolish. In the first place, that kind of a man never would get one of these maps. If he got it, it would not mean anything to him. He would look on it, and he would see that the yellow meant one thing, and the blue another, and the brown another, and so on. Now, what would he do if he was going out to Stark County, Ohio, to buy a farm? He would go out there first, and he would look at the land. If he did not know anything about land, he would have some friend there. He would not get any information that would assist him in purchasing that land from examining this map. He never would try it. I doubt whether that has ever been done with a map in the history of the United States since this work has been going on.

If this work stops, it will not interfere with the country; it will go on just the same, and we will save this money for a while, as compared with the expenditure at present.

Mr. HARRISON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. NORRIS. Yes.

Mr. HARRISON. It will stop the work temporarily, will it not?

Mr. NORRIS. Certainly it will.

Mr. HARRISON. Perhaps in 500 counties throughout the United States where the work may be one-fourth finished or one-half finished it will have to stop until Congress makes another appropriation.

Mr. NORRIS. Yes, sir; on the 1st of July that work will have to stop. That is true, and some fellows will lose their positions, and every one of those fellows does not want to lose his position. I have nothing against them. I would rather they should not lose their positions; but, great heavens, we can not keep in his position every man who now has one that he obtained during the war. If we are going to economize, we must commence somewhere, and we must keep on going; otherwise we will never accomplish anything.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska further yield to the Senator from Mississippi?

Mr. NORRIS. I yield; yes.

Mr. HARRISON. There are thousands of dollars appropriated in this bill for the Bureau of Soils. What will these people be doing all this time?

Mr. NORRIS. If there is anybody left with nothing to do I assume that the man in charge will discharge him.

Mr. HARRISON. If the Senator's argument is logical in favor of cutting out this appropriation and deferring the work for a while, why would he not cut out the whole appropriation for this particular bureau?

Mr. NORRIS. I would cut out everything that I could, and I have no doubt that if I knew enough about the details there are a good many other places in this bill that I would be in favor of cutting out. Why, let us take the Senator's argument. We voted just a little while ago to eliminate the free-seed distribution from this bill. Now, the Senator could say, "What are you going to do with the fellows that are in that business? Are you going to leave them high and dry, without jobs? What are you going to do with the places they occupy? What are you going to do with the men you send out to buy seeds to make this distribution? What are you going to do with the thousands of people that are dividing up the seeds and putting them into little packages? Are you going to leave them without jobs? Are you going to discharge them?"

Mr. HARRISON. Oh, but the Senator does not catch my point.

Mr. NORRIS. Perhaps we will have to discharge them, and if they are not necessary they ought to be discharged, not because we have anything against them, but it is the same way with every other business that we discontinue. Of course, there will be a good many people discharged.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska further yield to the Senator from Mississippi?

Mr. NORRIS. I yield.

Mr. HARRISON. Of course, the employees carried under this appropriation will be discharged if the appropriation is not made; but two pages ahead of this the Senator will notice that $78,000 was appropriated for the salaries of employees here in Washington in the Bureau of Soils. Now, the main work undertaken by the Bureau of Soils is the cooperation with the States in making these maps. Why would not the Senator be in favor of striking out this provision of $78,000 for the Bureau of Soils and getting rid of all those people?

Mr. NORRIS. If this item goes out, and the employees are not necessary, then I would be in favor of striking out that item. If this one goes out, and we can save $78,000 somewhere else, for Heaven's sake let us save it, because the country needs it. If the Senator's argument is good, then we might just as well pass a law that would make appropriations to run through all the years that are to come because somebody is going to be discharged if we cut down on appropriations.

This is the great item of expense. It will not take as much paper if this item is eliminated. There is a whole lot of paper used in making these maps. We might say: "Why, the fellows that are in the paper business are going to be injured." Poor fellows. It is too bad. I do not want to injure them, but I do not think we can afford to buy their paper now. There is a great clamor that we are short of paper, and the publishers of newspapers are having trouble to get enough paper to print their issues. If this appropriation were left out of the bill, as the Senate committee has recommended, it would help somewhat in that line.

Mr. President, the same argument is made with every other item except those items that a man would say were items that under no circumstances ought to go in the bill, and I do not say that about this item. I am not belittling it, but it is one of the things we can get along without now; and it seems to me that if we really mean to economize, as everybody has pledged that we will economize, here is one of the places where we can use the ax.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. On page 72, in the item of "General Expenses, Bureau of Crop Estimates," on line 6, after "States Relations Service," the committee proposes to insert:

and other Federal, State, and local agencies.

The amendment was passed over at the request of the Senator from Louisiana [Mr. GAY].

Mr. GAY. Mr. President, on yesterday I asked that this amendment should go over, because I understood that the Senator from Kansas [Mr. CAPPER] had an amendment which he wished to propose.

Mr. CAPPER. Mr. President, I agree with all that has been said here by the Senator from Nebraska [Mr. NORRIS] and the Senator from North Dakota [Mr. GRONNA] about the need of a strict policy of economy and retrenchment, and I have supported this bill consistently from start to finish; but there are two items here that I think really should be increased. One is the one we have just voted on and the other is this item for the Bureau of Crop Estimates.

It is true, as the Senator from Nebraska has said, that we have been flooded with protests on certain items here, and appeals for increases, and in most instances those were inspired by interested persons; but I have had a great many appeals from people in my State, many of them real farmers, objecting to the reduction in the appropriation for the Bureau of Crop Estimates. This is a work that really appeals to every producer in Kansas, and in every other State, for that matter. It is a direct benefit to the farmer.

I have had so many protests on this particular item that I asked the department to summarize briefly the work that actually had been done and the work that it was necessary to do. They have put it in just a few lines here, and I am going to read that summary:

The Bureau of Crop Estimates during the past six years has accomplished, with inadequate appropriations, the following striking results:

Has perfected a system of crop estimating which has increased its output more than four times.

Has decreased the cost per unit of work more than 60 per cent.

Has established a fruit-crop estimating service, especially for apples and peaches, in response to specific demands of commercial apple growers, which service has been highly satisfactory and has saved the producers large sums of money.

Has established a truck-crop reporting service of great financial value to the growers of these special crops.

Has established a system of reporting the potato crop twice a month at maturity, when potato growers are making selling contracts, which will save to the growers of this one crop more than the entire amount involved in the estimates. A single county saved $100,000 last year as the result of our potato reports.

During the past six years the bureau has been under intensive training and preparation for establishing a comprehensive and constructive system of crop and live-stock reporting coincident with the taking of the 1920 census and with the census data as a basis.

Dependable data with respect to crop and live-stock production are absolutely essential to the business end of farming, especially marketing, which concerns every farmer and live-stock raiser in the United States (about 14,000,000 in number); the annual value of crop and live-stock production involved being more than $20,000,000,000. Such data are essential to much of the constructive work of the Federal Department of Agriculture, State colleges of agriculture, county agents, farm bureaus, and other farm organizations.

* * * * * *

The present appropriation for 1920 under this item is $216,562. In its original estimates the department requested an increase of $550,000 in lump fund for expansion and improvement of the crop and live-stock reporting service. None of this increase was allowed by the House committee. On the contrary, the House reduced the amount of this item by $48,486.

In the revised estimate submitted to the Senate committee the department recommended the restoration of the $48,486 eliminated by the House bill, and in addition $140,000 for extending the live-stock reporting service and $53,438 for county data on major crops, making a total increase over the House bill of $201,924.

I know that it is useless to attempt to have these two larger items inserted here, the $140,000 and the $53,438; but I do believe that the item of $48,486 should be restored, making the appropriation for the coming year exactly the same as it is for this year.

The PRESIDING OFFICER. Will the chairman of the committee give the occupant of the chair his attention for just a minute? The Chair understands that the amendment passed over was in line 6, page 72. The amendment offered by the Senator from Kansas applies to the provision at the bottom of the bill.

Mr. CAPPER. No; it is in line 18.

The PRESIDING OFFICER. Then the amendment of the Senator from Kansas is not to the first amendment of the committee. The question is on the first amendment of the committee, which will be stated by the Secretary.

The ASSISTANT SECRETARY. On page 72, line 6, after "States Relations Service," it is proposed to insert "and other Federal, State, and local agencies."

The amendment was agreed to.

The ASSISTANT SECRETARY. On line 15, it is proposed to strike out "$20,000," and in lieu thereof to insert "$25,480."

The amendment was agreed to.

The PRESIDING OFFICER. Now, the Senator from Kansas offers an amendment to the next paragraph, which will be stated.

The ASSISTANT SECRETARY. On page 72, line 18, it is proposed to strike out "$168,076" and insert in lieu thereof "$216,562," and to change the totals in the lines following to correspond.

Mr. GRONNA. Mr. President, the Senator from Kansas is a very valuable member of the committee, and I do not like to oppose his amendment. But we are overlooking one thing. The report made by the House Committee on Agriculture calls attention to the fact that they believe that some of this work ought to be done by the county agents. It seems to me that it would be the most satisfactory result we could possibly get to secure this information from the county agents and from cooperation with the county agents. It would then be more reliable than the data which we are receiving now.

It is late, and I do not wish to take the time of the Senate, but if I had sufficient time, I could demonstrate to the Senate that there are thousands and hundreds of thousands of dollars wasted so far as this bureau is concerned. I trust that the amendment will not be agreed to.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the Senator from Kansas [Mr. CAPPER].

The amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. On page 72, line 19, after the word "expenses," the committee proposes to strike out "$188,076" and to insert "$193,556," so as to make the clause read:

In all, for general expenses, $193,556.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. In the total for the Bureau of Crop Estimates, page 72, line 20, the committee proposes to strike out "$317,376" and to insert "$322,816."

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. The next amendments passed over will be found on page 82. The first begins on line 7, after the word "maintenance," in the item for investigations of the best methods of road making, it is proposed to insert a comma and the words "including cooperation with State and municipal governments in roadside planting of ornamental, fruit and nut-bearing trees, the beautification of highways, and the education of the public to a fuller appreciation of scenic values as a factor in rural development and as a nationalizing influence."

Mr. SMOOT. Mr. President, was that recommended by the department?

Mr. GRONNA. It is an amendment offered by the Senator from Louisiana [Mr. RANSDELL]. The representatives of the department approved it. I think this is a very practical way to beautify the country. I do not know why we should not make an effort to plant trees bearing edible fruits or edible nuts. I do not see why that would not be beneficial to the people throughout the country.

Mr. SMOOT. Mr. President, I want to say to the Senator that in the early days of Utah this plan was practiced generally and remained so for a number of years. But it developed after a fair trial that it was not practicable.

Mr. GRONNA. The Senator understands that there is no increase in the appropriation.

Mr. SMOOT. But, of course, if we adopt the amendment next year there will be an increased appropriation asked for that purpose, or it will be no good. This is simply to get it in the law, and next year there will be an appropriation for the purchase of all kinds of fruit and nut-bearing trees, for the planting of them, and for the care of them. I say to the Senator now that unless these fruit trees and nut-bearing trees are taken care of, not by the individual owner of the property near which they are planted, but by the officials of the Government, just the same as the trees upon the streets of the District of Columbia are taken care of, it will be a wicked waste of money. We used to have apple trees planted along the sidewalks, used as shade trees, and we used to have other kinds of trees that would grow in our State, and different fruit-bearing trees. But it was not very long before they went to decay. Whatever is everybody's business is nobody's business. If we are going to undertake to do this, we must understand this, that the Government of the United States has to take care of all of such trees; they have to keep the worms out of them; they have to protect them in every way that similar trees are protected on privately owned land, and if the Government does not do that work, all that they spend for this purpose will be lost. It is all well enough to talk about beautifying the lands along the farms and the streets of the town, but that work does not belong to the Government.

Mr. THOMAS. Mr. President, I make a point of order against the proposed amendment as an attempt to incorporate general legislation upon an appropriation bill.

The PRESIDING OFFICER (Mr. STERLING in the chair). The Chair sustains the point of order. The Secretary will state the next amendment passed over.

The ASSISTANT SECRETARY. On page 82 the committee also reported the following amendment: After line 17 to insert the following:

For conducting field experiments and various methods of road construction and maintenance, and investigations concerning various road materials and preparations; for investigating and developing equipment intended for the preparation and application of bituminous and other binders; for the purchase of materials and equipment; for the employment of assistants and labor, $50,000.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments passed over.

Mr. OVERMAN. Mr. President, as we are through with the committee amendments, I propose to offer an amendment. I call the attention of the Senator in charge of the bill to it, and ask him if he will not accept it and let it go to conference. It does not increase the appropriation at all. It is to be inserted on page 48. The appropriation is $103,728 for making investigations in silviculture, dendrology, and so forth. I propose an amendment providing as follows:

Of this amount $45,000 is available for expenditure during the fiscal year ending June 30, 1921, to enable the Forest Service, under the direction of the Secretary of Agriculture, to establish and maintain a forest experiment station at Asheville, N. C., for the purpose of conducting in the Appalachian hardwood and adjacent forest regions silvicultural and other forestry experiments and investigations independently or in cooperation with other branches of the Federal Government, with States, and with individuals, to determine the best methods for the conservative management of timber forests, farm woodlands, and other forest lands, and thus to increase the productiveness of these forests and to perpetuate the lumber and other wood-manufacturing and wood-using industries.

Mr. SMOOT. What is the amount the Senator asks?

Mr. OVERMAN. Forty-five thousand dollars. About 35 years ago George W. Vanderbilt bought a large body of timberland in western North Carolina and established a school there. About three years ago I was in Utah and California and I met one of the leading experts out there, who commended that school, and said what great good it had done in educating the students at that school to understand dendrology and the preservation of trees from disease, fires, and all that. I want to restore this school by the Government, to make experiments in wood management, tree management, in knowing when the tree is ripe, and in knowing how to treat diseases of the tree.

In that section there are 148 different varieties of hardwoods. Instead of having those things studied here in Washington, I propose to have them studied right in the forest, where the trees are, so that the people who learn and become experts can be sent out West or sent anywhere and teach tree management and the management of our forests.

The school did a great deal of good in the time of Mr. Vanderbilt, but he died, and the school went down. If you establish this experimental school, which is recommended by the forestry associations of the country, at this point, I think it would be of great benefit to forestry in the whole country.

Mr. SMOOT. I would like to ask the Senator if the Biltmore farm has not been sold by Mrs. Vanderbilt within the last two or three weeks?

Mr. OVERMAN. The Government purchased 60,000 acres of land there at a very cheap price. Mrs. Vanderbilt put it down very low so that the Government could get it. This is in that great Appalachian reserve, which was purchased under the Weeks Act. The Vanderbilt village, which the Senator from Utah speaks of, has been sold. Mr. Vanderbilt built a modern village up in that country close to his home, a beautiful village, and that has been sold.

Mr. SMOOT. I have been all over the place, and I saw the planting of trees at the time Mr. Vanderbilt owned the property.

Mr. OVERMAN. When the Senator was there they had a school of reforestation, and out in the Senator's State to-day they have some of the boys from that school, now experts, whom the Government is using, and the Government can well afford, instead of having that study made here in Washington, as the appropriation proposes, to have it done there. I only ask this small appropriation to enable the students to go on the property where the wood is to study the question so they will know more about it.

Mr. SMOOT. The amount that the Senator asks for is more than a third that is appropriated for the study of silviculture and dendrology in the whole United States.

Mr. OVERMAN. The House gave $35,000.

Mr. SMOOT. But the Senate has amended it so as to make the sum $103,728.

Mr. OVERMAN. The House thought $35,000 was enough. I propose to let it go to conference, where the matter can be studied, and see if it can not be worked out.

Mr. GRONNA. So far as I am concerned, I have no objection to letting it go to conference. Of course, I will do the best I can to have it retained in the bill.

Mr. OVERMAN. I know the Senator will do the best he can.

Mr. GRONNA. I do not know whether I can get it retained or not, but I will do the best I can.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina.

The amendment was agreed to.

Mr. CURTIS. I offer the following amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. Add at the end of the bill a new section, as follows:

SEC. —. That a yield of 5 bushels or less per acre of wheat on lands owned by those in the drought-stricken regions who borrowed money from the Government of the United States for the purchase of wheat for seed be, and the same is hereby, declared to be a failure, and the borrower whose yield was 5 bushels or less per acre be, and he is hereby, released from repayment of the amount borrowed by him from the Government: *Provided*, That nothing herein shall release the borrower who signed a guaranty fund agreement, and whose crop was not a failure, from making the contribution provided for in such agreement, but said guaranty fund shall be used as stipulated in the agreement to the settlement of the loans to those whose crop was a failure.

Mr. SMOOT. Mr. President, I want to have some explanation made of the amendment.

Mr. CURTIS. When the department loaned to the farmers in the drought-stricken districts money with which to buy wheat, there was a provision in the contract that if there was a crop of less than 5 bushels to the acre the crop should be considered a failure and the borrower should be released. In the Wichita (Kans.) district, which includes Kansas, Oklahoma, and Colorado, there were over 3,000 loans, and there were about a thousand failures reported, and all of the money has not yet been collected. There was contributed to the guaranty fund by those who raised more than 6 bushels to the acre, who, under the agreement, were to contribute 5 cents a bushel up to 75 cents an acre, over $222,000.

Mr. SMOOT. Does the Senator mean that $222,000 over and above what they borrowed was given?

Mr. CURTIS. Over and above what they borrowed. I mean that those who borrowed, those who did have a successful crop, turned back into the guaranty fund two hundred and some odd thousand dollars more than they borrowed. The land bank has failed to release those who had a crop of less than 5 bushels to the acre, although I have here at my desk the contract, which specifically states that if the crop was less than 5 bushels to the acre it should be considered a failure.

Mr. THOMAS. Would not the contract of its own volition relieve them?

Mr. CURTIS. I am just getting to that. It will not relieve them. They will not give up their notes, and they are still asked to pay. I took it up with the department, and they said they hoped we would get legislation, and I offered this amendment after consultation with officers of the Farm Loan Board, so that there will be no question about their authority to release these people under the agreement which was made.

Mr. POMERENE. Mr. President——

Mr. CURTIS. I yield to the Senator from Ohio.

Mr. POMERENE. May I ask what reason is given by the farm loan banks for their refusal to release these farmers under the contract?

Mr. CURTIS. The money was loaned out of the war appropriation which was made for the benefit of the President, and it was made upon order or with the consent of the President. This agreement was entered into, and I suppose at that time they did not stop to consider whether Congress had acted upon it or not. Congress not having acted upon it, some of the banks felt that they had no authority to release the people who had crop failures. I am told that in other sections they are releasing those who had crop failures, but in the Wichita (Kans.) district, which includes Oklahoma and Kansas, they are not releasing them. I have had quite a number of complaints, and, as I said, in that district there were about a thousand failures, in round numbers.

Mr. POMERENE It does seem to me that the matter ought to be investigated by the committee and a report made by the committee.

Mr. CURTIS. The committee made a thorough investigation and report, and I have all the papers here. The only reason why the committee did not act at the time we had it up was that I did not have the original contract, which contained the clause that a crop of less than 5 bushels to the acre should be considered a failure. Here is the original agreement:

The crop mortgage of any borrower under said general plan shall be deemed a failure within the meaning of this agreement if the average yield per acre does not amount to more than 5 bushels.

The delay of the committee was because I did not have the original agreement there. The committee thoroughly investigated the matter, and I have all the figures here. I have given the figures in round numbers in reference to the failures. I will state that the number of failures in the Wichita district was 1,159. The amount contributed to the guaranty fund was $222,326.14. If the 1,159 borrowers each borrowed $300—and they were limited to $300 apiece—there would be within $78,000 of enough in the guaranty fund to pay it all off. Many of them borrowed only $120. Three dollars an acre was all they were permitted to borrow.

Mr. THOMAS. Does the Senator's amendment refer to the act under which these loans were made?

Mr. CURTIS. There was no act. That is the difficulty. There was no act, and I referred merely to the loan.

Mr. THOMAS. I misunderstood the Senator. I thought there was an act of Congress.

Mr. CURTIS. No; I said that was the difficulty. There was no act of Congress.

Mr. THOMAS. Then I think the action of the Senator is very appropriate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas [Mr. CURTIS].

The amendment was agreed to.

Mr. POMERENE. Mr. President, on page 93, line 23, I move to strike out the numerals "$100,450" and in lieu thereof insert "$150,450." This means an increase of $50,000 in the appropriation.

This appropriation is made for the purpose of carrying out the provisions of the act of August 20, 1912, entitled "An act to regulate the importation of nursery stock and other plants and plant products," and so forth. Many of the corn borers and other pests have been brought into this country by the importation of broom corn, and so forth. Some of the men who have been interested in the subject have stated to me that under the provisions of this act there is no appropriation for the purpose of inspection.

I took the matter up with the chairman of the committee and, I understand, he is not entirely clear whether this is appropriated for or not. I ask the Senate that, under the circumstances, this amendment be permitted to pass and let it go to the conference committee for their further investigation. Of course, if ample appropriation is made, I would not insist upon it, but if there is no provision, then, I think, we would all regret if we had failed to make it.

Mr. GRONNA. I agree with the Senator, and there is no objection to his amendment.

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The ASSISTANT SECRETARY. The Senator from Ohio proposes, on page 93, line 23, to strike out the numerals "$100,450" and to insert in lieu thereof "$150,450."

The amendment was agreed to.

Mr. KENDRICK. I propose the following amendment, on page 107, at the end of line 7.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 107, at the end of line 7, add the following proviso:

Provided, That the Secretary of War is hereby authorized to turn over not to exceed 50,000 tons of nitrate of soda, out of the reserve supplies owned by the War Department, to the agricultural fertilizer manufacturers of the country to meet the existing emergency of shortage of fertilizers for immediate use, such stocks so turned over to be re-

placed by such fertilizer manufacturers, out of importations now contracted for, by any equivalent amount of like quality, the turning over and replacement being under such guaranties as the Secretary of War may prescribe.

The PRESIDING OFFICER. The Chair will state to the Senator from Wyoming that the committee amendment has already been agreed to. So it will be necessary to reconsider the vote by which that amendment was agreed to.

Mr. GRONNA. I think this is an entirely new provision.

Mr. KENDRICK. It is an entirely new provision.

Mr. GRONNA. If the Senator will strike out the word "*Provided*," and make this a separate paragraph, I think that will get what the Senator wants.

Mr. KENDRICK. I will modify the amendment as suggested.

Mr. GRONNA. There is no objection to it, so far as I know.

Mr. THOMAS. I would like to inquire whether the Senator has any information as to the supply of the War Department or how this would affect their administration?

Mr. KENDRICK. The members of the committee were informed within the past week that the War Department is required to keep on hand 300,000 tons of nitrates under the law. Am I not right?

Mr. GRONNA. That is correct.

Mr. KENDRICK. There is that amount on hand at this time.

Mr. THOMAS. For what reason is the department required by law to have such a large reserve of nitrate?

Mr. KENDRICK. To take care of any emergency that may arise in the manufacture of explosives.

Mr. THOMAS. It would seem to me a dangerous precedent to enact a law as a rider to an Agricultural appropriation bill which would so seriously reduce that amount.

Mr. GRONNA. The Secretary of War and his experts were before the Committee on Agriculture and Forestry last week and several Senators were present, among them the senior Senator from Alabama [Mr. UNDERWOOD] and several others who are not members of the committee. It is the intention of the Secretary of War to sell 150,000 tons of this nitrate if Congress will pass a bill which is now before the Committee on Agriculture and Forestry and which we have not yet had time to consider. The bill was introduced by the Senator from New York [Mr. WADSWORTH], and it proposes to make an appropriation of $12,500,000. There was, of course, considerable objection to spending that large amount of money. So the Secretary of War, in order to do away with that appropriation, stated that the War Department could dispose of 150,000 tons of nitrate provided we would enact a law authorizing the department to do so. They have not only the amount necessary to be kept on hand, but they could spare the amount which the Senator from Wyoming [Mr. KENDRICK] has referred to and which is only in the nature of a loan. It is simply to help out the situation throughout some of the States where they require the fertilizer for immediate delivery, as I understand it.

Mr. KENDRICK. Yes. The situation is, of course, somewhat critical.

Mr. THOMAS. I understand that.

Mr. KENDRICK. And the necessity for action is imperative.

Mr. THOMAS. I am not opposed to the amendment, but I wanted some information as to the effect which the transposition of such a large amount of nitrates might have upon the War Department policy. I am satisfied with the statement of the Senator.

Mr. POMERENE. May I ask the Senator a question?

Mr. KENDRICK. Certainly.

Mr. POMERENE. I assume that this nitrate has been affected by the prevailing high prices. If we are to turn it over to these manufacturers, of course they will be disposing of it to the farmers at the present high rates. Assuming that when it comes to turning back this same quantity of nitrate the price will have very materially declined, are the manufacturers to be the beneficiaries of this Government bounty?

Mr. KENDRICK. The provisions of the amendment are that like quantity of the same quality of nitrate shall be returned. It is also presumable under the situation that the length of time involved in the return of this product will be but a few weeks, but on account of the urgent need of the farmers of the country it might as well be, for all their purposes, as many months. The object of placing it upon this bill is to secure immediate action and take care of a situation that will not permit of delay.

I ask that the amendment be agreed to.

The amendment was agreed to, as follows:

The Secretary of War is hereby authorized to turn over not to exceed 50,000 tons of nitrate of soda, out of the reserve supplies held by the War Department, to the agricultural fertilizer manufacturers of the country, to meet the existing emergency of shortage of fertilizers for immediate use, such stocks so turned over to be replaced by such fertilizer manufacturers, out of importations now contracted for, by any equivalent amount of like quality, the turning over and replacement being under such guaranties as the Secretary of War may prescribe.

Mr. GRONNA. I also offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 99, line 10, after the comma following the word "stock," insert the words "or the erection of barns or other necessary buildings."

The amendment was agreed to.

Mr. HARRISON. I thought I had an amendment which was pending, on page 61. I offered it yesterday, and asked that it be pending. My amendment was, on page 61, line 18, to increase the appropriation from $110,000 to $131,760.

Th PRESIDING OFFICER. The Secrtary has no record of the fact that the Senator's amendment is pending. The Senator from Mississippi may have proposed it as an amendment intended to be offered, but it has not as yet been offered.

Mr. HARRISON. The amendmnt has been printed. On page 61, line 18, I move to increase the amount of the appropriation from $110,000 to $131,760.

The PRESIDING OFFICER. The amendment proposed by the Senator from Mississippi will be stated.

The ASSISTANT SECRETARY. On page 61, line 18, after the word "products," it is proposed to strike out "$110,000" and to insert "$131,760," so as to read:

For investigations of insects affecting truck crops, including insects affecting the potato, sugar beet, cabbage, onion, tomato, beans, peas, etc., and insects affecting stored products, $131,760.

Mr. GRONNA. Mr. President, the Senator from Mississippi is a member of the committee, and I will say that I have no objection to the adoption of the amendment and letting it go to conference. The conference committee will discuss the matter and do what, in their judgment, is best.

Mr. THOMAS. Let us have a vote on the amendment.

Mr. HARRISON. I desire to say something, unless the Senate will adopt the amendment without discussion, because it is a matter that is of great importance to the section from which I come. I do not wish to precipitate a discussion or to take up unnecessarily the time of the Senate. The department estimated for an appropriation of $131,760. The committee cut that estimate by $21,760. Under the estimate of the Agricultural Department $65,000 was to be allotted to fight the sweet-potato weevil. The sweet-potato weevil is now prevalent in about seven States. The value of the sweet-potato crop in five States is about $135,000,000. The weevil has been practically eliminated in three States—Georgia, Mississippi, and Florida—I believe, and has been almost eliminated in Alabama, but not in Louisiana nor in Texas. If we stop this work—and it will practically be stopped unless this appropriation can be made—there will be a recurrence of the weevil and a destruction to the sweet-potato crop.

I have had more letters about this item than about any other item in the bill. It seems to me that it is such a small amount for which we are asking—only an increase of $21,760—that it should be granted. It is not any more than has been estimated for by the Department of Agriculture, and I am sure the department was conservative in its estimate.

Mr. TRAMMELL. Mr. President, I wish to say that I hope the amendment proposed by the Senator from Mississippi will be adopted. I had myself presented a similar amendment. In my State a great deal has been accomplished toward the extermination of the sweet-potato weevil, yet it has not entirely been exterminated. The campaign is being carried on there now by Federal authorities assisted by the State authorities. The State is expending more money for this purpose at present than is being expended by the Federal Government. I very much hope the amendment will be adopted.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Mississippi.

The amendment was agreed to.

Mr. PHELAN. I offer and ask for the reading of the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from California will be stated.

The ASSISTANT SECRETARY. On page 28, line 25, after the word "regions," it is proposed to insert the following:

And the treatment, restoration, and protection from erosion, wash, or drift, by tree planting or other methods, of deforested, burned-over, or flood-formed lands or sands lands.

Mr. PHELAN. Mr. President, I may explain that the Federal Government is cooperating with the county of Los Angeles in protection from wash which comes from the mountains in the spring and which drains into the harbor of Los Angeles. The amendment does not involve any appropriation, but merely includes these several objects in the view of the department so far

as forestry is concerned. There is a national forest there. It involves no expense.

Mr. SMOOT. Let the amendment be again stated, Mr. President.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The Assistant Secretary again read the amendment proposed by Mr. PHELAN.

Mr. SMOOT. Mr. President, I should like to ask the Senator from California how an investigation can be made without expense?

Mr. PHELAN. I meant to say without any additional appropriation. The amendment merely enables the Forestry Bureau of the Federal Government to cooperate with the county of Los Angeles in preventing erosion and the flow of silt into the harbor. It is offered in the interest of a public work in Los Angeles County, Calif. That is all the information I have.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from California.

The amendment was agreed to.

Mr. PHELAN. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from California will be stated.

The ASSISTANT SECRETARY. On page 37, line 7, after the words "the national forests," it is proposed to insert the following:

Including check dams and other works to prevent erosion, drift, surface wash, and soil waste and the formation of floods in the forest reserves, and.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from California.

The amendment was agreed to.

Mr. PHELAN. I also offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from California will be stated.

The ASSISTANT SECRETARY. On page 29, line 11, it is proposed to strike out "$83,200" and insert "$160,850" and to add the following:

Provided, That of this amount the Secretary of Agriculture is authorized to expend $77,650, or so much thereof as may be necessary, for the purchase of lands occupied by the department's experiment vineyards near Fresno and Oakville, Calif., now maintained under contract with the owners: *Provided further*, That the land purchased for the Fresno vineyard shall not exceed 20 acres, at a cost not to exceed $12,000, and for the Oakville vineyard not to exceed 20 acres, at a cost not to exceed $15,000: *And provided further*, That the limitations in this act as to the cost of farm buildings shall not apply to this paragraph.

Mr. SMOOT. Mr. President——

Mr. PHELAN. Let me explain the amendment. The chairman of the committee is very familiar with this proposal and there appeared before him representatives of the Department of Agriculture. I have here a letter from the Secretary of Agriculture, which reads in part as follows:

The whole question of the future of the department's viticultural work bearing on the problems which confront the grape growers as the result of the adoption of the eighteenth amendment has been given careful consideration and the conclusion has been reached that the purchase, equipment, and operation of the vineyards are essential to the effective continuance of the work which should be done to assist the growers to adjust themselves to existing economic conditions. The department's views on the subject, together with estimates of the cost of purchase, equipment, and operation of the vineyards, were communicated to the House Committee on Agriculture in a hearing held on January 16.

By some omission this matter was not reported by the Agricultural Committee of this body. There are now maintained these two stations in California, one at Fresno and one at Oakville, Napa County, for the purpose, in the past, of developing the vines and instructing the growers as to the best method of cultivation and the best varieties to select, which has resulted in the perfection of that industry, which represents an investment of $150,000,000.

There are 175,000 acres in wine grapes now in cultivation in California, and the department has taken up the work of instructing the owners, who otherwise would be despoiled of their property, how to graft on the growing vine, which has a resistant stock, zante currants, or table grapes, or other products, which will not be repugnant to the eighteenth amendment. It is an effort to enable men, without total loss, to save some of the fruits of their industry which has been carried on so long under governmental auspices. The department is in favor of it, the chairman of the committee is in favor of it, and I submit it is a very worthy amendment and should be adopted.

Mr. SMOOT. Mr. President, I can not see why the department can not carry on the work for the coming year just as they have carried it on in the past without paying $750 an acre for land at this time for this purpose.

Mr. PHELAN. I will explain to the Senator. The Government does not now own these 20-acre parcels, one of which is worth $15,000 and the other $17,500, and, according to Government reports which I have here, they are the most valuable vineyard lands in the world. The Government has all of its experiment stock there, and all its knowledge is derived from those few acres. The owners, not being able to cultivate their vines profitably for the making of wine, now will sell this particular land heretofore leased.

Mr. SMOOT. I do not blame them for wanting to sell the land.

Mr. PHELAN. They have been leasing it to the Government for a nominal rental all these years because they profited by the experimentations carried on. Now they are broke; their market has been destroyed, and they are selling their land. The Government, in order to preserve the industry and its plant, the accumulation of 20 years, asks that the land be bought at these prices, which are reasonable prices, as the departmental officials have testified.

Mr. THOMAS. Mr. President, I should like to inquire whether it is a fact that the grape crop of California last year brought an unprecedented return to the grape grower?

Mr. PHELAN. The grape crop brought not an unprecedented return, but a very substantial return.

Mr. THOMAS. Then, how can these men be broke?

Mr. PHELAN. Because they were able to sell their wine grapes—an opportunity which is not guaranteed them in the future—for the purpose of making—what? For the purpose of making wine. The dried grapes were actually sold to men who made wine in their own homes; and hence there was a market for them. Now, the enforcement of the law—it was hardly in operation then—will cut them off entirely, so that if they are not broke to-day they are prospectively broke, if that is any satisfaction to the Senator.

Mr. THOMAS. If the law was enforced, it would have affected the last crop if the grapes were used for the making of wine.

Mr. PHELAN. I am telling the Senator the secrets of the trade. They sold the dried grapes for the very purpose of extracting the juice from the grapes; the grapes were bought by Italians and Greeks, who are supposed to have made wine for domestic use. Thirty thousand permits were granted in the northern district of California for that purpose.

Mr. THOMAS. Can they not do it again?

Mr. PHELAN. No; the law is sometimes enforced in California. [Laughter.]

Mr. SMOOT. Mr. President, I wish to ask the Senator a question. Suppose the grapevines were removed from the 20 acres of land, would the Senator give $17,500 for it?

Mr. PHELAN. For 20 acres?

Mr. SMOOT. Yes; that is $875 an acre.

Mr. PHELAN. The price is $600 for the Fresno vineyard and $750 an acre for the Oakville vineyard.

Mr. SMOOT. The Senator said that one required an appropriation of $15,000 and the other of $17,500, and as the properties embrace 20 acres each, that would amount to $750 an acre in one case and $875 an acre in another case. I ask the Senator now, if that land were bare of grapevines, would he give $875 an acre for it?

Mr. PHELAN. I am, then, in error; it is $12,000 and $15,000. The acreage has been cut down.

This is what the department says:

These estimates which cover the purchase of the land and the provision of necessary improvements and equipment to make possible the effective independent operation of each experimental vineyard indicate that $47,900 would be required for the Oakville vineyard and $39,850 for the one at Fresno. The improvements essential to the effective operation of the vineyards, such as a barn, cottage, and small laboratory at each place, and a dry house at Oakville, which would need to be provided, should be largely of concrete construction. While somewhat more expensive than wood, under existing conditions in California, it is regarded as cheaper in the long run, because of lower upkeep.

* * * * * * *

The work under way at these stations is of fundamental importance to the viticultural industry of the Pacific coast. It includes the determination of the adaptability of resistant stocks to the soil and climatic conditions of the grape-growing regions and the equally important question of determining the congeniality of the leading commercial fruiting varieties to these resistant stocks. It also includes the determination of the adaptability and value of the fruiting varieties themselves for curing into raisins or "currants" and for utilization as table grapes, either fresh from the vines or after various periods of storage, to supply the consuming demands during the winter season.

All possible ways of accomplishing the solution of these important problems have been considered, and in view of the economic crisis which now confronts the industry no other practical way is seen of carrying this work through to a successful conclusion.

Mr. SMOOT. Mr. President, I understand that no estimate has been made for this; and, if not, I shall interpose a point of order against it.

Mr. PHELAN. There is an estimate, which I have submitted.

Mr. SMOOT. I refer to an estimate coming through the Secretary of the Treasury in conformity with law. If that estimate has not been sent directly to the committee and passed upon by the committee, I make the point of order against the amendment.

Mr. PHELAN. I should like to ask the chairman of the committee about the estimate. He informed me that it was not subject to a point of order.

The PRESIDING OFFICER. Does the Senator from Utah make the point of order?

Mr. SMOOT. Yes; I make the point of order.

Mr. GRONNA. Mr. President, I will say to the Senator that a supplemental estimate was sent to the committee. It was not in the original estimate.

Mr. SMOOT. I do not mean a letter from the department. I mean an estimate passing through the Secretary, and submitted to Congress by the Secretary of the Treasury, according to law. If that kind of an estimate has been sent in, I know that my point of order would not stand; but a mere letter is not in conformity with law, and I make the point of order that no such estimate has been made.

Mr. GRONNA. All I can say is that a supplemental estimate was submitted to the committee. Whether or not it was submitted to the Secretary of the Treasury I am not able to say.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. GAY. Mr. President, I now present the amendment which I offered yesterday, to come in on page 92.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 92, line 22, it is proposed to strike out "$85,000" and insert "$117,000," and in line 23 to strike out "$115,350" and insert "$147,350."

Mr. GAY. Mr. President, I want to say that this amount is necessary for the enforcement of the insecticide act.

About 10 years ago an act to control the manufacture and sale of insecticides and fungicides was passed by Congress. The act is known as the insecticide act of 1910. Since that act was passed it has been estimated that the insecticide and fungicide business of the United States has increased more than 100 per cent; yet the appropriation for enforcing the act has not kept pace with this great growth of the business, and at the present time the appropriation to enforce the act is entirely inadequate. In spite of this, the present Congress, in both the House and the Senate, has made a cut in this appropriation.

The Department of Agriculture, through the Bureau of Entomology, of which Dr. L. O. Howard is the chief, has asked for this amount, and it is merely to bring it up to that estimate that I have presented this amendment. I do not want at this hour to take up the time of the Senate in any explanation of the amendment. I have prepared a statement here giving an outline of the work that has been done throughout the United States, in the apple country and in the wheat section, in relieving them of the insect pest, and also in the great cotton country, showing the great sum of money that could be saved annually by the continuation of this work. In August of last year my colleague [Mr. RANSDELL] presented to the Senate a very interesting account of the work that is being done by the Bureau of Entomology under the direction of Dr. Howard, through his agent or representative, Mr. B. R. Coad; and the department contemplates extending the experiments and work in getting rid of the boll weevil in the cotton country by the establishment of small experimental stations in several cotton States for the purpose of carrying on the experiments with calcium arsenate, which experiments have only been carried on in the Delta country so far, and have given better results in destroying the boll weevil than any other preparation used heretofore.

I sincerely hope this amendment will be adopted.

Mr. THOMAS. Mr. President, I shall not oppose this amendment, certainly not at this hour; but in view of a little running discussion that we had two or three days ago, which I had the misfortune to precipitate, I desire to read into the RECORD the basis for the discussion to which I refer.

I read an extract from the Atlanta Constitution of October 8, 1919, entitled:

ALABAMA COUNTY ERECTS MONUMENT TO BOLL WEEVIL—SUM OF $3,000 VOTED FOR ERECTION OF SHAFT TO "BILLIE" BOLL WEEVIL.

"All honor to the boll weevil!"

This expression was the slogan among the farmers and business men of Enterprise, Coffee County, Ala., in voting the sum of $3,000 for the erection of a monument to "Billie" Boll Weevil.

The citizens of Enterprise believe the boll weevil has done more good for that section than anything that has happened in years and in appreciation of his splendid services a monument is now being erected and when completed will be placed on the principal thoroughfare and unveiled with befitting ceremony.

Before the boll weevil came to Coffee County the cotton crop was worth $1,500,000. The peanut crop to-day is said to be worth $4,500,000. Coffee holds the record for average peanut production.

I also read an extract from an article published in the New York Times about three weeks ago. It is taken from an account of the general industrial situation in the South, as prepared by a staff correspondent of that paper; and this refers to conditions in Mississippi:

When I asked Gov. Russell how much of a menace the boll weevil was to the prosperity of the State, he replied that it was no menace at all. "The boll weevil," he said, "has been one of the greatest blessings of this State, for it has, by the impairment of the cotton crops, finally induced us to go into diversified agriculture and stock raising, from which our chief prosperity is to come in the future. If we had come to this conclusion 25 years earlier, we would have been a wealthy State by now, not only in potentialities of our soil but in cash."

I got this same opinion from a different angle in talking with an officer of a big cotton-growing concern which is using English capital to finance operations in Mississippi. "We control 46,000 acres," he said, "39,000 of which are in cotton, but that is too much for one concern to devote to that one crop, even at present prices, for the situation in Mississippi calls for diversified agriculture."

There are no quarantine laws against the boll weevil in Mississippi as there are in Texas.

I also offer and ask to have inserted in the RECORD without reading a statement from the Bureau of the Census, Department of Commerce, of March 19, 1920, giving in detail the amount of cottonseed received and crushed at the mills from August 1, 1919, to February 29, 1920, as compared with the same period in the previous year, the aggregates of both being about the same.

The PRESIDING OFFICER. Without objection, the statement will be printed in the RECORD.

The statement referred to is as follows:

[Preliminary report, Department of Commerce, Bureau of the Census, Sam. L. Rogers, Director.]

Cottonseed received, crushed, and on hand covering the 7-month periods ending Feb. 29, 1919 and 1920.

WASHINGTON, *March 19, 1920—10 a. m.*

State.	Received at mills Aug. 1 to Feb. 29[1]—		Crushed Aug. 1 to Feb. 29—		On hand at mills Feb. 29—	
	1920	1919	1920	1919	1920	1919
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*
United States..	3,716,381	3,884,732	3,385,554	3,365,583	354,552	559,587
Alabama.....	210,250	219,214	202,979	199,511	7,964	21,483
Arkansas.....	235,138	266,114	225,105	211,656	10,598	59,461
Georgia.....	695,828	675,483	633,676	573,699	66,163	108,429
Louisiana.....	96,270	179,428	91,738	153,511	4,724	27,515
Mississippi.....	318,020	409,923	306,319	319,776	13,737	92,580
North Carolina.....	318,136	301,029	280,603	248,497	38,459	53,063
Oklahoma.....	283,460	212,892	243,110	211,935	40,485	4,832
South Carolina.....	337,895	312,228	310,837	273,172	29,786	42,013
Tennessee.....	203,775	256,954	189,434	213,398	15,436	45,483
Texas.....	908,326	906,256	806,637	868,695	110,726	51,012
All other.....	109,283	145,211	95,116	91,733	16,474	53,716

[1] Does not include 23,725 tons and 40,438 tons on hand Aug. 1, nor 135,884 tons and 95,446 tons reshipped or destroyed for 1920 and 1919, respectively.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Louisiana [Mr. GAY]. [Putting the question.] The "ayes" seem to have it.

Mr. JONES of Washington. I call for a division.

On a division, the amendment was agreed to.

Mr. DIAL. Mr. President, on page 18, at the end of line 8, I move to strike out "$300,000" and insert "$350,000." The item then would read:

For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated-butter factories and markets, $350,000.

The amount of $350,000 was asked for, the same as last year, and the committee cut it down.

Mr. President, I do not desire to take up the time of the Senate, but I have here some facts and figures which I received from Mr. Rawl, of the Agricultural Department, a gentleman from my State, and the figures are simply astonishing. He states here that in this country there are $2,000,000,000 worth of cows outside of dairy animals and dairy bulls, and that the milk product amounts to from 12 to 20 per cent of the food products of the United States, and that the milk bills of the consumers of the country at the present time are $3,000,000,000 per annum.

Mr. President, in this time of high cost of living, high cost of shoes, and everything of that sort, every effort in the world should be made to encourage the production of cows, and I hope this amendment will be agreed to adding $50,000 to the amount.

The PRESIDING OFFICER. Will the Senator from South Carolina state his amendment again?

Mr. DIAL. On page 18, line 8, where the amount of $300,000 appears, I move to add $50,000, so as to make it $350,000.

The PRESIDING OFFICER. The Chair will state, for the information of the Senator from South Carolina, that that has already been done.

Mr. DIAL. I thank the Senate. I did not know that it had been done.

Mr. ASHURST. Mr. President, I move an amendment on page 25, line 10. The numerals now read "$40,060." I move to increase the numerals so that they will read "$46,860."

The item reads, in lines 9 to 10:

For investigating the physiology of crop plants and for testing and breeding varieties thereof, $40,060.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 25, line 10, it is proposed to strike out "$40,060," and to insert in lieu thereof "$46,860."

Mr. ASHURST. Mr. President, I will make just a short explanation of the amendment.

Mr. GRONNA. Mr. President, my attention was diverted. What is the amendment of the Senator?

Mr. ASHURST. It is proposed, on page 25, to change the numerals in line 10 from "$40,060" to "$46,860." In other words, the amendment would increase the appropriation $6,800. The amount was estimated for at $46,860, and was carried in the Agricultural appropriation bills for the past three years at that sum, $46,860, but for some years it was carried at a much larger sum. It is not subject to a point of order, because it has been estimated for. Under this appropriation the Department of Agriculture has made its investigations as to date culture, and if this appropriation were reduced the excellent work which the department has been carrying on regarding the culture of dates will be stopped or injured. I see the able senior Senator from California [Mr. PHELAN] in the Chamber, and I hope to enlist his vote for this amendment, as his State is the premier date-producing State. I have here a package of the Deglet Noor dates grown at Mecca, Calif., which date sells for $1.50 a pound; and the Department of Agriculture, by virtue of this appropriation of about $6,800 a year, has been able scientifically to study date culture.

Mr. President, the Deglet Noor dates are grown on very sandy soil at the Cooperative Date Garden, Mecca. Ripened by the Trabut-Drummond bag method, which increases percentage of fancy dates at Mecca from 30 to 64 per cent, cuts the number of pickings from 12 to 2, shortens and simplifies final maturation in the curing room. This method will extend date culture throughout the Imperial, Yuma, Salt, and Gila River Valleys in California and Arizona and the middle section of the Rio Grande Valley in Texas. This new discovery, together with the definite recognition of three distinct strains of Deglet Noor and the fruiting out of at least four Deglet Noor seedlings of high quality and full Deglet Noor flavor, puts an entirely new face on the date industry in the Southwest and makes it a promising fruit industry for the irrigated valleys of the Southwest having a subtropical desert climate.

Mr. McNARY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Oregon?

Mr. ASHURST. Certainly; I yield.

Mr. McNARY. I think I may say in behalf of the committee that they are willing to accept that figure and let it go to conference.

Mr. ASHURST. I thank the Senator. Now, Mr. President, whilst on my feet, permit me to say that it is obvious that the Senate can not to-night dispose of my amendment which proposes to transfer $250,000,000 to the reclamation fund, and I wish to ask the chairman of the committee if he expects to dispose of the bill to-night?

Mr. GRONNA. Yes; Mr. President, we are now nearly through with the bill, and I do not know of any amendments pending.

Mr. SMOOT. Except this little $250,000,000 item.

Mr. GRONNA. Of course, the Senator will have to have a two-thirds vote to suspend the rules.

Mr. ASHURST. I realize that fact.

Mr. GRONNA. The Senator knows that we can not take a 50-foot boat and put on it a 100-foot whistle.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arizona.

Mr. NORRIS. Is that the $250,000,000 amendment?

The PRESIDING OFFICER. The amendment first offered by the Senator from Arizona, relating to date culture.

Mr. GRONNA. That amendment was accepted, as I understand it.

Mr. ASHURST. Now, I want to ascertain where we are with reference to the business of the Senate, because I have an amendment which proposes to appropriate—I used the word "appropriate"—I should say which proposes to "lend" to the reclamation fund $250,000,000. I call attention to the fact that my proposed amendment is nothing but the bill introduced by the able Senator from Washington [Mr. JONES], which proposes to transfer $250,000,000 from the general fund to the reclamation fund. That bill has been reported favorably from a standing committee of the Senate and is now on our calendar.

I realize that it is asking a vast deal of the Senate to put such an amendment on this Agricultural appropriation bill, but I have asserted before, and I assert again, that the Senate of the United States is not afraid to meet any contingency. If it be a bad bill, it ought not to be considered a moment; if it is a good bill, will $250,000,000 frighten you, when I assure you that every dollar will be repaid, and when I further assure you that of the $154,000,000 that have been advanced the reclamation fund $35,000,000 have already been repaid within four years? I am entitled to no credit for the statesmanship displayed in this bill, because the Senator from Washington [Mr. JONES] drew the bill, and the committee presided over by the Senator from Oregon [Mr. MCNARY] reported the bill. But because one Senator drew it and another reported it, I am none the less its champion, and am in favor of the bill.

My esteemed friend the Senator from Iowa [Mr. KENYON], whom, if the Republicans nominate, would be a candidate, and, if elected, an excellent President, read from Collier's Weekly this afternoon. I regret that he did not read all of the article, for the article pointed out that of the 2,500 questions before the American people we are neglecting the primal one, the soil. The question of how the people shall subsist is neglected.

There is widespread hardship over the high cost of living, and let us ascertain if we are taking the proper steps to reduce the high cost of living.

Mr. LENROOT. Has the Senator offered his amendment?

Mr. ASHURST. Let me answer the Senator this way, that my amendment was obviously subject to a point of order, hence some days ago I gave the appropriate notice that I would move to suspend the rules. It is obviously subject to a point of order. So my amendment would arise on the motion to suspend the rules.

Mr. THOMAS. Mr. President, that would require a call for a quorum.

Mr. ASHURST. I am not passing on that question until I reach it.

Mr. THOMAS. I do not want to say anything that is at all abrupt, but I shall make a point of order against this proposal unless a constitutional majority of the Senate shall suspend the rules.

The PRESIDING OFFICER. The point of order is sustained.

Mr. ASHURST. What is that?

Mr. THOMAS. I wanted to give notice that I would make a point of order against the proposition, if nobody else did, unless the rules were set aside by the required majority of the Senate.

Mr. ASHURST. I thought the Senator was making a point of order against my proposed amendment, and I beg his pardon.

Mr. THOMAS. No; but I will do it if the rules are not set aside.

Mr. ASHURST. Certainly; and that is the very purpose of my motion to suspend the rules.

Mr. THOMAS. It is very obvious we can not get a quorum here to-night for the purpose of voting on the Senator's motion.

The PRESIDING OFFICER. The Chair will state that the first amendment proposed by the Senator from Arizona has not been formally agreed to. It was accepted by the chairman of the committee. The question is on the amendment proposed by the Senator from Arizona.

Mr. ASHURST. That is the date amendment.

The amendment was agreed to.

Mr. GRONNA. I hope that the Senator from Arizona will not insist on calling for a quorum this evening. We have now nearly disposed of the bill. The Senate has been in session for four days on this Agricultural appropriation bill, and it should go to conference as soon as possible, in order that we may harmonize the differences between the two Houses. Of course, the Senator must know that it is impossible to put the $250,000,000 appropriation on this bill. It can not be done. I fully realize that there is a great deal of merit—the greatest of merit—in his proposition, but I think it ought to come up and be decided on its own merits, and not be attached to the Agricultural appropriation bill, and I beg the Senator not to insist on attaching it to the Agricultural appropriation bill.

Mr. ASHURST. I will tell the Senator what should be done. I am anxious to see this bill passed, but, Senators, there must be a roll call on this bill, and before this Congress adjourns there must be a yea-and-nay vote on the Jones-McNary bill to see whether we are going to cope intelligently with the high cost

of living question. If there can be a unanimous-consent agreement that the Jones bill, which has been reported favorably, shall be discussed and shall be disposed of, I will, of course, not press it as an amendment here. But, Mr. President, that bill is entitled to a respectful hearing. That bill, it is believed by millions of people, is the key which will solve many difficulties regarding the high cost of living; that it will open farm homes for 800,000 people and put them to work upon the soil growing foodstuffs. If there can be a unanimous-consent agreement that the bill will be disposed of one way or the other within the next two or three weeks, of course I will not insist upon the amendment to-night.

Mr. THOMAS. Mr. President, of course we can not enter into a unanimous-consent agreement with only a handful of Senators here. I am perfectly willing to submit to a roll call upon that bill whenever we can get a quorum. I am going to vote against it. I am going to oppose it, because I do not think we should expend that amount of money and make provision for it now. I will not, of course, oppose the Senator's desire to get a roll call and to have discussion of the bill, but we can not give unanimous consent now for that purpose, and certainly not within the next two weeks.

Mr. CURTIS. If we can not get a vote to-night, why can not the Senator delay presenting the matter until it comes up? It will have to be discussed then.

Mr. GRONNA. If the Senator will yield, I will say to the Senator from Arizona that the Senator from Michigan [Mr. TOWNSEND] is very anxious to take up the Post Office appropriation bill to-morrow, and the Senator from Wyoming [Mr. WARREN], the chairman of the Committee on Appropriations, is exceedingly anxious to have the legislative, executive, and judicial appropriation bill disposed of. They are both on the calendar, and we are really pressed for time, and I hope the Senator will let us pass this bill to-night, so that it may go to conference.

Mr. ASHURST. I want the Senate to pass it.

Mr. SHEPPARD. I want to say that I have one or two amendments that I shall present before this bill is passed. I have referred to them a number of times in the course of the debate, and I have been waiting here very patiently, and all I ask is a hearing and an opportunity to present the amendments.

Mr. JONES of Washington. Mr. President, I think I am as heartily and as earnestly in favor of this proposition as is the Senator from Arizona. I know he is very earnestly in favor of it, but I am convinced that we can not get a two-thirds vote to suspend the rules. In other words, we will not get a vote on the merits of the proposition on the motion to suspend the rules. There are some I know who are very friendly to irrigation development, but who are consistently opposed to suspending the rules to make amendments in order on appropriation bills, and I am constrained to ask my friend from Arizona to refrain from making a motion to suspend the rules on this bill, and let us endeavor hereafter to try to get this measure up on its merits, when we will not have to overcome a proposition to suspend the rules, which is very difficult, as the Senator knows. I would like to see this matter disposed of and voted on, and have stayed here in the hope we would get to do it. But I believe that under the circumstances it is better for the cause that the Senator and I are very much interested in that he do not press his motion to suspend the rules on this.

Mr. ASHURST. Mr. President, of course the overtures of my esteemed friends on both sides of the Chamber who favor the Jones bill, the overtures which have been made by the Senator from Wyoming [Mr. KENDRICK], as well as the suggestion made by the Senator from Kansas [Mr. CURTIS], the Senator from Washington [Mr. JONES], and the chairman of the committee, have had and should have much weight with me. The able Senator from Washington [Mr. JONES] is the author of this bill. To him and to the Senator from Oregon [Mr. MCNARY] should go the credit, and will go the credit, in my judgment, of this great measure, and I feel, although it is 6 o'clock, I ought to say that in my judgment no more important piece of legislation will be presented to the Sixty-sixth Congress than this bill. That seems like a far-fetched statement; but, Mr. President, after careful review, lasting for months, and investigation which has lasted a long time, I am convinced it is the most constructive piece of legislation that will be presented to this Congress.

I do not claim to be wiser than other men, but I fear that when the bill comes up on the calendar, obviously some one will object and should object, because we can not discuss the bill under the five-minute rule. We will be cluttered with bills, and the result will be that this Congress will adjourn the middle of June and this important constructive measure will not be galvanized into law.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Colorado?

Mr. ASHURST. Certainly; with pleasure.

Mr. THOMAS. I merely want to ask the Senator if he thinks it wise or fair to the people of the United States for Congress to adjourn in June with all these important measures pending for consideration?

Mr. ASHURST. I think Congress will adjourn in June.

Mr. THOMAS. I do not. I know the prediction is always made in March that we will adjourn in June, but we generally adjourn about the 1st of October.

Mr. ASHURST. Let me illustrate: I use my own State because I am more familiar with the reclamation projects in that State than I am with the reclamation projects in other States. Consider the Salt River project in Arizona, constructed at a cost of $14,738,768. The project began to repay the Government in 1916 and has already repaid, up to June 30, 1919, the sum of $4,597,290. During the agricultural year 1916 there were 173,359 acres cropped, and the value of the crop was $8,435,719.

In the agricultural year 1917, 201,600 acres were irrigated and the value of the crop was $13,690,000, nearly double that of 1916. For the agricultural year 1918 there were cultivated 205,600 acres, and the value of the crop for the year 1918 was $18,188,000.

For the year 1919 there were under cultivation 205,000 acres, and the value of the crop for the agricultural year 1919 was $25,700,000, and the same history comparatively may be told of other projects.

What has happened under this reclamation law? The bill was approved June 17, 1902, and 2,000,000 acres of theretofore worthless desert land have been made productive, 400,000 persons housed or growing crops thereon, and each year $80,000,000 worth of agricultural produce raised on land which was prior to that time nothing but a desert. The value of the irrigated lands amounts to about $360,000,000.

So I hope the Senator from Washington [Mr. JONES], who drew the bill, and the Senator from Oregon [Mr. MCNARY], chairman of the committee that reported the bill, will at an early date move to proceed to the consideration of the bill, to the end that it may be determined on its merits, and I realize that it is a serious handicap to be required to obtain a two-thirds vote to suspend the rules. In making these aggressive moves to proceed to the consideration of the bill they will do their country a service beyond the range of eulogy. It was statesmanship for them to draw the bill and introduce it and have it reported. What they need now, and I know they will supply it, is aggressive courage behind that bill to pass it through the Senate.

Mr. SHEPPARD. Mr. President, I now move to strike out, on page 26, line 3, the figures "$86,410" and to insert the figures "$111,410." That will enable a project to be completed that has been under way for two years and which was recognized by Congress on the estimates of the department two years ago.

Mr. GRONNA. The hour is growing late, and I will say to the Senator, so far as the committee is concerned, we will accept the amendment offered by him.

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The ASSISTANT SECRETARY. On page 26, line 3, it is proposed to strike out the numerals "$86,410" and insert the numerals "$111,410," so as to make the clause read:

For acclimatization and adaptation investigations of cotton, corn, and other crops introduced from tropical regions, and for the improvement of cotton and other fiber plants by cultural methods, breeding, and selection, and for determining the feasibility of increasing the production of hard fibers outside of the continental United States, $111,410.

The amendment was agreed to.

Mr. SHEPPARD. I offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out the proviso in lines 14, 15, and 16 on page 103 and insert in lieu thereof the following:

Provided, That not to exceed $100,000 of said sum of $200,000 may be used to pay the cost or value of crops or other property injured or destroyed.

The amendment was agreed to.

The bill was reported to the Senate as amended.

Mr. SHEPPARD. Mr. President, I reserved one amendment in Committee of the Whole for separate vote in the Senate.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole, except the amendment reserved by the Senator from Texas.

The amendments were concurred in.

Mr. SHEPPARD. Mr. President, on page 27, in line 7, I move to strike out the numerals "$359,705" and to insert in lieu thereof the numerals "$439,705," which will have the effect of preserving certain wheat experiment stations in a number of States which ought not to be discontinued.

The PRESIDING OFFICER. The vote by which the amendments of the committee were agreed to will have to be reconsidered.

Mr. SHEPPARD. I make that motion.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. The Senator from Texas proposes to amend by striking out the numerals "$359,705," in line 7, on page 27, and inserting in lieu thereof the numerals "$439,705," so as to read:

For the investigation and improvement of cereals and methods of cereal production, and the study of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broom corn and methods of broom-corn production, $439,705.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on the amendment of the committee striking out the numerals "$212,505" and inserting in lieu thereof the numerals "$359,705."

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. GRONNA. I move that the Senate request a conference with the House on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GRONNA, Mr. NORRIS, and Mr. GORE conferees on the part of the Senate.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 27, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 26, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, God our Father, whose essence is love, we thank Thee that Thou hast made us rational, moral, spiritual beings and filled our souls with immortal hope, the dynamo which pushes us on to the larger, purer civilization; that Thou hast not left us alone to grope our way in darkness, for when we live to our moral and religious convictions the still, small voice encourages and cheers, and when we do an ignoble act the still, small voice cries out in earnest protest.

Continue, we beseech Thee, with us, through us, in us, until we reach the goal of perfection which Thou hast set for us in the incomparable life, character, and deeds of Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

HOUSING FACILITIES.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7656) to repeal the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, and to repeal all acts and parts of acts amendatory thereof, and to provide for the disposition of all property acquired under and by virtue of the same, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take from the Speaker's table the bill H. R. 7656, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, as I understand it the Senate struck out all after the enacting clause of the House bill and inserted their own bill.

Mr. LANGLEY. That is correct.

Mr. WALSH. There is but one amendment?

Mr. LANGLEY. It is all in one amendment.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr. LANGLEY, Mr. ELLIOTT, and Mr. CLARK of Florida.

BONUS TO EX-SERVICE MEN.

Mr. POU. Mr. Speaker, I ask unanimous consent to address the House for five minutes in order to have read in my time a communication and petition from 184 ex-service men who are now attending the University of North Carolina.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to address the House for five minutes for the purpose indicated. Is there objection?

Mr. WALSH. What is the petition about?

Mr. POU. It sets forth the views of these 184 students of the university on the question of additional pay.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

CHAPEL HILL, N. C., *March 23, 1920.*

The Hon. EDWARD W. POU,
United States House of Representatives, Washington, D. C.

MY DEAR MR. POU: I have the honor to transmit herewith a communication containing the signatures of 184 ex-service men who are now students in the University of North Carolina. As you will note, this sets forth our views on the pending legislation before Congress and gives you the information requested in your telegram to Mr. Cashatt. The delay is accounted for by the fact that last week was examination week, and we were not able to get together for a discussion of the matter.

By "lump-sum bonus," which we have gone on record as opposing, we mean giving the same amount to each man, regardless of whether he served two months or two years. If it is the purpose of Congress to help us get started again, we think whatever is done should be in the form of additional pay based on the time served.

Assuring you of our most profound gratitude for the interest you have seen fit to manifest in our behalf, and with many personal good wishes, I am,

Very sincerely, yours, BRYCE LITTLE.

CHAPEL HILL, N. C., *March 22, 1920.*

To the North Carolina Senators and Representatives in United States Congress (through Hon. Edward W. Pou):

We, the undersigned ex-service men at the University of North Carolina, earnestly oppose any bill providing a lump-sum bonus for the men who served in the late European war, since the injustice of it is plainly apparent.

But if Congress should see fit to remunerate us further for our service, we strongly and respectfully recommend to our Senators and Congressmen that they favor a bill giving additional pay proportional to the time served.

Should additional pay be granted, we intend to use it for the continuance of our education, which was interrupted by our entrance into the service.

T. B. Aycock, Fremont, N. C.; C. B. Taylor, Oxford, N. C.; L. V. Phillips, Columbia, S. C.; Alan M. McGee, Goldsboro, N. C.; John C. Cowan, jr., Rutherfordton, N. C.; C. B. Suttle, jr., Charlotte, N. C.; P. H. Wiseman, Henrietta, N. C.; John C. Mills, Rutherfordton, N. C.; C. H. Groce, Forest City, N. C.; H. H. Doggett, Forest City, N. C.; S. C. Austin, Richfield, N. C.; R. E. Elliott, Edenton, N. C.; James T. Penney, Charlotte, N. C.; J. B. Hicks, Henderson, N. C.; John G. Mitchell, Oxford, N. C.; Bryce Little, Raleigh, N. C.; Edwin B. Bridges, 630 North College Street, Charlotte, N. C.; J. B. Choate, Huntersville, N. C.; E. R. McAuley, Huntersville, N. C.; A. B. Sloan, Charlotte, N. C.; I. D. Long, Derita, N. C.; J. M. Taylor, Chocowinity, N. C.; Geo. Justus, Flat Rock, N. C.; J. M. Browne, Kelford, N. C.; E. S. Pugh, Windsor, N. C.; T. P. Dawson, Norfolk, Va.; J. C. Kirkpatrick; T. J. Etheridge, jr., Washington, N. C.; F. D. Bell, Tuxedo, N. C.; J. I. Cline, Granite Falls, N. C.; C. G. Maurey, Meriden, N. C.; E. D. Jennings, Charlotte, N. C.; E. C. Balentine, Salisbury, N. C.; S. L. Carrington, Rocky Mount, N. C.; L. J. Chapman, jr., Grifton, N. C.; George B. Robbins, Jamestown, N. C.; D. Byrd, Calypso, N. C.; H. V. Chappelle, Belvidere, N. C.; E. W. Brown, Rich Square, N. C.; A. M. Scarborough, Kinston, N. C.; F. L. Stroupe, Altamont, N. C.; H. B. Kendrick, Cherryville, N. C.; M. B. Prescott, Ayden, N. C.; W. E. Comer, New Castle, N. C.; Wm. M. Allen, Elkin, N. C.; J. F. Hindren, jr., Elkin, N. C.; D. W. Iscar, Wilson, N. C.; Chas. S. Taylor, Pikeville, N. C.; H. McL. Riggins, Matthews, N. C.; L. E. Bond, Wilmington, N. C.; W. B. Parks, Huntersville, N. C.; J. W. Harrell, jr., Beaufort, N. C.; W. E. Blue, Fayetteville, N. C.; W. B. Knowles, Wallace, N. C.; E. A. Summers, Randleman, N. C.; D. D. Williams, Rose Hill, N. C.; Forest G. Heath, Statesville, N. C.; H. R. Sherrill, Terrell, N. C.; J. W. Glenn, Asheville, N. C.; R. T. Hambrick, Roxboro, N. C.; W. C. Bryan, Newton Grove, N. C.; C. O. Crumpler, Huntley, N. C.; A. Williamson, Salemburg, N. C.; P. B. Pollock, Trenton, N. C.; J. M. Hargett, Trenton, N. C.; Saufjord Teu, Godwin, N. C.; C. P. Savage, Rose Hill, N. C.; E. S. Teague, Taylorsville, N. C.; B. O. Dupree; H. G. Kincaid, Gastonia, N. C.; E. O. Moehlmann, Conover, N. C.; T. K. Thomas, Lenoir, N. C.; R. A. Cathey, Salisbury, N. C.; B. Naiman, Kinston, N. C.; J. M. Alexander, Statesville, N. C.; W. E. Overcash, Statesville, N. C.; T. J. Brawley, Gastonia, N. C.; D. E. Key, Elkin, N. C.; J. Cranbery Tucker, Plymouth, N. C.; Ralph Moody, Murphy, N. C.; J. A. McLean, Gib-

sonville, N. C.; Henry C. Harris, Pungo, N. C.; A. W. Staley, Route No. 2, Greensboro, N. C.; M. H. Bunch, Tuscumbia, Ala.; C. M. Caffee, Swanquarter, N. C.; G. H. Leonard, Lexington, N. C.; D. W. Ervin, Newton, N. C.; S. C. Smith, Chapel Hill, N. C.; J. B. Waddill, Wilmington, N. C.; T. A. Little, Marshville, N. C.; S. D. Bryan, Route No. 4, Apex, N. C.; M. A. Widenhouse, Concord, N. C.; R. A. Matheson, jr., Raeford, N. C.; B. H. Bradford, Oxford, N. C.; W. C. Murchison, Greensboro, N. C.; S. O. Worthington, Winterville, N. C.; Myron Green, Marshville, N. C.; W. A. Redferm, Wingate, N. C.; John M. Brittain, Ashboro, N. C.; Dennis G. Downing, Cedar Creek, N. C.; H. H. Walker, New Castle, N. C.; H. R. Totten, Chapel Hill, N. C.; J. N. Couch, Chapel Hill, N .C.; L. J. Phipps, Chapel Hill, N. C.; A. L. Smith, Route No. 1, Concord, N. C.; Jess Warrick, Sioux, N. C.; Paul J. Ranson, Huntersville, N. C.; Wm. L. Harris, Henderson, N. C.; L. C. Higdon, Franklin, N. C.; Irving Walker, Reidsville, N. C.; R. F. Marshburn, Wallace, N. C.; W. C. Ferrell, Nashville, N. C.; C. R. Joyner, Yadkinville, N. C.; E. B. Jenkins, Nashville, N. C.; L. G. Wilson, Dunn, N. C.; S. P. Brabson, Franklin, N. C.; D. D. Martin, Yadkinville, N. C.; E. V. Benbow, East Bend, N. C.; W. E. Dobbins, Yadkinville, N. C.; R. S. Shore, Yadkinville, N. C.; R. T. Stimpson, Siloam, N. C.; P. C. Smith, Capron, Va.; W. A. Rourk, Wilmington, N. C.; W. A. Lemmond, Matthews, N. C.; O. K. Craven, Charlotte, N. C.; O. M. Abernethy, Salisbury, N. C.; J. Quincy Dorsett, Siler City, N. C.; Garland B. Porter, Kernersville, N. C.; Roger W. Ogburn, Kernersville, N. C.; Walter E. Wiles, Furches, N. C.; L. M. Little, Statesville, N. C.; D. L. Myers, Jennings, N. C.; D. B. Leatherwood, Waynesville, N. C.; R. L. Murray, St. Pauls, N. C.; Clayton Edwards, Sparta, N. C.; G. C. Dale, Sevensprings, N. C.; T. M. Uzzer, Wilsons Mills, N. C.; Chas. G. Murdock, Salisbury, N. C.; Milo A. J. Roseman, Salisbury, N. C.; S. B. Lee, Four Oaks, N. C.; W. P. Kirkman, Greensboro, N. C.; F. R. Bacon, Newton, N. C.; C. A. Poole, Jackson Springs, N. C.; P. B. Folger, Dobson, N. C.; T. A. Graham, Mount Ulla, N. C.; Irwin Monk, Asheville, N. C.; Wm. Transon, Greensboro, N. C.; M. D. Harper, La Grange, N. C.; J. E. Crayton, jr., Charlotte, N. C.; R. M. Davis, Tarboro, N. C.; C. B. Ridge, High Point, N. C.; M. B. Stone, Kittrell, N. C.; C. R. Hedrick, Lenoir, N. C.; T. P. Brinn, Hertford, N. C.; D. M. Field, jr., Hertford, N. C.; C. L. Ashby; E. H. Evans, Laurinburg, N. C.; Thomas M. Anasmith, jr., Hillsboro, N. C.; W. R. Francis, Waynesville, N. C.; A. J. Eley, Woodland, N. C.; D. A. Wells, Asheville, N. C.; Eric Norfleet, Roxobel, N. C.; I. J. Stephenson, Angier, N. C.; E. McA. Currie, Fayetteville, N. C.; R. L. Whitmire, Hendersonville, N. C.; John O. Harmon, Pittsboro, N. C.; E. R. Baxley, Roberdell, N. C.; C. V. McMillan, Parkton, N. C.; Fred J. Herron, Skyland, N. C.; Artus M. Moser, Swannanoa, N. C.; Jas. P. Clawson, Beaufort, N. C.; E. J. Mecum, Walkertown, N. C.; James M. Lasley, Walnut Cove, N. C.; Julius R. Roper, jr., Linwood, N. C.; C. R. Stroupe, Altamont, N. C.; R. K. Wilson, Wilsons Mills, N. C.; W. B. Anderson, Haw River, N. C.; D. H. Angell, Winston-Salem, N. C.; O. E. Martin, East Bend, N. C.; Frank Thompson, Jacksonville, N. C.; H. K. Thompson, Jacksonville, N. C.; M. E. Burleson, Plumtree, N. C.; W. G. Pritchard, Chapel Hill, N. C.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 5346. An act for the relief of the Eastern Transportation Co.;

H. R. 12954. An act providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food;

H. R. 946. An act for the relief of James A. Showen;

H. R. 1317. An act for the relief of Robert T. Legge;

H. R. 12467. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes; and

H. R. 909. An act for the relief of Ellen Agnes Monogue.

AMERICAN SOLDIER DEAD.

Mr. YATES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a statement from my brother-in-law, Dr. S. F. Wadsworth, who is now and for months past has been in France, at Chateau-Thierry, in reconstruction work, though not employed by the Government, which statement emphasizes the notable and gratifying achievements of the Americans in reclaiming the bodies of our soldier dead.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection?

There was no objection.

The statement referred to is as follows:

A MEMORABLE DAY WITH THE DEAD IN CHATEAU-THIERRY.

CHATEAU-THIERRY, *March 3, 1920.*

We are living in Chateau-Thierry, not primarily for the dead but for the living. Our work is that of a social service for the living inhabitants of the town, in loving memory of the American boys who gave their lives in this vicinity for France. We are seeking by this living memorial to strengthen ties of friendship which must ever be cherished by the two nations. The soil of Chateau-Thierry has been made sacred forever by the sacrificial blood of our brave boys.

Our building will stand here on the banks of the Marne, within stone's throw of the demolished bridge so memorable in the history of the retreat of the Germans in their march to Paris in 1918. It will stand for a memorial to the Americans who have given their lives here, while in reality it is for service for the people of the town.

This morning I was called upon to leave the service for the living and go with some men to locate the graves of several American soldiers which had been reported to me. Quite often such word is brought to us of graves back in the woods or in the open fields, where the plowshare has turned up the traces of a hitherto unmarked burial, or some one rambling in unfrequented woods comes upon evidences of an American grave. We report these findings to the caretaker of the Belleau Woods Cemetery, whose duty it is to bring the bodies into this national inclosure.

We are glad to know that the United States is doing more to reclaim her dead than any of the Allies. The British have as yet been able to do little toward recovering their dead soldiers from the soil of France, while poor France has had altogether too much to do for her remaining wounded and destitute living to even bring in a fractional part of the soldiers lost on the fields of battle. Really, a small percentage of the American soldiers who fell in France still remain in unmarked graves.

There are perhaps 150 of our boys who were buried in the town cemetery of Chateau-Thierry. These are in the central part of a large addition to the ancient burial ground now occupied by soldiers' graves entirely. Ours are distinguished by the plain, simple, white cross, each bearing the name of the lad who sleeps beneath the sod. Long rows of these pure white crosses make the place very beautiful to us. In this same inclosure there are hundreds and hundreds of German graves which were made doubtless during the time when the Germans occupied this side of the Marne. These are marked with black crosses and have no other ornamentation, while in this same cemetery one sees thousands of French graves, with a simple cross bearing the tricolors of the Republic, and usually covered with beautifully colored flowers of beadwork.

At Belleau Woods, about 4 miles from Chateau-Thierry is one of our national cemeteries, having now over 2,900 of our American soldier boys, who fell in this vicinity. Fere-en-Tardenois, another beautiful national burial ground, is about 7 miles distant. In this there are over 4,000 bodies. Near this is the grave of Quentin Roosevelt.

At Romaine there are more than 26,000. There are several other central burial places for our American soldiers. Sometimes we have heard rumors that these great national cemeteries would be given up by our Government, the bodies being removed to the United States. We feel that such reports are untrue, since few would wish their dead removed from the sacred fields which must always be associated with their heroic death, and which must always be kept in state by our grateful Government, attracting thousands of reverent visitors who must ever be inspired by their lives.

It has been interesting to know intimately the people of these villages in the Marne Valley and to see how deeply appreciative they are of what the Americans have done for them. While we must know that more than any other it was the American shells that destroyed their village homes, it was our own boys who set fire to Chateau-Thierry, but invariably the people will tell us that it was absolutely necessary in order to drive the Germans out of their strongholds.

From time to time the people come to us telling of the finding of American graves. We have gone out with them, feeling glad for their solicitude for our American soldiers.

This morning I went to one of these villages from which had come the word that Madame Assailly had found four graves. We found her with her aged crippled husband living in a poor shell-torn house down near the banks of the Marne. While she was hurriedly making her toilet to ride with us in our automobile—hearse—her husband told of the time when the bombardment of their village was made and how, because of his lameness he was left behind while his wife was taken away prisoner by the Germans. One could easily see the pleasure felt by the old lady in being able to give this valuable information to us concerning our dead. Our road led back about 2 miles from Charteves, where we left the machine in the road and walked into the woods. The tops of the trees were torn and broken with the shells. Telephone wires were still hanging in the branches and stretching along the ground. One could but wonder what messages had been sent through them on that awful day when our boys were falling all through those woods.

At last hurrying on before us Madame Assailly brought us to the place where lying about 50 feet from each other were three places marked with improvised crosses made of sticks or laths about 2 feet in length. On two of these had been placed the identification tags of the boys at the time of their burial. The other had no name, but the cross only. On the cross had been tacked a small portion of an English pocket testament. It has been there through the long months of exposure, and yet easily deciphered were the precious words of Scripture. Had they been in the pocket of the lad who slept beneath them or had they at last brought comfort to him in his death? These were questions which we wanted to ask from the single monitor of that lonely grave, as it clung there to the cross above the sleeping form. Investigation revealed upon the body the two identification tags, showing that he had been quickly buried on the field of battle. In the pocket was a fountain pen.

In it was ink still waiting to tell the story of that awful day.

Almost the letters on the tags were illegible, but by comparing the two we could easily read the name "Ritchie Childress, Co. H, 144 Inf., U. S. Machine Gun."

With tender feelings we lifted the remains into a new burlap cloth and they were later placed in a box for burial.

The body nearest this one was found to be in much the same position, showing evidences of the fearful battle.

His name was Raymond Baldwin, Company D, Seventh Infantry, No. 541321. The other grave was of one whose first name I have not, but the last name was St. John.

As we turned to go back to the road, Madame Assailly remarked that it was to her a great happiness to render the service to the Americans who had done so much for them. "It was the Americans who delivered us," she said. "Had it not been for them we would have remained with the Germans as prisoners." As we came into the road she was telling us in most graphic manner her experiences on the night of the 29th of May, now nearly two years ago when she had been brought up this very same road literally at the point of the German bayonets. She would imitate them as she would aim the gun at her imaginary prisoners as they were being driven along the road.

It was after 12 o'clock at night when they came to the house in which she and her crippled husband were living. Their daughter with

her husband and children had fled with the French when the village was evacuated. Her aged husband had been left reluctantly behind because it was not possible for him with his crutches to make the long journey with the others. Madame Assailly was determined that she would share with him his fate. But the Germans would not let her remain, and not being able to compel him to walk with his crutches they left him in the house with the falling shells. They parted, never expecting to see each other again. She in company with 11 of her neighbors was marched back several miles from the bombarded village to a farmhouse, where they stopped for a time, to resume their long, hard journey back into Belgium.

I asked her if she had plenty of food while in her eight months' imprisonment. She stepped over to where a dandelion was growing, picked it saying, "We had that and other weeds on which we lived and did our hard day's work." "But," she added, "the Germans were not cruel to us. They had little of food that they could give to us." She told us of the awful experience when she was compelled to leave her husband behind with his crutches, not expecting ever to see him again, and of the joy they had when, after the armistice, they found each other in the old home at Charteves.

There was one other grave which was known to Madame Assailly and we must go to find it. This time it led us back from the beautiful little village of Mont St. Pere, the home of the famous artist L'Hermite. Magnificent views of the valley were had as we whirled up through an unfrequented road leading back from the river. Then a cart path brought us from the main road through a pasture and some woods to what had been before the war a fine old estate. It had been the residence of the Government official whose duty it was to guard all the woods in this part of the Department of Aisne. Now, the place was desolate and absolutely forsaken. Shell torn and broken, the walls of the house were still standing. Not a living soul anywhere to be seen. The only sound heard was the exquisite notes of the first spring birds. Sunshine was everywhere. But there close to the wall in the garden was the American grave which we sought. This one had been carefully marked by some friendly French hands. The cross had been well made by hand, painted white, and bore the inscription in plain letters, "Harold Millington, Co. G, 4th Inf., U. S. A. Juliet 1918. Mort pour la Patrie."

A large green wreath of laurel leaves had been hung upon the cross and a cross of the same leaves laid tenderly upon the mound.

Opening the grave we found the body carefully wrapped in an Army blanket.

We returned to Chateau-Thierry with our load of precious dead. I am glad to know that these are no longer resting in their lonely and unmarked graves, but will be forever guarded with national honor in our own beautiful Belleau Woods. As the visitor approaches the cemetery he sees in the distance these thousands of pure white crosses which suggest either a drift of snow at the foot of the Belleau Hill or a field of daisies. The place must be forever an inspiration to all who will come to pay tribute to our brave boys who gave their lives for us here in Chateau-Thierry.

JULIAN S. WADSWORTH.

THE PRICE OF GASOLINE.

Mr. DYER. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution 501, respecting an investigation into the price of gasoline, and so forth.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of House resolution 501. Is there objection?

Mr. DAVIS of Minnesota. Mr. Speaker, reserving the right to object, if the matter to which the gentleman refers will not take to exceed 5 or 10 minutes, I will not object; otherwise, I shall have to object.

Mr. DYER. Mr. Speaker, I ask to have the resolution reported.

The SPEAKER. Of course, no one can guarantee how long a matter will take after the House once gives its consent. Gentlemen must either object or give consent. Is there objection?

Mr. MANN of Illinois. Mr. Speaker, I object.

EXTENSION OF REMARKS.

Mr. RAMSEYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the bill H. R. 11551, which I introduced, to amend the war-risk insurance act.

The SPEAKER. Is there objection?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13266, making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes. Pending that motion, I ask the gentleman from Texas [Mr. BUCHANAN] if he has his mind made up or will consent to a unanimous-consent agreement concerning the time for general debate?

Mr. BUCHANAN. Mr. Speaker, I suggest that the gentleman from Minnesota make some suggestion.

Mr. DAVIS of Minnesota. Owing to the number of requests that have been made on both sides of the House, I do not see how we can get along with much less than four hours of general debate, if that is satisfactory.

Mr. BUCHANAN. That is two hours on each side?

Mr. DAVIS of Minnesota. Yes.

Mr. BUCHANAN. That is satisfactory.

Mr. DAVIS of Minnesota. Then, Mr. Speaker, I make the request that general debate be confined to four hours, two hours to be controlled by the gentleman from Texas and two hours by myself.

The SPEAKER. Pending the motion to go into the Committee of the Whole House on the state of the Union, the gentleman from Minnesota asks unanimous consent that general debate be limited to four hours, two hours to be controlled by himself and two hours by the gentleman from Texas [Mr. BUCHANAN]. Is there objection?

Mr. BLANTON. Mr. Speaker, I object.

The SPEAKER. The gentleman from Texas objects. The question is on the motion of the gentleman from Minnesota that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the District of Columbia appropriation bill.

The question was taken; and on a division (demanded by Mr. DYER) there were—ayes 97, noes 0.

Mr. DYER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Missouri makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll. The question is on the motion of the gentleman from Minnesota.

The question was taken; and there were—yeas 300, nays 2, not voting 125, as follows:

YEAS—300.

Ackerman	Evans, Nebr.	Lubring	Robsion, Ky.
Almon	Evans, Nev.	McClintic	Rodenberg
Andrews, Md.	Fairfield	McDuffie	Rogers
Andrews, Nebr.	Ferris	McFadden	Romjue
Ashbrook	Fess	McGlennon	Rowe
Aswell	Fisher	McKeown	Rubey
Ayres	Focht	McKinley	Rucker
Babka	Fordney	McLaughlin, Nebr.	Sanders, Ind.
Barkley	Foster	McPherson	Sanford
Bee	Frear	MacCrate	Scott
Begg	Freeman	Madden	Sears
Bell	French	Magee	Sells
Benham	Fuller, Ill.	Major	Sherwood
Benson	Gallagher	Mann, Ill.	Shreve
Black	Ganly	Mansfield	Siegel
Blackmon	Gard	Mapes	Sims
Bland, Ind.	Garland	Martin	Sinclair
Bland, Mo.	Garner	Mason	Sisson
Bland, Va.	Godwin, N. C.	Mays	Slemp
Blanton	Good	Mead	Smith, Idaho
Boies	Goodwin, Ark.	Merritt	Smith, Mich.
Box	Goodykoontz	Michener	Smithwick
Brand	Graham, Ill.	Miller	Snyder
Briggs	Green, Iowa	Milligan	Stedman
Britten	Greene, Mass.	Monahan, Wis.	Stephens, Miss.
Brooks, Ill.	Griest	Mondell	Stephens, Ohio
Brooks, Pa.	Hadley	Montague	Stevenson
Browne	Hardy, Colo.	Moon	Stiness
Brumbaugh	Harreld	Mooney	Stoll
Buchanan	Hawley	Moore, Ohio	Strong, Kans.
Burdick	Hayden	Moore, Va.	Strong, Pa.
Burke	Hays	Moores, Ind.	Summers, Wash.
Burroughs	Hernandez	Morgan	Sumners, Tex.
Butler	Hersman	Mudd	Sweet
Byrns, Tenn.	Hickey	Murphy	Tague
Campbell, Kans.	Hicks	Nelson, Mo.	Taylor, Ark.
Campbell, Pa.	Hill	Nelson, Wis.	Taylor, Colo.
Candler	Hoch	Newton, Minn.	Taylor, Tenn.
Cannon	Houghton	Newton, Mo.	Temple
Cantrill	Howard	Nicholls, S. C.	Thompson
Caraway	Hull, Tenn.	Nolan	Tillman
Carss	Humphreys	O'Connell	Tilson
Chindblom	Igoe	O'Connor	Tincher
Clark, Mo.	Ireland	Ogden	Towner
Classon	Jacoway	Oldfield	Treadway
Cleary	Johnson, Wash.	Oliver	Upshaw
Coady	Jones, Pa.	Olney	Vaile
Cole	Jones, Tex.	Osborne	Venable
Collier	Juul	Overstreet	Vestal
Connally	Kearns	Padgett	Vinson
Cooper	Keller	Park	Volstead
Crisp	Kettner	Parker	Walsh
Crowther	Kiess	Parrish	Walters
Cullen	Kincheloe	Pell	Ward
Currie, Mich.	King	Peters	Wason
Dale	Kinkaid	Phelan	Watkins
Darrow	Kitchin	Platt	Watson
Davis, Minn.	Kleczka	Porter	Weaver
Dempsey	Knutson	Pou	Webster
Dickinson, Mo.	Kraus	Purnell	Welling
Dickinson, Iowa	Lampert	Quin	Whaley
Dominick	Langley	Rainey, Ala.	Wheeler
Donovan	Lanham	Rainey, H. T.	White, Kans.
Doremus	Lankford	Raker	Wilson, La.
Doughton	Larsen	Ramseyer	Wilson, Pa.
Dowell	Lazaro	Randall, Calif.	Wingo
Dunbar	Lea, Calif.	Randall, Wis.	Wise
Eagan	Lee, Ga.	Rayburn	Wood, Ind.
Eagle	Lehlbach	Reavis	Woods, Va.
Edmonds	Lesher	Reber	Woodyard
Elliott	Linthicum	Reed, N. Y.	Wright
Elston	Little	Reed, W. Va.	Yates
Emerson	Lonergan	Rhodes	Young, N. Dak.
Esch	Longworth	Ricketts	Young, Tex.
Evans, Mont.	Luce	Robinson, N. C.	Zihlman

NAYS—2.

Dyer	Thomas

NOT VOTING—125.

Anderson	Ellsworth	Johnson, Ky.	Riddick
Anthony	Fields	Johnson, Miss.	Riordan
Bacharach	Flood	Johnson, S. Dak.	Rose
Baer	Fuller, Mass.	Johnston, N. Y.	Rouse
Bankhead	Gallivan	Kahn	Rowan
Barbour	Gandy	Kelley, Mich.	Sabath
Booher	Garrett	Kelly, Pa.	Sanders, La.
Bowers	Glynn	Kendall	Sanders, N. Y.
Brinson	Goldfogle	Kennedy, Iowa	Schall
Byrnes, S. C.	Goodall	Kennedy, R. I.	Scully
Caldwell	Gould	Kreider	Sinnott
Carew	Graham, Pa.	Layton	Small
Carter	Greene, Vt.	Lufkin	Smith, Ill.
Casey	Griffin	McAndrews	Smith, N. Y.
Christopherson	Hamill	McArthur	Snell
Clark, Fla.	Hamilton	McCulloch	Steagall
Copley	Hardy, Tex.	McKenzie	Steele
Costello	Harrison	McKinley	Steenerson
Crago	Hastings	McLane	Sullivan
Cramton	Haugen	McLaughlin, Mich.	Swope
Curry, Calif.	Heflin	MacGregor	Timberlake
Dallinger	Hersey	Maher	Tinkham
Davey	Hoey	Mann, S. C.	Vare
Davis, Tenn.	Holland	Minahan, N. J.	Voigt
Denison	Huddleston	Morin	Welty
Dent	Hudspeth	Mott	White, Me.
Dewalt	Hulings	Neely	Williams
Dooling	Hull, Iowa	Nichols, Mich.	Wilson, Ill.
Drane	Husted	Paige	Winslow
Dunn	Hutchinson	Radcliffe	
Dupré	James	Rainey, J. W.	
Echols	Jefferis	Ramsey	

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. MCKINLEY with Mr. HEFLIN.
Mr. ECHOLS with Mr. CARTER.
Mr. KENDALL with Mr. GRIFFIN.
Mr. BARBOUR with Mr. GALLIVAN.
Mr. DENISON with Mr. GANDY.
Mr. HERSEY with Mr. BOOHER.
Mr. ANTHONY with Mr. GARRETT.
Mr. DALLINGER with Mr. DEWALT.
Mr. KAHN with Mr. DENT.
Mr. BACHARACH with Mr. GOLDFOGLE.
Mr. KREIDER with Mr. MAHER.
Mr. JOHNSON of South Dakota with Mr. FLOOD.
Mr. LUFKIN with Mr. CLARK of Florida.
Mr. GLYNN with Mr. HARRISON.
Mr. PAIGE with Mr. DAVEY.
Mr. ROSE with Mr. STEELE.
Mr. WINSLOW with Mr. BYRNES of South Carolina.
Mr. CRAGO with Mr. ROWAN.
Mr. WILLIAMS with Mr. HOLLAND.
Mr. ELLSWORTH with Mr. MINAHAN of New Jersey.
Mr. BOWERS with Mr. NEELY.
Mr. WHITE of Maine with Mr. HUDSPETH.
Mr. DUNN with Mr. WELTY.
Mr. SINNOTT with Mr. BRINSON.
Mr. VARE with Mr. BANKHEAD.
Mr. GREENE of Vermont with Mr. DUPRÉ.
Mr. TINKHAM with Mr. SANDERS of Louisiana.
Mr. FULLER of Massachusetts with Mr. STEAGALL.
Mr. TIMBERLAKE with Mr. DAVIS of Tennessee.
Mr. CRAMTON with Mr. SMITH of New York.
Mr. STEENERSON with Mr. DOOLING.
Mr. GOODALL with Mr. HARDY of Texas.
Mr. SNELL with Mr. DRANE.
Mr. COSTELLO with Mr. JOHNSON of Mississippi.
Mr. KENNEDY of Rhode Island with Mr. FIELDS.
Mr. BAER with Mr. SULLIVAN.
Mr. RADCLIFFE with Mr. CAREW.
Mr. CHRISTOPHERSON with Mr. HOEY.
Mr. KELLEY of Michigan with Mr. SMALL.
Mr. GRAHAM of Pennsylvania with Mr. MCLANE.
Mr. COPLEY with Mr. HAMILL.
Mr. MCCULLOCH with Mr. MANN of South Carolina.
Mr. HAUGEN with Mr. CASEY.
Mr. MCKENZIE with Mr. RIORDAN.
Mr. MORIN with Mr. SCULLY.
Mr. GOULD with Mr. CALDWELL.
Mr. KENNEDY of Iowa with Mr. HASTINGS.
Mr. HAMILTON with Mr. SABATH.
Mr. RAMSEY with Mr. JOHNSTON of New York.
Mr. MCLAUGHLIN of Michigan with Mr. JOHN W. RAINEY.
Mr. HUTCHINSON with Mr. MCANDREWS.
Mr. HULINGS with Mr. JOHNSON of Kentucky.
Mr. KELLY of Pennsylvania with Mr. HUDDLESTON.

The result of the vote was announced as above recorded.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13266, with Mr. MADDEN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13266, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

Mr. DAVIS of Minnesota. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. The gentleman from Minnesota is recognized.

Mr. DAVIS of Minnesota. Mr. Chairman, the formal estimates upon which the present bill under consideration is based carry $20,329,428.77. Based upon those formal estimates, the committee have presented to the Congress a bill carrying upon its face $18,190,484.87. This bill is $2,138,944 less than the estimates. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13266, the District appropriation bill, and had come to no resolution thereon.

Mr. DAVIS of Minnesota. Mr. Speaker, I ask unanimous consent that general debate upon this bill be limited to four hours, one half of the time to be controlled by the gentleman from Texas [Mr. BUCHANAN] and the other half by myself.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that general debate on this bill be limited to four hours, two hours to be controlled by himself and two hours by the gentleman from Texas [Mr. BUCHANAN]. Is there objection?

Mr. GARD. Reserving the right to object, will the debate be confined to the bill?

Mr. DAVIS of Minnesota. It will pretty generally. At least as to all those who have spoken to me; but I am afraid some of them will want to deviate a little bit.

Mr. BUCHANAN. Reserving the right to object, it was not understood that the debate be confined to the bill?

Mr. DAVIS of Minnesota. It is not.

Mr. BUCHANAN. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13266.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the District appropriation bill, with Mr. MADDEN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of H. R. 13266, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

The CHAIRMAN. The gentleman from Minnesota [Mr. DAVIS] is recognized.

Mr. DAVIS of Minnesota. Mr. Chairman, as I just stated, the bill under consideration is $2,138,944 less than the formal estimates submitted to the committee. However, the appropriation last year, in the 1920 bill, was $2,103,962.12 less than the bill which we are now considering. It simply shows this, that the city of Washington, the National Capital, is not only increasing in size and in population, but in all other ways, and your committee, after having sat and very industriously worked for a month or more, decided upon material raises in many of the matters submitted to us by the estimates.

Some of those material raises were in consequence of the public schools. In this bill we have raised the public-school teachers, generally speaking now, $946,800, and I, for the first time, discovered that the school-teachers of the District of Columbia are reasonably well satisfied with the performance of this committee. Now, it rests with you, gentlemen, whether you will continue them in that good satisfaction.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. DAVIS of Minnesota. I will.

Mr. SMITH of Idaho. Will the gentleman indicate about how much the salary is increased to each individual teacher, approximately?

Mr. DAVIS of Minnesota. I will get to that a little later, but I will say for the gentleman's benefit that the lowest paid school-teacher under this bill, the lowest basic salary, is $1,200, and at the present time, if that is adopted, the lowest salary will be $360 greater than that, or $1,560 a year. It ranges from that up to $2,750, and I believe, as I said before, that the teachers of the District, including the officials, principals, and all employees, are thoroughly satisfied with the conditions of this bill.

Again, another item. You have a very competent and efficient police force in this city. They had previous to this year only about 800 policemen, but through legislation on the District legislative bill they increased their number. They increased legislatively their salaries. Therefore while you may give this committee credit in some way, yet we followed the legislation strictly, and hence there is an increase of several hundred thousand dollars in policemen's salaries in the District of Columbia, and the number, if this bill passes, in addition to the legislative bill, will be very nearly 900.

Mr. GARD. Will the gentleman yield right there?

Mr. DAVIS of Minnesota. I will.

Mr. GARD. As for the number of policemen the gentleman speaks about as being 900, does that number include all special policemen who are added to the department, like park policemen?

Mr. DAVIS of Minnesota. That includes them all, I understand.

Again, the firemen of this city thought they were not getting pay enough, and the Appropriations Committee was unable to help them out in previous years. But the District legislative bill has now fixed their salaries, increasing them several hundred thousand dollars, and we have that in this bill.

I cite those items to show you why this bill is large, and I will put in the RECORD this little statement:

CHIEF ITEMS OF INCREASE OVER 1920 ACT.

Schools	$1,200,000
Street improvements	40,000
Street repairs	125,000
Street assessment work	85,000
Sewers	129,000
Water department	95,000
Charities and corrections, hospitals, asylums, workhouse, etc	200,000
Approximately	2,000,000

There are other small items of increase and decrease, but these are the main items which cause this bill to be $2,000,000 more than last year.

Mr. FAIRFIELD. I would like to ask the gentleman how this budget compares with other cities of approximately the same size as the city of Washington?

Mr. DAVIS of Minnesota. The budget on what?

Mr. FAIRFIELD. The police force and firemen's force. You speak of a great increase in the pay of firemen and policemen, and I would like to know whether the cost to the city of Washington is in excess of that of other cities of the same size or below it?

Mr. DAVIS of Minnesota. Well, I will say in answer to the gentleman that the city of Washington, if this bill passes, as I believe it will, will have nothing to complain about as to policemen's salaries or firemen's salaries.

Neither will they have any cause to complain about teachers' salaries, and when we get the entire building program through for the building of schoolhouses I think the city of Washington will be on a par with almost any city in the United States.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. RAKER. The gentleman just stated a moment ago that the lowest salary for teachers is $1,200.

Mr. RICKETTS. One thousand five hundred and sixty dollars.

Mr. DAVIS of Minnesota. It will be $1,560. The basic salary is $1,200. There will not be a teacher who will get less than $1,560.

Mr. RAKER. That will include those who were placed on the roll by virtue of the deficiency bill?

Mr. DAVIS of Minnesota. Yes. I state emphatically that there will not be a single teacher of any grade or character in the District of Columbia that will not draw down next year $1,560.

Mr. FOSTER. Has the number of teachers been increased over the number last year?

Mr. DAVIS of Minnesota. They have been.

Mr. FOSTER. How much?

Mr. DAVIS of Minnesota. They have increased by 149, I think, to be exact.

Mr. RAKER. One hundred and forty-nine teachers are added by virtue of the deficiency bill of March 3, 1920?

Mr. DAVIS of Minnesota. Yes, sir.

Mr. RAKER. The basic pay is $1,200, and they all get the bonus in addition to that?

Mr. DAVIS of Minnesota. Yes; they all get the bonus, and they all get the longevity.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. LAZARO. How about the school housing facilities? Have you made provision for all the children of school age in the District?

Mr. DAVIS of Minnesota. That is a pretty hard thing to say. I am going to get along to that pretty soon. If we have not made provision here, it is because we have not got the money. When we come along to certain provisions in this bill, if any gentleman says we have not made adequate provision in here, I want him to sustain a little piece of legislation which is incorporated in this bill increasing the taxes on the people of the District of Columba in order to raise the money to do it.

Mr. LAZARO. Does not the gentleman think the time has come when we should provide for every child of school age, not only in the District but all over the United States?

Mr. DAVIS of Minnesota. Yes; the time has arrived.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. YATES. What is the District cost to the United States? Is it just one-half of the budget?

Mr. DAVIS of Minnesota. That is the supposition.

Mr. YATES. What did it cost the United States the past year?

Mr. DAVIS of Minnesota. It cost the United States one-half of $16,086,522.75.

Mr. YATES. A little over $8,000,000.

Mr. DAVIS of Minnesota. And this year, if the half-and-half is strictly carried out, it will cost the United States $9,675,995. That is what this bill contemplates. But, my friends, I wish you to understand this: We have a committee in here called the Committee on Appropriations. That committee has subcommittees. One is called the deficiency subcommittee, and another is called the sundry civil subcommittee, besides other subcommittees; and invariably those amounts are raised by items recommended by those subcommittees on other bills. Last year they were raised quite a considerable sum, more than $100,000 or $200,000 perhaps, and that has always been the case, and always will be.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. WALSH. Did the gentleman say in reply to the inquiry of the gentleman from Louisiana [Mr. LAZARO] that the time was not only here, but had been here for some time when the Congress should provide for every child of school age throughout the United States?

Mr. DAVIS of Minnesota. I hardly understood him so. I understood him to say——

Mr. WALSH. I asked what the gentleman from Minnesota said in reply.

Mr. DAVIS of Minnesota. I am willing to have the RECORD read on that, in order to be exact.

Mr. WALSH. I just wanted to know.

Mr. LAZARO. I wish to remind the gentleman that he was not asked if Congress could do it all, but if the time had not come when provision should be made for every child of school age, not only in the District of Columbia but throughout the United States. I was not referring to Congress only.

Mr. WALSH. If you were not referring to Congress, what were you referring to?

Mr. LAZARO. I was trying to find out from the gentleman if provision had been made for sufficient schoolhouses for the children of school age.

Mr. DAVIS of Minnesota. I did not understand the gentleman from Louisiana to say that this Government should provide for the children of the whole United States.

Mr. LAZARO. I did not intend to ask that question. I made it plain, as I thought.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. OLIVER. In response to the question of the gentleman from Illinois [Mr. YATES], the gentleman from Minnesota gave the amount to be paid out of the General Treasury if the half-and-half plan is adhered to. What will be paid out of the General Treasury if the plan which the committee suggests is adopted in lieu of the half-and-half plan?

Mr. DAVIS of Minnesota. Nothing greater under this bill except—and I will read you this exact statement. I am talking about this year.

Mr. OLIVER. I am not inquiring about this year; but when the committee's plan is put in force, what would be the contribution from the General Treasury? I understand the committee recommends an increase of 66⅔ per cent property tax in the District, and I am anxious to know whether the increased tax will offset the increased expenditures carried in the bill, or will the increased tax provide a fund largely in excess of the increased expenditures?

Mr. DAVIS of Minnesota. I could not say as to that.

Mr. OLIVER. In other words, will the increase in the property tax you recommend more than offset the increases in the expenses of the District, which you recommend?

Mr. DAVIS of Minnesota. I hardly think so. I was going to get along to that in a moment, and I was going to give some reasons why we did that, and some figures along that line when I got to that particular part. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. Fifteen minutes.

Mr. DAVIS of Minnesota. After I have talked 35 minutes, please call my attention to it.

Mr. OLIVER. Just to follow that up this thought occurs to me, that it may be easy for Congress to recommend large increased expenditures, larger than are allowed by other cities for the same purposes, so long as Congress feels that the money will come out of people living in the District, or owning property therein, and who have no voice in the matter. Congress must be fair in fixing this scale of expenditures, and also in providing what part thereof shall be contributed by the Government.

Mr. DAVIS of Minnesota. I will state to the gentleman that when we arrive at that portion of the bill about raising taxes I will be pleased to give the gentleman all the information I have. I think there are other gentlemen here who have been Members of Congress for 15 or 20 years who are familiar with the workings of the District government, who can give you all the information you desire along that line.

Mr. FOCHT. Reverting to the interrogatory of the gentleman from Louisiana [Mr. LAZARO], I am afraid it might be inferred from his question that there are States in this country that do not make adequate provision for the education of their children. Now, I hope no such impression may go abroad with regard to Pennsylvania, where we have free schools, free books, and compulsory education. It may be that some States are so hopelessly behind the times that it might be raised as a question for action on the part of the Federal Government, but I want to deny that any such condition exists as far as Pennsylvania is concerned. I should like to have the gentleman say whether it is a fact that most States do make all necessary provision for the education of their youth.

Mr. LAZARO. The gentleman is aware of the fact that the commissioners of education at their meeting some time back were thoroughly agreed that the teachers throughout the United States are not being paid enough, and as a result of it the attendance in normal schools is about half what it should be. Not only that, over 100,000 teachers throughout the United States, in every State of the Union, have left their schools to enter other lines of work. I was not referring to any place in particular. I merely wanted to bring out in answer to my question whether or not in the District of Columbia provision has been made for enough schoolhouses for the children of school age.

Mr. FOCHT. What the gentleman refers to might occur as an emergency, as the result of an exigency growing out of the war, and that with the increase in the cost of living the pay of teachers should be advanced. We must understand that, of course; but the great underlying principle must not be overlooked, which is the education of the youth of the country, and I want to say that most States that I know anything about have made provision for that. Of course, if there is a temporary interruption in the complete exercise of that great fundamental idea, we will have to meet that as we go along; but there is no general lack of educational facilities.

Mr. LAZARO. This statement came from the commissioners of education at a national convention, that 145,000 teachers in the United States had quit their employment because they were not paid enough.

Mr. FOCHT. They ought to be paid enough. Let us go back home and raise the pay of teachers commensurate with their high calling and the requirements of new conditions consequent upon the sky-high cost of living.

Mr. DAVIS of Minnesota. And raise the taxes at the same time.

Mr. RHODES. The gentleman from Louisiana asked the gentleman from Minnesota how the cost of maintaining the police and fire departments in the city of Washington compared with the cost of maintaining those departments in similar cities throughout the United States. The answer was that if this bill passes the gentleman thought the city of Washington would have no complaint. I take it that hardly answers the question. I should like to know how the cost of maintaining these departments does compare with other cities of about the same size.

Mr. DAVIS of Minnesota. The cost in some cities is much higher and in some cities much lower, but this is a happy medium, about an average in favor of the city of Washington. That would be my answer.

Mr. RHODES. Can the gentleman name one city where the cost is higher?

Mr. DAVIS of Minnesota. New York and Chicago.

Mr. RHODES. Can the gentleman state the figures?

Mr. DAVIS of Minnesota. The hearings are full of figures. There are many of them, and it is impossible, owing to the thousands of items, to carry them all in my head, but I am stating the general condition. Heretofore, in the last three or four years, while I have been on this particular subcommittee, we have had many requests to build more school buildings. In nearly every case the committee acceded to those requests and made appropriations for the building of additional rooms in schoolhouses, or new buildings, and when we would report an appropriation of $50,000 or $60,000 or $70,000, the amount estimated by the engineer commissioner, they would go ahead and attempt to put up that building with that appropriation. That was all they asked for. When they attempted to let it out by contract they found that more money was necessary. Hence they came back the next year and asked for more. The next year this committee doubled their appropriation. Generally speaking, that is about the situation, that they then attempted again to build a building but could not get a contract within the limitation, and came back and asked us for more, and we increased the appropriation again, so that a little proposition that would ordinarily amount to $50,000 or $60,000 can not now be built for $200,000. That is true also of the extension of streets. I presume the war brought about that condition, but Congress was not to blame for not furnishing facilities here. The commissioners made their estimates too low. I do not wish to blame them. Congress acceded to their requests. This bill took all the previous buildings that were in contemplation, except possibly one or two, where appropriations have been made, and in many instances we doubled the previous appropriation. That is contained in this bill, and that is why the bill is so large. That is why the revenues of the District of Columbia, when duplicated from the Federal Treasury, are not sufficient to pay the required amount. That is one reason why we are asking to raise taxes in the District of Columbia. For instance, the total appropriation for public schools has increased from $3,761,470 to $4,959,340, or an increase of $1,197,870. We are going to try again and see if we can build the buildings for the amount that we herein appropriate. We do not make the estimates. The commissioners make the estimates and submit them to us.

Mr. RICKETTS. Will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. RICKETTS. I should like to know how the rate of taxation in the District of Columbia compares with the rate in other cities.

Mr. DAVIS of Minnesota. I will get to that in a very few minutes. The taxes in this city must be raised. I am going to back that up by making the assertion that of the many business men who came before our committee in the last six weeks, when we asked them, "What shall we do? How can we pay these expenses?" in variably, with one exception, they said "Raise our taxes."

Let me show you why they have got to raise the taxes. Their estimates this year were $23,933,357.87. If that was payable upon the half-and-half plan, the District would have been required to pay $11,966,775.93, and the total limit of the revenues of the District is only $9,600,000 and some odd. In other words, there is a deficiency right there of $2,000,000, even with the Government carrying out its half-and-half agreement. When these business men were confronted with that they invariably said, "Raise the taxes." Here you find a great shortage in the estimates of $23,000,000.

Let me give you a few reasons why taxes have got to be raised. I am going to quote and put into the RECORD numerous items that, in my judgment, must be taken care of in the city of Washington in the next three or four years—all of it and even more that I have not dared to suggest.

First, there has got to be a new bridge to replace the present bridge across the Potomac River known as Chain Bridge. There is a proposition that is going to cost millions—I can not say how much.

Mr. ANDREWS of Nebraska. Will the gentleman yield?

Mr. DAVIS of Minnesota. I will.

Mr. ANDREWS of Nebraska. I understood the District had a $4,000,000 surplus. Does that apply?

Mr. DAVIS of Minnesota. We will get along to that later. As I say, there is the Chain Bridge. The next item is a new bridge needed over Rock Creek on the line of Calvert Street to replace the present bridge. Plans have already been authorized for that structure. There have been no estimates yet, but it will cost at least a million and a half dollars. That is aside from the twenty-three millions that I have heretofore stated.

There is a municipal hospital in this bill, with a limit of cost of $1,500,000. Originally the limit of cost was $500,000. The following year we raised it a hundred and some-odd thousand dollars, and kept appropriating until we got $700,000, and that is the present condition. Now, they find they can not build it for less than $1,500,000. So there is $800,000 there to be added on to the $23,000,000.

They want what is called a new Eastern High School, and that will involve at least $1,500,000. Appropriated in this bill and previous bills we have already started with $400,000; in other words, there is $1,100,000 short in that which must come now very soon.

Here is a nice little item. You have seen much of it in the newspapers about our source of water supply. It has got to be increased. So that to increase the source of the water supply, the least possible estimate is $12,000,000. Add that onto this estimate.

Then there is a new site for a plant for the disposal of trash. The new site alone will cost not less than $350,000, to say nothing about the machinery.

The Industrial Home must have a new location. The site which we have looked over will cost $50,000, and the Lord only knows how much the building will cost. It must be done in the very near future.

The school-building program I have already alluded to. That ought to be increased, according to the estimate, about $2,000,000.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. FAIRFIELD. What is the bonded indebtedness of the District of Columbia?

Mr. DAVIS of Minnesota. The 3.65 bonds are here. I think they amount to about three or four million. The Government is paying half of this and half of the interest.

Mr. FAIRFIELD. Could not a part of this be taken up by bonds of the city?

Mr. DAVIS of Minnesota. Now, the gentleman is raising another question. I wish he would go to the legislative committee of the District and figure it out. Do not try to put everything onto the appropriation bill.

Mr. FAIRFIELD. I was just asking for information.

Mr. DAVIS of Minnesota. We have got the bill so loaded down now with legislation that it may take a long time to get it through.

Mr. FAIRFIELD. Is this deficit in the amount of taxes raised necessary to meet expenses due in any part to undervaluation?

Mr. DAVIS of Minnesota. Now, there is another question, a beautiful question, and I wish the gentleman would take that up with the legislative committee and see whether the assessed valuation is proper or whether it is undervalued. We all have ideas and some illustrations, but I do not wish to go on record as saying that that is the case. The matter has been discussed by our committee in the last 24 or 36 hours.

Mr. BROOKS of Pennsylvania. Will the gentleman yield?

Mr. DAVIS of Minnesota. Certainly.

Mr. BROOKS of Pennsylvania. Pennsylvania school children are all supplied with books and materials. Is that customary in the District of Columbia?

Mr. DAVIS of Minnesota. I think so.

Mr. BROOKS of Pennsylvania. Do they all get books?

Mr. DAVIS of Minnesota. I think they do.

Mr. BROOKS of Pennsylvania. I was informed that they did not all get books.

Mr. SUMMERS of Washington. If the gentleman from Minnesota will pardon me, I can assure the gentleman that they do not.

Mr. BROOKS of Pennsylvania. In that particular thing the city of Washington does not seem to furnish an example for other cities. Let me ask the gentleman whether the increased appropriation you are asking for for schools would include the purchase of books?

Mr. DAVIS of Minnesota. It includes the purchase of books and materials not specified. It was the general opinion that it was to cover all these things; we have increased that very materially this year.

The present rate of taxation in the District of Columbia is 15 mills on the dollar on both real and personal property.

Mr. BRIGGS. Will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. BRIGGS. The levy is only made on two-thirds of the valuation.

Mr. DAVIS of Minnesota. I was going to state that. The law reads that it shall be made on the assessed valuation of two-thirds of the cash value of the property.

The CHAIRMAN. The Chair will notify the gentleman that he has used 35 minutes.

Mr. DAVIS of Minnesota. I will take 5 or 10 minutes more. As I say, it is $1.50 upon the hundred, both real and personal. The real assessment is based upon a two-thirds valuation of the property. Whether when the assessor makes it up it goes to the limit of two-thirds I am unable to state, although I have heard statements to the contrary.

Mr. HARDY of Colorado. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. HARDY of Colorado. I have been interested in this tax question, because I have gotten so much propaganda from the District on the question. I went out here and tried to buy a home. I found that houses selling at $7,500 are taxed about $50, and that houses that went up to $12,500 are taxed about $75. The real estate men argued that the reason for this high value was the very low taxes, and that a man could own his property here and pay a reasonable price for it because he did not have to pay any taxes on it.

Mr. DAVIS of Minnesota. What the gentleman is now telling me is simply cumulative evidence of what I have heard for the last two or three years.

Mr. HARDY of Colorado. I would like to know if any committee ever went to work and got what the District people sold property to the Government for in the last two or three years and checked up to find out what taxes were paid on that property, to find out whether it was a few mills or 15 mills.

Mr. DAVIS of Minnesota. I would have to refer the gentleman to the Committee on the District of Columbia, which is the legislative committee. Our committee only makes appropriations.

Mr. HARDY of Colorado. But talking about the tax question——

Mr. DAVIS of Minnesota. Oh, because, owing to the extreme necessity, we have raised the rate in this bill from 15 to 25 mills.

Mr. HARDY of Colorado. I think it ought to be raised.

Mr. DAVIS of Minnesota. But there may be some friend of ours sitting on either side of the House who will make the point of order that it is new legislation and out it goes.

Mr. SMITH of Idaho. Mr. Chairman, how much additional tax does the gentleman figure will be raised by increasing this tax rate?

Mr. DAVIS of Minnesota. About $5,400,000.

Mr. SMITH of Idaho. What do you propose to do with that money?

Mr. DAVIS of Minnesota. To spend it for items and things here that I have suggested, running the estimates up, instead of to $23,000,000, to $30,000,000 and odd.

Mr. SMITH of Idaho. Would it not be better to increase the assessment rather than the rate?

Mr. DAVIS of Minnesota. But how are you going to increase the assessment? The law is there, and if the officers do not carry out the law, how are you going to do it?

Mr. SMITH of Idaho. According to the statement of the gentleman from Colorado [Mr. HARDY], property here is not assessed at two-thirds of its value.

Mr. DAVIS of Minnesota. I believe that is correct, and, as I stated, that is cumulative evidence of what we have already heard, but there sits the gentleman up there, Mr. MAPES, who is a very agreeable gentleman, who is the chairman of the Committee on the District of Columbia, a legislative committee, and while I will not say that it is his duty, yet, if the gentleman is interested in that, let him introduce a bill and get it before the Committee on the District of Columbia and thrash that question out there.

Mr. SMITH of Idaho. It seems to me that that would be the proper way to reach this, instead of raising the tax rate.

Mr. DAVIS of Minnesota. I agree with the gentleman, but I am afraid that if he waited to have that done the gentleman would have to wait a long time.

Mr. SMITH of Idaho. Could you not increase the valuation by a provision in this bill?

Mr. DAVIS of Minnesota. No.

Mr. SMITH of Idaho. Why not?

Mr. DAVIS of Minnesota. It is legislation.

Mr. SMITH of Idaho. This is legislation also.

Mr. DAVIS of Minnesota. All right; but we have been asked to put on 15 or 20 other legislative matters.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. MOORE of Virginia. I do not find that the hearings include any consideration of this subject of taxation. Did the committee depend upon the result of former investigations or did it make any independent investigations?

Mr. DAVIS of Minnesota. We have made no independent investigation, but the gentleman was here a while ago when I made this statement. When gentleman of large means would come before our committee and ask to have these extraordinary improvements made, running into the millions, before we would get through we would put the question, "Where are we going to get the money to do it?" Invariably, with one exception, they replied, "Raise our taxes." That is the information that I am talking about, and that is what I am trying to do.

There are many other matters here that I would like to talk about. For instance, take the water service, a very expensive proposition. It has got to be renewed. Twelve million dollars must be put into that. Somebody has got to raise that money. The water system is run upon the theory, and it has worked well until within the last two or three years, that it is self-sustaining. The water users would pay sufficient to run the operation of it, and there is no question but that we have the best water system here and the purest water of any place in the United States, but it is running behind. We have a clause in the bill to raise the water users' rent by 25 per cent. That would just about cover this deficiency which has already arisen. Of course I have quite a number of figures, but I have not the time to put them in now. I believe from the figures that I have that the water users of Washington are paying a lower rate than the water users of any city on this continent, and in many instances four and five times lower than in cities of similar size. That is why we ask to increase the amount by 25 per cent in order to take care of what ought to be done.

Mr. LINTHICUM. Mr. Chairman, did the committee give any consideration to the improvement of highways leading out of the district? I find that they are in miserable condition.

Mr. DAVIS of Minnesota. I know that. We have increased the appropriation quite an amount. There ought to be $2,000,000 spent out there, but where are you going to get the money?

Mr. LINTHICUM. If I were in my own city I would answer the question by saying to issue bonds, and then tax the property for sufficient to pay into a sinking fund and to pay the interest upon the bonds.

Mr. DAVIS of Minnesota. That is a good suggestion. There are suburban roads leading into this city, but it would take millions to put them into proper condition. We have selected those needing it most, and have increased the amount very liberally over the amount carried in the last bill.

Mr. LAZARO. Does not the gentleman think something ought to be done to utilize this waste of water power up at Great Falls?

Mr. DAVIS of Minnesota. I think so.

Mr. LAZARO. Would it not be a good idea for the Congress to set an example to the rest of the country right here?

Mr. DAVIS of Minnesota. To appropriate it all out of the Treasury?

Mr. LAZARO. Oh, no; there are different ways of raising the money.

Mr. DAVIS of Minnesota. The United States built this aqueduct and virtually gave it to the District of Columbia, the whole thing costing seven or eight millions.

Mr. LAZARO. I am talking about utilizing the water power.

Mr. DAVIS of Minnesota. I think it is a good plan. I see my friend, Senator NORRIS, over in the Senate, has been advocating that for years. He has come pretty near getting it through, but it has failed up to date. I think that Great Falls ought to be utilized for the District of Columbia.

Mr. MOORE of Virginia. If the gentleman will permit, the gentleman is correct in saying that that matter is being considered now, not only in reference to the amendment proposed by Senator NORRIS, but in reference to another suggestion that is under advisement, I understand, by the conference committee in charge of the general water-power bill.

Mr. DAVIS of Minnesota. It is a matter that should be taken care of.

Mr. FOCHT. Before the gentleman leaves the question of water, how much revenue is derived from water in the District of Columbia?

Mr. DAVIS of Minnesota. Well, that is in the hearings.

Mr. SISSON. About $800,000.

Mr. DAVIS of Minnesota. About $800,000.

Mr. FOCHT. All right, $800,000. I agree with the gentleman that we have pure water here in the District; that is, it is clarified. I do not know what a test will show, but it is surface water that comes from farm lands, some of it from my district and from the coal mines up the Potomac River, and so as to its being the purest water in the world there may be some question. Now, it seems to me that we want to try to apply some of the principles of common sense here and then we will solve some of the difficulties confronting us here in reference to taxation. It is self-evident that some one has been very lax here, to say the least, when it comes to the matter of what we have been charged for water here.

I will bring it down to my own self. I pay for water at home, in Pennsylvania, pure water that comes from watersheds on which there is no habitation, $52 for an unlimited domestic supply. This price is regulated under the supervision of the utilities commission, which rate has been passed upon by men qualified for that purpose, and while too high in Lewisburg it is far too low in Washington. I pay in the city of Washington for an equal amount of consumption between $8 and $10.

Mr. DAVIS of Minnesota. The gentleman is paying more than some other people are.

Mr. FOCHT. Let me suggest this, that you stop right here and raise that water rent 100 per cent, and that will solve the whole question.

Mr. DAVIS of Minnesota. I am inclined to think the point of order will be raised against the 25 per cent.

Mr. FOCHT. That is problematical. As a common-sense business proposition, I hope the gentleman will accept the suggestion and instead of 25 per cent make it 100 per cent, and there is another million raised for schools.

Mr. DAVIS of Minnesota. If the point of order be not raised and if the gentleman will make a motion to raise it to 100 per cent I think his motion will receive much support on this floor.

Mr. LINTHICUM. If we increase it 100 per cent that will provide the interest and sinking fund on $12,000,000.

Mr. FOCHT. Because the other is complicated. We all understand that this city is a different kind of city from other cities and should be shown a little extra consideration, because it is not a commercial city and should not be subjected to the same taxes as cities that are distinctively commercial cities. But here in reference to this water rent of about 10 per cent of that in other communities it seems to me that they have overlooked a basic, common-sense opportunity.

The CHAIRMAN. The gentleman has used 25 minutes.

Mr. DAVIS of Minnesota. I will yield the floor for the present.

Mr. BUCHANAN. Mr. Chairman, I yield one hour to the gentleman from Mississippi [Mr. SISSON].

Mr. GARD. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. Evidently there is no quorum present, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Clark, Mo.	Fuller, Mass.	Hersman
Anthony	Copley	Gallivan	Hoey
Bacharach	Costello	Gandy	Holland
Baer	Crago	Ganly	Huddleston
Bankhead	Cramton	Garrett	Hulings
Barbour	Crisp	Glynn	Husted
Bland, Ind.	Crowther	Godwin, N. C.	Hutchinson
Booher	Curry, Calif.	Goldfogle	James
Bowers	Dallinger	Good	Jefferis
Box	Davey	Goodall	Johnson, Ky.
Brand	Denison	Gould	Johnson, Miss.
Brinson	Dent	Graham, Pa.	Johnson, S. Dak.
Browne	Dewalt	Green, Iowa	Johnson, Wash.
Brumbaugh	Dooling	Greene, Vt.	Johnston, N. Y.
Burke	Drane	Griest	Kahn
Butler	Dunn	Griffin	Kelley, Mich.
Byrnes, S. C.	Dupré	Hamill	Kelly, Pa.
Caldwell	Eagle	Hamilton	Kendall
Candler	Echols	Hardy, Tex.	Kennedy, Iowa
Cannon	Edmonds	Harreld	Kennedy, R. I.
Cantrill	Ellsworth	Harrison	Kreider
Carew	Evans, Nev.	Haugen	Langley
Carter	Flood	Hayden	Layton
Casey	Fordney	Heflin	Little
Christopherson	Freeman	Hersey	Lufkin

McAndrews	Morgan	Sanders, La.	Swope
McArthur	Morin	Sanders, N. Y.	Taylor, Colo.
McCulloch	Mott	Schall	Thomas
McFadden	Neely	Scully	Tillman
McKenzie	Nicholls, S. C.	Sinnott	Timberlake
McKinley	O'Connor	Small	Tinkham
McKinley	Overstreet	Smith, Ill.	Treadway
McLane	Paige	Smith, Mich.	Vare
McLaughlin, Mich.	Porter	Smith, N. Y.	Vestal
McLaughlin, Nebr.	Rainey, H. T.	Smithwick	Welty
MacGregor	Rhodes	Snell	White, Me.
Maher	Riordan	Steagall	Williams
Mansfield	Robinson, N. C.	Steele	Wilson, Ill.
Mason	Rose	Steenerson	Wise
Mead	Rouse	Stevenson	Wood, Ind.
Minahan, N. J.	Rowan	Stiness	Woods, Va.
Moon	Rucker	Sullivan	
Moore, Va.	Sabath	Sumners, Tex.	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. HICKS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 13266, the District of Columbia appropriation bill, finding itself without a quorum, he had caused the roll to be called, and that 242 Members, a quorum, had answered to their names, and that he submitted therewith a list of the absentees for insertion in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

The committeee resumed its session.

The CHAIRMAN. The gentleman from Mississippi [Mr. SISSON] is recognized.

Mr. SISSON. Mr. Chairman and gentlemen of the committee, in my judgment this is perhaps one of the most important moments in the history of this Republic. I do not believe that there was ever a time since the establishment of the Republic when there were as many new, far-reaching, and important problems to be solved as those which confront us in the immediate future. In the solution of these problems we must not lose sight always of certain fundamental principles. In order that a nation may prosper, in order that a people may be great, in order that you may develop the manhood and womanhood of a nation, Herbert Spencer says it is first necessary that they be well fed, because the basis of all human greatness is physical development. Upon that your moral and intellectual growth is based.

There are certain fundamental principles of political economy that we ought never to lose sight of. Mr. Say, the great French political economist, and Adam Smith, the great Scotchman, divide wealth into three classes. The modern political economist has added another, but Smith and Say both contend that the wealth of a nation, aside from an artificial wealth, which is discussed in a separate class, may be divided into three classes—food, clothing, and building material. Modern political economists have added fuel. Say and Smith both contend that fuel is either artificial food or artificial clothing.

So, gentlemen of the committee, if what they say is true, whatever reduces food, clothing, and building material reduces the wealth of the nation. Whatever increases the amount of food, clothing, and building material increases the wealth of the nation.

Therefore if, as Representatives, we lose sight of these fundamentals in the appropriation of money, in the enactment of legislation, we are losing sight of that fundamental principle of government which will, in the no distant future, cause us to pay an enormous debt for our mistake. Whatever tends to reduce production—the strike, boycott, riot, war, and too many people on the pay roll of the Government—anything that swells the nonproductive list—tends to increase the scarcity of food, clothing, and building material.

I hear a great deal now about the high cost of living. I see many resolutions passed by many and various civic bodies. I hear many "Be it enacteds" in the legislatures of many States and "Be it enacteds" by Congress. I will tell you, gentlemen, you can not solve the problem by "Be it enacted" by law or "Be it resolved" by any civic body of any kind or character. I know of no way to increase the wealth of a nation except upon that basic principle laid down in Genesis, that it is by the sweat of a man's face he must earn his daily bread. I know of no way of producing food except by the cultivation of the soil.

Mr. Buckle says that a nation begins to die when its agriculture begins to wane. When you see a nation with deserted fields, when you see a nation where conditions are such that it is not profitable and pleasant for men to live upon farms, that nation's strength is on the wane. This is what destroyed Rome. It was the scarcity of food that caused the first revolutions which finally resulted in the overthrow of that great Government.

So I do not believe that on the floor of this Congress we ought to "play horse" with this question. We ought to tell the literal truth about it. Congress, in my judgment, can do but little to reduce the high cost of living. When the Democrats were out of power at the time I first came to Congress, I heard a great deal from our side of the House about the high cost of living. We made it one of the campaign issues. It is true that in that campaign was involved the question of the tariff. The Democrats came into power, and I saw no diminution in the price of food, clothing, or building materials. I find a condition here now like that which prevailed when I first came to Congress and when we were then in a minority. I find my Republican friends on the other side of the aisle making as one of the campaign issues the high cost of living.

Now, gentlemen of the committee, you are not going to reduce it that way. When I hear men talking about the high price of the farmers' products, when I hear men dilate with beautiful oratory on the sweet-smelling, upturned sod, about the bursting buds and blossoms, and the zephyrs that blow, the whistle of the boy as he goes to the field astride his mule, of the birds singing in the trees, and other delights of rural life, I ask why it is that these boys are leaving the farms? Why is it that these farms are untenanted?

I will tell you why. It is because the attractions of the city, the white lights, the moving pictures, the brick pavements, are encouraging boys to leave the farms. All of this sweet poetry you have been singing about farm life is by the fellow that rides under an umbrella around to see the other fellow do the work. It is not attractive now to the man who gets the clod in his own shoe, who takes hold of the plow handles himself. Therefore, the problem is one that is going to present some difficulty in solving. Mere resolutions and oratory will not solve it.

I do not know whether we will be able to solve it except by dire necessity and by hard times. But there is one thing I do know, we will not solve it by increasing the governmental expenses; you will not solve it by increasing the number of people that get on the pay roll of the Government nor by increasing salaries. The more people who get on the pay roll of the Federal Government, the more people who go in the consuming class and leave the producing class, the more enormous is going to be the high cost of living.

Now, that which causes people to engage in a particular line of business, causes people to spend their time and energy and labor along certain lines of industry, is due to the fact that a man realizes that he will get some reward for his labor. A few years ago the Irish potato was selling for $2 a peck, $8 a bushel. During that time, in the Irish-potato section of the United States, the fence corners were plowed up and planted in Irish potatoes, and in the spring potatoes went down to 60 cents a peck. Why? Because it was remunerative for men to plant Irish potatoes.

So, gentlemen of the committee, whatever is doing in the way of legislation, what is done to prevent monopolizing the market, what is done to prevent men from controlling the market places, will primarily depend upon what primary food or commodities are to be controlled.

Men do not go into the market to control the price of corn when there is vastly more corn than will be consumed normally in the coming season. Men do not make corners on the cotton crop when we have a vast cotton acreage that whitens under the stars, producing something like three-quarters of a bale of cotton per acre. It is only when it is scarce that men do it; and I do not care what sort of legislation you pass, you can not compel a man who owns 500 bushels of corn and has it in his crib to sell the product of his toil at a less price than he is willing to accept. No good government would force a man to sell the product of his toil. You can not condemn his property except for war purposes, and that only when he is compensated for it. It is also true that if you desired to buy a certain amount of corn because you believe corn will advance in price, you would paralyze industry and trade if you by law prevented that. So that if Congress will do those things that will solve this problem, you must pursue that course that will relieve of unnecessary burdens those people who are engaged in the productive pursuits of life. You can not help the situation by enlarging the powers of government and increasing Federal employees.

It is only necessary for a man to get on a train and ride in any direction from Washington a comparatively few miles to see the untenanted fields. You at once know the cause of the high cost of living. And yet there is a school of politics that imagines that you can get together and by their boot straps lift people over these hard places in life. It can not be done that way. I hear ministers preaching on the text, "Remember the Sabbath day to keep it holy." I do not know that they preach too much about it, and I do not condemn them for it, but commend them; but I have never heard a minister of the

gospel preach a sermon from the words following that text, "Six days shalt thou labor." I have listened in vain to hear it, and yet one command is just as positive as the other; and if that second clause of that commandment were observed by us all there would be plenty for everyone. In my judgment, you are pandering to certain demands of the soap-box orator, and by doing that will cause us infinitely more trouble than any other one propaganda in America.

I hear people talk about "every man being entitled to a living wage." I deny it. No man is entitled as a matter of right to a living wage. Every man is entitled to what he earns. If every man were entitled to a living wage, the man in the shoe factory who makes the equivalent of 2 pairs of shoes a day might eat more than the man who would make the equivalent of 10 pairs of shoes, and yet if you gave the man who makes 2 pairs of shoes the same wage as the man who makes 10 pairs of shoes it will not be long before every man in the factory will be making only 2 pairs of shoes a day instead of 10. In other words, you must reward men in accordance with their efficiency and their capacity to produce. Therefore, there is a great deal of this modern bolshevistic, socialistic policy that I take no stock in. There are too many doctrinaires in this country.

What we need in this Republic is to get back to fundamental principles. Let us quit "playing horse" with each other. If you do not do it, and those of us who agree on great political principles can not get together, if we continue to divide in name merely, if we continue to divide because we have been associating with a certain crowd all the time, and there is no principle that prompts us to action, then, indeed, the balance of power will be held by people who do not hold the fundamental doctrines that will preserve this Republic and save this constitutional Government of ours.

I do not believe that there was ever struck off by mortal man a more marvelously magnificent system of government, provided every man in it is willing to do his full duty, provided he is willing to labor and toil and deserve success, than that wonderful instrument that we hear so little about these days—the Constitution of the United States. [Applause.] That instrument is the palladium of your liberty and mine. It is an ark of the covenant of the rights of the poor and the rights of the humble. In that instrument every man finds all the protection that a good man wants, and God knows it is all that a bad man should ever have. [Applause.]

Now, gentlemen of the committee, I believe that as Republicans and Democrats we may carry this Government rapidly, radically into a socialistic trend, and do it unwittingly. Every time the Government of the United States or a State government goes into a line of endeavor, thereby adding to its pay roll to become a charge against the taxpayers, unless it is performing a proper function of government, something that ought to be performed by the Government rather than by private individuals, then to that extent you have socialized the Republic. I do not believe, for example, in the Government ownership of railroads. The Government ownership of railroads is the first long step toward socialism. When you say, "I believe in the Government ownership of railroads," then it becomes necessary, follows as the night the day, that you also have the control of those instrumentalities necessary to operate the railroads. You can not operate the railroads unless you own or control the coal mines; and if you own the coal mines, then you must have all the instrumentalities necessary to operate them. Where will it end? In my judgment our Government was intended only, as conceived by our fathers, to give to every man in this Republic a fair, equal opportunity to develop himself in accordance with those powers which God has given him. If he is energetic, if he is wise, if he is thrifty, if he is economical, he will succeed. If he is unwise, if he is thriftless, if he is extravagant, he will not succeed. So that government which rewards endeavor makes the best citizenship on earth, but that government which taxes endeavor for the purpose of rewarding people who do not make any endeavor is a government of special privilege and will not live long in the minds and hearts of a people who can and will make a nation great.

Now, I would like to talk to you very much longer on this line, but I am not going to do it, except to say that wherever a community lives absolutely out of any treasury it is most difficult to get those people to realize the fundamentals as to how wealth is produced and where wealth comes from. Nothing so quickly corrupts the minds of a people as to permit them to enjoy a special privilege. The privilege soon ripens, in their minds, into a right. They soon lose their intellectual integrity and their capacity to think fairly, correctly, and honestly. For example, the citizens of the District of Columbia have long enjoyed an exemption from taxation which no other city or community in America has enjoyed. Half of their taxes have been paid out of the Federal Treasury since 1878, and they now think it a crime to require them to pay as much taxes for what they enjoy as other people have to pay. They will not consider the burden of taxation in other cities; instead, they now insist that these cities and counties and States should be taxed in addition to their already great burdens a portion of the expenses of the District, even when their present taxes are about three times what they pay here in the District.

Now, in the District of Columbia they have the best pay roll of any people in the United States. In every city in New York, Pennsylvania, Ohio, or any State in this Union, the pay rolls are affected by the weather conditions, by crop conditions, by panics and failures. That is true everywhere except in the city of Washington. As long as the people are able to pay their taxes, the strong arm of the tax gatherer goes out and gathers in the millions of dollars that are expended here every month. They have a fixed return. They have a fixed number of people who purchase the things they have to sell from the salaries they get out of the taxpayers of the United States.

It is natural that there should grow up in the minds of the people of the District of Columbia the idea that the man in Congress who desires to close the door of the Treasury against them is an enemy of the District of Columbia. I have been held up as an enemy of the District of Columbia for a number of years. Now, gentlemen, I deny it. On the contrary, I would not tax the people of the District of Columbia one penny more than is just and fair; and if a Congressman should lend himself to an unfair tax rate against the people of the District of Columbia, who are not represented here, I should think that, to say the least, there was some little political cowardice in that man. But, on the other hand, I say that until our friends in the District of Columbia pay a reasonable tax we are not just and fair to the constituents whom we represent when we go into the Federal Treasury for their benefit. [Applause.]

If this bill goes through, I want to congratulate the chairman of the subcommittee having it in charge. I think there has been more real constructive thought, more real constructive legislation, put into this bill that will start a new relationship between the District of Columbia and the Federal Treasury than in any previous bill, and that it will not only result in great good to the Treasury but will result in great good to the District of Columbia.

Now, what is a just and fair tax? That is a thing most difficult to determine. But do you know of any fairer way to determine what is reasonable than to ascertain what people voluntarily tax themselves where they have the right to expend the money for themselves? What are men willing to give for certain municipal, county, and State improvements in the various communities throughout the United States? Take into consideration the population of those cities, and when you find a city of about the population of Washington that taxes itself for its necessities, it means that the people consider themselves fairly taxed; and if we do not tax the people of the District of Columbia as heavily as those people tax themselves, then we have certainly done the people of the District of Columbia no injury. When we have fixed the amount that is a fair contribution from the taxpayers of the District of Columbia, then we ought to say that that is all they shall pay, and if we want to go on record with our constituents at home as being in favor of beautifying the Government property here, and spend as many millions of dollars as we please for that purpose, that responsibility is with us and we have done no man an injustice.

What have your committee done here? After a good deal of discussion we finally reached a compromise as to the amount. In order that you may understand exactly what we are doing, you must not only take into consideration the rate of taxation but you must take into consideration the assessment. If the assessment of property in a city is very high you may have just as great taxes with a low tax rate as you have in a city where the assessment is very low and the tax rate is high. The amount paid on the property might be the same, although one city would show a low rate and the other a higher rate. You have got to go behind that rate and ascertain what the assessment is.

Now, what is the assessment here? At various times in the past I have investigated it. I have been on this committee for a number of years, unwillingly. It has been wished on me. Being on the committee I have tried to do my duty as I could see it. I have investigated as many assessments as I could, and I will tell you a few incidents that have come before this committee.

One gentleman came into the committee accompanied by a Member of the House. He said, "They are endeavoring to take my property out here for additional ground for a school building. They estimate my property to be worth about $7,500.

That is entirely too little." Col. Kutz, one of the commissioners, was there; we asked him how the commissioners arrived at that figure. He said, "This man's property is assessed at $5,000. Under the rule of assessment if you add 50 per cent to that, it will make $7,500." This gentleman stated that his property was worth $15,000, and he produced a statement from a real estate man who is supposed to understand values in the District of Columbia who certified that the property was worth not less than $14,000, and that $15,000 would not be an unfair value for it. That is when you go to take it away from him. When he pays taxes on it he pays taxes on $5,000. I know some Members of Congress, whose names I will not call, who have invested a certain number of dollars in property in the city of Washington, and so far as I have inquired they say they pay on about the same assessment that they pay on property at home, and one gentleman said he paid four times as much per dollar on property at home. That is, he paid four times as much on each dollar invested as he did here. So I think it is fair to say that the property in the District of Columbia is assessed about as we assess property at home. It is not assessed at its full value. In my judgment it is not assessed at 50 per cent of its value, because if you go out and try to buy property for 50 per cent more than it is assessed for you will buy but little property. The assessment law provides that property shall be valued at its full valuation but that the assessment of taxes shall be on the basis of two-thirds of the valuation. But if their property is assessed at one-half of its value, and then if you levy 1½ per cent upon two-thirds of the one-half valuation, you will get a rate of very much less than 1 per cent on the actual value. But giving them the benefit of every doubt, and presuming that the assessment is two-thirds of the value, then they are only paying 1 per cent on the real value. I happen to know about the city of Memphis. They pay 4½ per cent, and the property is assessed at 80 per cent of its value. Last year I wrote to 40 different cities, larger than Washington and smaller than Washington, and I found the rule to be, taking into consideration both the rate of taxation and the rule of assessment, that the State, county, and municipal taxes paid by the people of the cities of the United States are in round figures about three times what is paid per dollar on the value of property in the city of Washington. I think that is a fair statement.

Now, your committee after deliberation have added 1 per cent, which, provided the assessment is two-thirds of the actual value, will amount to 1.66⅔ per cent tax on tangible personal property and on real estate.

Mr. BEE. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. BEE. As a matter of fact, there being no difference between State, county, and municipal taxes in the city of Washington, as in other municipalities, States, and counties, 2½ per cent is infinitely less that the taxpayer has to pay here than in the States where there are county and municipal taxes.

Mr. SISSON. That is true. I was coming to that; but you can not take all of these things in in one statement. In nearly every State in the United States the citizen pays all sidewalk and all street taxes in front of his property. In addition to that he pays all the expenses of laying the water sewers and mains.

Mr. BEE. And they do not do that in the District?

Mr. SISSON. No; the property owner pays one half and the two treasuries pay the other half. In other words, if the gentleman and I live on opposite sides of the same street, we pay for one half of the sidewalk and the two treasuries pay for the other half. In my own town we pay it all, and if we get water put into the house we pay the expenses of laying the pipes.

These are the privileges of the people of the District of Columbia which the people do not have in other cities.

Now, if I am your servant I have got to tell you gentlemen the true facts here and then leave it to you and your good judgment and your good heart and conscience as to what is right and what ought to be done. Your committee recommend a method of assessment of two-thirds value and a tax of 2½ per cent.

Mr. SANFORD. Will the gentleman yield?

Mr. SISSON. I will.

Mr. SANFORD. Has the committee taken into consideration at all the comparison of rent on a given valuation in the District of Columbia and elsewhere?

Mr. SISSON. We did not at this time.

Mr. SANFORD. Does not the gentleman think that the rates are higher here than they are elsewhere?

Mr. SISSON. I did make some investigation when the bill was up before. I do not think it is fair to the District to make that comparison now, because at that time there was a congested population here and the people were able to rent their property for almost any figure they pleased, so much so that we had to pass a law to prevent profiteering in rents. Therefore, as to the people of the District of Columbia we naturally would recognize that they acted within the law; but I did make a comparison as to the rent of apartment houses in this city and in the city of New York, where, probably, the rates are and ought to be higher. I found that the rate was higher in the city of Washington than it was in like accommodations in the city of New York.

Now, it was charged here on this floor by the chairman of the District Committee, and never denied, that there was an organization here where they had fixed the rental of property, and rather than let the property be rented at less than the fixed rental they let it lie vacant. I do not know of my own knowledge whether that was true or not, but I have heard no denial of it. In other words, if there were 100 business houses in the city, or 100 rooms and 101 people wanted a room, you would have no trouble in raising your rent all down the line. But if there were 100 rooms and only 99 people that wanted them, some fellow's room would have to go vacant, and therefore they would say to the man whose room was vacant we will keep the rent up and the organization will pay you the regular rent of your room and we will all make more money. That was charged here on the floor. I do not say that it is true, but I do know that if you go now and try to rent an apartment you will be paralyzed at the amount of rent you would have to pay.

Mr. SANFORD. We are.

Mr. BEE. General paralysis.

Mr. SISSON. Now, there is this to be said, with this enormous pay roll that you have in the District of Columbia, when a man gets on the pay roll his rent is certain and sure because every month he gets his pay. The result is that there are less people who have to call upon the landlord to give them sufferance by virtue of the fact that they are out of a job—less of that in Washington than in other cities of the United States, take it from year to year.

Now, if what your committee have recommended is carried out the people of the District of Columbia will pay on a reasonable valuation from 1.50 to 1.66⅔ per cent. I feel sure that I am right in saying that that is half a per cent less than is paid in any city of like size in the United States.

Mr. GARD. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. GARD. I am interested in this matter, and I would like to have the benefit of the gentleman's analysis. How did the committee arrive at the fact that 1 per cent would be the proper increase?

Mr. SISSON. As far as the committee was concerned it was rather arbitrary. We took into consideration what other cities were paying. As I stated, an investigation was made and the members of the committee were not identical with the committee that did make the investigation of the taxes in forty-odd cities. But taking that into consideration we were sure that the people were paying less in the District than they were in other cities.

Mr. DUNBAR. Will the gentleman yield?

Mr. SISSON. I will.

Mr. DUNBAR. Is it intended to charge personal property 2½ per cent?

Mr. SISSON. Yes; on tangible property. Washington is a delightful place for the tax dodger on choses in action. At home in most cities a man is compelled to pay on those, as he does on everything else, but when he comes to Washington he has to return the choses in action, but he pays only three-tenths of 1 per cent. Until this committee put it in the bill, for years they did not pay anything on choses in action.

By the way, the man who got up Postum Cereal came down here and built a house, stayed here long enough to make himself a resident, nailed his house up, and went back home. His case got into the courts, and the courts held that his vast personal estate could not be taxed for the inheritance tax at home, because he was a citizen of the District of Columbia. It was not taxed here, so he escaped taxation at home, where he had made this fortune.

Mr. DUNBAR. Do I understand the gentleman to say that the tax on personal property has been three-tenths of 1 per cent?

Mr. SISSON. That is on invisible personal property. They have a division of property here in the District of Columbia called tangible and intangible personal property. For instance, goods on the shelves and household goods over and above $1,000

are visible property and subject to taxation, and they are taxed like real estate.

Mr. DUNBAR. Would bank stock be considered tangible or intangible?

Mr. SISSON. Intangible.

Mr. DUNBAR. And that would pay a tax of three-tenths of 1 per cent?

Mr. SISSON. Yes. I have talked too long on that end of it, because I do not believe that the practical experience of business men in this body will have any sort of doubt as to the tax rate that we place here being reasonable. What is the necessity for doing this? I do not believe the Federal Government ought to contribute more than eight or ten million dollars in any one year to this District government under anything like present conditions. What is needed now in the District? The business men that the chairman of the committee [Mr. DAVIS of Minnesota] talked to you about came before the committee. How were they selected? How did they get here? The hearings will show that they represented from 25 to 30, perhaps more than that number, different organizations, I have forgotten how many——

Mr. DAVIS of Minnesota. More than that—40 or 50.

Mr. SISSON. Various kinds of business, social, and other organizations, which represented, as they said, practically the entire population, both colored and white, of the District of Columbia. They sent representatives to a meeting here to discuss the needs of the District of Columbia. Those organizations having sent those delegates, selected certain gentlemen to come up before this committee, and the real representatives of the city of Washington, men of means, as Mr. DAVIS of Minnesota told you, men of affairs, men of vast property interests here, stated that the crowd here who said they represented the people of the District, who did not want to pay taxes, did not represent the real views of the people of the District of Columbia, that they realized that if they got all of these conveniences and got all of these necessities, so as to keep pace with other cities, they would have to do as the people in other cities had to do, go down in their pockets and pay for it.

They came clamoring that the school-teachers' salaries be raised even higher than we have raised them here, and we fixed the lowest school-teacher's pay, the first day she entered the schoolhouse, at $1,440 a year. The average as the lowest in any one grade is, in round figures, when you take the longevity pay of those who have been in for several years into consideration, $1,560 for 10 school months. Search through all of the cities in the United States and you will find that, irrespective of population, with a single exception of the superintendents in those cities of millions of people and certain principals in certain schools which are infinitely larger than those of the city of Washington, the pay here is not only up with the average, but there are but one or two cities in the United States where the salaries are comparable with ours in the grades. If you calculate to pay during the months that they work, at 20 days a month, the lowest salary paid is $144 a month, and the average of the lowest paid teacher will be $156 per month. If you take an average of 40 children to each teacher and divide the number of children in the United States by 40, you would get the number of teachers reasonably needed to teach them. Multiply that by $1,560 a year, for 10 months' work, and you will find that it goes up into a stupendous sum. There is a limit which people can pay even for the education of their children. When you shall have reached that limit ,to go above it is to finally destroy prosperity. The people can only stand so much taxation. I do not believe you will get better teachers either by such extravagant salaries, for I do not think any man or woman was ever a good school-teacher who went into the schoolroom for the purpose of making money.

Mr. SUMMERS of Washington. Does the gentleman refer to the salaries that are now paid or the salaries proposed in this bill?

Mr. SISSON. Proposed in this bill.

Mr. BEE. I notice, on page 36, pay fixed at $1,200 each. Is that without the bonus?

Mr. SISSON. That does not include the bonus.

Mr. BEE. And you contemplate the bonus?

Mr. SISSON. The bonus has already been put in in the Senate.

Mr. BEE. That would make the amount $1,440.

Mr. SISSON. Yes; you must add the $240 bonus.

Mr. SNYDER. The figures that the gentleman has been using include the bonus?

Mr. SISSON. I said that; in this bill.

Mr. SNYDER. Then, in the bill the figures the gentleman has been quoting——

Mr. SISSON. Include the bonus. Take the city of St. Louis, and where we pay the teachers $1,200 a year here they pay them $860. Some of the far western cities pay the teachers in the beginning about what is carried in this bill, and so do Detroit and Philadelphia; and, by the way, it is only within the last year or two that those cities have done that.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. HUDSPETH. According to the tax rate as proposed in this bill, how much will that relieve the Congress from appropriating for the care of this District out of the Federal Treasury?

Mr. SISSON. For the next two years, in my judgment, it will not relieve it of one dollar. I will explain that later; but I was endeavoring to enumerate the items for which the people of the District of Columbia were willing to have their taxes increased; that is, the representatives who came before the committee. The first was to get adequate pay for the school-teachers. The second was to get adequate school buildings here.

Mr. MILLER. Does each one of these school-teachers draw this bonus of $240?

Mr. SISSON. Yes.

Mr. MILLER. And that is added to the salary that is the basis of this bill?

Mr. SISSON. Yes.

Mr. MILLER. Then that $240 of the school-teacher's salary, as well as all other employees of the District, represents an amount no part of which the inhabitants of the District pay?

Mr. SISSON. That is correct.

Mr. MILLER. And they have that advantage over the citizens of any other American city?

Mr. SISSON. Yes; and I am glad the gentleman suggested that; but there are so many little odds and ends, as Mr. DAVIS stated in his opening remarks, where expenses properly charged to the District are carried in other bills, that it would take too long a story to pick them all out. There is a longevity pay. The second year the teachers are engaged they get longevity pay for each year for at least five years. There is an additional pay to all of this. The principals of the schools get an additional bonus a year for each room that they have in the school. In other words, if they have eight rooms they get $240. That is in addition to the bonus, if the salary is under $2,500, so that there are so many angles to this thing that it is difficult to tell what the school-teacher gets; and I think the chairman will bear me out in the statement that they never have yet found an auditor who was able to tell how much money we have to appropriate for longevity pay, because it is constantly changing all of the time.

But let us go back to what I started to tell you. Now, when we made an appropriation for school buildings several years ago to take care of those needs in the District of Columbia we made an appropriation of an amount that the engineer commissioner said was enough to pay for the buildings. The war came on in Europe before we got into the war. They tried to let those bids, not a single school building was built, and they came back to our committee and made a second estimate for an additional amount. We gave them that. They advertised and did not get a single bid within that amount. Then, by that time we had gotten into the war. Then the War Board was organized and, irrespective of how much money we would have given them, they could not build because there was inhibition upon securing the material, and not only that, but they could not get the labor. Then in order that the children of the District might not suffer, your committee got together with the board of education and made a calculation as to the number of children then needing school facilities and we built what are called portable buildings—and by the way they had some trouble in getting the War Board to give the lumber to build those buildings with—and in that way endeavored to take care of the children, and by the way if you will look at the portable buildings they are better school buildings than many Congressmen went to school in. We do not think that always the character of a school building indicates the character of the boy turned out. All of those portable buildings are full because it was estimated at the outbreak of the war that we had about 365,000 population here. The census now shows 455,000, or something like over 85,000 added to the population. Now, of these school buildings authorized several years ago not a building had been completed, not one, because they could not be built, and but for these portable buildings there would have been a distressing condition here.

Mr. BEE. Will the gentleman yield?

Mr. SISSON. I will.

Mr. BEE. What is the condition in Washington now with reference to school facilities? Are the children being put upon the half day because we have not sufficient accommodations?

Mr. SISSON. In some.

Mr. BEE. What is the reason?

Mr. SISSON. Because there is not enough school room. They have rented churches; they have rented any temporary quarters they could get in the neighborhood of the school.

Mr. BEE. Is it in the power of Congress by proper legislation to correct that?

Mr. SISSON. We can not, unless they have more money than the law allows the District Commissioners to estimate for.

Mr. BRIGGS. How many new buildings are contemplated here now?

Mr. SISSON. I do not know. The hearings show, I think, about seven or eight.

Mr. BRIGGS. Have they provided enough to take care of these graded schools and high schools?

Mr. DAVIS of Minnesota. There are not sufficient to relieve the congestion.

Mr. SISSON. No.

Mr. DAVIS of Minnesota. They ought to have more.

Mr. SISSON. Yes. In other words, these advocates of the half and half must come and admit it has fallen down completely. I will tell you what we can do. If Congress should determine to-morrow that we will pay out of the Federal Treasury our part of it and we will levy taxes sufficient to raise $12,000,000—and, by the way, that is the last estimate to give this city plenty of water—you would hear a howl going up from the taxpayers. Why? Because we could make the tax so great that the Federal Treasury might stand it, but we could bankrupt these people in Washington.

Mr. IGOE. Will the gentleman yield?

Mr. SISSON. I will.

Mr. IGOE. Does not the gentleman think it very important that there should be a general plan formulated now to take care of this school situation?

Mr. SISSON. Yes. That is what we have done in this bill, and, if passed, it will be amply cared for. Your committee will guarantee it will be amply cared for if this Congress will give the committee what it has planned here for the District, and the District and the people of the United States will, in my judgment, be thankful to the chairman of this committee for bringing in this bill, and, in my opinion, he will have done the country and this District a great service, and the business men who came before the committee said that is the only thing to do, and we can not do it under the present law, because the District Commissioners under the law are inhibited from making an estimate of more than double the amount of the revenues of one year.

Mr. FESS. Will the gentleman yield?

Mr. SISSON. I will.

Mr. FESS. Is this increased demand for school facilities permanent?

Mr. SISSON. Absolutely—that is, as permanent as in any city. The testimony before our committee shows it is permanent.

Mr. FESS. And is not temporary?

Mr. SISSON. No. We went into this matter, and, of course, all these things are problematical. The people who come with families and take up their residence here, in our judgment, can be held to be as permanent as the residents of other cities. Now, as to this number of Government employees, young ladies and gentlemen who come here and have gotten upon the pay roll of the Government and do not have any school children——

Mr. FESS. So the 100,000 increase of population does not mean that they are families?

Mr. SISSON. No; not that. The truth of the business is that if we have 100,000 population with school children that would swamp all the school facilities here.

Mr. MILLER. This is along the line which the present speaker has been advocating for years?

Mr. SISSON. Absolutely. I think we have it in a better shape in this bill than it has ever been because the conditions are such that they demanded just exactly what has been brought in by the committee in this bill. Now, I have shown the necessity of more taxes by enumerating the school-teachers and the salary increase for the policemen and firemen and the increase of the other salaries in the District of Columbia and the needed school buildings, all running into millions. Then the District of Columbia has grown so enormously that there is a vast area of territory that is not sidewalked nor paved nor sewered which is enormous. But now we are also at the danger point, and I want every Member of Congress to hear this—we are at the danger point in reference to the water supply. Of course, if nothing happens, if we have no accidents, and if we do not have too many fires in the city at different places at the same time the present facilities and capacity will take care of it, but if they should have several fires or an extraordinarily great fire it will be utterly impossible to supply this city with water, as has been stated.

Why, last summer it got down to the point—of course, there were more people here then than there are now—but the consumption of water got to the point last summer that but for the opportunity of accumulating the supply all night they would not have had enough to run until the next evening.

Mr. BEE. The gentleman from Missouri wanted me to ask the gentleman from Mississippi if the prohibition amendment had not increased the water consumption in Washington? [Laughter.]

Mr. SISSON. Probably it did; and I understand from the best authorities that the increase in the use of water is healthy to the human system as well as to the human soul. [Applause.]

Now, as I stated, the District of Columbia has got to be in a position to meet its part not only in building this additional water system, from above the falls to the city of Washington, but it has got to be ready to meet the increased expenses of the service mains and principal mains of the water system out into areas that have been built up lately. The people here are now clamoring to have streets paved, and there is no money with which to pave them. Under the present law it can not be obtained. You hear a man ask, "Why not appropriate that $4,000,000 of surplus?" I looked into that. There are some Members of Congress who are good lawyers, and there are good lawyers on this committee who contend, and with good reason, that money collected in the way it is collected goes into the Treasury in the way of miscellaneous receipts. I do not share that view, although you might argue that on the face and letter of the law, because I believe, irrespective of the letter of the law, Congress is going to do the right thing.

I do not believe that there is a Member who will say that, if under the half-and-half arrangement the District of Columbia has paid $4,000,000 more in the past few years than has been appropriated, the Federal Government is not willing to appropriate that for the District. But put that all in, and yet the District of Columbia would be short $2,000,000 or $3,000,000 a year to pay for what is absolutely needed at this time.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Will the gentleman from Texas give me 10 minutes more?

Mr. BUCHANAN. All right.

Mr. SISSON. Now, there is the price of labor. Let me give you an illustration: Those people who clean the streets, the laborers called "white wings," their wages before the war were $1.75 a day of eight hours. They now get $3.57½ a day, more than a hundred per cent increase, and I asked Col. Lovering, who was here at the time, "Colonel, will you please tell me how much less work they do now than when they got $1.75?" He laughed and said, "You do not think that is et sequitur, do you?" I said, "Yes." He said, "That is one thing I can tell you accurately, because we have a certain number of streets to clean every week and certain men are required to do it. They clean now 60 per cent of what they cleaned when they got $1.75 a day."

Mr. BRIGGS. Will the gentleman yield?

Mr. SISSON. I will.

Mr. BRIGGS. As to this increase of taxation, it is on the basis of 50-50?

Mr. SISSON. Oh, no. In other words, you will not catch me in that trap. Another thing. There are a great many people complaining because personal property of intangible character is not taxed. Do you know why? It is perhaps because we were then getting as much or more money than we needed, and every time you add a dollar under this system—that is, add a dollar to the District taxes—Uncle Sam is called upon to match it. He will not do it if I can help it. Let me show you how absurd it would be. Suppose this were a city of 10,000,000 people, like the city of London. Does any Member contend we ought to pay half of the taxes of such a great city? On the other hand, suppose you had 20,000 or 30,000 people here outside of those connected with the Government. Do you contend, when we were in the woods, that the first man that moved in would have to pay half of the expense? The only reason Congress ever agreed to the half-and-half was because the District was bankrupt. Negro suffrage and feather-duster legislatures had given the District people such a bad and extravagant government that there was over $40,000,000 of indebtedness. The debt was due and no one would buy the bonds and the city then only had a little over 100,000 people. To pay such a debt meant bankruptcy. So the

Federal Government stepped in, feeling a moral responsibility for the weakness of that government, and agreed to refund the bonds at 3.65 and pay one-half of the debt out of the Treasury. She has paid $22,000,000 and the interest from 1878 down to the present time, which is over $18,000,000, making a gift to the people of the District of Columbia of over $40,000,000. This debt Congress had nothing to do with creating. She must do that, because the bondholders took the refund bonds with the understanding that they were secured by the United States.

Mr. BRIGGS. Will the gentleman tell me how the Government is going to escape matching these dollars here?

Mr. SISSON. Let Congressmen like my friend from Texas get right and vote to repeal that very wicked "half-and-half law." But I will not discuss that, because it has been discussed here so much.

Mr. BRIGGS. The House has passed that, but it is not an act of Congress yet.

Mr. SISSON. It is in this bill, and we have proposed it along with other legislation. If the gentleman will help us, we may be able to get somewhere toward relieving the people of our districts of some of this burden. And I think it is fair to say that unless this legislation goes into this bill many items should be cut out or the Federal Treasury will pay more than its half under the present law.

Mr. McKEOWN. The gentleman said that it would cause water waste to increase the water supply and decrease the cost to the city. How is this done now? Are the water rates fixed by the District Commissioners in the city?

Mr. SISSON. The water rates are fixed for the consumer by the District Commissioners. If I had time I would like to discuss that. With the exception of two or three of what are called "Lake cities," up on the Great Lakes, the water in the District of Columbia is not only cheaper, but much cheaper, than any like city in the world. For instance, the same amount of water in most of the cities that the District pays $4.50 for here will cost about $16 to $24.

Mr. HARDY of Colorado. And who fixes those rates?

Mr. SISSON. The District Commissioners. They could raise them if they wanted to do so.

Mr. DAVIS of Minnesota. It is according to the organic act of 1878.

Mr. HARDY of Colorado. And Congress has no control over those rates?

Mr. SISSON. Yes; Congress, of course, can control the whole matter. We took the estimate of the District Commissioners that they needed about $200,000 more than they were now getting, and we asked to increase the rate 25 per cent in order to raise that much money.

Mr. HARDY of Colorado. Even if you raised it 100 per cent, it would be the cheapest water in the United States.

Mr. SISSON. I think that is true, with the exception of the Lake cities.

Mr. DAVIS of Minnesota. And it would extend the water mains.

Mr. BRIGGS. How much waste is there in the water supply of the District; and if these prices were increased would it not tend to conserve the use of water?

Mr. SISSON. I am glad the gentleman mentioned that. There are a great many cities that wanted to increase the use of water because it is healthy, but they found if they made the water rates too cheap people wasted the water. Therefore, if you make them pay for the water they waste, they get careful as to the use of it. I pay $60 or $70 a year for about the same amount of water the people pay $4.50 for here.

Mr. McKEOWN. Does the United States Government pay for its use of water here?

Mr. SISSON. The Government does not; no.

Now, in reference to the increase for laying mains, we took just exactly what Col. Kutz says it cost to lay the mains per foot. Under the present law the amount was fixed at a time when it would cover it, but the cost of material has gone up, and labor has gone up, so that if Congress passes the legislation carried in this bill Washington will then get cheaper water and cheaper mains than any other city. If you do not carry this legislation, but leave it where it is, Washington will be the only city in the United States where the rate of taxation has not been greatly increased in the last few years. It is the only city where the rate of taxation is less now than it was in 1878.

Mr. DAVIS of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Certainly.

Mr. DAVIS of Minnesota. The gentleman spoke about the Government not paying any water rent. I will explain that in a second. The Government built the original water plant here at a cost of between $7,000,000 and $8,000,000, and the people of the District here, in order to recompense the Government, are supposed to pay 5 per cent on that investment, but they do not pay it; they just let the Government use the water, and at the rate the Government is using it now the Government is paying a higher rate than anybody.

Mr. SISSON. Yes; that is true. That was done when Jefferson Davis was Secretary of War, and the original cost of about $8,000,000 was paid wholly out of the Treasury of the United States. The District paid nothing, and it was arranged that if the District was permitted to use the water and not put up a separate plant that the Government could get its water free. If this had not been done, the District would have had to issue bonds to build a plant.

In 1878, when these people taxed themselves, the District expenses were only $1,594,158.38. That was the last tax roll where the people, through their own representatives, taxed themselves. What was the amount in the next year, 1879, after Congress got control of it and agreed to pay one-half? The budget jumped up to $3,082,602.17. In other words, it nearly doubled. But when you had at that time 160,000 population the expenses of the District of Columbia were only $3,000,000. Now your population has increased less than three times that number, and on the same ratio the expenses of this city government, like that of other cities, ought not to be more than $10,000,000, or at the outside more than $12,000,000, and yet we carry over $18,000,000 in this bill.

Mr. CAMPBELL of Kansas. And at the time they were spending a million dollars a year carriages were being stuck in the mud on Pennsylvania Avenue between here and the White House, and there were no paved streets or pavements or sidewalks anywhere. I was not here, but I have read the reminiscences of people who were here.

Mr. SISSON. That only impresses you with the fact that people can put up with bad streets without complaint when they pay the taxes themselves, but they will not do it if they can get it out of the Federal Treasury. They raise a howl about bad streets when they are better than any city in the world. [Applause.] As long as they have the Federal Treasury to draw upon, they can not get along without the best. [Applause.]

Now, gentlemen, in conclusion, I want to urge upon you to give some thought to the suffering taxpayers of the districts you represent when you vote upon the items in this bill. Do not forget the folks back home. Remember that under the present wicked "half-and-half" system, each congressional district pays on an average of about $3,000 each year to the support of the purely local improvements here in Washington. Do you suppose that your own constituents know that you are voting out of the Federal Treasury one-half of the costs of schools here; that this amounts to over a million a year alone; that they pay one-half of the salary of every policeman; that they pay for one-half of the salary of every fireman and one-half of the cost of every fire engine, chemical engine, hook and ladder, and fire-engine house?

Do they know that the Federal Treasury pays one-half of the cost of every schoolbook used by the school children here?

Do they know that one-fourth of the costs of all the sidewalks and streets is paid out of the Federal Treasury?

Do they know that the Federal Treasury pays one-half of the costs of maintaining these streets and sidewalks after they are laid?

Do they know that one-half of every salary of every officer, clerk, laborer, and employee of the District government is paid out of the Federal Treasury?

Do they know that one-half of the money to care for all the poor and insane in all the institutions of this District is paid out of the Federal Treasury?

Do they know that one-half of the costs of every school building, courthouse, hospital, and jail, costing many millions of dollars, is paid out of the Federal Treasury?

Do they know that the tax rate here is about one-third of what they pay at home and that you are by your votes filching out of their pockets millions of dollars every year to pay taxes for these people here in the District who are better able to pay than any people in the United States?

Do they know that money in bank notes, mortgages, and so forth, of the rich here only pay three-tenths of 1 per cent, while in most States they are taxed like other property?

Do they know that here in the District many privilege taxes paid in their own towns are not paid by people in the same business here?

Do they know that those of us in Congress who want these people here in the District to pay a fair tax are called unfair in the local press and criticized very unjustly for that reason alone?

Do they know that when a Congressman or Senator buys property here in the District that he pays about one-third of what he would pay on the same investment at home?

Do they know that for the last six years the House of Representatives has by an overwhelming vote abolished this "half-and-half" system and that each time it has gone to another body in this Capitol and that in that body they insist that the people back home should pay half of all the expenses of this city?

If the newspapers outside of Washington would tell the exact news to the people at home and be half as active to give the truth as the Washington press is to suppress the truth and keep Senators in the dark and in line for the wicked "half-and-half," the people by their votes would teach their servants up here who betray their interest to do so but once. Their voice would be heard by these men who thus betray them and with an avalanche of ballots would leave them at home and send some here who would represent their interest. The trouble is that the people at home do not know what is going on here in this District.

This whole system is bad and vicious. It corrupts the mind of everyone who falls under its influence. They soon feel that the Federal Treasury owes them all they can get out of it. Every wile known to designing men has grown to a science and a profession here, and they know exactly how to manipulate Congress to get what they want. They know the weakness and vanities and selfishness of men in public life. They make it as unpleasant as they can for the man who is against their special graft. I, with a few others, have fought this for years, and at first it looked to us a hopeless task even in the House, but now the House by overwhelming majorities has repeatedly registered its will against this graft and will do so again. What is needed is a few men whose eyes can be opened in another body.

When men in public office forget that they are servants of the people and forget the simple toil of the great mass, then such men are dangerous in public office. Let us in the House do no wrong to any person or interest in the District of Columbia, but let us also preserve our mental poise and say to them: "You shall pay your just burden of tax. This and this only shall be required of you. But you shall no longer fatten upon the Federal Treasury by escaping your just burden and casting it upon the shoulders of those people who have trusted us with their ballots to represent them in this body." Let us do right ourselves, and it must follow as the night the day we can not then be false to any man.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. BUCHANAN. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. FERRIS].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Speaker and gentlemen of the Congress, legislation is being urged in Congress fixing upon the country a system of compulsory military training in times of peace as well as in times of war. The Senate Committee on Military Affairs have reported favorably such a proposition. There are numerous bills pending on the subject, all pointing in the same direction of having compulsory military training as a fixed policy of the United States. As one who supported the war from beginning to end, as one who voted every dollar the Nation needed and supported every law that would bring early success to our armies, I want to make it perfectly clear that I am not in favor of compulsory military training, and I want to voice my protest against such a policy for myself, for my party, for my State, and my Nation.

I am not ready to agree that compulsory military training is either a necessary or a harmless thing, which does not mean militarism. I am as confident as I live that it is not only a forerunner of militarism but is militarism in fact. I am as confident as that day follows night that to allow this policy to become a settled policy of the United States is to convert the schoolhouse into an arsenal, is but to abandon the belief that the citizen and not the soldier should rule the State.

It was 50 years of German militarism and Prussian autocracy that emboldened Germany to try to first crush the world and then rule it.

It was German militarism that caused the German Kaiser to lead 1,600,000 of his followers into open graves on foreign soil for an unjust cause.

It was German militarism that caused France to lose 1,385,000 lives, and the blood of her sons to color the waters of every stream that washes her sunny slopes.

It was 50 years of German militarism that caused poor little Belgium, scarcely as large as a postage stamp, to sacrifice 102,000 of her sons to stem the tide of the German hordes as they crashed down through Belgium to invade France.

It was 50 years of German militarism that caused 26 nations of the earth to engage in the world's most terrible war.

It was 50 years of militarism that cost the lives of the 7,500,000 men who died on the field of battle, more lives than had been lost in all the wars of history.

It was militarism that planted 50,000 American boys under the lilies and poppies of France, who died that free government might live and that Prussianism might not abide; that caused 236,000 of America's bravest sons to be wounded, maimed, and disabled.

It was militarism that had been the boast of Germany for 50 years that caused 26 nations of the earth to expend $187,000,000,000—more than one-third of the wealth of the earth.

It was militarism that caused 20,000 girls to become nurses to bind up the Nation's wounds.

It was militarism that caused the taxpayers of the United States to pay $30,000,000,000 in taxes.

It was militarism that caused the mothers of the land—4,800,000 of them—throughout the long, still hours of the night, to sit by the windows knitting sweaters and socks, watching and waiting and praying that their boys might return.

It was militarism that caused the induction of 4,800,000 men into the American Army, Navy, and Marine Corps.

Yea, it was militarism that caused the German Kaiser to become an outcast, an exile, and who to-day sits behind brazen bars writing with feverish hand his own defense, sitting with cotton in his ears to drown the murmurings of an outraged nation for the havoc he has wrought.

I ask the Congress of the United States to ponder these facts and the fatal consequences that follow them before it commits this Nation to a system of militarism. Let those who insist upon militarism visit the Nation's hospitals and witness the wounded and maimed with arms, legs, and health gone. Let them witness our national cemeteries, where our American dead lie in abundance. May we not all together hope that the Congress and the American people may well ponder and well consider before they visit such a policy upon the Nation in times of peace?

I call to my aid in this protest the mothers of the land who gave these boys and ask them to voice their protest against this unnecessary thing. I call to my aid the memory of those who are gone that this may not be done. I call to my aid every American who loves her institutions and who is opposed to militarism and who believes more in construction than in destruction to enter his protest against the adoption of such a policy as a permanent, fixed American policy. It must not be. It shall not be. The people do not want it. It is un-American. It is the duty of the Congress to kill it and stop further agitation. [Applause.]

The CHAIRMAN. The gentleman yields back five minutes.

Mr. DAVIS of Minnesota. Mr. Chairman, I yield 25 minutes to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio is recognized for 25 minutes.

Mr. FESS. Mr. Chairman and members of the committee, some time during the year, due to letters that some of us received and observations that had been made by various educational associations, I became interested in the general school situation throughout the country as it has been affected by a loss of teachers, very largely drained by the demands of the war. I instituted at the beginning of last month a survey, writing to every State superintendent in the United States, also to a great number of principals of normal schools, also to quite a number of the superintendents of secondary schools.

I asked them three questions as leading questions: First, to give the number of vacancies that they were unable to fill because they could not find the teachers; second, the number of teachers that were employed this year that fell below the standard of efficiency heretofore established in their State; third, the general tone of the schoolroom, determined largely by the uprooting of everything by the war; and last, what remedies they would suggest, if there were any to be suggested. I have received answers from every State superintendent in the United States.

Before I enter upon this discussion, however, I feel that it is due the gentleman who delivered such a magnificent address on the philosophic phase of modern economic life that I should say a word of commendation of his effort. He did it with so much sound sense and with such tremendous force that I am

sorry not only that every Member of this Congress did not hear it but that it could not reach every nook and corner of this broad land. I think that the gentleman from Mississippi [Mr. SISSON] not only rose to the height of a splendid statesman this afternoon but that he has sounded a much-needed warning against cheap nostrums as remedies of problems that can not be solved in any other way than upon a common-sense basis. [Applause.] It is really a tonic now and then to have the opportunity of hearing an address of that order. [Applause.]

Now to the subject: I can not comment upon all the letters that I have received, but to give you a general viewpoint let me read a few typical letters from different sections of the country; for example, the letter from Connecticut will be a very typical letter for New England. The State superintendent of that State writes:

No schools in Connecticut are without teachers except as occasional vacancies occur.

We have no accurate figures, but the evidence indicates a very few schools taught by teachers below the fair standard of efficiency. For example, 72 per cent of the teachers are either normal or college graduates.

That is a very high standard of teachers and reflects great credit upon that State because of the high rank it gives to the work of education.

3. The most disturbing part of the outlook for the future is the enrollment in the normal schools. They have shrunk 50 per cent in about two years.

That is a very significant statement, because the source of supply of the teachers of the country is the normal school, and if the attendance in a State like Connecticut is reduced 50 per cent it indicates that the supply of teachers in the future will be less than it is to-day and must result in great danger.

The enrollment this year is slightly larger than last, and we feel that we have passed the worst.

The rapid and general salary increase, together with a very willing public mind, indicate better conditions to come.

Most of the things needed are coming, and we believe the others will.

I think that is about the best letter I have received from New England and much better than those from some other sections of the country. All of them from that section are of that type, however.

I have here the letter from Vermont, and I would like to have those who listened to the gentleman from Mississippi [Mr. SISSON] on the tax rate note this. The letter from Vermont says:

Our town meetings were held last Tuesday. At this time the people voted their taxes for the coming year. In many towns from which I have received reports the tax is 4 per cent of the assessed valuation and the assessed valuation in such towns is in excess of 80 per cent of the real value.

That is a splendid indication of the high estimate placed upon education by the State of Vermont and speaks well for her future. The letter is most interesting aside from the answers to my questions.

The State of Massachusetts has appointed a commission through the governor to make a survey of the school situation. I need not read further from this section of the country. The outlook in New England is not serious.

Now, passing from the New England section of the country to New York, what is said of that State could be said of Pennsylvania, New Jersey, Ohio, Indiana, Illinois, Michigan, and States along that line. Instead of reading from the New York report I will read from the report from Illinois, which is on the same line:

The number of schools without teachers in Illinois is not greater than during the years preceding the war. There has been a great deal of change in the teaching force during the school year—teachers resigning to take positions that paid better salaries or for some other reason. Their places, however, have always been filled so far as my information goes.

That is very good on the status of the present situation.

2. On the question of how many teachers of low grade of preparation are teaching, I submit a statement prepared for me by the secretary of the State examining board.

In that statement he says that the efficiency is keeping fairly up to the standard, although there are quite a number of schools that are being taught by teachers below the standard. He adds, "The outlook for the future is one of the most disquieting elements in the situation." I have the report, which is too long to read. He makes specific recommendations of what must be done by local, State, and National authorities.

The report from Indiana is along this line:

1. Number of schools in Indiana without teachers. This is somewhat difficult to answer because of the combined and the consolidating and the general shifting in school circles. I should judge, however, that we could use 500 teachers more without overdoing the matter.

As to the number of teachers below the standard of efficiency he says:

We probably have 300 teachers who have had or are having extreme difficulty in qualifying for teaching positions.

That would indicate that Indiana is calling upon quite a number who are not up to the average requirements of efficiency as heretofore required by the State.

In Ohio, the State with which I am more familiar than any other, we have greatly suffered, largely by a tax limitation. There is a marked lack of the high grade of efficiency heretofore established. The superintendent reports 1,300 to 1,400 temporary and emergency teachers, and the number of inefficient teachers is beyond that figure. In our State we felt the loss of the best teachers due to the low salaries, as well as the severe drain by the war, and most of the States, according to reports, have suffered in that way. A general and State-wide appeal was decided upon by which the governor of the State asked the entire educational system of Ohio recently to observe a teacher-recruiting week. They set apart the week as a teachers' week. Every pulpit was asked to cover the situation in the State with reference to education. The newspapers were asked to write editorials upon the same. Public addresses were delivered. Clubs and various organizations were enlisted in the effort to produce a proper sentiment. Quite a number of men were asked to submit statements of larger rewards than simply the financial reward. I wrote a statement myself indicating why people will go into school work for a lower salary than they will go into some other kind of work:

"It can never be known what portion of the world's work is done without compensation save that of the joy in doing it. Much of the uplift of the race has been thus carried on. All of the missionary work is on this basis. Frequently it is said the greater the sacrifice the more important the service.

"This gratuitous service was not because the same talent could not command compensation, but because of love of the work, which was more inviting than the compensation.

"Education has in days past been looked upon as an end in itself rather than a means to an end. A human soul was to be developed and disciplined because it was a human soul. Teaching quite naturally was looked upon not only as a joy in the consciousness of moral and intellectual growth, but as a duty rendered to both the individual and the State. The position of honor here was not unlike the honor in other countries to serve in legislative halls without compensation.

"This altruistic attribute in the teacher's life is the one supreme test of success. No teacher will ever be remembered from the size of salary commanded. On the other hand, it will be the power of molding the child both mentally and morally. The history of the Nation is but a comment upon this fact.

"This age must show a greater appreciation of the teacher's work by a better compensation, but the true teacher will never attempt to substitute a money value for the spiritual and social value of her work.

"The teacher's slogan has ever been, and should ever remain: The measure of life is not what one gets out of it—rather what one puts into it."

Mr. Chairman, there is one thing that we ought to observe, and that is we have to impress upon the teaching force that their work is rather a "cause to be served than a task to be done." That does not sound very attractive in these material days, but, after all, that is one of the determinants for the school work. We are now absorbed in making a living rather than making a life. The former is necessary, but not all comprehensive.

The State of Pennsylvania makes a very handsome report. I recall what our colleague [Mr. FOCHT] mentioned a while ago. The present records show, out of approximately 20,000 teaching positions reported on outside of Philadelphia and Pittsburgh, only 68 schools not filled. That is a wonderful record. This great Keystone State has more public spirit in her schools than any other State of which I know. Her annual county institutes are great public and educational mass meetings, and they draw the largest crowds of any meeting of the year, of whatever character. This State has for nearly 40 years felt the worth of the late Henry Houck, the Abraham Lincoln of the schoolmaster, and more recently the late Dr. Schaeffer, the educational philosopher.

Mr. FOCHT. The gentleman will recall the disappointment with regard to normal schools, that instead of supplying anything like 100 per cent, up until recently, anyhow during my term in the legislature, only 9 or 10 per cent were supplied from the normal schools, although the State supports them generously.

Mr. FESS. I do not know the percentage of teachers supplied by the more than dozen normal schools of the State. The report speaks of Philadelphia and Pittsburgh, stating that those cities have suffered some:

The number of classrooms manned by teachers with no professional training has, however, materially increased and is of course very much larger than it should be.

I can only read fugitive statements in the limited time I have. New Jersey reports no schools without teachers and only 300 teachers below the standard. The outlook is better than in many other States because the local boards are substantially raising salaries, which have increased 27 per cent.

The New York report says:

Notwithstanding the lowering of standards, there are many positions in cities that are not filled. It may be stated that the number of schools in the villages and rural communities that are closed is relatively small, as every effort has been made to find teachers for these positions, even though they did not meet the requirements as to professional training.

That would suggest a lowering of the efficiency, which is the general testimony.

The report from the State of New York is a very good one and shows that they are not slow in meeting the requirements by additional taxation.

The State of Michigan makes a splendid report also. There are less than 100 teachers below the prewar standard. Michigan salaries are expected to attract teachers from other States.

In the Middle West—for example, Kansas; we have a very fine report from that State. It says:

We likely have a number of teachers not up to the standard which we would like to have, but we have not in any way lowered our standard of efficiency for teachers. We hope to have all the teachers needed for the next school year. A number of our teachers, both men and women, who entered war work in some of the many forms—overseas, in home camps, or office work in Washington, D. C.—are now, many of them, returning to Kansas and are seeking for teaching places for next year. Therefore we do not fear a serious shortage for the coming school year.

That is a word of splendid promise.

In nearly all of the States we have reports that teachers who left for the service, which, of course, are among the very best, are slow to return. It is a suggestion that other lines of activities are more attractive than that for which the teacher had fitted himself. This is serious, if true, and I have no doubt about the truth of the statements so widely reported.

Mr. SNYDER. I should just like to say, in addition to the information given by the New York report, that it is obligatory on the municipalities in that State to accept the school budgets provided by the school commissioners and trustees of the various towns and cities in the State, so that there is no reason why teachers should not be had, if they are available.

Mr. FESS. I should say to my friend, having been interested in school work for a good many years, that I understand the State of New York has a very fine system of education, and as a rule has no lack of funds to carry it into efficacious service.

Mr. SNYDER. And we have compulsory attendance.

Mr. FESS. Most of the States in the Union now have compulsory attendance. We have similar reports from other States. From Nebraska, and a very good one from Iowa, which, by the way, has the lowest percentage of illiteracy of any State in the Union. From all the Northwest we have very good reports. In the report from Wisconsin, however, as in the case of all the States, it is said that the teachers must be paid more money. That remedy is stated generally in all the letters, although I have not read that portion for fear that Members would think we were putting this thing on a venal and mercenary plane. Members of Congress are apt to jump at the conclusion that we have written a lot of letters pressing Congress for more money. There was no thought of that in mind and no mention of that in any of my letters, but it is universally demanded in all the letters in reply. This is true, that if private industry will call the best we have at two or three times the salary, nobody can find fault with the teachers for leaving the schools.

Mr. HUDSPETH. Will the gentleman yield?

Mr. FESS. Certainly.

Mr. HUDSPETH. I agree with the gentleman that teachers should have a better salary and that we are losing our best teachers, but we can not relieve the situation; that will have to be done by the legislation of the States.

Mr. FESS. The gentleman from Texas has stated the matter exactly right. Most of the letters do not ask Congress to attempt any alleviation. It is fully realized that education is primarily a State matter.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. FESS. Willingly.

Mr. CLARK of Missouri. Is it not true that from the beginning of business in this country school-teaching has been used as simply a stepping stone to what is called the learned professions?

Mr. FESS. It has been in a large sense, but it ought not to be.

Mr. CLARK of Missouri. You will never put a stop to it until teachers are paid enough to induce the boy or the girl to go into teaching as a lifetime business.

Mr. FESS. I agree with the gentleman from Missouri. I, however, do not share the general criticism, and I do not think the ex-Speaker does, that a person who is going into some other profession ought not for a period to teach. I believe teaching really is a splendid training for almost anything one would do later on. More than that, the teacher who is going to do something else must have vigor enough to make a good teacher.

Mr. CLARK of Missouri. I agree with the gentleman about that, but we pay now more to policemen to crack people's heads than we do to teachers to form the minds of the children. [Laughter.]

Mr. FESS. That is true, and if I had more time I would like to comment on that remarkable statement of the gentleman from Missouri, because it is actually true.

Mr. HASTINGS. Will the gentleman yield?

Mr. FESS. I will yield to the gentleman from Oklahoma.

Mr. HASTINGS. The gentleman from Mississippi stated a little while ago that the minimum salary, including the bonus, of teachers in the District was $1,440.

Mr. FESS. It will be when the present proposal becomes effective.

Mr. HASTINGS. Is the gentleman who has investigated this matter able to give an opinion as to what is the average salary paid teachers in the various States?

Mr. FESS. I can startle the gentleman by saying that in 1916 the average salary was $630. It is a little beyond that figure now, but not much.

Mr. HASTINGS. What was the minimum salary?

Mr. FESS. I do not know, but it went below $300. Five years ago the minimum salary was $500 in the District of Columbia.

Mr. CLARK of Missouri. If it will not disturb the gentleman, I would like to ask him one other question.

Mr. FESS. It will not disturb me at all.

Mr. CLARK of Missouri. If the gentleman does not wish to answer, he need not. What do they keep up such a furor in this town about the school business for? [Laughter.]

Mr. FESS. I can not answer the gentleman. The present proposal is a fine recognition of the teachers' work, and should serve as a stimulus for all the Nation.

Mr. CLARK of Missouri. I remodeled it once, but now they are tearing the remodeling to pieces.

Mr. MILLER. Will the gentleman yield?

Mr. FESS. Yes.

Mr. MILLER. Is there not a well-defined encouragement all over the country to increase the pay of the school-teachers?

Mr. FESS. That is true. It has become a nation-wide movement, and in one direction.

Mr. MILLER. And that is one of the most wholesome things in the future.

Mr. FESS. Everywhere there is a tendency to increase the salaries, and they realize that the increase must come from the States and not from Congress.

Now, I will have time only to reflect the general statement from the various parts of the country and therefore I must pass over most of them. The Rocky Mountain States make a very good report, and matters are growing better, although they have suffered, and all state that salaries must be increased beyond what they now are.

The same is true of the States on the coast. I think the most appealing letters of all come from the South. Here is a letter from the State superintendent of the district of the gentleman who so edified us a moment ago with his address, the State of Mississippi:

We are short this year 500 white teachers in Mississippi and have in our schools a thousand others who ought not to be there. We have had to take these or let the children go without instruction. The outlook for the future is worse. Many of our best teachers are making arrangements to quit the work; we have succeeded in starving them out. More money is the fundamental need.

That is the shortest and the curtest letter, right to the point, that I have received.

Missouri makes a very good report. Future outlook depends upon attitude of local boards.

In New Mexico 5 per cent of schools are without teachers and 33⅓ per cent taught by teachers below former standard.

In Louisiana 100 white and 200 colored schools vacant, and from 500 to 800 below the former standard.

Virginia reports 500 schools without teachers.

Texas is in the midst of a popular campaign to correct the situation there.

Florida has 250 vacancies and 300 below standard.

Georgia reports 100 vacancies and 700 below the former standard.

A letter from Oklahoma says:

The number of teachers of a grade below efficiency is 30 per county, making 2,310 in all. The outlook next year is no better, except that the salaries in some instances will be increased, but the constitutional limits for raising the school fund have reached a majority of the districts.

We suffer from the same thing in Ohio, having a fixed maximum above which we can not go save by special vote of the locality.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. STEVENSON. The experience in South Carolina is the other way. In our constitution we place a minimum of 3 mills on all property for schools, and that has not stopped there. They have gone up until it runs anywhere from 6 to 10. The maximum is sometimes a little embarrassing to the taxpayer.

Mr. FESS. Mr. Chairman, I have a very fine letter from the State superintendent of South Carolina. I shall not read any more of the letters; they are all of the same tenor, except there is not the yearning plea for better assistance for the teachers in any of the States which goes beyond that made by Mississippi, but all of them indicate that the school need is very great.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. TILSON. Will the gentleman, before he leaves this portion of his address, say whether he has anything in regard to private schools, colleges, and so forth?

Mr. FESS. No; I have not. I did not enter into the study of any save those supported by public taxation.

Mr. TILSON. Is it not the gentleman's experience or observation that very much the same condition prevails in the great colleges and larger schools and that by endowment and other ways they are compelled to raise money to increase the salaries of their professors and instructors?

Mr. FESS. Oh, yes; that is true. All such have substantially increased salaries.

Mr. TILSON. And they are doing it?

Mr. FESS. The colleges get their money very largely through private contributions, outside of the State universities. Money is pretty plentiful and the colleges, as a rule, are not suffering for want of money.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. Mr. Chairman, has the gentleman from Minnesota any more time to yield me?

Mr. DAVIS of Minnesota. How much more time would the gentleman like?

Mr. FESS. I should like to have 10 minutes.

Mr. DAVIS of Minnesota. I yield the gentleman 10 minutes, with great pleasure.

Mr. FESS. I thank the gentleman. I want now to make some general statements of the situation, based upon the facts thus far submitted, and I would be very glad to have not only the attention but the sympathetic attention of the members of the committee, as I know every member will agree with what I am about to say as the result of this survey. I believe that the very genius of American success, which has won the admiration of the world, depends upon a higher grade of the general intelligence of all of our people. I am convinced that the public-school system is the very foundation of the hope and the aspirations of the Nation, and I have noted that under the stress of war, when we were calling the very highest talent in America from all sources of ability into war work, we were losing through that process the finest ability, the most progressive influence in the school work. They have gone out to help in the war. They have been paid war pay, which was very much beyond what they were receiving in the school work. They got a taste of a different kind of work, and I think it has had the influence of causing these people to say, "I have served a good part of my time in altruistic work in the schoolhouse, and now I am going to do something for myself and seek a different line of work." I find that many people went out of the schools, the very best we had, who will never come back into the profession. Next, we find that the level of cost has been so elevated under the stress of war that the cost of living has gone beyond the ability of the salaried man and the woman in the schools to maintain the standard required of them. Their expenses are made for them and not by them. A school man or woman must have a certain standard of outlay. They must regard certain amenities. They can not become slovenly. They must have a certain neatness in order to exert a proper influence. Their expenses, therefore, are not matters they can easily control. Yet, with the high-cost level, with salaries not going up and the purchasing power of the dollar going down, it has had exactly the same effect as if the board of education had cut their salaries in two. Then the increase of pay in other lines has beckoned these people to leave the school work. What is the result? One hundred thousand schools in America are without efficient teachers, according to the report made by the National Education Association only last month in the city of Cleveland. Besides that, trying to fill the schools, you must take what you can get, and rather than close the schools you will take less ability, and character less powerful, training less efficient, for the direction of the next generation, and, my good people, we are putting the very source of the greatness of this country into the hands of less efficient training than heretofore. It must be remembered that the childhood of America is the source of what America is to be, and we can not afford to neglect it. We must select the best talent in America to preside over the childhood while it is in the plastic condition where character is being formed. This can not be measured simply by how long a teacher went to college or what degree is worn, but everyone knows that the character of our children is made more often by the shadow that falls upon them from the teacher who presides than by any profession or grade of ability in rank that he might have. The way must be opened that the schools will invite the best we can produce. We must meet this difficulty in some way.

Here is another thing that we are suffering from that we never dreamed of. We started a campaign throughout this country to get better salaries for teachers. We called attention to the fact that the school work was not being appreciated, and that caused young people in schools ready to enter the normal schools and the colleges to look adversely upon the profession, because we published abroad the fact that salaries were not enough, and the very effort on the part of the country in a campaign to appreciate schools is one of the deterrents against entering the profession of teaching. There is another thing from which we are suffering. This war, uprooting everything, has lowered in a sense the general tone of the children in the schools, which is noted in the lack of esprit de corps, for no one can measure the influence of a wholesome teacher over the children. If the teacher is uneasy or dissatisfied, so will the school be unsettled. Another serious result is the lowering of the general regard for the teacher. The time was, and we are all aware of that fact, when the teacher in the community was the center of influence, and in many communities he was looked upon as the first citizen in the community. How is it to-day? The teacher to-day is looked upon too often, I am compelled to say, as an object of charity, to be apologized for. Why, it is said, "He is only a teacher."

Mr. Chairman, the public attitude toward this servant of the State, in charge of the very most important work in the State, must be corrected. It can not be if we treat the schools, the teachers, and the service as such that anyone can do the work and no great amount of salary is necessary.

There is no just reason for it, and we must right it. I hate to put anything like the teaching profession upon a salary basis, because a good teacher, aside from having what is necessary to live in comfort, is not going to spend his time thinking of his salary; but, my friends, you are compelled to make it high enough so that he knows that to-morrow he is not going to be turned out a beggar. [Applause.]

Mr. SNYDER. Will the gentleman yield?

Mr. FESS. I yield to my friend from New York.

Mr. SNYDER. Of course, I quite agree with what the gentleman says. A moment ago the gentleman said that a certain statement from the education department of the country stated that there were 100,000 schools without teachers?

Mr. FESS. Yes. That statement was recently made to the convention of teachers last month.

Mr. SNYDER. That did not mean there were 100,000 schools closed because of no teachers?

Mr. FESS. No.

Mr. SNYDER. But 100,000 schools were short of some teachers.

Mr. FESS. Dean Chambers, of the University of Pittsburgh, presented me the following statement last December:

A recent bulletin of the National Education Association states that of the 600,000 public-school teachers in the country this year, 300,000, or 50 per cent, have had no education beyond the eighth grade, and the same number have had no professional training whatever; 100,000 more have had less than two years' training beyond the elementary grades. One-half of all the boys and girls in the public schools of the country—10,000,000—are under teachers who have had no special preparation for teaching; 7,000,000 are taught by novices who are scarcely more than children themselves; 1,000,000 have teachers who have not gone beyond the eighth grade themselves.

Thousands of the schools of the country are unable to secure any teachers whatever or have teachers without adequate training, accepted to meet the emergency. The National Educa-

tion Association Bulletin estimates, on the basis of reports received from superintendents, that there are 38,000 schools closed this year on account of inability to find teachers, and that 65,000 other schools have been compelled to accept unsatisfactory teachers; that is, nearly 16 per cent of the teaching positions in our public schools are either vacant or unsatisfactorily filled.

The annual loss from the profession in the city of Pittsburgh is rapidly increasing. The number of new teachers necessary to replace the net loss from resignations and leaves of absence for each of the past four years was, respectively, 1916, 111; 1917, 161; 1918, 241; and 1919, 308. Or in terms of the total number of teachers in the city, these numbers represent annual net losses of 3.4 per cent, 5 per cent, 7.3 per cent, and 9.3 per cent. One teacher in every eleven, in the city of Pittsburgh was new in the system; three years ago only one in thirty was new.

How long can the city continue to replace its losses without depleting other communities of their remaining good teachers? The high-school principals, with but two exceptions, report that from one-fifth to one-third as many of their graduates as formerly are expressing their intention to teach, and in most cases these recruits are inferior to those formerly entering teaching and to those now going into other professions.

Not a single young man is reported as intending to teach in all the graduating classes of the city high schools last year.

This statement on the higher institutions is most significant. Some one here called attention to it, stating that the normal schools are decreasing while colleges and universities are very largely increasing. If you take the figures of this year, in your State universities for example, you will notice a very remarkable increase in attendance. This is due partly to the retarding of the war, which took the college boy, who upon his return entered the college or university, but not the normal school.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAVIS of Minnesota. I yield the gentleman three additional minutes.

Mr. FESS. That means that there is no letting down on advance training, but it means that the higher institutions of learning that are training other than teachers are increasing while those that are training teachers are decreasing. Now, can that mean anything? If the childhood of the Nation means anything for the next generation, we must not allow our schools to be depleted of the best men. That is why every letter speaks of the future. Some of them say it is dark, others say not bright, others say it is looking better. Let us all exalt the work of the teacher. It can not be overestimated. It was Sir Humphrey Davey, the great scientist, who saw a young fellow step into his laboratory one evening, and he hung around, and then the next evening he came again, and the next evening, and finally the great scientist asked why he was there, when he replied he was interested in some experiments. Sir Humphrey asked him to come in and become a regular attendant. That youngster in time became Sir Michael Farraday. Later, when Sir Humphrey was asked what was his greatest invention, what was his greatest discovery—and the shelves are full of the books of this scientist—he said, "My greatest discovery was Michael Farraday." [Applause.] As the ancient Greek once said, there is nothing great on earth but man, and nothing great in man but mind; so must we say our most important business in a Republic is to produce the mental and moral maximum of our people. The difference between one and another is not the weight of the body nor anything physical, but it is the use to which the mind is placed, especially if that mind has been trained. [Applause.] Now, my friends, I appeal to the lawmakers of the Nation here in Congress assembled, our Nation can not reach its maximum if we turn this pyramid upside down.

What do I mean? I mean that only a day or so ago we had a report, an official report, suggesting that the bricklayers are asking $1.25 an hour, $10 for an eight-hour day, $60 a week if we count six days to the week, $240 a month, and $2,880 a year. That is for a bricklayer. I am not saying he shall not get it, although it does appear to me that there must be a limit somewhere or else building will be retarded. But I want the teacher, who does the finest work for civilization that will be done, to have some sort of recognition as well as the person who does not need to train himself at great length to do his work. The bricklayer who is doing a fine piece of work must put brain back of it, and if the brain is back of it the training will be due to the teacher he had when he was young. No man or woman with an undeveloped brain will ever become a skilled worker. It is not only the ability that we need and will employ, but it is also the kind of moral influence which he will exert in his community as a bricklayer that you and I will be willing to pay for. I want brawn to have its recognition. I want also brain to have its recognition, and if the public exalts a hod carrier, who does not need an hour's training, in remuneration for his work above that of his teacher, where is the teacher who is not wholly actuated by altruism, who has spent four years in high school to get ready and four years in college to meet the requirements, who is going to take less than what the hod carrier can get? Gentlemen, we have got to meet this. [Applause.]

Look at the figures I here submit for New York. The figures given in the list are those midway between the highest and the lowest salaries received in that line of business, one-half the persons reporting receiving more than the salary named, one-half receiving less than the salary named:

1. Machinist	$1,945
2. Inside wireman	1,859
3. Lather	1,825
4. Plumber	1,716
5. Bricklayer	1,716
6. Blacksmith	1,697
7. Glazier	1,659
8. Machine tender (printing)	1,612
9. Structural-iron worker	1,602
10. Head baker	1,300
11. Carpenter	1,144
12. Hod carrier	1,144
13. High-school teacher	1,107
14. Intermediate-school teacher	889
15. Elementary-school teacher	807

On the basis of the figures given salaries of nearly 8,000 teachers in New York City are less than the wages paid to any of the foregoing occupations in the city of Chicago. It is worth, per year, $394 more to carry bricks than to train children, $363 more to mold dough for bread than to mold boys and girls into citizenship of the world's greatest Republic.

Mr. Chairman, in summing up I make the following recapitulation of my survey and ask your candid consideration of the same:

1. A lack of teachers to supply the needs of teaching.
2. Pronounced lowering of the standards of efficiency to supply the vacancies caused by resignations.
3. Alarming falling off of attendance in normal schools, which are our chief supply for teachers.
4. Striking lowering of the school tone.

From the various reports we note that the war demands drained the profession of its most able, progressive, and ambitious teachers. Since the war many of these have chosen not to return.

The country's effort to secure more teachers in a wide campaign has emphasized the fact of loss to the profession and has further discouraged entry into the profession of less desire than others. This is shown by a falling off in attendance in the normal schools of the United States 25 per cent and in the membership of graduating classes 34 per cent. This is further emphasized by an increase of college and university attendance looking to entrance of professions other than teaching.

A mental examination to test the entrants in normal schools the present year shows a distinctive inferior grade as compared with former years. This test was made in Pennsylvania.

The profession is fast becoming feminine. For years the number of male teachers has been steadily decreasing. The war has almost completed the male elimination. Men of virility and ability are shunning the profession.

The emphasis of the past generation upon the material side of life has largely materialized, if not venalized, the profession to the extent that the profession has suffered both from a lowering of the standard of patriotic service in its personnel and also from a degrading of the profession in the public mind.

The former great regard for the school-teacher in the community, who made not only the chiefest character builder, as the prophet of a better day, but the leading if not the first citizen of the community, has given way to a mere apology as only a mere teacher, to be looked upon as little less than charity if not an object of pity and apology. This is shown in the small appreciation of the teacher's work in placing the salary below that of a hod carrier.

A comparison of wages will show an alarming failure to appreciate the mission of the teacher. The failure to meet the demands for high-grade talent to educate the youth in proper ideals can but produce bad results. How can ideals of a genuine Americanism be expected when the youth is presided over by anything less than the very best type of manhood or womanhood? The source of the world's greatest suffering is ignorance. The trail of humanity's tragedies is identified with ignorant superstition led by the agitator whose chief field of operation is the uneducated mass. The real cure of these evils is a proper education. This can not be done by theorists who know nothing of practical matters. The difficulty in the past is the ignorance of practical affairs of the average professor, who is apt to become the butt end of ridicule in his community.

Proper education will cure nine-tenths of all the isms from which the world is now being threatened. Lack of education does not only retard progress but feeds upon the anarchistic conditions prevalent in Russia and rapidly spreading throughout the world.

A proper understanding of fundamental principles, grounded in our youth at the proper age, is demanded for the perpetuity of our institutions under which the people may continue to live in peace and harmony. Democratic government must depend upon an intelligent electorate determined in the public schools of the country, and so well established that it can not be misled by dangerous leadership too often found among us and the result of an improper education in our higher institutions of learning. The country must set about in an intense system of education to embrace every agency of training, especially in our school system, to insure against un-American doctrines. These problems of Government can not be cured by law but by education. It is not a matter of restraint but of attitude of mind. Both great political parties must take a decisive stand to place education upon that basis which will enable it to become the chief agency for the security of the perpetuity of our Nation and the things for which it stands. The one supreme demand is to exalt the profession and make it inviting to the strongest talent of the country. This demand must lift the profession above the rank of charity. We must keep the pyramid of American ambition right side up. Brawn is important, but brain is more important. The exaltation of brawn above brain is inverting the pyramid.

Mr. DAVIS of Minnesota. Mr. Chairman, I yield 25 minutes to the gentleman from Washington [Mr. MILLER]. [Applause.]

Mr. HICKEY. Mr. Chairman, I make the point of order that there is no quorum present. The gentleman has a very important subject to discuss in which a great many are interested.

The CHAIRMAN. Evidently there is no quorum present, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Eagle	Johnson, Miss.	Phelan
Anthony	Echols	Johnson, S. Dak.	Porter
Bacharach	Edmonds	Johnson, Wash.	Rainey, J. W.
Baer	Ellsworth	Johnston, N. Y.	Reber
Bankhead	Esch	Kahn	Reed, N. Y.
Barbour	Ferris	Kelley, Mich.	Riordan
Barkley	Fields	Kelly, Pa.	Rose
Benson	Flood	Kendall	Rouse
Boies	Frear	Kennedy, Iowa	Rowan
Booher	French	Kennedy, R. I.	Rowe
Brinson	Fuller, Mass.	Kincheloe	Sabath
Brumbaugh	Gandy, S. Dak.	Kreider	Sanders, N. Y.
Burke	Garrett	Langley	Schall
Butler	Glynn	Layton	Scully
Byrnes, S. C.	Goldfogle	Lesher	Sims
Caldwell	Goodall	Lufkin	Sinnott
Carew	Gould	McAndrews	Small
Carter	Graham, Pa.	McArthur	Smith, Idaho
Casey	Greene, Vt.	McCulloch	Smith, Ill.
Christopherson	Griffin	McFadden	Smith, N. Y.
Clark, Fla.	Hamill	McKenzie	Snell
Cleary	Hamilton	McKinley	Steele
Collier	Hardy, Tex.	McLane	Stephens, Miss.
Copley	Harrison	MacGregor	Sullivan
Costello	Hays	Maher	Taylor, Colo.
Crago	Heflin	Mason	Thomas
Cramton	Hersey	Merritt	Timberlake
Crowther	Hersman	Minahan, N. J.	Tinkham
Curry, Calif.	Hoey	Moon	Towner
Dallinger	Holland	Moore, Va.	Vare
Davey	Huddleston	Morin	Watkins
Denison	Hulings	Neely	Welty
Dent	Hull, Iowa	Nicholls, S. C.	Williams
Dewalt	Husted	Nichols, Mich.	Winslow
Dooling	Hutchinson	Olney	Wood, Ind.
Doremus	James	Padgett.	
Drane	Jefferis	Paige	
Dunn	Johnson, Ky.	Parker	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 13266, the District of Columbia appropriation bill, finding itself without a quorum, he had caused the roll to be called, when 282 Members, a quorum, had answered to their names, and that he presented therewith the names of the absentees for insertion in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

The committee resumed its session.

The CHAIRMAN. The gentleman from Washington [Mr. MILLER] is recognized for 25 minutes.

Mr. MILLER. Mr. Chairman and gentlemen of the committee, within the time allowed me by the courtesy of my colleagues I shall endeavor to give a few of the elements of the Meuse-Argonne campaign, the greatest campaign in which American troops were ever engaged, and which opened 18 months ago to-day at the hour of 2.30 o'clock a. m., Paris time.

To break through the Hindenburg line and those supporting it, to smash and grind its way through the strongest fortified positions on the western front, and to cut a railway line 54 kilometers to the north of the stabilized enemy line was the task appointed and accepted by the American Army. It was done in 47 days of constant battle, and the story of how it was done and who did it is the story of the Meuse-Argonne campaign.

It was from every point of view overwhelmingly the greatest in magnitude, the most daring, and the most effective in immediate results of any campaign in which American troops were ever engaged. The successful finish brought the great World War to a close at once.

SITUATION AND CONCEPTION.

The operation which the Allies were then engaged in was in its nature a gigantic converging or "closing-in" campaign.

The western front in July, 1918, was in outline a huge irregular three-quarter circle, bellying to the west, it having spread and expanded as one successful drive of the enemy followed another. This three-quarter irregular circle commenced at the southeast point of the frontier of Holland and then followed that frontier to the North Sea, thence the bulging crescent to the west, thence creeping back eastward to the north of Verdun. The open quarter extended from this latter point northeast to the nearest point on the Holland boundary. In this connection the master strategy was to close the open section—to close the neck of the bottle.

OBJECTIVE OF AMERICAN FORCES.

Through this open one-quarter circle and running out through the German lines from Lille in northern France, through Mezieres, Sedan, Longwy, Carignan, to Metz and the extreme south of the front was the greatest strategic system of railway perhaps ever known in history and certainly the most effective upon which a war was ever based. This railroad was a four-track system from Lille to Longwy and double track from the last-named city south to the important industrial cities in Alsace.

Branch lines and feeders to and from the east were hooked up in a most ingenious and effective manner, making of the whole a network or system by which not only supplies of all kinds could be delivered at the most advantageous points but great volumes of troops could be brought in, evacuated, or swiftly shifted from one point to another. This remarkable system of railroad was the almost life artery of the German Army.

It became evident that in a successful converging campaign it would be necessary for the enemy to evacuate large numbers of troops over this line in order to avoid the congestion incident to such a campaign.

About this time it became known to the Allied Chief Command that in the event the enemy could not hold its front in the face of a united converging offensive it was the plan of their high command to evacuate its lines in France as orderly as possible, shift its troops to the east over this railroad, and form a new line of defense farther east on German soil, from which the war could be carried on during the year 1919. That this was the intention of the Germans is borne out by Gen. Ludendorff's subsequent writings. The Allied Command had rightly prejudged the situation.

Thus it was that this system of railway which had been the great feeder of troops and supplies into France was now to become the great feeder out—the only means of escape.

To cut this railroad formed an immediate part, by far the most immediate important part, of the general united offensive. If the railroad line could be cut before any considerable number of troops were evacuated a complete and appalling disaster would befall the German armies. It would bring either surrender or destruction. It was up to the American forces to cut this railway, and to do it at the most sensitive and vital point—at Sedan or immediately east of it, Sedan preferably.

THE PLAN.

At a meeting of the allied commanders held late in July it was agreed that the first American operation should be the reduction of the St. Mihiel salient. A successful operation in this sector would clear up the transportation of troops and supplies from Paris to Nancy, hook up Verdun with the main transportation systems, strengthen everything from Verdun to the south, and from an offensive point of view throw the great fortress of Metz and its circle of forts directly open to attack. It would also open up an inviting campaign to be directed against the great mining district of Briey, out of which all Germany was being supplied with iron. By this latter campaign the same north and south railway system would be cut, but the cutting here would not be vital. It was further agreed that the St. Mihiel sector should be reduced as quickly as troops could be assembled. This was accomplished, and the salient completely reduced by the Americans on September 12 and 13.

In the meantime, during the month of August, great advances were made on the French and British fronts, the former coming in from the west and southwest, and the latter from the west and northwest. The enemy being driven in from all directions was falling back toward Sedan, the point of evacuation. It must be borne in mind that the St. Mihiel offensive was a part of the comprehensive united allied advance, a major operation preliminary to another major operation soon to follow.

Early in September, in view of this continued success of the Allies, it was definitely decided that immediately after the conclusion of the St. Mihiel operation the American forces, or all that could be spared, should be switched to the northwest of Verdun, and that the Americans should take over from the French the front from the west bank of the Meuse River westward to the western rim of the Argonne Forest, a distance of some 35 kilometers.

To crush in this front meant the taking of many of the strongest fortified enemy positions in France. It also meant the conquest of the Argonne Forest, an almost impenetrable thicket of trees and undergrowth, covering a broken, eroded, rocky tract of land varying from 3 to 6 miles in width and about 10 miles in length, cut and crisscrossed by every conceivable kind of ravine, gully, and gorge. This forest extended in its longest measurement fairly north and south west of the valley of the Aire River. Preparations for these two major operations were made simultaneously, and several reserve divisions were withdrawn from the St. Mihiel operations and shifted to this new sector as soon as the reduction of the St. Mihiel sector became an assured success. Some 15 divisions were to assemble on the new front, and the major operation just being concluded was to be followed by this other with an interval of only 14 days. This in itself was unthinkable to the Germans. The concentration was swift. Seven divisions were brought from St. Mihiel, 3 from the south, 3 from the west with the French, and 2 from training centers, making 15 in all. This concentration was effected under cover of darkness and with the greatest secrecy. Two hundred thousand men were to assemble, with all the supplies necessary for an unlimited offensive. The date of this new offensive was set for September 26.

On the night of the 25th the French were withdrawn on this front, leaving but a screen. No army ever had a higher morale than the American. They were fresh from witnessing their successful results at St. Mihiel, where some 16,000 prisoners had been taken in two days. Gen. Pershing, in his final report, states that he chose the difficult Meuse-Argonne sector because, as he says, "in my opinion no other allied troops had the morale or the offensive spirit to overcome successfully the difficulties to be met in the Meuse-Argonne sector." [Applause.] I must say again and emphasize the fact that this front, from the Meuse River to the western rim of the Argonne Forest, was the most strongly fortified and at the same time the most sensitive front throughout the entire war zone. The five defense lines, the Hindenburg, Hagan-Stellung, Volker-Stellung, Kreimhilde-Stellung, and the Freya-Stellung, covered barely 20 kilometers—a solid wall or fortified line in which every device was in use known to make defensive positions more impregnable. It was against this wall of concrete, steel, wire, and machine guns that the American Army was to advance.

THE ASSIGNMENTS OF DIVISIONS.

For strategic purposes and to facilitate field operations the American Army was divided into three Army corps, Gen. John J. Pershing, commander in chief Expeditionary Forces, in personal command.

The First Corps: Maj. Gen. Hunter Liggett, corps commander, with New York City's Seventy-seventh Division, Maj. Gen. Robert Alexander commanding; Pennsylvania's Twenty-eighth, Maj. Gen. Charles H. Muir commanding; and Missouri-Kansas's Thirty-fifth, Maj. Gen. Peter E. Traub commanding, held the left of the front. Strength, 68,838. The division assignments, west to east in order, were the Seventy-seventh, Twenty-eighth, and Thirty-fifth.

The Fifth Corps: Maj. Gen. George H. Cameron, corps commander, with the Pacific coast's Ninety-first, Maj. Gen. William H. Johnson commanding; Ohio's Thirty-seventh, Maj. Gen. C. S. Farnworth commanding; and Virginia-Maryland's Seventy-ninth, Maj. Gen. Joseph C. Kuhn commanding, held the center of the line. Strength, 53,338. The division assignments, west to east in order, were the Ninety-first, Thirty-seventh, and Seventy-ninth.

The Third Corps, Maj. Gen. Robert L. Bullard, corps commander, with the Fourth Division Regulars, Maj. Gen. John L. Hines, commanding; Pennsylvania-West Virginia, Virginia's Eightieth, Maj. Gen. A. Cronkhite, commanding, and Illinois's Thirty-third, Maj. Gen. George Bell, jr., commanding, held the right of the line. Strength, 71,153. The division assignments west to east in order were the Fourth, Eightieth, and Thirty-third.

In all, 193,329 combat troops were in the initial advance, about 9,200 per mile, on a basis of a 21-mile, or 35 kilometer, front. Each corps had one additional division held as a reserve. Three other divisions were in the first concentration. The Artillery consisted of 2,775 cannon of all caliber, ranging from the French 75 mm. to the 9-inch howitzer, and one naval battalion of 14-inch mounts. There were 189 small tanks and 821 airplanes. One hundred and forty-two of these tanks and 604 of the airplanes were manned by Americans. These combined with the necessary supply service, ammunition trains, air service, engineers and pioneer units, hospital and general equipment constituted the concentration.

In our Expeditionary Force the following order was observed in numbering the divisions: One to 25, inclusive, were formed from the Regular Army; 26 to 50, inclusive, from the National Guard of the various States; and 51 and above from the National Army. By reference to these numbers we can immediately place the character of the troop used in any operation.

THE ADVANCE.

Early during the night of the 25th the French were withdrawn and the Americans went into line throughout the sector. At 2.30 a. m. on the morning of the 26th the artillery began, and 2,775 guns opened fire. There was no longer necessity for secrecy. Earth, air, and sky broke in a blaze. The very foundations groaned and trembled. These old forests, rocks, and crest had seen wars before, many before the day of the Yankee boy, but never a war like this when cavern and earth and sky was one gigantic battle field. On an average a cannon to every 50 feet worked this bedlam of confused and commingled thunderbolts. Such an opening of the gigantic duel had not been equaled in this or any other war. The men at the guns, some bareheaded and stripped to the waist, were insensible of everything but the wild confusion, others more composed working like pieces of well-oiled and perfectly adjusted machinery, the officers watching the finders that the range remain correct or with eyes peering through night glasses picking up the stress of this mad scene. The scream of the big shells overhead preceded the deeper thunder of the greater guns. The very earth was beaten into foam by the 300,000 rounds and over fired in the three hours—an average of over 100,000 shots an hour, or nearly 2,000 per minute. During these wild hours the doughboys, with muscles and nerves tuned to the surroundings, were awaiting the hour when they should move out into this hell of destruction to "mop up" what was left.

At the hour of 5.30 in the time-table the fieldpieces dropped into a rolling barrage and the doughboys were up and off, not in the wild and resistless charge of olden days amid the shouting of officers and the blowing of bugles, but slowly and cautiously as the panther hunts in the jungle. The romance and poetry of war are gone! Chivalry had no place in the Meuse-Argonne! In the open east of the forest the men took the open-field formation in which they had been especially trained. In the forest it was from tree to tree, a strange place for New York City's National Army, the boys from Broadway and the avenues and the East Side. On the east rim of the forest, dipping down into the trough of the Aire to its water flow, came Pennsylvania's old National Guard—the Twenty-eighth. Huge buttresses shunting out from the forest into this trough afforded enemy cover for every conceivable kind of fire, especially that of machine guns. But the boys of the "Iron Division" never waver; such is the law of their land. [Applause.] On their right and on the eastern slope of the same trough and on the eastern rim of the valley was the Thirty-fifth—the old National Guard from the Ozarks and the plains of Kansas. [Applause.] Soldiers every one of them, the equal of the best! These, too, caught the fire from the same places and from machine-gun nests in the immediate front. Such were the positions of the First Corps on the left of the line.

On its right came the Fifth Corps with the Pacific coast's Ninety-first National Army, the boys from "out there," six footers and born fighters. [Applause.] This division held the left of the center. Next came Ohio's Thirty-seventh, old National Guard, the boys from the great old Buckeye State, who never go any direction but ahead. [Applause.] This unit formed the center. Next on the right came Virginia-Maryland's Seventy-ninth National Army, the boys from the Old Dominion and the Chesapeake, fine men, good soldiers, fighters every one of them. [Applause.] These constituted the Fifth Corps or center.

The plan of advance called for these three divisions to drive the "spearhead" or wedge into the enemy positions. This undertaking speaks for itself. They must advance ahead of

the others and in doing so receive the pounding from the enemy guns, not only in their immediate front but the enfilading fire from the forest on the left and from the big guns on the heights of the Meuse on the far right. The units in the lead always receive a concentrated fire, for if the advances can be checked the whole line is stopped. According to the plan of the campaign, the French Fourth Army, operating in the sector immediately to the west of the forest, was to drive a similar wedge, though not so deep, to the west of the forest. Thus the two wedges, one to the west and the other to the east, would force the enemy in the forest to retreat approximately at the rate of the advancing wedges, else it would become isolated. The Twenty-eighth and Thirty-fifth formed what might be termed the western slant of the wedge. Behind these two wedges on either rim of the forest came the Seventy-seventh, driving through the center, hammering and beating its way, or in the language of the day "mopping up." This was the plan to conquer the Argonne, it being considered impregnable to a direct frontal attack.

On the right of the "wedge" divisions, and forming the right of the advancing front, came the Third Corps with the Fourth Division Regulars, who always "stay put," holding the right-flank position.

Next came the Pennsylvania-West Virginia Eightieth, National Army, the boys from the Blue Ridge, tall fellows, every one a dead shot; then the Thirty-third of Illinois, the cool, calculating, almost mathematical fighters, the National Guard of the old Prairie State. [Applause.] The two latter divisions on the west bank of the Meuse were to swing on nearly a quarter circle to the right in order to protect the right flank of the line. Such, in brief, were the plans matured for the advance as the calendar registered 2.30 o'clock on the morning of Thursday, September 26.

Odd it is to observe that in this battle line 3,000 miles from the home land and when America was starting in upon the greatest campaign in which her uniform was ever worn, Chicago and New York held the east and west of the line. [Applause.]

All went well. America's Army, untrained, undisciplined, and wild in German eyes, was to the test not only to work out and to write new pages of its own glorious history but to do so much in writing the history of the world in the awful autumn of the Christian year 1918. [Applause.]

The line started. The bulging front began to develop, steadily progress being made through the wrecked or partially wrecked defenses. The center of the thrust and the flank supporting divisions failed to keep liaison from the start owing to the unequal resistance and the difficult terrain. Two of these divisions were advancing over Dead Man's Hill and vicinity, where for nine months the French and German Armies rolled backward and forward with an almost tidelike regularity—an earthly waste of exploded mines and shell craters. The wonder is that they could go through it at all. The Boches were up and defending their lines even in this country, where the new cannonading simply worked over the old ruins. There was nothing new to destroy; it had all gone years before. The Twenty-eighth, Thirty-fifth, Ninety-first, Thirty-seventh, Seventy-ninth, and Fourth "busted in" the front. All made advances. The Twenty-eighth took the dominating hill 263 on the forest edge. The Eightieth and Thirty-third completed the swing to the right. The Thirty-third, dropping down from the bluff, crossed Forges Creek and the swampy bottom, captured 1,450 prisoners, seven 6-inch howitzers, and 22 fieldpieces, and then "dug in" on the banks of the Meuse, all before the Germans knew exactly what was happening. Salients were driven on either side of wooded knolls amid the raging fire of machine guns. These, one after another, were taken. Montfaucon, which dominated the entire country between the forest and the Meuse, and where the German Crown Prince had his headquarters during the awful assaults on Verdun in 1916, was taken by units of the Thirty-seventh and Seventy-ninth by noon of the second day. On the first day of the offensive the line was advanced at least 4 miles. By the end of the second day the enemy had thrown in six fresh divisions. The campaign was eating up men. The Americans fought on, and by the night of the 29th had effected a maximum penetration of 14 kilometers. Divisions in the bulging center were being raked by not only direct but cross fire. So desperate was the fighting, day and night, in darkness, rain, and fog, that the Thirty-seventh was relieved during the night of the 29th by Michigan-Wisconsin's Thirty-second, the old National Guard from the Wolverine and Badger States, who always fight like demons. Maj. Gen. W. G. Haan commanded this division. At the same time the Seventy-ninth was withdrawn and the Third Regulars, Gen. Beaumont Buck commanding, placed in the line. On the 30th the First Regulars, the "first in France," Maj. Gen. Charles P. Summerall commanding, relieved the Thirty-fifth. All the time the engineer and pioneer forces were working day and night. Roads were being laid out, constructed, and connected up for the Artillery, the supply service, ammunition trains, the hospital units, and the field service. Here is where the Motor Transport Corps "made good."

In this wild advance and amid obstacles which it seemed no human effort could overcome the flow of supplies was maintained and the Army thereby kept in motion. In despair the enemy brought new divisions from the Metz sector. They now thoroughly understood the American objective and they further understood for America to gain it meant the doom of the German armies. The net results of the advances up to October 1 were breaking through the Hindenburg line and the Hagan-Stellung, the first two lines of defense, and the capture of part of the third line, the Volker-Stellung. From the 1st to the 4th of the month the line was practically stationary, but heavy fighting was going on everywhere on the front, with the exception of the extreme right flank. The lull in the advance gave a much-needed opportunity for the engineer and pioneer troops to connect up the roadways. The soft soil rendered the advances of the Artillery one of the most difficult tasks of the campaign.

SECOND PHASE, OCTOBER 4 TO NOVEMBER 1.

On the night of the 3d the Ninety-first was withdrawn and the Thirty-second shifted to the new position. The Thirty-seventh and the Ninety-first were subsequently sent to Flanders to reinforce the Sixth French Army operating in that sector.

Early on the morning of the 4th the artillery opened fire on the second phase of the campaign by a heavy barrage. The doughboys were up and off again. Tremendous resistance was to meet the advance, as the enemy had brought in six more new divisions. The Badgers and Wolverines suffered tremendously on the 4th and 5th. They took the village of Gesnes, but had to give it up to avoid being isolated. On the 5th the Blue Ridgers took Ogons Woods by way of an evening surprise. On the morning of the 7th, amid a fog and rain, the Georgia-Alabama National Army, the Eighty-second, the "All American" brilliant and dashing boys, made an attack on the east line of the Argonne, supported by two brigades from the Twenty-eighth. Maj. Gen. George B. Duncan commanded this division. This move was made not only to take certain commanding positions held by the enemy but for the greater purpose of diverting attention from the activities soon to break out east of the Meuse, where several divisions released from the St. Mihiel had been concentrated to strengthen the Seventeenth French Corps.

All the time from September 26 the New York boys had been biting and gnawing away at the Argonne. It was on October 2 that Maj. Whittlesey, with the First Battalion of the Three hundred and eighth Infantry, together with parts of the Three hundred and sixth and Three hundred and seventh Machine Gun Companies, became cut off and surrounded. He and his command were rescued on the 7th by this terrific thrust of the Eighty-second, assisted by the First Regulars.

The Kriemhilde line had been broken farther to the east, but in the center it was still holding strong. In this situation it was determined to make an assault on Romagne, the key to the line in front of the center, by detouring around a system of hills which lay to the east of the village. The Rainbow Division, the Forty-second, famed as fighters from the beginning, Maj. Gen. Charles T. Menoher commanding, came up on the left of the Thirty-second, swung around, and came into action in an encircling movement in connection with the Thirty-second, but the Kriemhilde was not yet to be broken.

On the 8th instant, near Chatel Chihiry, occurred the famous exploit of Corpl. Alvin C. York, Company G, Three hundred and twenty-eighth Infantry. After three noncommissioned officers had been wounded, York assumed command, and, leading 7 men, charged an enemy machine-gun nest, capturing 132 prisoners, including 4 officers.

The terrific campaign was telling badly on the troops. Replacements must be had by the thousands. Two divisions of ours which were with the British were brought from that front and thrown in; also two from the French. There is a limit to the endurance of even the most willing troops, for flesh and blood has its bounds. The First Regulars began its famous blast of the "wedge" down the Aire Valley, which it did in the face of an awful fire, clearing the way for the Twenty-eighth advancing, with the Eighty-second following up, and "digging in" against the Kriemhilde line. The Thirty-second, together with the First and Eighty-second, kept up its hammering on Romagne. The "iron boys" from the Old Keystone State had been in this awful valley for two full weeks, but before retiring they crossed the river, and took Hill 244 as a parting salute. The "wedge" the First Division had now

driven down the valley brought that division into danger; it had to be widened; and that job was given to certain units of the Thirty-second. This task was to widen it on the right as the Eighty-second had on the left. They broke in by getting a toe hold on the heights of Dame Marie on the left; were driven back in the center; but in the right got in with both feet good and strong. Then came days of awful gruelling, which test the fiber, nerve, and blood of soldiers. The left units of the Thirty-second pried the lid off Romagne and stormed through the town. Good positions at the base of Hill 288 were captured by the Forty-second. Right here the Thirty-second came swinging around in a sort of flanking movement, made the toe hold on Dame Marie sure by driving the enemy clear off the heights. Meanwhile the Forty-second was on its way getting up Hill 288; it took and then stormed on to Cote de Chatillion, which also fell. Thus Kriemhilde was broken, cut in its strongest point. This breaking of Kriemhilde was a splendid piece of teamwork, in which honors were divided between the Thirty-second, Eighty-second, Forty-second, and the Third Regulars, which latter took the stress off the Thirty-second. Similar mauling and "busting in" was going on with the Fourth Regulars in Freya-Stellung, supporting line of Kriemhilde. The American Army now was master of the situation. All five of the enemy's lines of steel, concrete, and wire were now down and out—down and out forever. The Eightieth came back into line and relieved the First Regulars, and in the wee small hours on the morning of the 10th instant certain units entered the village of Cunel and brought back two full battalion staffs as prisoners. The Eightieth had done good work in its four days, when it was relieved by the Fifth Regulars, the "Wild Fifth," Maj. Gen. John E. McMahon commanding.

It was now the 14th of the month, and the Argonne was cleared of the enemy, a feat which echoed and reechoed not only along the front from the Meuse to the North Sea but throughout the world. The Kriemhilde taken and the Argonne cleared rang even to the inner walls of Berlin. [Applause.]

Before this, however, affairs broke out east of the Meuse. The French Seventeenth Corps, increased by the Twenty-ninth Division, Maryland-Virginia National Guard, Maj. Gen. Charles G. Morton commanding, had been holding the great right flank of the battle line, now broke out by driving a smashing blow on the German pivot east of the Meuse. Units taking part were the Twenty-ninth American Division and the Eighteenth and Twenty-sixth French Colonials. The blow was struck across the German main front, and was a big success. Its suddenness, force, and desperation fairly took the breath of the enemy. This was on October 8, and by the evening of the 9th the enemy had been driven back 4 miles, allowing the Thirty-third to cross the Meuse at Connevoye. The building of the bridge at this point, 162 feet long and in 18 feet of water in a tremendous current, amid an appalling gunfire, will always remain one of the strongest achievements of the Engineers. A counterattack was beaten off by the Twenty-ninth and Thirty-third Divisions. On the 16th the Seventeenth French Colonials and certain units of the American Twenty-ninth were relieved by the New England boys, the famous Twenty-sixth, Maj. Gen. Clarence R. Edwards commanding, and from thence to the Seventy-ninth, the Twenty-ninth, Twenty-sixth, and Thirty-third Divisions, together with the Eighteenth and Twenty-sixth French Colonials, kept up a steady, irresistible advance east of the Meuse. It was too late for the enemy to get more of its reserves from Metz. Consternation reigned throughout the German Army.

By October 12 the American front covered approximately 75 miles, extending from the west rim of the Argonne Forest northeast around Verdun and to the south through the old St. Mihiel sector. A million men were under the personal command of Gen. Pershing. Good generalship called for a segregation of this force. Accordingly the Second Army was organized to take over the front east of the Moselle and on to the south, with Maj. Gen. Robert L. Bullard placed in command. Maj. Gen. George H. Cameron was also assigned to the new Second Army and Maj. Gen. Charles P. Summerall appointed to the command of the Fifth Corps, First Army. Maj. Gen. John L. Hines succeeded Bullard in command of the Third Corps, while Maj. Gen. Mark L. Hersey succeeded Hines as commander of the Fourth Division, and Brig. Gen. F. E. Bamford succeeded Summerall as commander of the First Division.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HICKS. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to speak for 15 minutes more, the time not to be taken out of the time allowed for general debate.

The CHAIRMAN. The Chair will state that that can not be done in the committee, the time having been fixed by the House.

Mr. DAVIS of Minnesota. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has nine minutes remaining.

Mr. BUCHANAN. I yield five minutes to the gentleman from Washington.

Mr. DAVIS of Minnesota. And I yield nine minutes to the gentleman.

The CHAIRMAN. The gentleman from Washington is recognized for 14 minutes.

Mr. MILLER. I thank the gentlemen.

Maj. Gen. Hunter Liggett was assigned to the command of the First Army and Maj. Gen. James A. Dickman was given command of the First Corps. Gen. Bullard was directed to begin preparing for the advance of the Second Army against Metz and the Briey. Affairs were moving with marvelous regularity and system. The French on the west-southwest and the British on the west-northwest were likewise making wonderful gains. The enemy everywhere was being driven in, riveted down, and smothered. The world thought it could scent the forced withdrawal of the German forces from France before the snow should cover the ground. [Applause.]

The hammering continued, the First and Fifth Divisions were relieved by the Forty-second and Eightieth, and an attack all along the entire front was made on the 14th instant, which completed the "busting," as before stated. An advance of 17 kilometers out of the precious 54 necessary to cut the railway at Sedan had been made since September 26. The American Army was in high spirits, though pressed to the utmost of its physical endurance. More willing troops never held a field of battle. Artillery once sent into line was not withdrawn until it was ready for the scrap pile. The supply service had done its part well and good; the Engineers the same; the ammunition came in amounts necessary; the Pioneers on the spot in a jump, while the Medical Corps, in an exertion which seemed almost superhuman, met every requirement in the tremendous duties of these awful days.

On October 24 Maj. Gen. Clarence R. Edwards was relieved of the command of the Twenty-sixth Division and was succeeded by Brig. Gen. Frank E. Bamford; by this transfer a vacancy was caused in the command of the First Division, and Brig. Gen. Frank E. Parker was appointed to fill the same.

By the end of October an advance of 21 kilometers or nearly 12 miles had been made, 18,600 prisoners, 370 cannon, and over 1,000 machine guns were trophies of war.

The strain upon the American Army was tremendous, but with the enemy it was consternation if not panic. The Boche had been unable to stop this very flood of khaki from sweeping through, over, and under her most formidable defenses. She could also see her indispensable railway line seriously menaced, for she could see herself "bottled up" in Sedan as she herself had "bottled up" the French in the selfsame historic city in 1870. [Applause.]

THE THIRD AND LAST PHASE—NOVEMBER 1–11.

At 3.30 o'clock on the morning of November 1 the beauty of a moonlit frosty night was dashed out by the bursting of another volcano of fire—the signal of a general advance. For two hours the flashes of guns of all calibers blinded the stars as they had been silently looking down on the vain, mad acts of men. The army was now entering upon its final lap—one which if made in time would break the military power of Germany and bring the World War to an end in 1918.

Little did you and I here in Congress, with all of our thoughts centered on the war, reading the daily—hourly—bulletins realize that the hands of the clock as they ticked and turned pointed unerringly to the fact that the end was near. We had planned strong and well and patiently for at least another long, anxious year. But "over there" the boys knew that victory was only 9 miles away, and as the sailor man says "Dead ahead and on." The doughboy answered the opening call and was up and off once more. Buzancy occupying a key position was the objective close at hand. She sat upon an eminence commanding the entire country, and was thus the last and most formidable remaining stronghold in the pathway to Sedan. It had become familiar talk of the sages "that he who takes Buzancy takes Sedan." Barricourt, with its dominating crest, was another point that had to be reckoned with. To whip in and turn the woods north of Grandpre, and thus effect a junction with the Fourth Army of the French, finished the program. The Bourgogne lay to the north of the Argonne, and in the effectiveness of its defenses was second only to the Argonne. It is separated from it by the narrow valley of the Aire River, which here turns directly to the west.

The Army was now on the "whale back," on the great divide, the top of the world, so to speak, as far as the world by it could be seen and be known. It was a down-hill run from the "whale back" to the end of the race.

The disposition of the corps on the front was the same as at the beginning. The extreme left, Maj. Gen. James E. Dickman, corps commander, commanding the Eightieth, Seventy-seventh, and New York-New Jersey-Pennsylvania boys, the Seventy-eighth National Army, Maj. Gen. John H. McRae, division commander.

The Fifth or center, Maj. Gen. Charles P. Summerall, corps commander, with the Eighty-ninth, the Missouri-Kansas National Army boys, Maj. Gen. William M. Wright commanding, and the Second Regulars, Maj. Gen. John A. Lejune commanding.

The Third Corps on the extreme right, Maj. Gen. John L. Hines, corps commander, with the Fifth Regulars, Maj. Gen. Hanson E. Ely, and the Ninetieth National Army—the tall, superb Texas-Oklahoma boys, with Maj. Gen. Henry T. Allen in command.

The forest fell before this advance. They took every crest, every den, every rock behind which a machine gun could hide and fire. From the first it was almost a dash. If there is such a thing as an Army steeplechase, we have it in the last 10 days of this campaign. The Forty-second relieved the Seventy-eighth in the Fifth Corps and the First took over the place of the Eightieth. The Thirty-second relieved the Fifteenth French Colonials east of the Meuse and the pell-mell continued. Every day, every hour, with the soil that passed under their feet, brought the boys nearer to victory and to home. All the divisions, save those on the extreme left, began well-defined curves toward the east, where lay the Meuse River. The Fifth Division made the river, crossed it, and plunged into the fleeing hosts a distance of nearly 7 miles. The Ninetieth hit the river to the north of the Fifth; the Eightieth still farther north; then the Second, First, and Seventy-seventh to the northward in order. The Seventy-seventh struck the river at Brazillis on the hilltop, where the outskirts of Sedan could be seen in the distance.

THE END.

The German armies were fairly "dissolving" before the onrushing Yanks. Peasants, wild-eyed, stood by the roadsides, dancing with joy, or stupefied into silence as the steady stream of fleet-footed Americans swept the country as far as the eye could reach. [Applause.]

The thunder of the greater guns to the southeast, to the west, and to the southwest told these poor people that the world was coming back to its good old form, and that in the coming the Yanks were there. [Applause.] The Twenty-sixth, those New England boys; the Seventy-ninth; the Ninetieth; the Eighty-first, the Tennessee-Carolina boys, those tall, nervous fellows; the Thirty-second, Thirty-third, and the Fifth Regulars were by that time all east of the Meuse River, swinging the iron bands which soon were to close upon what was left of Bavaria's, of Saxony's, and of Pomerania's armies.

The great white ghost of defeat was stalking the Brandenburg gate at Berlin by day and haunting the Imperial Palace of the "all highest" by night. Like the doomed criminal, this man knew the gallows was completed. This man who had attempted to strangle the world and rob it of its freedom, like all his evil brethren, hoping against hope, lipped out the supplicating prayer of the lost. [Applause.]

It was useless for the Army to go farther, for the white flag, set up by German hands, was flying over Sedan. [Applause.]

The eleventh hour of the eleventh day of the eleventh month had come, the house of Hohenzollern fell, and all Germany, military and civil, went down in a crash.

The Forty-second had kept going, and now was looking down on Sedan, a scene never to be forgotten! A living landscape of green fields, villages, the river, and beyond lay the goal, the Mecca of all this awful struggle. There lay the railway, winding its way eastward between the hills, the four-ply cable tow which bound the north, the south, and the east of the enemy land to its now shattered and crumpled west.

The order came for the Forty-second to halt. To the French poilus should be given the honor of entering the historic city of Sedan. To the French, who had sacrificed her best of blood, her smoothest of limb, and her truest of heart, should fall the grave but welcome privilege of carrying her own flag to the citadel of her once powerful but now beaten and broken enemy.

Sedan day! Oh the irony of time—Sedan day, for 48 years a national holiday on the land of the Rhine, was now to become on this the 11th day of November, 1918, the day of the world's rejoicing. [Applause.]

May it always so remain.

Such is the fate which leads ambition over into the chasm of time. Such is the wreckage which cruel peoples become. It ought to be a warning to nations until the end of time. [Applause.]

The joy, if such there be in war, is in the victory—the triumph of the cause. One thousand five hundred square kilometers of territory, including 150 villages, were liberated by the Americans; 26,000 prisoners, some war weary and worn, some dazed, stupefied, others supercilious—all shades and kinds, a motley crew—were gathered in from day to day. Nearly a thousand cannons of every kind and over 3,000 machine guns, together with vast quantities of stores, fell into the hands of the victors. Twenty-two American divisions, aggregating 632,000 men, and 4 French divisions, aggregating 138,000, had met and overcome 46 of the enemy divisions, aggregating 610,000 men—a quarter of the entire German armies in the field—and they had the advantage of fighting from positions not only naturally strong but strengthened by every device known to military science, and stabilized for over four years. The American soldier and the American officer had won their spurs in winning the victory which won the war. He will wear them with full honor before the world forever. [Applause.]

But now I turn to the saddest part, the corollary of victory as it is of all war. The bells of eternity in the 47 days had tolled out the lives of over 20,000 of our countrymen, the young, the virile, and the brave. One hundred and seventeen thousand fell wounded.

May those who fell lie buried on the field of their honor and glory, there to remain until the Great Comforter shall sound His call of the resurrection and the life; the embodiment of that precious promise that if a man die he shall live again. [Loud applause, the Members rising.]

Mr. BUCHANAN. Mr. Chairman, I yield 10 minutes to my colleague [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, should the committee's action with regard to the taxing feature of the present bill be attacked on the floor of the House when the bill is read under the five-minute rule, I shall then assist in defending the committee's action, although I am not a member of the committee. I sincerely hope that their action in doing away with the old half-and-half taxation provision which has been in force so long in the District will be upheld.

I do not care to take up further time of the committee, as it is late. Therefore I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back nine minutes.

Mr. DAVIS of Minnesota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, had come to no resolution thereon.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 316. Joint resolution relating to supervision of the Lincoln Memorial.

LEAVE OF ABSENCE.

Mr. LAYTON, by unanimous consent, was granted leave of absence, indefinitely, on account of illness in his family.

EXTENSION OF REMARKS.

Mr. UPSHAW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the subject of the Washington schools that I have just spoken on.

The SPEAKER. The gentleman from Georgia asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned until to-morrow, Saturday, March 27, 1920, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RODENBERG, from the Committee on Flood Control, to which was referred the bill (S. 3263) to authorize the construction of flood control and improvement works in Minnesota River and Big Stone Lake between the States of Minnesota and South Dakota, reported the same without amendment, accompanied by a report (No. 770), which said bill and report were referred to the House Calendar.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (S. J. Res. 148) authorizing the Department of Commerce to participate in the National Marine Exposition to be held in New York in April, 1920, reported the same without amendment, accompanied by a report (No. 771), which said joint resolution and report were referred to the House Calendar.

Mr. PLATT, from the Committee on Banking and Currency, to which was referred the bill (H. R. 13138) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916, reported the same without amendment, accompanied by a report (No. 772), which said bill and report were referred to the House Calendar.

Mr. VESTAL, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (H. R. 13227) to authorize the coinage of a 50-cent piece in commemoration of the three hundredth anniversary of the landing of the Pilgrims, reported the same without amendment, accompanied by a report (No. 773), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KAHN: A bill (H. R. 13288) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919; to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 13289) authorizing the Secretary of War to deliver to the borough of Norwood, Pa., two captured cannon or fieldpieces and a suitable outfit of cannon balls; to the Committee on Military Affairs.

By Mr. EDMONDS: A bill (H. R. 13290) to amend section 4 of the act of June 29, 1906, as amended, relating to naturalization, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. WASON: A bill (H. R. 13291) for the purpose of improving the facilities and service of the Bureau of War Risk Insurance and of further amending and modifying the war-risk insurance act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. VOLSTEAD: A bill (H. R. 13292) to reimburse for expenditures incurred by officers, enlisted men, and members of the Nurse Corps of the Army for civilian medical services and hospital care while absent from duty; to the Committee on Military Affairs.

By Mr. FORDNEY (by request): A bill (H. R. 13293) to be known as the national soldiers' land-settlement, home-aid, vocational-training, and adjusted-compensation act, and to provide land-settlement aid or home aid or vocational training or adjusted compensation to those who have served in the military or naval forces of the United States during the war between the United States and the Central Powers between April 6, 1917, and November 11, 1918, and have been honorably separated or discharged therefrom or placed in the Regular Army Reserve or are still in the military or naval service, and to provide land-settlement aid for citizens of the United States who served in the Army or Navy of the Allies in the war against the Central Powers between August 4, 1914, and November 11, 1918, and who have received an honorable discharge or its equivalent; to the Committee on Ways and Means.

By Mr. MOTT: A bill (H. R. 13294) to amend an act to reduce tariff duties and to provide revenue for the Government, and for other purposes, approved October 3, 1913; to the Committee on Ways and Means.

By Mr. EMERSON: A bill (H. R. 13295) to acquire a site and erect a post-office building at East Cleveland, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13296) to acquire a site and erect a post-office building at Lakewood, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. HUTCHINSON: Memorial of the General Assembly of the State of New Jersey, requesting the enactment of legislation providing for the retirement of employees in the classified civil service; to the Committee on Reform in the Civil Service.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 13297) granting an increase of pension to Christian H. Schoepfle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13298) for the relief of Josephus C. McColley; to the Committee on Claims.

By Mr. BURROUGHS: A bill (H. R. 13299) granting a pension to Margaret T. Rust; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 13300) granting an increase of pension to Charles B. Griffin; to the Committee on Invalid Pensions.

By Mr. DARROW: A bill (H. R. 13301) granting a pension to William H. Kinsley; to the Committee on Pensions.

By Mr. EDMONDS: A bill (H. R. 13302) granting an increase of pension to Nellie Josephine Merriman; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 13303) for the relief of James Cahoon; to the Committee on War Claims.

Also, a bill (H. R. 13304) granting an increase of pension to Adam A. Worthington; to the Committee on Invalid Pensions.

By Mr. HAYS: A bill (H. R. 13305) granting an increase of pension to James J. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13306) granting an increase of pension to Thomas Hereld; to the Committee on Invalid Pensions.

By Mr. KIESS: A bill (H. R. 13307) for the relief of Leonore M. Sorsby; to the Committee on Foreign Affairs.

By Mr. KRAUS: A bill (H. R. 13308) granting an increase of pension to Gertrude McCormick; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 13309) granting a pension to Millard L. Martindill; to the Committee on Pensions.

By Mr. IRELAND: Resolution (H. Res. 505) to pay six months' salary and funeral expenses of James Clark; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2585. By the SPEAKER (by request): Petition of members of the New Christian Church, of Portland, Oreg., urging the abolition of the Indian Bureau, etc.; to the Committee on Indian Affairs.

2586. By Mr. CULLEN: Petition of Building Trades Employers' Association of the City of New York, opposing the enactment of House bill 12320; to the Committee on Immigration and Naturalization.

2587. By Mr. ESCH: Petition of the supervisors of the States of Minnesota; Wisconsin, South Dakota, Montana, North Dakota, and Iowa, urging increase in salary; to the Committee on the Census.

2588. Also, petition of the Building Trades Employers' Association of the City of New York, opposing any bill to prohibit immigration for any length of time; to the Committee on Immigration and Naturalization.

2589. By Mr. FULLER of Illinois: Petition of the Leslie G. Woods Post, No. 217, of the American Legion, of Streator, Ill., favoring adjusted compensation for the ex-service men and women; to the Committee on Ways and Means.

2590. Also, petition of the Weber Department Stores Co., of Chicago, Ill., favoring the 1-cent drop postage, etc.; to the Committee on the Post Office and Post Roads.

2591. By Mr. GALLAGHER: Petition of postal employees of Chicago, Ill., urging an appropriation for the improvement of the post office at Chicago; to the Committee on the Post Office and Post Roads.

2592. Also, petition of Peter Reinberg, president of the board of commissioners of Cook County, Ill., urging an appropriation for the improvement of the post office at Chicago; to the Committee on the Post Office and Post Roads.

2593. By Mr. HAWLEY: Petition of G. W. Utzinger, of Astoria, Oreg., favoring the passage by Congress of the legisla-

tion proposed by the national legislative committee of the American Legion; to the Committee on Ways and Means.

2594. By Mr. LINTHICUM: Petition of the Mount Savage-Georges Creek Coal Co., of Frostburg, Md., urging the repeal of the Lever Act; to the Committee on Agriculture.

2595. Also, petition of Baltimore Federation of Labor, opposing the reduction in the appropriation for the Department of Labor; to the Committee on Appropriations.

2596. Also, petition of Export and Import Board of Trade of Baltimore, Md., favoring the passage of House bill 13015; to the Committee on Ways and Means.

2597. Also, petition of Edward A. Griffith, of Baltimore, Md., protesting against certain features of Army reorganization bill; to the Committee on Military Affairs.

2598. Also, petition of Standard Electric & Elevator Co. (Inc.), of Baltimore, Md., opposing the passage of the metric bill; to the Committee on Coinage, Weights, and Measures.

2599. Also, petition of Standard Electric & Elevator Co., of Baltimore, Md., favoring the passage of House bill 11984; to the Committee on Patents.

2600. Also, petition of International Bedding Co., the Baltimore Mutual Fire Insurance Co., and S. Halle Sons (Inc.), all of Baltimore, Md., favoring 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

2601. Also, petition of William M. Roberts, of Bowie, Md., and Samuel Marican, of Baltimore, Md., favoring the passage of the Jacoway bill, House bill 11729; to the Committee on Ways and Means.

2602. Also, petition of M. S. Hecht, of Baltimore, Md., favoring the resolution declaring the war at an end; to the Committee on Foreign Affairs.

2603. By Mr. O'CONNELL: Petition of Building Trades Employers' Association of the City of New York, opposing the passage of House bill 12320; to the Committee on Immigration and Naturalization.

2604. By Mr. RAKER: Petition of Building Trades Employers' Association of the City of New York, protesting against any further restriction of immigration and protesting against the passage of House bill 12320; to the Committee on Immigration and Naturalization.

2605. Also, petition of Sussman Warmser & Co., of San Francisco, Calif., protesting against the passage of House bill 11876; to the Committee on Interstate and Foreign Commerce.

2606. By Mr. SANDERS of New York: Petition of 16 residents of Rochester, N. Y., favoring the passage of the Lehlbach retirement bill, House bill 3149; to the Committee on Reform in the Civil Service.

2607. By Mr. TAGUE: Petition of the Atlantic Works, of East Boston; the Holyoke Belting Co., of Holyoke, Mass.; the Boston Varnish Co., of Boston, Mass.; and the Master Painters and Decorators' Association of Somerville, Mass., urging the passage of House bill No. 11; to the Committee on the Post Office and Post Roads.

2608. Also, petition of Walworth Manufacturing Co., of Boston, Mass., opposing the passage of House bills 12379 and 12646; to the Committee on Banking and Currency.

2609. Also, petition of the Export Recorder, of Boston, Mass., regarding parcel post to Cuba; to the Committee on the Post Office and Post Roads.

2610. Also, petition of Thomas W. Emerson Co., dealers in grass, field, and garden seeds, of Boston, Mass., protesting against the passage of House bill 12950; to the Committee on Ways and Means.

2611. Also, petition of the Brown-Wales Co., of Boston, Mass., urging the passage of House bill No. 11; to the Committee on the Post Office and Post Roads.

2612. Also, petition of David E. Meeser, of Boston, Mass., urging the support of the resolution for declaring the end of the war; to the Committee on Foreign Affairs.

2613. Also, petition of the Walworth Manufacturing Co., of South Boston, opposing the House bills 12379 and 12646; to the Committee on Banking and Currency.

2614. Also, petition of J. W. Barber Advertising Agency, of Boston, Mass., opposing the passage of House bill 12976; to the Committee on Ways and Means.

2615. By Mr. WEBSTER: Petition of E. S. Murray and numerous other citizens of Omak, Wash., and vicinity, protesting against compulsory military training; to the Committee on Military Affairs.

2616. By Mr. WINGO: Petition of W. P. Jones and other citizens of Winthrop, Ark., protesting against compulsory military training; to the Committee on Military Affairs.

2617. By Mr. YATES: Petition of Chicago Federation of Labor, urging an increase in salary for the Steamboat-Inspection Service; to the Committee on Appropriations.

SENATE.

SATURDAY, *March 27, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray Thee to make us profoundly sensible of those spiritual forces by which Thou art sifting the true from the false. Help us to give large, generous hospitality to every noble impulse that Thou dost inspire within our hearts, that all the forces of righteousness may enter into shaping our character, holding and erecting our personal life, guiding our steps in the paths of largest usefulness. We ask it for Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 27, 1920.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. CHARLES CURTIS, a Senator from the State of Kansas, to perform the duties of the Chair during my absence.

ALBERT B. CUMMINS,
President pro tempore.

Mr. CURTIS thereupon took the chair as Presiding Officer for the day.

The Reading Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. OVERMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendment of the Senate to the bill (H. R. 7656) to repeal the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, and to repeal all acts and parts of acts amendatory thereof, and to provide for the disposition of all property acquired under and by virtue of the same, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LANGLEY, Mr. ELLIOTT, and Mr. CLARK of Florida managers of the conference on the part of the House.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Presiding Officer:

S. 2085. An act relating to the maintenance of actions for death on the high seas and other navigable waters;

S. 3472. An act for the relief of the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J.; and

H. J. Res. 316. Joint resolution relating to supervision of the Lincoln Memorial.

EDWARD L. DOHENY.

Mr. PHELAN. Mr. President, yesterday during a speech the Senator from Idaho [Mr. BORAH], on the authority of the New York World, stated that Edward L. Doheny, of California, was one of the contributors to the fund for the campaign of Gen. Wood, and the Senator, not knowing whether the statement was true or not, saw fit to give it to the Senate upon the theory that it had been made several days before and had not been denied.

Mr. Doheny is a distinguished and honorable citizen of California, affiliated with the Democratic Party, and will be a delegate to the San Francisco convention, and he is naturally indignant at the reflections made by the Senator from Idaho, who should have sought verification of his suspicions by writing Mr. Doheny direct, as has been his custom in getting expressions from public men. The Senate should not be made a forum for misrepresentation, either intentional or accidental.

Mr. Doheny is very much concerned about the statement and desires to enter a denial; and I ask that the Secretary may read from the desk his telegram just received by me.

The PRESIDING OFFICER. Without objection, it will be read.

The Reading Clerk read as follows:

LOS ANGELES, CALIF., *March 27, 1920.*

Hon. JAMES D. PHELAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The article published in the New York World stating that I am a contributor to the Gen. Wood campaign fund is a falsehood made out of whole cloth. I have not made any such contribution. I have not been requested to make any contribution, either to the Gen. Wood fund or that of any other candidate, and I have not made any contribution to any such fund. Senator BORAH'S remarks about me

in this respect are hence unfounded, unwarranted, and without basis. Can you with propriety make a refutation of these slanders for me on the floor of the Senate?

Sincerely, yours, EDWARD L. DOHENY.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER. The Chair presents a petition signed by a large number of American citizens residing in Warsaw, Poland, praying for immediate action looking to relief for Poland. The petition will be referred to the Committee on Foreign Relations.

Mr. PHELAN presented a memorial of the Central Labor Council, of Petaluma, Calif., remonstrating against the proposed decrease in the appropriations for the Division of Conciliation, Department of Labor, which was referred to the Committee on Appropriations.

He also presented a resolution adopted by the Diocese of Los Angeles, Protestant Episcopal Church, of Los Angeles, Calif., offering its services in aiding to quiet the present social unrest, which was referred to the Committee on Education and Labor.

Mr. CAPPER presented memorials of Farmers' Union No. 1499, of Arkansas City; of Union Grange No. 807, Patrons of Husbandry, of Waverly; of Farmers' Union No. 1539, Patrons of Husbandry, of Freeport; of the Farmers' Cooperative Association, of Lost Springs; and of sundry citizens of Scottsville, Belleville, Corbin, Chardon, Lane, Monrovia, Humboldt, St. Paul, Dorrance, and Independence, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. JOHNSON of South Dakota presented petitions of the congregations of the First Congregational Church and the First Methodist Church and of sundry citizens, all of Sioux Falls, in the State of South Dakota, praying for the recognition by the United States of a republican form of government for Armenia, which were referred to the Committee on Foreign Relations.

BILL INTRODUCED.

Mr. TOWNSEND introduced a bill (S. 4137) for the relief of Leonore M. Sorsby, which was read twice by its title and, with accompanying papers, referred to the Committee on Foreign Relations.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to appropriate $250,000 for a submarine destroyer and aviation base at Port Angeles, Wash., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. DIAL submitted an amendment proposing to appropriate $800,000 for the purchase of such aeroplanes as may be necessary to establish, operate, and maintain an aeroplane mail service between New York City, N. Y., and Atlanta, Ga., etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

Mr. SPENCER submitted an amendment proposing that in the establishment, operation, and maintenance of an aeroplane mail service between New York and California other routes be established as may be more economical or efficient, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

POST-OFFICE APPROPRIATIONS.

The PRESIDING OFFICER (at 12 o'clock and 5 minutes p. m.). The morning business is closed.

Mr. TOWNSEND. I ask unanimous consent to call up House bill 11578, the Post Office appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11578) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes, which had been reported from the Committee on Post Offices and Post Roads with amendments.

Mr. TOWNSEND. I ask unanimous consent that the formal reading of the bill may be dispensed with, and that the bill may be read for action upon the amendments of the committee.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Reading Clerk proceeded to read the bill.

The first amendment of the Committee on Post Offices and Post Roads was, on page 4, line 15, after the word "appropriated," to strike out "and made available"; in line 16, after the word "Treasury," to strike out "of the United States"; and in line 17, after the word "appropriated" to insert "to be available immediately," so as to make the clause read:

For the purchase of that tract of land adjoining the Post Office Department Mail Equipment Shops Building in the city of Washington, D. C., on which the Post Office Department now holds an option, the sum of $25,700 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be available immediately.

The amendment was agreed to.

The reading of the bill was continued to line 22, on page 4.

Mr. TOWNSEND. The Committee on Post Offices and Post Roads agreed to an amendment here which was inadvertently omitted in the printing of the bill. I send the amendment to the desk and ask to have it inserted on page 4 at the end of line 22.

The PRESIDING OFFICER. The amendment will be read.

The Reading Clerk read as follows:

APPOINTMENT OF ACTING POSTMASTERS BY THE POSTMASTER GENERAL INSTEAD OF BY BONDING COMPANIES.

Provided, That whenever the office of a postmaster becomes vacant through death, resignation, or removal the Postmaster General shall designate some person to act as postmaster until a regular appointment can be made by the President, and the Postmaster General shall notify the Auditor for the Post Office Department of the change. The postmaster so appointed shall be responsible under his bond for the safekeeping of the public property of the post office and the performance of the duties thereof until a regular postmaster has been duly appointed and qualified and has taken possession of the office. Whenever vacancies occur from any cause, examinations of applicants to determine eligibles shall be held without delay, and the Postmaster General shall recommend to the President the appointment of the person entitled to same promptly upon being advised of the result of such examination.

Mr. TOWNSEND. The object of this provision is to allow the Postmaster General to appoint an acting postmaster in the case of a vacancy instead of leaving the appointment to the surety company. All parties are agreed that it is in the interest of expedition and efficiency, and I know of no objection to it.

Mr. SMOOT. I wish to ask the Senator if it is the intention under this provision where the Postmaster General appoints a postmaster for any post office that the new appointee will give bond and release the bondsmen of the postmaster who had resigned or whose office through death became vacant?

Mr. TOWNSEND. The old bondsmen are not released. The bond simply is transferred. Heretofore the surety company has made the appointment and it indemnifies the Government for losses which may arise out of the appointment of the new postmaster who takes charge of the office.

Mr. SMOOT. I wish to say to the Senator that there are a good many bondsmen who are outside of the surety companies. In fact, I understand that more than half the postmasters give individual bonds. If that is the case, I wonder whether the original bondsmen would be held responsible for any act of the new man appointed. In the past the practice has been that the bondsmen have named the man to fill the place, and they then were responsible until a new postmaster was appointed and a new bond obtained. Under this provision there is nothing to provide that there shall be a release of the old bondsmen upon the appointment of the new postmaster. I was wondering what would be the regular routine work in case a new appointment was made.

Mr. TOWNSEND. The department has informed me that the bondsmen still will be held, and that they will be responsible for any losses which may occur under the new postmaster up to the time when a permanent postmaster is appointed.

Mr. SMOOT. That would be a rather dangerous practice, I think.

Mr. TOWNSEND. I asked the representatives of the surety companies if they had any objection to this plan, and they said not at all. They have had difficulty sometimes themselves in selecting a man to act as postmaster. It has been the great difficulty to get the right party to act as postmaster in the interim.

Mr. SMOOT. I recognize that; and I recognize also that perhaps the surety companies would not object to the provision, because a surety company would immediately enter into an examination of the character of the man, and perhaps they would object to him and see that there was a new appointment made immediately. But suppose the Senator from Michigan and myself were upon the bond of a postmaster of one of the great cities. The bonds would be heavy, and we would go on the bond because of the fact that we had absolute confidence in the man who was appointed postmaster. If he should die, and the Postmaster General, upon his death, should appoint a man in whom we had no confidence whatever, in fact, one whom we believed to be a dishonest man, and who might not be fitted for the place in our judgment, under this provision we would be held responsible for whatever action that man might take until there was a regular postmaster appointed and a bond given for him.

Mr. TOWNSEND. I have some doubt as to whether we would be held responsible, unless we had been consulted and approved of it. If we entered into a contract in the form of a bond to indemnify the Government for the failure of some particular man to perform his duty and the man died, we would be responsible until the time of his death at least. If the Government puts somebody else in his place, as this amendment authorizes the Government to do, then, unless the bondsmen acquiesce in the arrangement that the surety shall be transferred to the new officer, I am quite confident myself that the bondsmen would not be held.

Mr. SMOOT. Would it not be safer, then, to include in the proposed amendment a provision something like this, that the Postmaster General is authorized to make the appointment subject to the approval of the bondsmen of the former postmaster?

Mr. TOWNSEND. I do not think it is necessary to do that, because the Government is not going to take any chances in putting a man into an office of trust without being indemnified by bondsmen, and this will be done without any question, in my judgment.

Mr. NELSON. Mr. President, does not the amendment contemplate that the new appointee is to give a bond?

Mr. SMOOT. It does not say so.

Mr. NELSON. I understood it to be that way from the reading.

Mr. SMOOT. No; the proposed amendment does not say so.

Mr. TOWNSEND. No; it does not say that the new man shall give a bond, except that under the general statute all postmasters shall give bond, and therefore every postmaster must give it when he is appointed. He will undoubtedly make arrangements with the old bondsmen, if he can, and the surety companies tell me that that will always be done, and the bondsmen themselves want to have it done. They say that no trouble will be experienced in that respect.

Mr. SMOOT. I do not think the trouble will come from the surety companies, wherever a postmaster gets his bond from a surety company, but I know the practice in my State is that individuals give the bonds, and they are accepted here by the Post Office Department, and I know that wherever there is a death those bondsmen take charge, and I know that they select a postmaster until the Postmaster General makes a regular appointment.

Mr. TOWNSEND. I think in some cases the bonds themselves provide that the surety shall give bond for the officer and his successors until a permanent successor is appointed. That whole question was gone over in the committee, and I do not think that the Government is taking any risk by this provision.

Mr. SMOOT. I simply felt that I ought to call the Senator's attention to it, because I can see that under the wording of the amendment some trouble might come to a bondsman. But I suppose that there may be rules and regulations adopted by the Post Office Department that will cover that situation. I should think, at least, that that is what the department would do.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 19 on page 12.

Mr. TOWNSEND. I desire to offer the amendment which I send to the desk, to appear on page 12, after line 19.

The PRESIDING OFFICER. The amendment proposed by the Senator from Michigan will be stated.

The READING CLERK. On page 12, after line 19, it is proposed to insert:

Provided further, That that part of the act of July 2, 1918, providing that there shall not be allowed for the use of any third-class post office for rent a sum in excess of $500 nor more than $100 for fuel and light in any one year is hereby repealed.

Mr. TOWNSEND. Mr. President, I will say to the Senate that the object of that amendment is to permit the Postmaster General at this time to increase in some cases the allowance of third-class post offices to an amount in excess of $500 for rent and $100 for fuel. It is absolutely essential that that should be done. Third-class post offices are having a great deal of trouble in maintaining their force and in meeting the expenses of the offices. Therefore the department has asked that the limitation which was adopted in 1918 be removed, so that more than $500 in one case or more than $100 in the other may be allowed.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from North Dakota?

Mr. TOWNSEND. I yield.

Mr. GRONNA. I merely rise to say that I am very glad the Senator from Michigan has offered the amendment. I have received a great many letters from my constituents stating that the allowance received by postmasters for the purposes indicated is absolutely inadequate. Of course, the Postmaster General is helpless to relieve the situation because of the existing law. I simply rise to say that I heartily approve of the amendment which has been proposed.

Mr. SMOOT. Mr. President, does not the Senator from Michigan think that there ought to be some limit as to this allowance? Would it not be better to increase the limit fixed by existing law rather than to throw the matter wide open and to allow the Postmaster General to pay whatever he may desire?

Mr. TOWNSEND. I have not discovered in all the experience I have had with the Post Office Department any disposition on its part to pay more than the post offices really require or more than the clerks should have by way of compensation.

Mr. SMOOT. I agree with the Senator from Michigan as to that.

Mr. TOWNSEND. Every disposition has been shown to take advantage of every technicality even to reduce the appropriations which have been made by Congress for specific purposes.

Mr. SMOOT. I agree with the Senator as to the position which has been taken by the present Postmaster General; he is watching every dollar of expenditure just as closely as anyone could; but if the limitation is entirely repealed, with no limitation remaining, as we can not tell who is going to be the next Postmaster General or what his policy will be, I think there ought to be a limit of some kind. That is the reason why I asked the question. If, however, the Senator from Michigan thinks that it is perfectly safe without a limit, well and good.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Ohio?

Mr. TOWNSEND. I yield.

Mr. POMERENE. If I may make a suggestion, I know that in many of the little villages and small towns in Ohio there has been a tremendous increase in population and the buildings have not proportionately increased, so that what might be a reasonable rental in one village would not be reasonable in another. So I do not think we should fix any hard-and-fast rule in this case, but that the matter should be left to the administration of the proper officials of the department.

Mr. TOWNSEND. Let me say in reply to the Senator from Ohio that if the suggestion of the Senator from Utah is adopted, and we should, for instance, fix a limit of $1,000 for rent and a limit of expenditure for fuel at $200, that would be quite likely to be construed as the minimum in each case. There are instances where post offices do not need very much more than they are getting, but in the majority of cases they need an additional sum, which, as the Senator from Ohio has suggested, varies very materially in different localities.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. TOWNSEND. I yield.

Mr. SMOOT. The Senator's amendment affects only third-class post offices?

Mr. TOWNSEND. Yes.

Mr. SMOOT. I desire to say to the Senator from Ohio that I had no idea of having a hard-and-fast rule, but I thought there ought to be a limit, just as there was fixed two years ago a limit of $500 in the matter of rentals. I think that $500 is too small an amount for rent, and I think that $100 is too small an amount for fuel; but if the limit is taken off then the power of the Postmaster General would be entirely unrestricted.

Mr. POMERENE. There are many more third-class post offices than there are either second or first-class post offices, and it seems to me there will be found very great difficulty in proper administration if a limitation is attempted to be placed upon this particular class of expenditures.

Mr. TOWNSEND. Mr. President, does the Senator from Utah suggest any figure that may be put in the amendment?

Mr. SMOOT. I thought the figures the Senator just named were about right, namely, double the amount now provided by existing law, so that the limit would be $1,000 for the rent of buildings and $200 for the item of fuel.

Mr. TOWNSEND. My only answer to the Senator is that that same point came up; I had it in mind as the Senator had it in mind and made that suggestion. The department would be perfectly willing to have any reasonable limitation fixed, but, as I have said, I have no fear of such a provision being abused, and I am inclined to think that if we are going to have in view economy of administration in the department we could not do better perhaps than to leave this matter with the Postmaster General.

Mr. SMOOT. Mr. President, I presume if it shall be abused the law can be amended.

Mr. TOWNSEND. It can be readily amended each year.

Mr. SMOOT. The only objection to that is that it takes Congress so long to find out when an abuse exists in any of the departments; but I will run the chance of that, I will say to the Senator.

Mr. TOWNSEND. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Michigan.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 4 on page 13, the last item being as follows:

For pay of substitutes for letter carriers absent with pay, and of auxiliary and temporary letter carriers at offices where city delivery is already established, including increases hereinafter provided, $9,000,000.

Mr. POMERENE. If I may have the attention of the chairman of the committee, I assume from some statement that was made here, I think by the Senator from Wyoming [Mr. WARREN], some time ago, that there will be a further provision for the payment of bonuses in addition to the compensation paid to carriers and to post-office clerks.

Mr. TOWNSEND. Mr. President, the Committee on Post Offices and Post Roads took the House bill as it was presented to them and adopted it, so far as it related to salaries. That bill includes the increase or special compensation which was granted by the regular Post Office appropriation act of last year, and also by the emergency bill, which was passed in November last. We include in this year's appropriation that additional compensation, so that the clerks will not only receive the basic salary as fixed by law, but will receive next year all of the additional compensation which was granted last year by the regular appropriation bill and by the emergency bill of November.

Mr. POMERENE. So that their actual compensation during the ensuing fiscal year will be the same as it is during the current fiscal year.

Mr. TOWNSEND. It will be the same as it is now.

Mr. SMOOT. With the exception of the annual raise that comes to all of the post-office clerks.

Mr. TOWNSEND. With the addition of the regular promotions that occur under the law.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wyoming?

Mr. POMERENE. I yield.

Mr. WARREN. Perhaps the Senator from Ohio has in mind a statement made by me in regard to the clerks taken over under the legislative, executive, and judicial appropriation bill, who were formerly employed in the Railroad Administration in connection with transporting the mails. Those particular employees will be put in the regular classes of department clerks, namely, 1, 2, 3, 4, and so forth, and will draw the regular salaries of their respective grades, and will receive the $240 bonus as employees of various departments do. It is my intention when that matter is reached, I will say to the chairman of the committee, to ask to have the amount here appropriated reduced by the amount that we shall pay in the other bills to those employees.

Mr. POMERENE. I was a little confused about this matter because the statement had been made in the public press that in the other House the bonus had been denied in one of the bills, and when that subject came up accidentally here in the Senate I asked some questions about it. I understood afterwards that the so-called bonus was going to be restored, and I was under the impression that it related to all of the departments.

Mr. TOWNSEND. That does not relate to the Post Office Department. We carry in this bill the special or additional appropriations for that purpose. I wish to say, if the Senator is through and will permit me, that the Committee on Post Offices and Post Roads is not satisfied that the postal employees are receiving adequate compensation, even with the additional compensation which was granted last year. We know that the department is to-day suffering because of the separation from the service of employees who are absolutely needed for the efficient conduct of the department. The last Congress, however, provided for a joint commission, consisting of five Senators and five Members of the House, and authorized that commission to investigate and report on the readjustment of postal salaries. Our late beloved and distinguished colleague, Senator Bankhead, was chairman of that commission. For some time he was sick, and finally, as you know, he passed away. The work of this commission was greater than was anticipated, and with the delays that were necessary a report could not be made in time for consideration in connection with this bill. Therefore your committee felt that it was unwise to attempt to increase salaries or to adjust salaries with our present information.

This commission is expected to report at as early a time as possible, and it is my opinion that it will then be absolutely necessary that the Congress shall take up the question of salaries in the Post Office Department. I had hoped that the bill which the Senator from South Dakota has been advocating, namely, the retirement bill, would become a law, or something similar to it. It would offer something of an inducement for people to remain in Federal employment. As it is now, the wages paid are not attractive to a vast number of postal employees, and they would not stay in the service longer were it not for the hope that there is going to be retirement and that when this commission reports there will be a readjustment of salaries.

Aside from the inadequacy of the salaries themselves there is the grossest discrimination in the Post Office Department as between employees. Some of the people who do the most responsible work, who carry the greatest responsibility and are of the greatest value to the department, are paid relatively less than some of the employees who carry very little responsibility, and we had hoped to get this report in time for this bill. I repeat, however, that it has not been received, and I fear it will not reach us at this session of Congress, if it shall adjourn by the 1st of June.

I will say, however, in order that it may be understood by the employees generally, that as soon as this report is in, if it demonstrates what I think it will demonstrate—namely, the inadequacy of salaries—I shall insist, as a member of the Post Office Committee, on taking up and adjusting the salary question, not only in the interest of the employees themselves, but in the interest of the Post Office Department, which I think to-day is suffering materially from the lack of proper compensation to its employees.

So I say to the Senator from Ohio that we have left the compension as it is now being currently paid, as it was provided for last year. We are continuing it for the coming year, or until such a time, at least, as the Congress can act and readjust the pay.

Mr. POMERENE. Mr. President, I am very decidedly of the opinion that all of these salaries should be increased; and if it is not done the service is going to suffer more in the future than it has during the last year or two. No man can have been in touch with conditions, particularly in industrial centers, without realizing that the patrons of the post office are not receiving the service they ought to receive; and it is not due to any desire not to give the proper service, but it is due to the fact that many of the most efficient employees are entering other lines of activity because they are better paid.

I have had a number of letters bearing upon this subject. Some of them I have not as yet had time even to read, because they have come in within the last day or two, but I have one letter before me, and this comes to me in answer to an inquiry which I sent out myself, and if there is any impropriety in this information being sent to me, I am responsible for it.

In the Youngstown (Ohio) post office they have had the following resignations during the last year:

Twenty-one regular clerks.
Eighteen temporary substitute clerks.
Fourteen regular carriers.
Forty-four temporary substitute carriers.
Four laborers.
Seven motor-vehicle employees.

Making a total of resignations in this one post office during the last year one 108.

The post office in Youngstown is paying, I believe, 60 cents an hour for temporary employees. This is a lower figure than is paid by private business concerns in the city of Youngstown. Common laborers there are paid at the rate of 75 cents per hour.

It is quite apparent that we can not get the right kind of ability and the right kind of activity in the public service if we are going to continue paying these men and women at the present rates; and I am a good deal disappointed that the committee has not been able to come to some conclusion as to what these increases should be and provide for them in this legislation.

The Senator has referred to the retirement bill. I, too, hope that some retirement bill will be passed; but whatever differences of opinion there may be upon that subject, it seems to me that all students must agree that the salaries should be fixed independently of any retirement system. The retirement system, of course, is going to relieve all of the departments so far as their superannuates are concerned. They will be provided for under either system which is now pending before the Senate.

if either one is adopted; and I hope that there will be some definite legislation upon that subject.

I think the same may be said of many of the post offices. For instance, take the postmasters themselves. The city of Youngstown, which 10 years ago had probably 70,000 population, now has nearly 200,000 population. The receipts of that office have grown by leaps and bounds. The compensation has not increased. The same may be said of the post office at Akron, where in 1910 they had a population of 69,000. The population now is over 200,000. The post office is so crowded that the men who are now employed can not perform the right kind of service; but that is a matter that we can not take care of in this bill. I was hoping that something might be done toward taking care particularly of the carriers and the clerks, and I trust it will be done. If it can not be done in this bill, I trust it will be done very soon.

Mr. McKELLAR. Mr. President, as a member of the commission which is at work upon this matter of readjusting the postal salaries, I think it proper for me to make this statement:

Our commission has taken a vast amount of testimony. It has held hearings all over the country. It has taken a great deal of testimony, which has been printed, and we have had experts go over it. We have heard every side and every phase of each question involved as to each class of offices, and we have made good progress, but we are not yet ready to report. I imagine it will probably be a month or six weeks before the commission can report its findings to the Senate and to the House. I believe that when a report is made the inequalities will be stricken out, adjustments will be made, and salaries will be raised, so that justice may be done the employees. There is no doubt from the testimony before us they are entitled to a substantial increase in salaries. I am heartily in favor of increasing them.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. McKELLAR. In just one moment.

I have noticed also a desire upon the part of all the members of the commission to be exactly fair and just toward the employees, and at the same time careful of the Government's interests in the matter; and I have no doubt that when the commission does report, it will be such a report as will be satisfactory, generally speaking, and will at once become the law.

I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, while not anticipating the final report of the commission, I assume, then, that it is at least tentatively the opinion of the Senator from Tennessee and the opinion of the other commissioners that there ought to be a very substantial increase in these salaries over and above the salaries which the employees are now receiving.

Mr. McKELLAR. I believe it is the consensus of opinion upon the part of the commission that there ought to be a substantial increase in salaries. I think I can say that it is going to be intelligently done, and I hope the Congress will at once ratify what we do.

Mr. POMERENE. I have no doubt of that.

Mr. McKELLAR. The information is there, and we have not contented ourselves with looking after it ourselves only, but we have gotten experts to give us the benefit of their advice, and to marshal our testimony, and to present the questions to us in such a way that it is my belief that if such a system of compensating our employees is adopted it will be to the best interest of the service and of the Government, and fair, likewise, to the employees of the Post Office Department. We hope to get the approval of Congress and of the country.

I regret very much that the commission has not been able to report before this time; but the job is a big one, far larger than we expected when we were appointed on this commission. I think, though, that it will be for the benefit of the service to have proper time taken, so that our report, when it comes in, will be effective and will be fair and just.

Mr. SMOOT. Mr. President, I think any Senator who has given any study to the payment to the employees of the Post Office Department will acknowledge that they are the poorest-paid employees of the Government, with the single exception of some of the old employees in the old departments of our Government.

Another thing about the employees of the Post Office Department is that they have no time to loaf. They work all the time that is required of them by the Government, and in many cases overtime without any compensation whatever. I want to say now that if some of these new bureaus that have been created since the war received the amount of work from their employees that the employees of the Post Office Department give the Government of the United States, one-half of all the employees in those new bureaus could be discharged, and the work would be done a great deal better.

I say that without a moment's hesitation, and I am hoping for the day to come when the employees of the Government will be paid for the work that they do. When that time comes the Government of the United States can pay all of its employees more than they are being paid to-day; and not only will it be better for the employees, but it will save hundreds of millions of dollars to the Treasury of the United States.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. SMOOT. I do.

Mr. McKELLAR. I will say to the Senator that it is the purpose of this commission to pay the men for the work they do, and to pay them what is fair and just for the work actually done.

Mr. SMOOT. And that ought to be done not only by the Government, but by every institution employing men, I do not care what the character of the work may be.

I had intended when I rose to speak upon another subject, but I do not believe I will take the time of the Senate now to do it. I can do it at some other time, when an appropriation bill is not before the Senate, and it will be just as appropriate as my remarks would be upon this bill.

Mr. POMERENE. Mr. President, while discussing this subject, I desire to call attention to another incongruity in these salaries, so far as the postmasters are concerned.

In the city of Akron the postmaster now gets a salary of $6,000. The city has a population of about 200,000. In the city of Youngstown the population is about 175,000 or, perhaps, 200,000. The postmaster gets only $3,800, and certainly he is underpaid, considering his responsibilities. The same is true at Canton. There is no postmaster in Ohio who draws any of the salaries provided between the Youngstown office and the Akron office. A first-class office, doing $40,000 of business a year, pays $3,000 in salary to the postmaster. The Youngstown office, doing about $400,000 business annually, pays only $3,800. The Youngstown postmastership and others of the same class, including Canton, are worth less to-day than they were 25 years ago. It seems to me that there ought to be a readjustment of these salaries all along the line, but that was not my purpose in rising in the first instance, because I felt that we ought to take care of the employees at the present time, and provide for this increase now.

Mr. McKELLAR, Mr. TOWNSEND, and Mr. STERLING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield; and if so, to whom?

Mr. POMERENE. I yield to the Senator from Tennessee.

Mr. McKELLAR. In making the statement I did a moment ago about the work of the commission I neglected to state that we are all very much in hopes that we can arrive at a conclusion and make a report in time for this Congress to enact the measure into a law before we adjourn.

Mr. KIRBY. Is it contemplated that the salaries of the third and fourth class postmasters shall be increased, or the central accounting postmasters of the different counties?

Mr. TOWNSEND. We make provision for increase for third and fourth class postmasters. We carry the same provision that we had in the emergency bill last year.

Mr. KIRBY. Temporarily?

Mr. TOWNSEND. Temporarily we carry that over. There has been no readjustment this year of the law governing the salaries of postmasters. Those are controlled entirely by the receipts of the office, and it is under the control of the Post Office Department as to what the salaries shall be. The third and fourth class postmasters will get the additional compensation which we granted them under the emergency appropriation last November.

Mr. KIRBY. But there is no recommendation in the commission's report for changing the law relative to the other classes of postmasters?

Mr. TOWNSEND. There is no rule which governs the commission in its report. It will report what it finds. It has complete authority to investigate the whole realm of postal salaries and postal duties, and the idea is that it will finally report to Congress what it finds and what it believes is proper as a readjustment of salaries.

What the Senator from Ohio [Mr. POMERENE] and others stated is true. For instance, we found in the city of New York a certain supervisory officer there who has some 600 people under his charge who gives his personal bond of $50,000 a year for the performance of his duty and who handles millions of dollars of public money every year. He gets a salary of $2,700

a year. Evidently the position should command twice that amount.

So we find existing everywhere throughout the service inadequate, unjust compensation, and I would to-day be here advocating the passage of a bill increasing the salaries of postal employees if I were confident as to how the increases should be made, and if it were not probable that we would simply perpetuate the injustices which already exist. I want to have them cured.

Mr. STERLING. Mr. President, as a member of the commission to which reference has been made, the commission for the adjustment of salaries and compensation of post-office employees, I want to say just a word. I quite agree with what the chairman of the committee and the Senator from Tennessee [Mr. McKELLAR] have stated in regard to the cause of the delay in the work and in the report of this commission. I might say, in addition, that I doubt if during the life of any important commission of Congress Senators have had more of other important duties to perform. Senators will realize the extraordinary amount of business and the importance of the business that has been before the Senate during almost the entire life of this commission; and this should be borne in mind, in addition to what has already been said about causes for delay.

But, Mr. President, my interest, in the first place, in the compensation of post-office employees was confined largely to the compensation of the rural and city carriers. I myself at one time furnished some statements that went into the RECORD showing how rural carriers were running behind year after year, and did not have enough out of their salaries to pay the expenses of maintaining their equipment and the necessary expenses of their families.

However, the work of this commission has opened my eyes to some other gross injustices in the matter of compensation. For example, in the city of New York, in hearing the testimony of carriers and postal clerks there, we found men who were unable to maintain themselves and their families without extra work outside, or the work performed by the wives of those men in keeping boarders or renting rooms; and this they were obliged to do in order that they might live. Many of them were running in debt, running behind year after year.

Mr. POMERENE. Mr. President——

Mr. STERLING. I yield to the Senator from Ohio.

Mr. POMERENE. If the Senator will permit me, when the bill was pending before the Senate providing for the payment of bonuses, I presented some data from Columbus carriers and clerks along the same line as that indicated by the Senator from South Dakota.

Mr. STERLING. Exactly.

Mr. POMERENE. There can not be any question on that point. I realize that we can not adjust all of these matters now; but, in view of what I am sure is the sentiment of the chairman of the committee, I have been hoping, so far as the carriers and clerks are concerned, that we might make some provision now for an increase so as to keep it within such proper limits as he might conceive them to be, and later have them modified, if its modification is necessary, when the report of the commission is presented. I think it would be an encouragement to these men to continue on in the service if we were to do that now.

Mr. STERLING. Mr. President, as a member of this commission I wish to say that I want to do everything I possibly can, as I believe every other member of the commission will do, to expedite the work of the commission and a final report to Congress.

Mr. GAY. Mr. President, I want to remind the Senator from South Dakota that the Postal Commission, of which I am a member, found that the same condition prevails in every other city in this country as that which he has stated prevails in New York, and the testimony will show that the postal employees receive less compensation than the employees in other branches of the Government service.

Mr. STERLING. Yes; I have no doubt but what the Senator speaks the exact truth in regard to that matter. I was able to visit but two cities, New York and Atlanta. I regretted very much that I could not visit more, but my work here was such just at that time that I could not get away.

Further, Mr. President, notwithstanding it all, there is one thing with which I have been impressed, and that is the morale and the spirit of faithful service and pride in their work shown by the men in the Postal Service. It has been wonderful, and I think that might well be a consideration when we come to fixing the compensation to which they are entitled.

The reading of the bill was resumed.

The next amendment was, under the subhead "Office of the Second Assistant Postmaster General," on page 14, line 20, after the word "otherwise," to insert "*Provided further*, That the Postmaster General may contract with any individual, firm, or corporation for an aeroplane mail service between such points as he may deem advisable and designate, in case such service is furnished at a cost not materially greater than the cost of the same service by rail, and shall pay therefor out of the appropriation for inland transportation by railroad routes," so as to make the clause read:

For inland transportation by railroad routes, including increases hereinafter provided, $60,000,000: *Provided*, That not to exceed $1,250,000 of this appropriation may be expended for pay of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That the Postmaster General may contract with any individual, firm, or corporation for an aeroplane mail service between such points as he may deem advisable and designate, in case such service is furnished at a cost not materially greater than the cost of the same service by rail, and shall pay therefor out of the appropriation for inland transportation by railroad routes.

Mr. JONES of Washington. Mr. President, I want to ask the chairman of the committee a question about this provision. Would it permit the Postmaster General to enter into a contract for carrying the mail, for instance, from Seattle to points in Alaska?

Mr. TOWNSEND. I think it would. Any fund for inland transportation could be used for this purpose.

Mr. JONES of Washington. I remember in the last bill, I think, there was an appropriation made for experimental airplane purposes, and the Senate put a provision in expressly authorizing that money to be used in Alaska as well as in this country. I do not find any provision of that sort in this bill.

Mr. TOWNSEND. No.

Mr. JONES of Washington. That is a specific route there. There is nothing in the bill anywhere for airplane experimental purposes?

Mr. TOWNSEND. Not on the part of the Government.

Mr. SMOOT. Mr. President, as I read the amendment I understand that it is to be paid out of the appropriation for inland transportation by railroad routes. In other words, it does not limit the route that may be taken by the airplane service, but it does provide that it shall be paid out of the appropriation for inland transportation by railroad routes.

Mr. JONES of Washington. And it is to be not materially greater than the cost of the same service by rail.

Mr. SMOOT. There must be some limitation.

Mr. JONES of Washington. Of course, there is no rail service between any point in this country and Alaska.

Mr. TOWNSEND. No; but——

Mr. JONES of Washington. The Senator thinks, however, that he could use some of this money for that purpose under this provision.

Mr. TOWNSEND. I have no doubt about it.

Mr. JONES of Washington. Did the committee think that it was inadvisable to make any provision for experimental purposes?

Mr. TOWNSEND. Yes; the committee did so think. That will come up when we get to the other provision, but if you prefer I will discuss it with you now. We are now considering the question as to whether we will authorize the Post Office Department to enter into contracts with individuals or corporations or concerns for carrying the mails instead of entering into a railroad contract for carrying them. The Government does not embark in the proposition under this paragraph; we have stricken out in the next provision but one.

Mr. JONES of Washington. That is a specific route there?

Mr. TOWNSEND. It is a specific route.

Mr. JONES of Washington. I understand that, but I wondered why the committee left out any provision for experimental purposes. For instance, take the situation with reference to Alaska. We do not know just what the expense would be, we do not know just what the difficulties might be in order to get a private party to make an experimental attempt to carry mail to Alaska. They might ask a sum of money that would be so much greater than the cost for similar transportation by mail that the Pastmaster General would feel that he did not have authority under this act to do it, although he might deem it desirable to do it as an experiment, to see what could be done. It seems to me that we ought to have something under which a service of that kind could be put into effect and to demonstrate whether or not it was practicable.

Mr. TOWNSEND. May I say to the Senator that we had some such provision in the bill last year, and the department did not feel that it was warranted in undertaking that experiment?

Mr. JONES of Washington. They probably used the money for other experimental purposes.

Mr. TOWNSEND. It used all the money appropriated for practically two routes and on those routes it made some very valuable demonstrations. We propose in this bill to appropriate $1,415,000 for an experimental airplane route between New York and San Francisco via Cleveland, Chicago, and Omaha.

Mr. JONES of Washington. That is not an experimental route.

Mr. TOWNSEND. It is practically an experimental route.

Mr. JONES of Washington. The appropriation is not expressed in that way.

Mr. TOWNSEND. No; but it is done for the purpose of meeting every possible condition of flight which is likely to be met in the United States. That route incurs high altitudes and low spots, long distances, and continued flight. It is done still along the line of experiments, because we have not demonstrated to a certainty that the airplane is just exactly what we want for carrying the mail. I shall discuss that later, but in answer to what the Senator has said, I will state that the committee did not feel, nor did the department ask, that the department *should* be given power to experiment with airships in carrying mail up in Alaska. There was nothing said about it, as far as that is concerned.

Mr. JONES of Washington. I want to suggest to the Senator that the route which is provided for will not demonstrate anything with reference to Alaskan conditions. There it has to be an overwater route; that is, it has to be done by aeroplanes that will land in the water. If there is any place where aeroplane service for mail carriage is needed, it is in that Territory. I do not mean up in the interior of the Territory, but I have in mind especially from Seattle up to the principal points in southeastern Alaska.

The situation now is that the mail for that country is carried by freight and under freight conditions. We can not pay enough to warrant a regular mail service, and so the people of that Territory are dependent upon the carriage of the mail under freight conditions. It is thrown down in the hold, it gets to the places when the freight gets there, it is taken out when all the other freight is taken out, and so on. Along the route provided for people are not delayed in their mail because of lack of facilities for carrying it. We have transcontinental lines running across the country carrying the mail between points, and while this air service may be a little more expeditious and furnish facilities for certain kinds of mail and be of benefit in that way, it is really not needed.

Of course, we want to get all of the up-to-date facilities we can, but there is a section of the country where more expeditious methods are really imperative. The mail ought not to be carried by freight, if it is at all reasonably practicable to get it carried in another way. So I was in hopes that there would be some provision made so that the department might have the experiment tried there. It may not be found to be practicable. It may be that fogs or some other weather conditions, and so on, would not make it practicable; but I have talked with people out there who have been engaged in the aeroplane business, and they think it is practicable. If a proper appropriation were made so that the Post Office Department could enter into a contract for a service that would be in the nature of an experiment, I think it would be wise that it should be done. However, I am not going to offer an amendment to that effect. I find a provision in the latter part of the bill under which I suppose, possibly, the matter could be considered and investigated. There provision is made for a commission to investigate various subjects, among them the aeroplane possibilities and aeroplane service, and the commission is required to submit recommendations to Congress. I have no doubt that commission will look into the situation. So I hope from them there may come a recommendation that will be a pretty safe guide for a committee in framing its next bill. I merely wished to call attention to the situation.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 15, after line 5, to insert:

> For the purchase of such aeroplanes as may be necessary to establish, operate, and maintain an aeroplane mail service between New York, N. Y., and San Francisco, Calif., via Chicago, Ill., and Omaha, Nebr.; for the operation and maintenance of such aeroplanes, including stations, equipment, tools, and machinery, and other necessary incidental expenses; and for such personnel as may be necessary therefor, $1,415,000.

Mr. GAY. Mr. President, I offer an amendment to the committee amendment which has just been read.

The PRESIDING OFFICER. The Senator from Louisiana offers an amendment, which will be stated.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Will the Senator wait until the amendment proposed by the Senator from Louisiana shall have been stated?

Mr. MOSES. Certainly.

The ASSISTANT SECRETARY. On page 15, line 9, it is proposed to strike out the words "Chicago, Illinois, and Omaha, Nebraska," and to insert in lieu thereof "Philadelphia, Washington, Atlanta, New Orleans, Houston, and Los Angeles."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana to the amendment of the committee.

Mr. TOWNSEND. Mr. President, I think it is important that the Senate should understand the real situation in reference to the aeroplane service which is carried in the pending Post Office appropriation bill. Last year this bill carried an appropriation of $850,000 for this service and the department established two routes.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from South Carolina?

Mr. TOWNSEND. I yield.

Mr. DIAL. Before the Senator proceeds with his discussion, I desire to say that I have an amendment which I should like to offer.

Mr. TOWNSEND. An amendment to the committee amendment has already been offered.

Mr. DIAL. I thought perhaps we might discuss the whole matter at one time.

Mr. TOWNSEND. I have no objection to the Senator having his amendment read.

The PRESIDING OFFICER. The Senator from South Carolina may have his amendment read for the information of the Senate, so that it may be discussed, but the amendment would be out of order at this time.

Mr. TOWNSEND. I have no objection to the amendment being read.

Mr. DIAL. I ask to have read the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the proposed amendment of the Senator from South Carolina.

The ASSISTANT SECRETARY. On page 15, after line 13, it is proposed to insert the following paragraph:

> For the purchase of such aeroplanes as may be necessary to establish, operate, and maintain an aeroplane mail service between Boston, Mass., and Atlanta, Ga.; for the operation and maintenance of such aeroplanes, including stations, equipment, tools and machinery, and other necessary incidental expenses, and for such personnel as may be necessary therefor, $800,000.

Mr. SPENCER. Mr. President, will the Senator from Michigan yield for a question?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. TOWNSEND. Yes.

Mr. SPENCER. Will the Senator from Michigan be good enough to tell me whether, in his judgment, there is any objection, instead of fixing a definite route by way of Omaha, Nebr., to inserting some general language after Omaha, Nebr., to this effect, for instance, "or by such other route as may be more economical or efficient"? In other words, what is in my mind, if I may say so to the Senator, is why should we definitely by legislation establish Omaha, Nebr., as the place through which this aeroplane route must travel when it might be desirable that the air service should run to St. Joseph, Mo., or to Des Moines, Iowa, or down as far as St. Louis, Mo.?

Mr. TOWNSEND. Mr. President, I will say to the Senator from Missouri that the reason Omaha is specified is because the existing route from New York to Cleveland and Chicago has one of its termini at Omaha. It is not yet operating there, but all arrangements have been made under the appropriations to continue the service to Omaha.

I started to say, Mr. President, that last year we appropriated $850,000 for this service, and the department established two routes, one between New York and Washington and the other between New York and Cleveland and Chicago on to Omaha. Those two routes have been operating, and I think a very commendable showing has been made by the department. It must not be forgotten, however, that this service is still experimental. I think no one assumes that it will ever be expanded so as to carry a large proportion of the mail of the country. It has, however, expedited certain classes of mail; it has made some demonstrations which are of the very greatest value to the United States, and to the world, so far as that is concerned. I have said on several occasions, and I now repeat, that I think more practical demonstrations of the use of the airplanes have been made by the Post Office Department during the nearly two

years it has been operating or experimenting along this line than have been made by all the other departments of our Government put together. It has been demonstrated that certain classes of mail can be carried by airplane with reasonable regularity.

I made a statement in my report that the Postmaster General called to my attention as being an error, namely, that the department itself had acknowledged that there was no longer practical use for this service between Chicago and Washington. The Postmaster General corrects me, and I find that he is right and I was mistaken about it. He stated that so far as the mail originating in New York and delivered at Washington is concerned, it was of no great value, but the New England mail that came to New York and was there transferred to airplanes was expedited to some extent in its delivery in Washington. Your committee, however, felt that it was not warranted in recommending five projects such as the Post Office Department estimated for; that all we could hope to accomplish and desired to accomplish could be brought about by the one route between New York and San Francisco. The department recommended that we continue the line from New York to Washington and extend it on to Atlanta, as, I think, is provided in one of the amendments which have been presented. It recommended that the Chicago line be extended on to San Francisco, as we have proposed; it recommended that a line be extended from St. Louis, Mo., by way of Chicago to the Twin Cities; it also recommended that a route be established between Pittsburgh and Kansas City, and another one between Detroit, by way of Toledo, and Cleveland.

Inasmuch as this service was still experimental, inasmuch as it was absolutely necessary that we should conserve the Treasury of the United States as much as possible, inasmuch as the route from New York to San Francisco would comprehend every possible condition which could be met in continental United States in the air service, inasmuch as it involved the erection of airdromes across the country from east to west, which could be used by the Army in flying north and south, the committee felt that by its recommendation it was serving three great purposes; first, a demonstration of the use of the airplane in the mail service; second, its use as a commercial facility; and, third, its benefit as an aid to the Army for our protection in time of war. By discontinuing the line from Chicago to Washington, thereby releasing the force of men now engaged in that service and releasing as well the airplanes employed in it, we thought that we could reduce the appropriation which the department asked for the transcontinental line by about $200,000 on account of the saving we would effect, and that we could well forego all of the more local enterprises, in which is involved pride of home interests, and establish a route that would really demonstrate the possibilities of the air service.

One of the routes recommended by the department was from Detroit, in my State, by way of Toledo, to Cleveland. Our people desired it. I would like to have it established, but I did not feel it was my duty or that, as a matter of right, I was called upon to ask for an appropriation for that route now, inasmuch as I had in mind what I think the whole committee had in mind, namely, a demonstration of the value of the airplane for carrying the mail and of its use in the commercial world.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Michigan yield to the Senator from Ohio?

Mr. TOWNSEND. I yield.

Mr. POMERENE. I desire to ask the Senator a question for information and not because I have any pronounced views on this subject, because I do not have. For a considerable time after the establishment of air mail routes we heard of many individuals who sent or received letters by the air mail service; a good many were glad to have their desire for novelty satisfied in that way. I have not heard, however, of very many people who are using the airplane routes for commercial or business purposes. What information can the Senator from Michigan give to the Senate bearing upon that subject? Is it likely that the airplane will be used commercially, and for what reasons? Of course, I can understand that it may expedite to some extent the delivery of mail, but to what extent I do not know.

Mr. TOWNSEND. Only to a very small extent. I think nobody contends that the airplane will finally carry all the mail or any great proportion of it; but there are certain classes of mail that can be very materially expedited when the service runs close to schedule, and they are doing pretty well along that line now, although there is some dispute in the record as to the conditions at Cleveland, where it is claimed locally there were more missed connections than were reported by the department. I am assuming that the department is approximately correct; that demonstration has been made that airplanes can run upon reasonable schedule time, and that they can cut short in certain instances the time that is now required to carry the mails by rail. For instance, certain mail can be expedited so as to make connection with railroad trains at distant points, and thus expedite the carriage, perhaps several hours, and sometimes as much as 12 or 14 hours, according to the distance which the airplanes travel.

I repeat, however, that it is to my mind a great deal more than a mail proposition. If it were not I would not be here advocating it. I believe that it is our duty as a country to demonstrate the possible uses of the airplane. I think we are making the demonstration in the Post Office Department, and I think that the route which the committee has selected will answer every purpose for such demonstration this year. Therefore I sincerely hope that neither of the amendments which have been proposed will be adopted. If we are going to extend this appropriation and inaugurate other air routes, why not take them all in? Why not take in all the routes that have been recommended? If we are going to try to satisfy local communities and local sentiment, let us provide for all; but let us not lose sight of the condition of the Treasury. We can afford to try out the experiment we propose and we can afford to do nothing more.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Ohio?

Mr. TOWNSEND. Certainly.

Mr. POMERENE. I will ask the Senator another question. The Senator from Washington [Mr. JONES] a few moments ago referred to the conditions in Alaska. If I interpret the remarks of the Senator from Michigan correctly, his belief is that the art of flying in the air is such that he is more interested in the airplane service of the Post Office Department on account of experimental purposes than for commercial purposes. I have some sympathy with him along that line; but, if we are more interested in the subject for experimental purposes, why would it not be better to establish air lines of communication with Alaska and outlying places, where we can perform a real service to the people who are living there, than to inaugurate the service along well-established routes of communication by rail and otherwise? Would not the benefit to the art of flying be just the same?

Mr. TOWNSEND. Mr. President, I do not think it would in that one particular. I think the experiment there would be desirable, but a different character of plane would be required on a route between Seattle, Wash., and Alaska. In such a service hydroplanes would have to be used, because the flying would be principally over the water. It may be that the Government will want to embark on that experiment; it may be that it will be able to take advantage of an opportunity to enter into a contract with some corporation to supply such service.

My attention has been called by the Senator from New Hampshire [Mr. MOSES] to the fact that the Senator from Indiana [Mr. NEW], who is not now present, is interested in this subject, and would like to be here when it is determined. The Senator has not said anything to me about that, although I have talked with him concerning the service, and supposed that we were in perfect accord regarding it. I am perfectly willing, however, that this matter shall go over until we have considered the other provisions of the bill, but I should not wish to be understood as implying that, if we could pass the bill to-day, I would consent to have it go over on account of the absence of the Senator from Indiana. I would hardly feel warranted in asking that the bill go over; but, in deference to the request of the Senator, I am going to ask that this amendment be now postponed until we dispose of the other provisions of the bill.

The PRESIDING OFFICER. Is there objection to the matter being passed over temporarily?

Mr. GAY. Mr. President, before that motion is put, I want to say that I agree with the chairman of the committee, that this is a subject which should be incorporated in this bill, and that it is most important for the mail service and also for the development of the airplane in this country, commercially and otherwise.

In offering the amendment which I presented, my idea was to encourage this work, and to have the route specified through the country where an airplane could travel the year around. The Senator from Michigan will recall that all of the great fields that were established in preparation for the war were laid out in the southern country, where climatic conditions are best, and where airplanes can fly for 12 months in the year. The northern route is one that in all probability could be used only for a few months of the year; and in presenting this amendment I do so not with the idea of local pride but to see the service extended for the benefit of a great number of people, and on a route that

will prove advantageous for carrying the mail and materially develop the airplane, as well as have a trained body of men for air service in the United States.

Mr. DIAL. Mr. President, I was on the subcommittee when this bill was being considered, but could not attend all the meetings. Since hearing the chairman of the committee, however, I recall that the department recommended a route, which I undertook to offer an amendment in favor of, from New York to Atlanta instead of from Boston to Atlanta; and therefore I asked to change the location so as to make it New York instead of Boston, as recommended by the Department. I did not hear the chairman's suggestion. What was it—to take up the question now, or what is the pleasure of the chairman?

The PRESIDING OFFICER. The chairman has requested that the amendment be passed over, leaving pending the proposed Gay amendment thereto; and, unless there is objection, that will be done.

Mr. HENDERSON. Mr. President, before that is done, I should like to ask if the two amendments now are not duplications? In other words, the amendment of the Senator from Louisiana [Mr. GAY] seeks to have the route from New York to Washington to Atlanta to New Orleans and then through Texas to Los Angeles and up to San Francisco. The amendment of the Senator from South Carolina [Mr. DIAL] asks for a route from New York to Washington to Atlanta. Would not the amendment of the Senator from Louisiana, if adopted, cover the route proposed by the Senator from South Carolina?

Mr. TOWNSEND. Yes; it would.

The PRESIDING OFFICER. The Chair will say that the amendment of the Senator from South Carolina would not be in order now, one amendment to the proposal already being pending.

Mr. TOWNSEND. I merely consented that the amendment might be read for the information of the Senate.

The PRESIDING OFFICER. It has been read.

Mr. DIAL. If the Senator will allow me there, I will state that I am in favor of the amendment proposed by the committee for the transcontinental route, and in addition to that I favor another route down here, such as I have suggested.

Mr. HENDERSON. As I understand the matter now, the chairman suggests that this particular committee amendment go over, and if we do not reach a final vote on the bill this afternoon it will come up on Monday, perhaps.

Mr. TOWNSEND. Yes.

Mr. HENDERSON. But if we do get down to a vote this afternoon, this amendment will come up later to-day?

Mr. TOWNSEND. That is right, at which time I shall be very glad to have the views of the Senator from Nevada.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none.

Mr. SPENCER. Mr. President, before we leave that section, I should like to have read an amendment which ought to be on the Secretary's desk when we do consider it.

The PRESIDING OFFICER. The Secretary will state the amendment for the information of the Senate.

The ASSISTANT SECRETARY. On page 15, line 9, after the word "Nebraska," it is proposed to insert:

Or by such other route as may be more economical or efficient.

The PRESIDING OFFICER. The whole thing may be considered together when it is reached later. The Secretary will proceed with the reading of the bill.

The reading of the bill was resumed.

Mr. TOWNSEND. On page 16, line 17, after the word "*Provided,*" I move to insert the word "*further.*"

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 17, line 13, after the words "post offices," to strike out "$932,156" and insert "$1,032,156," so as to read:

For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, schedules of mail trains, telephone service, and badges for railway postal clerks, including rental of offices for division headquarters, and chief clerk, Railway Mail Service, in Washington, D. C., and rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution can not under the Postal Laws and Regulations properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary and incidental to terminal railway post offices, $1,032,156.

The amendment was agreed to.

The next amendment was, on page 18, line 16, after the word "*Provided,*" to strike out "*however*" and insert "*further,*" and in line 20, after the word "otherwise," to insert "*Provided further,* That the compensation of clerks included within the roll known as the inland transportation roll and paid under the appropriation for inland transportation of mail shall be increased for the fiscal year ending June 30, 1921, as follows: (1) Those receiving $1,200 or less per annum, to be increased $200; (2) those receiving more than $1,200 and not more than $1,600 per annum, to be increased $150; (3) those receiving more than $1,600 and not more than $1,900 per annum, to be increased $125: *And provided further,* That such clerks included within such roll shall be credited with leave at the rate of one and one-quarter days for each month of actual service," so as to make the clause read:

For inland transportation of mail by electric and cable cars, $545,000: *Provided,* That the rate of compensation to be paid per mile shall not exceed the rate now paid to companies performing such service, except that the Postmaster General, in cases where the quantity of mail is large and the number of exchange points numerous, may, in his discretion, authorize payment for closed-pouch service at a rate per mile not to exceed one-third above the rate per mile now paid for closed-pouch service; and for mail cars and apartments carrying the mails, not to exceed the rate of 1 cent per linear foot per car-mile of travel: *Provided further,* That the rates for electric car service on routes over 20 miles in length outside of cities shall not exceed the rates paid for service on steam railroads: *Provided further,* That not to exceed $25,000 of the sum hereby appropriated may be expended, in the discretion of the Postmaster General, where unusual conditions exist or where such service will be more expeditious and efficient and at no greater cost than otherwise: *Provided further,* That the compensation of clerks included within the roll known as the inland transportation roll and paid under the appropriation for inland transportation of mail shall be increased for the fiscal year ending June 30, 1921, as follows: (1) Those receiving $1,200 or less per annum, to be increased $200; (2) those receiving more than $1,200 and not more than $1,600 per annum, to be increased $150; (3) those receiving more than $1,600 and not more than $1,900 per annum, to be increased $125: *And provided further,* That such clerks included within such roll shall be credited with leave at the rate of one and one-quarter days for each month of actual service.

Mr. TOWNSEND. Mr. President, I understand that the Committee on Appropriations has incorporated in its bill a provision for this class of employees; that the Post Office Department have estimated for these men, and have recommended that they be placed in the regular service, which would carry them under the head of the departmental clerks, and not as postal employees. This subject has given us no little trouble. Last year, when we tried to include all of the postal employees, we were told that these were not postal employees, but we afterwards learned that they were and tried to make some provision to correct the mistake. It appears now that the department has estimated for these men to the Committee on Appropriations, and has recommended that provision be made for the pay of 60 employees instead of 70, as was recommended to us.

I think I understand this matter correctly now, and if I do, this amendment ought to be rejected.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Michigan yield to the Senator from Utah?

Mr. TOWNSEND. I do.

Mr. SMOOT. I will state to the Senator that the statement made by him is correct; that the legislative, executive, and judicial appropriation bill that is now on the calendar provides for 60 clerks, and they are now placed upon the statutory rolls, the same as other employees that are employed in the District of Columbia. This amendment therefore should be rejected and the amount of $113,178 deducted from this appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

Mr. TOWNSEND. Mr. President, I am assuming that we now have the correct status of these employees. I have tried very hard for a year to find out what it was, and I am now acting on the supposition that it is correct and that what the department has now recommended is the right course.

I ask to go back to page 14, where the item of $60,000,000 occurs. I wish to strike that out and insert "$59,886,822," which is a reduction of $113,178 in the amount which the Post Office Department says should be deducted from the postal appropriation and paid from another appropriation.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be stated.

The ASSISTANT SECRETARY. On page 14, line 16, it is proposed to strike out "$60,000,000" and in lieu thereof to insert "$59,886,822."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 19, line 8, after the words "foreign mails," to insert "by steamship or otherwise," so as to make the clause read:

For transportation of foreign mails by steamship or otherwise, including increases hereinafter provided, $4,700,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Third Assistant Postmaster General," on page 19, line 24, after

the words "postal cards," to strike out "$965,000" and insert "$765,000," so as to make the clause read:

For manufacture of postal cards, $765,000.

Mr. TOWNSEND. Mr. President, I have received a protest from the department that this reduction could not be borne by the department; but the committee that had this matter in charge felt that there might be a saving of at least $200,000 in this item, so I am insisting that it shall go as the committee has reported it. The matter will go to conference, however, and while we have no disposition to cripple the Post Office Department in preparing these cards, yet it is a matter that at least I want further information on before I vacate the action of the committee.

Mr. HENDERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Nevada?

Mr. TOWNSEND. I yield.

Mr. HENDERSON. There are a good many millions of postal cards on hand now, as we understood the representatives of the department, so that they could use those instead of spending all this money for new ones.

Mr. TOWNSEND. That is correct; and, anyway, it is a matter that will be an open subject in conference, and the department can then place its case before the conferees.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Utah?

Mr. TOWNSEND. I yield.

Mr. SMOOT. The price of postal-card paper has increased so greatly that the expenditure of this amount of money will not purchase one-half the number of postal cards that the same amount of money would have purchased in 1916. The time may come when we can not even get the paper necessary; but I am quite sure the Postmaster General is correct when he says this amount can not be cut and the necessary postal cards furnished, if the demand for postal cards for the coming year should be equal to the demand for postal cards in years past.

Mr. HENDERSON. Mr. President, I will state to the Senator from Utah that the demand for postal cards fell off materially when the postage went to 2 cents and that we now have on hand a great many millions of postal cards that can be used; and we thought that instead of buying and printing new ones it would be a good plan to use those that are on hand at this time.

Mr. SMOOT. In this bill there is a provision to make postal cards and drop letters 1 cent instead of 2, and if that becomes a law there is not any question but that the use of postal cards will greatly increase.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 20, line 6, after "$10,000," to insert "*Provided*, That hereafter the Postmaster General may, under such rules and regulations as he shall prescribe, authorize postmasters to pay limited indemnity claims on insured and collect-on-delivery mail."

Mr. TOWNSEND. The amendment should be inserted after the figures "$3,000,000" in line 3. That proviso was attached to the wrong paragraph. It should be attached to the end of line 3, page 20.

The ASSISTANT SECRETARY. Transpose the proviso found in lines 6, 7, 8, 9, and 10 so that they will follow line 3. That paragraph reads:

For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured, and collect-on-delivery mail, $3,000,000.

The amendment was agreed to.

CIVIL-SERVICE RETIREMENT.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (S. 1699) for the retirement of employees of the classified civil service, and for other purposes.

Mr. STERLING. Mr. President, in connection with the unfinished business, I simply wish to say that were there a prospect at all of getting a quorum to-day I should at least ask for a unanimous-consent agreement that some time should be fixed when the bill might be finally disposed of; but I see that it would be almost impossible, if not quite so, to get a quorum to-day, and I am not going to make that request. I want simply to give notice that at the first opportunity after the passage of the pending bill I shall ask for such a unanimous-consent agreement and try to proceed with the further consideration of the bill with all possible dispatch.

I think Senators will appreciate the difficulties we have had in the consideration of this bill. I have consoled myself with the fact that notwithstanding we have not been proceeding with the unfinished business we have been going on with other important business of the Senate; that necessary business has been transacted, notwithstanding we have not been going ahead with the unfinished business.

Now, I ask, Mr. President, that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

POST-OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11578) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes.

The reading of the bill was resumed, and continued to line 11, on page 22.

Mr. SMOOT. Mr. President, I desire to have the chairman of the committee turn to page 21, line 9, in the paragraph just read. The paragraph is "For miscellaneous equipment and supplies," and among the enumerated items we find "printing presses." That has been carried in the law for years and years past, and we have now a consolidation of the printing presses of the country, as far as possible, in the Government Printing Office. Really I think it is unnecessary to allow the words "printing presses" to be inserted. I was wondering whether it would not be wise at this time to strike out the words "printing presses."

Mr. TOWNSEND. The fact of the matter is that that is simply a repetition of the law. It has been carried for years, and, while I quite agree with the Senator that it seems to have no apparent use here, I can not understand why it would be important to strike it out. However, if the Senator wishes, I have no objection to his moving to strike it out and letting it go to conference to find out about it, although I can see no advantage to be gained by doing so.

Mr. SMOOT. The only advantage will be that if it remains in the bill the Postmaster General could begin to purchase printing presses without further action on the part of Congress.

Mr. TOWNSEND. I can not see any harm in striking it out, as far as I am concerned, and I can not see any benefit in striking out the words that have been employed for years. But I repeat that I have no objection to its going out in order that it may go to conference.

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The ASSISTANT SECRETARY. On page 21, line 9, after the words "duplicating machines," strike out the words "printing presses" and the comma.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 23, line 15, after "$2,090,000," to insert "to be immediately available," so as to read:

For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; also material, machinery, and tools necessary for the manufacture and repair in the equipment shops at Washington, D. C., of such other equipment for the Postal Service as may be deemed expedient; for compensation to labor employed in the equipment shops at Washington, D. C., including increases hereinafter provided, $2,090,000, to be immediately available.

Mr. TOWNSEND. The amendment should read "to be available immediately."

Mr. SMOOT. Does the Senator want all of this appropriation to be available immediately? Whatever amount out of the appropriation they want to use before July 1 ought to be made available immediately, but the way it is worded the whole appropriation could be spent by June 30, 1920.

Mr. TOWNSEND. Mr. President, the object of putting this provision in is to make it possible for the Post Office Department to advertise for bids and enter into contracts for the next fiscal year, which they maintain they do not have the right to do until the appropriation is available. If they had the use of the appropriation now, they could proceed to make the contracts for next year and thus economize, as they believe, very largely in the interest of the Government. That is the only object. The same action was taken in reference to an appropriation for a public building.

Mr. SMOOT. That was for the purchase of land; but for the manufacture of mail bags and numerous other items is quite different. I do not know that I have ever seen a provision of this kind, making an appropriation for the coming fiscal year

to be immediately available, though it is very often done to cover deficiencies that may happen in the present fiscal year. If the Senator knew the amount that was wanted——

Mr. TOWNSEND. It is not for a deficiency. As I understand it, no part of this money is to be used in this fiscal year. The Fourth Assistant Postmaster General, in speaking about contracts with certain concerns to be made for the materials that are mentioned here, said in the hearing before the committee:

They have—

That is, these concerns—

better contracts with others than they have with us, and the net result is we are very short of steel for our cord fasteners and label holders and locks, and metal material of that variety right now, so if we do not have this appropriation available before the 1st of July we will be in no position to supply the necessry containers, either under contract outside or in our own shops, prior to the time we need them, about the 1st of December, next. You understand, that is the period we have the heavy rush of mail, and we supply all of the containers to all of the different departments of the service that use them. There is an emergency, in fact, in connection with the maintenance of the Postal Service and this character of equipment that goes with it. Consequently it will be essential that this appropriation be made immediately available in order that we may at once contract and place orders for metal parts and canvas thread.

He mentions some of the other items in the same way.

Mr. SMOOT. I will say to the Senator that that is virtually a deficiency for the coming fiscal year, for the purchases they desire to make this fiscal year. All the departments of the Government use their appropriations in exactly the same way. The departments can make contracts for delivery for the year for which an appropriation is made. The testimony given there shows that they want to purchase the material and want to do it before July 1, 1920.

Mr. TOWNSEND. No; they want to make contracts now. They want to enter into contracts for the purchase of goods to be delivered next year.

Mr. SMOOT. I did not so understand the statement.

Mr. TOWNSEND. I do not think there can be any question about that.

Mr. SMOOT. I thought they were short now.

Mr. TOWNSEND. The Fourth Assistant was talking about contracts with others.

Mr. SMOOT. If the Senator will read the first part of the statement of the Fourth Assistant Postmaster General, he will find that he stated they are short now, and, of course, if they are short now and have to purchase now, they could not purchase out of this fund unless it were made immediately available.

Mr. TOWNSEND. He says:

Mr. Chairman, the situation that confronts us in the industrial world is astonishing. We will use in the neighborhood of 500 tons of steel. We can not secure a pound to-day under four and five months' delivery. Our contractor for steel this year, the Superior Steel Corporation, has closed down on shipments to us entirely; it being more profitable to do business in the commercial world than with the Government. That is about the size of it.

The CHAIRMAN. Why? Do they have better contracts?

Mr. BLAKSLEE. They have better contracts with others than they have with us, and the net result is we are very short of steel for our cord fasteners and label holders and locks, and metal material of that variety right now, so if we do not have this appropriation available before the 1st of July we will be in no position to supply the necessary containers, either under contract outside or in our own shops, prior to the time we need them, about the 1st of December next.

That is, when he wants them the 1st of December next, and if he can not make his contracts now he can not be in any position to supply the goods by the 1st of next December. That is the testimony, and that was the showing made before us. The probabilities are that not all of the appropriation will be required; but I do not know how much would be necessary.

Mr. SMOOT. It is the first time in all the history of appropriation bills that I have ever seen such a thing insisted upon, unless it were in an appropriation for the purchase of land or a building, or something of that kind. In a general appropriation for general expenses I have never yet seen a similar provision inserted.

Mr. TOWNSEND. Has the Senator ever met with just such a condition as this, when the condition of the market is such that you can not get the goods which you order, and can not even enter into a contract to get them? The showing they made before us of their inability to get the various items of material and of supplies that they need in the Post Office Department inside of months and months was disturbing.

Mr. SMOOT. Contracts have been made by nearly every department of the Government on appropriations where the goods are to be delivered and paid for within the year in which an appropriation is made.

Mr. TOWNSEND. Does the Senator maintain that a contract could be made now for next year, when the appropriation is not available?

Mr. SMOOT. If the appropriation is made for that year, they can make the contract to be delivered in the coming year and pay for it out of the appropriation for that year; but they could not make a purchase now out of this appropriation for next year, to be delivered this year, unless the fund was made available immediately. Of course, Mr. President, I have absolute confidence that the money as appropriated will be used by the Postmaster General, but there are a good many of the departments and divisions of the Government for which I would not want to see it done. I think if there was an appropriation made of this character to some of them they would spend every dollar of it before June 30 and come in for a deficiency to carry them through the whole of the coming fiscal year. But I do not think that will happen with the Post Office Department.

The PRESIDING OFFICER. The Senator from Michigan moves to amend the amendment of the committee so as to read, "to be available immediately."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 23, line 25, after "$11,000,000," to strike out ": *Provided*, That the Secretary of War is authorized hereafter, in his discretion, to deliver and turn over to the Postmaster General, without charge therefor, from time to time such motor vehicles, aeroplanes, and parts thereof, and machinery and tools to repair and maintain the same, as may be suitable for use in the Postal Service, and the Postmaster General is authorized to use the same in the transportation of the mails and to pay the necessary expenses thereof, including the replacement, maintenance, exchange, and repair of such equipment, out of the annual appropriations for star route service," so as to make the clause read:

For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, $11,000,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 15, to strike out: "That hereafter the length of routes served by rural carriers shall be determined by the records of the department, which records shall be changed promptly whenever it shall be demonstrated to the satisfaction of the department that the length of a route has been incorrectly stated, the pay of the carrier to be increased or decreased accordingly," and insert: "That the pay of rural carriers and substitute rural carriers, which depends upon the length of the route, shall be determined in accordance with the records of the Post Office Department, which records shall be promptly corrected whenever the Postmaster General determines that such records are not correct," so as to make the clause read:

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, including increases hereinafter provided, $78,000,000: *Provided*, That the pay of rural carriers and substitute rural carriers, which depends upon the length of the route, shall be determined in accordance with the records of the Post Office Department, which records shall be promptly corrected whenever the Postmaster General determines that such records are not correct.

Mr. TOWNSEND. After the word "That" in line 21 I move to insert the word "hereafter."

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. On page 24, line 21, after the word "That" in the amendment, insert the word "hereafter."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was on page 25, after line 9, to strike out section 2 in the following words:

SEC. 2. That the increased compensation for positions in the Postal Service of all classes and grades made and provided for in the act entitled "An act making appropriations for the Post Office Department for the fiscal year ending June 30, 1920," approved February 28, 1919, and House joint resolution of November 8, 1919, entitled "Joint resolution to provide for additional compensation for employes of the Postal Service and making appropriations therefor," and the provisions of such act and resolution relating to promotions, classification, and grades specified in said act and resolution shall continue in force during the fiscal year 1921, unless otherwise provided by law.

And in lieu to insert:

SEC. 2. That the provisions respecting compensation, classification, and grades contained in the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," approved February 28, 1919, and the public resolution entitled "Joint resolution to provide additional compensation for employees of the Postal Service and making appropriation therefor," House joint resolution 151, which became a law November 8, 1919, shall be in full force and effect until the end of the fiscal year ending June 30, 1921.

Mr. TOWNSEND. Mr. President, on page 25, line 23, after the word "classification" in the committee amendment, I move to insert the word "promotions."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 26, after line 7, to insert as a new section the following:

SEC. 3. That the property and equipment of the pneumatic tube companies in the post-office buildings in New York, N. Y.; Brooklyn, N. Y.; Boston, Mass.; Philadelphia, Pa.; Chicago, Ill.; and St. Louis, Mo., may remain where now located until June 30, 1921, or until the space occupied by such property or equipment is actually needed for post-office purposes: *Provided*, That no liability or expense shall be incurred by the Government hereunder.

Mr. POMERENE. Mr. President, the Senator from Tennessee [Mr. MCKELLAR] has sent word that he desired to be heard upon this provision, and, as I understand, he will be here within a few minutes.

Mr. TOWNSEND. I was going to ask that it might go over until we reached section 9. The two matters ought to be considered together.

Mr. POMERENE. Very well.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 26, after line 16, to insert as a new section the following:

SEC. 4. That the Secretary of War is authorized hereafter, in his discretion, to deliver and turn over to the Postmaster General, without charge therefor, from time to time, such motor vehicles, aeroplanes, and parts thereof, and machinery and tools to repair and maintain the same, as may be suitable for use in the Postal Service; and the Postmaster General is authorized to use the same in the transportation of the mails and to pay the necessary expenses thereof, including the replacement, maintenance, exchange, and repair of such equipment, out of any appropriation available for the service in which such vehicles or aeroplanes are used.

The amendment was agreed to.

The next amendment was, on page 26, after line 2, to insert as a new section the following:

SEC. 5. That section 3936, Revised Statutes of the United States, is hereby amended to read as follows:

"SEC. 3936. The Postmaster General may regulate the period during which undelivered letters shall remain in any post office and when they shall be returned to the dead-letter office; and he may make regulations for their return from the dead-letter office to the writers when they can not be delivered to the parties addressed: *Provided*, That when letters are returned from the dead-letter office to the writers, a fee of 3 cents shall be collected at the time of delivery, under such rules and regulations as the Postmaster General may prescribe."

The amendment was agreed to.

The next amendment was, on page 27, after line 14, to insert as a new section the following:

SEC. 6. That the rate of postage on all mail matter of the first class deposited in any post office for delivery within the delivery district of such post office shall be 1 cent for each ounce or fraction thereof.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. GRONNA. I make the point of order against the amendment that it is new legislation.

The PRESIDING OFFICER. Is the point of order that it is general legislation?

Mr. GRONNA. It is.

The PRESIDING OFFICER. The point of order is sustained.

Mr. DIAL. Mr. President, in regard to that amendment, I desire to say that the matter was recommended by the Post Office Department, and the Committee on Post Offices and Post Roads went very fully into it. We think it is a very important provision in the interest of economy and involves legislation of which the people ought to receive the benefit. My understanding is that where legislation is recommended by a department and has been passed on by a committee the point of order does not lie.

The PRESIDING OFFICER. But the point of order does lie in such a case if the amendment involves general legislation.

Mr. DIAL. Then, Mr. President, I believe the only recourse is to ask the Senate to pass upon the question as to whether or not it will sustain the decision of the Chair.

The PRESIDING OFFICER. Does the Senator from South Carolina appeal from the decision of the Chair?

Mr. DIAL. Yes, sir.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The "ayes" seem to have it. The "ayes" have it, and the decision of the Chair stands as the judgment of the Senate.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 27, after line 18, to insert as a new section the following:

SEC. 7. That the Postmaster General, under such regulations as he may prescribe for the collection of such postage, is hereby authorized to accept for delivery and deliver, without postage stamps affixed thereto, mail matter of the first class on which the postage has been fully prepaid at the rate provided by law.

The amendment was agreed to.

The next amendment was, at the top of page 28, to insert as a new section the following:

SEC. 8. That the Postmaster General, when public convenience requires it, may, under such rules and regulations as he shall prescribe, establish within any post-office delivery one or more stations or substations for the receipt and delivery of mail matter and for the sale of stamps and other stamped paper: *Provided*, That the Postmaster General may also establish branch post offices or stations beyond the corporate limits or boundaries of any city or town in which the principal office to which such branch office or station is attached, without regard to the distance from the boundary line or the population of the village, town, or city in which such branch offices or stations are located.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. HENDERSON. Mr. President, I think the point of order would lie against this section, but I move to strike out the section.

The PRESIDING OFFICER. It is not necessary for the Senator to make such a motion, as the question is on the adoption of the committee amendment.

Mr. SMOOT. Mr. President, the Senator from Mississippi [Mr. HARRISON] was called from the Chamber a few moments ago. Before leaving he advised me that he should very much like to have this amendment go over until he could be present, in order that he might be heard upon it.

Mr. HENDERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. SMOOT. I do.

Mr. HENDERSON. Was not the request of the Senator from Mississippi inspired by the fact that he desired the whole section to go out?

Mr. SMOOT. I am aware that the Senator from Mississippi is opposed to the amendment; but what he requested me to state was that he should like very much to have the matter go over, and I was going to ask the Senator from Michigan, having the bill in charge, if he would allow it to go over until the Senator from Mississippi returns?

Mr. TOWNSEND. As I understand, the Senator from Mississippi is in favor of the section going out. I was favorable to the proposition when it was submitted to the committee by the Postmaster General. I confess very frankly, however, that I did not thoroughly understand, nor do I think that members of the committee thoroughly understood, the possibility that lay in the particular amendment. We were considering simply the question of expedition and economy; we believed that we might economize by the adoption of the amendment; but we did not understand that it was going to make it possible to affect many postmasters and to change the whole orderly procedure as it now is. I did not understand that it had been considered several times previously.

Mr. HENDERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Nevada?

Mr. TOWNSEND. I yield to the Senator from Nevada.

Mr. HENDERSON. Does this not involve the post-office accounting? The Post Office Department officials explained to us when we had the section under consideration in committee that it simply had to do with the accounting in the department, and the proposed change would expedite that branch of the service, but now we find that it might be extended to a broader and wider field.

Mr. TOWNSEND. We also know that there is practically one accounting office in every State, so that the accounting would not be more condensed than it is at present.

Mr. MCKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. TOWNSEND. I yield.

Mr. MCKELLAR. I wish to ask the chairman of the committee what change is proposed by the committee amendment in the existing law?

Mr. TOWNSEND. From the proviso on is new legislation. Under existing law the Postmaster General may consolidate the offices within a radius of 5 miles providing there is a population of not less than 1,500 in the town which is to be made an adjunct of the main office. This proposes to extend the power of consolidation. The whole State, or two States, or the whole United States may be consolidated into one main office with stations at all other points. I do not think that would be done; but it shows the possibility under the amendment, which we did not consider when we passed upon it.

Mr. MCKELLAR. Then, as I understand the Senator, he desires simply to strike out the proviso, and in substance——

Mr. TOWNSEND. No; to strike out the whole of section 8, because that would leave the law just as it is.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Virginia?

Mr. TOWNSEND. I yield.

Mr. SWANSON. Mr. President, this is a clear change of existing law; it has been heretofore considered by the committee, I think, and the committee has declined to recommend it. I make the point of order against it that it proposes on an appropriation bill to change existing law and that it is general legislation.

The PRESIDING OFFICER. The point of order is sustained.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 28, after line 12, to insert as a new section the following:

SEC. 9. (a) That a commission is hereby created to be composed of the chairman and four members of the Committee on Post Offices and Post Roads of the Senate, appointed by the President of the Senate, the chairman and four members of the Committee on the Post Office and Post Roads of the House of Representatives, appointed by the Speaker of the House, and a postal expert appointed by the Postmaster General. Such commission shall, by majority vote, appoint seven persons who are experienced in business or commercial transactions, or represent business or commercial organizations which make extensive use of the Postal Service, to act as an advisory council and to aid such commission in its work. Vacancies occurring in the commission or in such advisory council shall be filled in the same manner as the original appointments. No member of such advisory council shall receive any compensation for his services. The commission may employ and fix the compensation of such engineers, special experts, clerks, and other employees as it may deem necessary: *Provided*, That each executive department and independent establishment of the Government is hereby directed to furnish to the commission such engineers, special experts, clerks, and other employees as the commission may require, whenever, in the opinion of the head of such department or independent establishment, the public business thereof will not be materially affected thereby.

(b) The expenses of the commission and of the advisory council, including all necessary traveling expenses incurred by a member of the commission, a member of the advisory council, an engineer, special expert, clerk, or employee, under orders of the commission, in making any investigation or upon official business in other places than the place of his residence, shall be allowed and paid upon the presentation of itemized vouchers therefor, approved by the chairman of the commission, which approval shall be conclusive upon the accounting officers of the Treasury Department.

(c) The commission shall investigate (1) the present method of transporting mails and the facilities for distribution and delivery of mails in railway terminals, transfer offices, and railway postal cars; (2) the present system for transporting and distributing mails in the large cities in the United States and for dispatching mails leaving such cities; (3) the advisability of establishing a system of tunnels or pneumatic tubes in certain districts to facilitate the delivery of the mails therein; and (4) the advisability of establishing an aeroplane mail service and the future possibilities in regard thereto.

On or before March 1, 1921, the commission shall make a report to Congress containing a summary of its findings and such recommendations for legislation as it may believe to be proper.

(d) For the purposes of this section, the commission, or its duly authorized agent, shall have power to summon and compel the attendance of witnesses and the production of documentary evidence, and to administer oaths.

(e) The executive departments and independent establishments of the Government, when directed by the President, shall furnish the commission, on its request, all records, papers, and information in their possession relating to any subject of investigation by the commission.

(f) The sum of $10,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be available immediately and until July 1, 1920; and the unexpended balance on June 30, 1920, of any appropriation for the service of the Post Office Department for the fiscal year ending June 30, 1920, or so much thereof as may be necessary, is hereby appropriated, to be available after June 30, 1920, for the purposes of this section.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. McKELLAR. Mr. President, section 3, I believe, was passed over. I wish to call the attention of the Senate to that section. Clearly, in my judgment, both section 3 and section 9 propose new legislation.

The PRESIDING OFFICER. Will not the Senator wait until the amendment which has just been read has been disposed of? The Chair understands that the amendment referred to by the Senator from Tennessee has been passed over, as other amendments have been passed over, to be taken up after the conclusion of the reading of the bill.

Mr. McKELLAR. Very well; I will wait. But I thought that the other amendments had been completed.

The PRESIDING OFFICER. They have not.

Mr. McKELLAR. Then I suggest that both section 3 and section 9 go over.

Mr. TOWNSEND. I will suggest to the Chair that section 3 was passed over, at my request, to be considered in connection with section 9, the amendment which has just been read. As I understand, the Senator from Tennessee desires to make a point of order against both those provisions?

Mr. McKELLAR. Yes.

Mr. TOWNSEND. Especially against section 9?

Mr. McKELLAR. I desire to make a point of order against both of them.

Mr. TOWNSEND. Of course, if section 9 should go out, I should not be so insistent in regard to section 3. I think they ought to stand together.

Mr. McKELLAR. I think they ought.

Mr. TOWNSEND. But I do not think that section 9 is subject to the point of order which the Senator desires to make. This very question was brought before the Senate, I think, in 1917, in connection with the pneumatic-tube service. Vice President Marshall at that time ruled that it was not general legislation, but that it simply provided for the gathering of information for the necessary legislation of Congress. I thought it was a good ruling. The Senator from Washington [Mr. POINDEXTER], as I recall, made the point of order and was overruled by the Chair. An appeal was taken and the Chair sustained. Therefore, I do not think that the point of order as to section 9 is well taken.

The PRESIDING OFFICER. Did the Senator from Tennessee make the point of order against section 9? The Chair did not so understand.

Mr. McKELLAR. I make the point of order against both sections.

Mr. President, I desire to call the attention of the Chair to a precedent involving a point of order that seems to have been made by the present occupant of the Chair on a former occasion in connection with a somewhat similar matter. I read from Gilfry's Precedents as follows:

[Fifty-ninth Congress, second session; Journal, pp. 226–227.]

On the question to agree to the following reported amendment, viz, to strike out all of lines 17 to 23, inclusive, and insert in lieu thereof the following:

"On and after July 1, 1907, all restrictions upon the alienation, leasing, or encumbering of the lands, except homesteads, of all allottees of Indian blood in the Indian Territory, and all restrictions upon the alienation, leasing, or encumbering of all the lands of allottees not of Indian blood, are hereby removed."

Mr. CURTIS raised a question of order, viz, that the reported amendment proposed general legislation to a general appropriation bill and that it changed existing law, and was therefore not in order.

The Vice President [Mr. Fairbanks] submitted the question of order for the decision of the Senate, and stated the question to be, Is the amendment in order?—yeas 22, nays 31. (See CONGRESSIONAL RECORD, pp. 2340–2300, 2414.)

So it appears that the point of order then made by the present occupant of the chair was sustained.

There is a similar precedent in the case of a commission proposed to be created, to which I will refer in just a moment.

The PRESIDING OFFICER. The Chair is ready to rule.

Mr. McKELLAR. If the Chair is ready to rule, I will submit the question.

The PRESIDING OFFICER. The authority cited by the Senator from Tennessee is not applicable, because that applied to an amendment in an appropriation bill repealing a general law, and was in itself general legislation. This matter was held in 1917 by the Vice President, after two days' discussion, not to be general legislation. From that decision the Senator from Washington appealed, and the decision of the Chair was sustained by the Senate by a vote of 53 to 14. Therefore, the Chair overrules the point of order.

Mr. McKELLAR. Mr. President, I appeal from the ruling of the Chair.

The PRESIDING OFFICER. The Senator from Tennessee appeals from the ruling of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the Senate? [Putting the question.] The ayes seem to have it. The ayes have it, and the ruling of the Chair is sustained.

Mr. McKELLAR. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Glass	Kirby	Sheppard
Chamberlain	Gore	McKellar	Smoot
Colt	Gronna	McNary	Spencer
Culberson	Harris	Moses	Sterling
Curtis	Henderson	Overman	Swanson
Dial	Jones, Wash.	Page	Townsend
Dillingham	Kendrick	Phelan	Underwood
Gay	Keyes	Pomerene	Warren

Mr. McKELLAR. I wish to announce that the Senator from Idaho [Mr. NUGENT], the Senator from Massachusetts [Mr. WALSH], the Senator from Mississippi [Mr. HARRISON], the Senator from Florida [Mr. TRAMMELL], and the Senator from North Carolina [Mr. SIMMONS] are absent on official business.

The PRESIDING OFFICER. The Chair desires to announce the absence of the Senator from Indiana [Mr. NEW] on account of death in his family.

Mr. GAY. I wish to announce that my colleague, the senior Senator from Louisiana [Mr. RANSDELL], is necessarily detained from the Senate.

The PRESIDING OFFICER. Thirty-two Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

Mr. TOWNSEND. Mr. President, I think it is well understood by the Senator from Tennessee, as it is by all of us, that if Senators are going to insist upon a quorum being present one can not be obtained this afternoon. I am very sorry that this has occurred, because we have this bill practically finished. We have this one item, besides the airplane item, upon which there will be no trouble, and yet we have to put over all of this matter until Monday, now, because of the disposition of the Senator to demand a quorum.

Mr. McKELLAR. Quite the contrary, Mr. President.

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. TOWNSEND. I yield.

Mr. McKELLAR. I say, it is quite the contrary. This is a matter that has engaged the attention of this body and the other body ever since I have been a Member of either of them.

Mr. SMOOT. Mr. President, a parliamentary question.

The PRESIDING OFFICER. The Senator from Utah will state it.

Mr. SMOOT. Under the rule of the Senate nothing can be done and nothing stated until we develop the presence of a quorum.

The PRESIDING OFFICER. Nothing except a motion to adjourn.

Mr. TOWNSEND. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, March 29, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 27, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father, help us to determine conscientiously the course to be followed in a given case. Then give us the forward look, the steady step toward the purpose in view. Let us be sure we are right and then go ahead. To look back is discouraging. To turn back is often fatal. Many a battle has been lost through hesitation. Make us strong, pure, noble.

The past is gone. The present alone is ours. Give us brave hearts to meet the future without fear or hesitation; for Thine is the kingdom, and the power, and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4082. An act to amend section 4878 of the Revised Statutes, as amended by the act of March 3, 1897.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3472) for the relief of the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J.

The message also announced that the President pro tempore had appointed Mr. GAY as a manager on the part of the Senate at the conference on the bill (H. R. 7656) to repeal the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, and to repeal all acts and parts of acts amendatory thereof, and to provide for the disposition of all property acquired under and by virtue of the same, in place of Mr. TRAMMELL, excused.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 4082. An act to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897; to the Committee on Military Affairs.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3472. An act for the relief of the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J.; and

S. 2085. An act relating to the maintenance of actions for death on the high seas and other navigable waters.

RANK TO ARMY NURSES.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to strike from the calendar the bill (H. R. 2492) to grant rank to the Army Nurse Corps, and for other purposes. It is on the Calendar of Motions to Discharge Committees. The provisions of this bill are included in the Army reorganization bill, H. R. 12775, and I ask that the bill be stricken from the calendar.

The SPEAKER. The gentleman from California asks unanimous consent to strike from the calendar the bill which he refers to.

Mr. WALSH. Reserving the right to object, what is the bill about, and why should it be stricken from the calendar?

Mr. RAKER. It is a bill giving rank to Army nurses, and its provisions have been incorporated in the Army reorganization bill which has already passed the House. I simply want to clear the record.

Mr. WALSH. It does not do any harm on the calendar, and I object.

The SPEAKER. Objection is made.

INVESTIGATION OF THE FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Mr. IRELAND. Mr. Speaker, I present a privileged resolution, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois presents a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 502.

Resolved, That the Committee on Education, pursuant to authority of H. Res. 495, to investigate the Federal Board for Vocational Education, is hereby authorized to employ clerical and other assistance, and to incur necessary incidental expenses, which shall be paid out of the contingent fund of the House upon vouchers countersigned by the chairman thereof and approved by the Committee on Accounts.

With the following committee amendment:

Line 4, strike out the words "and other"; line 5, after the word "expenses," insert "not to exceed the amount of $2,500," so that as amended the resolution will read:

"*Resolved*, That the Committee on Education, pursuant to authority of House resolution 495, to investigate the Federal Board for Vocational Education, is hereby authorized to employ clerical assistance, and to incur necessary incidental expenses, not to exceed the amount of $2,500, which shall be paid out of the contingent fund of the House upon vouchers countersigned by the chairman thereof and approved by the Committee on Accounts."

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. In a moment. Mr. Speaker and gentlemen, I simply wish to make this preliminary statement, that this is the necessary resolution based on the former resolution, H. Res. 495, passed a few days ago, authorizing the Committee on Education to proceed with the investigation of the Board for Vocational Education. The amendments adopted by the committee are solely to eliminate any other expense except that for clerical assistance, and also to limit the amount at present obtainable from the contingent fund to $2,500. I feel in my own mind, and the chairman of the Committee on Education has so assured our committee, that this amount will be ample, and that there will be no further demand made upon the contingent fund for this investigation. I am hopeful that it will not even approach this amount.

Mr. BLANTON. Will the gentleman give me 10 minutes as a member of the committee? I will appreciate it if he will. I may not use half of that time, but I should like to have it.

Mr. IRELAND. I will yield to the chairman of the committee first, if he desires time.

Mr. FESS. Only two or three minutes.

Mr. BLANTON. Perhaps the chairman of the Committee on Education will prefer to use his time after I have spoken, because he may want to answer what I say, and I suggest that if he is willing, the gentleman yield first to me.

Mr. FESS. That will be satisfactory to me.

Mr. BLANTON. Will the gentleman yield me 10 minutes?

Mr. IRELAND. Yes.

Mr. BLANTON. Mr. Speaker and gentlemen, as a member of the Committee on Education, I want to protest against the passage of this resolution in this form. I believe it to be absolutely unnecessary. I am heartily in favor of this investigation. I have been in favor of it all the time. The record of the committee and the RECORD here will show that. I hope for a complete, rigid, careful investigation. We have everything in the world that the committee needs for that investigation except one thing, and that is, when the witnesses come here from New York, many of whom are poor ex-soldiers, many of them cripples, not able financially to pay their way here, the only thing on earth we need is for the chairman of the Committee on Accounts to authorize the payment of their expenses when they come here, the payments to be made upon vouchers to be issued by the chairman of our committee. And this can be done without passing the present resolution.

Mr. IRELAND. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Just for a moment.

Mr. IRELAND. That has already been provided for.

Mr. BLANTON. If that has already been provided for, as stated by the chairman of the Committee on Accounts, it is everything on God's green earth that we need for this investigation. We do not need anything else. Why do we need $2,500 extra for clerical expenses? What has the clerical help to do in connection with this investigation? The distinguished chairman of our committee is one of the reputed economists of the House. If he needs any further clerical help than the clerical help we have right now, I want him to tell us what the clerical help is to do? Why, we meet there for this hearing. We are seated around the table. The clerk of that committee in 15 minutes can mail to every member of the committee a postal card telling him when the meetings are to be held, if he does not know it otherwise. We ought to know it otherwise; but if we do not he can put us on notice. What does the clerical help have to do in a hearing of this kind? Nothing. We meet and sit around the table. Witnesses are sworn by the chairman, or not sworn, according to the will of the committee. They give their evidence. We are furnished with the services of several expert stenographic reporters, now already drawing $6,000 per annum from the Government, to take down the evidence. Why, if we made any attempt to use any clerical assistance other than the committee clerk and stenographic reporters already on the pay roll now, they would be in the way, as they would have no duties to perform.

Mr. IRELAND. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Illinois.

Mr. IRELAND. That is entirely in the hands of your committee. You do not have to spend a tenth part of this money that is appropriated simply because your expenses are limited to an exact amount.

Mr. BLANTON. I do not want even the temptation to spend money to be placed in the hands of the committee with reference to spending this $2,500 for additional clerical force, when I know it to be unnecessary. It is just $2,500 for this, and that, and the other committee, for this, that, and the other thing, and, after all, when you sit down and figure it up it runs into the enormous sum of millions annually, which brings us to facing a defict now of $3,000,000,000, which we have got to meet by additional taxation of the people of this country. The time is coming when we have got to stop it. I hope the distinguished chairman of the commitee will not permit this resolution to pass.

Mr. PARRISH. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. PARRISH. I will state, Mr. Speaker, for the benefit of the gentleman from Texas, that the chairman of the Committee on Education was before our committee and stated that he did not expect to employ any clerical assistance whatever unless, perchance, some particular work was necessary which his force could not do, and he does not expect any of the money to be expended in that direction. He further stated that he received telegrams, and he produced telegrams substantiating——

Mr. BLANTON. Oh, I hope the gentleman will not take up any further time in those statements; I have only 10 minutes. The distinguished chairman of this committee has a secretary furnished by Congress, whose salary is paid by the people. He has a clerk furnished by Congress, whose salary is paid by the people of this country. In addition to that, he has a clerk for the committee paid $2,500 by the people of this country. What is there to be done in connection with this investigation that that clerk of the committee can not do? What emergency could arise? Will the chairman say that he is going to get a lot of letters which require answers? The letters will not require to be answered. They can be read. They are propaganda, the most of them—some are in favor of and some against the hearing—but they are not going to control the committee in its efforts on this hearing. The letters can be read, but they do not have to be answered. It is not necessary to answer them. I get a lot of letters; I read them; and many I place in the wastebasket. Many I do not answer, for I know they are propaganda. I read them, and get the benefit of them, but I do not take the time of my clerical force to answer them. They are too busy with more important work. Many of such letters do not deserve an answer.

Is it not time for us to put into this House a policy, so often expressed by the majority leader, that we are going to begin to economize? When are we going to begin? We have not begun yet. We have got to begin some time. The deficit is growing larger every day. People are expecting us to do it. I want to tell you one thing—go home and talk with your business men, talk with your farmers, talk with your laborers, and you will find that the biggest question before the American people to-day is the question of retrenchment and sane economy. You have got to begin it, and now is the time. Let us cut off this $2,500 that we do not need and we do not want. We can have the hearing without it. I am one member of the committee who will help the distinguished chairman to have a proper hearing and investigation without the expenditure of this $2,500. If our committee gets overwhelmed with propaganda letters, I will agree to have my clerical force answer half of them under the dictation of the chairman, and my clerical force works as hard and has as much to do as any in the Capitol. [Applause.]

Mr. IRELAND. Mr. Speaker, I yield five minutes to the gentleman from Ohio.

Mr. FESS. Mr. Speaker, in accordance with the resolution passed recently giving authority to the committee to summon witnesses and swear them and sit during the sessions of the House for this investigation, the chairman sent wires requesting many persons whose names had been handed to him by Mr. Littledale to appear for the investigation. Among these names were those of several soldiers. The soldiers' testimony will be the most important, because it is upon their statement that the charges have been made.

I received wires from a great number, the telegrams of which I hold in my hand. Here are some extracts:

Does your committee pay necessary travel expenses of witness? I can not appear without transportation paid.

Another:

Received telegram asking me to testify voeational board Tuesday, March 30. I would be glad to testify, but will have to decline until my expenses are paid. In the meantime I will wait a subpœna.

Here is another:

Would gladly testify, but am without funds. Wire transportation. I know it can be done.

Here is another:

Can not appear on first Monday on account of shortage of funds; will wait reply.

Here is another:

Glad to come to Washington to testify on matter pertaining to the board, but can not do so at my own expense.

And so on in a number of telegrams. The chairman of the Education Committee was not authorized to forward transportation. The chairman spoke to the Committee on Accounts. The Committee on Accounts thought the proper way to proceed would be the regular resolution which has been presented this morning. The regular resolution was written in the usual form, using the term "clerical" instead of the language referring to subpœnas. I give it to the membership of the House upon my honor that there will be no clerical force in the way of assistant clerk hire, or anything of that sort, or in the employment of any attorney or counsel, or anything of that sort. It will be limited simply to the amount of the expense necessary to bring these people here to testify.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. LONGWORTH. Am I wrong in my understanding that any committee of the House which is authorized to make an investigation may pay traveling expenses on the certificate of the Sergeant at Arms from the contingent fund of the House?

Mr. FESS. I understand that the Sergeant at Arms would not be free to issue any such certificate unless the Committee on Accounts recognized the account, and, more than that, I could afford to bring these men here if they were men who would pay their way, but to bring a crippled soldier down here without money by a subpœna, and then be unable to pay him while here, unless I paid him out of my own pocket, would be something I would not want to do. I would not want to be put into such a position as that; it would not be dignified.

Mr. LONGWORTH. I understand that fully, but I thought the gentleman could pay these expenses in the manner stated.

Mr. FESS. I think not.

Mr. LONGWORTH. Is the gentleman certain about that?

Mr. FESS. I am certain to the extent that I was advised not to do that.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. BLANTON. The chairman of the Committee on Accounts [Mr. IRELAND] has just stated, in reply to my question, that he has already authorized the distinguished gentleman from Ohio [Mr. FESS] to issue these vouchers, and that the vouchers be paid.

Mr. IRELAND. Out of this appropriation. Arrangements have been made to forward transportation to these respective witnesses out of this appropriation, if it is agreed to by the House.

Mr. BLANTON. But the original resolution authorized this investigation, and concerning its expense the rules of the House authorizes the payment in connection with the authorization of the chairman of the Committee on Accounts, and the chairman without this resolution would be authorized to issue vouchers for that.

Mr. IRELAND. Oh, the gentleman is mistaken.

Mr. FESS. The chairman of the committee has made this authorization upon the ground that this resolution will pass, because this investigation begins on Monday at 10 o'clock and we can not wait a later day than to-day.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. GARD. How many witnesses has the gentleman who are unable to appear for the hearing on Monday?

Mr. FESS. There are 15 or 16 here in this bunch of telegrams.

Mr. GARD. Am I correct in my understanding of what the chairman of the Committee on Accounts said a moment ago, in that the expense of these witnesses had already been provided for by means outside of this proposed resolution?

Mr. IRELAND. Oh, the gentleman is mistaken in that.

Mr. FESS. No; but upon the belief that the House will pass this resolution the chairman of the Committee on Accounts made the authorization.

Mr. GARD. That is what I want to be clear about. I think everyone wants to grant the committee every authority to bring witnesses here, but I understood that the matter had been provided for in some other way. It is a part of this resolution?

Mr. FESS. It is a part of this resolution.

Mr. IRELAND. Yes.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. WALSH. Is it the gentleman's contention that under this resolution the Committee on Education can issue subpœnas for witnesses to pay them other than the legal fee and the amount allowed for traveling expenses?

Mr. FESS. No; the gentleman does not contend that. He expects that they will be paid only the transportation and legal fee.

Mr. WALSH. Is it intended to pay the actual transportation or the legal fee for traveling?

Mr. FESS. It must be the legal fee for traveling.

Mr. WALSH. That is what is intended?

Mr. FESS. We want to be strictly within the law.

Mr. BLANTON. Will the gentleman accept an amendment limiting it to that?

Mr. IRELAND. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. PARRISH], a member of the committee.

Mr. PARRISH. Mr. Speaker and gentlemen of the House, there is no man in this House who is more in favor of actual economy than am I, and as a member of the Committee on Accounts, which favorably reported this resolution, I want to say that it is our purpose at all times to see to it that every dollar is saved the country that can be reasonably and judicially saved. This resolution has to do with the examination or the hearings that will be had investigating the Board for Vocational Training. It touches the interest and welfare of the men who have been crippled in the service. The chairman of the Committee on Education presented to us a number of telegrams in reply to requests that he had sent out to various witnesses throughout the country, and I believe that with but one exception they all demanded that their transportation be arranged before they leave to come here to testify. In order to make this investigation what it should be, in order that it may be a real investigation, and that we might go into it and see what the crippled soldiers of the country need, and are not getting, the Committee on Accounts feels that the House would cheerfully and willingly grant the usual and customary traveling expenses in order that these men may be brought here. It is stated by the chairman of the committee that no money will be expended for clerical help, although that authorization is in the resolution, unless, perchance, it was absolutely necessary to have some particular work done in some particular branch that could not be done by the regular clerk of the committee. In other words, the Committee on Accounts wants this investigation to be fair. We want the crippled boy, wherever he is, no matter in what part of the country he may be, who is not receiving fair treatment, if there are such, to have an opportunity to come here and appear before the committee and tell the committee wherein he is not receiving justice.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. PARRISH. Yes.

Mr. HUDSPETH. What was this enormous sum of $2,000 that the gentleman from Texas [Mr. BLANTON] was speaking about to be expended for?

Mr. PARRISH. The amount to be paid to witnesses is not to exceed $2,500.

Mr. JONES of Texas. Is the amount to be paid to any particular witness limited to the expenses of the trip?

Mr. PARRISH. To any and all witnesses who are brought here at the request of the committee.

Mr. JONES of Texas. He is not to be paid more than the expense of his trip?

Mr. PARRISH. Not more than the legal allowance. He is not to be paid any more than the legal traveling fee.

Mr. MILLER. Suppose the expense of the witness reaching Washington and his stay here and return to the place whence he came is more than the legal fee?

Mr. PARRISH. It is not contemplated that he will be paid more than the legal fee.

Mr. MILLER. But suppose his expenses are more than the legal fee. Who makes up the residue?

Mr. PARRISH. It is not contemplated that the House will pay more than the legal fee under this resolution.

Mr. MILLER. Then if there is more they will have to bear the expense themselves?

Mr. PARRISH. Yes. That is the situation, gentlemen, in regard to the resolution.

Mr. CONNALLY. Will the gentleman yield?

Mr. PARRISH. I will.

Mr. CONNALLY. I would like to ask the gentleman if there is any requirement that before these witnesses will be summoned that the committee shall certify it is believed that they are necessary for the inquiry?

Mr. PARRISH. I yield to the gentleman from Ohio [Mr. FESS] to answer the question.

Mr. FESS. The committee had submitted to it a list of names and the committee authorized the chairman to subpœna all of them.

Mr. CONNALLY. What I had in mind was that unless it is believed by the committee from some preliminary investigation that witnesses' testimony would be material and helpful to the committee I do not see any reason why you should summon men from across the United States to be brought here unless the committee has reason to believe that their testimony is material.

Mr. FESS. They will not be brought unless there is reason.

Mr. CONNALLY. I am sure the committee will use proper discretion.

Mr. FESS. The parties thus far submitted are in New York, one up near Boston, and one in Indianapolis, and none farther than that.

Mr. CONNALLY. I will state in that connection that distance alone would not influence me if witnesses were necessary to throw light on the matter under inquiry, but I do not think it would be wise to summon a great mass of witnesses here who are not material to the investigation.

Mr. FESS. I thoroughly agree with the gentleman.

Mr. HASTINGS. Will the gentleman permit me to ask him a question?

Mr. FESS. Certainly.

Mr. HASTINGS. Does the chairman of the Committee on Education have some idea as to what the various witnesses will testify to—for instance, the one in New York or the one in Indianapolis? Has the chairman investigated sufficiently to know that this testimony would be pertinent to the purposes of the investigation?

Mr. FESS. Yes; the chairman of the committee is satisfied, and I think the whole committee is satisfied. Charges were made and immediately following the charge a request was made for having witnesses subpœnaed.

Mr. HASTINGS. I was just wondering whether the chairman was satisfied that those were material witnesses to the matter in issue.

Mr. FESS. The chairman is satisfied.

Mr. PARRISH. I think the Committee on Education will handle it properly. That is all I care to say on the resolution.

Mr. BLANTON. Will the gentleman from Indiana yield to me to offer this amendment?

Mr. IRELAND. Yes.

Mr. BLANTON. Mr. Speaker, I desire to offer the following amendment. In line 3, after the word "to," strike out the following: "employ clerical and other assistance and to," so that the resolution will read as it will read with that left out.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: Line 3, after the word "to," strike out the words "employ clerical assistance and to."

Mr. MANN of Illinois. May I ask to have it reported as it would read?

The Clerk read as follows:

So as amended the resolution will read: "*Resolved*, That the Committee on Education, pursuant to authority of H. Res. 495, to investigate the Federal Board for Vocational Education, is hereby authorized to incur necessary incidental expenses, which shall be paid out of the contingent fund of the House upon vouchers signed by the chairman thereof and approved by the Committee on Accounts."

Mr. IRELAND. Mr. Speaker, I am fearful that this amendment might prove an embarrassment to the committee and I should not like to see it handicapped in any way in this investigation. It is barely possible that they might want an auditor or an experienced accountant to go over the books of this board, and if that case should obtain, I would like to see the committee make such employment, and I question further whether the resolution including the amendment would not allow them to employ any clerical help that they cared to have. It provides "for all incidental expenses," so that I think the gentleman's amendment is negligible, anyway, but I hope it will be defeated.

Mr. MANN of Illinois. I was going to ask my colleague whether the authority to incur incidental expenses to the amount of $25 to $100 would not include assistance and everything?

Mr. BLANTON. Then the other is surplus.

Mr. MANN of Illinois. It is wider than it is now.

The SPEAKER. The question is on the amendment.

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. BLANTON) there were—ayes 1, noes 97.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Clearly there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent members, and the Clerk will call the roll.

The question was taken; and there were—yeas 3, nays 278, not voting 146, as follows:

YEAS—3.

Black	Blanton	Thomas

NAYS—278.

Almon	Dupré	Juul	Nelson, Wis.
Anderson	Eagan	Keller	Newton, Minn.
Andrews, Nebr.	Eagle	Kiess	Newton, Mo.
Ashbrook	Elliott	Kincheloe	Nichols, Mich.
Aswell	Elston	King	Nolan
Babka	Emerson	Kinkaid	Ogden
Barkley	Evans, Mont.	Kitchin	Oldfield
Bee	Evans, Nebr.	Kleczka	Olney
Begg	Evans, Nev.	Knutson	Osborne
Bell	Fairfield	Lampert	Overstreet
Benham	Ferris	Lanham	Park
Blackmon	Fess	Lankford	Parker
Bland, Ind.	Fisher	Larsen	Parrish
Bland, Mo.	Flood	Lazaro	Pell
Bland, Va.	Focht	Lea, Calif.	Peters
Boies	Fordney	Lee, Ga.	Phelan
Bowers	Foster	Linthicum	Platt
Box	Frear	Little	Pou
Brand	Freeman	Lonergan	Purnell
Briggs	Fuller, Ill.	Longworth	Quin
Brooks, Ill.	Gallagher	Luce	Rainey, Ala.
Brooks, Pa.	Gallivan	Luhring	Rainey, H. T.
Browne	Ganly	McClintic	Rainey, J. W.
Brumbaugh	Gard	McCulloch	Raker
Buchanan	Garland	McKeown	Ramseyer
Burdick	Garner	McKinley	Randall, Calif.
Burroughs	Good	McLaughlin, Mich.	Randall, Wis.
Byrns, Tenn.	Goodwin, Ark.	McLaughlin, Nebr.	Rayburn
Campbell, Kans.	Goodykoontz	MacCrate	Reavis
Campbell, Pa.	Green, Iowa	Madden	Reber
Candler	Greene, Mass.	Magee	Reed, N. Y.
Cantrill	Hadley	Major	Reed, W. Va.
Caraway	Hardy, Colo.	Mann, Ill.	Rhodes
Carss	Harreld	Mann, S. C.	Ricketts
Chindblom	Harrison	Mansfield	Riddick
Clark, Mo.	Hastings	Mapes	Robinson, N. C.
Classon	Haugen	Martin	Robsion, Ky.
Coady	Hawley	Mason	Rodenberg
Cole	Hayden	Mays	Rogers
Collier	Hays	Merritt	Romjue
Connally	Hernandez	Michener	Rouse
Crago	Hersman	Miller	Rubey
Crisp	Hickey	Milligan	Rucker
Currie, Mich.	Hill	Monahan, Wis.	Sanders, Ind.
Dale	Hoch	Montague	Sanders, La.
Davis, Minn.	Houghton	Moon	Scott
Davis, Tenn.	Howard	Mooney	Sears
Dent	Hudspeth	Moore, Ohio	Sells
Dickinson, Iowa	Hull, Tenn.	Moore, Va.	Sherwood
Dominick	Igoe	Moores, Ind.	Shreve
Donovan	Ireland	Morgan	Siegel
Doremus	Jacoway	Mudd	Sims
Doughton	Johnson, Wash.	Murphy	Sinclair
Dowell	Jones, Pa.	Neely	Sisson
Dunbar	Jones, Tex.	Nelson, Mo.	Slemp
Small	Sweet	Vinson	Wilson, Ill.
Smith, Idaho	Swope	Voigt	Wilson, La.
Smith, Mich.	Tague	Volstead	Wilson, Pa.
Smithwick	Taylor, Ark.	Walsh	Wingo
Snyder	Taylor, Colo.	Walters	Wise
Steagall	Taylor, Tenn.	Ward	Wood, Ind.
Stedman	Temple	Wason	Woods, Va.
Steenerson	Thompson	Watkins	Woodyard
Stephens, Miss.	Tillman	Watson	Wright
Stevenson	Tincher	Weaver	Yates
Stiness	Towner	Webster	Young, N. Dak.
Strong, Kans.	Upshaw	Welling	Young, Tex.
Strong, Pa.	Vaile	Wheeler	Zihlman
Summers, Wash.	Venable	White, Kans.	
Sumners, Tex.	Vestal	White, Me.	

NOT VOTING—146.

Ackerman	Dooling	James	Nicholls, S. C.
Andrews, Md.	Drane	Jefferis	O'Connell
Anthony	Dunn	Johnson, Ky.	O'Connor
Ayres	Dyer	Johnson, Miss.	Oliver
Bacharach	Echols	Johnson, S. Dak.	Padgett
Baer	Edmonds	Johnston, N. Y.	Paige
Bankhead	Ellsworth	Kahn	Porter
Barbour	Esch	Kearns	Radcliffe
Benson	Fields	Kelley, Mich.	Ramsey
Booher	French	Kelly, Pa.	Riordan
Brinson	Fuller, Mass.	Kendall	Rose
Britten	Gandy	Kennedy, Iowa	Rowan
Burke	Garrett	Kennedy, R. I.	Rowe
Butler	Glynn	Kettner	Sabath
Byrnes, S. C.	Godwin, N. C.	Kraus	Sanders, N. Y.
Caldwell	Goldfogle	Kreider	Sanford
Cannon	Goodall	Langley	Schall
Carew	Gould	Layton	Scully
Carter	Graham, Ill.	Lehlbach	Sinnott
Casey	Graham, Pa.	Lesher	Smith, Ill.
Christopherson	Greene, Vt.	Lufkin	Smith, N. Y.
Clark, Fla.	Griest	McAndrews	Snell
Cleary	Griffin	McArthur	Steele
Cooper	Hamill	McDuffie	Stephens, Ohio
Copley	Hamilton	McFadden	Stoll
Costello	Hardy, Tex.	McGlennon	Sullivan
Cramton	Heflin	McKenzie	Tilson
Crowther	Hersey	McKinley	Timberlake
Cullen	Hicks	McLane	Tinkham
Curry, Calif.	Hoey	McPherson	Treadway
Dallinger	Holland	MacGregor	Vare
Darrow	Huddleston	Maher	Welty
Davey	Hulings	Mead	Whaley
Dempsey	Hull, Iowa	Minahan, N. J.	Williams
Denison	Humphreys	Mondell	Winslow
Dewalt	Husted	Morin	
Dickinson, Mo.	Hutchinson	Mott	

So the amendment was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. CANNON with Mr. BANKHEAD.

Mr. ECHOLS with Mr. DRANE.

Mr. ACKERMAN with Mr. STOLL.

Mr. JOHNSON of South Dakota with Mr. MINAHAN of New Jersey.

Mr. DALLINGER with Mr. BENSON.

Mr. GREENE of Vermont with Mr. PADGETT.

Mr. DARROW with Mr. WHALEY.

Mr. KENNEDY of Rhode Island with Mr. MCGLENNON.

Mr. MONDELL with Mr. DICKINSON of Missouri.

Mr. BARBOUR with Mr. HUMPHREYS.

Mr. MORIN with Mr. WELTY.

Mr. STEPHENS of Ohio with Mr. HOLLAND.

Mr. BACHARACH with Mr. HAMILL.

Mr. EDMONDS with Mr. FIELDS.

Mr. PORTER with Mr. JOHNSON of Mississippi.

Mr. ESCH with Mr. JOHNSON of Kentucky.

Mr. KENDALL with Mr. BRINSON.

Mr. BAER with Mr. GANDY.

Mr. KELLEY of Michigan with Mr. LESHER.

Mr. GRAHAM of Pennsylvania with Mr. BYRNES of South Carolina.

Mr. GOODALL with Mr. HUDDLESTON.

Mr. FULLER of Massachusetts with Mr. CASEY.

Mr. SNELL with Mr. O'CONNOR.

Mr. RAMSEY with Mr. SCULLY.

Mr. ROWE with Mr. SABATH.

Mr. MCKENZIE with Mr. NICHOLLS of South Carolina.

Mr. LEHLBACH with Mr. CULLEN.

Mr. MCKINLEY with Mr. HEFLIN.

Mr. WINSLOW with Mr. HOEY.

Mr. DEMPSEY with Mr. JOHNSTON of New York.

Mr. ANTHONY with Mr. CARTER.

Mr. TILSON with Mr. OLIVER.

Mr. BUTLER with Mr. STEELE.

Mr. TREADWAY with Mr. DEWALT.

Mr. CHRISTOPHERSON with Mr. DAVEY.

Mr. HERSEY with Mr. BOOHER.

Mr. HICKS with Mr. HARDY of Texas.

Mr. TINKHAM with Mr. GARRETT.

Mr. WILLIAMS with Mr. CLARK of Florida.

Mr. KAHN with Mr. GOLDFOGLE.
Mr. COSTELLO with Mr. AYRES.
Mr. VARE with Mr. GRIFFIN.
Mr. TIMBERLAKE with Mr. RIORDAN.
Mr. GRIEST with Mr. O'CONNELL.
Mr. CROWTHER with Mr. DOOLING.
Mr. ELLSWORTH with Mr. SULLIVAN.
Mr. BURKE with Mr. CAREW.
Mr. HULINGS with Mr. CALDWELL.
Mr. GRAHAM of Illinois with Mr. SMITH of New York.
Mr. DENISON with Mr. ROWAN.
Mr. MCPHERSON with Mr. MCDUFFIE.
Mr. GLYNN with Mr. CLEARY.
Mr. DUNN with Mr. MEAD.
Mr. ROSE with Mr. MAHER.
Mr. RADCLIFFE with Mr. MCLANE.
Mr. SINNOTT with Mr. KETTNER.
Mr. LUFKIN with Mr. MCANDREWS.
Mr. KREIDER with Mr. GOODWIN of Arkansas.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

Mr. IRELAND. Mr. Speaker, I move the adoption of the committee amendment.

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken, and the committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

The resolution as amended was agreed to.

ELIZABETH CLARK.

Mr. IRELAND. Mr. Speaker, I ask for the consideration of a privileged resolution which I send to the desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 505.

Resolved, That there shall be paid, out of the contingent fund of the House, to Elizabeth Clark, widow of James Clark, late an employee of the House of Representatives, a sum equal to six months of his compensation as such employee, and an additional amount, not exceeding $250, to defray the expenses of the funeral of said James Clark.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

CHIEF CLERK IN FOLDING ROOM.

Mr. IRELAND. Mr. Speaker, I ask consideration for the following resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 487.

Resolved, That there shall be paid, out of the contingent fund of the House, until otherwise provided by law, compensation at the rate of $1,800 per annum for the services of a chief clerk in the office of the superintendent of the folding room of the House, such office to be in lieu of a messenger at the rate of $1,200 per annum.

Mr. IRELAND. Mr. Speaker and gentlemen of the House, this resolution contemplates the reviving of the office of chief clerk in the folding room and the abolishment, temporarily at least, of the office of messenger. Up until the Sixty-first Congress there were five employees in the office of the folding room. This number was reduced to four at that time and has so remained since. The business of the folding room has so increased and the congestion is so severe there that some relief must be given to it. The occasion for this resolution, which simply contemplates the revival of the office of chief clerk there, is necessary to hold a certain man that they have in their employ. At the time of the beginning of the Sixty-sixth Congress the employees of this folding room knew nothing about their duties, inasmuch as they were all green men, and the only man of any bookkeeping experience, who was an accountant as well, happened to draw the messenger's position at $1,200 a year. He is acting as chief clerk, drawing $1,200, while his subordinates are all drawing $1,600 each. So this resolution, if favorably acted upon by the House, increases our expenses only $600, the difference between $1,200 and $1,800, and places the man who is now drawing the lesser salary in the office of chief clerk.

Mr. BLANTON. Will the gentleman yield?

Mr. IRELAND. In just a moment. He is the only man competent, and has taught the others the bookkeeping of the department, and without reliance on him the congestion would have been so severe that the service to Members would have severely suffered.

Mr. BLANTON. Besides the superintendent, how many employees did the gentleman say there were in the folding room?

Mr. IRELAND. Only four in this department.

Mr. BLANTON. Besides the superintendent?

Mr. IRELAND. There is no superintendent in the folding room.

Mr. BLANTON. There is a superintendent of the folding room.

Mr. IRELAND. In the document room.

Mr. BLANTON. Is there not more clerical help in there than that?

Mr. IRELAND. I am informed by the Doorkeeper that there are only four in the cage.

Mr. BLANTON. But they are merely the executive employees in that department, are they not? Are there not other employees who actually do the folding and the clerical work in there? How many of such employees are there?

Mr. IRELAND. I presume so; yes.

Mr. BLANTON. About how many of them are there?

Mr. IRELAND. I can not give the gentleman the exact number.

Mr. BLANTON. There is quite a number of them?

Mr. IRELAND. I presume so. I do not know the exact number.

Mr. BLANTON. There are a number of them who do the folding in that folding room and clerical work.

Mr. IRELAND. That is in the document room.

Mr. MANN of Illinois. The gentleman is referring to the actual folding room, where the speeches of Members, including the speeches of the gentleman from Texas, are put in envelopes furnished by the Government at Government expense and the work done at Government expense. I am not indulging in that at present myself, owing to a streak of economy.

Mr. BLANTON. I am indulging in it right now.

Mr. MANN of Illinois. No doubt.

Mr. BLANTON. I want the people of this country to know something about their own business that goes on here in Washington, and to do so have paid the Public Printer about $2,000 to reprint certain speeches I have sent to the people, and that is the reason I am asking about this matter. I am sure the gentleman would like to have the people of the United States know, too, when it is their own business. There are numerous such employees in what we call the folding room proper?

Mr. IRELAND. Yes.

Mr. BLANTON. Does the gentleman believe that we should have any more than four executive officers in this cage?

Mr. IRELAND. This does not contemplate any increase in number.

Mr. BLANTON. We have gotten along without this proposed chief clerk during this Congress.

Mr. IRELAND. This is the only man who had any knowledge of the business when he went in there, and he is a man of family. He has been an experienced accountant and was so employed up to the time of the war.

Mr. BLANTON. In the Sixty-sixth Congress——

Mr. IRELAND. We can not retain him at the present salary, and it seems vital to the service—at least it is so represented by the Doorkeeper—that he be retained.

Mr. BLANTON. In the Sixty-sixth Congress, which convened on May 19, 1919, up to the present time we have not had any chief clerk in this department?

Mr. IRELAND. Yes, sir. We had this man, who held the office as messenger, acting as chief clerk.

Mr. BLANTON. But we did not have any chief clerk drawing $1,800, as proposed, and we did not have any such chief clerk in the Sixty-fifth Congress, and we did not have any such chief clerk in the Sixty-fourth Congress; and the Sixty-fifth Congress was the war Congress, when I presume every Member other than the gentleman from Illinois did send something home to his people; and we did get along in the Sixty-fifth Congress, the war Congress, without this chief clerk, did we not, and the Sixty-fifth Congress was known as the Congress which had to expend money during the emergency, and the Sixty-sixth Congress is known as the retrenchment economy Congress, is it not?

Mr. IRELAND. The gentleman has quite as intimate knowledge of that as I have, and he does not need to interrogate me on the subject.

Mr. JUUL. Mr. Speaker, will the gentleman yield for a question?

Mr. IRELAND. I yield.

Mr. JUUL. If the gentleman will permit, I will answer him.

Mr. BLANTON. Very well.

Mr. JUUL. If my friend will yield.

Mr. IRELAND. Yes.

Mr. JUUL. We also got along without the printing press and the telegraph and the telephone for a good many years, but we are getting along better with them now.

Mr. BLANTON. Yes; but I am not sure, after all, that the increasing expense of these operations here is beneficial to the people who pay the taxes.

Mr. IRELAND. Mr. Speaker, we have made mountains out of mole hills, and wasted more time than is represented by the money involved in this resolution, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13266, known as the District of Columbia appropriation bill.

GOVERNMENT MATERIAL STORED IN TRAINING CAMPS.

Mr. McCLINTIC. Mr. Speaker, will the gentleman yield to me long enough to permit a short letter to be brought to the attention of the House, referring to several hundred carloads of war material which, if not disposed of, will be destroyed by the natural elements?

Mr. DAVIS of Minnesota. The gentleman just wants to present the letter to the House, without argument?

Mr. McCLINTIC. Yes.

Mr. DAVIS of Minnesota. I yield to the gentleman.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to address the House for how long?

Mr. McCLINTIC. Just two minutes. It is from an employee out here at Camp Humphreys; a letter in which he makes no criticism, but calls attention to several hundred carloads of war material, and asks that the matter be brought to the attention of Congress.

Mr. WALSH. Why does he not bring it to the attention of the War Department?

Mr. McCLINTIC. I will ask, Mr. Speaker, when the letter is read, that it be referred to the Committee on Military Affairs.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCLINTIC. Mr. Speaker, I ask that the letter be read.

The SPEAKER. The Clerk will read the letter.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER,
Camp A. A. Humphreys, Va., March 16, 1920.

No.: ——.
From: Will R. Miller, 3050 P Street NW., Washington, D. C.
To: Hon. JIM MCCLINTIC, M. C., Washington, D. C.
Subject: Use of material now owned by the Government and stored in the various training camps.

As the various States are now making especial efforts to improve the condition of their roads, I beg to call to your attention some facts with which you may not be familiar.

During the war the Government purchased vast quantities of standard steel bridge material, which, I understand, was to be used in the construction of bridges for railroads and wagon roads in France and in the country taken from the Germans in their retreat, all the bridges of which they completely destroyed. The sudden collapse of the Central Powers made the use of this material unnecessary, and as a result we now have perhaps millions of tons of it stacked in the various Army camps in this country. There is enough in this one camp alone to put first-class bridges on all the important crossings of big streams in the State of Oklahoma.

This material, you understand, is given a thin coat of red lead in oil when it is sent out from the factory, just enough to preserve it until it is erected and given due protecting care. You also understand this is very heavy material, and has to be unloaded by a crane. In this camp—and I suppose in all the camps where it is stored—it is simply lifted from the car by a crane and swung out beside the track and left. It is not only generally exposed to the elements, but it is often without the proper foundation, so it is exposed to the minerals of the soil as well as to oxidation, and so is deteriorating so rapidly that unless used or taken up and given care very soon it will be worthless for the purpose for which it was made.

This, you understand, is all standard-width material, strong and heavy enough for railroad bridging, and would be ideal material for bridges on roads in these days when we are just beginning heavy trucking with loads so heavy they must be reduced to meet the conditions of our old bridges.

It seems to me that Congress might well look into this matter and make some arrangements to distribute this valuable material among the States, especially the new States of the West, where it is so badly needed, and unless this is done very soon, say, within a period of one or at most two years, the material will be ruined.

This is only one of a class of articles purchased for war purposes that is now going to rapid decay. In these various camps are thousands of portable buildings that would be of the very greatest of value to the pioneer settlers of the West, both as dwellings and as outhouses, and even in the East they would be of the greatest value to farmers in various uses. Buildings of almost any size and form can be made of them, and they can be easily taken apart and transported. I suppose there is nearly 1,000 carloads of these portable buildings in this camp alone, and without care and protection within two years they will scarcely be worth moving, but if taken now and cared for would last as long as good lumber properly cared for would last.

This camp is near Washington. The road all the way is about as good as the pavement on Pennsylvania Avenue. I have often made the trip from here to the Union Depot in Washington in 35 minutes. Suppose you get a committee of Congressmen and drive out here some afternoon and look the situation over, with a view to some action that will preserve this material in some way for the development o. our country. In these times of high prices it would serve as a great relief.

Sincerely, yours,
WILL R. MILLER.

Mr. McCLINTIC. Mr. Speaker, I ask that the letter be referred to the Committee on Military Affairs.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The SPEAKER. The gentleman can refer it at any time. The gentleman from Minnesota [Mr. DAVIS] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the District of Columbia appropriation bill. The question is on agreeing to that motion.

Mr. KNUTSON. Mr. Speaker, what has become of the letter?

The SPEAKER. It was read.

Mr. KNUTSON. The gentleman made a motion.

Mr. McCLINTIC. I simply asked that the letter be referred to the Committee on Military Affairs.

The SPEAKER. The gentleman was not recognized for that purpose. The question is on agreeing to the motion of the gentleman from Minnesota [Mr. DAVIS].

The motion was agreed to.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] will please take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, with Mr. MADDEN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13266, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

The CHAIRMAN. The gentleman from Texas [Mr. BUCHANAN] has 27 minutes of time in general debate remaining.

Mr. DAVIS of Minnesota. Mr. Clairman, I suggest that the gentleman use some of his time.

Mr. BUCHANAN. I yield five minutes to the gentleman from Georgia [Mr. BRAND].

The CHAIRMAN. The gentleman from Georgia is recognized for five minutes.

THE SUPREME COURT.

Mr. BRAND. Mr. Chairman, I do not want to talk about the bill at present being considered, but I do want to talk about a matter in which every Member of Congress, particularly every lawyer, is interested. I introduced a bill to-day which, on March 1, 1920, I did not know ever would be necessary to be introduced. The subject matter of the bill was brought to my attention by the fact that in the decision of the case of the United States of America, appellant, against the United States Steel Corporation et al., on appeal from the district court of the United States for the district of New Jersey, the decision was rendered in this case by less than a majority of the court. Four justices of the court rendered the majority opinion, seven only presiding, when three of the seven were against the decision. Two justices of the court were disqualified. I have looked into the law to a limited extent, because I did not understand why it was that, in an important case like this, qualified justices were not appointed to preside in the place of disqualified justices. To my amazement my investigation disclosed the fact that there is no provision in the Revised Statutes anywhere for the appointment of a judge to preside in place of a disqualified justice in any case before the Supreme Court of the United States.

The law says that the Supreme Court shall consist of a Chief Justice of the United States and eight Associate Justices, any six of whom shall constitute a quorum. There were only seven who presided in this case, two being disqualified, and, as stated, four men virtually destroyed an act of Congress which the Congress had considered and debated on for months and months, and I contend that such a situation as this constitutes an evil that ought to be corrected, whether the decision was right or wrong.

Mr. VAILE. Mr. Chairman, will the gentleman yield?

Mr. BRAND. Yes.

Mr. VAILE. Does the gentleman advocate having temporary justices of the Supreme Court?

Mr. BRAND. I am going to tell you what I advocate. In almost every State in the Union where a judge of the State supreme court is disqualified there is authority given to the governor to appoint some competent judge to take the place of the disqualified judge. There is no politics in this proposition and nothing to be gained politically by either side of this House. I therefore invite the careful thought and attention of every Member of the House to it, and particularly the attention of the lawyers in the House.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. BRAND. Yes.

Mr. BEE. Could not that be cured in the law by providing that no law of Congress could be set aside by less than a three-fourths vote of the court?

Mr. BRAND. In answer to that question I think legislation should be enacted providing that no act of Congress shall be annulled or held to be unconstitutional unless it is done by the decision of a quorum of that body, or at least by a majority thereof, in the first case by a vote of six and the other by the concurrence of five members of the court. But that is neither here nor there, and the question submitted is not the object of my making this statement. I want to state that this bill provides that when there is a disqualification in the Supreme Court of the United States it shall be the duty of the President to name some judge of the circuit court of appeals to preside in that case. Otherwise, if you follow the reasoning to its ultimate conclusion, there may come a time when five members of the Supreme Court are disqualified, which would leave only four to try any case pending in that court. The situation would be utterly unremedial under existing law. From one end of the statutes to the other no one can find any provision of law which would enable such a case to be tried. The litigants would be perfectly helpless if members of that court were disqualified, by reason of interest or otherwise, so as to bring down the qualified members to less than six. The court could not function and would be powerless to act, if in any case four members should be disqualified. That is a situation that ought not to exist. While we have gone on for over a century without any serious difficulty, yet in my judgment in the face of the important cases now coming before this court, particularly such cases as this steel case and the income-tax case, this defect in the law ought to be remedied. [Applause].

Under its first bill, approved by Washington on the 24th day of September, 1789, it was provided that the Supreme Court of the United States should consist of a Chief Justice and five Associate Justices, any four of whom should be a quorum, and yet, though subsequent legislation increased its number of justices to nine, only six constitute a quorum.

In my judgment, no case of such importance as to reach the Supreme Court of the United States should be heard or decided by less than a full bench of nine qualified justices, and no case should be decided by any number of members of said court less than a majority of the full bench, and in no event should any act of Congress be held unconstitutional unless concurred in by at least five members, or a majority of said court. [Applause.] By unanimous consent of the House, I submit for publication in the RECORD a copy of the bill which I have introduced and to which I have referred:

A bill authorizing the President of the United States to appoint a judge, or judges, to preside in the Supreme Court of the United States when any member, or members, thereof are disqualified.

Be it enacted, etc., That when one or more of the judges of the Supreme Court of the United States are disqualified from deciding any case, by interest or otherwise, the President of the United States is authorized, and it shall be his duty, to designate and appoint a judge, or judges, of the circuit court of appeals, pro hac vice, to preside in said case.

SEC. 2. That said circuit court judge, or judges, when thus appointed are hereby authorized and directed to hear, consider, decide, and otherwise participate in any such disqualified case with all the power and authority now possessed and exercised by the judges of the United States Supreme Court under the laws and Constitution of the United States.

SEC. 3. That when and as soon as it is determined that any judge, or judges, of the Supreme Court are disqualified to try any case pending on the dockets of said court it shall be the duty of the court forthwith to direct the clerk of said court to promptly notify the President of the United States of this fact.

SEC. 4. That when the appointment of a judge, or judges, by the President, under the provisions and terms of this bill, has been received by the clerk of the Supreme Court, it shall be filed in his office and entered on the minutes of said court, and a certified copy thereof, under the seal of the court, shall be transmitted by the clerk to the judge so designated and appointed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUCHANAN. I yield five minutes to the gentleman from Illinois [Mr. JOHN W. RAINEY].

Mr. JOHN W. RAINEY. Mr. Chairman and gentlemen, St. Peter was receiving a group of new arrivals at the gate of heaven, in answer to his question as to what each of the group did for a living while on earth, the first man in line said, "On earth I was the representative of justice between man and man; I also defended the oppressed and the unfortunate; I was a lawyer." The second said, "I brought the new-born babe into the world; I cured the sick; when that was impossible I lightened the pains of the dying; I was a doctor." The third said, "I tried to have men lead good lives; in prosperity I advised them to practice self-restraint; in adversity I bade them hope; I was a clergyman." The fourth said, "I defended my country against her enemies within and without; on the field of battle I faced death bravely; I was a warrior." The fifth said, "I made my country's laws; I championed and voted for the greatest good to the greatest number; I was a Congressman." [Applause.] The sixth member of the group was slow to answer; she had a worn and tired look and a subdued manner, but she was encouraged to speak, for she was a woman, and then she said, "I was the teacher who introduced these five distinguished gentlemen to knowledge. I guided their childish footsteps up the height of learning in their early days, but when fame and wealth came to them they not only forgot me but they denied me a living wage. That accounts for my weariness, which you will please excuse, for I had grown so tired through the incessant demands of teaching, I had become so worn out trying to make both ends meet on my poor salary, and had been so depressed from the long struggle against discouragement over not being appreciated on earth that death was a relief when it came, and I am glad that at last I am here." [Applause.]

When one stops to think of it, the ordinary business and professional man has almost absolute faith in the American schools. If he thinks of investing $500 or $5,000 in a venture, he investigates not only the line in which his money is to be placed but the identical persons who will have charge of it are ascertained and studied. Not so when his dearest possession, his child, is to embark in the educational sea. To some teacher whom he has never met and probably never will meet, for the father who visits a school is a rarity, he cheerfully turns over his little son and daughter, confident that in some mysterious way to him the unknown teacher will adopt the proper means for developing them into the kind of boy and girl every worthy father wants his children to be. And time usually proves that the parent did the right thing, for what Americans are they owe the best that is in them chiefly to the faithful and efficient teachers in our schools. [Applause.]

Once it was believed that anyone could teach school, but that is not true in this year of 1920. A brief survey of the preparation needed to become a teacher in the elementary schools and a slight examination of the ability, ingenuity, and acquaintance one must have in the fields related to the learning process in order to be a good teacher have convinced me that if only the public once began to glimpse the size of the teacher's job every voter who had the country's welfare at heart would demand that the teachers get a "square deal" by being paid decent salaries. I doubt if, with all the versatility there is in this House, there are five men listening to my voice who could step into any of the schoolrooms that are in charge of the teachers whose salaries I am now discussing and could conduct a class of 30 or 40 children with any degree of success for even a day. If you have any doubt about the difficulties of the task, try it some time and you will be more than ready to grant all the teachers ask for in salaries.

But teaching so many hours a day is not the full extent of the teacher's duties. Continuous preparation for the next day mortgages the teacher's evenings, and when that is finished there is reading to be done in order to keep abreast of the progress that is being made throughout this country, and other countries, too, in the profession. Educational magazines, attending summer schools, traveling to broaden her mental outlook and repair her worn-out nerves; all these take money, and if the teacher is denied the means to do them the schools and children—your children and my children—suffer.

Somewhere I have read that one man in a hundred goes to college, about ten in a hundred reach high school, about 90 in 100 never go beyond the elementary schools.

We hear considerable now about the Americanization of adults, a most laudable and patriotic project. But how about the children, the American citizens of to-morrow, native born and naturalized, the best hope of our country's future? Will it be good judgment to lose sight of them? Can the country, if it is to endure, afford to do so? Apparently that is what is happening, for 145,000 teachers resigned last year and went

into other lines, because their own profession, which they preferred and which was certainly their first choice, did not pay them enough to warrant their continuing any longer in it. I have even heard of a teacher who had among her pupils two defective boys about 17 years old, and when these boys left school they started at jobs that paid each of them more money than their former teacher received for her salary.

I am not going to talk about the high cost of living. The Members of this House know considerable of that problem, and we are all aware of what it costs to live to-day. Our individual experiences in Washington have shown us how far the salary of a Member of this body goes and have made us sympathetic with the struggles of others. But the high cost of living is not confined to Washington; it seems to be nation wide. We have it in Chicago, and our teachers have been driven by the high cost of living to petition for increases in their salaries, which were partly granted, and they should have received every last cent of the amounts they were asking, otherwise what inducement is there for any intelligent, self-respecting girl to remain a teacher or to become a teacher, when teaching practically means a life of poverty, and there are so many other positions she can enter where she will receive wages or salary that will enable her to live as an American young woman should. [Applause.]

And so here in the National Capital Congress should set the example by raising the salaries of the teachers of Washington. Teaching, above any other calling, requires freedom from worry, and there is no worry more nerve-racking than financial worry. I can testify to that.

Advocating this increase in salaries, as I do to-day, is simply consistent with my attitude of 1918, when I voted to increase the salaries of the Washington school-teachers. I believed then and believe now that both justice to the teachers and the welfare of the children of Washington require this action.

For the sake of the children of Washington let us increase their teachers' salaries, mindful of the fact that what gladdens the lot of the teacher is reflected in the smiling faces and brightened minds of her pupils, whose future spells weal or woe for these United States. [Applause.]

Mr. BUCHANAN. Mr. Chairman, I will call the attention of the House to the fact that the District of Columbia is in a deplorable condition. Under the law passed in 1878 we can appropriate only double the amount of the revenues of the District for the current year for all improvements in the District of Columbia. That amount this year was a little over $9,000,000. Therefore your committee was limited to a little over $18,000,000 in the appropriations which they have recommended for the maintenance of the government of the District of Columbia. It has developed that the commissioners had to prune down their estimates for necessary and urgent improvements for the District of Columbia more than $6,000,000. That was necessary on account of what is called the half-and-half system. What was the necessary result? In many portions of this District schoolhouses could not be built where they were needed. We have authorized the construction of only six, where several more were needed. When I call attention to the fact that there are in each room in these schoolhouses from 35 to 60 students you will have some idea of the congestion. When I call attention to the fact that there are from 40 to 70 students for each teacher, you will have some idea of the crowded conditions and of the impossibility of giving proper instruction to the youth of our land.

It was said the other day by the honorable gentleman from Ohio [Mr. FESS] that school-teaching is a stepping-stone to other professions. I want it made so throughout this country that other professions will be stepping-stones to the profession of school-teaching. [Applause.] We must care for the youth of this land in order to guarantee the safety, the progress, and the greatness of our Nation in the future. So that whether you eliminate the half-and-half plan or not the taxes of the District of Columbia must be raised.

Otherwise, it is a hobble upon the progress of your city. It is a hobble upon the sanitation of your city. It is a hobble upon the charitable work of your city. It is a hobble upon the increasing of your water supply to meet the future needs of this growing city.

Do you realize that in the last few years this city has increased in population from 350,000 to 455,000? And that increase is continuing by leaps and bounds. In every direction it is extending, which demands the extension of the sewer systems, the streets, the park system, and the school system. Yet you confine this committee and this Congress to double the amount of the revenue realized from a system over 32 years old. Those who advocate that system are mossbacks and have not their eyes open to the progress and the changing conditions of the day. [Applause.] Why, sir, in this city there are intelligent men, intellectual men, who have been advocating the half-and-half system under the old law so long that their convictions have become hidebound and they can not see any other side to the question.

I do not think the abolition of the half-and-half system is going to reduce the expenditures from the Federal Treasury. That day is past. Abrogate your half-and-half plan and the Congress of the United States will make bigger appropriations for the needs of the District than they ever made before out of the Federal Treasury. But before we do it the citizens of the District must contribute their just share; must pay a tax commensurate with citizens of other cities similarly situated.

That is about all I want to say, and I hope no man will make a point of order against the provision increasing the tax rate from 1½ to 2½ per cent. Let me tell you something. The estimates for school buildings which we have authorized were made last October. Since that time the cost of material and labor have advanced in price, and it now develops that it will take 25 to 30 per cent more than we have recommended in order to construct the necessary school buildings. How are you going to do it? If you add that much to the appropriation, it will run over double the revenues of the District.

Mr. DAVIS of Minnesota. Will the gentleman yield?

Mr. BUCHANAN. I will.

Mr. DAVIS of Minnesota. Right along that line I wish to say—and I am violating no confidence—that at half-past 11 this morning in my office were the two Commissioners of the District, Mr. Brownlow and Mr. Kutz. They showed me data that they had just received showing that the estimates they have put in for the erection of some of these school buildings would have to be increased 25 or 30 per cent. The estimates were made last October, and they told me this morning that they would have to be raised 30 or 33 per cent on all the buildings.

Mr. BUCHANAN. That would carry more than double the revenues of the District. We had hearings on this bill extensively. Many citizens of the District appeared before the committee and many of them were asked the question, after hearing the situation, "Are you willing for the taxes of this District to be raised?" With a few exceptions, these intelligent, patriotic men, men of property, with sympathy and enterprise in their hearts, stated, "We want our taxes raised and want our children and the city taken care of."

On the other hand, we found a few avaricious men who bow down only at the shrine of Mammon, who objected, and some said they were willing, provided we kept the half-and-half plan. From such men my mind turns with loathing and indignation.

Now, in every State in this Union the people of those States authorize the initiation of special taxes to provide for the education of the children. Not so in this District. Congress alone can raise the rate. Now, the citizens desire that the rate be raised. Are you going to prevent them from educating their children by having their taxes raised when they want them raised? As I say, there are a few misguided individuals who have their eyes closed to the best interest of the District. It is our duty to open their eyes and the purse. I hope that no Member will make the point of order to the provision increasing the rate of taxation in the District but let it go through. [Applause.]

The CHAIRMAN. All time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated out of the revenues of the District of Columbia to the extent that they are sufficient therefor and the remainder out of any money in the Treasury not otherwise appropriated, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, except amounts to pay the interest and sinking fund on the funded debt of said District, of which amounts one half is appropriated out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia, namely.

Mr. MANN of Illinois. Mr. Chairman, I make a point of order on the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DAVIS of Minnesota. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert in lieu of the paragraph stricken out on the point of order the following:

"That the following sums are appropriated out of the revenues of the District of Columbia to the extent that they are sufficient therefor and the remainder out of any money in the Treasury not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one half of said expenses, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, except the amounts to pay the interest and sinking fund on the funded debt of said District, of which amounts one half is appropriated out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia, namely."

Mr. MANN of Illinois. Mr. Chairman, I reserve a point of order on the amendment long enough to ask the gentleman from Minnesota if this is the same amendment that heretofore has been ruled in order.

Mr. DAVIS of Minnesota. The identical amendment put in last year and held in order.

Mr. MANN of Illinois. I withdraw the reservation of the point of order.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

The rate of taxation on real estate in the District of Columbia, under the provisions of section 5 of the District of Columbia appropriation act approved July 1, 1902, is hereby increased from 1½ per cent to 2½ per cent, and the rate of taxation on tangible personal property in the District of Columbia, under the provisions of section 6 of the said act, is hereby increased from 1½ per cent to 2½ per cent.

Mr. MANN of Illinois. Mr. Chairman, I reserve a point of order on the paragraph. I would like to ask the distinguished gentleman in charge of the bill how much consideration was given to this question in the committee?

Mr. DAVIS of Minnesota. At various times for over six weeks.

Mr. MANN of Illinois. "At various times," did the committee sit down with somebody and have hearings on the subject?

Mr. DAVIS of Minnesota. No special hearings.

Mr. MANN of Illinois. It acted on general information?

Mr. DAVIS of Minnesota. Information chiefly obtained from men who came before the committee who were asking for permanent improvements, for school buildings, for parks, and so forth. They were informed what the estimates were at the present time and what it would take to grant these requests, and the question was asked, How are we going to raise the money if the half-and-half principle prevailed? We have not the money. They immediately said, "Raise our taxes."

Mr. MANN of Illinois. That was upon the statement that there would not be money enough on the half-and-half plan, which everybody knows is not so.

Mr. DAVIS of Minnesota. I do not want to contradict the gentleman.

Mr. MANN of Illinois. The gentleman knows that there is a surplus now belonging to the District in the United States Treasury of several million dollars, because it has not been used under the half-and-half arrangement.

Mr. DAVIS of Minnesota. I do not know anything of the kind.

Mr. MANN of Illinois. I supposed that everybody knew it.

Mr. DAVIS of Minnesota. I know there is what is called a surplus in the Treasury of the United States, not used heretofore. That is called a surplus, but some of the best lawyers in the country, and I agree with them, say that legally that belongs to the miscellaneous fund in the Treasury of the United States, but I have said and still say that legally or not, morally and equitably it belongs to the District of Columbia.

Mr. MANN of Illinois. I do not know who the "best lawyers in the country" are, but I would like to see the opinion of any reputable lawyer anywhere who asserts that the Government of the United States, having collected money from the District of Columbia in taxes, for use in the District of Columbia, has the right to put that money in the Treasury as miscellaneous receipts, as belonging to the General Government. I discount the authority of any such lawyer.

Mr. DAVIS of Minnesota. Has the gentleman read the taxing law of the District, the organic act of 1878?

Mr. MANN of Illinois. Oh, I read the taxing law of the District before the gentleman ever came to Congress.

Mr. MOORE of Virginia. And I will say to the gentleman that it has been stated here frequently in the discussion of District matters that this money has been accumulated and carried in the Treasury as District of Columbia money. That has been a concession heretofore in the course of the debates that we have had in respect to District of Columbia matters.

Mr. DAVIS of Minnesota. No such concession, officially or otherwise, ever came from this committee.

Mr. SISSON. Oh, the gentleman from Virginia [Mr. MOORE] is misinformed. If dynamite should blow up the District Building to-night, and blow up these auditors' books, there is absolutely nothing in the nature of an account kept in the Treasurer's office that would show this fund, because the act of 1878 specifically provides how the taxes shall be collected and the assessment made, and the next clause is the specific clause that all of the money so collected shall be paid into the Treasury of the United States to "Miscellaneous receipts."

Mr. MANN of Illinois. Notwithstanding which fact we have recently covered into the Treasury out of the District funds a number of different items, pursuant to different acts of Congress, specifically naming them, so as to transfer the money belonging to the District of Columbia from the money of the United States. It has taken a few fanciful minds in recent years to dig up this theory, which I do not think is entertained by any good lawyer on earth, except the good lawyers on the Committee on Appropriations. However, I reserve the point of order for the purpose of getting some information.

Mr. SISSON. I take this view, that as a moral obligation every dollar which the Federal Government has received on account of taxation in the District of Columbia is a fund morally, if not legally, which belongs to the District, and there is a moral obligation there which Congress will never repudiate and which it ought not to.

Mr. MANN of Illinois. Oh, it is a legal obligation.

Mr. DAVIS of Minnesota. Has it ever been so decided?

Mr. MANN of Illinois. Nobody ever had the gall to question it until this Committee on Appropriations comes in and does it.

Mr. SISSON. No member of this subcommittee ever questioned it.

Mr. MANN of Illinois. But what has all this to do with the question before the committee?

Mr. SISSON. I think the gentleman from Illinois should read the act. On its face it does not deal differently with this tax than it does with any other tax collected and paid into the Federal Treasury, which is in a separate section of that law, and it seems that at that time there was no contemplation that any question should be raised about this money being paid to general receipts.

Mr. MANN of Illinois. But they always kept it separate.

Mr. SISSON. Not in the Treasury.

Mr. MANN of Illinois. Oh, they always kept the account separate, and for years when the General Government advanced more money than its half it always recouped itself from money collected subsequently.

Mr. SISSON. If the statement made by the gentleman is true, then the Treasury officials and the auditor of the District of Columbia, who made the statement to us, do not know what they are talking about.

Mr. MANN of Illinois. The gentleman is mistaken; that is LOT what they told the gentleman.

Mr. SISSON. But they did tell the gentleman that, and not only that——

Mr. DAVIS of Minnesota. And he told it to me also.

Mr. SISSON. The gentleman from Illinois knows nothing about this matter. I asked the auditor specifically about it and specifically about the bookkeeping, and his own expression was that if you destroyed the books kept by the auditor of the District that account would be most difficult to determine in the Treasury, as that was put into the Treasury to the account of miscellaneous receipts.

Mr. MANN of Illinois. These accounts that were covered in from the District funds to the general fund in the Treasury were found upon an investigation of the Treasury books themselves, notwithstanding the gentleman says they do not keep any books up there. We took away a million dollars or two million dollars from the District of Columbia funds and gave them to the Treasury, because they found that amount on the books of the Treasury.

Mr. SISSON. The gentleman will find that it has been a mere bookkeeping affair.

Mr. MANN of Illinois. Of course it was a bookkeeping affair.

Mr. SISSON. An act of Congress would be necessary to make any change in the Treasury's books, and the only entry, the only audit, so the auditor of the District of Columbia said, was to make the change in a bookkeeping account on the auditor's books of the District of Columbia.

Mr. MANN of Illinois. As I understand it, Mr. Chairman, the position now taken by the gentleman from Minnesota [Mr. DAVIS] and the gentleman from Mississippi [Mr. SISSON] is that the Government of the United States not only has the right in the future but it has had, in fact, in the past the right to collect, and has collected, money from the people in the District of Columbia to be covered into the general fund of the Treasury and used for purposes anywhere in the United States. That is the position the gentlemen take.

Mr. SISSON. I do not think that morally they have that right.

Mr. MANN of Illinois. If it is true as to the past, then it is true as to the future, and that must be the reason they propose now to raise the taxes in the District of Columbia.

Mr. SISSON. I am not complaining myself about the language of those peculiar statutes, but I was very much impressed a day or two ago in making a careful investigation of the

statutes to find that this money went into the Federal Treasury as any other tax.

Mr. MANN of Illinois. If I came to the conclusion the gentleman has, I will be much more surprised than he was.

Mr. SISSON. Mr. Chairman, the gentleman has not investigated this matter and just does not know. I have always contended upon the floor and have always felt just as the gentleman from Illinois, that there was a separate account kept in the Treasury Department of the amount of money paid by the District of Columbia into the Treasury. When the auditor told me I was mistaken about it I then got the organic act to see whether or not they were complying with the statutes, and they were complying literally with the statutes. The money that is collected by the District is paid into the United States Treasury to the credit of miscellaneous receipts, and I asked, "How do you determine the amount of money that is to be appropriated?" He said, "From my own books." Now, the clerk of the committee is here and understands the situation, I think, as well as any man in Congress, better than any man in Congress——

Mr. MANN of Illinois. Better than any man on the committee, and that would include Congress.

Mr. SISSON. Very much more than I do. I admit that without him we would be frequently at a very great loss, because he is very skillful and a very learned clerk of this committee.

Mr. MANN of Illinois. I have dealt with him, and I will admit it now.

Mr. SISSON. He entertains the same view in reference to that matter that we do.

Mr. MANN of Illinois. I have frequently seen the committee change its view. When the committee changed its view——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN of Illinois. I will ask for five more minutes in order to get some more information.

Mr. MOORE of Virginia. Mr. Chairman, before the gentleman proceeds——

Mr. MANN of Illinois. No; I would like to get some information if I may before the time is up. What I want to learn is, and what the gentleman is talking about is not giving the information, how much consideration the Committee on Appropriations has given to this subject of the tax matter. Of course, I could write in 2 per cent or 2½ per cent if I desired, but what consideration did the Committee on Appropriations give to the question of the rate of taxation?

Mr. SISSON. If I can do so, I will tell the gentleman briefly how the whole matter came up. In the first place, for a number of years the subcommittee has communicated with authorities of other cities as to the rate of taxation and the rule of assessment and compared that from year to year with the rate of taxation and the rule of assessment here. At this time when the necessities confronted the committee we dealt with it as all legislative bodies deal with necessities of State or county organizations. There are certain essential and necessary expenses, a great deal of it due to the increased price of material and labor and the dire necessity in the future for an enlargement of the water system.

Mr. MANN of Illinois. I take it from the gentleman's statement he has not started to answer the question I asked.

Mr. SISSON. I am getting to it.

Mr. MANN of Illinois. Did the committee give any consideration directly to this question except in a general way?

Mr. SISSON. It has just as specifically as can be given to any question where the proposition is, Where will you get the money to do essential things in any community? Now, the needs of the District of Columbia for the immediate future made it necessary that this amount of money shall be raised. Now, unless the rate of taxation should be unreasonable, the fairest way to determine it is to determine what the people themselves vote upon themselves.

Mr. MANN of Illinois. How much will this raise?

Mr. SISSON. This will raise about $5,000,000, the best estimate that can be made at this time, provided——

Mr. MANN of Illinois. This increase of 1 per cent will raise how much money?

Mr. SISSON. About $5,000,000.

Mr. MANN of Illinois. How much does the 1½ per cent now raise?

Mr. SISSON. The revenue raised is about $9,000,000 in round numbers.

Mr. MANN of Illinois. And 1 per cent more would be $5,000,000?

Mr. DAVIS of Minnesota. To be exact $8,100,000 now.

Mr. SISSON. In round figures nine million six hundred and odd thousand dollars——

Mr. MANN of Illinois. And 1 per cent would only raise $5,000,000?

Mr. SISSON. I said in round figures.

Mr. MANN of Illinois. I wanted to get at how careful the gentleman was. The gentleman says 1½ per cent will raise over $9,000,000 and 1 per cent will raise $5,000,000. I do not understand his arithmetic——

Mr. DAVIS of Minnesota. If the gentleman will yield, the taxes we are talking about now, the amount next year, would be $8,100,000; that is, real and personal tax, but it is not all the income of the District.

Mr. MANN of Illinois. I understand.

Mr. DAVIS of Minnesota. We get a revenue from other sources. There is a total revenue of $9,645,000.

Mr. MANN of Illinois. This shows how carefully the committee considered the matter when two gentlemen on the committee state that the tax rate of 1½ per cent would yield $9,600,000——

Mr. SISSON. I beg the gentleman's pardon. I said revenues.

Mr. MANN of Illinois. No; I asked what the rate of 1½ per cent yielded, and that is what the gentleman said. Now, the other gentleman says $8,000,000. I do not think the committee has given very careful study to this subject, owing to the limit of time.

Mr. SISSON. I think the gentleman has done the committee a very great injustice.

Mr. MANN of Illinois. I regret it, as I did not want to do it.

Mr. SISSON. Because I believe that every Member of the committee has worked very faithfully and did the very best we could with our judgment and mind to be fair both to the Congress and to the District, and no State could give more attention to a matter than we have to this.

Mr. MANN of Illinois. I understand. I am not saying the committee did not give attention to the bill.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. MOORE of Virginia. Mr. Chairman, in reference to the question raised here a while ago, certainly it is a fact that very often on this floor the argument made against the half-and-half plan has been that it has resulted in the accumulation of an unexpended balance in the Treasury to the credit of the District of Columbia.

I recall very well that one of the most prominent Members, when that matter was last year under consideration, said that, and he said if we did not abolish the half-and-half plan the time would come when the District would be demanding that the accumulation be spent for the benefit of the District. Now, a different and inconsistent position is taken by the members of the subcommittee.

Mr. Chairman, I own no property in the District of Columbia, and without any conference with Washington people who may be interested in this matter, and not at the request of any of them, I wish to take the liberty of very briefly stating the views that I entertain. The central proposition of the bill is the one now under discussion. It is a sudden and drastic proposition to greatly increase the tax rate on real and tangible personal property. As I understand, it is admitted by the chairman of the subcommittee in charge of the bill that in a sense the increase is arbitrary. Further, it is explicitly admitted by him that the subcommittee made no investigation in the ordinary sense.

Mr. DAVIS of Minnesota. That is absolutely contrary to the fact.

Mr. MOORE of Virginia. Here is what the gentleman said yesterday in answer to a question I propounded. I asked him how much investigation had been made, and he said this:

> When gentlemen of large means would come before our committee and ask to have these extraordinary improvements made, running into the millions, before we would get through we would put the question, "Where are we going to get the money to do it?" Invariably, with one exception, they replied, "Raise our taxes." That is the information I am talking about and that is what I am trying to do.

Mr. DAVIS of Minnesota. Did I state in that connection that is all the information we had? That is only a very small part of it.

Mr. MOORE of Virginia. I was about to state that in addition you said that you acted a good deal on the basis of what had been ascertained in investigations, not by the subcommittee but back of the time to which the inquiries of the subcommittee were confined. So I think we are warranted, whatever the merits or demerits of the proposition, in saying it comes here without the sort of consideration that ordinarily is given and ought to be given such an important matter. Without reference to the essential qualities of the proposition and to what may be finally determined upon proper inquiry, it is unjust to the District of Columbia to take the action that is now proposed. This is, of course, a subject of importance, not only to the people of the District but it must be a subject of great importance in the

estimation of the people of the country who, it may be assumed, are against making conditions here complex and uncertain and thus perhaps retard the growth and beautification of the Capital City and diminish its importance and progress.

Now, it is said that the proposition rests to a considerable extent on what large property owners have told the subcommittee.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Virginia. It is stated that the foundation of the report of the committee is based on the statements made by large property owners to the subcommittee.

Mr. DAVIS of Minnesota. Will the gentleman yield?

Mr. MOORE of Virginia. Yes, sir.

Mr. DAVIS of Minnesota. That is only a subsequent incident. As the gentleman from Mississippi [Mr. SISSON] said, for years, and even now, we investigated in order to ascertain what other cities of this size were paying, and we found this city was paying less than one-third of what most of them were paying. We have had that information. We have been accumulating it all the time for years, and finally, as a round-up, we asked these big men what we should do, in view of all this information, and they said, "Raise our taxes." That is the foundation of it.

Mr. MOORE of Virginia. There has been and is a great deal of controversy as to what the facts are when comparisons are made of localities with localities.

Mr. DAVIS of Minnesota. Not when I take my own city, and the city of Minneapolis and cities of that size, where they pay 43 mills, where here they pay only 15 mills. There is no guesswork about that. For instance, we take Kansas City the same way, and other cities of the same size.

Mr. MOORE of Virginia. Let that be conceded as to the cities mentioned, and yet we are obliged to recognize that there are those who claim that a comparison of Washington with other cities will lead to a different conclusion.

Mr. DAVIS of Minnesota. They can not produce any proof of that.

Mr. MOORE of Virginia. Speaking as a Member of the House who has not been here during the investigations heretofore made, I think that we are entitled, when a committee brings in an important matter like this—a basic recommendation—to have definite facts which will enable us to take action free from any element or claim of injustice or mistake. And that is all I care to say on that point, and I say it without criticism of the able members of the subcommittee, for whom I have very great respect. We ought not to use the District as a sort of political experiment farm.

It seems to me that instead of Congress tinkering with this subject of taxation in the manner we observe, it might be better for Congress, having created a government here, with a commission at its head, to leave to that government not only the matter of assessing property, as is now done, but the matter of fixing the tax rate, providing, if you please, that sufficient revenue shall be produced by local taxation to pay at least 50 per cent of the total expenditures, or, if the proportion should be higher, make it higher. Vest in the commissioners that power and trust to them to use it properly, and, knowing that if there is any abuse of the power there will be no difficulty in Congress quickly applying a correction.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. EVANS of Nebraska. Suppose, however, when you come to appropriate, the commissioners or the government of the District of Columbia have not provided the sufficient funds, what will you do with that situation?

Mr. MOORE of Virginia. You might just as well assume that Congress would not provide its part of the total.

Mr. EVANS of Nebraska. Will the gentleman yield further?

Mr. MOORE of Virginia. Yes.

Mr. EVANS of Nebraska. Is it not a human instinct, almost, that where there is some other place to secure your help that they will fail to act if by so doing they can save their own pocket?

Mr. MOORE of Virginia. I do not think so. I do not attribute any such degree of inefficiency or selfishness—to substitute another term for your word "instinct"—to those who control the affairs of the District of Columbia.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MANN of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. O'CONNOR. I wanted to ask the gentleman what the total assessment in the District is on real and personal property?

Mr. MOORE of Virginia. I think the law provides that the assessment shall be two-thirds of the cash value.

Mr. O'CONNOR. How much does that amount to on the dollar?

Mr. MOORE of Virginia. The figures were given here a moment ago as to real and personal property.

Mr. O'CONNOR. What is the rate?

Mr. DAVIS of Minnesota. The amount was $6,400,000 on real estate and $1,700,000 on personal property. That is the tangible property, not the intangible.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman from Virginia yield?

Mr. MOORE of Virginia. Yes.

Mr. MANN of Illinois. I take it that the gentleman will admit that it would not be safe to let the District Commissioners fix the tax rate unless there was a fixed ratio between the amount to be paid out of the District funds and the amount to be paid out of the General Treasury?

Mr. MOORE of Virginia. Certainly, there should be provided a minimum percentage.

Mr. MANN of Illinois. If Congress should want to change the rate to a proportionate amount from fifty-fifty to some other ratio, and it should be changed, would it not be perfectly feasible to provide that the District Comissioners should fix the tax rate based upon the appropriation for the fiscal year made by Congress?

Mr. MOORE of Virginia. There would be no difficulty, I think, in that.

Mr. MANN of Illinois. That would be a simple matter.

Mr. MOORE of Virginia. A very simple matter.

Mr. MANN of Illinois. Is not that practically the way the tax rate is fixed everywhere?

Mr. MOORE of Virginia. Yes; everywhere, except in the District of Columbia. We make it an exception. I think we ought to quit doing that.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. BLANTON. The distinguished chairman will bear me out in the statement that there appeared before the committee a gentleman in the District whose property was about to be condemned who showed by positive proof of witnesses here, who seemed to know that his property was worth not $5,000, at which it was given in, but that it was worth actually $15,000, and he had been assessing it at $5,000 and paying taxes at only 1½ per cent on two-thirds of $5,000. Is not that the case?

Mr. DAVIS of Minnesota. I think that is true, but I do not want to say positively that it is true.

Mr. BLANTON. That was the statement.

Mr. MOORE of Virginia. Suppose it is true. I will undertake to show hundreds of cases decided by the courts, in which the same thing appeared, and I will undertake to say that I can find similar instances in the gentleman's district.

It is often found that the owners of the property in condemnation proceedings claim figures which greatly exceed the figures at which the property is assessed.

Another thing I want to take the liberty of saying is that I think what is occurring here now emphasizes the importance of the District of Columbia being represented by a Delegate in this House, capable of engaging in the discussions here and furnishing first-hand information. That would not require a constitutional amendment. It would not require the government of the District to be put upon the ordinary political basis. It would not require the exercise of the right of suffrage. There could be no valid objection, it seems to me, to taking care of the situation in that way at least for the time being. The Delegate might be appointed by the President, upon the recommendation of the commissioners, and with suggestions from the various civic bodies of the District.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. MOORE of Virginia. I would like one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Virginia. The District should have a spokesman here whose participation in the debates would be not only of advantage to the community he would represent, but would be of very decided advantage to Congress, all the Members of which I have no doubt are anxious to do the fair and the right thing with respect to the District of Columbia.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. SISSON. Mr. Chairman, this matter does come up every year, and it is going to come up every year until you settle it correctly. This House repeatedly by overwhelming majorities has passed a law abolishing the so-called half-and-half plan. The bill was tied up between the Houses on one occasion, and the gentleman from Alabama, Mr. UNDERWOOD, then a Member of the House, offered an amendment providing that a joint commission between the two Houses should be appointed to investigate the fiscal relations between the District of Columbia and the Federal Government. That committee at the time it was appointed caused those of us who felt that we wanted an impartial report to entertain a sense of outrage, because when the Speaker appointed the three men all of them were found to be men who had voted for the half-and-half plan. In the Senate all of them had also voted for the half-and-half plan; and yet, after sitting here three or four months, that commission made a unanimous report recommending that the half-and-half plan be abolished.

We have been unable to get any action on that report, and from time to time, as we endeavor to do what we believe to be right, there are men that rise upon the floor without full knowledge of the facts and endeavor to postpone the date and the time of action. There is always something technically wrong with your committees of Congress. We can investigate matters and tax the billions of property in the United States outside of the District. No word of protest. But try to tax the District and up jumps some Member and finds fault. He holds up his holy hands in holy horror. We can sit here from year to year and make investigations of the facts and conditions and devote our time impartially and directly to the question, and yet there is criticism made of the reports that we make by the misguided or interested Members who do not want anything done but want the people at home to continue paying taxes for this District.

The human mind is always liable to error. There is but one Being that does not make error, and that is Deity itself. A man does not live who can show that with labor conditions such as they are in the District of Columbia—with labor from two to three times as high as it was before; with material for streets and buildings two or three times as much as it was before; with salaries of the school-teachers in the grades raised from $500 a year, as it was a few years ago, to $1,440; with over $300,000 added to the pay of the police department; with over $300,000 added to the firemen's salaries; with the city having grown from 365,000 in the last four years to over 455,000, as is now shown by the census; with numbers of streets everywhere having to be opened up and pavements to be made, school buildings to be erected—that all these things can be done without raising taxes here in the District.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SISSON. In addition to that, we have a water system intended to take care of a population, when it was first instituted, of something like 40,000 souls, including the employees of the Federal Government, back before the Civil War. Then, when this act went into effect in 1878, there was a total population in the District of Columbia of a little over 100,000 people. The District was overwhelmingly in debt. Its bonds had become due. The Federal Government had all the sovereignty in the District. The State of Maryland had ceded to the Congress of the United States the territory within the District, and Congress having sovereignty over every foot of it as the seat of government felt that the National Capital should be made a decent place to live in, and the Federal Government shouldered half of an indebtedness which it did not create.

The gentleman from Virginia [Mr. MOORE] in making his statement loses sight of the fact that we have paid something like $20,000,000 of a debt that the Federal Government did not incur. In addition to that we have paid one-half of the interest at 3.65 on the bonds as that interest became due. In addition to that in every appropriation bill there are items carried which ought to be charged against the people of the District of Columbia, but Congress has not quibbled about them. We have gone along and made the improvements, and there are several million dollars included in bills other than this. Each year Congress is contributing to the improvements of the city. But now we find ourselves confronted with a condition and not a theory. The problem that is laid down by the gentleman from Virginia [Mr. MOORE] means that we shall pass this matter over. If you do, it will be against the protest of the men who represent fairly and faithfully the United States Treasury, and whose constituents as a whole have voluntarily had their taxes doubled, and in many States have had their school taxes quadrupled in order that their children might have the advantages of education; and those people who are submitting to this enormous taxation must contribute to the expenses of the government of the District of Columbia while the people in this District are taxed about one-third as much as the people in the cities of the States are taxed. Yes, at a rate that was fixed in 1878. Gentlemen of the House, it is not fair, it is not just, it is not right; and if the newspapers of this country should carry the cold-blooded facts to your constituents at home, instead of the misrepresentations of the Washington press in reference to our attitude, you would find that the people back home would not for one minute tolerate your voting the people's money away in this manner. [Applause.]

What have your committee done? In general debate we have presented to you the fact that property is assessed in the District of Columbia about like it is assessed in Illinois or Mississippi. Property is assessed at very much less than it is worth. I am going to be fair if I know how to be. When we put upon them an increase of 66⅔ per cent no man can look you straight in the eye and say that we have done the District of Columbia any injustice. There were members of the subcommittee who thought the rate ought to be increased more than that. Some of them said, "Yes; but the trouble is there will be a row made, and maybe we can get a less amount through." They knew what efforts would be made. They knew how active certain gentlemen would become.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. SISSON. I ask permission to proceed for five minutes longer, because this is an important item.

Mr. MANN of Illinois. It will come up later, I am told.

Mr. CAMPBELL of Kansas. I suggest that you discuss it on its merits.

Mr. SISSON. Certainly; I understand.

Mr. MANN of Illinois. I make the point of order.

Mr. BLANTON. The gentleman said he would give me a little time.

The CHAIRMAN. Does the gentleman from Illinois wish to be heard on the point of order?

Mr. MANN of Illinois. I do not think I do, it is so clear.

Mr. LINTHICUM. I ask the gentleman to reserve the point of order.

The CHAIRMAN. The Chair is ready to rule. The Committee on the District of Columbia appropriation bill report the following item in the pending bill:

> The rate of taxation on real estate in the District of Columbia, under the provisions of section 5 of the District of Columbia appropriation act approved July 1, 1902, is hereby increased from 1½ per cent to 2½ per cent, and the rate of taxation on tangible personal property in the District of Columbia, under the provisions of section 6 of the said act, is hereby increased from 1½ per cent to 2½ per cent.

Of course, no one will contend that it is within the power of the committee to report legislation on an appropriation bill, and it is clear that this provision is legislation in that it seeks to amend the act of 1902. Furthermore, if the provision were offered as an amendment by direction of the Committee on the District of Columbia under the proviso to the Holman rule it would hardly be in order, since a revenue amendment is not germane to an appropriation bill, nor is an amendment increasing income or revenue such retrenchment legislation as would be in order under the Holman rule.

Therefore the Chair, without expressing any opinion as to the merits of the case, feels that the point of order is well taken, and sustains it.

Mr. DAVIS of Minnesota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having taken the chair as Speaker pro tempore, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the District of Columbia appropriation bill (H. R. 13266), had come to no resolution thereon.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER pro tempore. The gentleman from Kansas submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

Resolved, That in the consideration of H. R. 13266, a bill "making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes," it shall be in order, the general rules of the House to the contrary notwithstanding, to consider all of the items under the caption "Public schools," in so far as they relate to the compensation of officers, teachers, and other employees, and in so far as they relate to the construction of school buildings.

Resolved further, That it shall be in order, the general rules of the House to the contrary notwithstanding, to consider the following paragraphs in the said bill or as amendments thereto:

"The rate of taxation on real estate in the District of Columbia, under the provisions of section 5 of the District of Columbia appropriation act approved July 1, 1902, is hereby increased from 1½ per cent to 2½ per cent, and the rate of taxation on tangible personal property in the District of Columbia, under the provisions of section 6 of the said act, is hereby increased from 1½ per cent to 2½ per cent.

"The Commissioners of the District of Columbia are directed to increase the scale of water rates in effect in the District of Columbia by not less than 25 per cent per annum for the fiscal year ending June 30, 1921: *Provided*, That such increase shall remain in effect until otherwise provided by law.

"The rates of assessment for laying or constructing water mains and service sewers in the District of Columbia under the provisions of the act entitled 'An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessment therefor, and for other purposes,' approved April 22, 1904, are hereby increased from $1.25 to $2.50 and $1 to $2, respectively, per linear front foot for any water mains and service sewers hereafter constructed or laid."

Mr. CAMPBELL of Kansas. Mr. Speaker, the point of order having been made to the legislative proposition referred to the rule is made necessary to make legislation in order that would enable Congress to provide for an increase in the rate of taxation in the District of Columbia.

Under this rule, it will be in order to consider that question. Personally, I think the rate fixed in the bill is high, higher than is necessary to raise the amount of money that will be required to meet the share that the District should pay for the expenses that it is proposed to incur. But the House should have an opportunity to consider the matter in view of the fact that it is of pressing importance that teachers' salaries be increased and that additional school facilities be provided.

We could hardly think of increasing the salaries of the teachers and providing the additional school facilities without also increasing the rate of taxation of the District. And we make in order by this rule both of these legislative propositions for the purpose of enacting legislation on an appropriation bill.

In the matter of the water rates, additional lines are under contemplation and are necessary. The water rate in the District is low. The expense of constructing water mains is now double what it was when the law was enacted as to the price per linear foot now provided for water mains.

Mr. MADDEN. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. MADDEN. The legislation as to the extension of water mains would become permanent, would it not?

Mr. CAMPBELL of Kansas. Unless repealed.

Mr. MADDEN. This would carry it on its present price. It is not fair to assume that the present price is going to continue.

Mr. CAMPBELL of Kansas. I think there is a legislative provision in the bill with reference to that.

Mr. MADDEN. I think the legislative provision should take into consideration the possibility of a reduction in cost at a future time. It should be so worded as to provide for it.

Mr. CAMPBELL of Kansas. That will be in order when we come to the consideration of the item.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. MANN of Illinois. What is meant by water mains and service sewers? The gentleman stated that the cost had practically doubled.

Mr. CAMPBELL of Kansas. I supposed that the gentleman from Illinois knew what a water main was.

Mr. MANN of Illinois. I know what it is in Chicago, but I would hate to pay $2.50 a foot to lay it. I assume that that is not what is meant by the provision here.

Mr. CAMPBELL of Kansas. I assume that it is the water main that is laid in front of the residence.

Mr. DAVIS of Minnesota. This is the water pipe that runs along the center of the street. The service sewer is one that runs into the house.

Mr. MANN of Illinois. The gentleman says that this is the water main that runs in the center of the street.

Mr. DAVIS of Minnesota. It is the large main that runs up the center of the street.

Mr. MANN of Illinois. Those mains differ very much in size.

Mr. BLANTON. Will the gentleman from Kansas yield me a little time?

Mr. CAMPBELL of Kansas. In a moment. Mr. Speaker, the Committee on Rules saw fit to make in order the legislative provisions in this bill at this time. This rule was brought in, as I have stated, for the purpose of enacting this necessary legislation to increase the salaries of the teachers and provide for additional schools. I do not favor now and am opposed, as I have ever been, to legislation on an appropriation bill. I think that these legislative provisions in this bill should have been brought here by the Committee on the District of Columbia as a separate legislative proposition, rather than to be brought in here on this appropriation bill. But we find ourselves confronted with the necessity of increasing teachers' salaries and providing for additional school facilities coupled up with changes in the tax rate in the District of Columbia, and we find it necessary to allow the legislation on this bill. I now yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, for whatever it is worth, I want to commend the Committee on Rules for bringing in this rule. But I can not agree with the chairman of the Rules Committee when he says that the tax rate provided in this legislation is rather large. I have in my district at least 125 towns and cities where the total municipal, school, county, and State tax rate is larger than the 2½ per cent provided for in this proposed legislation. If I had money to invest in real property—and I am sorry I have not—I would not go to any place in the whole United States other than the city of Washington to invest it if I wanted to get the largest return and pay as little on it in the way of taxation.

I mentioned a moment ago the case of a man whose property was valued by himself and his own real estate agents at being easily worth $15,000. It was assessed by him at only $7,500, and he only paid 1½ per cent on a two-thirds valuation of that $7,500. You can not find a city where the water rate, even the water rate proposed in this bill, is as cheap as it is in the city of Washington, and we have some of the finest water here anywhere in the United States. You can not find a city in the United States where the artificial gas rate is as cheap as it is in Washington. You can not find a city in the United States where the electric light rate is as cheap as it is in the city of Washington. You can not find a city in the whole United States where the facilities for pleasure and enjoyment of life are greater than they are in this city. You have every convenience surrounding you. You have a five-and-a-half-hour schedule service to New York, the greatest metropolis in this country, with splendid trains run each way almost every hour. You have a splendid train service to every portion of the United States out of Washington.

Why the people of Washington, who get the benefit of all of the numerous privileges of living in the National Capital, insist upon living here and not wanting to pay their proper returns in taxes to the country for what is given to them in this great city, I can not understand. The people of this city are supposed to render their property at 100 cents on the dollar and then after they have rendered it at 100 cents on the dollar they are required to pay only on two-thirds of that rendition. Yet, knowing they have to pay on only two-thirds of the rendition, you find rendition after rendition at one-half and even one-third of the cash market value of the property such as I mentioned. I think the distinguished gentleman from Illinois was personally responsible for it and is entitled to credit for bringing to light this incident that I mentioned a few moments ago that came to the attention of the committee.

Mr. ALMON. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. ALMON. Has the gentleman any information upon the question of rents in this city as compared with other cities?

Mr. BLANTON. I do not have to mention that, because there are men in the city who have become rich in the last two years through leasing property and then subleasing it all over this city.

Mr. LINTHICUM. The people here also have the finest railroad station in the country, and yet one can not drive up to the front door or get to the taxicab entrance unless he crosses over the privilege of the Terminal Taxicab Co.

Mr. BLANTON. Oh, the gentleman's depot in the city of Baltimore is just about in the same fix. Has the gentleman ever done anything to remedy the situation? He can remedy it here in 15 minutes if he can get enough of his colleagues to vote

for a proper bill that would control the depot facilities at the terminal station.

Mr. LINTHICUM. I say it is the only railroad station in this country where you can not drive up to the front door and can not get to a side door without crossing over a special privilege.

Mr. BLANTON. Who is to blame? Are we not the guardians of all of the business of this District? Why do we not take action upon that question? The gentleman from Massachusetts [Mr. TREADWAY] has brought that matter to the attention of this Congress time and time again and we have done nothing.

Mr. CAMPBELL of Kansas. Mr. Speaker, the gentleman from Texas [Mr. BLANTON] fails to enumerate all of the attractions of the city of Washington. He mentioned the fact that people could get out of Washington and into New York within five and a half hours. What he should have done was to call attention to the fact that there is a five-and-a-half-hour schedule from New York to Washington, and then have called attention to the attractions in Washington, especially in the House of Representatives when the gentleman himself is in action. [Laughter.]

This rule should be agreed to, and I move the previous question.

The SPEAKER pro tempore. The question is on ordering the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13266, the District of Columbia appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the District of Columbia appropriation bill, with Mr. MADDEN in the chair.

The Clerk reported the title of the bill.

Mr. DAVIS of Minnesota. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Minnesota: Page 2, after line 3, insert:

"The rate of taxation on real estate in the District of Columbia, under the provisions of section 5 of the District of Columbia appropriation act approved July 1, 1902, is hereby increased from 1½ per cent to 2½ per cent, and the rate of taxation on tangible personal property in the District of Columbia, under the provisions of section 6 of the said act, is hereby increased from 1½ per cent to 2½ per cent."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. RUCKER. Mr. Chairman, I move to amend——

The CHAIRMAN. The gentleman can not get the floor for that purpose. The gentleman, under the rule of the House, is not entitled to recognition for that purpose after making a speech on another subject.

Mr. RUCKER. I made a speech on that subject.

The CHAIRMAN. The gentleman should have offered his amendment before he made his speech if he desired to get the floor for that purpose.

Mr. RUCKER. The Chair did not understand my speech, evidently.

The CHAIRMAN. The Chair understands that the gentleman can not take the floor to make a speech and then get recognition for the purpose of offering an amendment under the rules of the House.

Mr. DICKINSON of Iowa. Mr. Chairman, I offer an amendment to the committee amendment.

The CHAIRMAN. The gentleman from Missouri can get recognition later on.

Mr. RUCKER. I do not care for it.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. DICKINSON of Iowa: At the end of the committee amendment strike out the period and insert "and the rate of taxation on intangible property as provided for in section 9 of the act making appropriations to provide for the expenses of the government of the District of Columbia, approved March 3, 1919, is hereby increased from three-tenths of 1 per cent to 1 per cent."

Mr. MANN of Illinois. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. If no one wants to be heard on the point of order, the Chair is ready to rule.

Mr. BLANTON. Mr. Chairman, if the Chair is going to sustain the point of order, I want to be heard for a minute.

Mr. GARD. I wish the gentleman from Illinois would state his point of order.

Mr. BLANTON. Mr. Chairman, the committee having made in order that which was not in order certainly would make in order an amendment to the provision authorized by the Committee on Rules. It has been held so many times that I do not believe that it is necessary to argue that question to this Chair. Where a matter which is not in order is passed without a point of order being made upon it and argument had upon it, then the matter which was out of order originally, the point of order against it having been waived, any amendment to that matter out of order is in order. I submit that to the Chair.

Mr. GARD. Mr. Chairman, I desire to know what the point of order made by the gentleman from Illinois [Mr. MANN] was?

Mr. MANN of Illinois. Mr. Chairman, in view of the fact that the gentleman from Ohio did not recognize the point of order I made, I will inform him that the amendment is not germane to the amendment offered by the gentleman from Minnesota. It is perfectly plain it is not germane.

Mr. GARD. The gentleman did not state what his point of order was, and I asked if the gentleman would kindly state what it was.

Mr. MANN of Illinois. I am pleased to tell the gentleman what the point of order is.

Mr. GARD. I thank the gentleman very much. Mr. Chairman, the point of order now made by the gentleman from Illinois is based upon the fact, as he alleges, that this amendment now offered is not germane to the proposition. The point of order as originally made by the gentleman from Illinois, which the Chair sustained, was because this section was placing legislation upon an appropriation bill. Then the Committee on Rules came in and by resolution makes in order, the rules of the House to the contrary notwithstanding, a certain paragraph, which paragraph is included between lines 4 and 10 on page 2. It seems to me that when a subject of legislation is admitted upon an appropriation bill by an authorized way of placing it upon the appropriation bill, to wit, by resolution of the Committee on Rules, that instead of being limited to the exact phraseology authorized by the Committee on Rules, that the authorization of legislation in itself permits an amendment thereto. In other words, that where the Committee on Rules without prohibiting amendment thereto sees proper to place upon the appropriation for the District of Columbia a legislative proposition, that legislative proposition is before this committee of the House to determine whether it will be adopted and that any language which is germane thereto and clearly a question of the amount of the percentage or proportion of percentage is germane. There is no new feature of taxation which applies.

Mr. CAMPBELL of Kansas. Will the gentleman yield for a question?

Mr. GARD. Yes, sir.

Mr. CAMPBELL of Kansas. Suppose the rule had made in order an increase only in taxes on real estate. Would it be in order to move to amend by increasing the tax on tangible personal property?

Mr. GARD. I think so; yes, under the language of the rule, and especially where you take up the question of personal property as you do and provide for a tax on tangible personal property.

Mr. CAMPBELL of Kansas. The subjects are vastly different, are they not?

Mr. GARD. No; they are not. They are different elements of personal property.

Mr. CAMPBELL of Kansas. If they are not different, then it would not be necessary to differentiate between them in legislative language. The fact that it is necessary to differentiate the one from the other indicates there is a difference.

Mr. GARD. In very many States with which I am familiar there is no difference in the taxation of intangible personal property and tangible personal property.

Mr. CAMPBELL of Kansas. But the legislation in the District of Columbia has differentiated the one from the other, and the legislation as it appears upon the statute to-day, which was modified by the amendment offered by the gentleman from Iowa, changes the law as it is in the District of Columbia.

Mr. GARD. The point I make, and I submit to the good faith of the gentleman and the Chair, is that when the subject of taxation of personal property is brought in and a specific authorization of taxing personal property is made that there is enough of the subject before this committee to authorize an amendment providing for a class of personal property not contained within the actual authorization from the Committee on Rules. In other words, when we put in tangible personal property, as we have done, the bringing in of intangible personal property is certainly germane to the phrase which the gentle-

man incorporated when he brought the resolution in from the Committee on Rules.

Mr. CAMPBELL of Kansas. But the change in existing law is authorized in the one case and it is not authorized in the other. The rule authorizes the House to legislate a change in existing law on tangible personal property, but the rule does not authorize the House at this time to make a change in the law with respect to intangible personal property.

Mr. GARD. My contention is that having authorized the change of tangible personal property, which the gentleman did, and which, of course, he admits, then there is enough of the subject before this body to say that when an amendment is proposed as to intangible personal property it is germane to the subject the gentleman brought in, there being no language in the rule itself limiting or preventing any amendment to the matter made in order by the rule.

Mr. WOOD of Indiana. Mr. Chairman, the question of the germaneness of this amendment depends upon whether or not it is germane to the subject matter. The subject matter is the question of taxation, fixing a rate upon real estate and upon tangible personal property. Now, suppose, instead of the amendment being offered as it has been offered here, that the amendment should be to add after the words "tangible property" the words "intangible property," it certainly would be germane for the reason that it is fixing a rate of taxation upon personal property. The question of personal property is involved in a proposal made in order by the Rules Committee.

We are not without authority on this proposition. When the subject matter is opened up with reference to fixing the taxation upon personal property, whether tangible or intangible, or both, the general proposition is subject to amendment. When made in order the proposal that personal property may be the subject of taxation, it is in the province of this committee to enlarge on the part that is admitted by including within its purview not only tangible property but intangible property. I wish to call the Chair's attention to the authority upon the proposition:

A general subject may be amended by specific propositions of the same class.

Now, what is the class? The class is taxation. Upon what? Upon real estate and personal property. They have defined the classes of property here. One is real estate and the other tangible property. What kind of tangible property? Tangible personal property. Now, tangible personal property is not all the personal property that exists. There is intangible personal property. What is the class? The class is personal property and the subject is taxation. Of what? Personal property. Now, that being true, a general subject may be amended by a specific proposition of the same class. Thus the following has been held to be germane:

To a bill admitting several Territories into the Union, an amendment adding another Territory; to a bill providing for the construction of buildings in each of two cities, an amendment providing for similar buildings in several other cities.

The rule in the latter case was for the erection of a public building in the city of Cincinnati. What was the subject matter? The subject matter was the erection of a building in one particular place. Yet the House is not confined in its deliberation to the building of a public building in one place, and it may include one, two, three, or four, or half a dozen cities.

That is not all. Here is another illustration:

To a resolution embodying two distinct phases of international relationship an amendment embodying a third is germane.

It even goes so far as to say that, if there is a matter involving the policy of the United States Government with a foreign nation, another policy with another nation is germane by way of amendment. Why? Because the subject matter was the fixing of a policy with reference to foreign relationship. Here in this instance the subject matter is taxation. Of what? Of personal property. They mentioned one class. Now, inasmuch as they mentioned a class of personal property, which is tangible personal property, we clearly have the right to include within that classification another kind of personal property—intangible personal, as suggested in the amendment.

Mr. DICKINSON of Iowa. I would like to inquire if in the gentleman's judgment it would be permissible to strike out by amendment the word "tangible"?

Mr. WOOD of Indiana. There is no question about that. There is not a bit of question, as the gentleman suggests, but that in the consideration of this bill by this body we might strike out the word "tangible," and then there would be nothing left but the real estate.

Mr. CAMPBELL of Kansas. I suggest to the Chair and the gentleman from Indiana that that would be in violation of the rule that has just been agreed to by the House.

Mr. WOOD of Indiana. It is the province of the Rules Committee to bring in a rule, but they can not say that exactly what is confined in the rule shall be all that is subject to consideration. They must admit when they bring in a rule making something out of order in order that everything in the classification included in the subject matter of the proposal is germane and subject to consideration by amendment or otherwise.

Mr. JUUL. Mr. Chairman, I would like the attention of the Chair for just a minute.

I think that most of the gentlemen have missed the very gist of this proposition. The proposition is to increase the tax rate. The effect of the increase of the tax rate is to decrease the percentage which the National Treasury will have to contribute toward the maintenance of the city of Washington. And, Mr. Chairman, I maintain that under the rules of this House, which have been dinged into the ears of every Member on this floor during the time I have been here, that any amendment which results in decreasing the amount to be withdrawn from the National Treasury is in order. Now, by so far as we increase the tax rate of the city of Washington we decrease the amount of money to be drawn from the National Treasury. Hence the amendment is in order.

Mr. BLANTON. Mr. Chairman, I want to offer one further suggestion if the Chair will permit me.

The Committee on Rules has made in order the general subject of increasing expenditures; for instance, increasing from $1.25 to $2.50 for laying certain mains, an increase of expense from $1 to $2 for laying of certain sewer connections, and so on, and to meet that increase in expenditure the committee has made in order the general subject of taxation in proportion to the increase of expenditures. Now, the general subject of increase of expenditures and the general subject of taxation to meet that increase of expenditures would make it in order and make germane this amendment.

I submit that suggestion to the Chair.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Minnesota [Mr. DAVIS], under the rule, has introduced an amendment, as follows:

That the rate of taxation on real estate in the District of Columbia, under the provisions of section 5 of the District of Columbia appropriation act approved July 1, 1902, is hereby increased from 1½ per cent to 2½ per cent, and the rate of taxation on tangible personal property in the District of Columbia, under the provisions of section 6 of the said act, is hereby increased from 1½ per cent to 2½ per cent.

The gentleman from Iowa [Mr. DICKINSON] proposes an amendment, which reads as follows:

And the rate of taxation on intangible property as provided for in section 9 of the act making appropriations to provide for the expenses of the District of Columbia, approved March 3, 1919, is hereby increased from three-tenths of 1 per cent to 1 per cent.

To this amendment a point of order has been made, as to its germaneness.

Under the rules of the House, and under the rulings that have been made frequently by gentlemen presiding over the Committee of the Whole House on the state of the Union, it has been held that a paragraph which proposes legislation, being permitted to remain, may be perfected by a germane amendment. But this does not permit an amendment if it adds additional legislation. It can not be contended, as the gentleman from Illinois [Mr. JUUL] has undertaken to show, that this will relieve the Treasury of the United States from any additional burden, for on the face of the amendment there is nothing to indicate that the Treasury will be made less liable to expenditures than it has been in the past, and inasmuch as the legislation proposed under the amendment offered by the gentleman from Iowa does introduce new legislation, notwithstanding the fact that it may be germane, the Chair, under all the rules and under all the rulings that he has been able to find, is bound to hold the point of order well taken.

Mr. GARD. Mr. Chairman, I offer an amendment. On the last line of the amendment offered by the gentleman from Minnesota [Mr. DAVIS] I move to strike out the figures "2½" and insert the figure "2." I ask the Clerk to report it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: On the last line of the amendment offered by the gentleman from Minnesota [Mr. DAVIS], strike out the figures "2½" and insert in lieu thereof "2."

Mr. GARD. Mr. Chairman and gentlemen of the committee, the members of the Committee on Appropriations, who have given very careful attention to this matter of taxation, are frank enough to say that the figures they put in are what they term arbitrary—that is, they are of their own selection—and therefore I feel justified in offering what seems to me to be a more reasonable amendment.

When we come to consider the question of taxes on personal property, I am of those who believe that the tax rate on intangible personal property in the District of Columbia is too low. One-third of 1 per cent on intangible property is too low. On the other hand, in the matter of tangible personal property, the small stock of goods, and the tools of trade, the very apparent merchandise which a man has, his horse or his small automobile, are among the things which belong to the small, humble citizen here in the District of Columbia—and there are hundreds of thousands of them—and very few proportionately of those whose great wealth is in intangible personal property. It is now proposed to increase by 66⅔ per cent all tax on the tangible personal property of the citizen of moderate means.

Personally I think this tax is too high. The amount of money it brings in is inconsequential in the scheme of things, I take it, since there is also a report of 2½ per cent, or 66 per cent, increase on the taxation on real estate. But the taxes on tangible personal property do not bring in very much in the first instance, and the holdings of the poor and humble are now arbitrarily included in the scheme of an advance of 66 per cent.

You have a very peculiar taxation in the District of Columbia. I am happy to know that the continued sentiment of the House is against the fiction of the so-called half and half. Another peculiar system they have here of taxation is of attempting to raise money continually by taxation and evading a responsibility such as it would have in a bonded indebtedness. It may be interesting to the members of the committee generally to know that in 1922 there will not be a dollar of bonded indebtedness in the District of Columbia. No city, no county, in the United States will be in such position. It may also be interesting to know that they will have a surplus of accumulated funds, heretofore unnecessary, of about $5,000,000.

Now, the true principle of taxation is to tax as the taxes are needed and where extraordinary improvements are made, like the building of a necessary bridge and the building of necessary schoolhouses, and I am in favor of these things; the true principle about that is that a bond issue should take the place of a radical, peremptory rise in taxes.

Now, I appreciate the remarks of Col. Kutz, one of the District Commissioners, when he says that the cities generally throughout the country have increased their taxes. He said that his taxes in Seattle, I believe, were increased 33⅓ per cent, and therefore we may adopt as being true the findings of the Subcommittee on Appropriations that it was necessary in the matter of reporting increases in salaries for teachers and the building of necessary schoolhouses, both of which everybody wants to see done, that the increase be made in the matter of rates of taxation. But the increase on this tangible personal property is unnecessary and brings so little of an addition that it seems to me as striking particularly at the people who should be exempted from taxation rather than increased taxation.

Mr. DAVIS of Minnesota. Mr. Chairman, I appreciate what the gentleman from Ohio has said, but I believe that one of the just features of taxation in this city would be an increase in the intangible-property tax, because that tax would come from the comparatively rich people. But, as you have just witnessed, a point of order has been made and sustained against it. In other words, the wealthy men of this city, owning immense quantities of stocks and bonds, are comparatively relieved from taxation.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. McKEOWN. Could it not have been put into the rule just the same as the other?

Mr. DAVIS of Minnesota. It is not too late yet to make another rule. This rule does not cover all the legislation in this bill; neither is the bill anywhere near completion.

Mr. McKEOWN. I hope the Rules Committee will report a rule making it in order, so that wealth shall not escape just taxation.

Mr. HARDY of Colorado. Is not the exemption on personal property rather large?

Mr. DAVIS of Minnesota. In anticipation of the gentleman's question, I was going to say—and I think this had some influence with the committee—there are a large number of residents of Washington who are not home owners. They are tenants. They have small quantities of personal property. Some of them have horses, drays, and so forth. A large number of people here are in this condition. The only excuse for raising this from 1½ to 2½ per cent, to my mind, was because of the large exemption given to the poor man. True, that exemption is given to the rich man just the same on personal property, but owing to the fact that this great exemption of $1,000 affects more poor people than it does rich people, the committee were willing to report this increase. I presume it is no doubt true that thousands upon thousands of poor people in the District of Columbia, because of this exemption of $1,000, are exempt from taxation at all, and it is only the more wealthy class that this 2½ per cent rate would touch. That was one of the reasons that influenced me in consenting to the raising of the taxation upon tangible personal property from 1½ to 2½ per cent.

Mr. BEE. In that $1,000 exemption is there not included the horses and mules and drays and wagons of which the gentleman spoke?

Mr. DAVIS of Minnesota. Everything in the way of tangible personal property.

Mr. BEE. Therefore the poor man would have to have a thousand dollars worth of property before he would be called on to pay anything at all?

Mr. DAVIS of Minnesota. Absolutely. I have been pretty familiar with taxation for a great many years, and in my State I think the exemption is only $100. In some other States it may be $200 or $300; but here under previous law it is made $1,000. A man who has more than $1,000 worth of personal property is, as a rule, in comparatively easy circumstances. Therefore the increase to 2½ per cent on the balance of his personal property does not affect him as much. Certainly if I had a million dollars worth of personal property I ought not to complain at paying my share of the taxes at the rate of 2½ per cent, which is lower than in any State in the Union or any city in the United States.

Mr. BEE. But it will make a man with a million dollars worth of property pay something.

Mr. DAVIS of Minnesota. Yes; and that was one fact that I had in my mind.

Mr. HARDY of Colorado. In most of the States they have an inheritance tax which helps out and saves something in the way of burdens on the people, but there is nothing of that kind in the District of Columbia.

Mr. DAVIS of Minnesota. I know of nothing of that kind. I hate to say it, because I do not think it is true in all cases, but I have heard it said that this is the asylum of tax dodgers. I will not say that. If the gentleman goes on to enumerate some more of the things that the residents of Washington are exempt from he may prove that assertion.

Mr. HARDY of Colorado. We have had notable instances of that kind in my State of people who have come to Washington to escape taxation.

Mr. SISSON. Mr. Chairman, I hope the amendment of the gentleman from Ohio [Mr. GARD] will be voted down. In addition to what the chairman of the subcommittee has just stated, the $1,000 exemption takes care of all that class of people whom the gentleman from Ohio [Mr. GARD] is solicitous about. If you should reduce the personal property tax below the real estate tax and an additional expense should fall later upon the people of the District, you would increase the burden of tax on the poor man's home. Now, the great mercantile establishments in this city, the great department stores with all of their goods on their shelves, many of whom own very little real estate in the District of Columbia, ought to pay their full share of taxes just as the small home owner pays his. So I see no reason why you should exempt the personal property that is engaged in business, which is very great in amount. There is an enormous tax that comes from all the vast business houses of the District of Columbia, filled as they are with goods of all kind and character. The average stocks of goods carried in the stores of the city of Washington are taxed under this provision of law.

Mr. OVERSTREET. Are they not taxed otherwise?

Mr. SISSON. Personal property has been taxed just as other property, always.

Mr. MONTAGUE. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. MONTAGUE. Why, in the bill itself, was there no tax placed upon intangible property? It would seem to the average man on the street that intangible property, of all property in Washington, is the property that is perhaps most leniently dealt with in taxation.

Mr. SISSON. Personally I am strongly in favor of the taxation of intangible property. For a long time intangible personal property escaped taxation entirely in the District of Columbia, but a provision went on the appropriation bill some years ago endeavoring to tax intangible property as other property is taxed. That bill went over to the Senate and was held up there, and the appropriation bill came very near failing on that account. Finally the conferees agreed on three-tenths of 1 per cent, which was all the Senate would agree to. Now, if I had my way about it I would be very glad to vote for the amendment offered by the gentleman from Iowa increasing the tax on intangible personal property.

Mr. MONTAGUE. Why was it not put in this bill? That is what I want to know.

Mr. SISSON. There are a great many things that this committee would like to put in this bill. At the time we were considering these matters we could not tell that we could convince the Rules Committee that all these items were necessary. We felt that the legislative committees of the House would generally complain about our putting legislation on the appropriation bill. You know this is not a legislative committee, but an appropriating committee.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. I ask for two minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. MONTAGUE. If you raised the rate on intangible personal property you could easily have gotten enough to take care of the additional expenses.

Mr. SISSON. In order to do that I want to say to the gentleman that we would have been compelled to take care of additional facilities in the department of the Government dealing with taxation. That would have to be taken care of in order to get the additional help necessary. Every time you add new items of additional taxation you have to increase the number of employees.

Mr. MONTAGUE. Does it take any more employees to collect the taxes on intangible property than on tangible?

Mr. SISSON. Yes; they are a different set of employees.

Mr. MONTAGUE. It is just a mere matter of bookkeeping.

Mr. SISSON. Well, I take it that if anybody has anything to do with the bookkeeping in the departments he will understand the reason.

Mr. MONTAGUE. I know that all Government operations are expensive.

Mr. SISSON. We are always confronted with the difficulty of finding intangible personal property.

Mr. MONTAGUE. It seems to me that you might raise the tax on intangible property and have it collected by the same department that now collects the intangible tax; it would only cost a fraction more.

Mr. SISSON. Now, Mr. Chairman, I agree with the gentleman from Missouri that this has been a place where many men of great wealth have come, and until the three-tenths of 1 per cent on intangible property was imposed escaped taxation entirely. I can mention one case, because it got into the court, of a man who got up the Postum cereal, a substitute for coffee. He got to be very rich. He moved into the District of Columbia, bought a home, or built one, and after staying here long enough closed up his house, walled up the windows, and went back. When he died the question of taxation got into court, and his administrator was able to show that he was a citizen of the District of Columbia, thereby escaping the inheritance tax and the income tax in his own State, where he had made his money, and was not taxed a cent in the District of Columbia on this vast fortune. These cases we might have been able to reach, but in order to do that it requires a great deal of legislation, and your committee dealt with every phase of the case that the committee thought that the House would stand for.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I want to challenge the author of this amendment, the distinguished gentleman from Ohio [Mr. GARD], to give us the name of one single rural community, one single village, or town or city, in his district in Ohio where the property owners are treated so leniently concerning taxes as the property owners are in the District of Columbia; where the property owners are allowed $1,000 exemption; where the property owners are taxed only 1½ per cent, even where the property owners are taxed what we propose to tax them, 2½ per cent; where the property owners are taxed on their intangible property only three-tenths of 1 per cent?

Mr. GARD. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GARD. The gentleman has issued a challenge. I say that in my State the theory of taxation is that no tax, or a very limited tax, is placed upon small personal property, and none on tools of trade or occupational goods.

Mr. BLANTON. Here they have an exemption up to $1,000 to start with. Where the gentleman's constituents in Ohio have a smaller exemption, where they have to pay a greater tax on real estate and tangible personal property, and a greater tax on intangible property, why should the gentleman in his position as a legislator here seek by this amendment to cast a greater tax burden upon his constituents in Ohio who have to pay not only their own taxes in his district and State but who have to meet partly the increased expenses of the people of the District of Columbia, whose taxes are comparatively a mere bagatelle. Why, when we come to consider the fact that our constituents of the various districts are taxed not only in their State, county, and towns and school districts for their local expenses but they are also taxed every year by the Federal Government to meet a part of the expenses for paving the streets of Washington and building many of the fine bridges, like the so-called million-dollar bridge on Connecticut Avenue and many other fine bridges here, we should realize fully the great injustice that is done them. I say it places too great a burden of the taxes on the people of our districts rather than on the favored few in the city of Washington. I hope the gentleman's amendment will not pass, but that the committee's provision that was eliminated on the point of order will be placed back into the bill as proposed by the chairman [Mr. DAVIS].

Mr. BUCHANAN. Mr. Chairman, I hope the House will vote down this amendment. It is not right to tax the humble Government employee and home owner who owns merely his home 2½ per cent and then tax the merchant who owns $50,000 or $150,000 stock of goods only 2 per cent. It is not right, and I hope the House will vote the amendment down.

In connection with this tax proposition, Mr. Chairman, I ask unanimous consent to have a letter and statement, prepared by the Commissioners of the District of Columbia at my request, made a part of my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The letter and statement are as follows:

COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
EXECUTIVE OFFICE,
Washington, March 26, 1920.

Hon. JAMES P. BUCHANAN,
House of Representatives, Washington, D. C.

SIR: The Commissioners of the District of Columbia in submitting their estimates for the fiscal year ending June 30, 1921, were compelled to omit items which they deemed necessary for the proper support and maintenance of the municipal government and for municipal improvements aggregating the sum of of $6,677,000.

In the first instance on account of the fact that Congress had established a Joint Commission for the Reclassification of Salaries, they were advised by the Secretary of the Treasury that they should not submit estimates for increases in salaries of employees. This prevented a presentation to Congress of a matter which in the judgment of the commissioners is vitally important to the conduct of the municipal establishment. If it had not been for this prohibition they would have submitted increases in salaries aggregating the sum of $1,500,000. These increases not to be in lieu of the $240 bonus, but based upon their present basic salary with the understanding that the present bonus would be continued for all municipal employees affected by it.

Other estimates were reduced or omitted entirely because of the fact that the commissioners were compelled under the act of 1909 to limit their estimates to an amount not to exceed twice the sum of the estimated revenues for the ensuing fiscal year. When the commissioners were considering the estimates submitted by their subordinates they realized that extreme economy was required in every branch of the municipal government if the estimates were to be held within the limitation prescribed by law. With that in view they reduced many estimates and disregarded altogether many meritorious projects recommended by their subordinates.

After this careful process of pruning had been completed the commissioners found that the total of the estimates they had approved exceeded the limitation imposed upon them by law by an amount of approximately $2,750,000. It was necessary, therefore, for them to again revise their estimates, reducing many items to amounts which they deem insufficient and omitting altogether many other items which in their judgment were necessary and should have been presented in the estimates.

One very important item which they omitted altogether was an estimate submitted by the Secretary of War for $2,000,000 for commencing work on a project for securing additional water supply for the District.

Items submitted by the board of education for school buildings and sites for school buildings aggregating $927,000 were omitted altogether from the commissioners' estimates, notwithstanding the fact that the commissioners believe that all of the items comprised in this total were necessary for the proper development of the public-school system of the District. Another important matter which was omitted entirely by the commissioners was a provision for sites for municipal city refuse stations and stables aggregating $500,000.

Work should be begun upon a new bridge to take the place of the existing Calvert Street Bridge, the plans for which were authorized by Congress some years ago. An item of $500,000 for this purpose was omitted. The street and highway system of the District of Columbia is far below the standard which was maintained for many years in Washington, and the commissioners were forced to eliminate street-improvement items to an amount of about $250,000. The estimates for the expenditure of the sewage system of the city was reduced by $150,000.

Building items recommended by the chief engineer of the fire department for new fire stations and buildings to take the place of fire stations built more than 60 years ago amount to about $100,000, none of them being submitted by the commissioners in their estimates.

The commissioners were earnestly besought by many organizations representing the commercial and industrial life of the city to provide in their estimates for certain park areas which, unless they are acquired, will soon be built upon and thus lost forever for park purposes. These

items alone, if they had been submitted, would have increased the estimates by $1,250,000, comprising $750,000 for the Dean tract and $500,000 for the Patterson tract. These items were recommended by the commissioners in former estimates and both were included in one of the bills that were formerly presented to Congress.

This represents the larger items which were omitted by the commissioners, and a great many similar estimates were reduced to figures representing amounts less than would be required to adequately maintain and support the municipal government. The items described above which were omitted from the estimates by the commissioners aggregate $6,677,000, as is shown in the tables.

Very respectfully,

THE BOARD OF COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
By LOUIS BROWNLOW, *President.*

Items submitted to the commissioners by heads of departments of the District government, but not included in estimates by reason of limitation of law on total amount of estimates to be submitted to Congress.

Increases in salaries, aggregating	$1,500,000
For commencing work on a project for securing additional water supply for the District	2,000,000
For school buildings and sites for school buildings, aggregating	927,000
For new bridge to take the place of the existing Calvert Street Bridge	500,000
Street-improvement items	250,000
Sewage system	150,000
For new fire stations and buildings	100,000
To provide certain park areas	1,250,000
Total	6,677,000

Mr. MANN of Illinois. Mr. Chairman, I do not rise for the purpose of making an apology. I made the point of order on the original paragraph in the bill, although one Member stated that nobody but a mossback would do it. If so, I suppose I am a mossback. I made the point of order on the proposition increasing the intangible-property tax, although a distinguished member of the committee said that I did it in the interest of wealth. Perhaps I did.

I will tell the Members of the House why I did it in both cases. I believe in intelligent legislation. The Committee on Appropriations, or the subcommittee, does not. That is the difference between us. I believe that when you impose taxes on the people they ought to be imposed after intelligent consideration. I know very little about tax rates except the payment of taxes. I am a large taxpayer at home for a very small value of property. I do not pay a cent of tax in the District of Columbia, never have, and never expect to. There have been a great many discussions concerning tax rates held throughout the United States for years. At times I have taken a sort of academic interest in them, although I do not profess to know much about the subject matter.

I submit that I do not know much about tax rates. The only difference between me and the subcommittee on appropriations is that they do not admit it. That is the only distinction—I admit it. I would be perfectly willing to let even the subcommittee on the District appropriation bill of the Committee on Appropriations take up the tax matter and give intelligent and careful consideration to the subject and abide by their judgment. We have, however, a legislative committee of this House which has legislative jurisdiction over matters of this kind. I have sat in this House for years and I have heard certain gentlemen urge that there ought to be a consideration of the tax matters of the District of Columbia. If any of those gentlemen have introduced a bill on the subject it has escaped my attention, and I watch these things fairly well. If any committee has recently considered the subject, that has escaped my attention, although probably that would not be brought to my attention. No; we go upon the hop, skip, and jump plan.

The Committee on Appropriations brings in to-day a proposition to raise the tax rates on tangible personal property, and the members of that committee all get up and say, "We think we ought to raise the tax on intangible personal property." When I ask why they did not include that in their bill, I will not say that the gentleman who was asked floundered, because he is facile and adept at giving reasons, but I can tell the gentleman who asked the question why they did not put it in. They did not happen to think of it at the exact moment they wrote that paragraph in the bill. That is all there is to it. If they had happened to think of it, they would have put it in. They were in favor of it. The proposition was put in without intelligent consideration. If this House wants to have an increase or a proper consideration of the tax rate in the District of Columbia, it ought to direct some committee of the House, or otherwise, to consider and report upon the subject. I do not know whether the tax rate here is too high. I heard one gentleman here say that in no place in his district was there a tax rate of less than 2½ per cent on the real value of the property. I do not believe that is correct, but if it is, then they are a set of highway robbers in his district.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN of Illinois. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN of Illinois. I doubt whether there is a place in the United States where there is a pretense of an honest administration of government where the tax rate amounts to 2½ per cent of the real value of the property. Of course, I know that where people elect their assessors and direct their assessors to tax property at the real value, the assessors have a way of finding the real value away below the actual market value. I have seen that at home. I have seen it elsewhere where I have happened to own real estate. They do not elect the assessor in Washington. I do not know how fair the valuation may be. There is no reason why it should not be in the main a fair valuation. I do not care what taxes they pay here. I believe that the Congress of the United States when it undertakes to legislate in reference to taxes ought to do it with some degree of knowledge and intelligence, and I do not believe that that is the method that we are pursuing.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. JUUL. Does my colleague think that the people of the city of Washington should be aided by giving them such advantage that the citizens of this city do not pay taxes equal to those paid by the citizens of other communities?

Mr. MANN of Illinois. The Government of the United States owns a very large portion of the property in the District of Columbia. Better improvements are demanded in this city than would be here if it were not the seat of government. I think the people of the United States, for these reasons, ought to pay a reasonable proportion of the cost of maintaining the government of the city of Washington. [Applause.] Whether that is 50–50 or some other proportion, I do not undertake to say. I think myself it ought to be a fixed proportion, and I think that somebody ought to intelligently consider the subject.

Mr. MONTAGUE rose.

The CHAIRMAN. The gentleman from Virginia is recognized.

Mr. WALSH. Mr. Chairman, I make the point of order that the debate upon this amendment is closed.

Mr. MONTAGUE. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Virginia has already been recognized.

Mr. WALSH. But I make the point of order that the debate upon the amendment to the amendment is exhausted.

Mr. BLANTON. And I make the point of order that the gentleman from Virginia has moved to strike out the last two words.

Mr. WALSH. I make the point of order that that amendment is not in order, being an amendment in the third degree.

Mr. SISSON. Mr. Chairman, I rise to oppose the amendment.

Mr. GARD. Mr. Chairman, the Chair has already recognized the gentleman from Virginia.

The CHAIRMAN. The Chair will overrule the point of order.

Mr. WALSH. Mr. Chairman, I do not understand the ruling of the Chair.

The CHAIRMAN. The Chair overrules the point of order, and the gentleman from Virginia is recognized.

Mr. MONTAGUE. Mr. Chairman, I wish to detain the committee for a moment to express my surprise, after seven years of service here, at the situation that confronts us. We have had it called to our attention during these years that the great trouble at Washington is that the city has become a haven of refuge for tax dodgers, and that they find their profit and safety in their ability to escape taxes on their enormous intangible holdings. For seven years that argument has been pressed with vigor and vehemence in this House. This committee now, whether by long or by short consideration, whether by thoughtlessness, as suggested by the gentleman from Illinois [Mr. MANN]—in which I do not concur or disapprove—brings in a piece of legislation by which the poorer class of people shall be made to bear the increased burden of taxation, an increase in the rate upon realty and tangible personal property. It is contended that an exemption of $1,000 upon tangible personalty is a concession to the poor. But we do not exempt $1,000 on the poor man's land. Where a man is struggling to own a little home, whose value will not exceed perhaps one or two thousand dollars, do you allow an exemption upon that, pending the payment of the purchase money? We must have been deluded during these years, when we have been told that Washington is a refuge for people wishing to escape taxes upon intangible hold-

ings, and, therefore, we are now asked to recoup by putting the burden on those who can least afford to bear it. I can not comprehend the wisdom or the justice of such a plan.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

Mr. WALSH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. What is pending before the committee?

The CHAIRMAN. The amendment of the gentleman from Ohio.

Mr. WALSH. What has become of the amendment of the gentleman from Virginia to strike out the last two words?

The CHAIRMAN. The Chair understood that to have been withdrawn.

Mr. WALSH. But it has not been withdrawn.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

Mr. MONTAGUE. I withdraw that.

Mr. SISSON. No; I want to oppose the amendment of the gentleman from Virginia, and I will ask him not to withdraw it. Mr. Chairman, occasionally in this House there arises a critic [Mr. MANN of Illinois] who denounces the intelligence of Members and of members of committees with great flippancy and with an assumption of absolute, accurate, and unerring knowledge and with a display of arrogance not equaled in any other legislative body in the world.

Nor do I believe that the assault upon the members of the Committee on Appropriations, a majority of whom are Republicans, is warranted. I do not believe that a single member of this subcommittee would do him or any Member of Congress an intentional injustice, yet the gentleman goes out of the way to insult them. He is utterly unfair, and he knows that he is unfair. But the House is accustomed to this, and he does little harm. Now, this committee considered this matter for a great many years in its every phase. Many of you gentlemen who have been members of State legislatures or city councils understand that when a State or city budget is to be made up the legislature of a State or the aldermen of the city then levy the tax that is necessary to pay the expenses of the State or city government as the case may be and in doing it they had no more knowledge of conditions and not as much, because you can not get the exact conditions in an entire State as quickly as you could in one city like the District of Columbia. In levying these taxes upon these people we took into consideration the fact that there was a thousand dollars of personal property exempt. I will say to my friend from Virginia [Mr. MONTAGUE] that the argument he makes against the taxation of real estate in the District of Columbia is the same argument that can be made in every community in the United States. There is no exemption in any State, that I know of, of real estate. Real estate is subject to taxation and will always be the principal source of revenue in the State or county governments. We are here dealing with a locality. When you shall take into consideration what is being done now by every city in the United States and obtain what the people of the District of Columbia here say they want, you will find that the committee that came before this subcommittee representing, as they did, 30 or 40 of the various organizations in the District of Columbia, coming from the business organizations, coming from the various community organizations and citizens' associations, asked us that these taxes be increased, because they wanted the improvements. They have had their day in court.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. GARD. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The amendment was again reported.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McLAUGHLIN of Michigan. After this vote is put and this particular amendment is disposed of, will another amendment be in order?

The CHAIRMAN. Yes.

The question was taken, and the amendment was rejected.

Mr. STEVENSON. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 8, strike out the word "intangible."

Mr. GOOD. Mr. Chairman, I make the point of order.

Mr. STEVENSON. I hope the gentleman will reserve that.

Mr. GOOD. I will reserve it.

Mr. MANN of Illinois. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN of Illinois. If the gentleman desires to discuss——

Mr. STEVENSON. I would like very much to say a few words.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. Does the gentleman from South Carolina want the floor?

Mr. STEVENSON. I will try to obtain it later. Go ahead.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I have listened to the discussion of this District tax matter for several years, and I appreciate that the committee having charge of it have given it close attention. I have no criticism of them, but am altogether unable to agree with their recommendation. I am willing to believe, if the committee can get any satisfaction out of it, that they have done the best they could.

I see no reason for a fixed rate of taxation in this District, and the idea of a fixed rate is contrary, in my judgment, to proper principles of taxation. I can see no reason why the rate in this city can not be ascertained and the taxes levied as in other cities. A budget is, of course, made by which it is ascertained how much money must be raised. The property is assessed so the total valuation of property subject to taxation is known. Dividing one by the other gives the rate, and a rate ascertained in any other way is improper. In no section of the country I know anything about would a rate ascertained in any other way be legal; no taxes could be collected on a rate made up in the way suggested it should be made up here. I see no reason for a fixed rate, although I know a fixed rate has for some reason or excuse prevailed here.

Mr. SISSON. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. SISSON. The rate is now fixed, and has been fixed since 1878.

Mr. McLAUGHLIN of Michigan. Well, there may possibly be some excuse for a fixed rate where the General Government has to pay part of the expenses of the city, but where a plan is worked out by which the property of the city has to bear the entire expense of the city and the Government only comes to the rescue in case of an emergency or to make good a deficit or to take part in some unusual expense, there is, in my judgment, no excuse for a fixed rate.

I wish to say only a word more. I agree most heartily with what the gentleman from Illinois [Mr. MANN] has said, to the effect that the Government of the United States ought to bear a share of taxation in this District. It is niggardly on the part of the Government to try to escape it. It is unfair to the city and its people for the Government to take means to escape that obligation. In my judgment a fair valuation should be put upon property belonging to the Federal Government and a method ought to be arrived at to ascertain the proportion the valuation so reached bears to the total valuation of the District. The relative value of the property of the Government and of the general property belonging to the people should be determined, and when that proportion is reached it ought to determine for a term of years the portion which each should pay. I am altogether out of sympathy with the idea that the Government should escape its fair and reasonable share of taxes in the District.

Mr. STEVENSON. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Michigan, and I want to say just a few words about this matter of taxes. I have always been taught that the fundamental rule of taxation should be equality to everybody according to that which they have.

That is written in most of the constitutions of the States, and that was my idea a few minutes ago when I moved to strike out the word "tangible" here, because I can not see why a man who has $1,500 worth of personal property of the tangible kind and pays under this proposition 2½ per cent tax on it is not discriminated against, when a man who owns a mortgage on his home for $1,500, and therefore has it in an intangible form, would pay three-tenths of 1 per cent, or about that rate, as I understand it. In other words, you are saying to the man who puts his money into that which is the best investment in the world, "You can live here and pay only a nominal tax on it," whereas you say to a man who buys his home, which is out in the open where anybody can tax it, "You have got to pay 2½ per cent on your property," and notwithstanding the fact that the man who holds a mortgage on it is paying only

three-tenths of 1 per cent and men who are holding bonds that are taxable are paying just that way. That violates the fundamental principle of equity and fundamental principle of taxation, and I can not understand why it should not be corrected here as well as elsewhere.

You say you have a great deal of difficulty in getting at it. That is true, and that is so much more reason why the intangible property man should pay a full rate on his property when you catch him, because you have got to spend a lot of time in getting at him. And he is able to pay it. That is the fundamental error in this proposition.

Now, there is one other thing about it I do not like. It has been published and it has been stated that there is a surplus of some $6,000,000 to the credit of the District of Columbia now, on account of taxation that has been collected and not spent. That being the case, I do not understand why you have got to increase the tax rate from 1½ to 2½ per cent.

Mr. SISSON. Will the gentleman yield?

Mr. STEVENSON. I yield.

Mr. SISSON. I will say to the gentleman that the surplus which he speaks of is estimated now at about $4,000,000, but if the expenses of the District shall be met now, that would be wiped out and gone entirely.

Mr. STEVENSON. In other words, if you put all the expenses of the District of Columbia upon the District, then it will soon be gone?

Mr. SISSON. No. Let the Government bear what it is now bearing of the expenses, and it will wipe that out, with the additional appropriations that are needed right now.

Mr. STEVENSON. I am glad I have secured that information. I have been here several sessions, and it seems to be always here when we are considering this bill. I will say that when you impose taxes on the principle of inequality found here, it is indefensible in a civilized country.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. DAVIS].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. DAVIS of Minnesota. Division, Mr. Chairman.

The committee divided; and there were—ayes 35, noes 11.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GENERAL EXPENSES.

Executive office: Two commissioners, at $6,000 each; engineer commissioner, so much as may be necessary (to make salary $6,000); secretary, $2,700; 3 assistant secretaries to commissioners at $1,600 each; clerks—1 $1,500, 3 at $1,400 each, 1 $1,200, 1 (who shall be a stenographer and typewriter) $1,200, 1 $840, 2 at $720 each; 2 messengers, at $600 each; stenographer and typewriter, $1,200.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. DAVIS of Minnesota. Mr. Chairman, I am aware that this is subject to a point of order. It is to raise the salaries of the Commissioners of the District of Columbia, and on that I wish to say this: I have been connected with the District government in many ways for the last 15 or 16 years, and I have been upon the Appropriations Committee for a great many years. I have been requested to raise salaries for thousands of people, and I am in favor of it, and I have done so; but I wish to say this: That the Commissioners of the District of Columbia are the hardest-worked men in the city of Washington. They work more hours than anybody else connected with the Government here, are more studious of its requirements, and, in my judgment, exercise the best of their ability at all times.

But I know that this item is subject to a point of order. However, I wished to put in the RECORD a few words showing my esteem and regard for the industry and ability of the Commissioners of the District of Columbia.

Mr. WALSH. Well, Mr. Chairman, I appreciate the very pathetic sentiments expressed by the gentleman in behalf of these officers, but they are certainly not worth the increase. I am a little surprised at the gentleman's moderation, in that he did not double the salary or treble it.

Mr. SISSON. Will the gentleman yield for a moment?

Mr. WALSH. Yes.

Mr. SISSON. I wish to say that the commissioners' salaries were fixed in 1878, at a time when we had about 90,000 people here. Their work has quadrupled since then, and more than quadrupled, and where they handled about $3,000,000 annually then they are handling now $18,000,000 annually.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. SISSON. I will.

Mr. MANN of Illinois. Has the committee found out how many cities in the country pay salaries of over $5,000 to their mayors?

Mr. SISSON. Officials of this kind who occupy these positions in cities as large as Washington are paid more than we pay here.

Mr. MANN of Illinois. Did the committee investigate and find out how many cities pay their mayors over $5,000 a year in salary?

Mr. SISSON. Yes; a great many pay more than $5,000. New York and the gentleman's own city of Chicago pay more. A great many of them pay more. We did not summon the mayers, in order to find out what they got, but we did know what the municipalities were paying, according to the reports, which you can get and which are available, as salaries of municipal officers.

Mr. MANN of Illinois. Of course, it is a very easy matter to ascertain, and I wondered whether it had been ascertained.

Mr. WALSH. Mr. Chairman, for the reasons stated by myself, supplemented by the statements of the gentleman from Mississippi [Mr. SISSON], I make the point of order upon the language in lines 12 and 14, "Two commissioners, at $6,000 each," and "to make salary $6,000," in line 14, in that it is a change of existing law.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DAVIS of Minnesota. Mr. Chairman, I ask to amend by reinserting the figures "$5,000" in both places where the figures "$6,000" have been stricken out.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Minnesota: Page 2, line 12, strike out the figures "$6,000" and insert in lieu thereof——

Mr. BLANTON. A point of order, Mr. Chairman. That would not remedy the matter——

Mr. DAVIS of Minnesota. I understand the gentleman to make the point of order on these figures or salaries. I wish now to simply reinsert the old salaries of $5,000 in each instance.

Mr. MANN of Illinois. Let us have the amendment reported in full.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Minnesota: Page 2, line 12, after the word "at," insert "$5,000," and in line 14, after the word "salary," insert "$5,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma moves to strike out the last word.

Mr. McKEOWN. I would like to have the attention of the gentleman from Illinois [Mr. MANN]. When the gentleman from South Carolina [Mr. STEVENSON], I believe, offered an amendment to strike out the word "tangible" on line 8, of page 2, the paragraph already passed, a point of order was made and sustained. I take it that that was sustained on the theory that the rule covered only the language that had been reported.

Mr. MANN of Illinois. Well, as a general thing, of course, it is in order to strike out, but it has been held on a good many occasions that where a motion to strike out a word, such as the word "not," for instance, so as absolutely to reverse what was intended, it may not be in order. It sometimes is, but it is here held not in order because it accomplishes something by striking out that you could not accomplish by inserting. In this particular case the Chair had already sustained a point of order to an amendment to insert a specific provision with reference to the intangible property. The effect of the amendment offered by the gentleman from South Carolina was to insert it, which amounted to the same thing.

Mr. McKEOWN. The thing I wanted to bring out was that there was not any ruling to the effect that the Committee on Rules could write an amendment and bring it in here and compel us to take that language simply because it had been reported.

Mr. MANN of Illinois. The Rules Committee could bring in a proposition and the House could adopt it.

Mr. McKEOWN. I did not want to concede that right. I withdraw my amendment, Mr. Chairman.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Purchasing division: Purchasing officer, $3,000; deputy purchasing officer, $1,800; computer, $1,440; clerks—1 $1,800, 1 $1,600, 3 at $1,500 each, 12 at $1,200 each (5 of whom shall be stenographers

and typewriters), 1 $1,100, 3 at $1,000 each; storekeeper, $1,200; messenger, $600; driver, $600; inspectors—1 of materials $1,400, 2 at $900 each; 2 property-yard keepers, at $1,000 each; temporary labor, $250.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. WALSH. Mr. Chairman, what is the necessity in this particular division for these increases? You have increased and doubled the number of $1,200 clerks, apparently, and increased the salaries of some others, and inserted a new one at $1,600. What particular activity necessitates that?

Mr. DAVIS of Minnesota. We have not increased the number here at all. We have dropped three clerks at $840 each, and we have dropped two laborers at $720 each.

Mr. WALSH. You do not call laborers "clerks," do you?

Mr. DAVIS of Minnesota. No. I say we dropped seven clerks at $740 each and put six at $1,200, simply putting them on a living basis, and one at $1,600.

Mr. WALSH. Yes, sir.

Mr. DAVIS of Minnesota. We have not increased the number here, but we have really increased the amount of salaries, for the increase is $2,000 in the purchasing division. I want to say that the matters down there have increased wonderfully of late They really handle in this department $3,000,000 worth of property, and it has been increasing recently, and very rapidly, especially in the last year, so that the committee is satisfied that they ought to have some more efficient clerks, and in order to get them you have to increase the salaries.

Mr. WALSH. You say you increased them from $840 to $1,200 in order to put them on a living basis. Well, we have a lot of clerks elsewhere in this bill at $900. Does the gentleman state that those clerks are not on a living basis?

Mr. DAVIS of Minnesota. I would state that those clerks are above the average $900 clerks. There is no question about it. They are down in the District of Columbia office, and nearly all of them are experts in their line.

Mr. WALSH. Well, there may be a few under the District government that are experts, but a great many of them are just the ordinary run of what we got here during the war, nonexpert and nonefficient. What is the need of this new clerk at $1,600?

Mr. DAVIS of Minnesota. Well, he is virtually the foreman of everybody below him, I may say.

Mr. WALSH. You have one at $1,800.

Mr. DAVIS of Minnesota. This city government is a little bit different from the government of any other city in the United States.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. I will reserve a further point of order on another item.

Mr. DAVIS of Minnesota. In a city of this size everywhere in the United States——

Mr. WALSH. The gentleman is undertaking now to tell me——

Mr. DAVIS of Minnesota. Yes; I am undertaking to tell the gentleman of the necessity. In other words, this is a city almost as large as the city of Minneapolis, Minn.; almost as large as Kansas City; almost as large as Boston; almost as large as Cleveland; and almost as large, if not quite, as Cincinnati, and so forth. In all these cities—we will not say anything about Chicago or New York——

Mr. WALSH. I hope not.

Mr. MANN of Illinois. It would take you a long while to get through with them.

Mr. DAVIS of Minnesota. Yes; and I was there before the gentleman was. Now, in all these cities they have a board of aldermen.

Mr. WALSH. This $1,600 clerk is to take the place of the board of aldermen?

Mr. DAVIS of Minnesota. No. If the gentleman will permit, I will instruct him in the duties of the city government. The board of aldermen in some of these cities that I have mentioned consists of 15 or 20 men. Then there is the mayor, with his clerks, and so forth. Here are the aldermen, and they all work the whole year through. Down in this District Building—which, by the way, is one of the finest city halls in the United States, thanks to the generosity of Congress—instead of a mayor and a board of aldermen to conduct the business you have three commissioners, and those three commissioners, with this little collection of clerks that you see here, run the entire city government, when the city of Boston or the city of Minneapolis hires perhaps four or five times as many people.

That is why I made the statement here a little while ago to the effect that the Commissioners of the District of Columbia are the hardest-worked men I ever saw in my life, because they have virtually to take the place of the 15 or 20 aldermen in all these other cities.

Mr. WALSH. That is a very lucid statement. The gentleman has tried to increase the salaries of the commissioners and to give them additional clerks. I make a point of order, on line 24, against "1 clerk at $1,600," and I withdraw it as to the others.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

In all, executive office, $128,270.

Mr. MANN of Illinois. Mr. Chairman, I suggest that that total should be corrected, and perhaps it would be well to get the authority to do so.

Mr. DAVIS of Minnesota. I ask unanimous consent that the clerk be authorized to correct all totals in the bill.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the clerk be authorized to correct the totals in the bill. Is there objection?

There was no objection.

The Clerk read as follows:

Assessor's office: Assessor, $3,500; assistant assessors—3 at $3,000 each, 1 at $2,000; 5 field men at $2,000 each; record clerks—one $1,800, 2 at $1,500 each, 2 (who shall also be typists) at $1,400 each, one $1,200; clerks—3 at $1,400 each, 2 at $1,200 each, 4 at $1,000 each, one $900, one $720; draftsmen—one $1,600, 2 at $1,200 each; 2 stenographers and typwriters at $1,200 each; assistant or clerk, $900; messenger, $600; board of assistant assessors—clerk, $1,500, vault clerk, $900; messenger and driver, $600; temporary clerk hire, $500; in all, $56,920.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. How is the assessor for the District selected?

Mr. DAVIS of Minnesota. He is appointed by the commissioners.

Mr. WALSH. So that this criticism we have heard with reference to assessing property at its proper value could be eliminated, I presume, if the commissioners should appoint a more competent or expert person to make the assessments?

Mr. DAVIS of Minnesota. I believe he can be removed only for cause.

Mr. WALSH. How long is his term of office?

Mr. DAVIS of Minnesota. Indefinite.

Mr. WALSH. The commissioners can appoint him for life, can they?

Mr. DAVIS of Minnesota. They can retain him as long as they are there. The new commissioners might remove him in some way for cause.

Mr. MANN of Illinois. The assessor of the District died only a year or two ago.

Mr. DAVIS of Minnesota. Not very long ago.

Mr. MANN of Illinois. Not a great while ago. I think the appointment is for good behavior, anyhow; so that he can make an honest assessment, which he probably has made, though apparently no one here believes it.

Mr. WALSH. No one here has been willing to admit it, I think, during the discussion we have had.

I should like to ask the chairman of the committee also with reference to the assistant assessors. Are they also appointed by the commissioners?

Mr. DAVIS of Minnesota. They are.

Mr. WALSH. And the five field men?

Mr. DAVIS of Minnesota. They are.

Mr. WALSH. The entire office force of the assessors is under the jurisdiction of the commissioners?

Mr. DAVIS of Minnesota. Yes.

Mr. WALSH. And the appointments are made by the commissioners?

Mr. DAVIS of Minnesota. Yes. In other words, as I stated to the gentleman a while ago, these three commissioners attend to the entire administration of the government of the city of Washington, the same as the board of aldermen and the mayor of Boston, and all the city government combined. They have it all in their hands.

Mr. WALSH. And they run the street railways besides?

Mr. DAVIS of Minnesota. Yes; they are the public-utilities commissioners besides.

Mr. WALSH. They are making just about as good a job at the one task as they are at the other.

Mr. DAVIS of Minnesota. In addition to their other duties in running the entire government of the city of Washington they have had placed upon their shoulders by the action of Congress the duties of the utility commission, which duties

occupy them at least one-third of their time. As to whether that ought to be so or not is another question, but they have had those duties thrust upon them by legislation.

Mr. WALSH. I withdraw the pro forma amendment.

The Clerk read as follows:

Personal tax board: Three assistant assessors of personal taxes, at $3,000 each; chief inspector of personal property, $1,800; appraiser of personal property, $1,800; clerk, $1,400; assistant clerk, $1,000; 2 inspectors, at $1,200 each; extra clerk hire, $2,000; intangible personal property—2 clerks at $1,500 each, 5 inspectors at $1,200 each clerk to board of personal tax assessors, $1,800, 2 clerks at $1,200 each; in all, $32,600.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the chief inspector of personal property, $1,800, in line 25, page 4. What is the reason for creating that position?

Mr. DAVIS of Minnesota. I think the position of chief inspector was created chiefly in consequence of the passage of the intangible tax law. In consequence of that they had to have additional service. You know they collect about $800,000 taxes on intangible personal property, which is the hardest tax on earth to dig up and find out. That is a very difficult thing to do. This man was appointed chiefly in consequence of the additional duties thrust upon the commissioners in the collection of this intangible personal property tax. That is my recollection about it.

Mr. WALSH. Was it authorized in the law?

Mr. DAVIS of Minnesota. The law authorized no employees whatever. Hence I question whether a point of order would lie against it or not.

Mr. WALSH. They have a generous staff here—three assistant assessors of personal taxes, inspectors, clerks, assistant clerks, and appraisers.

Mr. DAVIS of Minnesota. And they collect about $800,000 in taxes of the hardest kind to collect in the world.

Mr. WALSH. Does the gentleman think the number of clerks should be fixed in accordance with the amount they collect? If they come in with a collection of $1,000,000 next year in the way of intangible property tax, does the gentleman think they ought to have another chief inspector?

Mr. DAVIS of Minnesota. I think if they had another chief inspector with his eyes sufficiently open, he might dig up a lot of these tax dodgers that they have not been able to catch yet.

Mr. WALSH. I do not know about that. I make a point of order against the chief inspector of personal property, $1,800, in line 25, page 4.

Mr. DAVIS of Minnesota. I oppose that, on the theory that there is no law fixing these positions, and they have got to have the employees. It is not a change of existing law at all. The positions exist only as they are appropriated for.

Mr. WALSH. It is certainly a change of existing law, because it creates the position of chief inspector of personal property at $1,800. That is different from a clerk.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DAVIS of Minnesota. All right. Let it go.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Office of corporation counsel: Corporation counsel, $4,500; assistants—first $3,000, second $2,500, third $2,000, fourth $1,800, fifth $1,500, sixth $1,500, seventh $1,500; clerk, $1,400; stenographer and typewriter, $1,200; 2 stenographers, at $900 each; clerk, $720; in all, $23,420.

Mr. CHINDBLOM. Mr. Chairman, I move to strike out the last word for the purpose of asking a question.

Mr. BLANTON. Will the gentleman yield to me to allow me to ask a question?

The CHAIRMAN. The gentleman from Illinois [Mr. CHINDBLOM] has the floor.

Mr. BLANTON. Go ahead.

Mr. CHINDBLOM. I should like to inquire what is the method of the selection of these clerks and employees in the various departments of the government of the District of Columbia? Is there any kind of a civil-service system in the District? Are examinations held for these appointments, or do the commissioners select them entirely in their own way and according to their own pleasure?

Mr. DAVIS of Minnesota. They are appointed by the commissioners.

Mr. CHINDBLOM. There is no other responsibility for their appointment but the commissioners themselves?

Mr. DAVIS of Minnesota. No.

Mr. CHINDBLOM. Are the clerks appointed under the civil-service law in the District?

Mr. DAVIS of Minnesota. They are not.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I want to find out from the distinguished chairman of the committee when we are going to rise. It is Saturday afternoon and market day for the employees of the House. I want to ask the chairman if he is not willing to suspend now and give the employees of the House a chance to do their marketing Saturday afternoon. Many of them have to do their marketing this evening to last until Monday. Besides, this is a very good place to stop.

Mr. DAVIS of Minnesota. I appreciate what the gentleman from Texas says, and I anticipated that we would sit until half past 4. I wish to say, further, that I do not like to quit now, because every time thus far since the bill has been under consideration the first hour or two has been taken up by discussion irrelevant to the bill. When we get started, after the toboggan gets going, I do not like to stop the machine for fear somebody may throw a saw log in the way Monday morning.

Mr. BLANTON. I want to say that the members of the faithful have dwindled down now to about 31, and if we work much longer we ought to call in a new shift.

The Clerk read as follows:

Coroner's office: Coroner, $1,800; morgue master, $720; assistant morgue master and janitor, $600; hostler and janitor, $480; in all, $3,600.

Mr. O'CONNOR. Mr. Chairman, I move to strike out the last word in order to ask the chairman a question or two. The discussion of the bill has thrown some sidelights on municipal government, and for the reason that I am not familiar with all that goes on in municipal government I would like to get some information. I think the chairman mentioned one city, Minneapolis, where he said the tax rate is 43 mills.

Mr. DAVIS of Minnesota. Forty-three mills.

Mr. O'CONNOR. On what valuation?

Mr. DAVIS of Minnesota. On a two-thirds valuation.

Mr. O'CONNOR. Placed on the property by the assessors?

Mr. DAVIS of Minnesota. Yes.

Mr. O'CONNOR. And what value does he place on it?

Mr. DAVIS of Minnesota. He comes nearer than they do in most other States in the matter of valuation.

Mr. O'CONNOR. In addition, do those people pay a State and county tax?

Mr. DAVIS of Minnesota. No; that comprises the total rate. But, in addition, the people improve their own streets and sidewalks.

Mr. O'CONNOR. Does the gentleman know whether or not the assessors for the District of Columbia base their assessment on the recorded sales of real property?

Mr. DAVIS of Minnesota. I do not know. I have heard all kinds of intimations, but I do not know how they arrive at the assessed value. The law states how the assessed value shall be arrived at, and I assume that the assessors follow the law.

Mr. O'CONNOR. What does it cost to administer the affairs of the District of Columbia from the clerical standpoint? How much is the annual expense of the clerical force that carries out the functions of the government?

Mr. DAVIS of Minnesota. The gentleman means strictly for salaries?

Mr. O'CONNOR. For salaries.

Mr. MANN of Illinois. If I may be permitted, while the gentleman from Minnesota is looking up the answer to the gentleman's question, I will state that the assessed valuation of property in the District is not based on the recorded transaction. It is safe to say that it is not, because the recorded transaction no longer represents the actual value except so far as the stamp tax may go.

Mr. O'CONNOR. Why is that?

Mr. MANN of Illinois. It is not customary any longer to put in the record the value of the property.

Mr. O'CONNOR. Is it not a violation of the oath of the notary public to omit it?

Mr. MANN of Illinois. Does the gentleman mean requiring the man to put the value of the property sold in the deed? A deed for $1 is just as good as for a million.

Mr. O'CONNOR. And the official records it without the real value being put in the deed?

Mr. MANN of Illinois. How do they know? The law does not require it.

Mr. O'CONNOR. The law happens to be different in the locality where I come from. We have the civil law, and, while it does not prevail in this country, it has some principles which if applied throughout the country would be productive of a great deal of good.

Mr. MANN of Illinois. I have great respect and affection for Louisiana, but I doubt whether she should be considered as a leader in the United States.

Mr. O'CONNOR. I think there are many who agree with the gentleman from Illinois that Louisiana is not a leader; she

is happy to be in company with great States like Illinois and other States whose Representatives lay the flattering unction to their souls sometimes that they and not the State they represent are the real leaders of civilization.

The Clerk read as follows:

Public Utilities Commission: Executive secretary, $4,000; accountant, $3,000; traffic engineer, $3,000; 2 assistant accountants, at $2,000 each; statistical clerk, $1,800; chief clerk, $1,800; inspectors—1 $1,800, 1 $1,600, 1 $1,400; inspector of gas and meters, $2,000; inspector of electric meters, $1,800; assistant inspectors—1 $1,200, 2 at $900 each; clerks—2 at $1,400 each, 1 $1,200; 2 messengers, at $720 each; in all, $34,640.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph. What is the necessity for the statistical clerk at $1,800 in this commission? Apparently it is a new position.

Mr. DAVIS of Minnesota. It is. The reasons assigned were considered by the committee as sufficient. The committee used its pruning hook very extensively in the estimates, and in fact we cut the estimate of $23,000,000 down to $18,000,000, and I think we did pretty well. We selected only those matters we thought were absolutely essential to put in the bill. The testimony on this particular clerk is as follows:

We are asking for a new assistant accountant and one statistical clerk at $2,000.

I think we cut the amount down to $1,800 in the bill.

Mr. MANN of Illinois. You left out two clerks at $700 and put in one at $2,000 and one at $1,800?

Mr. DAVIS of Minnesota. Oh, no; we left out two clerks at $100 each a month.

Mr. MANN of Illinois. For seven months.

Mr. DAVIS of Minnesota. The gentleman asked about the statistical clerk. The testimony is:

I would like to say at the outset that the people of the District of Columbia are paying annually to the public utilities that are being regulated by this commission in the neighborhood of $26,000,000, and the amount asked for the expenses of this commission, salaries and incidental expenses, is only about two-tenths of 1 per cent of the amount expended.

We struck out——

Mr. MANN of Illinois. Two clerks at $700 each.

Mr. DAVIS of Minnesota. No; they were paid $100 a month for seven months.

Mr. MANN of Illinois. That is $700.

Mr. DAVIS of Minnesota. Two at $100 a month each, and we put in place of them one at $1,200.

Mr. WALSH. I am asking about the statistical clerk. What is he going to do?

Mr. DAVIS of Minnesota. I can not tell you all of the details of the Public Utilities Commission.

Mr. MANN of Illinois. Perhaps he is going to consolidate the street railways of the District.

Mr. WALSH. If you are going to let a $1,800 statistical clerk undertake that, we can look for great improvement.

Mr. DAVIS of Minnesota. If the gentleman will look over the Public Utilities Commission and see the amount of money expended for the amount of work they do I think he will find it is rather small.

Mr. WALSH. Mr. Chairman, I make the point of order on the language "statistical clerk, $1,800."

The CHAIRMAN. The point of order is sustained.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is not.

Mr. DAVIS of Minnesota. Mr. Chairman——

The CHAIRMAN. The Chair has already announced that there is no quorum present.

Mr. DAVIS of Minnesota. And the Chair has already decided that this point of order is well taken?

The CHAIRMAN. Yes.

Mr. DAVIS of Minnesota. I have positive law in my hand that it is not well taken.

The CHAIRMAN. Unfortunately it is too late to make the point now.

Mr. DAVIS of Minnesota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. WASLH having assumed the chair as Speaker pro tempore, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13266, the District of Columbia appropriation bill, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. BRAND. Mr. Speaker, I ask unanimous consent to extend and revise my remarks in the RECORD upon the judgeship bill, which I introduced to-day, about which I addressed the House this afternoon.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned until Monday, March 29, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting deficiency estimate of appropriation required by the Public Health Service for the fiscal year 1920 (H. Doc. No. 701); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations required by the War Department for the fiscal year 1921 (H. Doc. No. 702); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting alternative estimate of appropriation required by the Library of Congress for printing and binding, fiscal year 1921 (H. Doc. No. 703); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Librarian of Congress submitting a supplemental estimate of appropriation required by the Library for printing and binding, fiscal year 1920 (H. Doc. No. 704); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting estimate of appropriation for hospital construction, Public Health Service (H. Doc. No. 705); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation urgently required for printing and binding for the Treasury Department for the current fiscal year (H. Doc. No. 706); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Navy, transmitting further recommendation for passage of proposed legislation authorizing the President to present certain ordnance and ammunition to the Portuguese Republic; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FORDNEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 2856) to regulate dealing in leaf tobacco, reported the same with an amendment, accompanied by a report (No. 774), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LANGLEY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 13312) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes, reported the same without amendment, accompanied by a report (No. 779), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VESTAL, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (H. R. 12824) to authorize the coinage of 25-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Alabama into the Union, reported the same without amendment, accompanied by a report (No. 775), which said bill and report were referred to the House Calendar.

Mr. LITTLE, from the Committee on Revision of the Laws, to which was referred the bill (H. R. 9389) to consolidate, codify, and reenact the general and permanent laws of the

United States in force March 4, 1919, reported the same without amendment, accompanied by a report (No. 781), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BRAND: A bill (H. R. 13310) authorizing the President of the United States to appoint a judge or judges to preside in the Supreme Court of the United States when any member or members thereof are disqualified; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: A bill (H. R. 13311) providing for the adoption of a flag and a floral emblem for the government of the District of Columbia; to the Committee on the Library.

By Mr. LANGLEY: A bill (H. R. 13312) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes; to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 13313) to authorize the construction of flood-control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota; to the Committee on Flood Control.

By Mr. FIELDS: Resolution (H. Res. 506) requesting the Federal Trade Commission to make certain inquiries into the prices of loose-leaf tobacco; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of South Dakota: Resolution (H. Res. 508) to provide for the compensation of an assistant in the document room; to the Committee on Accounts.

By Mr. RIDDICK (by request): Joint resolution (H. J. Res. 321) to appropriate out of the funds of the Flathead Tribe of Indians the sum of $10,000, or so much thereof as may be necessary, to bring test suits in the United States court, district of Montana, to determine the right of the Government to issue patents in fee to members of the Flathead Tribe, and for other purposes; to the Committee on Indian Affairs.

Also (by request), joint resolution (H. J. Res. 322) to appropriate out of the funds of the Blackfeet Tribe of Indians the sum of $10,000, or so much thereof as may be necessary, to bring test suits in the United States court, district of Montana, to determine the right of the Government to issue patents in fee to members of the Blackfeet Tribe, and for other purposes; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK: A bill (H. R. 13314) granting an increase of pension to Leander Baker; to the Committee on Invalid Pensions.

By Mr. CASEY: A bill (H. R. 13315) granting an increase of pension to Eva Miller; to the Committee on Invalid Pensions.

By Mr. COSTELLO: A bill (H. R. 13316) granting a pension to Sarah J. Courtney; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 13317) granting an increase of pension to Elijah L. Shipley; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 13318) granting a pension to Esther Adele Williams; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 13319) to remove the charge of desertion against Wilson Certain; to the Committee on Military Affairs.

By Mr. HARRELD: A bill (H. R. 13320) granting a pension to James E. Mulford; to the Committee on Pensions.

By Mr. HARDY of Colorado: A bill (H. R. 13321) granting a pension to Elizabeth Venning; to the Committee on Invalid Pensions.

By Mr. RICKETTS: A bill (H. R. 13322) granting a pension to Rebecca Ann Bradshaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13323) granting a pension to Creighton Bradshaw; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 13324) granting a pension to Zack T. Whitson; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 13325) granting an increase of pension to Edgar W. Lauck; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2618. By the SPEAKER (by request): Petition of American Commission on Irish Independence, St. Louis, Mo., regarding conditions in Ireland; to the Committee on Foreign Affairs.

2619. By Mr. BROWNE: Petition of numerous citizens of the Eighth Wisconsin district, protesting against Senate bill No. 3718, known as the King bill, to deprive foreign press of the second-class mailing privilege; to the Committee on the Post Office and Post Roads.

2620. By Mr. BYRNS of Tennessee: Affidavit accompanying House bill 13300, granting an increase of pension to Charles B. Griffin; to the Committee on Invalid Pensions.

2621. By Mr. FULLER of Illinois: Petition of J. D. Hollingshead Co., Chicago, Ill., favoring 1 cent drop-letter postage; to the Committee on the Post Office and Post Roads.

2622. Also, petition of American Legion of Illinois, concerning inadequate hospital facilities for tuberculosis or mentally diseased ex-service men; to the Committee on Military Affairs.

2623. Also, petition of Commander Foreman, of the American Legion of Illinois, favoring adjusted compensation for ex-service men; to the Committee on Ways and Means.

2624. Also, petition of the Board of Commissioners of Lewis County, State of Washington, opposing the extension of the boundaries of the Mount Rainier National Park; to the Committee on the Public Lands.

2625. Also, petition of the City Council of Peru, Ill., favoring the Mason bill for recognition of the republic of Ireland; to the Committee on Foreign Affairs.

2626. Also, petition of the Building Trades Employers' Association of the City of New York, opposing the passage of House bill 12320 and any other measures to limit immigration; to the Committee on Immigration and Naturalization.

2627. By Mr. MICHENER: Petition of Harvey E. Orwick, of Adrian, Mich., and O. P. Martin, commander Scott D. Castrite Post, No. 232, American Legion, Plymouth, Mich., indorsing $50 a month bonus legislation; to the Committee on Ways and Means.

2628. Also, petition of the official board of the Ida F. Stiles Methodist Episcopal Church, of Jackson, Mich., urging the passage of House bill 262; to the Committee on Interstate and Foreign Commerce.

2629. By Mr. O'CONNELL: Petition of W. B. Jinings and other citizens of Brooklyn, N. Y., favoring the passage of the bills giving six months' pay to the former ex-service men and women; to the Committee on Ways and Means.

2630. Also, petition of W. & J. Sloane, of New York, protesting against House bill 12976; to the Committee on Ways and Means.

2631. By Mr. ROWAN: Petition of the Building Trades Employers' Association of the City of New York, opposing House bill 12320; to the Committee on Immigration and Naturalization.

2632. Also, petition of the John O. Powers Co., of New York, opposing House bill 12976; to the Committee on Ways and Means.

2633. Also, petition of I. S. Wolf & Co., of New York, opposings House bills 12379 and 12646; to the Committee on Banking and Currency.

2634. By Mr. SINCLAIR: Petition of the Dickinson (N. Dak.) Lodge, No. 1137, of the Benevolent and Protective Order of Elks, requesting legislation against radical organizations; to the Committee on the Judiciary.

2635. By Mr. WINSLOW: Petition of the Armenians of Worcester, Mass., opposing the massacre of the Armenian people throughout Cilicia, etc.; to the Committee on Foreign Affairs.

SENATE.

MONDAY, *March 29, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, every step of our national way has been taken with prayer. We have recognized Thy sovereign right to rule and we have ever sought Thy grace. The blessings of a material sort, our vast resources, our limitless area, our strength and majesty and might fall short of the supreme blessing of life unless there is added to these Thy grace and Thy blessing. So we seek Thy favor day by day that Thou wilt guide us in our national path in honor, in peace, and in glory. For Christ's sake. Amen.

MARCUS A. SMITH, a Senator from the State of Arizona, appeared in his seat to-day.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 29, 1920.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. CHARLES CURTIS, a Senator from the State of Kansas, to perform the duties of the Chair during this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. CURTIS thereupon took the chair as Presiding Officer for the day.

The Reading Clerk proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Beckham	Frelinghuysen	Moses	Smith, Ariz.
Calder	Gay	Nelson	Smith, S. C.
Capper	Glass	New	Smoot
Chamberlain	Gronna	Norris	Sterling
Comer	Henderson	Nugent	Swanson
Culberson	Jones, Wash.	Overman	Thomas
Curtis	Kendrick	Page	Townsend
Dial	McKellar	Phelan	Wadsworth
Elkins	McLean	Phipps	Warren
Fernald	McNary	Sheppard	Watson

Mr. GAY. I wish to announce that the senior Senator from Louisiana [Mr. RANSDELL] is necessarily detained from the Senate. I will let this announcement stand for the day.

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent from the Senate on account of illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. The Senator from Arizona [Mr. ASHURST], the Senator from Mississippi [Mr. HARRISON], the Senator from Maryland [Mr. SMITH], and the Senator from Georgia [Mr. HARRIS] are absent on official business.

The PRESIDING OFFICER. Forty Senators have answered to their names, not a quorum. The clerk will call the names of the absent Senators.

The Reading Clerk called the names of the absentees, and Mr. POMERENE answered to his name when called.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present.

Mr. SMOOT. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. SUTHERLAND, Mr. LENROOT, Mr. KIRBY, Mr. UNDERWOOD, Mr. PITTMAN, Mr. HALE, Mr. TRAMMELL, Mr. GORE, and Mr. KEYES entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to their names. A quorum is present. The order which has been made to the Sergeant at Arms will, by unanimous consent, be vacated.

DESIGNATING A PRESIDING OFFICER.

Mr. SMOOT. Mr. President, I ask unanimous consent, in accordance with paragraph 3 of Rule I, that Mr. CURTIS, a Senator from the State of Kansas, heretofore designated in writing by the President pro tempore to perform the duties of the Chair from day to day, may be, and is hereby, authorized to perform such duties during the present absence of the President pro tempore.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

INTEREST ON COLLATERAL CALL LOANS (S. DOC. NO. 262).

The PRESIDING OFFICER laid before the Senate a communication from the Governor of the Federal Reserve Board, transmitting, in response to a resolution of the 8th instant, certain information relative to the cause and justification of the usurious rates of interest on collateral call loans in financial centers, etc., which, with the accompanying paper, was referred to the Committee on Banking and Currency and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer:

S. 696. An act to carry out the findings of the Court of Claims in the case of Frank S. Bowker;

S. 1329. An act to authorize the Secretary of the Interior to acquire certain Indian lands necessary for reservoir purposes in connection with the Blackfeet Indian reclamation project;

S. 2257. An act for the relief of George B. Hughes;

S. 2343. An act for the relief of Capt. Frederick B. Shaw;

S. 2440. An act for the relief of the estate of John M. Lea, deceased; and

S. 2709. An act authorizing the Secretary of the Interior to issue patent to school district No. 8, Sheridan County, Mont., for block 1, in Wakea town site, Fort Peck Indian Reservation, Mont., and to set aside one block in each town site on said reservation for school purposes.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a petition of the Board of Commerce of Detroit, Mich., praying for the enactment of legislation increasing the personnel of the Patent Office, which was referred to the Committee on Patents.

He also presented a memorial of sundry citizens of Walkerville, Mich., remonstrating against the proposed abolishment of third and fourth class post offices, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Branch No. 1, National Association of Letter Carriers, of Detroit, Mich., praying for a readjustment of the salaries of letter carriers and post-office clerks, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the United Commercial Travelers, of Grand Rapids, Mich., praying the enactment of legislation to permit traveling salesmen to deduct expenses for meals and lodging in computing their net income for income-tax purposes, which was referred to the Committee on Finance.

He also presented a petition of Henry Bushway, jr., Post, No. 24, American Legion, of Mantramck, Mich., praying for the enactment of legislation providing a bonus for ex-service men, which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Commerce of Detroit, Mich., praying for the repeal of certain provisions of the so-called Lever Act, which was referred to the Committee on Interstate Commerce.

Mr. CAPPER presented a petition of the Chamber of Commerce of Leavenworth, Kans., praying for the enactment of legislation providing a more simplified method of collecting Federal taxes, which was referred to the Committee on Finance.

He also presented memorials of the congregation of the Church of the Brethren, of Sabetha; of sundry citizens of Brown County, Clay County, Shawnee County, and Nemaha County, and of sundry citizens of Meade, Mound Valley, Niotaza, Langley, Coldwater, Alton, and Nekoma, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. MYERS presented resolutions adopted at a mass meeting of citizens of Butte, Mont., favoring the freedom of Ireland, which were referred to the Committee on Foreign Relations.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS:

A bill (S. 4138) for the relief of Mrs. William A. Erskine (with accompanying papers); to the Committee on Claims.

By Mr. MOSES:

A bill (S. 4139) granting a pension to Harriet A. Savage (with accompanying papers); to the Committee on Pensions.

By Mr. KEYES (by request):

A bill (S. 4140) to provide for the world-wide extension of education by the cooperation of national governments; to the Committee on Education and Labor.

By Mr. PAGE:

A bill (S. 4141) to amend section 13, of article 8, of section 1624, of the Revised Statutes of the United States, relative to the receipt on board a vessel of the Navy of goods, merchandise, or treasure for freight or safe-keeping; to the Committee on Naval Affairs.

By Mr. GORE:

A bill (S. 4142) increasing the limit of cost for a Federal building at Shawnee, Okla.; to the Committee on Public Buildings and Grounds.

ARMY REORGANIZATION.

Mr. McKELLAR submitted 11 amendments intended to be proposed by him to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision

for the national defense, and for other purposes," approved June 3, 1916, which were ordered to lie on the table and be printed.

CAMPAIGN CONTRIBUTIONS.

Mr. SHEPPARD. I send to the desk a letter, which I ask to have read.

The PRESIDING OFFICER. Without objection, the letter will be read.

The Assistant Secretary read as follows:

McADOO, COTTON & FRANKLIN,
New York, March 27, 1920.

Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

DEAR SENATOR SHEPPARD: I observe that Senator BORAH has introduced a bill to limit expenditures of presidential candidates in primary elections and in preconvention campaigns. I think the principle of this measure is absolutely right, and I earnestly hope that it may be promptly enacted by the Congress. One of the greatest perils to the Republic is the improper use of money in primary and general elections. The suggestion that the Senate appoint a committee to investigate the expenditures of the various candidates and their various committees in the campaigns they are conducting for the presidential nomination is highly commendable and ought to be promptly adopted.

With kindest regards, I am,
Cordially, yours, W. G. McADOO.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 27th instant, approved and signed the act (S. 3472) for the relief of the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J.

POST-OFFICE APPROPRIATIONS.

The PRESIDING OFFICER (at 12 o'clock and 25 minutes p. m.). Morning business is closed. The calendar, under Rule VIII, is in order.

Mr. TOWNSEND. Mr. President, unless there is some special reason to the contrary—and I do not understand there is—I ask unanimous consent that the Senate proceed to the consideration of the Post Office appropriation bill, being House bill 11578.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11578) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes.

The PRESIDING OFFICER. The Secretary will state the pending amendment.

Mr. McKELLAR. Mr. President, as I remember, the pending amendment is that adding section 9 to the bill.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 28, the committee proposes to insert a new section, to be known as section 9, which in the renumbering will be section 7.

Mr. McKELLAR. Mr. President, in the confusion of Saturday last a point of order was made by me as to both sections 3 and 9. The Chair overruled the point of order, and I should like to make an inquiry of the Chair if his ruling applied to both sections 3 and 9?

The PRESIDING OFFICER. The Chair will state to the Senator from Tennessee that section 9 was under consideration, and the ruling applied to section 9.

Mr. McKELLAR. With the permission of the Chair, I should like to call his attention to another ruling on this very subject, and also to call the attention of the Chair to the difference between section 3 and section 9. I think there is some question about section 3, but, so far as section 9 is concerned——

Mr. TOWNSEND. Will the Senator from Tennessee yield to me?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Michigan?

Mr. McKELLAR. I yield.

Mr. TOWNSEND. Will not the Senator from Tennessee allow us to proceed with section 9? That is the section which it has been determined is in order. I stated the other day that section 3 was, to some extent, dependent upon section 9. When we dispose of section 9 we shall then return to section 3, and the Senator can then make his point or order, and we can dispose of that.

Mr. McKELLAR. Mr. President, as I understand, the point of order has been overruled as to section 3, and the Chair now states that it has been overruled as to section 9 also?

Mr. TOWNSEND. I do not think section 3 was ruled on.

The PRESIDING OFFICER. The Senator from Tennessee is mistaken. The provision which was before the Senate was section 9, and the Chair ruled on section 9. The Chair remembers that the Senator said that he made the point of order against both the amendments, but as only section 9 was before the Senate the Chair ruled on section 9.

Mr. McKELLAR. Very well. I misunderstood the ruling of the Chair.

The PRESIDING OFFICER. The point of order is not debatable. The Chair based his ruling upon a former decision of the Vice President, which was sustained by the Senate by an overwhelming vote; and, upon appeal from the decision of the Chair on Saturday last, the Senate sustained the decision of the Chair. So far as the Chair is concerned, he has no desire to hear anything further on the subject.

Mr. McKELLAR. Mr. President, under those circumstances, of course, I shall not further discuss the point of order, but I desire to discuss the amendment. Mr. President, I desire to call the special attention of the Senate to section 9, which provides as follows:

SEC. 9 (a). That a commission is hereby created to be composed of the chairman and four members of the Committee on Post Offices and Post Roads of the Senate, appointed by the President of the Senate, the chairman and four members of the Committee on the Post Office and Post Roads of the House of Representatives, appointed by the Speaker of the House, and a postal expert appointed by the Postmaster General. Such commission shall, by majority vote, appoint seven persons who are experienced in business or commercial transactions, or represent business or commercial organizations which make extensive use of the Postal Service, to act as an advisory council and to aid such commission in its work. Vacancies occurring in the commission or in such advisory council shall be filled in the same manner as the original appointments. No member of such advisory council shall receive any compensation for his services. The commission may employ and fix the compensation of such engineers, special experts, clerks, and other employees as it may deem necessary: *Provided*, That each executive department and independent establishment of the Government is hereby directed to furnish to the commission such engineers, special experts, clerks, and other employees as the commission may require, whenever, in the opinion of the head of such department or independent establishment, the public business thereof will not be materially affected thereby.

(b) The expenses of the commission and of the advisory council, including all necessary traveling expenses incurred by a member of the commission, a member of the advisory council, an engineer, special expert, clerk, or employee, under orders of the commission, in making any investigation or upon official business in other places than the place of his residence, shall be allowed and paid upon the presentation of itemized vouchers therefor, approved by the chairman of the commission, which approval shall be conclusive upon the accounting officers of the Treasury Department.

(c) The commission shall investigate (1) the present method of transporting mails, and the facilities for distribution and delivery of mails in railway terminals, transfer offices, and railway postal cars; (2) the present system for transporting and distributing mails in the large cities in the United States and for dispatching mails leaving such cities; (3) the advisability of establishing a system of tunnels or pneumatic tubes in certain districts to facilitate the delivery of the mails therein; and (4) the advisability of establishing an aeroplane mail service and the future possibilities in regard thereto.

On or before March 1, 1921, the commission shall make a report to Congress containing a summary of its findings and such recommendations for legislation as it may believe to be proper.

Then there are several other sections, which I do not now read.

Section 3 provides as follows:

That the property and equipment of the pneumatic tube companies in the post-office buildings in New York, N. Y., Brooklyn, N. Y., Boston, Mass., Philadelphia, Pa., Chicago, Ill., and St. Louis, Mo., may remain where now located until June 30, 1921, or until the space occupied by such property or equipment is actually needed for post-office purposes: *Provided*, That no liability or expense shall be incurred by the Government hereunder.

This is another tube fight. There are pneumatic tubes in those six cities that were put in there by companies organized for that purpose and leased to the Government at very large rentals, and there has been a constant fight going on in Congress ever since those tubes were established because of the enormous expense attached to them. Innumerable reports have been furnished the Post Office Department, Congress, and the country to the effect that the work can be done for almost immeasurably less money by the use of different methods of transportation; that the tubes are very expensive; that they do not save time; and they are principally for the benefit of those who own stock in the tube companies.

That fight has been going on ever since I have been in Congress. Time and again, as I recall, Congress has declined to continue the use of the tubes because of the great expense, and notwithstanding that they have kept their paraphernalia in the post offices in these six cities for the purpose of getting some future Congress to take up their cause and thus tax the American people for their benefit. I am opposed to it. I do not think the Senate ought to agree to it. It has been stricken out of bills, and the President last year, I believe, vetoed an appropriation bill because the tube provision was put in the bill by the Senate. The question is one understood by everybody. It is special legislation for the corporations that have control of the tubes in these various post offices, and ought not to be allowed.

Commission after commission has been appointed. Commission after commission had made its report. We have all the information that is necessary about the matter, and it is just a question of whether Senators are in favor of the tube companies or in favor of the United States Government. That is all there is about it. We all know what it means. It means the question of whether we are going to permit these tube companies to tax the American people for their benefit or not.

I am not in favor of it. I do not think the Senate ought to go on record as being in favor of it. It was my opposition to it that led me to raise the point of order on this appropriation bill. With all due respect to the Chair, it is legislation. There is not any question about its being general legislation on an appropriation bill, in my judgment. That is past, but it is now for the Senate to say whether or not we shall agree to this private legislation that the department has time and time again reported against; that the officers of the Government having charge of these matters have time and time again said was an inefficient method of handling the matter; that it was an exceedingly expensive method of handling the matter; and yet the representatives of these tube people have been on hand every time, have made the fight at every Congress since I have been here, and we have had the fight coming up year by year. I believe the House has time and again decided against it, and I am not sure but I think the Senate has uniformly decided in its favor; but I want to say that I think the tube system is wrong. It ought to be abolished. We ought not to have any provision here allowing this machinery to be held over until another Congress. Why, of course, the tube people are just grasping at any straw to be put in a position where they can have the American people taxed for their benefit.

That is all I care to say about the matter, Mr. President. I hope we can have a record vote. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The Senator from Tennessee asks for the yeas and nays on the amendment of the committee. Is the request seconded?

The yeas and nays were ordered.

Mr. TOWNSEND. Mr. President, we now have before us section 9, which is a proposition to create a joint commission between the two Houses for the purpose of investigating many subjects about which legislation is now demanded. This commission, as the bill provides, is to be composed of five Members of the House and five Members of the Senate, one expert from the Post Office Department, and seven men to be appointed by this commission to act as an advisory council without pay.

This commission originated in the proposition, first, of appropriating $2,250,000, or thereabouts, for a tunnel in New York between the New York Central and Pennsylvania terminals. The Postmaster General advocated the expenditure of this money for the construction of a tunnel to take care of the mail. Your committee had hearings upon that proposition and discovered, first, that the congestion that they anticipated would not occur inside of about three years and that the tunnel could be constructed in one year. In view of the condition of the Treasury, the committee thought it best not to make that appropriation, and especially as there were representatives from the city of New York who maintained that it would not answer the purposes after it was constructed. The president of the Chamber of Commerce of The Bronx maintained that it was not the proper method of handling the mails, but that a belt railroad could carry this mail, as it was principally mail destined out of the city. The hearings disclosed that the committee would be unwarranted in acting upon this proposition without further information, especially as it was not an immediate emergency measure.

The department then recommended that a commission be appointed composed of representatives of the Post Office Department to look into the matter of the tunnel in order that it could determine and report to Congress the necessity, the advisability, and the cost of a tunnel.

Complaint was made to the committee by substantial men and intelligent men that conditions existed in the transportation of the mail in all of the large cities which needed a remedy, that congestion existed, and that present means of transportation were insufficient. It was insisted, for instance, that the space system, whereby the mail is now carried by the railroads, was a mistake, and was the cause of much congestion. It was also plain that the custom of the department in doing away with post-office clerks on the railroads, allowing the mail to be centered at terminals and there distributed, was the cause of congestion and delay of the mails.

The committee heard men who were interested in the restoration of the pneumatic-tube service—not personally interested, many of them, in the service itself as an institution, but business men from the various large cities. They maintained to the committee that the substitution of trucks for pneumatic tubes in these congested cities had resulted not only in a delay of the mail and a congestion of the mail, but in actual extra expense and cost to the Government, the statement of the Postmaster General to the contrary notwithstanding.

Men came before the committee and insisted that these tubes should be reestablished, but your committee did not feel like recommending the reestablishment of them. It did feel, however, that it was the duty of the committee and of the Congress to find out the facts in reference to all of these facilities, and that if we were to have a commission we should instruct that commission to report on all of these subjects.

The Senator from Tennessee says that commissions have repeatedly investigated this subject. Yes, Mr. President; and as repeatedly they have reported in favor of retaining the tubes, with the exception of once, and that was an investigation made by representatives of the Post Office Department. The Hughes Commission, the commission headed by the senior Senator from Georgia [Mr. SMITH], all of these commissions investigated and reported favorably upon these tubes; but you will remember that the last time we acted upon the matter we inserted the tube provision in both Houses, and the President vetoed the appropriation bill, because he said he would not stand for the tubes. We therefore eliminated them.

Section 3 of this bill simply provides that the pneumatic-tube machinery may remain in the basements and sub-basements of the post offices, where they will not under any circumstances interfere with the Government's conduct of the mail, but that some of this immense machinery that is now in these basements and not interfering with anybody or anything can remain.

I say to you, Mr. President and Senators, that whatever you do now, this Government is going back to the pneumatic-tube service in some of these large cities. The world has recognized its importance. There is not a large capital city in the world that does not conduct its mail through pneumatic tubes. Those tubes make it possible to remove from the congested streets the trucks that are interfering with traffic and destroying human life.

We make no appropriation for this purpose; but in view of the almost certainty that the tubes will some time be restored, your committee felt that it would be gross extravagance on the part of the Government to order that machinery out, only to be restored at a later day, when in no case was it interfering with the Post Office Department.

Mr. President, in section 9, the one we have under consideration, we provide for an inexpensive and yet for an efficient commission to investigate some of the greatest problems which are affecting the transportation of the mail to-day. If you do not want that information, if you think it is not worth while, very well.

Does the Senate want information in reference to the tunnel for which the Postmaster General asks an appropriation of $2,225,000, when the very people in New York themselves are divided as to its advisability? Does the Senate want any information as to the results of the space system in carrying the mails on the railroads? Does the Senate want information as to the cause of mail congestion in the large cities and throughout the country? If it does, it will vote for section 9.

When that is disposed of, if the Senator from Tennessee still insists that we ought not to keep this machinery in the post offices, but should wantonly destroy property which may and probably will have to be restored, and the Government will have to pay for it, Senators may follow his advice; but, Mr. President, I am not prejudiced on this subject. I recognize that the Post Office Department is, if I may use a slang phrase, "dead against" the pneumatic-tube service.

I know there are some of the owners of the pneumatic tubes who are very much interested personally in their retention. But, sir, having viewed this subject from an unbiased standpoint, having no regard especially for the pneumatic-tube people, knowing not over one or two of them, and being absolutely indifferent as to what may happen to them personally, I am of the opinion, as I think practically every member of the committee is of the opinion, that we ought to create this commission, and that we ought to retain this machinery until the Congress has had time to investigate and act upon it.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. TOWNSEND. I yield.

Mr. McKELLAR. Do not all the reports show that the cost of transporting the mail through the tubes is greater than the cost of transporting it in any other way?

Mr. TOWNSEND. I do not think they do. I do not think, in the first place, that it is possible to make a clear comparison.

Mr. McKELLAR. Does the Senator recall the testimony of Postmaster Carlyle, of Chicago, for instance, when he stated that they could transport the mails which were being transported by tubes at just a little less than one-fourth, or it may be one-fifth, of the cost?

Mr. TOWNSEND. I realize that there has been quite a good deal of testimony on that subject; but I also realize that it is absolutely impossible for the department, certainly for the committee, to determine what the relative costs of the two are, because they are mingled. For instance, take the truck service. We do know that taking into consideration the cost that was made necessary by the purchase of the extra trucks for carrying the mail, added to the expense of carrying it by the trucks themselves, the pay was more than the annual pay that was granted to the tube owners.

But some of the trucks carried more mail than was theretofore carried by the tubes. So it would be unfair for me to say that all the extra expense entailed through carrying the mail by trucks was due to a transfer from the tube system.

But, Mr. President, what I maintain, and what can not be denied, is that the tubes have facilitated the transportation of the mails, and you will go back to them.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Tennessee?

Mr. TOWNSEND. I yield.

Mr. McKELLAR. As I recall the testimony, it is overwhelmingly to the effect that the cost will be greatly lessened by the tubes having been removed; that they have had actual experience, actual tests. I know the Senator from Michigan so well that I know at a time like this, when the people are burdened with heavy taxation, he does not want to put any greater burdens upon them than they now have. Surely, it seems to me that the decrease in the expense of carrying the mails is a matter of sufficient importance to make every Senator feel that he ought to have a personal interest in this matter, to protect the interests of our Government.

Mr. TOWNSEND. Mr. President, does not the Senator know that there is no proposition to expend any money under this section?

Mr. McKELLAR. But under the provisions of this bill, it being known that the President will veto any bill that contains a provision restoring the tube, we are leaving them in statu quo, that some future Congress and perhaps some other President, who does not look at it in the same way, may restore this private industry for private interests, as a leech upon the body politic. That is all it is. We know that.

Mr. TOWNSEND. Mr. President, that argument is not good. We do not propose to purchase the tubes. We do not propose to incur any additional expense. But Congress is called upon to legislate on these subjects, and we are simply asking for information. I am not afraid of the future President or of the future Congress in reference to this matter. I am perfectly willing to trust the next Congress and the next President to act in the light of the facts. That is all we are asking for now. That is what the Senator seems to be afraid of. For some mysterious reason he is afraid to obtain the facts on this disputed subject.

Mr. President, I do not care to dwell longer upon this provision. I think every Senator understands what the committee had in view. It is not a political question. The committee did not rely on politics. We simply have been trying to consider what we believe to be the welfare of the Post Office Department, and we have acted according to our light. I think this is a wholesome, common-sense, businesslike proposition. We create an advisory committee of seven men without compensation, and I say, Mr. President and Senators, if I should be chairman of the commission I would insist that those seven men should be selected by a unanimous vote of the members of the joint committee, and that they should be men such as will command the respect of the country, and so that their report will be worth something to the country when we get it.

If it is adverse to the tubes and if it is adverse to the tunnel, if it is adverse to the space plan of paying for mail carriage, it will receive my support on the floor of the Senate, and it will receive, I believe, the support of the Senate. But are we afraid that it may destroy some of our theories? I am not afraid of it, and I am ready to meet it.

Mr. HENDERSON. I should like to ask the Senator, in connection with his statement relative to political matters, was not this proposition presented by former Senator Bankhead?

Mr. TOWNSEND. Yes; I am very much obliged to the Senator. I made a minute of that. This is a proposition of Senator Bankhead's. It was the last proposition he submitted to our committee. He handed it to me and asked me to present it to the committee, which I did. It did not originate with me; it did not originate with the tube people; it originated with Senator Bankhead, who had great experience and wide familiarity with this particular subject.

Mr. HENDERSON. I should like to ask the Senator if the records do not show that it was at the suggestion of former Postmaster General Wanamaker that the pneumatic tube was installed, in the first instance, as far back as 1890?

Mr. TOWNSEND. It was. But I have not seen fit to discuss the particular merits of the pneumatic-tube service. I simply know that that is a mooted question and that the business interests of the great cities demand that the service shall be restored. Whether it shall be or not, I do not know. I would not vote to restore it to-day, because I want a little more information as to the comparison between the substitute plan which the Post Office Department has adopted and the tubes themselves. It is for that information I am asking.

Mr. WADSWORTH. Mr. President, I remember very well the debates which have taken place on this question of the tubes and underground transportation of the mails in the great cities. Irrespective of whether we believe the pneumatic tube or a vehicular tunnel is the best method of underground transportation, I think every sensible man must know that the day of rapid and effective surface transportation in a place like the city of New York is gone. It can not be maintained throughout the year with uniform efficiency.

I think there was done a foolish and, indeed, a stupid thing when the tubes were simply wiped out of existence and the people of the city of New York deprived of their service. The people of the city of New York paid for it this last winter. Senators will remember the blizzard which struck the city of Washington and nearly all other cities, and perhaps some of you were in or near the city of New York at that time. What happened? A tremendous storm of wet snow hit the city, which froze as it fell to a depth of at least 12 inches. The city streets were covered with solid ice from 8 to 12 inches thick. The entire trolley system of the city was stopped.

The ice had blocked and completely covered over the trolley slots in the middle of the streets. It was utterly impossible for great mail trucks, or any other kind of trucks, to run upon any schedule of service. As a matter of fact, the conditions were so serious at one time, for the first three or four days, that a portion of the inhabitants of the city were actually threatened with semistarvation, due to the difficulty of surface transportation under those unusual circumstances. It so happens that those conditions occur every now and then in our great cities. I am speaking only of New York. I have no doubt that the same conditions occur in Chicago, Boston, and Philadelphia.

Any person who, when he judges the condensed populations and the congestion of traffic upon streets such as exist in the city of New York, and continues to contend that a motor-truck traveling upon the surface can give reliable and rapid service to the public, whether it be in the distribution of food or in the distribution of mails, simply blinds himself to the inevitable. As the Senator from Michigan [Mr. TOWNSEND] says, it is absolutely inevitable that we shall go back to some kind of subsurface transportation.

The Senator from Tennessee [Mr. McKELLAR] said that this kind of subsurface transportation to which he objects was expensive. I forget the figures. I do not know whether it was more expensive sending first-class mail by tube or by trucks. But how does that expense compare with the trouble when, having abolished your underground transportation, you have not any surface transportation at all, and letters can not be moved at all, because the weather conditions are such as to tie up street traffic, and trucks can not move, which was the condition in New York, I think my colleague will bear me out, for several days?

We have to go back to some kind of underground transportation again. We will be forced to go back to some kind of underground transportation. The public will force us to go back. It will not be any corporation or any people having an interest in the restoration of the tubes or the installation of some other means of underground transportation. The public will force us to do it because the public are entitled to service and they will demand it.

Those who live in the great congested cities know perfectly well that you can not have daily uniform efficient service provided by transportation upon the surface of the streets. Every great capital of the world is extending its efforts more and more toward underground transportation. The city of New York would not have gone to the enormous expense in building its subways if the passengers could have been carried on the

surface of the streets in trucks or in street cars or in busses. The same difficulty applies to the transportation of mails.

I may say to the Senator from Michigan I have not examined the testimony before the committee, but it seems to me the very fact that the Postmaster General now urges the building of a tunnel under the streets of New York to carry mail is a confession that underground travel is infinitely more reliable than surface travel.

Mr. TOWNSEND. There is not any doubt about it, and that proposed tunnel traverses but a short distance, about four-fifths of a mile or something like that.

Mr. WADSWORTH. Between the two stations?

Mr. TOWNSEND. Between the two stations, and when they get it between the two, the proposition of delivery in the city involves just about as much trouble as when they started.

Mr. WADSWORTH. As I understand it, the tunnel would carry the through mails.

Mr. TOWNSEND. That is right.

Mr. WADSWORTH. Mails unloaded at the Pennsylvania terminal to go through the city of New York would go through this tunnel to the New York Central or Grand Central terminal and then proceed upon their journey unless I am mistaken, and if I am the Senator will correct me. It has nothing to do with the service to the people of New York.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to his colleague?

Mr. WADSWORTH. Certainly.

Mr. CALDER. It will move the mails from the Pennsylvania Station to the Grand Central and back again for distribution in localities near those stations, but largely it will be used for the through mails.

Mr. WADSWORTH. Evidently it is proposed to do that, because it is the better way of doing it. Evidently they have made up their minds that surface trucks are not as good as some kind of underground transportation. So I think the committee has done a wise thing in refraining from scrapping, as it were, all the instrumentalities that we have for underground transportation and simply saying for the time being let us wait and see what kind of underground transportation we need, whether the facilities we have still available can be used by the Government, if necessary, or in a modified form; in other words, let us wait and see how this great problem can be solved.

I am in hearty agreement with the Senator from Michigan in his assertion that before long the Congress will once more, as it did on several occasions in spite of the statements of the Senator from Tennessee [Mr. McKELLAR], determine that the only way to handle traffic in the great congested cities is by some means of underground transportation.

I hope the amendment found in the bill will prevail, so that the people of the city of New York will have some hope of efficient service operative 365 days in the year.

Mr. CALDER. Mr. President, I want to add my testimony as to the advantages of underground service in carrying the mails. My colleague has referred to conditions in the streets of New York during a part of the recent winter. The same condition exists almost every winter for a period of several weeks. This was an unusually difficult winter. As I recall, last winter and the winter before traffic was obstructed to a very great extent. Senators will be surprised, I am sure, when I tell them that for nearly a week we were unable to operate the surface cars on Broadway, that great thoroughfare which is always cleaned by the city authorities as soon as the snow falls.

I have always been in favor of underground tube service. When the subject was up in the House of Representatives when I was a Member of that body, I not only favored its continuance but also urged its extension, and since I have been a Member of this body I have followed the same course. It is true there has been opposition on the part of the Post Office Department, but in the city of New York, where this subject has been investigated by the business men who utilize the service, men who have had contact with it, I have yet to find anyone opposed to the tube service. They have urged it, advocated it, and insisted upon its being kept in effect.

Something was said by the Senator from Michigan [Mr. TOWNSEND] and by my colleague [Mr. WADSWORTH] concerning a proposition of the Post Office Department to construct a tunnel connecting the Pennsylvania Station and the New York Central Station. I do not know whether Senators realize that to-day our important post office in the city of New York is located at the Pennsylvania Station, where a larger amount of mail is handled than in any other post office in the country. This post office is the great distributing station of the metropolis. At the New York Central Station perhaps the second largest post-office establishment in the city is located. These two places are the two great post offices of New York City. For that reason I urge not only that we preserve the machinery for these tubes in the stations where now located, but that we take some affirmative action in the pending bill to provide for this tunnel which the Postmaster General proposes to construct between these two great post offices and railroad terminals. So at the proper time I shall offer an amendment to this bill having that in view. I know the subject has been under consideration by the committee, and perhaps the committee may be willing to accept an amendment providing for construction of such a tunnel. If they are not, I shall offer an amendment which will give a start to the movement.

At the New York Central Station to-day they are erecting a new building, a part of which may be utilized for post-office purposes. If we can at this time provide some legislation giving the Post Office Department authority to arrange this building so that we may utilize the floor that comes in line with the tracks of the railroad, then I think, in the end, we will save a great deal of money to the taxpayers of the country and will be providing for a system of transit between these two great post offices which will be of great benefit not only to the city of New York but the rest of the country as well, because mails from the South and the West go through the city of New York to New England, and the mail from New England to the South and the West does likewise. So I shall offer an amendment for this purpose.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Tennessee?

Mr. CALDER. I yield.

Mr. McKELLAR. I want to ask the Senator from New York if he does not think underground transportation is better, that tunnel transportation, leaving aside the question of the tubes for a moment, is better, and does he not think the committee or a subcommittee of the Committee on Post Offices and Post Roads should go over there and examine conditions; that with the innumerable reports that we have already had from commissions over there that have heretofore been appointed that the businesslike way, the economical way, and the quick way to handle the matter would be for a subcommittee of the Committee on Post Offices and Post Roads or the entire committee to go over there and look at conditions and, if the tunnel is necessary, have it constructed?

Mr. CALDER. I do think so, and if a motion were made to amend the amendment now under consideration to eliminate the citizens' commission and substitute the Committee on Post Offices and Post Roads, I would vote for it.

Mr. McKELLAR. If the amendment is not voted down, I shall certainly vote for it.

Mr. CALDER. In discussing the question of traffic on the surface let me suggest to Senators that last year 850 people were killed on the streets of New York City by being run over with vehicles of every sort. Many were killed or injured by post-office trucks running over the streets. I know nothing more important to the traffic of the city of New York, and I assume that the same is true of every crowded city, than to preserve some method of underground transportation for mails, both in the interest of quick transit in fair weather and assurance of transit in weather that is bad during the winter.

Mr. BECKHAM. Mr. President, since I have been here as a Member of the Senate and also as a member of the Committee on Post Offices and Post Roads I have opposed the tube system in those cities. I have agreed with the view of the department that it could more cheaply and quickly handle these mails by surface methods than underground. But I do not believe that that question is involved at present. It is not a question now as to whether the tubes are the best means of transporting mail in those cities, but it is simply a question as to whether the machinery for the tube system shall remain another year in the post offices until the experiment can be thoroughly tried out in surface transportation.

Section 3 of the amendment simply provides that until June 30, 1921, the machinery for this tube service shall remain where it is, and it also says:

> Or until the space occupied by such property or equipment is actually needed for post-office purposes.

The amendment in section 9 further provides for the appointment of a commission to investigate all of these matters. The congestion of business in the large cities and the problem of handling the vastly increased volume of mail deserve the most careful and thorough consideration and a complete investigation as to the best means of relief. I can see no reason, therefore, whatever to oppose this provision for such an investigation and I shall vote against the motion to strike it out.

If this or any other provision in the bill committed us to the expenditure of any money for the tube system or committed the

Government or the Congress to the policy of a readoption of that system I would vote against such a proposition, but I can see no reason whatever for opposing a proposition which merely allows the retention in the post offices of those cities for another year of the machinery of the tube system until a full investigation of the whole subject can be made, and Congress can then determine the best method to solve the difficulty.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Tennessee?

Mr. BECKHAM. I yield.

Mr. McKELLAR. As I understand the Senator's position, it is that he is opposed to the tube system. It is perfectly manifest that without section 3 the tube system will be abolished, because they will have to move out their machinery, and when they do that the men who own the tubes will go out of business and dispose of their property in such a way as they may see fit, and there will be no more tubes. If the Senator is opposed to it, it seems to me he would be against the provision inserting section 3, because the only effect of a vote in favor of that amendment is to give them a new lease of life for one year, to see if they can not work out this plan or some other plan.

Mr. BECKHAM. Does the Senator see any objection to the machinery of these tubes remaining in place for another year?

Mr. McKELLAR. I certainly do. I do not believe that the machinery ought to be there. I am against the tube system; I think it is an expensive system, that is used principally for the purposes of private interests that have been hounding Congress ever since I have been in it.

The Senator from Kentucky, as I am, is very much in favor of prohibition. Suppose the liquor interests were to come here with an amendment to some bill to leave all their saloons just as they were, to leave all their liquors just as they were, ready to open up at some future time? The Senator is a prohibitionist and he would not vote for a provision like that, I know, and that is the same principle which is involved here. In this case we have determined that the tubes shall go out of business, and this provision is merely to give them a new lease of life; that is all there is in it. If the Senator is in favor of giving the tubes a new lease of life for one year after next July, he will vote in favor of this provision; if he is against the tubes, he will vote against it, and there can not be any other way around.

Mr. BECKHAM. Mr. President, I object to the construction which the Senator from Tennessee puts upon my position. I think I have stated it definitely and positively upon this matter, and I think the Senator from Tennessee is very much mistaken in the view which he expresses. I can see no reason why anyone who is opposed to the tube system should object to this provision.

Mr. GRONNA. Mr. President, I know how anxious the Senator from Michigan [Mr. TOWNSEND] is to dispose of the pending measure, and I shall take only a few moments to discuss the question involved in the amendment. In view, however, of the statement made by the Senator from Tennessee [Mr. McKELLAR], for whom I have the highest regard and with whom I very often vote, I wish to say that I have consistently followed the Postmaster General with reference to the mail-tube system. Perhaps that has been because I did not understand the question. I may have been right or I may have been wrong, but I have not changed my position with reference to the tube system. I agree, however, with the Senator from Kentucky [Mr. BECKHAM] that there can be no harm in permitting this machinery to remain where it is. I certainly do not wish to do an injustice to the men who have made this investment.

I may have been mistaken in my conclusion that the mail-tube system was a faulty one and not a desirable one; but there is one thing which I do know, and that is that it is a mistake for the people of America or for the people anywhere to build great cities. In the first place, we deprive our people of the pure, fresh air they ought to have; and as the Senator from New York has just stated, 800 people were killed by being run over in the streets of New York in one year. Just think of that! I could enumerate a hundred, yes, several hundred, reasons why in America, where we have more than 3,000,000 square miles of splendid country, cities ought not to be built so large as they are. Yet we create such conditions in New York, in Chicago, and in several of our larger cities that it is impossible for all the people doing business in them to live within their borders. There is not sufficient room on top of the surface, but we must put them underground or up in the air in order to transact their business.

It reminds me of the old story, when the people were trying to build the Tower of Babel, and the Almighty himself had to come down and demolish the whole structure. Of course, I hope that will not happen to any of our large cities; but I speak with some emphasis, for I have some feeling about the matter when I see the thousands and thousands of children who are living in these great cities deprived of the fresh air which they ought to have, deprived of the opportunities they would have if they lived in the country or if they lived in the smaller cities or towns of the country.

Look at the situation from an economic standpoint. We ship food products hundreds and thousands of miles to the great terminals, there to be manufactured, and then, after they have been manufactured, ship them back at very great expense to the public, yet we are wondering why we have a condition such as really exists to-day, and are trying to secure a remedy for the high cost of living.

Mr. President, as I said at the outset, were it not for the fact that I do not wish to take up the time, because I know the chairman of the committee is anxious to have the pending bill disposed of, I should like to go into this question somewhat at length, and I believe I could show that it is a mistake to build great cities. However, we have them, and a condition and not a theory confronts us. The question is, What are we going to do for them or what are we going to do with them?

I do not wish it understood that I am in favor of the pneumatic-tube system simply because I intend to vote for this provision of the bill. I believe it is only fair that an investigation should be made. There is nothing so repulsive to me as ignorance. When we have the facts we can act and can transact business in a satisfactory way. I am not an authority on this question. I have simply followed the opinions and reports of the Post Office Department. I am free to admit that I have acted upon the judgment of the department and not upon my own judgment, because I have no expert knowledge as to whether or not these mail tubes are desirable, but I do not want it understood that because I vote for the provision which has been recommended by the Post Office Committee that I am in favor of the mail-tube system.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Tennessee?

Mr. GRONNA. Yes.

Mr. McKELLAR. The Senator says that he is desirous of securing information. I merely wish to say to the Senator that the shelves of the document room are full of reports on this very subject. It has been gone into time and time again. It has been investigated by special commissions and by a number of committees, and has been the subject of reports to this body and to the other House time and time again. The Postmaster General has reported upon it from time to time during a period of several years, and I do not see how we can get very much more information in regard to the pneumatic tubes.

The terminal question is a matter that might be investigated by a committee of this body. I think the appointment of an expensive commission, such as is provided for in this bill, is unnecessary; I do not see any use of it; but I should think the terminal situation may be very well the subject of consideration. It will be noted, however, how ingeniously there is tacked onto this provision a proposal to save the life of the tubes for another year.

The two go together, and that is my principal objection to this provision, namely, that under it the tubes are saved for another year and three months in order to see if some plan can not be worked out for their benefit by some future Congress.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Michigan?

Mr. GRONNA. In just a moment. I do not entirely disagree with the Senator from Tennessee, but I think the two propositions go together. They really involve one question, namely, how the mails shall be transported in the great cities. I may be mistaken about that, but that is the way I look at it. I think it is only fair that we should conserve the property of the men who have made this great investment, and I can see no reason why we should prohibit these men from preserving this valuable property. When the report is made perhaps I may change my mind.

The Senator from Tennessee called attention to the fact that several reports have been made. As I understood the chairman of the committee, most of those reports have been favorable to the tube system.

Mr. TOWNSEND. That is what I desired to say to the Senator. With one exception, all of the investigations and all of the examinations have been favorable to retaining the tubes.

Mr. GRONNA. That is all I care to say at this time.

Mr. McKELLAR. Mr. President, before the vote is taken I wish to call the attention of the Senate to a ruling. I am not attempting to bring this matter up, but merely to show a reason

for having made the point of order. In the first session of the Sixty-fifth Congress, May 19, 1917—

The Senate had under consideration H. R. 3971, making appropriations to supply urgent deficiencies in appropriations for the Military and Naval Establishments on account of war expenses for the fiscal year ending June 30, 1917, and

Mr. KENYON offered the following amendment, to add at the end of the bill the following:

"SEC. 6. A commission is hereby created for the purpose of advising the President and Congress as to the need of and plan for a national budget system. The said commission shall be composed of 12 members, to serve without compensation and without expense to the Government, and selected as follows:

"Three members from the Cabinet, designated by the President, and three persons experienced in fiscal methods, to be appointed by the President; three Members of the Senate, to be appointed by the Vice President; and three Members of the House of Representatives, to be appointed by the Speaker.

"The said commission shall report a carefully worked out plan for the installation of a national budget system on or before the first day of the next regular session of Congress to the President and to Congress."

* * * * * * *

Mr. MARTIN. I make a point of order that the amendment is legislation on a general appropriation bill.

The PRESIDING OFFICER (Mr. KING). The point of order is sustained. (CONGRESSIONAL RECORD, pp. 2591, 2592.)

Mr. HENDERSON. Mr. President, I desire to ask the Senator from Tennessee if he opposes all of section 7?

Mr. McKELLAR. Section 7?

Mr. HENDERSON. The former section 9.

Mr. McKELLAR. I oppose it in its present form. I do not think it ought to be adopted. As I stated a while ago, my own judgment is that having commissions investigate and report on matters of this kind is not the best way and is not the most efficient way and is not the most economical way to go about it. After all, the matter has come to Congress and, as a matter of fact, the committee or a subcommittee of the committee ought to go to New York and examine that situation themselves and see what is the best method of providing for it. If it were confined to a tunnel, I would have no objection; but when you put into it the question of tubes I am wholly opposed to it, and that question is inseparably connected with this amendment.

Mr. HENDERSON. Then, as I understand the Senator, his principal objection is to subdivision (3) on line 4 of page 30, which provides for the pneumatic-tube investigation?

Mr. McKELLAR. That is true, because it is coupled up with section 3 on page 26, which allows the tubes and tube machinery to remain until June 30, 1921. It shows what the real purpose of this provision is. It is to give the tubes another chance.

Mr. HENDERSON. I will ask the Senator if section 3, on page 26, does not fully protect the Post Office Department? Is not the Government fully protected under it?

Mr. McKELLAR. Why, no; quite the contrary. It just gives an opportunity to the tube company to come back at any time within 15 months.

Mr. HENDERSON. It gives them the right to remain there until June 30, 1921, "or until the space occupied by such property or equipment is actually needed for post-office purposes."

Mr. McKELLAR. Why, of course; and it is just a question of whether or not the Senator is in favor of the tube system. If he is in favor of the tube system, he ought to vote for this amendment. It is perfectly plain. If he is against the tube system, he ought to vote against this amendment, because without it the tubes will go by the board, so to speak.

Mr. HENDERSON. Not at all. I can not agree with the Senator from Tennessee in that statement. I may be against the installation of the pneumatic-tube system later on, but I believe in giving these people the same right that I would ask for under like circumstances and conditions. The Post Office Department has already caused this company to remove from the post-office buildings whatever equipment was taking up any of the space needed by the Post Office Department. I understand that they have removed a good deal of their equipment and a good deal of their machinery, and that at the present time the Post Office Department has all the room and space needed to carry on the business.

Why should we call upon anybody to scrap this property when the Senator knows that this is still an open, mooted question? The Senate of the United States about a year ago went on record as favoring the pneumatic-tube system, and it was put in the Post Office appropriation bill. It is true that it was vetoed by the President, but this body is on record as favoring it.

Mr. McKELLAR. Mr. President, it is probably going on record again as favoring it; I think so.

Mr. HENDERSON. But the mere fact that we vote for the creation of this commission does not mean that a Senator voting for it is in favor of the pneumatic-tube system. It is simply, as I consider it, a question of fair play and just treatment. I believe that the Government is fully protected, and that section 3 as well as section 7, creating the commission, should be adopted.

Mr. DIAL. Mr. President, formerly I went to New York quite often, but during the last few years I have only been there a time or two. The last time I was there I want to assure my friend from Tennessee that the surface transportation was about obsolete. A friend invited me to dinner, and I tried to get there myself on a surface car, and I came very near missing that nice treat.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Tennessee?

Mr. DIAL. I do.

Mr. McKELLAR. That was due to an unprecedented snow storm, was it not?

Mr. DIAL. Oh, no; it was before the snow.

Mr. McKELLAR. Well, whenever it was, it was due to some trouble on the streets. Would the Senator say that men should quit walking on the surface of the streets and should quit having cars on the surface of the streets because they are interfered with occasionally? Then I want to ask the Senator, further, whether his visit was before prohibition went into effect or afterwards? [Laughter.]

Mr. DIAL. Mr. President, that requires some explanation, and it is not necessary to go into that. [Laughter.]

There is no question in the world that it is necessary to have better facilities there. My information was that they were thinking of taking up the surface street railway on Broadway, as it was so absolutely congested that they could not get along at all.

I listened to the testimony here before the committee, and I can not see any other way than to have subways between those two stations. That is what they need, and that is what they will have to come to. I can see no harm in leaving the tubes in there until they decide upon some better method, because it will not cost the Government anything to leave them there.

Mr. KIRBY. Mr. President, it seems to me that the committee amendment ought not to prevail.

As I understand, the Post Office Department has said that this tube system is antiquated, that it is archaic, that it is obsolete, that it is expensive, and that the present Postmaster General will not employ it even if provision of law and appropriation be made therefor. That is the condition that confronts the country. He has said that this system only carries one sort of mail, and that the vehicles that can be purchased for a nominal consideration, relatively, so far as buying the tubes are concerned, will carry all kinds and classes of mail, whereas this system carries only one kind; and if we leave these tubes where they are now, it will be solely for the purpose of furnishing the owners thereof a possible purchaser in the Government. They are not expected to be used for anything else.

The Government has progressed beyond this system of mail delivery; it can not be used. The Post Office Department says it is not worth while, and the President has gone so far as to veto a bill that carried a provision for its continuation. It seems that the country has pretty well made up its mind, and that the Post Office Department and the whole executive department are agreed about the matter. Leaving this provision in the bill simply improves the position of the owners of this property—who have been paid several times over, in large rentals, for its construction—and gives them one more opportunity to sell to the Government a useless, archaic, abandoned, and worthless system for the distribution of the mails.

Mr. NORRIS. Mr. President, it seems to me that, after all, the question is reduced to one of progress, and whether or not we are going to recognize existing conditions that we can not change, no matter what action we may take.

Whether or not we ought to have had a city anywhere the size of New York, we have New York, we have Philadelphia, we have Boston, and we have Chicago, and we must deal with them justly. After all, as I look at it, it is only a question of progress. Every student must admit that in these overcrowded cities the streets can not carry the traffic. It is a physical impossibility. Business of all kinds must go, as one Senator said, up in the air or down in the ground, and still there is the greatest congestion left on the streets.

Quite a number of years ago, long before I came to Congress, Congress authorized the construction of these pneumatic tubes. They constitute an underground method of carrying the mails. The present Postmaster General is opposed to their use. The principal objection I have to them is that they are not owned by the Government of the United States. I believe the Government ought to own the facilities for carrying the mails, and ought to own these tubes; and I should think, not being an ex-

pert in the matter, that the Government ought to extend them very greatly, not only in the cities where they are but in other cities, and probably eventually in the country.

The Senator from Tennessee [Mr. MCKELLAR] and the Senator from Arkansas [Mr. KIRBY] seem to go on the theory that these tubes have been condemned and put out of business; but, Mr. President, the majority of the testimony is in their favor. They have been approved by the House of Representatives; they have been approved by the Senate; they have been approved by a large number of investigations made by committees and commissions, with one exception; but the President and the Postmaster General are opposed to their further use, and hence the bill was vetoed.

To be fair, it seems to me, to be just, we ought to realize that even the Postmaster General, after he has had the tubes put out of commission for a year, and has been carrying the mail on the streets, has come to the conclusion that he must have some underground method of carrying the mails in the great city of New York; and, of course, he could not very well come back to the tubes, after he had taken the stand that he did, without acknowledging that he was wrong, and he is not that kind of a man; so he proposes a tunnel. Perhaps that is better than the tubes. I do not know. I do not know enough about the subject to know. It may be that it will be finally developed that the Postmaster General's suggestion of a tunnel is the best way; but the very fact that he makes the suggestion brings him on the side of Congress and all these commissions and committees that have investigated the subject and have come to the conclusion that some other method of transporting the mails in the great cities must be had; that they must be taken off of the city streets, from the surface of the ground.

This provision in the bill proposes that an investigation be made of the various methods suggested to try to find out, if possible, what the best method of carrying the mails may be and to report to Congress. The Senator from Tennessee would have no objection to that provision if it eliminated the tubes from all possible contest in that controversy. Now, Mr. President, why do that? After the committees of both the House and the Senate, after thorough investigation, have reported in favor of the tubes, why not, as long as it does not cost anything, permit them to remain and be in the contest? Why narrow it down? Why should we be so vicious against the tubes? Why not give their owners an opportunity to be in on this investigation? Why exclude one thing and include another method?

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from South Dakota?

Mr. NORRIS. I do.

Mr. STERLING. If the Senator will permit me, not only the Post Office Department and the owners of the tubes, but the public are parties in interest.

Mr. NORRIS. I thank the Senator. That is a very good suggestion. After all, it is the public that we ought to represent, and that we are trying to represent. The public wants the best method. The Senator from Tennessee says, "I do not care what method you have, if you will just throw out the tubes and not investigate them," when, in every investigation that has ever been made of the tubes, the tubes have come out on top.

Mr. President, I did not follow the suggestion of the Postmaster General last year on the tubes. In the first place, I am not an expert. In the next place, I am not on the committee, and I never was on any of these commissions; but I have read thousands of pages of testimony in regard to this matter, and last year, as much as my limited time would permit me, I went into the subject and I came to the conclusion that the fight of the Postmaster General on the tubes was almost malicious.

I became prejudiced against the stand that he was taking. He was unfair, and it seems to me, with all due respect, that the position taken by the Senator from Tennessee [Mr. MCKELLAR] is unfair. For some reason or other they want this machinery thrown out. It is no good for anything else, as I understand it. It is down in the subbasement of the post office at New York City, not hurting anybody. If upon a full investigation it should be decided that we wanted to continue the use of the tubes, and I would not be surprised if that would be the result, then we or somebody would have to install them anew, and by permitting them to remain there in the basement until the question is decided that expense would be saved, if we adopt this amendment.

I remember, Mr. President, quite a good many years ago there was a debate in regard to these tubes which took place in the House of Representatives. There was a Member of the House from one of the great cities, for whom I had a great deal of respect, a very able man, and I considered him very fair, and I was influenced a good deal in my vote at that time by what he said. I had not had an opportunity to investigate the subject fully. He made a very convincing argument in favor of the continuation of the tubes, and they were continued. But he became a member of Burleson's administration later; he was appointed a postmaster in one of the great cities, where some of these tubes are, and he was an opponent at once of the tubes.

He followed his chief. He came before a committee of Congress and testified against the tubes, and wanted to throw them out in the street. Of course, he might have changed his mind in the meantime, but when I read his testimony, and the testimony of a good many other men whom the Postmaster General had selected, I could not help thinking that it was just a little bit queer that everybody who was under the influence or control or power of the Postmaster General was against them even though before that he had been most heartily in favor of them.

Mr. KIRBY. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Arkansas?

Mr. NORRIS. Certainly.

Mr. KIRBY. I should like to ask the Senator might it not have been possible and even reasonable for a man who had thought this was a good system for the transportation of the mail before, when he got to be a postmaster and used it, to find that it was worthless and not desirable?

Mr. NORRIS. Yes; I said that was possible; he may have had an honest change of heart; but it seemed queer to me. He was not the only one. There were several others who testified, some of them experts, who changed their minds when they got under the influence of a great, big, powerful administrative official like the Postmaster General, under whom they had to serve. It always seemed just a little queer to me that they would all change the same way.

Mr. President, I became impressed a year ago, when the tube question was up, that while I thought there were a good many things about the tubes that could be improved, and if properly developed would be improved, they were the most advanced way of carrying the mail that had been discovered or invented, doing it expeditiously, and avoiding any possible congestion on the streets. We will have to come to something of that kind. We must go underground in the big cities, or suffer, not only in the cities but in the entire country, the damage that always comes from a cessation of the mail.

It is not a question only for those who live in the cities, but even if it were, those of us who live in the country must at least be fair and just when we have no particular interest in the matter. But, after all, the whole country is interested in it. A great deal of the mail—the great bulk of it, probably—that is tied up between the New York Central station and the Pennsylvania station comes from the East to go through the country, some of it clear across the country, and with less than a mile between the two stations the congestion on the streets is such that it is sometimes delayed for days. A storm absolutely ties it up, and in the finest weather it is always delayed, and the congestion is getting worse all the time.

It seems to me, therefore, that we should take any step that looks to a solution of the problem on a fair and an honest basis, letting every system be taken into consideration. This one system is condemned by some people. It is suggested by others that it is the best system in the world.

Now comes the question of a tunnel in competition with it. It seems to me that we ought to take that into consideration. There may be some other method of doing it still better than either one of them. But whether we do it to-day or not, some day it will have to be done. It is bound to come. It will not be confined to New York City. As sure as the world progresses, the method of transportation, particularly of the mails, must be improved. It does not require an expert to see and to know that now. For the last two or three years it has been susceptible of wonderful improvement.

The PRESIDING OFFICER. The question is upon agreeing to the committee amendment, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. HENDERSON (when his name was called). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. In his absence I transfer my pair to the junior Senator from Massachusetts [Mr. WALSH] and vote "yea."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. I transfer my pair to the junior Senator from Utah [Mr. KING] and ask that this announcement of my pair and its transfer may stand for the day. On this question I vote "yea."

Mr. KIRBY (when his name was called). I have a pair with the senior Senator from Wisconsin [Mr. LA FOLLETTE], who is absent on account of illness. I understand that if he were present he would vote the same way I would on this question, and I therefore vote. I vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. In his absence I transfer my pair to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. TOWNSEND (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. ROBINSON], which I transfer to the junior Senator from Ohio [Mr. HARDING]. This will also release the senior Senator from Alabama [Mr. UNDERWOOD], who is paired with the junior Senator from Ohio. I vote "yea."

Mr. UNDERWOOD (when his name was called). As has just been stated by the Senator from Michigan, I transfer my pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Arkansas [Mr. ROBINSON]. I vote "yea."

The roll call was concluded.

Mr. FERNALD. I inquire if the junior Senator from South Dakota [Mr. JOHNSON] has voted?

The PRESIDING OFFICER (Mr. STERLING in the chair). He has not voted.

Mr. FERNALD. I have a general pair with that Senator, which I transfer to the junior Senator from California [Mr. JOHNSON] and vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], which I transfer to the senator from Montana [Mr. WALSH] and vote "yea."

Mr. CALDER. I have a pair with the junior Senator from Georgia [Mr. HARRIS], which I transfer to the junior Senator from Maryland [Mr. FRANCE] and vote "yea."

Mr. WATSON. I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT], which I transfer to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. FRELINGHUYSEN (after having voted in the affirmative). I have a general pair with the junior Senator from Montana [Mr. WALSH]. In view of the transfer by the senior Senator from Oregon [Mr. CHAMBERLAIN] of his pair to that Senator, I am permitted to vote, and will allow my vote to stand.

The result was announced—yeas 38, nays 9, as follows:

YEAS—38.

Beckham	Gronna	Nelson	Sterling
Brandegee	Hale	New	Sutherland
Calder	Henderson	Norris	Swanson
Capper	Jones, Wash.	Overman	Townsend
Chamberlain	Kendrick	Page	Underwood
Curtis	Keyes	Phipps	Wadsworth
Dial	Lenroot	Pittman	Warren
Elkins	McLean	Pomerene	Watson
Fernald	McNary	Smith, S. C.	
Frelinghuysen	Moses	Smoot	

NAYS—9.

Ashurst	Kirby	Nugent	Smith, Ariz.
Culberson	McKellar	Sheppard	Thomas
Gay			

NOT VOTING—49.

Ball	Harding	McCormick	Simmons
Borah	Harris	McCumber	Smith, Ga.
Colt	Harrison	Myers	Smith, Md.
Comer	Hitchcock	Newberry	Spencer
Cummins	Johnson, Calif.	Owen	Stanley
Dillingham	Johnson, S. Dak.	Penrose	Trammell
Edge	Jones, N. Mex.	Phelan	Walsh, Mass.
Fall	Kellogg	Poindexter	Walsh, Mont.
Fletcher	Kenyon	Ransdell	Williams
France	King	Reed	Wolcott
Gerry	Knox	Robinson	
Glass	La Follette	Sherman	
Gore	Lodge	Shields	

The PRESIDING OFFICER. There is not a quorum present. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gay	Myers	Smith, S. C.
Beckham	Gore	Nelson	Smoot
Calder	Gronna	New	Sterling
Capper	Henderson	Norris	Sutherland
Chamberlain	Jones, Wash.	Nugent	Swanson
Comer	Kendrick	Overman	Townsend
Culberson	Keyes	Phelan	Wadsworth
Curtis	Kirby	Phipps	Warren
Dial	McKellar	Pittman	Watson
Elkins	McLean	Pomerene	
Fernald	McNary	Sheppard	
Frelinghuysen	Moses	Smith, Ariz.	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The names of the absent Senators were called, and Mr. PAGE answered to his name.

Mr. LENROOT and Mr. HALE entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators having answered to their names, there is a quorum present. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. TOWNSEND. I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered. The Secretary will call the roll on agreeing to the committee amendment to insert a new section as section 9.

The reading clerk proceeded to call the roll.

Mr. HENDERSON (when his name was called.) Making the same announcement as heretofore made, I vote "yea."

Mr. KIRBY (when his name was called). Making the same announcement as to my pair and its transfer that I made on the former roll call, I vote "nay."

Mr. THOMAS (when his name was called). Making the same announcement as before regarding my pair and its transfer, I vote "nay."

Mr. TOWNSEND (when his name was called). Making the same announcement as to my pair and its transfer which I previously made, I vote "yea."

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. WATSON (after having voted in the affirmative). Making the same announcement as to my pair and its transfer as on the last vote, I vote "yea."

The roll call was concluded.

Mr. FERNALD. Making the same announcement as heretofore, I vote "yea."

Mr. CALDER (after having voted in the affirmative). I am paired with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to the junior Senator from Maryland [Mr. FRANCE] and let my vote stand.

Mr. CHAMBERLAIN. Making the same announcement as to the transfer of my pair as heretofore, I vote "yea."

Mr. FRELINGHUYSEN. Making the same announcement as to my pair and its transfer that I made before, I vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Illinois [Mr. SHERMAN] with the Senator from Virginia [Mr. GLASS];

The Senator from Missouri [Mr. SPENCER] with the Senator from New Mexico [Mr. JONES];

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from Rhode Island [Mr. COLT] with the Senator from Florida [Mr. TRAMMELL];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Minnesota [Mr. KELLOGG] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Georgia [Mr. SMITH];

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Missouri [Mr. REED];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Washington [Mr. POINDEXTER] with the Senator from Rhode Island [Mr. GERRY]; and

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

The result was announced—yeas 39, nays 12, as follows:

YEAS—39.

Beckham	Gore	Moses	Smoot
Brandegee	Gronna	Nelson	Sterling
Calder	Hale	New	Sutherland
Capper	Henderson	Norris	Swanson
Chamberlain	Jones, Wash.	Overman	Townsend
Curtis	Kendrick	Page	Underwood
Dial	Keyes	Phipps	Wadsworth
Elkins	Lenroot	Pittman	Warren
Fernald	McLean	Pomerene	Watson
Frelinghuysen	McNary	Smith, S. C.	

NAYS—12.

Ashurst	Gay	Myers	Sheppard
Comer	Kirby	Nugent	Smith, Ariz.
Culberson	McKellar	Phelan	Thomas

NOT VOTING—45.

Ball	Dillingham	France	Harris
Borah	Edge	Gerry	Harrison
Colt	Fall	Glass	Hitchcock
Cummins	Fletcher	Harding	Johnson, Calif.

Johnson, S. Dak.	McCormick	Robinson	Trammell
Jones, N. Mex.	McCumber	Sherman	Walsh, Mass.
Kellogg	Newberry	Shields	Walsh, Mont.
Kenyon	Owen	Simmons	Williams
King	Penrose	Smith, Ga.	Wolcott
Knox	Poindexter	Smith, Md.	
La Follette	Ransdell	Spencer	
Lodge	Reed	Stanley	

So the amendment of the committee was agreed to.

Mr. TOWNSEND. Mr. President, I ask that the committee amendment incorporating section 3, which was passed over, be now stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. The committee amendment passed over was, on page 26, after line 7, to insert:

SEC. 3. That the property and equipment of the pneumatic-tube companies in the post-office buildings in New York, N. Y.; Brooklyn, N. Y.; Boston, Mass.; Philadelphia, Pa.; Chicago, Ill.; and St. Louis, Mo., may remain where now located until June 30, 1921, or until the space occupied by such property or equipment is actually needed for post-office *purposes: Provided*, That no liability or expense shall be incurred by the Government hereunder.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. TOWNSEND. I ask that the next committee amendment which was passed over may be stated.

The PRESIDING OFFICER. The Secretary will state the next committee amendment which was passed over.

The next committee amendment passed over was, on page 15, after line 5, to insert:

For the purchase of such aeroplanes as may be necessary to establish, operate, and maintain an aeroplane mail service between New York, N. Y., and San Francisco, Calif., via Chicago, Ill., and Omaha, Nebr.; for the operation and maintenance of such aeroplanes, including stations, equipment, tools, and machinery, and other necessary incidental expenses; and for such personnel as may be necessary therefor, $1,415,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment. [Putting the question.] The ayes have it, and the amendment is agreed to.

Mr. SMOOT. Mr. President, I understood that the Senator from South Carolina [Mr. DIAL] desired to offer an amendment to the committee amendment.

Mr. DIAL. Yes, sir.

The PRESIDING OFFICER. Then, without objection, the vote by which the committee amendment was agreed to will be reconsidered, and the amendment will be considered as pending.

Mr. DIAL. Mr. President, on Saturday last I offered an amendment to the committee amendment to extend the mail route from New York to Atlanta, and asked that the sum of $800,000 be appropriated for that purpose. I now desire to make an unusual request. I desire to cut that amount down to $625,000, and to modify my amendment to that extent.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. DIAL. Mr. President, we have in the bill as reported by the committee a recommendation for a transcontinental airplane mail route from New York to San Francisco. I think that is very proper. At the same time the Post Office Department has recommended five other airplane routes, one of those routes being from New York to Atlanta, and it is that route for which I propose to provide by adding this amendment.

To be perfectly candid with the Senate, when I first heard about the airplane mail service I did not have much faith or confidence in it; I thought an expenditure for that purpose would be throwing away the money of the Government on an unnecessary experiment; but after the hearings in the committee, I am thoroughly satisfied that the postal authorities ought to be encouraged in the extension of this service. They have been making wonderful progress toward economy, efficiency, and expedition in the carrying of the mails.

My object in offering the amendment is to spread airplane mail routes over different sections of the country. At present there is one running from Washington to New York, and the department states that greater efficiency may be accomplished by establishing a longer route.

If this bill should pass it will also contain authority to the Post Office officials to make private contracts for carrying the mails in any section of the United States.

I have gathered some facts, Mr. President, which possibly may interest the Senate. The effect on the mail situation on the Atlantic seaboard of the extension of the New York-Washington air mail route from Washington south to Atlanta will be far reaching and of remarkable benefit to New York City and the commercial centers of the New England States.

With such an extension mail dispatched between 1.45 p. m. and midnight in practically every important office in the New England States, as well as New York City and up-State cities as far north as Syracuse, will be advanced for delivery in practically every important city on the southern Atlantic seaboard to Key West and its connection with Habana and west through the Gulf States as far as New Orleans, with connections at the Gulf ports to Central America, by from 5 to 21 hours.

As I have stated, at first I thought that this service should be extended to Boston, but the department is not prepared to carry it from New York to Boston. Letters mailed in the New England States in the afternoon or early at night will reach New York by the time the mail plane leaves there the next morning. The mail from the New England States and from New York up-State cities will be taken off the trains arriving in New York City between 4.45 a. m. and 5.30 a. m. and dispatched south by aeroplane, leaving at 6.30 a. m. This mail is scheduled to arrive at Atlanta by 6 p. m., mail deliveries being made en route at such junction points as Washington, D. C., Richmond, Va., Raleigh, N. C., and Columbia, S. C.

The arrival at Atlanta allows ample leeway for the New England and New York aeroplane mail to connect with the principal night trains out of that city for Nashville, Tenn.; Birmingham, Ala.; Jackson, Miss.; New Orleans, La.; Savannah, Ga.; Augusta, Ga.; Mobile, Ala.; and Jacksonville, Fla.

I have here a schedule, Mr. President, which shows that from New York to Atlanta the distance is 850 miles by the air mail route, and the time consumed is 10 hours and 43 minutes, whereas the rail mileage is 891 miles, and the time consumed is 26 hours and 15 minutes.

Northbound, the air mail leaving Atlanta at 5 a. m. will take mail from the night trains arriving at Atlanta from the Southern States before 4 a. m., and deliver this mail in New York City, New York up-State cities, and all the principal cities in the New England States by from 14 to 16 hours over the train schedules.

The details of this expeditious mail movement between the New England States, New York City, and New York up-State cities with the South Atlantic seaboard and the Gulf States are shown on the schedule to which I have referred. I shall not take the time of the Senate to read it all, but it is very comprehensive. It shows that the establishment of the air mail service will decrease the time of mail carriage from 14 to 16 hours.

I have some figures here in regard to the cost of the system which are very interesting.

I have been very much impressed with the efficiency of the Post Office Department. I must say that if there is one department of the Government which tries to economize and at the same time give good service, in my opinion it is the Post Office Department. I thought at first that the airplane service involved a useless expenditure, but I find the facts are otherwise and that it is now about self-sustaining. The annual operating cost of the line from New York to Atlanta will be $455,946, which, however, includes interest on investment and depreciation. Deducting the amount of $50,880 for interest and depreciation leaves a cash operating cost of $405,066. To this sum should be added, for equipping fields and rebuilding salvaged De Haviland planes, the sum of $168,000. This makes a total of $573,066, which Congress will have to appropriate for equipment and one year's operation of the route between New York and Atlanta.

It is proposed, should Congress make the appropriation, to operate the service with twin De Haviland planes, the following being an itemized estimate of the cost of this service:

Twin De Havilands.

Distance, one way	miles	850
Distance, round trip	do	1,700
Total annual flying, including ferrying and test work, miles		563,400
Total annual flying, including ferrying and test work, hours		7,277
1. General overhead, at 6¼ cents per mile		$36.621
2. Rent, light, heat, phone, and water, 3 fields, at $564		1,692
3. Trucks and upkeep, 3 fields, at $325		975
4. 6 per cent interest on 12 planes, at $25,000, and tools, trucks, etc., $80,000		14,880
5. Depreciation, 6 planes in air daily, at 33⅓ per cent, and improvements, at 10 per cent		36,000
6. Field force, 3 fields, at $14,500, and 1 superintendent and clerks, at $4,500		48,000
7. 12 pilots, at $4,000		48,000
8. Gasoline, 350,900 gallons, at 30 cents		105,270
9. Oil, 24,014 gallons, at 60 cents		14,408
10. Replacements, at 20 per cent		16,800
11. Miscellaneous field expenses, 3 fields, at $3,600 per year		10,800

12. Wireless, 4 stations, at $18,625	$74,500
13. Emergency, for forced landings and other unforeseen expenses	48,000
Gross annual operation cost	455,946
Less interest, depreciation, etc	50,880
Cash operation expense	405,066
Cost of 12 planes	168,000
Appropriation for equipment and one year's operation	573,066

As has been stated, the gross annual cost of the service, including interest and depreciation, will be $455,946, and the amount of car space and clerical hire that the department will be able to discontinue on the day of the installation of this service would be $331,894, without counting overhead or depreciation in the operation of the Railway Mail Service, which is the amount of saving immediately in sight, and which saving will probably be still further increased when the service is once inaugurated.

This would leave a net cost of $124,000 for this route in the event it were not possible to make further savings, and for this sum there would be expedited annually from the South, East, and Gulf States to New England, New York City, and New York up-State cities, as well as to Washington and points between Washington and Atlanta, and from New England, New York, Washington, and so forth, to the Southern States, a total of 75,120,000 letters, besides salvaging and putting into practical use in a valuable civic function a vast amount of surplus war air equipment.

Mr. President, the Government has a considerable number of these airplanes on hand, and it has turned a good many of them over to the Post Office Department. The figures here are too long to go into in detail, but the service has been wonderfully economical and efficient. They have trained men, and these machines would help carry light packages. We are talking of extending this system of airplane service by the Navy and also by the Army, and I think it would be well to have an independent system under the Post Office Department. Then we could get at comparisons as to the cost of the different lines. It would be very valuable, indeed, to have some competition, as it were. A great many of these planes would go to waste if not used, and they could be used here; and in the opinion of the Post Office officials not only could this service be made self-sustaining, but it would soon be made profitable.

It is important to advertise this mail service in our country. We know what other nations are doing. By running this route down here we will touch a territory that has a good climate, and where these planes can be operated every day in the year. Something was said to the effect that they could be operated on the transcontinental route every day in the year, but I think that is a mistake. They have already operated them to Chicago, and they can continue to do that. A large number of the population and a large part of the wealth of this country are between Atlanta and New York, and we would get our mail here in Washington both ways much earlier than we would otherwise. So I hope that this amendment will go in. I think the department is entitled to have a fair show and a fair hearing and an opportunity to experiment, and I think there should be no objection to this amendment going in.

The PRESIDING OFFICER. The Chair does not understand that the amendment of the Senator from South Carolina is an amendment to the committee amendment.

Mr. DIAL. No.

The PRESIDING OFFICER. Therefore the vote will first be taken upon the amendment of the Senator from Louisiana [Mr. GAY]. The Senator from Louisiana the other day proposed an amendment. Does he offer it now?

Mr. GAY. I offer it now.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 15, line 9, it is proposed to strike out the words "Chicago, Ill., and Omaha, Nebr.," and to insert in lieu thereof "Philadelphia, Washington, Atlanta, New Orleans, Houston, and Los Angeles."

The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana to the amendment of the committee.

Mr. TOWNSEND. I make the point of order on that amendment that it is not estimated for and not reported by the committee.

Mr. GAY. Mr. President, my amendment is simply an amendment to the committee amendment, and I believe is in order. Indeed, it does not contemplate any new item in the bill, and it only changes the route that has been proposed by the committee.

The PRESIDING OFFICER. Was it estimated for by the department?

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. GAY. I yield.

Mr. DIAL. We can possibly arrange this matter satisfactorily to the Senator from Louisiana. As a matter of information, I was told by the Post Office Department that if this bill passes there are good prospects of carrying the mail from St. Louis to New Orleans by contract let to individuals, and that under the surplus carried over from the last appropriation they have enough money on hand to extend the line from Chicago to St. Louis. Therefore I think the object of my friend from Louisiana could be accomplished in some other way.

Mr. GAY. I will say, in reply to the Senator from South Carolina, that I think it is only a question of a short time when we will have routes in all sections of this country, and I have no doubt that there will be a route from Chicago to New Orleans. It is the logical place to have one. But in connection with the point that has been raised by the chairman of the committee, the Senator from Michigan [Mr. TOWNSEND], I simply want to call the attention of the Chair to the fact that this does not bring any new matter into the bill, and, as I explained to the Senate a few days ago, my amendment is to have a route where airplanes will be able to travel the whole year around, and not go through a section of the country where it is likely that they could be used only a few months of the year.

Mr. DIAL. Mr. President, my amendment was estimated on by the department.

Mr. HENDERSON. Mr. President, no estimate was presented to the committee by the Post Office Department for such a route as that proposed by the Senator from Louisiana.

The PRESIDING OFFICER. The Chair does not understand that any appropriation is asked for in this amendment. It simply strikes out the name of one of the cities and substitutes another name.

Mr. TOWNSEND. Mr. President, as I understand, the object that the Senator has in mind is simply to change this route as he has directed it, and that the same appropriation shall carry it; but, as the Chair states, he does not complete his amendment. There is no estimate for this. We know nothing about what it will cost to complete this route as the Senator from Louisiana proposes it.

The PRESIDING OFFICER. May the Chair ask the chairman of the committee if the item in the bill was estimated for by the department—the language submitted?

Mr. TOWNSEND. The item in the bill was.

The PRESIDING OFFICER. Then the Chair sustains the point of order. The question is on agreeing to the amendment of the committee.

The amendment of the committee was agreed to.

The PRESIDING OFFICER. The question now is upon the amendment offered by the Senator from South Carolina [Mr. DIAL], which will be stated by the Secretary.

The READING CLERK. On page 15, after line 13, it is proposed to insert:

> For the purchase of such aeroplanes as may be necessary to establish, operate, and maintain an aeroplane mail service between New York, N. Y., and Atlanta, Ga.; for the operation and maintenance of such aeroplanes, including stations, equipment, tools, and machinery, and other necessary incidental expenses; and for such personnel as may be necessary therefor, $625,000.

Mr. PHIPPS. Mr. President, when this question of making an appropriation for the continuation of an aerial mail service this year first came up in the subcommittee, I confess that I was not favorably impressed by the idea that it was an economical, practical success. However, in view of the fact that the department was in possession of necessary airplane equipment, and had accomplished some good work, in that they had put two motors into one machine where one had been used before, and in that way were getting better service and higher duty, adding to the stability and reducing the risk to the operators of the machines, my next feeling was that experiments should be continued along practical lines. The arguments of the department officials, supported by those of the leading representative of the Army, for a transcontinental route, finally won me over to the conclusion that the plan for the committee to recommend would be one long route which would give service under all conditions, against all possible impediments of climate and altitude, and at the same time develop most useful information for the purposes of our Army.

The mileage that had been estimated for by the Post Office Department totaled, as I recall it, 2,630 miles from New York to San Francisco, as against 2,660 miles figured from New York to Omaha, Minneapolis to St. Louis, Pittsburgh to Kansas City,

and New York to Atlanta by way of Washington, and Cleveland via Toledo to Detroit. This one transcontinental route gives practically the same mileage that has been estimated for five routes by the Post Office Department, at a cost of about one-half as much to equip and operate. The planes that are now being used, by the installation of the double engines as against the single motor, will have a carrying capacity of some 1,500 pounds of mail, and that promises further economy in operation, as against the carriage of some 400 to 500 pounds of first-class mail per plane, which is necessarily expensive.

The hearings before the committee were very extended, and all phases of the question were gone into most carefully. It seemed to be the consensus of opinion of the subcommittee, and it certainly was their feeling, that we should continue along experimental lines, so far as the operation of planes by the Post Office Department was concerned, and that the best all-around experience might be had by the adoption of the one transcontinental route, aside from which there is a provision in the bill which makes it possible for the Post Office Department to enter into negotiations with private owners of an airplane route for carrying the mails from Key West to Habana, Cuba, which service no doubt can be performed at about the same figure as that which it is now costing the department for handling that mail. There is another provision in the bill which will allow the Post Office Department to make other contracts with commercial concerns for the carriage of mails, and I feel that the committee has been right in limiting its recommendation for expenditure by the Post Office Department to the one transcontinental route from New York to San Francisco. Therefore I can not support the amendment offered by the Senator from South Carolina.

Mr. PHELAN. Mr. President, the proposal made by the Senator from South Carolina [Mr. DIAL] has merit. But the question before the Senate is now, in my judgment, to first establish by absolute demonstration the success of what might be called the trunk route, stretching across the country from the Atlantic to the Pacific. It will make a demonstration which will forever put at rest any criticism that might be made, either from the practical airplane point of view or from the business point of view, of the carrying of mail by airplane. Apart from the fact that a great deal of time will be saved, there are much more important considerations, such as the practice given to the men in the operation of airplanes, without which they will lose their knowledge of an art absolutely necessary in modern warfare.

I have a telegram from the Second Assistant Postmaster General, Mr. Praeger, in which he says:

> Post Office appropriation estimate includes $1,000,000—
>
> Actually $1,415,000—
>
> for transcontinental line Atlantic to Pacific.
> This would put mail leaving New York Monday morning in San Francisco Wednesday noon. Can start service within four months after Congress makes appropriation available.

There is a saving of nearly two days, therefore, in the transportation of mail from the Atlantic to the Pacific, which in itself is of inestimable value to men engaged in mercantile pursuits and for trans-Pacific connections. It will bring the Orient nearer New York.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from South Carolina?

Mr. PHELAN. I yield.

Mr. DIAL. Does not the Senator think that the routing of the mail by airplane through the Capital of the Nation would be of great advertising value? We all favor the recommended route; no one objects to it. I favor that route myself. It is perfectly proper.

Mr. PHELAN. Mr. President, I also favor the Senator's route. I favor the extension of the ramifications of this service to all parts of the country. But the question before us now is merely as to the time when this service shall be inaugurated. If we demonstrate the success of the trunk line, necessarily and inevitably the branch lines will be established. So everything depends upon the initial experiment. I do not know that it is advertisement we are looking for; it is service, and it is really immaterial over which route the airplane service is directed. But it so happens that the department and the committee have, I understand, without dissent, agreed upon a route which is practically now established, and over which last year, you will recall, the airmen flew in their hazardous enterprise in competition with one another for speed.

The system is now actually in operation between New York and Chicago, and already preparations have been made for a station at Omaha, where there is a landing ground, and all that is necessary, then, from Omaha is to extend to Reno and from Reno to San Francisco.

The mail service performed would cover approximately 1,500 pounds of letters, or 60,000 letters each day each way. Westbound, the service would leave New York City at 5 a. m. and arrive at Reno, Nev., about 8 p. m. of the second day. On the morning of the third day the plane would leave Reno at daybreak and place the mail in the San Francisco post office before 10 o'clock in the morning for distribution.

Under that schedule there is the other, but I think a minor, consideration, that the service might even be made in time substantially self-sustaining. So it really involves nothing in the long run but the initial expense of establishing the service, and then it is not beyond expectation that the service will support itself.

I sympathize with the gentlemen who desire that this service shall be extended to different sections of the country, but I submit that in order that they might establish such service in the various sections of the country it is important that the experiment made between the Atlantic and the Pacific shall be first demonstrated under conditions which, hard as they are, are necessary for experimental purposes. If we choose the easiest route, which would also be the longest route, it would not be demonstrated under what conditions of weather, over what character of territory, a plane could safely be directed. But here we have great stretches of prairie, as well as great mountain ranges, and the fliers have to successfully rise over the mountains, as was partially demonstrated in the race last year; and in order to avoid the disturbances of the air they rise to higher altitudes, where there are no such disturbances. If the airman can meet these conditions, then indeed if he succeeds he is a trained airman, whereas otherwise he might be merely a summer soldier.

Before I sit down I desire to pay a tribute to the men who have not only served in the air, in a work which is perilous, carrying the mails, but those who have served by rail and those who have served by foot in distributing mail matter to the men and women of this country at their doorsteps, the most welcome visitor in the morning. Under all conditions of weather, uninterruptedly, they make their way from post office to home and shop; but I understand there is no question before the Senate now as to recognizing in some substantial way, by an increase of pay, the services of those men. Why? Because the committee is awaiting a report. Let us speed it.

There is a classification commission that has this matter in charge, and I trust that the classification commission will act with promptness, for who gives promptly gives twice. These men are patiently and without unseemly demonstration waiting for this recognition, and I do not believe that there are any more worthy servants of the Government.

I feel that I can safely predict that an increase of pay and a betterment of working conditions will in a very short time be voted by a majority of this body, and I shall do everything necessary to expedite that much-needed reform. Can we not take action calling for the report?

Mr. OVERMAN. Mr. President, as I understand the facts in the case, the Post Office Department has recommended the route proposed by the Senator from South Carolina [Mr. DIAL]. It also recommends the route proposed by the committee. In the opinion of the Post Office Department, which has had the matter in charge, and thinks it has passed beyond the experimental stage, this is one of the important routes that should be established.

I do not believe the Senator from Michigan wants to be sectional in his views; but why this route, recommended as strongly by the department as the route across the Rocky Mountains, was left out, I can not understand. I think the Senate, if we are going to establish one route, ought to accept the recommendation of the Post Office Department as to both routes, so that there shall be no discrimination, no sectionalism. Let us try them out as the department recommended. I hope, Mr. President, that the amendment will be agreed to.

Mr. HENDERSON. Mr. President, we must be practical in this matter. A situation now confronts us that we all view with some concern. The House refused absolutely to make any appropriation for the aerial mail service. The recommendations made by the Post Office Department covered not only the route from Washington to Atlanta, but a number of other routes, one from New York to San Francisco; Pittsburgh to Kansas City, Twin Cities, Minneapolis and St. Paul; St. Louis via Chicago and Cleveland to Detroit.

An estimate was made of what the department wanted and according to the figures I have hastily prepared, if we adopted

the recommendations as made by the Post Office Department for aerial mail service in the United States, it would take over $4,000,000.

The distance, as I have computed it, from New York to San Francisco by an air route, would be 2,630 miles. Take the proposed route as recommended by the department, and we have the New York-Washington route, 200 miles; and we have the Washington-Atlanta route, 650 miles.

Mr. DIAL. Mr. President, the New York to Atlanta route takes in Washington.

Mr. HENDERSON. I am giving it from New York to Washington, then from Washington to Atlanta. The mileage from New York to Washington is, as I stated, 200 miles; from Washington to Atlanta, 650 miles; from St. Louis to the Twin Cities, 600 miles; from Pittsburgh to Kansas City, 850 miles; from Detroit to Cleveland, 360 miles; making a total of 2,660 miles.

We have in the route proposed and recommended by the committee, New York to San Francisco, 2,630 miles, as compared with a mileage of 2,660 miles on all the other routes recommended by the department.

The cost of those routes would be, from New York to Omaha, which is 1,150 miles, $531,931; from Omaha to San Francisco, 1,480 miles, $1,097,900; or a total of $1,629,831 from New York to San Francisco. The committee recommends $1,415,000 for this service, believing it ample to take care of this route for the next year.

Now, Mr. President, the route from New York to Chicago has been installed, and the first mail service began on May 15, 1919.

Mr. OVERMAN. Have they not had a route from Washington to New York?

Mr. HENDERSON. I was referring to the route from New York to Chicago. The route from Washington to New York, or New York to Washington, began just a year before, on May 15, 1918.

The aerial mail service will be in operation between Chicago and Omaha perhaps within the next six weeks. The reason the committee saw fit to designate New York, Chicago, and Omaha, was, first, because of the established route now between New York and Chicago, and, second, because of the route that will soon be in operation between Chicago and Omaha. From Omaha to San Francisco the route will be between such points as the Postmaster General may determine.

In this connection, however, I believe that the Post Office Department should cooperate with the War Department in designating that route, because this appropriation, if Congress does make it, is not solely to serve the public but also to have in existence an organization that can readily be turned over to the military authorities in case of need for military purposes.

Mr. OVERMAN. Is not that a strong argument in favor of the establishment of all these routes? There has been asked an appropriation of $15,000,000 for air service. If you organize all these routes and get these fliers and planes we will have thorough preparation in case of war again. Does not the same argument the Senator is making apply to all the other routes as well as this?

Mr. HENDERSON. If I thought we could get them all I would be in favor of the pending amendment, but I doubt if we can get more than one. The question is, Which one should be adopted, which one must we take? I am not opposed to the route from Washington to Atlanta. I hope to see it in existence some day, but I doubt the advisability of the Senate at this time asking for more than one route. What route should we adopt? What route should we select?

Gen. Mitchell was before the committee, and his testimony is very interesting. I asked him if the Congress should decide it would adopt one of the recommendations made by the Post Office Department for aerial mail routes, which one he favored. His reply was: "The longest one—that is, from New York to San Francisco—absolutely and unquestionably." I asked the same question of Mr. Praeger, who is in charge of the aerial mail service. His answer was to the same effect. As the Senator from California [Mr. PHELAN] has said, we encounter the plains and the mountains from New York to San Francisco which we would not encounter to such an extent in a route from New York to Atlanta or from Atlanta to New Orleans and through Texas.

Mr. President, there is no subject before the Congress to-day of more vital importance to our national security and defense than that of the aerial mail service. Events of the last three years have demonstrated the need of developing and improving this branch of the military service, both as an offensive and defensive weapon. In what other way or by what other means could we best carry on this work than through the Post Office Department? There are three reasons for starting this service:

First. Service to the public.

Second. Keeps up an organization that could readily be turned over to the military authorities in time of need for military purpose.

Third. It would tend to stimulate and encourage commercial development and enterprise in this industry.

The first legislation to be enacted by the Congress for an aerial mail service was approved March 3, 1917. The Postmaster General was authorized "to expend not exceeding $100,000 for the purchase, operation, and maintenance of aeroplanes between such points as he may determine." Acting under this authority the Postmaster General established an aerial mail service between Washington and New York. The first flight with United States mail between these two points started on May 15, 1918. A similar provision with a like appropriation was carried in the Post Office appropriation bill, approved July 2, 1918. The Post Office appropriation bill approved February 28, 1919, carried an appropriation of $850,500. On May 15, 1919, the route between New York and Chicago was opened and the first mails carried on that day. Since then, and from that appropriation, preparation is going ahead for the extension of the New York to Chicago route from Chicago to Omaha. The Washington to New York and the New York to Chicago routes are the only routes in actual operation to-day. With this progress already made and under way, it seemed highly advisable to both the subcommittee and later the full Committee on Post Offices and Post Roads that there should be only one route, and that route from New York to San Francisco via Chicago and Omaha.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from South Carolina?

Mr. HENDERSON. I yield.

Mr. SMITH of South Carolina. I want to get this clear in my mind. The Senator, I understand, is coupling two things together, military service and the mail service. The Senator hopes by this transcontinental route to perfect and have in operation, in case of any threatened war, a service that would be available in the route between the Atlantic and the Pacific. That has been recommended by the War Department.

The next argument is that the different conditions of air can be demonstrated. Do I understand the Senator now to take the ground that, so far as the Atlantic seaboard is concerned, from New York to Atlanta the air conditions are sufficiently demonstrated that it does not need any experimentation to know what will be the condition in going from New York to Atlanta?

Mr. HENDERSON. Not at all.

Mr. SMITH of South Carolina. Therefore, barring the military element in it, it is necessary to establish an experimental line from New York to Atlanta or from Boston to Atlanta or from the Canadian possessions down to Key West, and it is just as necessary to experiment there and ascertain air conditions as it is going across the continent.

Mr. HENDERSON. I hope in time that condition will come about, but we can not get them all, and that is the trouble. The question is, Which one of these routes should we now adopt—the New York to Atlanta or New York to San Francisco?

Mr. SMITH of South Carolina. Then, to complete the inquiry I am making, the experiment, so far as the San Francisco-New York route is concerned, when once demonstrated would be of absolutely no benefit to the people who reside between New York and Atlanta?

Mr. HENDERSON. It will be of inestimable value——

Mr. SMITH of South Carolina. I just asked the Senator that a moment ago,

Mr. HENDERSON. For national security and defense, to show that we can connect the Atlantic and Pacific seaboards by airplane service in a very short time.

Mr. SMITH of South Carolina. I was unfortunate in the statement of my proposition, then. It was that aside from demonstrating the military practicability, so far as any air conditions between New York and Atlanta are concerned, the experiment from New York to San Francisco would be of no benefit to those people down there; in other words, you would have to explore the air conditions between New York and Atlanta under some subsequent appropriation, if you do not do it now, and the only benefit that would accrue to them would be the national benefit of knowing that we could successfully maintain a military airplane route from San Francisco to New York. So far as any commercial domestic use was concerned, it would be of no benefit to us at all.

Mr. HENDERSON. The air conditions in the Sierra Nevada Mountains would be of little practical value or benefit to the people at Atlanta, no more so than the air conditions at Atlanta would be of value or benefit to the people in California. But the question is, If you are going to establish a service of this kind at all, which is the best route to select now for this experiment, the route that will bring into play all these conditions or a short route, which has only a part of them? In my opinion, the long route would show more than all the rest put together. You encounter in the long route all the altitudes, all conditions of climate, and all the temperatures that prevail in the United States.

Mr. SMITH of South Carolina. That is exactly the point at issue. If the air has to be experimented with to find out what are the conditions through which a successful route may be maintained, if every section of the country must be experimented with, then the experiment in one section does not demonstrate successfully what may be done in another section. If we are going to establish airplane routes for the purpose of carrying mail and accommodating the commercial and domestic uses of the people, I maintain that through all the principal sections of our country we should establish at the same time experimental routes, because if we establish one from New York to San Francisco and it is admitted that air conditions there may differ radically from air conditions along the Atlantic seaboard, we have spent $1,500,000 to demonstrate the benefit to one section of the country without its helping in the least to solve the problem that exists in another section of the country.

If the route from New York to San Francisco determined the condition of the higher altitudes or the lower altitudes, and once that is established and proven practicable it could then be applied to all the country, it would be a matter of indifference to me as to where you establish it so long as you demonstrate the practicability of that length of service through the air; but when you have spent this vast sum of money and only proven it is practicable for that route, and have left the balance of the country yet to be experimented with, I claim that it is a discrimination that is unjust.

If you are going to experiment as to the practicability of using this money for the benefit of all the people, experiment in the air that is above the principal settled parts of the country; but if you do it on the basis that you want this in order to demonstrate a route to connect our military forces on the western shore with those on the eastern shore, of course that is an argument. But when you couple with it the fact that you want to test whether you can go over the Rocky Mountains, to go through a high altitude from east to west, and prove nothing in the route from north to south, then you have used all the people's money for an experimental benefit in one section to the exclusion of other sections, and have to wait for later appropriation to experiment in other sections.

Mr. HENDERSON. I will say to the Senator from South Carolina that it can not all be done at once. We can not establish all these routes. They must be taken up one by one. The expense must be considered.

Mr. SMITH of South Carolina. This seems to me—aside from the military feature, which I grant—to be going exactly contrary to all experiments. If I recall rightly, the first experimentation of overseas flight was made somewhere in 1910 or 1911, when a Frenchman flew across the English Channel. It was a very short experiment, it was a short test, but he was hailed with delight because he had flown across the English Channel. Subsequently they tried a little longer flight, and ultimately the longest flight. Experimentation generally takes the shortest route to demonstrate the feasibility and practicability with the least expenditure of money. Here the committee is aiming to work over the longest route possible to demonstrate——

Mr. HENDERSON. Because of the military features connected with it.

Mr. SMITH of South Carolina. So far as the military features are concerned, this is the Post Office Department. We are working under the service of the Post Office Department for the people generally.

Mr. HENDERSON. Would not that demonstrate what the military could do and would we not have in existence an organization that could be turned over at almost a moment's notice to the military authorities?

Mr. SMITH of South Carolina. I admit that part of the argument, and if you are going into military demonstration I should imagine that the War Department would have perhaps more to do with it than the Post Office Department.

It may be very well to curtail some expense, but the duty of the Committee on Post Offices and Post Roads is to demonstrate the feasibility in certain air conditions for carrying the mails of the people of this country, and we have air conditions north and south that are different from air conditions east and west. If we are going to spend $1,400,000 experimenting with the air conditions for carrying the mail, then, if you want to cooperate with the War Department, there should be brought in a proper appropriation from the War Department to cooperate with the mail service, to expend on experimenting in that route, but not take the Post Office Department to demonstrate one route to the exclusion of all other sections of the country.

Mr. HENDERSON. The money comes out of the same Treasury, does it not?

Mr. SMITH of South Carolina. Of course, but you are not the War Department.

Mr. HENDERSON. Not at all.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to his colleague?

Mr. HENDERSON. Certainly.

Mr. PITTMAN. I ask if this question is involved: Is not the War Department interested in the constant training of aviators? If we have to appropriate money for training aviators exclusively and not use them in the Post Office Department, it would be what you might term a total loss—that is, it would be an expenditure without an asset. We use them in the Post Office Department and there are returns from the service equal to the expenditures or nearly so. The question, from a military standpoint, is where these aviators shall be trained, just as it is a question as to where soldiers shall be trained. If soldiers were taught to fight solely on flat ground all the time, they would not be equal in certain emergencies to soldiers who had been taught to fight and march in timberland and in mountains.

Coming from New York to Atlanta you go through quite a uniform country. The training is over that character of country. In going from New York to San Francisco every four or five hundred miles is an entirely different character of country. The altitude is changing and the temperature is changing. When you go over the Rocky Mountains you go into a very cold climate, you are met by storms and erratic winds; then you go back down lower through the intermountain country and into a desert country where there is dry, hot atmosphere in the summer time and exceedingly cold in the wintertime. Then you strike the Sierra Nevada Mountains, where again you go to an extremely high altitude, but in entirely different conditions from those you experienced in the Rocky Mountain section. In the Rocky Mountain section it is dry. In the Sierra Nevada section you are in snowstorms a large part of the winter. You go within an hour from an altitude of from 10,000 to 12,000 or 15,000 feet in snow to the Pacific coast, where you have almost a summer temperature. It is that opportunity for training aviators that, in my opinion, appeals most strongly to the military.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from South Carolina?

Mr. HENDERSON. I yield.

Mr. SMITH of South Carolina. If we want to experiment for military purposes and to develop a military airplane route from San Francisco to New York, that is another proposition. The people of the country are interested in rapid mail service, and all the people have a right to participate in the results of that experimentation. If the air conditions differ radically east and west from those north and south, I maintain that it is not a fair proposition to the people of this country, because in connection with the military service you want to demonstrate its military value, that you should deny one part of the people of this country mail experimentation because the military feature needs to be developed somewhere else.

I have no objection to these experiments for military purposes. It may be right and proper; but I do maintain that if you are going to experiment for the purpose of serving the people with mails that you should try the air conditions that are peculiar to the different sections of the country under this appropriation, even if it is for a short distance, in order when we get to the point where the empirical feature of this service is passed and it becomes a practical fact that we may intelligently appropriate sufficient money to extend the service through the sections where it has been proven to be practicable.

Here, however, there is no such pretense made. It is said that we propose to carry it north and south, where the air conditions differ very radically from the air conditions elsewhere, but vast sums of money are to be spent not for the purpose of demonstrating the practicability of the air service to people living in different climatic conditions but to demonstrate to a

particular section of the country its value in a combination of military and mail purposes.

I do not pretend to say that the military feature is not essential, but it does seem to me that if we are going to experiment in order to prove the feasibility of furnishing the people of this country with airplane mail service, each section of the country is entitled to its benefit. Experimenting in one section does not prove its feasibility for the entire country. What right have you to come and ask for an appropriation of a million dollars to carry the mail by airplane from Washington to Atlanta when doing so does not prove anything as to the feasibility of carrying the mail from Washington to the New England States? The New England people have a right to say, "If you are going to give us all equal facilities, when you establish an experimental route south, then establish one north and one east and one west, and let us demonstrate the conditions under which it will become feasible for us all. Why spend all the money in operating an air route in one section of the country which does not prove its feasibility for another section of the country?"

Mr. HENDERSON. The Senator from South Carolina supported the bills for the last two years making appropriations for the aerial mail service. Did he not support the bill, which was the first one introduced here, appropriating $100,000 to carry the mail by airplane from Washington to New York?

Mr. SMITH of South Carolina. Yes; with the understanding that in carrying it from Washington to New York it was demonstrating the feasibility of the service for every section of the country.

Mr. HENDERSON. We have demonstrated by that service that we can carry it a short distance, and we are now simply asking for an appropriation to demonstrate that we can carry it a longer distance over the mountains of the West and across the plains; in fact, across the entire continent; and it seems to me that it is perfectly proper for the committee to report in favor of such a route after two years of experimentation on shorter routes in the East.

Mr. SMITH of South Carolina. The first question which I asked the Senator was if demonstrations from the east to the west had proved anything as to the north and south. According to the reports before the committee, they have not done so; that a route through one section does not prove what are the air conditions through another section or what the cost or feasibility of such a route might be; that each route has to be mapped out separately. Any airplane man will tell you that the conditions of the air vary in different sections of the country. Now it is proposed to spend all the money in one section. I can understand why the Senator from Nevada desires that done, and why the Senator from California desires it done. It is like the fox who lost his tail, who said it was a splendid thing for all foxes to be without tails. This airplane route is to run through your section of the country, therefore it is a good thing.

Mr. PHELAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from California?

Mr. HENDERSON. I yield.

Mr. PHELAN. I am sure the Senator from South Carolina does not mean to make this a sectional question.

Mr. SMITH of South Carolina. No; that is what I am trying to keep Senators from doing.

Mr. PHELAN. I think we all concede that it is quite practicable to navigate an airship from Washington to Atlanta, because the atmospheric conditions over that route have been to a large extent tested by the great service which was rendered last year by the brave men who entered into competition in flying over the more difficult route from New York to San Francisco. I may say there was considerable loss of life, but those men were of such heroic mold that they were willing to make the trial in order to demonstrate the great fact that American enterprise could overcome all difficulties. However, in the actual mail service between New York and Chicago it is a remarkable thing that so far for the present fiscal year only one life has been lost.

The great advantage of the air mail service is conceded. The planes are scheduled to run 80 miles an hour, but they will actually run 100 miles an hour. The distance and time between New York and San Francisco is of such great importance, as compared to the distance and time between Washington and Atlanta, that the Senator from South Carolina generously would say, of course, that it is a very much greater thing to cut down two days in carrying mail on a five-day rail service than in cutting it down a few hours in a two days' service.

Mr. SMITH of South Carolina. Now, if the Senator will allow me——

Mr. PHELAN. Let me continue. If we have but one service—and under the appropriation recommended that is all that is provided for—removing from consideration the experimental features, would it not be better, as a matter of public benefit, to cut down the time between the Atlantic and Pacific and its connections than to cut it down between the nearer sections of the country? When California was admitted into the Union in 1850 the good people there, eager to enter the Union of States, as the Senator may remember, had to wait six weeks in order to be informed by the pony express that they were a part of this great country. The railroad has cut that down, and now the air service is going to cut it down further. It is in the way of progress. "Westward the course of empire takes its way."

Mr. SMITH of South Carolina. The argument of the Senator in favor of eliminating the vast distances of this country by improved methods of communication and transportation is a correct argument, but he has admitted that the demonstration along the Atlantic seaboard is now complete. Therefore, as it is about 800 miles from New York to Atlanta, the intervening distance being thickly populated and embracing one of the oldest parts of the country, where a vast volume of business is carried on, if the committee are willing now to appropriate to establish an air mail service in this already demonstrated field, I am perfectly willing, then, to vote for the experimental route from San Francisco to New York; but if every dollar available for air service is going to be absorbed by an experimental service that does not help me, and if I have got to wait for any service until that experiment proves a success or a failure, I think I shall have to demur.

Mr. PHELAN. Mr. President, I should like——

Mr. HENDERSON. Mr. President, just a moment.

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. HENDERSON. I think the Senator is mistaken in attempting to assume that there was any sectional question before the committee or in the minds of any member of the committee in the consideration of this matter. When Mr. Praeger was before the committee I asked him this question:

> Do I understand you to say that if any additions were made the one of prime importance would be the addition of the route from Omaha to San Francisco?
>
> Mr. PRAEGER. Yes.

I will explain to the Senator that the reason we went into this matter was because the House refused to consider any mail service by aeroplane and made no appropriation at all for such service. The question in the minds of the committee was, Could we get this service for the three reasons stated, namely, to serve the public, to demonstrate its value for military purposes and for commercial uses? I later asked Mr. Praeger——

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from South Carolina?

Mr. HENDERSON. Just as soon as I finish my statement I will yield. I asked Mr. Praeger this question:

> But suppose Congress says that they will put in these new lines that you refer to and not the line from Omaha to San Francisco, or that they will put in the line from Omaha to San Francisco and not the others?
>
> Mr. PRAEGER. With us the preference would be, if you are going to spend the money on only one extension, to spend it on the run from Omaha to San Francisco, because you get a double value there—you get the military value as well as the postal value.

Mr. President, it was under those conditions, after considering the matter fully, that we decided to ask for the route from New York to San Francisco, and not because Atlanta was in the South and San Francisco was in the West; that was not the reason at all. I hope some day to see the service extended to Atlanta and to New Orleans and all through the South, and I think the day is coming when that will be an established fact.

Mr. SMITH of South Carolina. I shall not argue that question——

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. To whom does the Senator from Nevada yield?

Mr. HENDERSON. I yield first to the senior Senator from South Carolina.

Mr. SMITH of South Carolina. If the Senator will allow me, I merely wish to make a brief statement and then I will be through with this argument, temporarily at least. It seems to me that accidents upon this section of line have occurred so frequently, so successively—and successfully, I might say—that we are a little inclined to believe that they are not altogether accidental. All of this work, it seems to me, has been done entirely north of the Potomac. That may be on account of the thick population; it may be on account of the conveniences there present which make it desirable to carry on the work there, but down in our section there has been no experiment made; no such service has been intimated. There is an air mail service between

Chicago and New York, which are the great cities of this country, and possibly between those places it was advisable to demonstrate its practicability; but now that there is a proposition to extend the air mail service, all the money is proposed to be absorbed to demonstrate its value for military and mail purposes in going across the continent east and west, still leaving the north and south out of consideration. The Senator disclaims any sectional idea, and I would not have even intimated it had it not been such a common thing that it looks like a perpetuation of the same old proposition.

Mr. McKELLAR. Mr. President, I am going to vote for the amendment of the Senator from South Carolina because I am so heartily in favor of the air mail service that I am willing to extend it; but I hope nothing that will be said here to-day will in any wise jeopardize the amendment which has been offered by the committee.

I desire at this point to quote the amendment proposed by the committee. It is as follows:

For the purchase of such aeroplanes as may be necessary to establish, operate, and maintain an aeroplane mail service between New York, N. Y., and San Francisco, Calif., via Chicago, Ill., and Omaha, Nebr.; for the operation and maintenance of such aeroplanes, including stations, equipment, tools, and machinery, and other necessary incidental expenses; and for such personnel as may be necessary therefor, $1,415,000.

I take a great deal of pride in that amendment. Three years ago, in 1917, I fought here to obtain an appropriation of $100,000 to establish an experimental route between Washington and New York. After a very vigorous fight that appropriation was made and the experiment undertaken, with the most splendid results. The next year a like sum was appropriated to continue that route, and last year that sum was increased to $850,000—an enormous increase—for the purpose of establishing a line between New York, Cleveland, Ohio, and Chicago. In every stage of its development the service has been a most marked success. At first a great deal more postage was charged for letters carried by airplane than for letters sent in the ordinary way, but since that time they have made such a success of this service that the postage has been reduced to the ordinary 2-cent letter rate, and, despite that reduction of postage, the service is paying for itself every day.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. McKELLAR. I yield to the Senator.

Mr. NORRIS. That is a most remarkable statement. Why would it not follow that we ought to cut out of this bill the entire appropriation for the railroad mail service, carry all the mail by aeroplane, and have all the mail between distant points transported in one day without any additional cost?

Mr. McKELLAR. If the Senator will think about that for just a few moments, he will find that that would be wholly impractical at this time. This service has got to grow just like any other service. We had to establish railroads before we established the railroad mail.

Mr. NORRIS. Yes; but we have got through with the railroads now. We have already demonstrated, judging from what the Senator says, that we can carry the mail by airplane and make money out of it. Now, we can not do that on the railroads. There is always a deficit, and it seems to me that is a solution of this proposition—just to have them carry it all by airplane.

Mr. McKELLAR. We hope that wherever first-class mail has to be transported for long distances that it can be done at a very early time. The growth of the aeroplane-mail system has been something remarkable. This bill, as it is reported, increases the appropriation to $1,415,000, and the amendment of the Senator from South Carolina, if adopted, would mean a further increase.

I am for this system of mail transportation. I have long believed in it. I believe it is practicable. I do not think it is in the experimental stage any longer. What can be done has been already demonstrated, and I want to read very briefly from this report as to what has been done. It is a startling proposition as to what has been accomplished by the airplane service. I quote from a recent report of the Postmaster General.

In the first place—

The air mail service of the United States is the only practical commercial aeroplane service in the world. No service in foreign countries compares with it in magnitude, in continuous dependability, and in benefits to commerce.

Now, listen to this:

Its record of performance during the fiscal year of 1919 was 96.54 per cent, and this record was obtained with more than 30 per cent of the trips made in rain, fog, mists, or other conditions of poor visibility. The operation of the service by months for the fiscal year ending June 30, 1919, is given in the accompanying table.

When it was first started it was not believed that it could be made continuous. Some days the fliers did not want to fly, but the Post Office Department has managed that so that the fliers now fly every day. The airplane carries the mail nearly as regularly as a train, practically, and there has been but one fatality during the last year, something very unusual and very remarkable.

Now, I want to call attention to another matter. I want to show what will be the advantage of continuing this route to California. Of course, it ought to be continued to California. This is not a sectional question. It is just a question of which route you are going to take first. I imagine that the next route will be either the one along the Atlantic seaboard or down the Mississippi Valley. It must be extended. I very much desire a route down the Mississippi Valley, from Chicago, by way of Memphis, to New Orleans. The necessities of commerce and the desirability of having quick mail service are going to force an extension of this air mail service. It is going to force it on the part of Congress whether we are in favor of it or not. It is going through. This is one of the things that have been demonstrated by the experience of the Post Office Department.

Now, I want to describe very briefly the New York-Cleveland route:

The air distance from New York to Cleveland is 410 miles and the time of transit is from 4½ to 5 hours. The rail distance is 620 miles and the time of transit from 13 hours and 5 minutes to 17 hours and 20 minutes. On this leg of the journey letters at the rate of 5,000,000 a year are carried westbound, and at Cleveland the Chicago gateway mail is placed on New York Central train No. 35, resulting in expedition of the mail to the Middle West States by 16 hours and to the Pacific coast by 24 hours.

Under the operation of this line that we have already established there is a saving of 24 hours' time to the Pacific coast, which of itself is of immense value, and that, too, without costing the Government anything, because the income from the service pays for it at 2 cents an ounce or fraction thereof.

Eastbound the plane bound from Cleveland to New York takes approximately 14,000 letters daily from the train that left Chicago at 11 p. m. the night before and delivers these letters in New York in time for the afternoon carrier trips, thereby effecting a saving of 16 hours in delivery in New York City. Had these letters continued on their train they would not have reached New York until the following morning.

The air-line distance between Cleveland and Chicago is 325 miles and the time of transit is about 3½ hours. The distance by rail is 340 miles and the time of transit 6 hours and 55 minutes to 10 hours and 30 minutes. On the leg from Cleveland to Chicago westbound letters at the rate of approximately 5,000,000 a year are taken from train No. 19, which left New York at 5.31 o'clock in the afternoon before, and are deposited in the post office at Chicago usually about 1 o'clock in the afternoon in time for all city carriers. This effects a saving of 16 hours in the delivery of the letters in Chicago, as train No. 19 would not reach that city in time to make delivery until the following morning. Eastbound from Chicago approximately 5,000,000 letters a year are carried to Cleveland, where the Twentieth Century train is overtaken, resulting in the mail being delivered in New York City at 9.40 the following morning, the gain in delivery of the mail in New York City and the New England States being 16 hours.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. McKELLAR. I do.

Mr. NORRIS. I wish the Senator would give us the amount of mail that is carried daily between any two of these points.

Mr. McKELLAR. Five million a year divided by 365 would give the approximate amount.

Mr. NORRIS. Five million letters?

Mr. McKELLAR. Yes.

Mr. NORRIS. Does that leave any to be carried between those cities by train in the old way?

Mr. McKELLAR. I will say to the Senator that I am informed by the officer who has charge of this matter that substantially all of the first-class letter mail ready for mailing at the time the airplane leaves is now being taken from New York to Chicago by airplane. The airplane takes the greater bulk of it; and, mind you, there are two legs to that journey. When it gets to Cleveland it is deposited on a train and taken over there, and they make such connections as will save about 16 hours' time.

Mr. NORRIS. Has the Senate committee, therefore, reduced the appropriation and the number of railway mail clerks?

Mr. McKELLAR. They figure that they pay the railroads less for space. As the Senator knows, we have the space system now, and we pay the railroads less, so that this service is self-supporting.

Mr. NORRIS. For instance, from New York to Chicago, or say from Washington to New York, how many pounds of mail are carried on each trip?

Mr. McKELLAR. I will give the Senator, from this report, some knowledge as to what is done:

On the three routes as now established, shown by chart which follows, there are in the air daily eight aeroplanes, each with a capacity of from 14,000 to 16,000 letters. These eight planes fly an aggregate of 1,906 miles each day, carrying at the rate of more than 30,000,000 letters per year. On each of the three routes the mail is advanced 16 hours in each direction, and in the case of mail destined for the Pacific coast the advance in delivery is 24 hours.

The cost of operation of the air mail service during the fiscal year ending June 30, 1919, was $166,402.52, and the revenue from the sale of special rate aeroplane stamps was $194,831.50. The cost of operation includes depreciation at the rate of 33⅓ per cent, which the operations of the service so far indicates to be ample, and an interest on investment charge of 6 per cent.

I want to call the Senator's attention to another proposition, and that is the benefit that this department is doing the air service generally. It is a strange thing that with all the immense amount of money that has been appropriated by Congress for air service, the most valuable service with the smallest appropriation has been obtained in the Post Office Department.

Mr. KIRBY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Arkansas?

Mr. McKELLAR. I do.

Mr. KIRBY. I understand that on these mail routes that have been established, the postage has been reduced to the ordinary rate of 2 cents per ounce. Is that what the Senator understands?

Mr. McKELLAR. Yes; that is true.

Mr. KIRBY. Would the Senator infer from that that the public, who were charged a greater rate than that at first, and would not patronize the service sufficiently to make it self-sustaining, did not think it was worth the price?

Mr. McKELLAR. I can not say that, because it made more than it cost before the rate was reduced.

Mr. KIRBY. Then, why did they reduce it?

Mr. McKELLAR. They did not want to make money out of it. It is not the purpose to make money out of any branch of the Postal Service. The object is to give the service and not to make money out of it; and the rate was reduced for that purpose, and for the further reason of experimentation, and because the aeroplanes did not get a sufficient load at the higher rate. When the lower rate was established so much mail was then carried by aeroplane that the department was enabled to reduce the space and pay of the railroads carrying mail. It was to ascertain what could be accomplished.

I desire to call the attention of the Senate, further, in this connection, to this report:

The principal mechanical development during the year was the salvaging of a large number of Army war planes rendered surplus to the Army on the conclusion of the war. Another development was the creation by American aeronautical engineers and the air mail staff of the Post Office Department of distinctive mail-carrying planes with from three-fourths of a ton to two tons letter capacity. With these planes in operation during the fiscal year ending June 30, 1920, the department, by reason of the quantity of mail carried and the speed of the plane, will save in car distribution space twice the amount of the cost of the air mail service.

I will not read further from this report, but I merely desire to say that I am very anxious to have an airplane route established down the Mississippi Valley. I should like it, above all things. Memphis, my home, would be on such a route. I know that it is just a question of time when it will be established. I have not the slightest doubt of it. I should like to have it established this year, but I do not believe that we can do it all at once, and I am not going to offer an amendment for it at this time. I should like to do so. I am gratified that the committee, or a majority of the committee, have done as much as they have at this time for aeroplane service. They have increased the appropriation from $850,000 to $1,415,000, a very gratifying increase. It will be a valuable thing for the people of this country. It will be a great thing for the people of the Pacific coast; and the only experiment about extending the line to the Pacific coast is the ability of these planes to cross the mountains—certain mountains in Nevada and other far Western States. Now, I have no doubt about their having no difficulty about this. It was supposed that we could not run these planes regularly to New York when they were first started. Why, they run daily without trouble and without difficulty, so that it is no longer an experiment. When we establish this route it is perfectly obvious that with this large saving in time, with this perfection, almost, in the regularity of the delivery of mail, the service must be extended to our whole country.

I am going to vote for the amendment of the Senator from South Carolina because I have not any doubt about the desirability of the extension of this service.

Other members of the committee seem to have doubts about it. I have never had any doubt but that airplanes could be used for the purpose of expediting our mail system. It has been a great success. It is a great honor and a great credit to the inventive genius of our own country. It is a great credit to the Post Office Department. We ought to build it up; we ought to add to it; we ought to make it more effective, in my judgment. I am just as strong for it as I was three years ago, when some Senators on this floor tried so hard to defeat the first appropriation for the service.

I feel that it is for the best interests of our country, and I hope the committee amendment will be agreed to. I hope the amendment of my good friend on the committee, the Senator from South Carolina [Mr. DIAL], will be agreed to also. But I hope that no man who believes in the extension of this service, whether in one part of the country or another, will fail to vote for the amendment as it is, because if we can not get what we want, let us get the best we can, and in that way build up our common country.

Mr. SWANSON. Mr. President, I was on the Post Office Committee when this first appropriation was included, and I made a vigorous fight for it both on the committee and here in the Senate. I am satisfied that this is an economical and effective way of keeping an air service for use in time of emergency or war. It has been proven a success. It is not an experiment to run it from New York to San Francisco, as the run from New York to Washington has proven a success.

As I understand the amendment, if adopted it will eliminate the route that is now in force between Washington and New York and simply put in a new route from New York to San Francisco.

I can not understand why the committee should come here and destroy a route that exists from New York to the Capital of this Nation—Washington—and start on another experiment. When you have a route that has proved a success, why abolish it? I understand that unless the amendment offered by the Senator from South Carolina [Mr. DIAL] prevails the route that now goes from Washington to New York will be eliminated. That is true, is it not?

Mr. DIAL. That is correct.

Mr. SWANSON. All the Senator's amendment asks is to continue this route to Atlanta. Let us see what this proposition is. There are over 2,000 miles to be included. It has proven to be a success. It is simply a question of what section you will put it in.

Mr. DIAL. Mr. President, there seems to be some misapprehension in the Senate about these two routes. The one from New York to San Francisco has already been adopted. That was reported by the committee and it has already passed the Senate.

Mr. SWANSON. I understand that, but it seems to me it is but just and proper that we should have about 400 miles of this service in the Southern section of the country. It has been adopted, 2,000 miles to go from east to west. It will pay its own way from Atlanta to New York; it does not cost the Government anything, and all they ask is that one of the first routes that was recommended be extended down there. If we had appropriated enough money, it would have been one of the first routes put in—that is, from Atlanta to Washington and from Washington to New York.

You have your route from Washington to New York, and it is only a proposition to extend it 400 miles in the South, in the most populous portion of the South, in a portion of the South which deals continuously in a commercial and financial way with New York. It is similar to any facility to business that already exists and is debarred on account of the slowness of present facilities. It seems to me to simply give 400 miles out of 2,000 miles and extend it to the South, on a route which will pay its own way, besides a small route from Washington to New York, is not asking very much, and that it is but right and proper that this amendment should be included, especially as it costs the Government nothing and simply is an extension of service which has proven a success.

It is not a venture. It has paid its own way; it is not costing the Government anything. The only question is, Shall we extend this facility to people in a section that is connected commercially and financially with New York?

Mr. NORRIS. Mr. President, it seems to me that we ought to be able now, with the information we have, to solve this problem satisfactorily to everybody. I had supposed that really the only excuse for this service in the Post Office Department was to keep up an airplane organization for the military branch of our Government; that they thought that while they were perfecting themselves in the use of the airplane they might do some good in the carrying of mail, and that the carrying of the mail was only an incident connected with military preparation.

I realize the importance of the service. I realize, Mr. President, that it is probably in its infancy. It may be that airplanes will be as thick as automobiles in the course of time.

But I was afraid of it at this time because of the financial condition with which our country is confronted, and I doubted the wisdom now of appropriating any money in the Post Office appropriation bill to carry it on. However, all that has been dissipated. We have learned now that it is profitable, that the airplane business of carrying the mail makes money. They had to reduce the postage in order to keep the Post Office Department from getting too much money. It pays its own way. There is not any expense connected with it. Why haggle, then, about putting in a new route? Why not put them in everywhere?

Mr. President, think of the saving we could make! We could discharge from employment practically all the employees in the Railway Mail Service. In the very next paragraph we appropriate a lot of money for paying railroads for carrying the mail, and for paying superintendents, a lot of whom get $3,250 each. It makes a total of $37,000,000. As that business is not profitable, we can save that now by carrying all the mail by airplane. I suggest to Senators who want to add to these routes that the thing we ought to do is to strike out the next paragraph and save that $37,000,000 and then provide for the establishment of airplane routes everywhere, and appropriate the income from the airplanes to pay the expenses of operating the airplanes. Nobody will object to that.

Hence you can get your amendment agreed to with that kind of a proposition; you can take it down to Atlanta; you can take it to Birmingham, and New Orleans, and Minneapolis, and every other place. All we need is a little amendment appropriating the income that comes from the airplanes to pay the expenses of operating the airplanes. Then strike out the next paragraph and save the United States Government $37,000,000 and get all the mail delivered a week or two sooner than it is now by doing it, and at the same time we will train an immense army of two or three million expert airplane operators.

In this way we will have the whole question solved. If we had not decreased the letter postage from 3 cents to 2, we could have paid the bonded indebtedness of the United States in the next two or three years by this operation. It is simple. There is not any difficulty about it. So let us go on and do what has been suggested. The idea here is, "You will get an airplane in your country; I have not any in mine. I have to have one in mine." It looks like what I have read of sometimes, a sort of log-rolling proposition. But I do not suppose it is. However, the solution of it is so easy that we can avoid all criticism of that kind. I make that suggestion, not only as to this amendment, but it seems to me we ought to have a general amendment instructing the Postmaster General to establish an unlimited number of routes, to carry all the mail by airplane, and appropriate the money that the airplanes make for the purpose of paying the expenses of the airplanes. Thus we will have solved the whole question.

Mr. TOWNSEND. Of course, the Senator from Nebraska [Mr. NORRIS] shows the ridiculousness of some of the arguments that have been made here this afternoon, and what he has said is perfectly legitimate, because everyone knows that the carrying of the mail by airplane is not a profitable enterprise. I know there have been lots of statements made here to the effect that we were paying our way with it. We called upon the man who has charge of it, Mr. Praeger. Instead of carrying all the first-class mail, as the Senator from Tennessee stated, and as he believed, evidently, or he would not have stated it——

Mr. McKELLAR. I did not say that it carried all the mail.

Mr. TOWNSEND. I understood the Senator to say that all the first-class letter mail on these routes, between these places, was carried by airplane. About 2 per cent, sometimes as much as 25 per cent, under certain conditions, is carried.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. TOWNSEND. I yield.

Mr. NORRIS. If the Senator will permit me, I wish to ask him in regard to the speed. Is it not true that all mail by airplane must be made up before the airplane starts?

Mr. TOWNSEND. Oh, yes.

Mr. NORRIS. And that takes some time? It will take just as much time, will it not, to make up the mail as it would to make it up on the train?

Mr. TOWNSEND. It has to be made up.

Mr. NORRIS. And if it were carried on the train, it would just be dumped in and be distributed en route. So when we talk about speed, we ought to at least take into consideration the fact that all the mail must be made up, that it can not be distributed on the way; and when it reaches its destination, it takes longer to deliver it to the post office, where it must be distributed, than would be the case if it came in on a train.

Mr. TOWNSEND. It must be made up before it is delivered to the plane. It must be carried out to the field where the plane happens to be, where it starts, and must be delivered from the plane back to the post office. I am not complaining of the real, legitimate benefits which are being demonstrated through the airplane operation. I do not want to minimize them. But it is perfect folly, Mr. President, to make statements that are so without the record, so clearly at variance with the facts, that their only result can be to deceive the public into believing that this matter has been made such a demonstrated success that we could do what the Senator says we ought to do—establish routes everywhere to carry the mail.

Mr. POMERENE. Mr. President——

Mr. TOWNSEND. I will yield to the Senator in a moment.

The following occurred in the hearing of Second Assistant Postmaster General Praeger:

> The CHAIRMAN. Do you contemplate finally developing this service so as to carry all this mail?
>
> Mr. PRAEGER. It can not be done. The aeroplane, as far as any living man can now say, can never compete economically with any other general mode of transportation. It can always compete for certain highly developed traffic. The aeroplane to-day can carry a revenue load of only about 25 per cent of the weight of the machine. You must furnish motive power to a delicate machine for three-fourths of the deadweight of the machine; the other fourth is your revenue load. The greatest advance and the nearest approach to economical conditions have been made in the planes that the Thomas-Morse people are building for us, which are the most advanced planes in the world, I should say.

I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, the statement was made a moment ago that early in the history of our experimentation with airplanes the postage rates were raised for the air routes, and that afterwards those rates were reduced because it was not the policy of the Government to make profits out of carrying mail. I take it, from the statement just made by the Senator from Michigan, he would not accept that conclusion. What was the reason for the reduction of the rates?

Mr. TOWNSEND. The reduction was made, as I understand it, in order to get some mail to carry in the planes, in order that people might patronize the planes for carrying mail. Only certain people who had a desire to be peculiar, or who had some other reason actuating them, took advantage of the airplanes when they were charging an immense price for carrying a letter.

Mr. POMERENE. Let me ask the chairman of the committee another question. I take it that the Post Office Department ought to be able to state the account with respect to this mode of transportation. Of course, if it is true that they have made money, they ought to be able to show it. If it is true that they have lost money, they ought to be able to show it. I ask the Senator whether it has been demonstrated to the committee what was the gain or loss; and if so, what amount?

Mr. TOWNSEND. That has been very difficult information to obtain. I think the department is absolutely frank in making the statement of what has been done, but from the very nature of things we can not make a just comparison of the cost of carrying letters by aeroplane and by railroad, because some of the very mail taken out of the cars that they have mentioned here has been paid for in the railroad cars and transferred to the aeroplane service and paid for again there.

Mr. POMERENE. Of course, the department, with its long years of experience, ought to be able to determine the cost per letter in the matter of transportation. I take it that the Post Office Department had to buy or lease these airplanes, and they know what salaries they have to pay their operators, they know what gasoline must be used in transporting them, and they know what the repairs are. So it would seem to me that if they would consider what the average cost of transportation of a letter is by the usual route, they ought to be able to arrive pretty definitely at the amount of loss or gain.

Mr. TOWNSEND. The department make a very fair estimate, as fair as can be made, and I am taking it for granted that what they have told us about it is the facts. They even make an estimate for overhead expenses to some extent.

Mr. McKELLAR. If the Senator will yield, I can give those figures.

Mr. TOWNSEND. I do not want to yield to have all those figures put in the RECORD.

Mr. McKELLAR. The Senator has asked the question and I would like to answer the question which the Senator from Ohio asked.

Mr. TOWNSEND. I have answered that question, too, but I am willing to yield if it does not take too long.

Mr. McKELLAR. It is very short.

Senator STERLING. Do you recall now what the saving is, Mr. Praeger?
Mr. PRAEGER. Yes, sir. Take our present route New York to Washington. The cost of the service would be $120,000. The saving in car space and distribution is $162,000.
The cost of the service extended to Omaha—just the one line New York to Omaha—should be $575,920.
The saving on car space and clerical hire would be $811,430.

That is the way they figure. They figure it in the way of saving in car space, which they now rent from the railroads.

Mr. POMERENE. Let me ask the Senator, in the figures given by them, have they figured the cost of the airplanes?

Mr. McKELLAR. Of course, they figured that out before.

Mr. TOWNSEND. I do not want to occupy much more time, because I am very anxious to get through with the bill.

Mr. POMERENE. Will the Senator pardon me? The Senator from Tennessee has referred to the cost as given, and also in answer to my question said they figured in the cost of the airplanes. Is that the understanding of the Senator from Michigan about it?

Mr. TOWNSEND. It is. They put in the figures there and make an estimate of the saving that they are going to make in car space, which is purely an estimate and which can not be computed accurately, because only a portion of the mail is taken out of any car. The car has to run on just the same, and, as Mr. Praeger himself says, it is not thinkable that you can use the airplane to carry all the mail.

The object of this is to make a demonstration, as I said the other day, not only for carrying mail but for commercial purposes and for the benefit of the Army. They have made a commendable showing. I am willing to give them credit for all that they have done, but now the department have recommended in their order five projects. The Senator from South Carolina [Mr. SMITH] has referred to the third project. The first one which the department recommends is the one from coast to coast, the second from Pittsburgh to Kansas City, and the third is from New York by way of Washington to Atlanta.

There are these five projects which reach into various sections of the country and which possibly touch our local pride. As I said the other day, one of them goes from Detroit, in my State, down to Toledo and Cleveland. The department would like to have that established and so would our people like to have it established, but the question with me is, the House having made no appropriation for this project at all, appropriating absolutely not a cent to continue the air mail service, with the Treasury in the condition it is in at the present time, what shall we do?

It is not a question as to this service being a money-making venture. The sooner you get that out of your mind the better it will be. It is not a money-making venture. The question is whether or not we want to take out of the Treasury at this time more than the committee has recommended for this experiment, because I still maintain it is an experiment.

Mr. POMERENE. I do not like to interrupt the Senator, but I have not been able to give this branch of the subject very much attention. The Senator a moment ago said that they reduced the rates on airplane service to the usual postal rates, and that that was done in order to get something to carry. Then, I take it that the inference which the Senator from Michigan would have us draw from that statement is that from a commercial standpoint it has not yet been demonstrated to the satisfaction of the patrons of the office that it is commercially profitable.

Mr. TOWNSEND. I do not think it has been demonstrated that it is commercially profitable. I do not think it could be expected that they could do that in the length of time it has been operated. It has made some advancement and been worth while for a demonstration in flying. But, I repeat, the question before the Senate is whether we want to introduce into the bill a proposition which involves so many things as to make a demonstration as complete as can be made during the next year of the value of the service, or whether we ought to take in all these projects that local pride and desire demand. I think we ought to either cut it all out, as the House has done, or else adopt this one great project and let the department make the demonstration under it.

I want to see it tried, because I believe it comprehends practically all the elements that ought to be accounted in aircraft as a commercial proposition. I do not want to stop there. If you put in the third proposition that the department recommends—namely, the one before the Senate now—how are we going to answer the people who live on the line between Pittsburgh and Kansas City; the people who live between St. Louis, Chicago, and the Twin Cities; and the people who live along the line from Detroit to Toledo and Cleveland? I do not think we ought to contend for any selfish local interests in reference to this matter. If you want to make this experiment for another year, here is your opportunity on as large a scale as I feel we ought to enter upon in the present condition of the Treasury.

So I hoped that we might be content with the proposition the committee has recommended and see if we can not get it adopted by the House. The House would not adopt anything originally, and I do not know that we can hold this in the bill; but if you put more on I can promise you right now that there will not be anything done for the aircraft service during the coming year, because not only in the House but in the Senate there are a great many men who believe that we ought not further to experiment with this enterprise.

Mr. McKELLAR. Mr. President, I wish to refer to one matter only. The question was raised about the amount of mail carried. My recollection is, though I have not been able to find the statement, that Mr. Praeger stated that the aeroplane leaving New York took all the mail that had accumulated at that time. Of course, it could not carry all the mail, but all the first-class letter mail that was accumulated. For instance, if the airplane left at 9 o'clock, the accumulation was taken in that plane and carried. What proportion that bears to all the mail going out of New York City I am not prepared to say, and I do not make that statement.

Mr. TOWNSEND. The department tried to take all the first-class letter mail out of some particular car that they wanted?

Mr. McKELLAR. No; out of the general office at New York at the time of the leaving of the plane.

Mr. TOWNSEND. Oh, no.

Mr. McKELLAR. That is the statement I made to-day.

Mr. TOWNSEND. Oh, no. The planes carry, as the Senator says, 5,000,000 letters in a year. In New York they carry 25,000,000 first-class letters a day through the tubes, and here is an airplane supposed to carry 5,000,000 letters in a year.

Mr. McKELLAR. The report of the Postmaster General says 30,000,000 a year.

Mr. TOWNSEND. There are 25,000,000 letters a day that go through the tubes alone.

Mr. DIAL. Mr. President, so far as being self-sustaining is concerned, I submitted in what I said previously the figures obtained from the department, which showed that it was practically self-sustaining now, and they feel satisfied, therefore, that it will soon be absolutely self-sustaining. I submitted that information to the Senate because I thought it might be of interest to them. I would state also that the testimony before the committee showed that 90 per cent of the schedule trips are accomplished.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from South Carolina [Mr. DIAL].

Mr. TOWNSEND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Henderson	Nugent	Sutherland
Calder	Jones, Wash.	Overman	Swanson
Capper	Kendrick	Page	Thomas
Chamberlain	Keyes	Phelan	Townsend
Comer	Kirby	Phipps	Trammell
Curtis	Lenroot	Pittman	Underwood
Dial	McKellar	Pomerene	Wadsworth
Elkins	McNary	Sheppard	Warren
Frelinghuysen	Myers	Smith, Ariz.	Watson
Gay	Nelson	Smith, S. C.	
Glass	New	Smoot	
Gronna	Norris	Sterling	

Mr. McKELLAR. I wish to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Oklahoma [Mr. GORE], the Senator from Mississippi [Mr. HARRISON], and the Senator from Georgia [Mr. HARRIS] are absent on official business.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators.

Mr. GORE entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is not a quorum present.

Mr. TOWNSEND. I move that the Sergeant at Arms be directed to request the attendance of the absent Senators.

The PRESIDING OFFICER. The question is on the motion of the Senator from Michigan.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. HALE, Mr. FERNALD, Mr. MOSES, Mr. BRANDEGEE, and Mr. STANLEY entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. There is a quorum present. The ques-

tion is upon the amendment of the Senator from South Carolina [Mr. DIAL].

On a division, the amendment was rejected.

Mr. SWANSON. Mr. President, I offer the amendment which I send to the desk and to which I call the attention of the chairman of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The Assistant Secretary read as follows:

That the Secretary of War be, and he is hereby, authorized and empowered, at his discretion and under such rules and regulations as he may propose, to loan to any State of the Union, when so requested by the highway department of the State, 5-ton and 10-ton Artillery tractors which are retained and not distributed under the act approved March 15, 1920, for use in highway construction by the highway department of such State: *Provided*, That all expenses for repairs and upkeep of tractors so loaned and the expenses of loading and freight shall be paid by the State, both in transfer to the State and the return to the Army.

Mr. TOWNSEND. Mr. President, we have in the law a provision for turning over to the States certain trucks and other war machinery in aid of good roads. This is a proposition to loan, where the department can do so, certain trucks or tractors that may be in the possession of the Government.

I have had no opportunity to consider the matter nor has the committee; but for the purpose of expediting things I am going to consent, so far as I can, to the adoption of that amendment, in order that it may go to conference, with the assurance to the Senator from Virginia that if we find there are any sufficient reasons why this provision should not be incorporated in the bill I shall not feel bound to maintain it in conference. Therefore I shall not object under those conditions.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia.

The amendment was agreed to.

Mr. POMERENE. Mr. President, I understand that the committee amendments have all been disposed of.

Mr. TOWNSEND. They have.

Mr. POMERENE. Mr. President, section 2 of this bill provides for certain increases in the pay of the employees of the post offices, and I intend in a few minutes to offer an amendment which will increase the compensation of each officer and employee and clerk in the department $100 for the ensuing year.

I recognize the fact that this means a good deal of expense. This bill was not called before the Senate until Saturday morning. I have not had the time to go into all of the details that are necessary, and, frankly, the amendment is perhaps subject to a point of order if Senators insist upon raising it; but I think the merits of this proposition are so great that they ought to appeal to the Senate in the interest of the public service.

I have taken some little time to go into this matter somewhat. I know more about it as it relates to my own State than perhaps as it relates to other States; but let me give you a very few figures for the purpose of showing the necessity of doing something for the Postal Service, if you are going to keep it upon a high plane of efficiency.

In the city of Steubenville during the last year, with a total pay roll of 35, they had 18 resignations because of the insufficiency of the pay.

In the city of Youngstown they had 108 resignations for the same reason.

In the city of Dayton they had 156 resignations during the last year, or 63.15 per cent of the total number of men in that office.

In the city of Akron, with probably 200,000 population, they had during the last year 515 resignations—67 regular clerks, 46 regular carriers, 268 temporary clerks, and 134 temporary carriers. This information comes to me at my request by letter from a post-office inspector who is now in charge of that office as postmaster.

In the city of Dayton the conditions are such that I am afraid the service is going to be entirely disrupted if something is not done, and that very soon; and my belief is that if, at this particular time, we should grant this increase of $100 to each of these men, it would encourage them to go on with their work until such a time as the Congress of the United States can adopt some classification system and readjust the wages paid.

Again, I want to say that I have here a letter which was written to me by the postmaster. It came in answer to a letter I wrote to him, asking for information. This postmaster is one of the best postmasters in the United States, and he has gradually risen from the lowest ranks in that particular post office until he has become postmaster, and one of the best postmasters Dayton has ever had. Though I realize that the Senate desires to adjourn, I think it will be well worth the while of Senators to listen to what he has to say on this subject.

There are several paragraphs of the letter that I will not read, because they are in part personal and in part confidential. I will show them to any Senator, however, who desires to see the whole of the letter, if he does so desire.

I believe you will agree with me that one can not exist on patriotism alone, and unfair treatment on the part of the Government tends to make socialists and Bolshevists out of some of our very best citizens. The situation in Dayton is deplorable, and is gradually but surely growing worse. Some few years ago the salaries of post-office employees averaged perhaps about 20 per cent above the ordinary worker. To-day the reverse is absolutely true. The policemen and firemen of Dayton receive $1,500 annually, and while on probation they receive $1,440; yet a post-office clerk or carrier receives but $1,000 entrance salary.

We have employed here 222 men. From April 1, 1919, to the present time we have had 156 separations from the service. Is there a man on earth that would maintain that the service here, under such conditions, could even approach the word efficiency? Something must be done, and done quickly.

When I first became postmaster I was besieged with applications from young men of integrity and capacity for a position in the office. To-day I am compelled to beg men to take the examination; and here is a point I desire to impress upon you:

Our best-paid clerks and carriers receive $1,500 plus a bonus of $150. Divide this by 2, the purchasing power of a dollar, and you have $825. Is it any wonder the boys are galling under this treatment? Let me cite the rural carriers of this city, who average $1,750 per annum. Owing to the high cost of everything essential to the upkeep of their autos, it costs approximately $750 per annum for this item. This leaves a balance of $1,000 per annum. Divide that by 2 and you have the munificent salary of $500. I sit in awe as I write you these facts, surprised to the point of consternation that we have even one rural carrier under these circumstances. One of these boys told me about a month since that he had to draw on his savings to the extent of $600 last year in order to get along, and he is a man who has none of the common habits of men, such as smoking, etc.

I hope you will excuse me for writing you this sermon, as it were, but I am so wrapped up in this matter that I feel as if I could convert any unbiased mind to my way of thinking. I will give you in a nutshell my judgment as to the bonus that should obtain if we are to have anything like fair service until the readjustment period arrives; and I would not have you think that the amount given is, in my judgment, adequate to meet all the needs of the service. The rural carriers should have, in addition to any existing bonuses, $500 additional allowance for equipment expenses—this is very low—and every employee in the service, from ordinary clerk to the superintendent of mails, inclusive, a $500 bonus on the basic salary, provided that no employee should receive more than the assistant postmaster.

This would give a clerk or carrier entering the service $1,500 for the first year, inasmuch as his basic salary at present is $1,000. A clerk in the higher or $1,500 grade would receive $2,000 after five years' service. I still insist that these figures must be divided by 2, in order to adequately express the wages received. Therefore, in the first instance, a clerk would receive $750, and in the second $1,000. I appeal to your good judgment in the belief that I have not overstated these facts.

Again, the superintendents and foremen should also be entitled to this $500 bonus on their basic salaries. I have men working in this office at a basic salary of $1,600 to $2,500, inclusive, that would not have the slightest trouble in obtaining at a number of places, at the very lowest, $1,000 more than they are receiving here. I could cite several specific cases. However, I have faith that you will believe my statement. These men are staying here for the reason that they do not desire to quit under fire. Several of them have expressed themselves in no uncertain terms to me that if the post-office situation at Dayton was to straighten out they would leave the service. I would not have you understand that all the boys would leave. Many of them have intended this work for their life work. They have been in the service anywhere from 10 to 25 years; but I say, without fear of contradiction and with intimate knowledge as to their ability and constructive ideas, that they would have no trouble whatever in procuring a place much more lucrative than the present work.

I have men here with five to eight children who work from six to eight hours in other places in order that they can eke out an existence. I appeal to your judgment, is this a good proposition? As you well know, in all large post offices the bulk of the mail is deposited from 5 to 8 p. m. This causes us to bring a majority of our clerks on duty from about 3 in the afternoon to 11.30 at night. These hours are not so enticing to a man that has a family; and some of these men, as before stated, work from four to six hours at other places before coming to the office. In other words, the cream is taken out of them before they appear for duty.

Mr. President, I feel very greatly disturbed about this situation.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Colorado?

Mr. POMERENE. I do.

Mr. THOMAS. The thought occurs to me that a condition such as is outlined in the letter the Senator has just read can not be very well remedied by an increase in salary of $100 a year. The condition is one which would require doubling the present salary, if it is as bad as the gentleman outlines it. It will be a mere aggravation to give a man $100 a year more than he is getting now, and when what he is getting now is so low.

Mr. POMERENE. There is one feature of this letter I am afraid the Senator did not observe. The writer is speaking of the bonus of $500, in addition to the basic salary. In the bill which was passed a year or more ago we provided for certain increases, provided for an increase of $240 in certain salaries and a much less increase as to others. Then later, in November, we provided for another increase during the current fiscal year, and those increases have been continued by section 2 of this bill. The purpose of the amendment which I shall offer is to add $100 to those increases.

I do this at this particular time, in this particular way, and for this particular amount, because I want to keep within what may be regarded as a reasonable compensation. We have been promised—and I have no doubt that later Congress will attempt to take up—some bill relating to reclassification and readjustment of salaries. I hope that may be done. But I know how disconcerting the situation is in cities like Dayton, Canton, Youngstown, and Akron, to say nothing of larger cities, like Cleveland, Toledo, Columbus, and Cincinnati.

Mr. THOMAS. I think it will continue, Mr. President——

Mr. POMERENE. It probably will.

Mr. THOMAS. After the Senator's amendment has been adopted, if it shall be adopted. There are other reasons. The demand for help in private lines of employment and the compensation paid is so much in excess of what is being received by these postal employees, and the private employment is so much more attractive, that men and women are leaving Government employment. I do not blame them for it. We have been, as the Senator says, making increases of the compensation for the last three or four years, each time for the purpose of relieving the situation, which, however, continues as it was before, only to a more aggravated degree. I am satisfied that with this addition of $100, when the next bill comes in here the same situation will be presented and a demand will be made for another increase.

Mr. POMERENE. That may be true, but these continuous demands are in large part due to the fact that conditions have been continuing to grow worse, so far as the cost of living is concerned. Let us see what the position of the Congress is. We took over the railroads. Very large increases were made, averaging 20 per cent or more. Most of the increases were justified. There were very grave and very serious mistakes made when it came to the classification of those employees. In the different manufacturing plants, including the shipyards, while they were engaged in war work, there were readjustment boards, which were constantly increasing the wages which were paid to the employees in those yards and factories. But we have made in the Government service very meager increases. It is true that one was made about a year ago, providing for the bonus for the fiscal year ending June 30, 1920, and we added to that somewhat last November, and if we had not added to it at that time I am satisfied the Postal Service in the large industrial centers would have been very much worse than it has been. Now, if you are going to let this matter drift along, without listening to the appeals of these men, many of whom have to go outside of the service in order to earn sufficient for the maintenance of their families, I do not know what is going to happen. Section 2, I believe, was adopted on Saturday. Am I right about that?

Mr. TOWNSEND. We carry over the provisions of the present law as to the bonus.

Mr. POMERENE. That amendment was adopted, and I want to move to reconsider it so that I can present my amendment.

Mr. TOWNSEND. Mr. President, I shall be obliged to make a point of order on it, and it seems to me we ought to save time, if possible. I want to say to the Senator, first, however, that I sympathize entirely with his disposition to increase the compensation of the employees of the Government. But I submit that the Senator himself is doing no real favor to these employees. The question of salaries is a serious one, and is now being considered, and I know that by the 1st of May we are going to be able to get information upon which we can deal with it. If we pass this $100 proposition there will be no more attention paid to the salaries of the employees of the Government; it will be impossible for us to get attention to it. Many of these employees are entitled to much more than $100 a year increase.

Some of them will not be entitled to any more; but by granting a flat $100 increase you simply perpetuate the inequalities and injustices which now exist in the Post Office Department.

So I hope the Senator will be content and let us rest on this until we get the report of the commission. Then I can assure him that if we are not going to get it I shall join with him in trying to get an increase which will adequately compensate these people. But I repeat, Mr. President, that I shall feel obliged, under the conditions, to make a point of order on the amendment. I think the point of order will lie, and therefore I do not think it would pay us to reconsider votes that have already been taken. I would be glad to have that question passed upon.

Mr. POMERENE. May I send the amendment which I intend to propose to the desk and have it read for the information of the Senate?

The PRESIDING OFFICER. Does the Senator from Ohio move to reconsider the vote?

Mr. POMERENE. I did ask unanimous consent to reconsider it.

The PRESIDING OFFICER. Is there objection?

Mr. TOWNSEND. I object.

Mr. POMERENE. Then, I move to reconsider the vote.

Mr. TOWNSEND. Will not the Senator get a tentative understanding as to whether it would go out on a point of order?

Mr. POMERENE. Let the amendment be read.

Mr. TOWNSEND. Very well.

Mr. POMERENE. Then I will discuss it further.

The PRESIDING OFFICER. The Secretary will read the amendment.

The Reading Clerk read as follows:

And that each officer, employee, and clerk who were entitled to receive the additional compensation provided for in said House joint resolution 151 and to whom said compensation is under the pending bill continued for the fiscal year ending June 30, 1921, shall receive a further increase of compensation of $100.

Mr. TOWNSEND. Let me say further to the Senator, does he not know that that reaches only the men who are receiving $2,500 or less? Some of the most serious things we have to meet with to-day are as to those who are getting more than that salary.

Mr. POMERENE. This applies to every man who received the increase under the joint resolution.

Mr. TOWNSEND. That is right.

Mr. POMERENE. I realize that there are a number of the higher paid clerks and supervisory officers who ought to receive increases, and that this does not provide for them; but if I can not help 10, I want to help 9.

Mr. President, I am going to be frank enough with the Chair, as well as with the chairman of the committee, to say that I think a point of order will lie against this amendment at this time; but I have been in hopes that the chairman would not raise that point of order. I suggested, in opening my remarks, that I hoped the point would not be raised. I do not share the Senator's views when he says that if it is adopted it will prevent any further action on the part of Congress for the benefit of these employees. It applies to post-office employees alone. I think there must be a readjustment all along the line, so far as practically all the employees of the Government are concerned.

Mr. TOWNSEND. But no other committee has any jurisdiction over the salaries of the post-office employees.

Mr. POMERENE. Under our rules, technically that is true, I suppose. If the Senator intends to insist upon his point, I am helpless now; but it is to some degree gratifying to have the assurance of the Senator that if nothing is done prior to May 1, he will take up this matter later.

Mr. TOWNSEND. I want to be understood as saying that if the joint commission does not report to Congress by May, so that we can have that information upon which we can legislate, I shall be perfectly willing to go on and do the best we can, as a committee, to put these salaries approximately where they belong.

Mr. POMERENE. This matter has been brought home to me with such force, by conditions as they exist in my own State, that I feel I would be derelict in my duty if I did not on every possible appropriate occasion, at least, bring the matter up to the end that we may do justice to these men. It is true that years ago we had no trouble to get men for the Postal Service, because, as the writer of one of these letters said, some years ago the compensation was perhaps 20 per cent better in the Postal Service than it was for similar service in other walks of life. Then, too, there was the promise of a life job. That remains, but under present conditions the pay which these men get is 20 per cent or more less than they could get in private life.

This is all I care to say, except that I hope the Senator will not insist on his point of order.

Mr. HENDERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nevada?

Mr. POMERENE. Certainly.

Mr. HENDERSON. I just heard read at the desk the amendment offered by the Senator from Ohio, and I should like to ask him if the amendment will take care of the third and fourth class postmasters.

Mr. POMERENE. It takes care of all the employees, clerks, and carriers, who were beneficiaries under the House joint resolution which passed some time in October, 1919. That includes postmasters at offices of the third class. I am not able to answer specifically as to the fourth class.

The PRESIDING OFFICER. Does the Senator from Ohio withdraw his motion to reconsider?

Mr. POMERENE. No; I do not withdraw it. I want the Senate to act upon it.

Mr. TOWNSEND. Does the Senator understand that that is the only way by which he can get a ruling on his amendment?

Mr. POMERENE. No; I think I could present it as a separate section to the bill.

Mr. TOWNSEND. Why does not the Senator do that? It is subject to a point of order which I am obliged to make for the reasons I have already given. It seems to me that we ought not to take any further time with it.

Mr. POMERENE. I realize, if the Senator insists on his point of order, that there is nothing to be gained by reconsidering.

The PRESIDING OFFICER. The Senator from Ohio withdraws his motion to reconsider.

Mr. MOSES. Mr. President, I offer the amendment, which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The READING CLERK. On page 12, after line 25, after the numerals "$60,000,000," insert the following proviso:

Provided, That hereafter in addition to the holidays enumerated in the act of July 28, 1916, making appropriations for the Postal Service for the fiscal year ending June 30, 1917, postmasters may observe as holidays such other days as the President of the United States or the governors of their respective States may set apart as fast or thanksgiving days, or that may be specially designated as holidays by proclamation of the governors or by the statutes of the States in which their offices are located.

Mr. TOWNSEND. Mr. President, I make a point of order that that is legislation and not in order on an appropriation bill.

The PRESIDING OFFICER. The point of order is sustained.

Mr. McKELLAR. Mr. President, I am going to offer the amendment which I send to the Secretary's desk. I want to say in respect to it that the purpose of it is to enforce the terms of the eight-hour law. There are certain clerks and postal employees who are required to work overtime, so that the force and effect of the eight-hour day as to those clerks is destroyed. Especially at such a time as this, when clerks are scarce and employees are difficult to be found, naturally the department officials require that men shall serve overtime at small pay. The amendment which I now send to the Secretary's desk to be read merely provides that a penalty shall be placed upon such action by the department by paying them time and a half for overtime.

The PRESIDING OFFICER. The Secretary will read the proposed amendment.

The READING CLERK. On page 10, line 25, after the word "grades," insert:

Provided, That hereafter services in excess of eight hours a day required of clerks and special clerks in first and second class post offices, letter carriers in the City Delivery Service, and railway postal clerks assigned to terminal railway post offices or transfer service shall be compensated at a rate 50 per cent higher than the compensation of said employees as fixed by law.

Mr. TOWNSEND. With the general principle of that amendment I am in hearty accord. We have, however, in this bill appropriated for 5,000 additional clerks. We have the assurance of the Postmaster General that he is not going to work clerks overtime when substitutes can be obtained. I have the assurance that that promise is going to be maintained. This also in a measure involves compensation and expenditures on the part of the Government, and until the whole question is determined as a result of the conference I do not feel that we ought to take it up now. Therefore I make a point of order that this is general legislation on an appropriation bill.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. CALDER. Mr. President, early in the day when we were discussing the question of directing the Postmaster General not to interfere with the machinery stored in the post offices in the larger cities of the country that was part of the tube systems recently discontinued I stated that it was my purpose to offer an amendment providing for the construction of a tunnel connecting the post office at the Grand Central Station in New York with the post office at the Pennsylvania Station. I said then that the postal station in operation in the Pennsylvania Station is by far the largest in the country, and the amount of mail carried between these two points is greater by far than between any other two points in the United States.

In view of the fact that the Senate has just authorized the appointment of a commission to investigate our whole Postal Service and particularly this question of the service in New York, I am not going to introduce this amendment, but I do propose in a moment or two to present one which has the same ultimate purpose in mind.

A few months ago a board was appointed by the War Department, at the request of the Postmaster General, composed of Army engineers, who were directed to investigate this subject. They thoroughly inquired into it and have strongly urged that the tunnel be built. The Postmaster General has, both by letter and through the Assistant Postmaster General's appearance before the Post Office Committee, advocated the building of the tunnel immediately. From my own knowledge of New York City—and I think I know as much about it and its postal needs as anyone in this body—I feel certain that this tunnel is necessary for the proper conduct of the postal business of both the city and the Nation.

I have in my hand a copy of the report of the engineers, and among other things they say:

We are of the opinion that if the work is to be done that it be started at once, due to the fact that the plans for the transformer station of the New York Central Railroad which is to be located at Forty-third Street and Lexington Avenue, are already approved, and, as the post office is to occupy the entire first floor of this station, it has been suggested by the railroad authorities that as the mail terminal is to occupy an area below the substation floor that both projects should proceed at the same time to facilitate the proper union of construction.

The amendment I propose offering simply authorizes the appropriation of $200,000 to be used for providing the necessary equipment in connection with the building now being constructed at the Grand Central Station which is to be used for postal purposes. The tunnel will ultimately be constructed and unless this amendment is passed to-day the building in question will be completed and the facilities necessary for equipping the terminal will be left undone and then when the tunnel is finally constructed the work will have to be done all over again. This amendment will save doing the work twice.

I present the amendment and hope the Senator from Michigan will accept it.

The PRESIDING OFFICER. The Secretary will state the proposed amendment.

The READING CLERK. On page 13, between lines 17 and 18, insert:

For legal, engineering and terminal work preliminary to the establishment of mail tunnel services between the Grand Central Post Office Station and the main post office or Pennsylvania Terminal Post Office, in New York City, N. Y., $200,000 is hereby made available, and shall be paid from the unexpended balances of appropriations made for the Postal Service for the fiscal year ended June 30, 1919: *Provided*, That the Postmaster General is hereby authorized to obtain such local rights or franchises as may be necessary, and to prepare detailed plans, specifications, estimates of cost, and secure proposals for the construction and equipment of a mail tunnel, adequate in dimensions and carrying capacity for the present and future needs of the service, which proposals shall be submitted to Congress on or before March 4, 1921; and, in case he should deem it expedient and in the interest of the Postal Service, the Postmaster General is further authorized to contract for the construction of one tunnel terminal as recommended by the board of Army Engineers, submitted by Col. Edward Burr and Col. W. C. Langfitt, January 21, 1920, provided the aggregate amount of the contracts and the sums authorized to be expended hereunder shall not exceed the total amount herein made available.

Mr. TOWNSEND. Of course, this is in reference to the New York tunnel, which the committee considered and did not propose to appropriate for. The Senate has already adopted a provision creating a commission to investigate this very question. This is an appropriation neither estimated for by the department nor reported on by the standing committee. I therefore make the point of order against it.

The PRESIDING OFFICER. The point of order is sustained.

Mr. MYERS. Mr. President, I offer an amendment, to be added as a new section to the bill.

The PRESIDING OFFICER. The amendment offered by the Senator from Montana will be stated.

The READING CLERK. The Senator from Montana proposes to add as a new section to the bill the following:

SEC. —. That hereafter the civil-service laws shall not apply to any person in the classified civil service who is a member of an organization of employees in the service of the Government which is affiliated with or pays dues to an outside organization which attempts, or avows its purpose to attempt, to control or influence the election of any Federal or State official.

Mr. TOWNSEND. Mr. President, I make the point of order that this is general legislation on an appropriation bill.

The PRESIDING OFFICER. The point of order is sustained.

Mr. MYERS. I offer another amendment, to be added to the bill as a new section.

The PRESIDING OFFICER. The amendment proposed by the Senator from Montana will be stated.

The READING CLERK. It is proposed to add as a new section the following:

That no money appropriated by this act shall be paid to any employee under the classified civil service who is a member of an organization of Government employees affiliated with an outside organization.

Mr. TOWNSEND. I make the same point of order on that amendment, Mr. President.

Mr. MYERS. Mr. President, I desire to be heard a moment on the point of order. This is not general legislation, but is a limitation on the expenditure of money appropriated by the bill; and under the rules of the Senate, as I understand, a limitation of that kind is never out of order.

Mr. THOMAS. Mr. President, on several occasions in the past I have made points of order against similar amendments to the military appropriation bill and once to the naval bill, and the point of order was always overruled. The amendments then pending affected the expenditure of the appropriation in the payment of bonuses and regarding the use of stop watches and other methods of timing or determining the efficiency of labor. If those amendments were not subject to the point of order, certainly the one offered by the Senator from Montana is not.

Mr. MYERS. I think clearly the point of order in this case is not well taken. The amendment simply provides a limitation on the expenditure of money to be appropriated by the bill, and the unvarying practice of the Senate, I believe, has been to hold that such amendments are not subject to a point of order.

Mr. TOWNSEND. Is the Senator from Montana able to point to some rule of the Senate which recognizes the principle which he has announced?

Mr. MYERS. I do not need to point to any rule recognizing it. There is no rule against it.

Mr. TOWNSEND. I make the point of order against the amendment, Mr. President.

Mr. MYERS. I should like to have the Senator from Michigan point to some rule against the amendment.

The PRESIDING OFFICER. The Chair will state that he believes the rule invoked that this is a limitation upon the appropriation renders the amendment not subject to the point of order. The Chair remembers that the rule has heretofore been invoked and applied.

Mr. SMOOT. Mr. President, merely for the RECORD I wish to say that the rule invoked by the Senator from Montana [Mr. MYERS] is not a rule of the Senate, but is a rule of the House of Representatives. Any amendment which proposes a reduction of an appropriation in an appropriation bill in the other House, no matter whether it is general legislation or not, is exempt from a point of order, though an amendment proposing an increase is subject to a point of order. However, I do not know of any rule of the Senate similar to that rule of the other House.

The PRESIDING OFFICER. The Chair will state to the Senator from Utah that the Chair does not recall that it is a rule of the Senate, but the Chair does recall the fact that the holding of the Presiding Officer in similar cases has been as stated by the Chair.

Mr. SMOOT. I think the amendment in the case of the naval appropriation bill referred to by the Senator from Colorado——

Mr. THOMAS. And also in the case of the Army appropriation bill——

Mr. SMOOT. And also to the Army appropriation bill, related simply to the employees in a certain branch of the service.

Mr. THOMAS. That does not may any difference, Mr. President.

Mr. SMOOT. And it was held that it was not general legislation.

Mr. THOMAS. This also refers to employees in a certain branch of the Government, for instance, the Post Office Department. I recall that once in a similar case I appealed from the ruling of the Chair, and the Senate sustained the Chair. I can not tell the Senator just when that was, but, as I recall, the decision was based on the proposition that the amendment imposed a limitation upon the method of expending the money appropriated.

Mr. MYERS. Mr. President, I contend that this is not general legislation, but is merely a limitation upon the manner of expenditure of the money sought to be appropriated. I do not think I need to cite any rule supporting it. If it is subject to a point of order, the rule making it out of order should be cited by the Senator making the point of order. I do not think any such rule can be cited.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Montana [Mr. MYERS].

Mr. CALDER. Mr. President, I have always believed that Government employees should organize for the purpose of their own mutual benefit, but I have continually advised against their affiliating with any outside organization. Senators may remember that as chairman of a subcommittee of the District of Columbia Committee I reported the bills increasing the pay of policemen and firemen of the District, and in those bills I recommended forbidding, under penalty of dismissal, any men employed in those departments from affiliating with any outside organization. They were the peace officers of the city and could owe, in my opinion, loyalty to the Government only.

Until seven years ago the postal employees—I speak of the clerks and letter carriers particularly—had organizations of their own, entirely separate from any outside connection. After the present administration, however, had been in power a short time the employees of the Post Office Department insisted that they were unable to deal collectively with the Postmaster General, and through his treatment of them they were forced to affiliate with the American Federation of Labor. Personally, I do not believe that the change in their policy has helped them very much. I know that some of their members agree to that statement. But, Mr. President, despite the fact that they have this outside connection, I feel that it is fair to say that no men in the Government employ have been more loyal to the service than the post-office employees of the United States. A day or two ago I was discussing with some of these splendid men the work their organization was doing. I was informed that during the past month the city letter carriers alone had paid upward of $50,000 in sick and death benefits to their members and their families.

From my knowledge of the service I am certain that the fact that these men were organized, that they took pride in their association, that they were loyal to it as well as the service, has had more to do with the spirit that has pervaded the Postal Service during these recent difficult years than any other thing. The organization has kept the spirit up. In my opinion, had it not been for the fact that these men were joined together for a common purpose the Postal Service would have broken down in many cities of the country. The postal employees have been suffering many hardships of late, when the cost of living has increased 100 per cent in the past four years and their pay has been increased but about 30 per cent. As an evidence of the splendid service these men have been rendering, may I call your attention to the work that has been done by them in connection with the sale of war-savings stamps. It was brought home to me that in Brooklyn, where I live, 20 postal carriers in that city during recent months have sold over $1,280,000 worth of these stamps, and one of the men sold $255,000 worth. They vied with each other in their efforts to serve. If there is any group of organized public servants in this country who are more dependable, I would like to know them.

Mr. President, I would be glad, when the opportunity offers itself, to have the Senate take up the question of enacting legislation forbidding all Government employees belonging to any outside organization. I believe, however, in view of the fact that in many parts of the country, through lack of sufficient compensation, this service is so badly shattered, that it would be inviting disaster if we just picked out the postal employees of the country and enacted legislation of this character affecting them solely. For the reasons I have stated, I trust that the amendment offered by the Senator from Montana [Mr. MYERS] will not be agreed to.

Mr. MYERS. Mr. President, this amendment would not prevent postal employees from having their own associations amongst themselves for the advancement of their interests; it is not aimed at that at all.

Mr. TOWNSEND. Mr. President, this question was considered by the committee and there was a general feeling on the part of the committee that something of this kind ought to be done. There was a showing, but without both sides being heard, that the workings of the department were somewhat embarrassed not by the organization of the employees, but by reason of their affiliation with outside organizations. I discovered, however, that the House would not cooperate with any action the Senate might take in reference to this subject, and I did not want it to go out, and I do not want it to go out now, as having been decided upon its merits. I think it is a subject that ought to have the consideration of the Congress, as to what the policy of the United States is going to be, not only in reference to its employees in connection with the Post Office Department, but as to employees connected with all the other departments.

I should dislike very much to have this amendment adopted with a handful of Senators present—not nearly a quorum—knowing that it would actually suffer defeat in conference. I should dislike to have it disposed of in that way, but I do think, if matters continue as they have been going on for some time, it will be the duty of the Congress to act upon this subject. It ought, however, to act in the open; it ought to act only after full consideration, after both sides have had an opportunity to be heard.

So I sincerely hope that in view of the small attendance here this afternoon this question will not be decided in the

affirmative. I am sorry it came up at all, because, I repeat, it is a subject of such importance that it ought to have careful and serious consideration by a majority of both Houses of Congress. I hope that the amendment will not prevail.

Mr. THOMAS. Mr. President, it is not my intention to discuss the merits of this amendment at the present time. I sympathize with the desire of the chairman of the committee to dispose of the bill as soon as possible, and I am satisfied that an amendment of such importance as this, as the chairman has said, is one which should command a larger attendance than that which we can depend upon to-night. It is my purpose to discuss the merits of the proposition in connection with the retirement bill, which is now the unfinished business of the Senate. My purpose in rising now is merely to express my sympathy with the object of the amendment. I think that it presents a proposition that is of the utmost importance, and one which the Government in its own defense will be required sooner or later to consider and to consider favorably.

As the Senator from Montana [Mr. MYERS] has said, no one, at least so far as this amendment goes, desires for a moment to prevent organizations of employees, independently of the American Federation of Labor, which may make for good fellowship, for improvement in morals and standing, and for all of the elements which may be evolved from within large associations. The fact is—and I will merely make this observation and then take my seat—the fact is, as we know, that now the American Federation of Labor is engaged in an organized, boldly announced purpose to control the next election; to retire from public office every Member of Congress of either House who has not yielded to the extreme demands of that organization. It is well known that the branches of the American Federation of Labor which include the employees of the Government are engaged in the same propaganda and acting under the orders and by the direction of the main organization, and that part of the moneys which are received for their employment is being used for political purposes.

The Senator from Montana the other day, in discussing the same proposition in connection with another bill, called attention to the announcement of certain organizations of employees in this city of their purpose to keep close watch of the record of every man in the Senate and in the House, and inform their associates all over the country of those records.

I have no objection to that; a man who is afraid of his record does not deserve to come back here; but the organized purpose is, unquestionably, to intimidate and to compel favorable action in regard to matters in which these associations are directly interested, under the threat, expressed or implied, of political extinction. That being the case, the time has come when the Congress should meet this question and take it into consideration and act accordingly. Consequently, I hope it will be the subject of early and full consideration. As I have said, I do not intend to detain the Senate here this evening for the purpose of going into the merits of the matter.

Mr. MYERS. Mr. President, I merely wish to say that my reason for offering the amendment is that I think Congress ought to say whether or not it is going to meet the threat to which the Senator from Colorado has referred, and I thought this as good a time as any for Congress to say what it is going to do about that threat.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Montana.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. TOWNSEND. I ask that the Secretary be authorized to renumber the sections of the bill.

The PRESIDING OFFICER. The Chair is informed that that is done without a formal order.

Mr. DIAL. Mr. President, I desire to reoffer my amendment, on page 27, about 1-cent drop letters, section 6, as reported by the committee.

I want to say that directly after I took my seat in the Senate I offered a bill for 1-cent drop-letter postage. The bill was referred to the Committee on Post Offices and Post Roads. I made a few efforts to get it reported out, but the majority of the committee continued the bill. I understand that similar bills were introduced in the House by Mr. MADDEN that have not been reported out. When this bill came up we voted to report it here by a majority vote of those present.

I desire to say that it seems to me that it is awfully important to try to get this country back to a normal condition. Before the war the provision that I am now trying to have enacted was the law in this country. The Post Office Department recommended it strongly before the committee. They said it would reduce the revenues something like $15,000,000 per year, but that that would soon be made up by increased business. I have proved that by figures taken from the statistics in regard to the reduction from 3-cent to 2-cent postage. That has been made up, and more than made up, and the department wants the people of the country to receive the benefit of this reduction. Now, I want the people to know who is to blame for this bill not being enacted into law. I can not understand how anyone will object to it.

On March 26 I received the following letter:

NATIONAL FEDERATION OF POST OFFICE CLERKS,
AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR,
Washington, D. C., March 26, 1920.

Hon. NATHANIEL B. DIAL,
United States Senate, Washington, D. C.

DEAR SENATOR: Your attention is respectfully invited to the inclosed protest against a reduction in first-class postage rates, as contemplated by section 6 of the postal appropriation bill, submitted by the official representatives of the National Association of Letter Carriers, the National Federation of Post Office Clerks, the Railway Mail Association, and the National Federation of Rural Carriers.

Very truly, yours,

THOS. F. FLAHERTY,
Secretary-Treasurer, National Federation of Post Office Clerks.

Now, Mr. President, they issued this circular which they sent to me, and I presume they sent it to the other Senators:

PROTEST AGAINST CURTAILMENT OF POSTAL REVENUES.

To Members of the United States Senate:

Section 6 (page 27) of the postal appropriation bill, now waiting action by the Senate, proposes a reduction in postage rates on first-class mail intended for local delivery to 1 cent an ounce. In our judgment this legislation is unwise and should be defeated for the following reasons:

(1) As a matter of sound public policy, postage rates should be so fixed as to provide adequate revenue to cover the operating expenses of an efficient and satisfactory service. Existing postage rates will not do this. In a period of mounting prices these rates have experienced little change. A feverish effort has been made to squeeze postal expenditures within the limits of inadequate postal revenues resulting in a serious impairment of service efficiency and overburdened service workers. Despite the enforcement of this sweeping retrenchment program, a postal deficit, conservatively estimated at $30,000,000, seems certain for the current fiscal year. Nor does this estimate include additional millions due the railroads for increased mail transportation charges.

The Post Office Department had estimated that it would be about $15,000,000 instead of $30,000,000, as these people claim here. Now, they send out this kind of propaganda:

Now it is proposed to reduce postage on "drop" letters, thereby curtailing postal revenues by at least $25,000,000 and creating an ultimate postal deficit of staggering proportions.

(2) Nothing but an urgent public necessity or a widespread public demand for the extension of service facilities should at the present time warrant this proposed $25,000,000 curtailment of the earning capacity of the Postal Service. Neither of these conditions exist. Instead this proposed reduction will chiefly benefit a few larger users of the mail, but the general public will pay by reason of declining service efficiency due to lessened revenues.

(3) Furthermore, the principal costs of handling first-class mail, regardless of destination, are clerical and carrier costs. In comparison, the transportation costs of first-class mail are negligible. Whatever justification exists for a reduction in "drop" letter postage applies with equal force to all first-class mail. To impose a $25,000,000 burden on the general public for the benefit of a small group of postal patrons is indefensible.

(4) There is no public demand for reduced postage rates. There is a demand for an improved service. An incalculable loss is daily inflicted upon the Nation through the present uncertain service, and cheapened postage rates will only mean further demoralization. A penurious postal policy is the most expensive economy conceivable.

(5) The Postal Service holds out little attraction for competent workers. This is the primary reason for its present inefficiency. Rural routes have been abandoned, city delivery uncertain and less frequent, Railway Mail Service disorganized to the point of demoralization, clerical forces sadly depleted, and the entire Postal Service shamefully undermanned. Wage standards are too low and working conditions too irksome to hold experienced employees or induce new ones to enter. Higher wage standards are imperative. The entire question of postal salaries is now before a commission created by the Sixty-fifth Congress, and, pending their report, this proposed reduction in postal revenues appears untimely and certain to further cripple an already depressed service.

We trust that these representations will appeal to you as a convincing statement of the facts in the case and that you will readily perceive the danger threatening the entire Postal Service by this legislation.

Yours, very respectfully,

National Association of Letter Carriers, Edward J. Gainor, president; Edw. J. Cantwell, secretary, Kenois Building, Washington, D. C.

National Federation of Post Office Clerks, Gilbert E. Hyatt, president; Thos. F. Flaherty, secretary-treasurer, American Federation of Labor Building, Washington, D. C.

Railway Mail Association, Edward J. Ryan, president; W. M. Collins, industrial secretary, Colorado Building, Washington, D. C.

National Federation of Rural Carriers, John R. Smith, president, Marshall, Mich.; S. A. Reynolds, secretary, Minter, Ala.

Mr. President, to that I replied very briefly. I said:

MARCH 26, 1920.

Mr. THOMAS F. FLAHERTY,
Secretary-Treasurer National Federation of Post Office Clerks,
Room 400, American Federation of Labor Building,
Washington, D. C.

MY DEAR SIR: I have yours of the 26th with inclosure.

I desire to state that I am a member of the Committee on Post Offices and Post Roads and introduced the bill referred to. Furthermore, I

was on the subcommittee which helped frame the bill, and therefore I am reasonably familiar with all of its contents. Besides this, I desire to state that neither your facts nor figures are borne out by statements from the highest authority in the land. I know of my own knowledge that letters are being delivered by hand, whereas if the rate were reduced they would be sent through the mail. The proper estimated deficit would soon be overcome by increased business. There is no known reason why it should cost as much to deliver a letter in Washington, mailed here, as it would one mailed here to be delivered in San Francisco. The people are entitled to this reduction and should have it at the earliest possible date. This is not only my opinion but it is the opinion of the man I consider the best posted in the United States.

I want to state to you that I am a friend of the post-office employees and have looked after their interests consistently since I have been here and expect to continue to do so, but it seems to me it would be well for you to let the committee take its course after all parties have had an opportunity to be heard. I have frequently heard it stated that your organization is opposed to this legislation because it would perhaps entail a little more work. It would be hard for me to believe this statement, and I hope such insinuations are a slander upon the patriotism and industry of the postal employees of this country. I assure you that it will afford me pleasure to do whatever I can to protect the interests not only of your colaborers but all the Government employees in a proper, legitimate, and conservative way.

Yours, truly, N. B. DIAL.

Mr. President, I am a little bit tired of outside interference with legislation. The committees here do their work arduously, give hearings to everybody interested, and then we get this kind of propaganda. I do not know whether anybody is influenced by this or not, but it only came in a day or two before the vote on Saturday; and I want to say that it will be humiliating if we can not act here like independent men, if we have got to be swayed—I do not suppose anybody here would be swayed—by this kind of propaganda.

I say that it is unbecoming for the employees to come in here and try to intermeddle with legislation. If I thought that I could not come here and other Senators could not come here and legislate independently, I would advise them all to go home and put on a "Mother Hubbard," and help sew buttons on the children's clothes, and darn their socks, and sweep the back yard, and perform work belonging to the feminine gender, and old ladies at that. We ought to go on and legislate here for the business interests of the country. The business people of this country have stood by the postal employees, and they are entitled to this reduction in postage, and it is a strange thing to me that we can not get down here and try to get things back to a normal basis. Letters by the thousand are now carried and delivered by hand. I know that bank employees deliver them around, and the business interests of our population are penalized unnecessarily.

Mr. President, I know that it is in the discretion of the Senate to pass this legislation if it wants to, or to strike it out, I presume, under the rule; but I assure the Senate that I think it is time we let the United States at large know that we are legislating in a businesslike way for business people, and on a basis that is just to everybody.

I do not know whether the chairman of the committee wants a vote on this matter to-night or not. I want to reoffer my amendment about the air route to Atlanta. I do not care to suggest the absence of a quorum, but I hope he will put these two votes over until to-morrow morning.

The PRESIDING OFFICER. Will the Senator from South Carolina state his amendment?

Mr. DIAL. Yes, sir. I reoffer section 6 as printed on page 27 of the bill.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 27, after line 14, it is proposed to insert the following:

SEC. 6. That the rate of postage on all mail matter of the first class deposited in any post office for delivery within the delivery district of such post office shall be 1 cent for each ounce or fraction thereof.

Mr. TOWNSEND. Mr. President, this amendment is one that was reported by the Committee on Post Offices and Post Roads. In the Committee of the Whole some Member of the Senate made the point of order that it was general legislation, and the provision went out under that objection. The Senator from South Carolina now moves to reinsert it. It is not in the bill; and if it was subject to the point of order then, it is still subject to a point of order in the Senate.

Inasmuch as the Senators who opposed the provision are not here, I am obliged to make the point of order against the amendment.

The PRESIDING OFFICER. The point of order is sustained. The bill is still in the Senate and open to further amendment.

Mr. DIAL. Mr. President, I desire to reoffer my amendment for the mail air route from New York to Atlanta.

I have no desire to delay the Senate, and I am only going to appeal to the fair-mindedness of the Senate. If they should establish that route, it would benefit not only the South, the section in which I live—and I try not to be sectional; what I advocate here, I advocate for the general good of the country—but it would benefit the great country north of New York. It would benefit New York wonderfully, in that it would get the southern mail quicker. There is a tremendous amount of business done between here and New York, between Richmond and New York, and between North Carolina and South Carolina points and Atlanta. It would also quicken up the delivery of the mail from New Orleans, and from Florida, and from Habana, and from the West.

So, in fairness to everybody—I know I could demand a quorum, but I am not going to do that—I think this amendment ought to go in the bill. It certainly ought to go to conference, and let us see what could be accomplished in conference.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The READING CLERK. On page 15, after line 13, it is proposed to insert:

For the purchase of such aeroplanes as may be necessary to establish, operate, and maintain an aeroplane mail service between New York, N. Y., and Atlanta, Ga.; for the operation and maintenance of such aeroplanes, including stations, equipment, tools, and machinery, and other necessary incidental expenses; and for such personnel as may be necessary therefor, $625,000.

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Carolina.

On a division, the amendment was rejected.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 30, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 29, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we would approach Thee in the spirit which possessed the Master in the Garden of Gethsemane—nevertheless not my will, but Thine be done. Thou hast disclosed Thy will in the life and precepts of the Master; yet a howling mob cried out for His blood. Turned over to them, they crucified Him; yet His was the victory.

We pray for peace and are compelled to prepare for war against the howling mob which would deprive us of our life, our property, our sacred rights.

If the world would do Thy will, ninety-nine per cent of the evils which infest it would pass away. We pray for harmony, but bad men are creating discord. We pray for happiness, and sorrow fills the world. Help us to live, and love, and dwell with Thee in peace, harmony, and good will to all mankind, guided by right, and truth, and justice, that Thy will may be done in us. Amen.

The Journal of the proceedings of Saturday was read and approved.

WOMAN SUFFRAGE.

The SPEAKER laid before the House a communication from the governor of the State of Washington announcing the ratification by the legislature of that State of the proposed amendment to the Constitution of the United States extending the right of suffrage to women. [Applause.]

EXTENSION OF REMARKS.

Mr. JOHNSON of South Dakota. Mr. Speaker, on March 25, as shown on page 4820 of the RECORD of that date, I made certain observations concerning the postmaster situation at Nashville, Tenn., and quoted certain letters of the Postmaster General. This morning I received a letter from the Postmaster General, dated March 26, asking that certain civil-service regulations be placed in the RECORD and that certain letters from the Postmaster General, dated March 8 and March 12, 1920, to the Hon. JOSEPH W. BYRNS, Member of Congress from that district, be so inserted. In fairness to both the Secretary and Mr. BYRNS, both of whom I admire personally, it should be said that the quotation made in my remarks came from Mr. Harry S. Berry, commander of the American Legion of Tennessee, from the national executive committee of the American Legion and not from Mr. BYRNS. They both have trouble

enough over the situation without the addition of a personal element to it.

I ask unanimous consent that, in accordance with the request of the Postmaster General, I may extend my remarks by inserting the matter referred to.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection? [After a pause.] The Chair hears none.

The communications are as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C. March 26, 1920.

Hon. ROYAL C. JOHNSON,
House of Representatives.

MY DEAR MR. JOHNSON: In reading the CONGRESSIONAL RECORD of yesterday I observed that you inserted in the RECORD the Executive order of March 31, 1917, relating to the appointment of postmasters at presidential offices, but that the requirements for eligibility under the order were not inserted. I am therefore inclosing a copy of the requirements, from which it will be observed that—

"Applicants for the position of postmaster at an office of the first class must have reached their thirtieth birthday, and for postmaster at an office of the second class their twenty-fifth birthday, on the date of making oath to the application. Those who have passed their sixty-fifth birthday are not eligible for any office."

As you inserted only parts of the two letters written by the Postmaster General to Representative BYRNS of Tennessee in regard to the appointment of a postmaster for the office at Nashville, Tenn., I am taking the liberty of inclosing copies of the entire letters. I will greatly appreciate it if you will insert these letters and the requirements for eligibles under the Executive order in the RECORD, so that all of the facts may be before the Congress.

Sincerely, yours,

A. S. BURLESON.

—

MARCH 12, 1920.

Hon. JOSEPH W. BYRNS,
House of Representatives.

MY DEAR MR. BYRNS: I have your letter of the 10th instant, with further reference to the appointment of a postmaster for the Nashville, Tenn., office.

Replying to your statement that the department's ruling regarding the ineligibility of Mr. Webster, a candidate for postmaster at Nashville, was highly technical, and that you understand an amended application dated January 26, 1920, was submitted with Mr. Webster's papers. I have to advise you that no such application has been submitted to the department. The papers submitted by the Civil Service Commission contained Mr. Webster's application, sworn to before a notary public on December 27, 1919, attached to which was a typewritten statement made by him under date of January 12, 1920, before he reached the age of 30, which he said was intended as a supplement to his application of December 27, and which contained information in regard to his business qualifications and did not refer to his age.

Mr. Webster's application shows that he was discharged from military service on January 3, 1919. The date of the regular examination for postmaster at Nashville was September 16, 1919. This would seem to indicate clearly that Mr. Webster was not prohibited from making his application in September because of absence on military duty. Notwithstanding the fact that he had been out of the Army for several months and apparently could have made application for the regular examination, he did not do so until December 27.

The Department is governed in the appointment of new postmasters at presidential offices by the Executive order of March 31, 1917, and the regulations issued thereunder, which were approved by the President, and the order and regulations fix minimum and maximum ages of applicants for offices of the first class, to which Nashville belongs. The act of July 11, 1919, providing that preference be given to honorably discharged soldiers, sailors, etc., was certainly not intended to apply to appointments of postmasters at presidential offices, such postmasters not being under the classified civil service. The department, however, feels, as stated before, that candidates for such appointments should be given the benefit of the preference statute, provided they meet the requirements established by the regulations and are qualified, but does not believe that the regulations should be nullified in order that soldier applicants may be eligible for the examination. It is appropriate to call attention to the fact that when the Executive order of March 31, 1917, and the regulations thereunder were issued the rules of the Civil Service Commission then in effect waived the age requirements of applicants for appointment in the classified service who had been honorably discharged from the military or naval service for disability incurred in the line of duty. It must be evident, therefore, that it was intended to establish definite age requirements for these unclassified positions. If the age limitations should be waived as in the classified service, it would be necessary to appoint as postmaster at such an office as Nashville a veteran of the recent war who had passed his twenty-first birthday, or, for instance, a veteran of the Civil War who had reached his seventieth or even eightieth birthyday, provided he met the other requirements and attained a rating of 65 in the examination. I think you will agree with me that such appointments for large offices would not be in the interest of good postal service. I am also advised by the First Assistant that when the representatives of the American Legion called on him he pointed out to them the necessity of any soldier applicant meeting the requirements prescribed for the position.

Referring to that part of your letter which states that because of the department's decision in this case and the requirement of the Executive order that the name of the highest qualified eligible shall be submitted to the President for appointment you are unable to understand why the department submitted the name of Mr. Webster, I have to say that the department did not submit Mr. Webster's name to the President for appointment, but submitted for approval by the President the name of the highest eligible, Mr. McCabe, and a full statement of the conditions relative to Mr. Webster and his application. This was done because of the fact that the Civil Service Commission had disregarded the age limitation in his case and submitted his name as eligible for appointment; also in order that the President might have all the facts before him in his decision on the case.

Under all the circumstances it can not be claimed that the department decided the case on a technicality, and it is believed that the course followed in the Nashville case is the only proper one to follow. It was treated just as any other similar case would have been handled.

Very truly, yours,

A. S. BURLESON.

—

MARCH 8, 1920.

Hon. JOSEPH W. BYRNS,
House of Representatives.

MY DEAR MR. BYRNS: Receipt is acknowledged of your letter of March 5, 1920, setting forth inquiries contained in a letter addressed to you by the executive officer of the American Legion relative to the recent nomination of the postmaster at Nashville, Tenn., and the following replies are submitted for your information:

1. Question. The act of July 11, 1919, directs that preference shall be given to the employment of honorably discharged soldiers in clerical and other positions in the executive branch of the Government. Does the Post Office Department construe this law to apply to appointments of postmasters in the first, second, and third class?

Answer. The provision of the act of July 11, 1919, referred to is a part of the act making appropriations to supply deficiencies in appropriations for the fiscal year ended June 30, 1919, and prior fiscal years, and for other purposes. It is incorporated in an item relating to the Civil Service Commission and undoubtedly applies only to positions within the classified civil service; and in the judgment of this department it does not apply to the appointment of postmasters at first, second, and third class post offices. After the law was enacted, the department, on its own initiative, took it up with the President and the Civil Service Commission and urged that applicants for the position of postmaster at presidential post offices be given the benefit of the preference law, which was done; and where veterans meet the requirements for the position and make an average 65 per cent they are placed at the head of the list and given preference in making the appointment.

2. Question. The Civil Service Commission, in an official publication, has stated that "persons entitled to preference under this act will be released from all age limitations" and further that "the commission may, with the approval of the proper appointing officer, change the regulations or existing age limits for entrance to the examinations under these rules; but persons preferred under the act of July 11, 1919, may be examined without regard to age." The commission permitted Mr. R. C. Webster to make application a few days before he reached the age of 30 on the assumption that he would reach the age of 30 years before a report could possibly be made to the Post Office Department. As a matter of fact, he did reach the age of 30 years before his papers were filed with the department, and in addition thereto he had amended his application by a sworn statement as to his age. Does this amended application, in the form of a sworn statement, appear in the record as certified by the Civil Service Commission and were these facts given consideration when the Post Office Department submitted a recommendation to the White House.

Answer. The official publication of the Civil Service Commission referred to relates solely to the positions within the classified civil service. The Executive order issued by the President on March 31, 1917, and the necessary requirements prescribed thereunder for the various positions were issued after the usual preference regulations of the Civil Service Commission issued under previous statutes. The announcement of the examination for the position of postmaster at Nashville stated, "This is not an examination under the civil service act and rules, but is held under an Executive order of March 31, 1917, which reads as follows." It also states, "Applicants for the position of first-class postmasters must have reached their thirtieth birthday on the date of making oath to the application, and must be in good physical condition." The application of Mr. Webster states that he was born on January 20, 1890, and that he was 29 years of age his last birthday, and the oath to the application was made on December 27, 1919, or prior to the time that he reached the age of 30; and in the opinion of the department he was ineligible. The fact that he reached the age of 30 before a report reached the Post Office Department would not affect the case, as the requirement as set forth plainly states that he must have reached the age of 30 on the date of making oath to the application. The amended application, in the form of a sworn statement, referred to, was not filed with the department, but had it been it could not have been given consideration, as we would have been compelled to consider his original application.

3. Question. The Executive order of the President issued on March 31, 1917, provides in substance that upon a vacancy in a post office of the first, second, or third class, this vacancy shall be certified to the Civil Service Commission, which will forthwith hold an open competitive examination, certifying the result thereof to the Postmaster General, who shall submit to the President the name of the highest qualified eligible for appointment to fill such vacancy. Has there been any amendment made by the President to this Executive order, and if not, will you please advise me why the name of two eligibles were submitted to the President?

Answer. The order and requirement thereunder have not been amended by the President, with the exception that we are now giving the benefit of the preference statute to veterans where they meet all other rquirements by considering them for appointment if they make a rating of 65 per cent. Mr. McCabe attained a rating higher than that of Mr. Webster, and as Mr. Webster did not meet the requirements it would not be necessary to give his name consideration; but in order to give him every possible consideration a memorandum covering the facts was submitted to the President before the nomination was made.

4. Question. The Executive order referred to makes no reference to age, except to fix the maximum age for those who shall apply. There is no restriction upon the application of one who has not reached the age of 30 years. Does the Post Office Department construe the regulations to mean that an applicant must have reached the age of 30 years at the time of his application, rather than at the time his name is actually sent to the Senate for confirmation?

Answer. This statement is no doubt made in error, as the requirements prescribed by the President fix the minimum age which an applicant must have attained on the day of making oath to his application, and this has been strictly adhered to. Prior to the time that the Nashville case was considered a vacancy occurred in the post office at Morgantown, W. Va., through the death of the postmaster. He had a son who was a veteran who desired to take the examination, and upon inquiry it was ascertained that he had not reached the age of 30, and so he was advised that he was not eligible for the position, Morgantown being a first-class office.

5. Question. If this be the construction given to the regulation, why was Mr. Webster denied the preference given to soldier, inasmuch as he had reached the age of 30 years before his papers were forwarded to the Post Office Department by the Civil Service Commission for consideration and had actually amended his application in order to clearly bring himself within any possible construction that might be made of the regulation in question?

Answer. Mr. Webster must have had before him the notice of the examination, which states fully that applicants must have reached the age of 30 at the time of making oath to the applications.

6. Question. Mr. Webster had received official notice to the effect that he was the highest eligible for appointment to the vacancy at Nashville. Did not this entitle him to have his name alone presented to the President under the Executive order referred to, inasmuch as there could be no possible objection to his character and standing?

Answer. Mr. Webster could not have been the highest eligible, as he did not attain as high a rating as Mr. McCabe, and could only have been the highest eligible had he been given the benefit of the preference statute. As he did not meet the requirements set forth above, in the judgment of the department he was not eligible; and, as stated before, in order that he might be given further consideration, his name was submitted to the President.

The Executive order referred to prescribes the manner in which the President shall select a person for nomination as postmaster, provided he meets the requirements specified under the order. The department has shown every consideration possible to veterans, and has submitted to the President the names of a number of them for the nomination as postmaster when they were certified as entitled to preference, although they did not attain the highest rating, but it is necessary that veterans to be appointed to these positions must meet the requirements specified under the order.

Thanking you for an opportunity to answer the inquiries made of you, I am

Very sincerely,

———— ————,
Postmaster General.

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UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C.

INFORMATION REGARDING POSTMASTER POSITIONS FILLED THROUGH NOMINATION BY THE PRESIDENT FOR CONFIRMATION BY THE SENATE.

Under the civil-service law positions which are filled through nomination by the President for confirmation by the Senate are not included in the competitive classified service. Positions of postmaster at first, second, and third class post offices are filled in this manner. For such positions, however, examinations are held by the Civil Service Commission, at the request of the Postmaster General, under an Executive order of March 31, 1917, which reads as follows:

"Hereafter when a vacancy occurs in the position of postmaster at any office of the first, second, or third class as the result of death, resignation, removal, or on the recommendation of the First Assistant Postmaster General, approved by the Postmaster General, to the effect that the efficiency or needs of the service requires that a change shall be made, the Postmaster General shall certify the fact to the Civil Service Commission, which shall forthwith hold an open competitive examination to test the fitness of applicants to fill such vacancy, and when such examination has been held and the papers in connection therewith have been rated the said commission shall certify the result thereof to the Postmaster General, who shall submit to the President the name of the highest qualified eligible for appointment to fill such vacancy unless it is established that the character or residence of such applicant disqualifies him for appointment. No person who has passed his sixty-fifth birthday shall be given the examination herein provided for."

Persons appointed as a result of an examination held in accordance with the foregoing Executive order will not thereby attain a competitive civil-service status, and will not thereby become eligible for a position in the competitive classified service.

GENERAL REQUIREMENTS.

To be eligible for examination for a position as postmaster at an office of the first, second, or third class an applicant must be a citizen of the United States, must actually reside within the delivery of the office for which the application is made, must have so resided at the time the vacancy occurred, must be in good physical condition, and must meet the age requirement hereinafter specified.

In examinations in which the competitors are assembled in an examination room for a written examination as hereinafter specified applicants must submit to the examiner on the day of the examination their photographs, taken within two years, securely pasted in the space provided on the admission cards sent them after their applications are filed. In examinations in which the competitors are not assembled for a written examination the photographs must be forwarded with the applications. Group photographs or proofs will not be accepted.

Persons who meet the requirements and desire examination may obtain the necessary forms from the office where the vacancy exists or from the United States Civil Service Commission, Washington, D. C., after the examination has been announced. Applications must be properly executed and filed with the commission in Washington in time to arrange for the examination.

EXAMINATIONS FOR OFFICES HAVING ANNUAL COMPENSATIONS FROM $1,000 TO $2,400.

Competitors for offices having annual compensations from $1,000 to $2,400, inclusive, will be assembled for a written examination and will be examined in the following subjects, which will have the relative weights indicated:

Subjects.	Weights.
1. Arithmetic and accounts (this test will consist of problems of average difficulty, embracing a knowledge of the four fundamental rules, common and decimal fractions, ordinary weights and measures, elemental arithmetical analysis, and percentage, together with a simple statement of a postmaster's monthly money-order account in a prepared form)	30
2. Penmanship (the legibility, rapidity, neatness, general appearance, etc., of the competitor's handwriting in the subject of letter writing)	10
3. Letter writing (letter of not less than 150 words; competitors may select either of two subjects given)	25
4. Business training and experience	35
Total	100

The subject of business training and experience is rated on the applicants' statements in their applications and corroborative evidence. Statements as to training and experience are subject to verification.

Applicants for this examination must have reached their twenty-first birthday and must not have passed their sixty-fifth birthday on the day of examination.

EXAMINATION FOR OFFICES HAVING ANNUAL COMPENSATION ABOVE $2,400.

Competitors for offices having annual compensation above $2,400 will not be required to report for examination at any place, but will be rated on the following subjects, which will have the relative weights indicated:

Subjects.	Weights.
1. Education	20
2. Business training and experience	80
Total	100

In addition to the full and detailed information called for by questions 21 and 23 of the application (Form 2241), the applicants are required to furnish the following in connection with each responsible position held by them:

(*a*) The number of persons under their supervision.

(*b*) The character of the business done by the person, firm, or corporation.

(*c*) The volume of business done annually.

(*d*) The commercial rating of each person, firm, or corporation.

For offices paying more than $6,000 a year the applicants must show that for at least seven years they have held responsible positions in which the principal duties involved the management of business affairs, such positions as those of president, general manager, general superintendent, or assistant general superintendent, requiring active charge of firms, corporations, businesses, or offices, and such positions in different branches of the Postal Service.

For offices paying over $4,000, up to and including $6,000 a year, the applicants must show that for at least five years they have held responsible positions in which the principal duties involved the management of business affairs, such positions as those of president, general manager, general superintendent, or assistant general superintendent, requiring the active charge of firms, corporations, or offices, and such positions in the different branches of the Postal Service.

For offices paying over $2,400, up to and including $4,000 a year, applicants must show that for at least three years they have held responsible positions in which the principal duties involved the management of business affairs and the direction and supervision of employees, including such position in the different branches of the Postal Service.

Statements as to education and experience are subject to verification.

Applicants for the position of postmaster at an office of the first class must have reached their thirtieth birthday, and for postmaster at an office of the second class, their twenty-fifth birthday, on the date of making oath to the application. Those who have passed their sixty-fifth birthday are not eligible for any office.

METHOD OF RATING EXAMINATIONS FOR OFFICES HAVING ANNUAL COMPENSATION ABOVE $2,400.

In examinations for offices having annual compensation above $2,400, the rating on the educational qualifications of the applicant will be determined from the information furnished in answer to Question 21 of the application, as follows, and upon corroborative information:

"Question 21. With respect to both your general and technical or professional education, state fully and in detail the names and locations of the schools or colleges you have attended and the courses of study pursued by you in each, naming any degree or degrees received by you, date conferred, and the institution by which conferred. If you have pursued any postgraduate courses of study, state fully what studies and when, where, and for what length of time they were pursued." (The answer to this question should be accurate and complete.)

The rating on business training and experience will be determined by the character and extent of the business training and experience of the applicant as shown, first, by his answer to Question 23 of the application, which reads as follows:

"Question 23. State fully and in detail all the practical experience you have had in the profession, occupation, or business in which you seek employment, or in professions or occupations of a similar character or of a character to fit you for the position sought. State (a) when, giving dates, (b) where, and (c) by whom you were employed; (d) the salary or compensation received; (e) the specific nature of your duties in each case. (The answer to this question should be accurate and complete.) If there are any branches of a profession or occupation in which you regard yourself as especially expert, state what branches."

And, second, by a careful personal investigation of each applicant by representatives of the Civil Service Commission, one of whom is to be selected by the commission from the Post Office Department, such representatives to make report of their investigation direct to the commission. The investigation and report should cover two purposes, namely, first, full inquiry as to each candidate's suitability for the office by reason of his character and personal characteristics, this part of the inquiry to be noncompetitive and not considered in the rating of the candidate, but if he is found unsuitable by the commission as a result of such inquiry he, of course, will not be declared eligible; the second purpose of the investigation should be the same careful personal inquiry from persons best qualified to know of the business qualifications, ability, and experience of each candidate, the report of such inquiry to be confined to findings of facts and to be made a part of the evidence and record upon which the commission rates the candidate.

UNITED STATES CIVIL SERVICE COMMISSION.

JOHN C. PUGH.

Mr. IRELAND. Mr. Speaker, I ask consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 504.

Resolved, That there be paid, out of the contingent fund of the House, $1,000 to John C. Pugh for extra and expert services to the Committee on Naval Affairs during the first and second sessions of the Sixty-sixth Congress as assistant clerk to said committee.

Mr. IRELAND. Mr. Speaker and gentlemen of the House, this rather unusual resolution is prompted by the effort to compensate an employee of the Committee on Naval Affairs, made necessary by the inexperience in technical knowledge of new employees on that committee in bringing out their bills that have just lately passed the House. The chairman of the Committee on Naval Affairs, the gentleman from Pennsylvania [Mr. BUTLER], informs me that it was his intention to temporarily retain the employees of the Committee on Naval Affairs as they were in the last Congress, but the unfortunate death of the clerk of that committee and the transfer of another, an assistant clerk, made this impossible, and they were without experienced technical clerical help. The recipient of the amount named in this resolution worked extra time and many nights—sometimes all night—I am told, in going over this bill for the Commitee on Naval Affairs, and I am informed by the chairman that this action has the unanimous approval of the Committee on Naval Affairs, and I believe it passed our committee unanimously.

Mr. BLANTON. Will the gentleman yield?

Mr. IRELAND. There is not the expenditure involved in this resolution that is indicated on the face of the resolution. The chairman of the Committee on Military Affairs has not employed a messenger, which he is authorized to do, for some eight or nine months, and there has been a saving of $835 in that—at least so I am informed by him—so that the actual expenditure involved is only $165. I am told he is a man who had knowledge of the situation and saved in duplication and in pruning in the bill $100,000,000. I now yield to the gentleman.

Mr. BLANTON. Mr. Speaker, I would like to ask the gentleman how much this employee, Mr. Pugh, is now receiving as a regular salary?

Mr. IRELAND. Well, I am not positive, but I think it is $1,800 a year in his present position.

Mr. BLANTON. The distinguished gentleman from Illinois [Mr. CANNON] informs me that Mr. Pugh is now drawing $3,000 per annum from the Committee on Appropriations; and if we allow him this $1,000 for the few days' extra work he did for the Naval Affairs Committee he will be receiving $4,000, when many other committee clerks receive only $2,500 per annum.

Mr. IRELAND. That is a matter of computation; yes.

Mr. BLANTON. He occupies just what position now?

Mr. IRELAND. I believe he is one of the clerks to the Committee on Appropriations. He left the Committee on Naval Affairs to accept that position at a larger salary than he was receiving. I think that is correct.

Mr. BLANTON. Now, the Committee on Naval Affairs has a clerk at $2,500, Mr. William M. Coffin, who with his $240 bonus receives $2,740?

Mr. IRELAND. Yes; I believe that is right.

Mr. BLANTON. And it has an assistant clerk, Mr. Frank A. Byron, at $1,500 per annum, which with his bonus of $240 lets him draw $1,740 per annum?

Mr. IRELAND. I think that is correct.

Mr. BLANTON. How many other employees have they besides the clerk and assistant?

Mr. IRELAND. I think they have a clerk and an assistant clerk, a messenger who has not been employed, and I can not recall positively whether there are others or not.

Mr. BLANTON. As a matter of fact this committee also has a janitor, William H. Carter, who draws $1,000 which, with his $240 bonus, makes him draw $1,240 per annum. Has this committee a second assistant clerk?

Mr. IRELAND. Well, that is my impression; but I am not positive.

Mr. BLANTON. The second assistant clerk receives what salary?

Mr. IRELAND. I am uninformed.

Mr. BLANTON. And yet having a clerk at $2,500 plus his $240 bonus a year, and an assistant clerk at $1,500 plus his $240 bonus a year, and a janitor at $1,000 plus his $240 bonus a year, and possibly another assistant clerk, they are now calling in somebody else to do the work, to wit, Mr. Pugh, who himself draws $3,000 a year, because those three gentlemen have not any experience on that committee, as I understand from the chairman. And we are asked to pay besides this $3,000 Mr. Pugh an extra $1,000 for doing some extra work?

Mr. IRELAND. Yes.

Mr. BLANTON. Then it was unfortunate for the people of the country who pay the taxes that the Committee on Naval Affairs had to appoint three men who had no experience.

Mr. IRELAND. Well, it is not always possible. They were just the victims of circumstances.

Mr. BLANTON. Just this one other point——

Mr. IRELAND. They are well qualified, and I do not imagine that the people of the country are going to worry about the expenditure of $165 which resulted in the saving of $100,000,000.

Mr. BLANTON. Just one other question.

Mr. KNUTSON. Mr. Speaker——

The SPEAKER. Will the gentleman from Texas yield?

Mr. BLANTON. Not yet. I have not yielded to the gentleman from Minnesota.

The SPEAKER. The gentleman from Illinois [Mr. IRELAND] has the floor.

Mr. BLANTON. The gentleman has yielded to me for a question, and I refuse to be interrupted by the gentleman from Minnesota for the present.

The SPEAKER. Does the gentleman from Illinois [Mr. IRELAND] yield?

Mr. IRELAND. For a question.

Mr. BLANTON. Since the Naval Affairs Committee, which is one of the big, hard-working committees of the House, has been able for eight and one-half months during this Congress to get along without a messenger provided for them and given them by the Congress, should not that induce the chairman of the Committee on Accounts to be very careful in allowing this messenger service to so many other committees of the House, many of which meet very seldom?

Mr. IRELAND. I am sorry we disagree with the gentleman from Texas, but it was the opinion of the committee that we exercised that care.

Mr. KNUTSON. I wish to make a correction of the statement that has been made. The Naval Affairs Committee has only one assistant clerk, and not two as suggested by the gentleman from Texas.

Mr. IRELAND. I am glad to be corrected.

Mr. FAIRFIELD. I was very greatly struck by the statement which the gentleman has made that this clerk has saved $100,000,000 in the appropriations. I would advise that we pass him around to the various committees. That was so staggering an announcement that I was almost unable to grasp it.

Mr. CLARK of Missouri. May I ask the gentleman from Illinois how this man ever saved $100,000,000?

Mr. IRELAND. I could not go into the detail of the matter.

Mr. CLARK of Missouri. I know; but what makes you say that he did?

Mr. IRELAND. I am simply giving you the statement of the chairman of the Naval Affairs Committee, who gave it to me.

Mr. CLARK of Missouri. What was the chairman of the Committee on Naval Affairs doing?

Mr. IRELAND. It is unfortunate that he is not here. He went to attend the funeral of the late Mr. BROWNING and has not returned. I am told that the clerk saved this money by wiping out duplications.

Mr. CLARK of Missouri. According to the statement of the gentleman from Illinois, this man saved $100,000,000 while the Naval Affairs Committee was sitting around like knots on a log.

Mr. IRELAND. I would not underestimate their ability at all, but their clerical and technical knowledge is not quite that of a clerk who gives all of his time and study to the subject.

Mr. CLARK of Missouri. The fact about this matter is, it is going to give this man a thousand dollars because the Republican clerk of that committee did not know how to discharge his duties. Is not that true?

Mr. IRELAND. Oh, no. I happen to know that the Republican clerk of that committee is a very competent man, perhaps as competent a man as ever served the committee.

Mr. CLARK of Missouri. Why did he not discharge the duties that this other man discharged, then?

Mr. IRELAND. He had not the technical knowledge that is only gained through years of experience in going over these bills. His judgment was no doubt as good as that of anybody else.

Mr. CLARK of Missouri. Who is this new man?

Mr. IRELAND. The man to be paid is Mr. Pugh.

Mr. CLARK of Missouri. Where is Mr. Pugh?

Mr. IRELAND. He is now on the Appropriations Committee, I believe.

Mr. CLARK of Missouri. Was he doing extra work in there?

Mr. IRELAND. All his time was put in in extra hours. I am informed that several nights he worked all night.

Mr. GARD. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. GARD. I understand that Mr. Pugh's present employment is really with the Committee on Appropriations.

Mr. IRELAND. Yes; I am so informed.

Mr. GARD. And this is a proposition to pay him for extra hours in outside work in connection with the work on the Naval Affairs bill?

Mr. IRELAND. Yes.

Mr. GARD. The gentleman said that he had saved $100,000,000.

Mr. IRELAND. I am simply retailing the statement of the chairman of the Committee on Naval Affairs. The gentleman knows that my knowledge of the subject is not sufficient to make such a statement independently.

Mr. GARD. I was wondering if the gentleman could advise me if he was selected, because of saving this $100,000,000, by the majority leader in order to help him save a billion?

Mr. IRELAND. I hope you will not hold me responsible for the expressions of the majority leader. That would be a presumptuous assumption to which I dare not aspire. I have a hard enough time in assuming responsibility for my own onion patch.

Mr. PARRISH. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. PARRISH. Is it not a fact that the Naval Affairs Committee was unfortunate in losing their experienced clerk, in that he was taken away by the Appropriations Committee, and that was the reason they found themselves in the unusual dilemma in which they did?

Mr. IRELAND. I am sorry I neglected to state that. That is true, I am sure.

Mr. BLANTON. Will the gentleman give me five minutes on this resolution?

Mr. IRELAND. There is no reason for desultory talk on this matter. I move the adoption of the resolution.

Mr. BLANTON. Will the gentleman yield me five minutes on this resolution?

Mr. IRELAND. I move the previous question.

Mr. BLANTON. Mr. Speaker, just a moment. I have asked the gentleman if he would yield me five minutes on this resolution. I oppose it.

Mr. KNUTSON. Regular order, Mr. Speaker.

Mr. BLANTON. I wish to be heard in opposition to the resolution.

The SPEAKER. Will the gentleman yield?

Mr. BLANTON. Yield me five minutes. By doing so you will save 30 minutes.

Mr. IRELAND. All right.

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. WALSH. Mr. Speaker, I do not see how the gentleman can yield after he has moved the previous question.

Mr. BLANTON. He withdrew it.

Mr. WALSH. He has not withdrawn it.

Mr. IRELAND. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. IRELAND. Have I the right to yield after the previous question has been ordered?

The SPEAKER. The gentleman has. He can withdraw his request.

Mr. WALSH. The gentleman has not withdrawn it.

The SPEAKER. It has not been voted on.

Mr. WALSH. It has not been voted on nor withdrawn.

The SPEAKER. The Chair assumed that by his withholding it, the gentleman wished to withdraw it. The gentleman did not?

Mr. IRELAND. I withdraw it and yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, my talk is going to be more than desultory. I admit that under the Republican régime any talk in this House against any kind of a proposal to appropriate money is, to the Republican Members, desultory. Any speech made here in an attempt to economize and save public money is to them desultory.

I will admit that; but on behalf of 110,000,000 tax-paying people of this Nation I want to call attention to this farce that is going on here now. The Naval Affairs Committee is given a clerk, Mr. William A. Coffin, at $2,500 a year, who also draws a bonus of $240 additional. That clerk is presumed to know what he is presumed to do with regard to his duties on that committee when he is employed. If he does not know how to perform his duties the committee chairman should not have employed him. In addition to this committee clerk, paid $2,740 per annum out of the people's money, the Naval Affairs Committee is given an assistant clerk, Mr. Frank A. Byron, at $1,500, who also draws a $240 bonus. And this Naval Affairs Committee also has a janitor, William H. Carter, who is paid $1,000 per annum, and who in addition to his salary draws a bonus of $240 a year. These three employees are presumed to know how to perform their duties, and if they do not know them the committee made a mistake in appointing them on that committee and in placing them on the Government roll. And yet with all of these facts before the committee, forsooth, because neither the clerk nor the assistant clerk knows how to attend to the duties they are presumed to perform, they call in another Government employee, who is already getting $3,000 per annum from the Appropriations Committee, but paid by the Government of the United States, and now propose to pay him an additional $1,000 for a little extra work; and he, although he is presumed in return for that salary to give his service to this Government, does a little extra work for the Naval Affairs Committee while that committee has a bill before it, and we are called upon by reason of those facts to give him an extra $1,000.

The distinguished chairman of this Committee on Accounts [Mr. IRELAND], who I know at heart to be an economist, yet has to do lots of things that he does not want to do—and he knows it—because they are pushed over on him. As a good Member of this Congress and as an economist he does not like to do a lot of things that he does.

He knows he has to give us the reasons for it, and he comes in here and says this committee clerk, a humble employee of the Government, has saved this Nation $100,000,000. That claim is just about as reasonable and has just as much basis for it as the claim of our great majority leader that he is going to save this Government a billion dollars in appropriations during this Congress. I know he would do it. If it was just left to his view and my view he would be able to do it. If you would just put your great majority leader [Mr. MONDELL] and your chairman of the Committee on Appropriations [Mr. GOOD] and myself together and give us full authority, that trio would save the Government a billion dollars. But it is not left to us, unfortunately. It is not left to the real economists. These influences that want to spend Government money simply overwhelm the chairman of the Committee on Accounts. They overwhelm the steering committee. They overwhelm the majority leader. They overwhelm the chairman of the Committee on Appropriations, and they bring in here every other day a proposition to spend extra money, and Members seemingly have to vote for it.

The SPEAKER. The time of the gentleman from Texas has expired. The gentleman from Illinois [Mr. IRELAND] moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Chair announced that the ayes appeared to have it.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER. The gentleman from Texas demands a division.

The House divided; and there were—ayes 82, noes 5.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

Mr. KNUTSON. That is a dirty trick.

Mr. BLANTON. You come outside and say that, sir; I will convince you that it is not.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present. Evidently there is no quorum present.

Mr. KEARNS. Does the gentleman think it fair under all the conditions that——

The SPEAKER. No quorum is present. No business can be transacted without a quorum.

Mr. BLANTON. Mr. Speaker, will the gentleman——

The SPEAKER. The Chair has announced that no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 275, nays 23, answered "present" 2, not voting 127, as follows:

YEAS—275.

Ackerman	Brand	Connally	Esch
Almon	Briggs	Crisp	Evans, Mont.
Anderson	Britten	Crowther	Evans, Nebr.
Andrews, Nebr.	Brooks, Ill.	Currie, Mich.	Evans, Nev.
Ashbrook	Brooks, Pa.	Dale	Fairfield
Aswell	Buchanan	Davis, Minn.	Ferris
Ayres	Burdick	Davis, Tenn.	Fess
Babka	Burroughs	Dickinson, Iowa	Fields
Bacharach	Campbell, Kans.	Donovan	Fisher
Barbour	Candler	Doremus	Flood
Barkley	Cannon	Doughton	Fordney
Bee	Caraway	Dowell	Foster
Benham	Carss	Dunbar	Frear
Benson	Chindblom	Dupré	Freeman
Bland, Ind.	Classon	Eagan	French
Bland, Mo.	Coady	Eagle	Fuller, Ill.
Bland, Va.	Cole	Elliott	Gallagher
Boies	Collier	Elston	Gallivan
Bowers	Crago	Emerson	Gard

Garland	Knutson	Nelson, Wis.	Smith, Mich.
Garner	Kraus	Newton, Minn.	Snell
Glynn	Lampert	Newton, Mo.	Snyder
Goodwin, Ark.	Lankford	Nichols, Mich.	Stedman
Goodykoontz	Layton	O'Connor	Steenerson
Graham, Ill.	Lazaro	Ogden	Stephens, Miss.
Green, Iowa	Lea, Calif.	Oldfield	Stephens, Ohio
Greene, Mass.	Lee, Ga.	Oliver	Stevenson
Griest	Lehlbach	Olney	Stiness
Hadley	Little	Osborne	Strong, Kans.
Hardy, Colo.	Lonergan	Overstreet	Summers, Wash.
Harreld	Longworth	Padgett	Sumners, Tex.
Hastings	Luce	Park	Sweet
Haugen	McAndrews	Parker	Swope
Hayden	McArthur	Parrish	Tague
Hays	McCulloch	Pell	Taylor, Ark.
Hernandez	McDuffie	Platt	Taylor, Tenn.
Hersey	McFadden	Pou	Temple
Hersman	McKeown	Purnell	Tillman
Hickey	McKinley	Quin	Tilson
Hicks	McKinley	Radcliffe	Tincher
Hill	McLaughlin, Mich.	Rainey, Ala.	Towner
Hoch	McLaughlin, Nebr.	Rainey, H. T.	Treadway
Holland	McPherson	Rainey, J. W.	Vaile
Houghton	MacCrate	Raker	Vestal
Howard	Madden	Ramseyer	Vinson
Hudspeth	Magee	Randall, Calif.	Voigt
Hull, Iowa	Major	Randall, Wis.	Volstead
Hull, Tenn.	Mann, Ill.	Reavis	Walsh
Igoe	Mann, S. C.	Reed, N. Y.	Ward
Ireland	Mapes	Reed, W. Va.	Watkins
Jacoway	Martin	Rhodes	Watson
James	Mays	Ricketts	Weaver
Jefferis	Merritt	Robsion, Ky.	White, Kans.
Johnson, Ky.	Michener	Rogers	White, Me.
Johnson, S. Dak.	Miller	Rouse	Wilson, Ill.
Johnson, Wash.	Milligan	Sanders, Ind.	Wilson, La.
Jones, Pa.	Minahan, N. J.	Sanford	Wilson, Pa.
Juul	Monahan, Wis.	Scott	Wingo
Kearns	Mondell	Sears	Winslow
Keller	Montague	Sells	Wise
Kelley, Mich.	Mooney	Sherwood	Wood, Ind.
Kelly, Pa.	Moore, Ohio	Shreve	Woods, Va.
Kendall	Moore, Va.	Siegel	Woodyard
Kennedy, R. I.	Moores, Ind.	Sims	Wright
Kiess	Morgan	Sinclair	Yates
Kincheloe	Mott	Sisson	Young, N. Dak.
King	Mudd	Slemp	Young, Tex.
Kinkaid	Murphy	Small	Zihlman
Kitchin	Neely	Smith, Idaho	

NAYS—23.

Black	Dominick	Nelson, Mo.	Sanders, La.
Blanton	Harrison	Rayburn	Taylor, Colo.
Box	Jones, Tex.	Robinson, N. C.	Thomas
Brumbaugh	Lanham	Romjue	Welling
Clark, Mo.	Larsen	Rubey	Welty
Dickinson, Mo.	Mansfield	Rucker	

ANSWERED "PRESENT"—2.

Griffin	Moon

NOT VOTING—127.

Andrews, Md.	Dempsey	Husted	Riddick
Anthony	Denison	Hutchinson	Riordan
Baer	Dent	Johnson, Miss.	Rodenberg
Bankhead	Dewalt	Johnston, N. Y.	Rose
Begg	Dooling	Kahn	Rowan
Bell	Drane	Kennedy, Iowa	Rowe
Blackmon	Dunn	Kettner	Sabath
Booher	Dyer	Kleczka	Sanders, N. Y.
Brinson	Echols	Kreider	Schall
Browne	Edmonds	Langley	Scully
Burke	Ellsworth	Lesher	Sinnott
Butler	Focht	Linthicum	Smith, Ill.
Byrnes, S. C.	Fuller, Mass.	Lufkin	Smith, N. Y.
Byrns, Tenn.	Gandy	Luhring	Smithwick
Caldwell	Ganly	McClintic	Steagall
Campbell, Pa.	Garrett	McGlennon	Steele
Cantrill	Godwin, N. C.	McKenzie	Stoll
Carew	Goldfogle	McLane	Strong, Pa.
Carter	Good	MacGregor	Sullivan
Casey	Goodall	Maher	Thompson
Christopherson	Gould	Mason	Timberlake
Clark, Fla.	Graham, Pa.	Mead	Tinkham
Cleary	Greene, Vt.	Morin	Upshaw
Cooper	Hamill	Nicholls, S. C.	Vare
Copley	Hamilton	Nolan	Venable
Costello	Hardy, Tex.	O'Connell	Walters
Cramton	Hawley	Paige	Wason
Cullen	Heflin	Peters	Webster
Curry, Calif.	Hoey	Phelan	Whaley
Dallinger	Huddleston	Porter	Wheeler
Darrow	Hulings	Ramsey	Williams
Davey	Humphreys	Reber	

So the resolution was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. RODENBERG with Mr. BELL.

Mr. BEGG with Mr. GARRETT.

Mr. DENISON with Mr. BRINSON.

Mr. TIMBERLAKE with Mr. DRANE.

Mr. CURRY of California with Mr. SABATH.

Mr. COSTELLO with Mr. CARTER.

Mr. GOODALL with Mr. HOEY.

Mr. DARROW with Mr. DEWALT.

Mr. BUTLER with Mr. STEELE.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. HUTCHINSON with Mr. HARDY of Texas.

Mr. DALLINGER with Mr. HEFLIN.

Mr. KAHN with Mr. DENT.

Mr. DEMPSEY with Mr. MAHER.

Mr. PORTER with Mr. VENABLE.

Mr. FULLER of Massachusetts with Mr. GOODWIN of Arkansas.

Mr. CHRISTOPHERSON with Mr. WHALEY.

Mr. WILLIAMS with Mr. BOOHER.

Mr. DUNN with Mr. KETTNER.

Mr. WALTERS with Mr. HUDDLESTON.

Mr. BURKE with Mr. CALDWELL.

Mr. NOLAN with Mr. O'CONNELL.

Mr. WHEELER with Mr. BLACKMON.

Mr. MASON with Mr. HAMILL.

Mr. EDMUNDS with Mr. CAMPBELL of Pennsylvania.

Mr. MORIN with Mr. HUMPHREYS.

Mr. WASON with Mr. CLEARY.

Mr. RIDDICK with Mr. SULLIVAN.

Mr. COOPER with Mr. BYRNES of South Carolina.

Mr. ROWE with Mr. LESHER.

Mr. SMITH of Illinois with Mr. DOOLING.

Mr. VARE with Mr. PHELAN.

Mr. TINKHAM with Mr. SCULLY.

Mr. STRONG of Pennsylvania with Mr. CANTRILL.

Mr. GOOD with Mr. BYRNS of Tennessee.

Mr. ROSE with Mr. GANLY.

Mr. THOMPSON with Mr. MEAD.

Mr. SINNOTT with Mr. NICHOLLS of South Carolina.

Mr. BROWN with Mr. DAVEY.

Mr. HAMILTON with Mr. GOLDFOGLE.

Mr. ANTHONY with Mr. UPSHAW.

Mr. REBER with Mr. JOHNSON of Mississippi.

Mr. GREENE of Vermont with Mr. RIORDAN.

Mr. ECHOLS with Mr. GANDY.

Mr. LUHRING with Mr. CASEY.

Mr. RAMSEY with Mr. JOHNSTON of New York.

Mr. KLECZKA with Mr. MCGLENNON.

Mr. HULINGS with Mr. CAREW.

Mr. FOCHT with Mr. STEAGALL.

Mr. PAIGE with Mr. STOLL.

Mr. LUFKIN with Mr. MCLANE.

Mr. KENNEDY of Iowa with Mr. LINTHICUM.

Mr. MCKENZIE with Mr. ROWAN.

Mr. PETERS with Mr. SMITH of New York.

Mr. KREIDER with Mr. SMITHWICK.

Mr. GRAHAM of Pennsylvania with Mr. MCCLINTIC.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

DRAWING OF IRRIGATED HOMESTEAD LANDS.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a short letter from some ex-service men in Nebraska.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD by printing a short letter from some ex-service men. Is there objection?

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, what is the letter about?

Mr. REAVIS. The letter relates to certain rules of the Interior Department with reference to filing on lands. I will state that there were two filings in the State of Wyoming recently, one at Torrington and one at Powell. The Interior Department operated under an old rule requiring a certified check to cover the water rental for three years. The rule of the department, as I understand from this letter, is that the certified check must be cashed. The filings at Powell, Wyo., were made immediately after the filings at Torrington. The result was that the money represented by the certified checks could not be returned to these men in time to be of use for the filing at Powell, and consequently they were deprived of the opportunity of filing at the Powell drawing. The request of the letter is that the Secretary of the Interior, in filings hereafter, make an exception to this rule so far as ex-service men are concerned, and return their certified checks immediately after the filing is complete. Most of these boys had practically nothing except the money represented by the certified checks, and when they could not get their money back in time they were deprived of filing at the second drawing.

Mr. CLARK of Missouri. Is this an irrigation scheme?

Mr. REAVIS. It has nothing to do with the irrigation scheme, I will say to the gentleman from Missouri, but is merely with reference to getting the money represented by these certified checks back into the hands of the boys without delay.

The SPEAKER. Is there objection?

There was no objection.

The letter is as follows:

HOTEL ROME,
Omaha, Nebr., March 24, 1920.

Hon. C. F. REAVIS, *Washington, D. C.*

DEAR SIR: We have been delegated by the executive committee of the Douglas Post, American Legion, to bring to the attention of the Nebraska congressional Members complaints and suggestions of ex-service men in regard to drawings of irrigated homestead lands.

The very large number of applicants from among ex-service men warrant, we believe, attention and consideration.

In the recent drawings held at Torrington, Wyo., there were 80 farms, totaling 5,000 acres, thrown open for drawing. Each application had to be accompanied with a cash deposit of $5.10 for each acre of irrigable land, which was to cover the first three years of water rental, amounting in the case of an 80-acre farm to $408. It is a fact that most ex-service men do not have that amount of cash available, and are therefore unable to apply for these farms, no matter how much they may desire to do so. There were 40 applicants for each farm, and although $25,500 covered the first three years' water rental on the entire 5,000 acres, yet there was actually deposited by ex-service men over $1,000,000. We know as a matter of fact that many more men would have filed had not this unnecessary advance deposit been required.

Certified checks deposited on drawings at Torrington on March 5 were not returned in time to be used on land drawings at Powell, Wyo. This was probably due to departmental order requiring cashing of these checks. There surely is no good reason why certified bank checks can not be returned direct. Where there were over 40 applicants for each farm at Torrington there were less than 10 for those at Powell, probably due largely to this delay.

In connection with future irrigated land drawings the following suggestions are offered:

1. That the rules of the Department of the Interior be changed, if possible, so that all ex-service men desiring to may apply for irrigated homesteads without depositing the three years' advance water rental before the drawings, such water rental to be paid by the successful applicant at the time of filing.

2. In connection with soldiers' land-aid bills being now considered it is suggested that the advance water-rental payment be eliminated and in addition long-time loans made with which to finance farming.

3. That legislation be enacted granting long-time loans to be used for improvements and financing of farming both dry and irrigated homesteads by ex-service men.

Yours, very truly,

WM. E. KAVAN,
Chairman Homestead Committee,
Douglas Post, American Legion.

DISTRICT OF COLUMBIA APPROPRIATIONS.

On motion of Mr. DAVIS of Minnesota, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the District of Columbia appropriation bill, H. R. 13266, with Mr. MADDEN in the chair.

The CHAIRMAN. The Chair desires to correct a ruling which he made on Saturday. While the bill was being read on Saturday afternoon the gentleman from Massachusetts [Mr. WALSH] made a point of order against the language "statistical clerk, $1,800," on page 8, line 19, which point of order the Chair sustained. Later on the Chair learned that there is a law authorizing additional clerical hire such as this, and the Chair desires now to change his ruling and to overrule the point of order.

Mr. GARD. When the debate arose on Saturday I understood the Chair to say that the statement sought to be presented by the gentleman from Minnesota [Mr. DAVIS] was too late.

The CHAIRMAN. It was too late because the point of no quorum had been made, and no business was in order.

Mr. GARD. Is it now intended to allow the gentleman from Minnesota to offer his authority?

The CHAIRMAN. The Chair has looked up the authority and has discovered that he made a mistake. The Chair overrules the point of order. The Clerk will read.

The Clerk read as follows:

Street-cleaning division: Superintendent, $3,000; assistant superintendent, $1,800; chief clerk, $1,400; stenographer and clerk, $1,000; clerks—2 at $1,200 each, 1 $1,100, 1 $1,000, 2 at $720 each; chief inspector, $1,300; inspectors—4 at $1,200 each, 2 at $1,100 each; foreman of repairs, $1,200; foremen—1 $1,300, 4 at $1,200 each, 8 at $1,100 each, 1 $1,000, 1 $900; assistant foremen—3 at $900 each, 2 at $720 each; messenger and driver, $600; in all, $44,180.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, in connection with this paragraph there have been very slight increases, I understand, to help meet the present high cost of living here in the city of Washington especially. In that connection and on that subject I want to read the following advertisement that appeared in last week's Burnet Bulletin, published in Burnet, Tex., as follows:

City market price list: Loin steak, 35 cents; round steak, 30 cents; chuck steak, 25 cents; roast, 30 cents; brisket roast, 20 cents; rib, 18 cents; barbecue, 25 cents.

Of course, these prices are by the pound. This is the price list for beef advertised by the city market in Burnet, Burnet County, Tex. If these prices can prevail in Burnet, Tex., where they raise beef, it ought to be very easy for us to ascertain how much improper profit there is on this same class of beef in the city of Washington, in New York, Chicago, in Memphis, Tenn., and at Atlanta, Ga., by figuring the freight rates in that connection.

This ought to demonstrate to us that there is an improper profit when in Washington to-day, if you go to buy a loin steak of the best variety, it will cost you 60 cents a pound, when in Burnet it is advertised for sale for 35 cents a pound, almost half of what it is in Washington. And yet, in and around this city, throughout the country, in the rural precincts, there is much meat raised which can be raised almost as cheaply as it can be around Burnet, Tex. Many animals are slaughtered in and around Washington, D. C., which are raised within 15 miles of Washington.

The question is how long are we going to allow this meat profiteering to continue to exist. The Agriculture Committee has been giving their time and attention for months to an investigation of this question. I do hope that the Agriculture Committee will find some means of properly controlling this one great item in the cost of living—the meat question—because it is absolutely impossible for the workingman to live without meat. He must have meat in order to exist when he is performing his daily labor. It is a question which is not easy, but can be solved, and I hope the Agricultural Department will take proper action. [Applause.]

The Clerk read as follows:

Free Public Library, including Takoma Park branch: Librarian, $4,000; assistant librarian, $2,000; chief circulating department, $1,760; director of children's work, $1,600; director of reference work, $1,500; children's librarian, $1,200; supervisor of school work, $1,200; librarian's secretary, $1,000; Takoma Park branch librarian, $1,200; chiefs of divisions—order and accessions $1,200, industrial $1,200; reference librarian, $1,200; chief, catalogue department, $1,400; assistants—1 $1,200; 1 in charge of periodicals $1,200, 8 at $1,000 each, 7 (including 1 for the Takoma Park branch) at $900 each, 6 (including 1 for Takoma Park branch) at $780 each; copyist, $780; classifier, $1,000; shelf lister, $1,120; cataloguers—1 $960, 1 $900, 2 at $780 each; stenographers and typewriters—1 $1,100, 1 $1,000; attendants—1 $900, 11 at $780 each; collator, $780; 4 messengers, at $720 each; 10 pages, at $420 each; 4 janitors, at $720 each, 1 of whom shall act as night watchman; janitor of Takoma Park branch, $660; engineer, $1,300; fireman, $720; workman, $600; library guard, $720; 2 cloakroom attendants, at $360 each; 6 charwomen, at $240 each; in all, $76,640.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. I notice that there has been a very general and somewhat uniform increase of salaries of library employees in this paragraph. I should like to ask the chairman the reason for it. Is it going to apply to the library employees alone, or is it the intent of the District Committee that the salaries of the other employees of the District shall be equalized?

Mr. DAVIS of Minnesota. In answer to the gentleman I will say that this is the public library and not the Congressional Library.

Mr. TILSON. I so understand.

Mr. DAVIS of Minnesota. I and many members of the committee have considered that the pay of the employees of this library was too small, and, in fact, below the average pay of the employees throughout the District.

Mr. TILSON. Is it the idea to raise these salaries so as to make them more nearly uniform with the other employees of the District?

Mr. DAVIS of Minnesota. Yes; and I will state that these raises are for 61 different salaries, and the total cost is only $8,080. It is very moderate. We have tried to equalize them the best we could.

Mr. TILSON. I recognize the fact that these salaries are unusually small.

Mr. DAVIS of Minnesota. Yes; they are small, and our committee tried to keep things down as much as possible. In that connection I wish to say that the full committee and the subcommittee have tried to keep down salaries as much as possible, but they want to raise these salaries somewhat in the library.

Mr. TILSON. These employees will get the $240 bonus in addition while it lasts.

Mr. DAVIS of Minnesota. Yes; but I want to say that some of these employees only get a salary of $640 or $720, and that can not be considered, even with a bonus, very large.

The Clerk read as follows:

In all, for motor vehicles, $36,400. All of said motor vehicles and all other motor vehicles provided for in this act and all horse-drawn carriages and buggies owned by the District of Columbia shall be used only for purposes directly pertaining to the public services of said District, and shall be under the direction and control of the commissioners, who may from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District: *Provided*, That no automobile shall be acquired hereunder, by purchase or exchange, at a cost, including the value of a vehicle exchanged, exceeding $1,500 for one seating four or more persons and $1,200 for one seating less than four persons.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee whether in connection with the use of automobiles by officials of the District of Columbia any consideration has been given to the manner in which automobiles have been transferred from

the War Department to the various other departments of the Government service. I realize that the District of Columbia, in a sense, is a little different from a transfer to the Agricultural Department, but if there is such a tremendous surplus of automobiles, as we have been informed, on hand in the War Department, why is not there a chance to save a few thousand dollars by transferring some of them to the District of Columbia?

Mr. DAVIS of Minnesota. There is a provision in the bill instructing the commissioners to purchase automobiles and other things from the surplus fund. The gentleman knows that when they purchase them from the surplus the money goes back into the Treasury of the United States under the head of miscellaneous receipts.

Mr. TREADWAY. On page 13, line 14 of the bill, there is an authorization for the purchase of six new automobiles.

Mr. DAVIS of Minnesota. They are not new; there is only one or two new; they are going to be purchased out of the surplus.

Mr. TREADWAY. The gentleman says there is a provision in the bill which will take care of that?

Mr. DAVIS of Minnesota. Yes.

The Clerk read as follows:

Telephones may be maintained in the residences of the superintendent of the water department, sanitary engineer, chief inspector of the street-cleaning division, assistant superintendent of the street-cleaning division, inspector of plumbing, secretary of the Board of Charities, health officer, assistant health officer, chief of the bureau of preventable diseases, chief engineer of the fire department, superintendent of police, electrical inspector in charge of the fire-alarm system, one fire-alarm operator, and two fire-alarm repair men, under appropriations contained in this act. The commissioners may connect any or all of these telephones to either the system of the Chesapeake & Potomac Telephone Co. or the telephone system maintained by the District of Columbia, as in their judgment may be most economical to the District.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. What is the necessity for this legislation?

Mr. DAVIS of Minnesota. As I understand, this is put in for the purpose of installation of private telephones or telephones in private houses at public expense. It has been in the bill for some time. It may or may not be subject to a point of order. If the gentleman is disposed to make it, I will not argue it very much.

Mr. WALSH. I can not see how this prevents the putting a private telephone in a house at public expense. It looks to me as though it would entail an expense.

Mr. DAVIS of Minnesota. The clerk to the committee informs me that there is a general law preventing it, and this permits it under certain conditions. That is what I am informed the law is. I have never read the law; the item has been in the bill for some time, and I have taken it for granted that this was the law.

Mr. WALSH. The gentleman says that this permits it without public expense, but the language of the authorization says that they can connect these phones to either of these systems which, in their judgment, would be most economical for the District.

Mr. DAVIS of Minnesota. If the gentleman will note, this refers to employees apparently, as, for instance, the chief inspector of the street cleaning division, the assistant superintendent of the street cleaning division, and so on. This is so they may be in touch with the department at all times, when, if they had to put them in and were not compelled to they might be out of touch with the commissioners and the department many, many times a day when it is absolutely necessary to get in touch with them. That is one of the reasons.

Mr. WALSH. Then it does entail an expense?

Mr. DAVIS of Minnesota. Oh, yes.

Mr. WALSH. And the commissioners select the system and the method which they think is the most economical?

Mr. DAVIS of Minnesota. That is what they do.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman withdraws the reservation of the point of order, and the Clerk will read.

The Clerk read as follows:

For purchase and maintenance, hire of livery, of means of transportation for the coroner's office and the morgue, jurors' fees, witness fees, removal of deceased persons, making autopsies, ice, disinfectants, telephone service, and other necessary supplies for the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony, and photographing unidentified bodies, $7,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman if there is not a grammatical error in the first line of this paragraph. Should not the word "of" be "or"?

Mr. DAVIS of Minnesota. That is correct.

Mr. WALSH. Mr. Chairman, I move to strike out the word "of" and insert the word "or."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 16, line 6, strike out the word "of" before the word "means" and insert in lieu thereof the word "or."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For advertising notice of taxes in arrears July 1, 1920, as required to be given by act of March 19, 1890, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, $4,000.

Mr. PLATT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. PLATT: Page 16, after line 24, insert a new paragraph as follows:

"For enforcement of game and fish laws, including expense of feeding birds following snowstorms, $100."

Mr. DAVIS of Minnesota. Mr. Chairman, I reserve the point of order on that.

Mr. WALSH. Mr. Chairman, I reserve the point of order.

Mr. PLATT. Mr. Chairman, this little item used to be in the bill—$100 for enforcing the game laws. Why the committee should economize to the extent of $100 in this respect I can not tell.

Mr. DAVIS of Minnesota. I will state to the gentleman that the item was not in the bill, so far as feeding birds is concerned.

Mr. PLATT. That part of it may not have been in.

Mr. DAVIS of Minnesota. I would say to the gentleman that the people who were before us on this hearing, I believe, said they had never used any part of this money, and that is why the committee struck it out. They had no occasion to use the money for any purpose.

Mr. PLATT. Certainly the game laws should be enforced in the District. There is quite a large covey of quail in the District, and a little of this money—$30 or $40—could be used in feeding birds after the heavy snowstorms. If they do not need to use it, of course, they will not use it. It is a small matter and nothing is saved to amount to anything by leaving it out.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. BLANTON. Is there any game left in the District of Columbia outside of possibly a game of poker?

Mr. PLATT. The gentleman would be surprised to know that there are inside of the District of Columbia, by actual count, some 600 quail, and I may be putting that too low, for it may be 6,000.

Mr. BLANTON. Has there been a count of the wild game in the District?

Mr. PLATT. Every once in a while they are shot and sold in the market. I have known people who come down here from New York from time to time and buy quail which they can not buy in New York. Quail are not migratory birds, so that they do not come under the migratory bird law. They are here, and they stay here unless killed in some way.

Mr. BLANTON. In the State where I live they are to an extent migratory, because when storms do away with them in a few years that same territory that has had no quail soon will have plenty of quail.

Mr. PLATT. They are not migratory in the sense of going away in the winter and coming back in the summer. They fly around a bit, but they stay in one neighborhood all of the while, generally speaking. If all of the quail in one neighborhood are killed it would be quite a time before any would get back there, because they do not go from one part of the country to another.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. MANN of Illinois. Is the gentleman able to inform the House what birds are found in the District of Columbia?

Mr. PLATT. That is a pretty large question. I believe the Audubon Society makes up a list of about 180 or 190 birds that are found in the District of Columbia or flying through the District. I have counted up a list of over a hundred myself.

Mr. MANN of Illinois. What birds would be here in the wintertime?

Mr. PLATT. There are about 25 or 30 species of birds here in the winter all of the time. The cardinals, the red birds which you see, are here all winter. They do not migrate. There are several varieties of sparrows besides the house sparrow or the English sparrow—song sparrows and field sparrows—then there are blue jays——

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that his time be extended for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WALSH. What is the gentleman's idea with reference to feeding these birds during the snow storms?

Mr. PLATT. The gentleman knows that once in a while there is an ice storm which locks up all of the food on the ground, and the birds can not get at anything. It sometimes kills thousands of them. The police here have been looking after these birds more or less, and through private contributions have sometimes been feeding them.

This item has been in the bill for enforcing the game laws, and if they get the use of a little of it the police could feed the birds at a very little expense and it would be a considerable gain, and it seems to me it is something we might as well do as not.

Mr. WALSH. I did not know but that the item was prompted by the great increase in the cost of living which also affected the birds here, and this would help supply some food for them. I will withdraw my point of order.

The CHAIRMAN. The gentleman withdraws his reservation of the point of order.

Mr. DAVIS of Minnesota. I will withdraw mine.

Mr. SISSON. Mr. Chairman, I simply want to say a word in justification of the action of the committee, and to say that we have carried this item for some time and none of it has been expended, and the commissioners contend that it is not necessary to expend it.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. PLATT) there were—ayes 13, noes 15.

So the amendment was rejected.

The Clerk read as follows:

For carrying out the provisions of the act approved March 1, 1899, entitled "An act to authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes," to pay members of the board of survey provided for therein, other than the inspector of buildings, at a compensation of not to exceed $10 for each survey, and to pay the cost of making safe or removing such buildings upon the refusal or neglect of the owners so to do, the unexpended balance of the appropriation made for this purpose for the fiscal year 1913 is reappropriated for the fiscal year 1921.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. I notice this item has to do with the removal of dangerous and unsafe buildings and parts thereof. I wish to call the attention of the House to what may not be altogether an unsafe building in the District of Columbia, but a very unfair one. I refer to the permit granted to the Terminal Taxicab Co. to maintain and construct a garage at the Union Station. That permit was granted in 1913 and is what has been designated by the Subcommittee on the District of Columbia in the hearing on the bill now before it as "a blue-sky garage." It does not exist in point of fact, but simply gives the Terminal Taxicab Co. privileges which are not granted to the ordinary person looking for customers for hire as taxicab drivers do at the Union Station. It is another example of the very unfortunate condition of affairs arising from the deeding of valuable property to a private company by Congress or the District authorities, wherein it has established as a distinct line the curb this side of the depot several yards from the actual line of the Union Depot, and they rent that space in any way they see fit for certain purposes. It is in fact a public space and ought to be so regarded. I commend whoever has the enforcement of this regulation for the removal of dangerous buildings to take up that question of the removal of the permit to construct a garage at the Union Station under the blue sky. This permit has never been exercised other than to secure a monopoly for the Terminal Taxicab Co. at that point, from which the public is excluded and where the public is treated in the manner designated in the words of Mr. Vanderbilt, that being in such strong language that I would not desire to cause it to be inserted in the CONGRESSIONAL RECORD.

Mr. BRIGGS. How does the Terminal Taxicab Co. happen to get this privilege which is not extended to other people?

Mr. TREADWAY. I have seen the permit to which I have referred for the construction of the garage at that point and it came up in the testimony before this subcommittee that if a person drove up to the front of the Union Station or drove inside of this open-air garage therefore he was liable to trespass. It is an unfortunate condition, but directly, to answer the question of the gentleman from Texas, I do not know how they got such power, but for one I am going some day to find out.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment, although I find myself in hearty accord with the gentleman. We are indebted to the distinguished gentleman from Massachusetts [Mr. TREADWAY] for such enlightenment which he has given us on quite a number of occasions. Almost monthly for some extended period of time we have been regaled here by the distinguished gentleman from Massachusetts on the proposition that our rights and the rights of the whole people of the United States have been taken away by this taxicab monopoly down at the Union Station, and I agree with him, but he is a member of the distinguished majority party in charge absolutely of the legislation here in the House. Why, only last Saturday the distinguished gentleman from Maryland [Mr. LINTHICUM] likewise offered a dissertation upon this subject and thought that as a matter of convenience the Union Station at Baltimore offers more consideration to its patrons and the public than at the Terminal Station in Washington.

How long are we going to continue letting that state of affairs exist without taking some proper action to remedy it? I was hopeful that the gentleman from Massachusetts [Mr. TREADWAY] would take some action for the remedying of this condition.

Mr. TREADWAY. Will the gentleman yield?

Mr. BLANTON. In just a moment, I want to get through with this and then I will yield. We are the guardians of the affairs of this District. For weeks and weeks the District Committee here, headed by the distinguished gentleman from Minnesota [Mr. DAVIS], has been working on this District bill of which we are guardians. Surely, if there is any place and opportunity for rectifying this trouble it was through this committee and in this particular measure which is now before this committee. If it requires new legislation, the Committee on Rules could have done, just like it did the other day, bring in a rule making the legislation in order to remedy the situation and let the people of the District of Columbia and the people of the United States who come regularly through this Union Station have their rights. I will now yield to the gentleman.

Mr. TREADWAY. The gentleman asked me what I was trying to do to remedy the situation. I would be glad to answer the gentleman's question.

Mr. BLANTON. Do it in the gentleman's own time and not in my time.

Mr. TREADWAY. Very good.

Mr. BLANTON. Because my time is limited. I approve of what the gentleman has done. I am with him, and I will vote for any proper measure which he will bring in here. In addition to some of the colleagues on his side, I am sure some of the colleagues on this side in sufficient number to pass a proper piece of legislation will help him out on it. I hope he will get the floor and offer to give some immediate relief.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

Mr. TREADWAY. At the end of line 11, page 17.

The Clerk read as follows:

Amendment by Mr. TREADWAY: Line 11, page 17, at end of line 11, insert:

"That the property in the District of Columbia known as the Union Station is hereby declared to be a public utility and subject to all laws, rules, and regulations applicable to public utilities in the District of Columbia.

"SEC. 2. Section 2 of Public 122, an act to provide for a Union Station in the District of Columbia, and for other purposes, approved February 3, 1903, is hereby amended in the fourth paragraph thereof by striking out all of said paragraph and inserting in lieu thereof the following:

"'And for the purposes of said passenger station and terminal, said Terminal Co. is hereby fully authorized and empowered to retain the ownership of such portion of the above-described area as may be used for the railroad tracks of terminals or for the purposes of a station thereon, and that such other land as above described in this section is by this act returned to the ownership of the District of Columbia and hereby becomes subject to all regulations under the Government of the District of Columbia as is applicable to other sections of the city.'

"SEC. 3. The Commissioners of the District of Columbia or any District employees are expressly prohibited from granting to the Terminal Co., or any other corporation, partnership, or individual, any license or permit for the establishment, maintenance, or construction of any garage, building for storage of automobiles, taxicabs, sight-seeing busses or other conveyances; any permit or license heretofore granted is hereby expressly repealed and nullified."

Mr. JOHNSON of Kentucky. Mr. Chairman——

Mr. MANN of Illinois. Mr. Chairman, I make a point of order against the amendment.

Mr. TREADWAY. Will the gentleman reserve it?

Mr. MANN of Illinois. No.

Mr. TREADWAY. It is subject to a point of order, Mr. Chairman. I would like to speak on it, but if the gentleman desires to make a point of order I will not do so.

The CHAIRMAN. It is clearly subject to a point of order, and the Chair sustains the point of order.

Mr. WALSH. Mr. Chairman, I move to amend by transposing the words "approved March 1, 1899," in lines 1 and 2, page 17, to the end of line 4.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. WALSH: Page 17, lines 1 and 2, transpose the words "approved March 1, 1899," to the end of line 4, page 17.

Mr. WALSH. This is the usual way of quoting other acts, I will say to the gentleman.

Mr. DAVIS of Minnesota. So far as I am concerned, I will consent to the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Northwest: For paving Harvard Street, Georgia Avenue to Fifth Street, 24 feet wide, $8,400.

Mr. OVERSTREET. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. OVERSTREET: Page 23, line 4, after the figures "$8,400," insert "northwest: For paving Meridian Place, Sixteenth Street to Brown Street, 24 feet wide, $3,000."

Mr. OVERSTREET. Mr. Chairman, I desire to make a few remarks concerning this amendment.

I am a member of the District of Columbia Committee, and the people in the neighborhood where this proposed paving is to be done requested me to go before the Subcommittee on Appropriations and ask that an appropriation be carried in the bill for paving this street.

I saw the gentleman from Minnesota [Mr. DAVIS], the chairman of the subcommittee, and asked him to go out to that neighborhood in order to look at this street that the citizens out there desire to have paved. He replied that he did not have the time at the moment, but suggested that I see Mr. Kutz, the engineer, and one of the commissioners of the District of Columbia. Mr. Kutz submitted an estimate showing that the cost of this paving would be only $3,000, and I intended to go before the subcommittee with this estimate and ask that an item be inserted in the bill carrying this appropriation for the purpose of paving the remainder of Meridian Place. However, when I went to Mr. DAVIS, the chairman of the subcommittee, he informed me that the bill was about completed and that the committee was ready to report it. I went over the proposed work with him and with Mr. SISSON and one or two other members of the committee, and Mr. DAVIS informed me that he would make no objection to the amendment, and I trust that the members of the committee will vote for it, as the paving is badly needed.

I live out in that neighborhood and have had occasion to see this particular part of the street that the citizens desire to have paved. And I will state to the members of the committee that the balance of Meridian Place has been paved, and this is the end of it, lying between Sixteenth Street and Brown Street, about 100 yards in length and 24 feet wide. On one side of this street is the new apartment house that has been recently built by Harry Wardman, and on the other side there are several nice residences that are just being built, facing Sixteenth Street. And the work is very necessary in that neighborhood. Meridian Place is a very rough, cobblestone street, and is badly in need of being paved. I trust the members of the committee will agree to the amendment.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. OVERSTREET. Yes, sir.

Mr. MANN of Illinois. Has this street ever been paved?

Mr. OVERSTREET. No, sir. It has some rough stones in it, but it has never been paved. There is no sidewalk on either side. I will say to the gentleman from Illinois that Mr. Kutz stated he had authority to put down sidewalks, and that will be done, but he has no authority, unless the House gives him authority, to pave the street.

Mr. MANN of Illinois. May I ask the gentleman from Minnesota [Mr. DAVIS] if the street paving done in the District is paid for by special assessment or special taxation?

Mr. DAVIS of Minnesota. The whole of the street? I will state to the gentleman what I understand the assessment permit work is: The resident or owner of property along a street paves one-quarter of the width of the street on each side. That would be one-half of the street. The balance, or the center of the street being one-half, is paid for out of District and Federal funds. Provided, however, a street railway runs through that street, with two tracks upon it, it paves and takes care of the street between tracks and for 2 feet on either side of the outside rails. That is the condition of the law, I think, in the District of Columbia.

Mr. MANN of Illinois. Take the pending amendment, proposing to appropriate $3,000 for the paving of Meridian Place for a short distance, which has never been paved. If that money is appropriated now, to be paid out of the Federal Treasury, will the property be assessed to pay back the money?

Mr. DAVIS of Minnesota. As I say, the residents on each side of the street will pay for one-quarter of the width, and those two combined will make one-half. That is reimbursed and goes into the Treasury. Assume the street is 40 feet wide——

Mr. MANN of Illinois. Let us assume it is to be paved 24 feet wide, according to this amendment.

Mr. DAVIS of Minnesota. One-quarter of the width of that street would be assessed against the property owners on either side.

Mr. MANN of Illinois. Well, the gentleman says, "One-fourth of the width." I do not know what that means. Let me ask the gentleman a question, to get it clearly in my own mind.

Mr. DAVIS of Minnesota. I was trying to give the gentleman information.

Mr. MANN of Illinois. I understand. That is the reason why I wanted to ask another question, to understand better. Does that mean one-fourth of the cost of paving the street?

Mr. DAVIS of Minnesota. One-fourth of the width of the street; and, of course, that means one-fourth of the cost.

Now, if the gentleman will allow me to illustrate, I will gladly do so. Assume that the roadway of the street is 40 feet in width, as is the case with many of the streets. That street is to be paved. We appropriate in the District bill the estimated cost of that paving. In the first instance, that is paid out of the District and Federal revenues. When the matter is finally adjusted the property owners on either side of that street pay one-fourth of the cost of that improvement; both sides would make it one-half. The middle of the street, or one-half of it, comes out of the Treasury. That is the condition.

Now, this being a narrower street, in my judgment the same rule would apply. One-fourth on each side, and the balance of it in the middle coming from the Federal or District Treasury.

Mr. MANN of Illinois. I remember when the legislation was enacted.

Mr. DAVIS of Minnesota. Yes; the Borland law.

Mr. MANN of Illinois. I do not remember specifically the provision about it.

Mr. OVERSTREET. Mr. Chairman, I would like to submit the statement that was made by the commissioner.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The question is on agreeing to the amendment offered by the gentleman from Georgia [Mr. OVERSTREET].

Mr. DAVIS of Minnesota. Mr. Chairman, I wish to say a word. I remember having some conversation with the gentleman from Georgia concerning the street, and he has introduced an amendment. I think he perhaps went a little further than I intended he should understand when he stated that I said that I would make no objection. I do not propose individually to make objection now, but I wish to say to the members of the committee as follows: The commissioners estimated for many, many more streets than this committee or this subcommittee has reported to the House. The sum total of all of their estimates was $87,000. The committee spent two days and more in looking over all of the projects suggested by the commissioners; in doing so we selected those which we thought needed the improvement the most. Many, many projects—in fact all the projects that they suggested in their estimates, and many more which they showed us which they had not suggested—certainly needed repair in the District of Columbia; they rode with us and we would discuss every proposition as we came to it, as to the advisability of improving this or omitting that. We did not play favorites, but we tried to seek out and improve the property that needed it the most. That is what we did, and we cut down the estimates of the commissioners from $877,000 to $495,600.

Mr. WALSH. The gentleman is speaking about improving the property. What property?

Mr. DAVIS of Minnesota. I said we cut down the estimates from $877,000 to $495,600.

Mr. WALSH. The gentleman said they sought to improve the property that needed it most.

Mr. DAVIS of Minnesota. Improve the streets with reference to the property alongside of it.

Again, here is a proposition that your committee took into consideration: Very frequently we found a street that needed improvement very badly, but upon investigation we found that the street was not all built up on either side. It was partially built up on one side or partially on the other. Hence, while we did not make a hard-and-fast rule that the street should be completely built up on both sides, yet we endeavored with the money at our command, as we thought, to improve the streets that would assist the most people living adjacent to the streets and the streets needing the work. Hence we cut down, as I said, the estimates of the appropriation, although we were very liberal.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. HUDSPETH. As I understand, the gentleman's committee made a personal inspection of these projects?

Mr. DAVIS of Minnesota. Every one of them.

Mr. HUDSPETH. Every one that you allowed?

Mr. DAVIS of Minnesota. Yes; every one that we allowed, and perhaps 40 or 50 that we did not allow. This committee worked hard, if I say it myself, to discover the most economical and practicable way to expend the money of this Government.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. TILSON. In last year's bill quite a number of streets were appropriated for. Have those streets been paved?

Mr. DAVIS of Minnesota. Not all as yet; but nearly all of them are under contract, and on some of them the work is now progressing. We also examined those on these trips to see how far they had progressed.

Mr. TILSON. I notice Euclid Street from University Place to Columbia Road was appropriated for to the extent of $33,000 last year. Euclid Street is now almost impassable in that locality, and there is no sign of its being paved.

Mr. DAVIS of Minnesota. I do not wish to censure the commissioners. They have been pretty busy. But certainly you can not censure Congress, because Congress has appropriated the money.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. DAVIS of Minnesota. Mr. Chairman, I would like to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DAVIS of Minnesota. Now, Mr. Chairman, I do not want either to make points of order or raise objections to improvements that I think ought to be made in the city of Washington. That has been my course ever since I have been on this committee, and I am going to continue along that line. I do not want to set my individual judgment up against that of the Congress, and now in this case I am going to do as I told my friend I would do when he interviewed me. I said, "I will raise no positive objection to that. We will listen to your statement; and I for one will leave it to the members of this committee to decide as they think proper." And that is what I am going to do in this particular case.

Mr. OVERSTREET. Mr. Chairman, one moment. I would like to ask the gentleman a question. That is virtually what I understood the gentleman from Minnesota to state to me. I want the Members of the House to understand the same thing. I would like to ask the gentleman this question in addition: Does he not remember that I went to him some two or three weeks ago and asked him to go out and see this street?

Mr. DAVIS of Minnesota. That is true.

Mr. OVERSTREET. The chairman replied that he was so busy that he could not take the time; but he said, "Go ahead and get your estimate made and submit it to our committee." I went before the commissioner, Col. Kutz, and he made the estimate that I hold in my hand. I intended to go before the subcommittee, as I said in the beginning of my remarks, but the subcommittee had then finished the bill and it was too late. Now, I have come before the House and explained the matter as fully to the House as I could have done to the committee. This street should be paved, because it is the end of Meridian Place. The balance of it has been paved, and this part should be paved.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Georgia.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Repairs—Streets, avenues, and alleys: For current work of repairs of streets, avenues, and alleys, including resurfacing and repairs to asphalt pavements with the same or other not inferior material, and including the maintenance of motor vehicles, and including an allowance of not to exceed $30 per month for an automobile for use for official purposes, $575,000. This appropriation shall be available for repairing pavements of street railways when necessary; the amounts thus expended shall be collected from such railroad companies as provided by section 5 of "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which they are collected.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question for information. As I understand it, this $495,600 provided for in this bill for street improvements was put in the bill by the committee upon the assumption that the new taxation provision would become a law. That was the case, was it not?

Mr. DAVIS of Minnesota. In helping to draw the bill I have assumed that all the provisions which we have put in it would become law. Otherwise I would not have assisted in putting them in.

Mr. BLANTON. The committee having acted upon that assumption, suppose that when this bill goes to the Senate our friends at the other end of the Capitol see fit to lower the new taxing provision, possibly putting it back to 1½ per cent, and then suppose they hold this bill up for months and months until possibly we are forced through our conferees to accept their action, as has been done sometimes heretofore. Then would the gentleman be in favor of still expending $495,600 on new street improvements, with the tax rate put back to 1½ per cent, in which case much of this expense would be paid by the people of the United States?

Mr. DAVIS of Minnesota. I will say to the gentleman that I would prefer to have the tax rate remain as it is provided in the bill; but I will say further that I am simply the servant of the House, and whatever the House directs me to do I am going to do. If I am a conferee I am going to stand by the House bill until the House of Representatives instructs me to the contrary. [Applause.]

Mr. BLANTON. That is all I wanted to know.

Mr. EVANS of Nevada. Mr. Chairman, the District of Columbia has become well known as a haven, a place where men who loathe just taxation may find discriminating relief, a condition of advantage inducing tens of thousands to claim Washington as their homes; naturally they object to changing the main reason which brought them here. There are others here—and they are in the majority—who are proud to do their full duty as real Americans by paying a fair share of cost to conduct the best Government on earth. Big as is our country, there is not room for special privilege anywhere. The right kind of citizens do not want it and are determined that the other kind will not get it. This committee deserves highest commendation for courage which brings here a bill seeking solely to equalize the burden by just taxation. Members of the Sixty-sixth Congress should earnestly support this measure. Citizens of Washington will set the proud example to all world cities by willingness to fully share just taxation in building and maintaining our Capital City with superlative beauty.

Mr. WALSH. Mr. Chairman, what is the necessity for this provision:

Including an allowance of not to exceed $30 per month for an automobile for use for official purposes—

When we have just authorized the purchase of six new machines? Is this for some member of the commission or some employee who has a machine and are they going to pay him $30 a month for the use of it?

Mr. DAVIS of Minnesota. There has been for some time and there is now in this bill an established, uniform amount of $30 a month for maintenance and upkeep of machines owned and officially used by inspectors, and so forth, connected with the District government. They have come before us and asked us to raise that rate, saying it was not sufficient, but owing to a streak of economy we have held them down to $30 a month. They claim that is not sufficient. If the gentleman will look at the District of Columbia appropriation bill for a number of years back he will find that that has been the uniform amount, regardless of the price of gasoline, and so forth.

Mr. WALSH. That does not answer the question I asked. Is this for some employee who owns a car and uses it and gets $30 a month for the use of it?

Mr. DAVIS of Minnesota. He is entitled to the use of a car, and when he uses his own he gets $30 a month for its maintenance and upkeep.

Mr. WALSH. Then, what is the use of buying new machines?

Mr. DAVIS of Minnesota. Because I do not suppose that any considerable number of the employees have money sufficient to buy their own cars, and they must use them under the direction of the commission or they can not hold their jobs and do their work.

Mr. WALSH. They will soon get money enough if we are paying at the rate of $30 a month for them. This does not say for maintenance. It says—

An allowance of not to exceed $30 per month for an automobile for use for official purposes.

Mr. DAVIS of Minnesota. I will say to the gentleman that it is cheaper to do this where a man owns his car than it is for the District itself to furnish a new car, which will cost between $400 and $500 a year to maintain.

Mr. WALSH. Then, why are we buying six new machines? Why not do it all this way?

Mr. DAVIS of Minnesota. We are buying these machines chiefly to supplant horse-drawn vehicles, and we think it is economy to do so. It has been demonstrated to our committee that it is economy to do away with horse-drawn vehicles; that is, it has been demonstrated to our satisfaction. I do not know whether it has been demonstrated to the satisfaction of the gentleman from Massachusetts or not.

Mr. WALSH. I have not seen the evidence which was presented to the gentleman's committee.

Mr. DAVIS of Minnesota. I know it. The gentleman was not present at the hearings. Where an employee owns a machine, and it is necessary for him to have the use of a machine for official purposes, it is cheaper to pay him $30 a month than to have the Government own it and pay $400 or $500 a year for maintenance.

Mr. WALSH. This costs $360 a year.

I should like to ask the gentleman the further question as to what is the meaning of the language—

This appropriation shall be available for repairing pavements of street railways when necessary; the amounts thus expended shall be collected from such railroad companies as provided by section 5 of "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which they are collected.

Does that mean that when the street railway refuses to make these repairs the commissioners can go on and do it?

Mr. DAVIS of Minnesota. Yes; they can, and charge it up to the street railway.

Mr. WALSH. And collect it?

Mr. DAVIS of Minnesota. Yes. That is what this language is for. I will say that the street railway people of Washington are pretty agreeable gentlemen and they always comply with the requests of the commissioners without being forced to do so.

Mr. WALSH. They ought to be very agreeable. They get everything they ask for from the Public Utilities Commission. They have got it thus far and they give the poorest service that is given in any city of the same size in this country and get a higher rate of fare. They ought to be very agreeable, because they have their own sweet way.

Mr. DAVIS of Minnesota. "Shake not thy gory locks at me."

Mr. WALSH. The gentleman made the statement in exculpation of the street railways.

Mr. DAVIS of Minnesota. Oh, no.

Mr. WALSH. Because we provide here for repairing these pavements when they fail or refuse to do it, as if they were very considerate of the people of the District.

Mr. BEE. Will the gentleman from Massachusetts yield?

Mr. WALSH. Yes.

Mr. BEE. Do I understand that the committee are giving additional consideration to the street car companies in Washington, more than is now given them?

Mr. WALSH. I do not think so, although the gentleman's language might be construed that way.

Mr. BEE. I just wondered when we were going to have any relief from the street car companies' exactions.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of a point of order.

The Clerk read as follows:

Repairs to suburban roads: For current work of repairs to suburban roads and suburban streets, including maintenance of motor vehicles and the purchase or exchange of three light motor vehicles with truck bodies, in lieu of three motor vehicles owned by the District of Columbia, at a total cost not to exceed $1,800, $250,000.

Mr. MUDD. Mr. Chairman, I offer the following amendment:

Page 25, line 12, after the figures $1,800 insert the following: "And including repairs to Bladensburg Road from Fifteenth and H Streets NE. to the District line, at a total cost not to exceed $51,100; and including Alabama Avenue from Pennsylvania Avenue to Ridge Road and Bowen Road, between Ridge Road and the District line, at a total cost not to exceed $21,000; and including Central Avenue from Bennings Road to the District line, at a total cost not to exceed $39,000; and including Thirty-eighth Street SE., between Bowen and Suitland Roads, at a total cost not to exceed $9,000."

Mr. GARD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. MUDD. Mr. Chairman, I am asking here for an appropriation for the improvement of the District roads in the suburban sections of the District of Columbia which lead into the Maryland roads in the fifth congressional district, which I have the honor to represent. I believe that every Member of Congress knows what a fine road system we have in the State of Maryland. We have appropriated in Maryland upward of $25,000,000 to $30,000,000 for macadam roads which are used by District motorists and Members of Congress. The roads that lead from Washington to the District line to my district have not been touched for years. I want to convince you gentlemen that these roads leading into our magnificent Maryland roads are a disgrace to the District of Columbia and to the Nation. We have spent here a large sum of money repairing streets, but nothing is done for the suburban roads. I believe in the District of Columbia and the Capital of the Nation we should have more beautiful suburban roads than in any other place in the country. I have always believed that our National Capital should be the most beautiful city in the world.

Mr. GARD. Will the gentleman yield?

Mr. MUDD. Certainly.

Mr. GARD. This appropriation on line 12 provides, as the gentleman knows, for an appropriation of $250,000. Now, what increased amount is made necessary if the gentleman's amendment is adopted?

Mr. MUDD. There are four projects mentioned in my amendment, which will make a total of $120,000.

Mr. GARD. That would be added to the $250,000?

Mr. MUDD. That is for the general maintenance of these roads; no great improvement will be made. We can economize by repairing the roads now.

Mr. GARD. But the gentleman is adding these projects. Has he taken any of them up before the Appropriations Committee?

Mr. MUDD. I appeared before the Appropriations Committee and put these cases before that committee. Commissioner Brownlow was present at the hearing, and approved of the matters which I am advocating. The committee, however, in the final hearing overlooked the improvements, presumably because there was not sufficient money, but now that the tax is to be raised I see no reason why these roads should not be repaired.

The road beginning at Fifteenth and H Streets NE. runs to the District line near Bladensburg, and from thence on to Baltimore City. This road has not been repaired for many years, and in fact it is almost impassable in wintertime. The amount covering the resurfacing of the particular section of road is $51,000, according to the estimates of the Commissioners of the District of Columbia. This is the beginning of what is known as the Lincoln Highway, which is supposed some of these days to stretch across the country. Just beyond the District line will begin the famous Annapolis highway, which is now in the process of construction, and will be a direct road from Washington City to Annapolis, known as the national-defense highway.

The second item in my amendment is an estimate of $21,000 for the resurfacing and macadamizing of the road leading just beyond Pensylvania Avenue, at the point of intersection of Pennsylvania Avenue extended and Alabama Avenue, for the distance of just over a mile over Alabama Avenue, Bowen Road, and Ridge Road to the District line, connecting with the State road from that point to Upper Marlboro and Annapolis. This road is used daily by thousands of machine operators, farmers, and truck gardeners from southern Maryland, and officials of the Navy Department, who come and go from Washington City to our great institution, the Naval Academy, at Annapolis. Of all of the roads for which I am asking improvements, this is the worst. An appropriation for its improvement has never been made, either by the commissioners or by Congress. It is an ordinary gravel road, and now and then the commissioners spend a few dollars in dragging it, causing it in the wintertime to become in such a miserable condition as hardly to permit passage. This road should be macadamized, and the people of southern Maryland and Washington motorists should be allowed to travel over this section of the District upon a modern macadamized road of the same character and substance as the Maryland road into which it leads.

The third item, for which I am asking $39,000, is an unfinished section of road on Central Avenue which runs from Fifteenth and H Streets NE. to Capitol Heights, just over the District line, connecting with the State road from that point to sections of southern Maryland. Capitol Heights is a thickly

settled community and a very pretty suburb. The District of Columbia has made considerable improvement in roads leading to this community, but from the point at Bennings Road to Capitol Heights there remains a mile which has never been touched, and this is practically impassable in the wintertime. I therefore recommend to you gentlemen that this section of road should be repaired with macadam, so that the improvements in this section will have been finally completed.

The last item is $9,000 for the construction of a quarter of a mile of road from Alabama Avenue, near the point of intersection of Pennsylvania Avenue extended to Suitland Road. This will cost the Government very little, and will afford great advantages to residents of southern Maryland, who will be saved nearly half of the distance from Suitland to Washington City. As it is, these residents of Maryland are obliged to come to Washington with their truck products through a roundabout course from Branch Avenue, on either side of which is a deep ravine, which is very precipitous and dangerous for travel in the wintertime. It is a much-needed improvement, and will perfect the system of highways in this locality, affording great convenience for thousands of motor owners who come into the city of Washington daily.

Now, Mr. Chairman, I am convinced that the Government can expend ample appropriations for these improvements. We can save money for the Government in the long run, and I believe that my contention is fair that the city of Washington should improve its highways, especially those that communicate with our splendid Maryland roads, which are second to none in the United States.

Mr. SISSON. Mr. Chairman, if I have added up the figures of these projects correctly—there is one of $39,000, one of $9,000, one of $51,000, and one of $21,000—they make a total of $120,000. That is in addition to the $250,000 carried in the bill. We went to visit one project which, as was represented to us, would cost about $1,000 to shorten the distance in coming into Washington. The record of the hearings shows that they thought it would cost even less than $1,000, but I notice that the decision of the commissioners estimates it at $9,000. When the gentleman presented it he said that it would cost only about two or three hundred dollars.

The subcommittee before which these items were laid went to visit each item asked for by the District Commissioners. The District Commissioners do not in their estimate recommend these improvements covered by the proposed amendments. So the gentleman is asking Congress to improve to the extent of $120,000 projects he is interested in when there are a number of other streets and suburban roads throughout the entire District that the District Commissioners think more important and we had to leave these out. It will be unwise for this committee just upon the request of the interested Member to adopt this amendment.

Mr. MUDD. They do not need them any more than they do this.

Mr. SISSON. That may be true, but other gentlemen would say the same of these other roads. I commend the gentleman's zeal. This is for the purpose of connecting the District of Columbia up with his district in Maryland and is more for the benefit of his district than that of the property owners in the District of Columbia. I should have no objection, because the committee is somewhat familiar with these roads and especially the one to shorten the distance into Pennsylvania Avenue, but I think the committee would make a very great mistake to include the $39,000 and the $21,000 items without the subcommittee or any member of the subcommittee having investigated them and without the District Commissioners ever having estimated for them.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. MANN of Illinois. Did the subcommittee visit any of these roads recently?

Mr. SISSON. We visited every road that was estimated for by the District Commissioners.

Mr. MANN of Illinois. I thought the gentleman said that these were not estimated for.

Mr. SISSON. These were not in any estimate presented to our committee as needing improvements.

Mr. MANN of Illinois. So the subcommittee had no occasion to look into it?

Mr. SISSON. No.

Mr. MANN of Illinois. I was going to ask if the subcommittee did not find that they could recognize absolutely the line between the District of Columbia and Maryland on any road that passes into Maryland, by finding good pavement in Maryland and rough pavement in the District?

Mr. SISSON. The committee, from the testimony, understood that the road that intersects with the Bowen Road from Anacostia Flats was in very bad shape, but we went over to it and found it was pretty smooth, its condition greatly exaggerated. And, by the way, there is no contention now as to the improvement of that road, but this is for the purpose of connecting another road up with the end of this avenue so that they could come directly to town and save quite a distance. That was the estimate that I understood the gentleman from Maryland [Mr. MUDD] was to submit to the District Commissioners, which we were assured would cost very much less than $1,000. It turns out now to be $9,000.

Mr. MUDD. Did the subcommittee visit the Baltimore Road; that is, the Washington city end, from Fifteenth and H Streets to the District line?

Mr. SISSON. We did not go to the District line, as I recall.

Mr. MUDD. Did not the gentleman notice that that road was very inferior to the Maryland road?

Mr. SISSON. I want to say to the gentleman that the Maryland road, as a rule, is better than most of the roads in most of the States that I have been in.

Mr. MUDD. During the war the motor trucks tore those roads to pieces from Washington to Baltimore. Maryland has spent about $80,000 on the Maryland part of that road and the city of Washington end of it has not been touched.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SISSON. I think what the gentleman says is true with reference to these roads being injured by the War Department activities, but that is a matter that the District ought not to be burdened with, and it ought not to be in this bill.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. MANN of Illinois. If the War Department ruined these roads that run out of the District into Maryland, and we require the State of Maryland to repair those portions of the road in Maryland, how can we say that the District and the Government together should not repair that portion of the road in the District?

Mr. SISSON. I do not know that those roads within the District have been destroyed. This road that the gentleman has in mind is not the road that is so bad. The one I am speaking of now was not used by the War Department at all.

Mr. MANN of Illinois. I do not know many of the roads by name, although I travel frequently over them.

Mr. SISSON. I will tell the gentleman this: If he will investigate the needs and the necessities of the streets in the various sections throughout the District, he will find that the committee and the District Commissioners have endeavored, in so far as the money available will allow, to take care of the streets. If you improve under this plan some of the roads and pave them as the gentleman desires, under the law of the District of Columbia——

Mr. MUDD. But we do not ask that they be paved. We ask that they be macadamized; put in as good shape as our Maryland roads.

Mr. SISSON. It will amount almost to confiscation of the property owners on either side that is unimproved, and some of it is just farm land.

Mr. MANN of Illinois. Of course that is not what the gentleman is asking.

Mr. SISSON. He is asking for an amount of money to macadamize the road. I think I know what he is asking for.

Mr. MANN of Illinois. He is asking for an addition to the appropriation for suburban roads.

Mr. MUDD. And all of these roads connect with Maryland roads.

Mr. SISSON. I understand the difference between a suburban road and a street. It is only in name, and I think that ought to be eliminated, because the growth of the city is such that the suburban roads are streets.

Mr. MUDD. I am asking particularly for an improvement to the Baltimore Pike and the Annapolis Pike. The first item is the Bladensburg Road, $51,000. That road is in miserable condition and full of holes. The next item is Alabama Avenue, from Pennsylvania Avenue to Ridge Road, and Bowen Road, between Ridge Road and the District line, that leads to Marlboro and Annapolis. That is a gravel road, and it has never been touched.

Mr. SISSON. How much is that?

Mr. MUDD. Twenty-one thousand dollars. Let us discuss these two items.

Mr. SISSON. What I am at a loss to know is how can this city give its assent to the improvement of these roads and say to the Members of Congress, as they do in respect to these other roads that we have here, that they should be segregated out of this $250,000 and should be made special items.

Mr. MUDD. The roads in the other section of the city are already improved—macadamized. It is this section that has been neglected for many years.

Mr. SISSON. I do not think that statement is fair.

Mr. MUDD. I think it is pretty accurate.

Mr. SISSON. Because there are many portions of the suburban roads where that is not true.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. KNUTSON. About two years ago I saw a truck load of coal go through the pavement in this city down on F Street, just like it would go through a sheet of ice.

Mr. SISSON. That does not add any light on this.

Mr. KNUTSON. That would seem to indicate that there has been a good deal of graft in the road building of this city.

Mr. SISSON. I do not know that that charge can be directed against the officials with any degree of justification. I think the Army engineer in charge of the work is a man of honesty and integrity. If the gentleman knew Col. Kutz, I think he would not say that. I hold no brief for him, but I believe him to be honest.

Mr. KNUTSON. Who prepared the specifications?

Mr. SISSON. Col. Kutz prepared them.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KNUTSON. Does the gentleman think the engineer who prepared specifications for roads that were so constructed that they would not hold up a truck load of coal is competent?

Mr. SISSON. Let me explain to the gentleman. I am not an expert on roads, but you will frequently find that however thick you may make the covering on a road there is seepage or there may be peculiarly wet spots, where wet weather gets in underneath, and the support of the road gives way.

Mr. KNUTSON. Would not the sewers take care of the seepage?

Mr. SISSON. Sometimes they do and sometimes they do not.

Mr. KNUTSON. How deep are the sewers laid in this city?

Mr. SISSON. There is no absolutely perfect system of sewers anywhere.

Mr. BLANTON. Will the gentleman yield?

Mr. SISSON. I will.

Mr. BLANTON. Now that the people from Washington no longer make very frequent trips to Baltimore, is there any great necessity for the spending of this amount of money?

Mr. SISSON. I do not know. The gentleman can speak from his own experience; I have not had any along that line.

Mr. MUUD. Alabama Avenue in particular has nothing but gravel. It is no better than a gravel country road.

Mr. SISSON. I am explaining my attitude. I do not blame the gentleman for making an effort to have this particular portion of the city improved, but I do say this without hesitation, that I think Congress would make a great mistake to expend this money at this time without having more accurate information. It should have the recommendation of those men who are called on to spend the money.

Mr. MUDD. What further information does the gentleman want than mere observation? The subcommittee has been to see it themselves.

Mr. SISSON. That was a year or two ago.

Mr. MUDD. I want to say this to the gentleman in conclusion, that my district is in the peninsula between the Chesapeake Bay, the Potomac, with the Patuxent between, and other tributaries. It is visited every day by the people of Washington and by people going to and from the summer resorts of this beautiful section of Maryland. I think that those roads ought to measure up, at least in appearance, with our Maryland roads. The residents of the city of Washington get the full benefit of our Maryland roads and use them constantly.

Mr. SISSON. The total amount for suburban roads, which covers an enormous area of the city of Washington, is $250,000.

Mr. MUDD. Yes; and we get out of that $250,000 a few carloads of gravel.

Mr. SISSON. That is true. I make the point of order.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. SISSON. Yes, sir.

The CHAIRMAN. Will the gentleman state what the point of order is?

Mr. SISSON. The point of order is against the item with reference to suburban roads which has been passed and no effort made to increase that amount. It is a separate and distinct item with reference to suburban roads. I am not saying this amendment would not have been in order if it had been offered to increase the $250,000 by that amount, but that item has been passed and we are carrying an item here for the repair of suburban roads. The gentleman wants to put in another item——

Mr. MANN of Illinois. Mr. Chairman, it is certainly in order to appropriate in this bill specifically for the improvement of streets. The bill carries a great many items of that sort—specific items. The paragraph under consideration is repair of suburban roads. That provision appropriates $250,000. Now, in a paragraph for the improvement of suburban roads it is certainly in order to include an item for an additional amount that is desired for specific roads or to provide that any portion of this total sum shall be used for the improvement of specific roads. The whole theory of the bill is based upon the point of Congress making appropriations for the improvement of these roads. I do not see how it can be held that the amendment is subject to the point of order. It certainly is not.

The CHAIRMAN. The Chair thinks that what the gentleman from Illinois has stated is the fact and that this amendment is in order and overrules the point of order. The question is on the amendment offered by the gentleman from Maryland.

The question was taken, and the Chair announced that the ayes appear to have it.

On a division (demanded by Mr. SISSON and Mr. BLANTON) there were—ayes 20, noes 5.

Mr. SISSON. Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman demands tellers. Seventeen gentlemen have arisen, not a sufficient number, and tellers are refused.

So the amendment was agreed to.

Mr. MUDD. Inasmuch as the amount has been increased by $120,000, I move, on page 25, line 12, to strike out "$250,000" and insert "$370,000."

Mr. BLANTON. Mr. Chairman, a point of order. The Clerk will be authorized to correct the totals without this amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 25, line 12, strike out "$250,000" and insert in lieu thereof "$370,000."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Highway Bridge across Potomac River: Draw operators—2 at $1,020 each, 2 at $720 each; 4 watchmen, at $720 each; labor, $2,000; lighting, power, and miscellaneous supplies, and expenses of every kind, necessarily incident to the operation and maintenance of the bridge and approaches, $10,500; painting the floor, beams, stringers, and plates under the roadway of the bridge, $10,000; in all, $28,860.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to strike out the last word only for the purpose of getting some information. Comparatively a few years ago the Highway Bridge was built at a cost of more than a million dollars. Of that amount the United States paid half and the District of Columbia half. The act authorizing the construction of the bridge provided that the street car company shall pay one-half of a cent for each passenger carried over the bridge. In years gone by in this way a very large sum of money was realized annually. I entertain no doubt that I am accurately advised that during the last two years nothing whatever has been collected from the street car companies on this account. In addition to that, I can say that during at least May, June, July, August, September, and October I passed over that bridge twice a day, once in the morning and once in the afternoon, and at no time did I see anybody counting the passengers on the street cars passing over the bridge. Upon many occasions I took pains to notice, and saw that they were not counted. Now, I would like to know whether or not the committee in providing for the maintenance of this bridge discovered the authority by which the railroad company was absolved from the payment of this money, and whether or not they undertook to ascertain why passengers on the street cars who cross this bridge are not being counted?

Mr. DAVIS of Minnesota. I am sorry to say there is a divided authority. The commissioners have to collect the tax, and the bridge is under the control of the Chief of Engineers. I will say that the estimated amount that they will receive this

coming year is $9,000, but I am unable at this time to hunt up the amount collected last year.

Mr. JOHNSON of Kentucky. Heretofore they have been collecting about $16,000 each year on that account. Now nothing, so I am informed, has been collected for two years.

Mr. DAVIS of Minnesota. It is the duty of the commissioners to collect it; I know that. Whether they have done it or not I could not say.

Mr. JOHNSON of Kentucky. Should not the money be collected and used for the maintenance of the bridge instead of allowing the use of the bridge to the railway company free?

Mr. DAVIS of Minnesota. It ought to be. They estimated $9,000 for the coming year from taxes.

Mr. JOHNSON of Kentucky. I was inquiring of the chairman of the committee if in the hearings they got upon that subject at all?

Mr. DAVIS of Minnesota. There was not a word said on that subject in the hearings. It is a new proposition to me. I had not heard of it before. Perhaps my friend from Mississippi [Mr. SISSON] has heard of it, but I have not.

Mr. SISSON. I will say, so far as I am personally concerned, I have never made any specific inquiry into the matter. I did not even look at the report; they filed their report, and I did not look into that specifically for the purpose of ascertaining whether or not they reported anything collected. They have done it heretofore, I know, but I do not know whether they are doing it now or not.

Mr. JOHNSON of Kentucky. I have no reason to doubt that my information on the subject is correct, that for two years they have collected nothing on this account, and they have abandoned altogether the endeavor to ascertain the amount. I have seen, as I just said, a great number of street cars pass over that bridge, and I have never yet seen the passengers in one of them counted. So, the District Commissioners can not possibly know how much money is due them on that account.

Mr. DAVIS of Minnesota. Has the gentleman any information why they abandoned collecting it?

Mr. JOHNSON of Kentucky. I have not.

Mr. DAVIS of Minnesota. I would like to find out.

Mr. JOHNSON of Kentucky. I did not know but that the committee in making an appropriation for the maintenance of the bridge had also gone into the subject of revenues from the bridge.

Mr. DAVIS of Minnesota. Possibly the committee is slack in it. But the matter was never called to my attention before.

Mr. JOHNSON of Kentucky. There is appropriated $28,860 by this bill for the maintenance of the bridge. More than that amount of money, I am informed, is now owing by the street car companies to the District of Columbia and to the United States for the use of the bridge.

Mr. SISSON. I will state, Mr. Chairman, for the gentleman's benefit, that since I have been a member of the subcommittee on appropriations we have not made a specific inquiry in regard to that item and many other items. We simply ascertain the amount of revenue that may be collected from various sources. They have many privilege licenses and other licenses, and we do not inquire directly into them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent that the gentleman may have one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SISSON. We make inquiries as to the amount of money that is available for purposes of appropriation. It is not a part of the function of the committee to ascertain and go into all these matters of the collection of the revenue. However, if our attention had been called to the matter we would have been glad to look into it.

Mr. JOHNSON of Kentucky. It occurred to me that when you made appropriation for the maintenance of the bridge you might have inquired into the revenue due to the District from that source, which amount would have been sufficient to keep the bridge in repair.

The Clerk read as follows:

The jurisdiction and control of the Highway Bridge across the Potomac River shall be vested in the Commissioners of the District of Columbia on and after July 1, 1920.

Mr. WALSH. Mr. Chairman, I make the point of order. What consideration prompted the transfer of this jurisdiction of these hard-working gentlemen from the War Department?

Mr. DAVIS of Minnesota. I would say that in the opinion of the committee we thought all these bridges ought to be under one control; and, as I understand it, all the bridges are under control now of the Commissioners of the District, except this particular Highway Bridge.

Mr. WALSH. How many bridges are under the control of the commissioners that are over navigable waters?

Mr. DAVIS of Minnesota. All over navigable waters, except the Rock Creek Bridge. There is the Chain Bridge, the Aqueduct Bridge, and others.

Mr. WALSH. And that is the only reason for change of jurisdiction?

Mr. DAVIS of Minnesota. They made a statement to the committee that impressed the committee with the idea that the bridges ought to be under one head.

Mr. WALSH. What does the War Department say about it?

Mr. DAVIS of Minnesota. I do not think they were consulted on the subject.

Mr. MANN of Illinois. May I ask a question? I understand that all the bridges over the Potomac and the Anacostia Rivers, except the Highway Bridge, are under the control of the District Commissioners?

Mr. DAVIS of Minnesota. I believe so.

Mr. MANN of Illinois. Does that account for the fact that the Highway Bridge is the only bridge in the whole bunch that is fit to cross?

Mr. WALSH. That is probably the reason.

Mr. CAMPBELL of Kansas. Will the gentleman reserve the point of order?

Mr. WALSH. I will reserve it at the request of the gentleman from Kansas.

Mr. CAMPBELL of Kansas. Mr. Chairman, I want to say a word about the manner in which the bridge is managed—some phases of it, at least. I cross it every day. The railway bridge is just to the east of it, probably 150 or 200 yards distant. A boat coming from down the river comes within sight of the railway bridge, but it does not open, but the Highway Bridge does open and keeps street cars and automobiles and vehicles of every character held up until the bridge is lined with them on both sides of the draw. This occurs before the railway bridge opens, taking, in all, from 7 to 10 minutes. On the other hand, a boat that just rounds the corner up near the Lincoln Memorial comes in sight, the bridge opens, and remains open until the boat goes through. This would not be so bad if it did not occur during the morning hours when there are school children and employees in the bureaus of Washington on board the street cars coming into town. Those street cars stand there in line waiting an unnecessary length of time—five, seven, or more minutes—watiting for the leisurely tugboat with a load of sand coming up or an empty flat going down. Whoever is managing the bridge now ignores totally a provision in one of the appropriation bills, made, I think, in 1917, providing that the smokestacks of all these boats, tugs, or whatever they are, should be cut down so that they can go under the bridge. And they could do that. There is no question about it. Many children have been late in going to school on that account, and I have seen hundreds of employees in the departments made late at their work, all because of the time lost in the stop at the bridge waiting for this tug, or whatever it is, to go under the bridge. Whether the War Deparment or the District Commissioners are at fault I do not know, but somebody should take note of the fact that the railway bridge opens and closes without half the interruption of traffic that occurs in the opening of the Highway Bridge.

Mr. SISSON. Of course, the gentleman understands that the Secretary of War now has control of this bridge, and the District Commissioners have nothing to do with it. This is the only bridge that has not passed under the control of the District Commissioners. All were formerly under the Secretary of War. Now, they are all controlled by the District Commissioners except this one. You would not get any remedy, in my judgment, unless the District Commissioners and those who are interested in the convenience of the people of Washington should have control of it.

Mr. CAMPBELL of Kansas. The Secretary of War should not be wholly oblivious of the fact that the bridge should be conducted in the interest of the public instead of the interest of these tugboats, just as the railway bridge is.

Mr. SISSON. Col. Ridley is the man who has charge. The Secretary of War has many other duties to perform.

Mr. CAMPBELL of Kansas. Then Col. Ridley should be advised of the abuse on the part of those who have the control of the bridge.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last word.

Mr. MOORE of Virginia. Mr. Chairman, I want to remind the gentleman from Kansas that there is a statute now in effect, the design of which, I understand, was to require boats on the river to have smokestacks work on hinges, as in the case of boats passing under bridges at Chicago and London and other large cities. I do not recall the exact scope of that statute, but perhaps it contains authority that could be exercised to prevent the very abuse that the gentleman speaks of. That statute was enacted, I think, at least 10 years ago. To what extent the tugs have been put within the provisions of the statute and are now using depressible smokestacks I am not advised.

Mr. CAMPBELL of Kansas. I recall the statute to which the gentleman from Virginia refers, and also I recall that a limitation was placed on the appropriation—I think in 1917, although I may be mistaken about that—providing that the appropriations should not be available if these tugs did not comply with the law by limiting the height of their smokestacks.

Mr. MOORE of Virginia. I think the gentleman is exactly right that something ought to be done.

The CHAIRMAN. The time of the gentleman from Virginia has expired. The Clerk will read.

Mr. WALSH. Mr. Chairman, I make a point of order on the paragraph.

The CHAIRMAN. The Chair sustains it. The Clerk will read.

The Clerk read as follows:

Dust prevention, cleaning, and snow removal: For dust prevention, sweeping, and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the commissioners, and for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters in the discretion of the commissioners, including services and purchase and maintenance of equipment, rent of storage rooms; maintenance and repairs of stables; hire, purchase, and maintenance of horses; hire, purchase, maintenance, and repair of wagons, harness, and other equipment; allowance to inspectors and foremen for maintenance of horses and vehicles or motor vehicles used in the performance of official duties, not to exceed for each inspector or foreman $25 per month for a horse-drawn vehicle, $30 per month for an automobile, and $15 per month for a motor cycle; purchase, maintenance, and repair of motor-propelled vehicles necessary in cleaning streets; purchase, maintenance, and repair of bicycles; and necessary incidental expenses, $375,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Connecticut moves to strike out the last word.

Mr. TILSON. Mr. Chairman, I wish to ask the chairman of the legislative Committee on the District of Columbia in regard to this item as to whether there is any legislation requiring the cleaning of snow from sidewalks by the owners of the premises?

Mr. MAPES. I will say to the gentleman from Connecticut that there is no bill before the District Committee that I know of. If he has in mind a bill or will introduce one, the committee will be glad to consider it.

Mr. TILSON. All the cities that I have had experience with have such a requirement of law.

Mr. DAVIS of Minnesota. I understand there is a law of that kind now.

Mr. TILSON. Then there is certainly a very general disregard of the law the effect of which we have all felt during the last winter.

Mr. DAVIS of Minnesota. It is not an unusual thing for the laws to be violated, as the gentleman knows, even in the Capital.

Mr. MANN of Illinois. Is the gentleman aware of the fact that the sidewalks and streets are public property, and that the courts have held that you can not fine a man for not going out and cleaning the streets, belonging to the public and not belonging to himself? It is plain on its face that Congress could not enact a law providing, for example, that the gentleman from Connecticut should be fined a thousand dollars for not going out here and cleaning the snow from the Plaza, that he has nothing to do with any more than any other citizen.

Mr. TILSON. I should surely be fined in my own city for neglect to clean off the snow from my sidewalk within a certain specified time after the snow had fallen.

Mr. MANN of Illinois. The gentleman might not be fined, but he would be threatened. Legislatures and city councils have been very free in enacting such laws and ordinances, but the courts have been equally free in declaring them unconstitutional.

Mr. TILSON. Special assessments are levied on property for the improvement of the sidewalk.

Mr. MANN of Illinois. But you can not levy a special assessment on a man's property for the removal of snow or ice. I once put a resolution through the city council in Chicago requiring the streets to be sprinkled, but the courts held that it was unconstitutional.

Mr. TILSON. Anyway, the sidewalks ought to be cleared of snow and ice, and if the District does not do it we should compel the owners to do it.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. GARD. I understand that there is a court decision here—I do not know how late, because I have not investigated it—that prevents the Commissioners of the District of Columbia or prevents the enforcement of the law requiring property owners to clean their sidewalks of snow and ice.

Mr. TILSON. The gentleman from Illinois [Mr. MANN] has just explained that.

Mr. GARD. I do not know of any court decision in any case except in the District of Columbia, and it may be based upon the peculiar tenure of property here. But it seems to me the instance afforded by the gentleman from Connecticut is very good, that there should be an ordinance here compelling property owners to clean their sidewalks. I think, for one, that an ordinance may be maintained here, because if one falls here on the street and is injured in the city of Washington the liability is not a liability against the District of Columbia entirely. If I stumble on a cellar door or over an obstruction on the sidewalk, the property owner is liable. There is not any authority of law, so far as I know, for saying that the sidewalk is a part of the street, when a man's sidewalk is constructed by himself and he is liable for an obstruction on the walk.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. TILSON. I ask for one additional minute, Mr. Chairman.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. GARD. If a man does not clean the ice on the sidewalk in front of his house in the city of Washington, and that ice is allowed to remain there an unreasonable time, and anyone passing over it slips and falls and is injured, does the gentleman question that the property owner would be liable for the injury?

Mr. TILSON. I think he ought to be, but if he can not be held liable under the law as it now stands, then there ought to be a sufficient appropriation made in this bill to take care of it, because the condition of the sidewalks of this city during the last winter was a disgrace to the National Capital. Surely something ought to be done about it.

Mr. DEMPSEY. Will the gentleman yield?

Mr. GARD. I yield to the gentleman from New York.

Mr. DEMPSEY. As I understand it, the practice is not to subject the property owner to punishment, but for the municipality to clean the sidewalk and charge up the expense to the property owner. That is certainly the system in the city of New York and I think throughout all the New England States.

The CHAIRMAN. The time of the gentleman from Connecticut has expired. The Clerk will read.

The Clerk read as follows:

Disposal of city refuse: To enable the commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including inspection and allowance to inspectors for maintenance of horses and vehicles or motor vehicles used in the performance of official duties, not to exceed $25 per month for each inspector for horse-drawn vehicles, $30 per month for automobiles, and $15 per month for motor cycles; fencing of public and private property designated by the commissioners as public dumps; and incidental expenses, $750,000: *Provided*, That any proceeds received from the disposal of city refuse or garbage shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in equal parts: *Provided further*, That section 9 of the act entitled "An act to provide for the collection and disposal of garbage and miscellaneous refuse for the District of Columbia," approved May 6, 1918, is repealed: *Provided further*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels, places of business, large apartment or boarding hous s.

Mr. MANN of Illinois. Mr. Chairman, I reserve a point of order.

Mr. MUDD. Mr. Chairman, in line 5, page 29, it is provided:

That section 9 of the act entitled "An act to provide for the collection and disposal of garbage and miscellaneous refuse for the District of Columbia," approved May 6, 1918, is repealed.

I make a point of order against that proviso.

The CHAIRMAN. The point of order is sustained.

Mr. GARD. Will the gentleman yield before he makes his point of order?

Mr. MUDD. Yes.

Mr. GARD. What is section 9 of the act referred to?

Mr. MUDD. Under the existing law the garbage in the District of Columbia is distributed among the different contractors, but the farmers of my district on the other side of the District of Columbia line can come in and carry away the refuse to feed

to their hogs. This proviso repeals that law and deprives the farmers of that right. Therefore I shall insist upon the point of order. Since I have been a Representative in Congress this question has been constantly agitated, and there seems to be a disposition upon the part of the District Commissioners to fix the law in such a way as to deprive the farmers of these benefits which they have long enjoyed. I can see no great advantage in the authorities of the District of Columbia taking the exclusive use of the garbage when the farmers of my section are willing and anxious to help them dispose of the same. No greater revenue can be secured by the District of Columbia in depriving the citizens of my district of this right which they have long enjoyed. There are a great number of hog raisers who live on the other side of the District line in my district who are successful and prosperous, and it would be a grave injustice for the District Commissioners to try to impose upon them by an attempt to deprive them of their rights. Mr. Chairman, I shall oppose this effort upon the part of the commissioners, and while I shall be glad to reserve the point of order for the time being I shall insist upon it later. It is a change in existing law and, to my mind, it is clearly subject to a point of order, and at the proper time I shall ask the Chairman to rule. In doing so I conscientiously believe that I am preventing an injustice to the citizens of my section, for whose interests I shall continue to work as long as I continue to be their Representative in the Congress of the United States.

Mr. MANN of Illinois. Will the gentleman reserve the point of order?

Mr. MUDD. I reserve the point of order out of courtesy to the gentleman from Illinois.

Mr. MANN of Illinois. May I ask the gentleman in charge of the bill is this a proposition to repeal the right that was granted only very recently to the people outside the District to collect garbage and refuse for the purpose of feeding to pigs and poultry? Is this proposition to repeal coupled up with the proposition to have the District Commissioners do this collecting and dispose of the garbage?

Mr. MUDD. It is precisely the intention of the commissioners to take away the farmers' privilege.

Mr. DAVIS of Minnesota. I will read to the gentleman the law.

Mr. MANN of Illinois. I know what the law is. I just referred to it. It is the law put upon the statute books which authorizes the granting of the right to people to collect garbage, refuse, and so forth, for the purpose of transporting it outside of the District of Columbia to feed the pigs and poultry. What I ask is whether the proposition to repeal that is coupled up with any proposition of the District Commissioners to utilize the garbage in the District?

Mr. DAVIS of Minnesota. I will state to the gentleman he knows that heretofore the garbage has been collected under contract. The Commissioners of the District for various reasons—failure of the contractor, and so forth—are doing it all themselves. The contract is virtually void, and there has been considerable expense to it.

Mr. MANN of Illinois. This is what I want to know about, and I will ask the gentleman from Texas [Mr. BUCHANAN]. The District has heretofore had contracts for the collection of garbage. A number of people in Maryland were collecting the garbage at some of the larger apartment houses and hotels and feeding it to hogs and poultry. The District has asked for authority to purchase a garbage plant. What I want to know is whether the prosposition to repeal this act permitting people to collect garbage to feed to pigs and poultry is in order to have the District Commissioners utilize the garbage for the profit of the District?

Mr. BUCHANAN. That is exactly the reason. The District had to take over the collection of the garbage by reason of the failure of the contractor, and if the independent outside people were permitted to come in and get the garbage and take it away, they would take only the rich garbage and leave that garbage which is not rich in products that are useful and valuable. They would take only the cream of the garbage, leaving it to the District to collect that which is not rich and from which there is no return. We would have to collect the trashy part of it and not that which is of any value. The city is now collecting that on its own hook. This was intended to make the collection of the garbage in a measure self-sustaining, so that these outside people would not get the rich part of the garbage and leave only the unprofitable part for the District to handle.

Mr. MANN of Illinois. I thank the gentleman for the information, which is clear and concise.

Mr. MUDD. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

In all, for playgrounds, $84,220, to be paid wholly out of the revenues of the District of Columbia.

Mr. BEE. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question. I do not know of anything more essential to a city than a splendid system of playgrounds, and I am glad to know that Washington is keeping abreast in that respect. I notice that the bill provides pay for only 10 months in the year. Are the playgrounds open for only 10 months? The provision is that the clerk is to be employed not exceeding 10 months, and some others not exceeding 7 months. I wondered if the playgrounds in the city of Washington were closed up any portion of the year.

Mr. DAVIS of Minnesota. The limit is 10 months. The other 2 months' service is voluntary.

Mr. BEE. The playgrounds themselves are not closed up.

Mr. DAVIS of Minnesota. No.

Mr. BEE. Why do not the appropriations cover the whole year? What is the reason for the city asking for voluntary assistance to carry on the playgrounds the balance of the year? This is an enterprise which may be far-reaching in its consequences.

Mr. DAVIS of Minnesota. The city does not ask for voluntary service, but the citizens do it voluntarily. We limit it to 10 months, and, as I say, during the other 2 winter months if anybody wishes to serve voluntarily they can do so.

Mr. BEE. In the very depths of winter the playgrounds are not used?

Mr. DAVIS of Minnesota. No.

Mr. BEE. It does not curtail the efficiency or development of the playgrounds for the children in the city?

Mr. DAVIS of Minnesota. Not at all.

The Clerk read as follows:

Attendance officers: Attendance officers—1 $900, 8 at $800 each; in all, $7,300.

Mr. BEE. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee if under this head making provision for attendance officers there is a compulsory law in the District of Columbia?

Mr. DAVIS of Minnesota. There is.

Mr. BEE. Has the gentleman from Minnesota any information as to the care with which the enforcement is observed—whether there is a strict enforcement?

Mr. DAVIS of Minnesota. They endeavor to enforce it strictly.

Mr. GARD. Will the gentleman yield?

Mr. BEE. Certainly.

Mr. GARD. I desire to say that I have given a good deal of attention to child labor in the District of Columbia, and I want to say that the law is more honored in the breach than in the observance

Mr. BEE. The gentleman from Minnesota just stated that it was strictly observed. I notice a provision here about child labor, but this provides for eight attendance officers. I want to say, in view of the suggestion of the gentleman from Ohio, that in my judgment no greater duty can devolve upon a community than the development of its youth and upbuilding the citizens of the future than to beat down the theory that the Government has no responsibility to the children in the way of education. In other words, to take the doctrine that the parents, careless, vicious, or indifferent or unwilling, as the case may be, should have the whole supervision of the question whether or not the children shall be brought into a state of education which will make them useful and valuable citizens in the future. If they can not do it, as I have said before, I would much rather a probation officer, in the strict enforcement of his duty, should take a child to school than to have a policeman thereafter take him to jail. If he is not given an education, the chances are that subsequently he will go to jail.

Mr. DAVIS of Minnesota. My attention was diverted the moment the gentleman from Ohio was talking, and I did not notice exactly what he said. I understand that he said the compulsory attendance law was not complied with.

Mr. GARD. The gentleman from Ohio said that the child-labor law in the District of Columbia was not very strictly enforced.

Mr. DAVIS of Minnesota. I was told that the gentleman from Ohio said that the compulsory education law was not enforced.

Mr. GARD. No; I said the child-labor law. Now, I see by the bill that you have eight attendance officers. The gentleman will see that there is only one person appointed, at a salary of $900, to carry out the provisions of the child-labor law.

Mr. DAVIS of Minnesota. The policemen of the city attend to that particularly.

Mr. GARD. No; there are only two. The law provides that there shall be two officers in a population of 450,000 people who are supposed to carry out the provisions of the child-labor law. That is so inadequate it does not prove to be of any worth at all. It is idle to suppose that two men could do the duty, assuming that the child-labor law is enforced.

Mr. DAVIS of Minnesota. I thought the gentleman was talking about the attendance officers carrying out the compulsory education law. I was going to say to the gentleman that these attendance officers are doing very well. This last year they made 2,784 visits to white schools alone to secure attendance under the child-labor law. So that I think any criticism on the attendance officers would be a little far-fetched, for they have been very busy and did the best they could. The gentleman from Texas can not express in any stronger language than I the desire that all the children shall have a good education. I think we have amply provided for them in this bill, and the officers are performing their duties to the best of their ability.

Mr. BEE. I am certainly pleased to know that. I wanted to know if the compulsory education law was being enforced, and I am glad to know that it is.

The Clerk read as follows:

In all, for teachers, $2,787,860: *Provided*, That no part of said appropriation, or any appropriation herein, shall be used for the payment of any teacher to give instruction in the German language, or for the purchase of any books for use in such instruction.

Mr. SUMMERS of Washington. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Minnesota what is to be excluded in the way of teaching. It seems to be definitely known that there is a teacher in the Central High School who repeatedly, day after day, teaches the children that this body and the body at the other end of the Capitol are made up of grafters, of second-class men, second-class lawyers. I am not an attorney, so I am not sensitive on that subject. That is taught to the children, preached to the children, day after day. If they undertake to remonstrate the good old lady says, "We will drop the subject, we will not debate it." It is dropped until the next day, when she makes the same sort of a speech, and when they remonstrate she says "We will not debate it, we will drop the subject."

That old lady has been there for years, but whether or not she has been carrying out this program all these years I do not know. But that she has been doing that sort of thing during the fore part of this present school year is a positive fact. I would like to know, while you are making exclusions, if you are not going to exclude that sort of thing?

Mr. DAVIS of Minnesota. Along what line?

Mr. SUMMERS of Washington. There have been exclusions with which I find no fault, but I think it ought to go a little further.

Mr. DAVIS of Minnesota. If the gentleman desires my views along this line, in response to what he has said, I will state them very briefly. I have heard indirectly a rumor of what the gentleman has just now recited. I would suggest to the gentleman that perhaps the Congress is not the place to remedy such a situation.

Mr. SUMMERS of Washington. Congress is providing the money.

Mr. DAVIS of Minnesota. It is perhaps not the place to seek a remedy. At the present time we have a school board of the District of Columbia, and they are very active gentlemen.

Mr. SUMMERS of Washington. I have read of them in the daily papers.

Mr. DAVIS of Minnesota. Furthermore, we have a very active superintendent of schools, Prof. Thurston. At the present time also the school board and the superintendent of schools are having a very active time before a committee of investigation of the United States Senate. If the gentleman wants to take my advice as a lawyer——

Mr. SUMMERS of Washington. The gentleman was placed as a second-class lawyer.

Mr. DAVIS of Minnesota. He would go over and make complaint to this investigating committee now investigating the school board and the school superintendent. If he is too modest along that line, then I suggest that he go to the school board direct, or possibly to the superintendent. As I say, I have heard of similar rumors, and I agree with the gentleman that something ought to be done, but I hardly think there should be an exclusion clause of that kind put into this appropriation bill.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the gentleman's amendment, though again I am forced to state that I find myself heartily in accord with him. The gentleman might have gone further and stated to this working committee and its working chairman that during the past year the school board here entered an order suspending one of the high-school teachers for one week as a penalty for teaching bolshevism in our schools in Washington. That penalty was, in my judgment, as light as could have been imposed for such a charge under the circumstances. Once before I expressed the opinion that she should have been expelled. Instead of this very commendable action of the board being upheld by the people of Washington, a move was immediately started without any very extensive investigation, based solely upon the fact that a teacher belonging to a union affiliated with the American Federation of Labor had been suspended for a week for teaching bolshevism, to have her placed back and to censure the board that entered the order. Through action taken by these unions that board was censured and that board was caused to back up on its stand, eat everything it had done, place the teacher back in good standing, and pay the teacher for the week's salary for which she had been suspended, and she was exalted as a martyr. The people of the District of Columbia through the press were given to understand that a teacher, protected by union organizations here in Washington, could teach with impunity anything from rank bolshevism down, to the youth of the land in the Nation's Capital.

From what I have learned of the attack that has been made on this splendid principal, whose name has been mentioned, Mr. Thurston, who tried to stand for true Americanism, I commend him. I want to say that we should give the school board of Washington and the people of this city to understand that whenever such a matter again comes to the attention of Congress, having a voice in its management, we are not going to permit bolshevism or anything else but true, real Americanism to be taught in the schools of Washington, and that when a teacher is found teaching bolshevism and the school board enters an order to punish him or her, it ought to enter a maximum punishment, and that if it is necessary the Congress, as guardian of the District of Columbia, will uphold them in it. This is a question that we can not afford to mince matters about. It is a question we can not afford to be weak-kneed upon.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the proviso at the bottom of page 36.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. MANN of Illinois: Page 36, line 23, after the figures "$2,787,860," strike out the remainder of the paragraph.

Mr. MANN of Illinois. Mr. Chairman, it is immaterial to me whether the committee accepts the amendment. The proviso prohibits the teaching of German in the District schools. The war is over, and the sooner we admit it the more self-respect we will have in after years. It is just as sensible to continue this in this bill as it would be to continue something aimed at the Southern Confederacy at this time. I do not know whether German will be taught or ought to be taught, whether French will be, is, or ought to be taught. I think we ought to begin to wipe out these discriminations when the war is over, as far as legislation is concerned. Of course the committee continued this in the bill because it was inserted heretofore at a time when I think it was proper to insert it.

Mr. DAVIS of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. MANN of Illinois. Yes.

Mr. DAVIS of Minnesota. This limitation or proviso, as I understand it, was put on by the Senate. It was not inserted in the bill by the District subcommittee. It has been carried right along ever since.

Mr. MANN of Illinois. I understand; and I think therefore we could well afford to strike it out.

Mr. DAVIS of Minnesota. Personally I agree with the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. CAMPBELL of Kansas. Mr. Chairman, the remarks of the gentleman from Washington [Mr. SUMMERS] and of the gentleman from Texas [Mr. BLANTON] bring up a question that goes right to the very root of the educational system in the United States. It was not an accident that this teacher every day called up the question of the character of the American Congress. There is a propaganda going throughout this country against the American Congress, against its existence, and the teacher in question is using one of the methods of undermining the Congress. This teacher that was suspended for one week simply went one step further than the other teacher by advocating what it is proposed to advocate after the American Congress is disposed of, viz, bolshevism. Instead of suspending

that teacher, she should have been discharged entirely. [Applause.] This is not confined to the schools of Washington either. This same thing is going on throughout the country. Bolshevists, socialists, anarchists are given teachers' certificates and they are teaching these things in every State of the Union. College professors of high and low degree are socialists, anarchists, enemies of the Congress, enemies of the Constitution of the United States, enemies of this Government, the best example of republican government the world has yet seen, and they teach these things daily in the colleges of the country. A half-matured socialist from Harvard appeared before one of the committees of the Congress a short time ago and admitted that he was a socialist, admitted that he taught socialism as a teacher in Harvard. Some of them now admit it and in a short time they will be boasting of it. It is time that the Congress, where it has control of teachers' salaries, put a limitation on the payment of the salary, that it should not be employed or used to employ teachers who teach the overthrow or the undermining of the Government of the United States, and every trustee in the colleges and in the schools of the country whose duty it is to employ teachers should see to it that Bolshevists and socialists are not employed to poison the minds of the youth of America. [Applause.]

The American Constitution and system of government are not the results of an accident; they are a creation by great government builders, and we enjoy the result of the wisdom of the ages in representative government. And these people who are teaching socialism and anarchy and the soviet system are undermining in every way they can the Constitution and the Government of the United States, and it is high time that something should be done to stop that teaching in all our schools. [Applause.]

The Clerk read as follows:

Longevity pay: For longevity pay for director of intermediate instruction, supervising principals, supervisor and assistant supervisor of manual training, principals of normal, high, manual-training high, and junior high schools, the assistant principals of the Central and McKinley Manual Training High Schools, the assistant principal (who shall be dean of girls) of the Central High School, the assistant principal (who shall be dean of girls) of the Dunbar High School, principals of grade manual-training schools, heads of departments, director and assistant director of primary instruction, directors and assistant directors of drawing, physical culture, music, domestic science, domestic art, kindergartens, and penmanship, teachers, clerks, librarians and clerks, and librarians to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, as amended by the acts approved May 26, 1908, May 18, 1910, and June 26, 1912, $520,000: *Provided*, That no part of this sum shall be paid to any person who, in the opinion of the board of education and the superintendent of schools, has an unsatisfactory efficiency rating.

Mr. SUMMERS of Washington. Mr. Chairman, I rise to offer an amendment. At the end of line 20, page 38, insert "or who shall give instructions tending to undermine the Government of the United States." Strike out the period, insert a comma, and insert that language.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. SUMMERS of Washington: Page 38, line 20, after the word "rating," strike out the period, insert a comma, and add the words "or who shall give instruction tending to undermine the Government of the United States."

Mr. GARD. Mr. Chairman, I do not know that anyone could oppose the intent of that which is carried in the amendment of the gentleman, but surely there is no teacher in the public-school system of Washington who is teaching any doctrine which undermines the Government of the United States.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. GARD. I will.

Mr. JOHNSON of Washington. Has the gentleman read the testimony that is being taken in connection with the school troubles in Washington?

Mr. GARD. Yes; I have read a good deal of the testimony about the Washington schools, and I heard what the gentleman from Washington said a moment ago. I do not regard much of this criticism as serious. Of course, there is always the open season for criticism of the Congress. To say that some pedagogue up here in some school is saying that Members of Congress are grafters or second-class lawyers or something of the kind does not interest me to the extent that I am willing to write affirmative law against it, because I think that kind of a statement amounts to nothing. I am not so sensitive of foolish criticism, and I do not think any of us should be. We can not fail to recognize the difference in honest criticism, to which we all should be subject, and malicious and destructive criticism of those who are undermining the Government, and this is another kind which is just plain foolish.

Mr. SUMMERS of Washington. I want to say I am not sensitive along that line, but it is because I believe it is malicious criticism that I resent it. It is given in the course of instruction in history, and it is given over and over again, and I take it it is not incidental criticism to which nobody objects and in which the entire country indulges more or less. I believe this is a different circumstance entirely.

Mr. GARD. In continuation of my opposition to the amendment proposed by the gentleman from Washington I would say that it seems to me that the control of teachers is a matter more properly to be left with the board of education than to be brought in here in the House of Representatives or on the floor of the Senate. The board of education and the superintendent of schools have charge of the teachers. They know what these people are teaching; at least it is their business to know what they are teaching. It is not our business in particular, because we can not give the minute detail attention that the superintendent and members of the board of education can give to the teachers in the course of study. Now, I think if we adopt the amendment of the gentleman from Washington we are simply dignifying by legislative act something that amounts to nothing, which I do not believe is permitted as a matter of fact, because I can not believe that in the Capitol City of the Nation there exists any case where there has been open teaching of a doctrine intended to undermine or destroy the principles of the Government of the United States.

Mr. SUMMERS of Washington. What does the gentleman say in reference to the teacher who was suspended for a week for teaching bolshevism in the schools of Washington?

Mr. JOHNSON of Washington. That is the case to which I referred.

Mr. SUMMERS of Washington. This does not apply only to the case to which I referred.

Mr. GARD. I will say as to that just this, that if a teacher does a thing of that kind there is ample law at this time to suspend or discharge him or her, and there is no reason for attempting to write in legislation or by way of putting upon this bill prematurely an amendment to correct something which may not exist at all. Of course, we all realize that in every school system there may be some instance where an improper teacher is employed, where improper subjects are discussed, where improper teachings are made, but we have a school board——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARD. I would ask for five minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

Mr. GARD. The members of the board of education, the superintendent, and the principals of the schools are all in direct authority over the teacher. In the case which the gentleman recites, which seems to me the only case and is about a teacher who was suspended for a week, I would think that that suspension was entirely inadequate, for it seems to me that if the case had been proven satisfactorily that the teacher should have been discharged. But here is the whole case, that authority exists now in the school board and in the superintendent to discharge an offending teacher. To write the amendment of the gentleman from Washington into this appropriation bill for the District of Columbia would, in fact, it seems to me, make uncertain and vague an existing authority.

Mr. RANDALL of California. Will the gentleman yield?

Mr. GARD. I will.

Mr. RANDALL of California. Does not the gentleman think that we would insult the whole teaching class to include that sort of provision in the law?

Mr. GARD. No; I would not say that, but it is a reflection. Of course, when you pick out one isolated case, such as the gentleman recited here of a teacher who was suspended, why you can not apply that isolated case to the hundreds of thoroughly efficient and loyal teachers in the city of Washington, because I believe that the District of Columbia has the best public-school system in the United States of America, and it ought to have, as the Capital City and model city of the Nation, as high class and as efficient a school system as possible to get, and I for one am not willing to go on record here of affronting this corps of school-teachers by saying that because one member happens to lapse from the straight path and teach what some one here might call Bolshevism, that we should accuse the whole corps of teachers of being disloyal or un-American when they are not, and that is what the language of the gentleman's amendment would do.

Mr. SUMMERS of Washington. I think this is no more of a reflection on all the teachers than the writing of a criminal statute of any kind is an indictment against all good citizens.

Mr. GARD. This is not a criminal statute.

Mr. MACCRATE. If the amendment is adopted, would it not necessitate additional language to set forth what acts would be considered to undermine the Government? If it is so broad as that it would give unlimited jurisdiction.

Mr. GARD. The gentleman is correct. We are given to a lot of light statements in debate and in speeches; we call things by general terms and names, and when we come down to define them we do not know what they are. Now, whatever the gentleman meant by this amendment, if it came to a practical test I do not know as to what would be called "destructive doctrines," and that is another reason why I am opposed to it.

Mr. MACCRATE. And for that reason it should be referred to the board of education to define the acts that would constitute undermining.

Mr. GARD. It belongs to the jurisdiction of the board of education and the superintendent and principals.

Mr. SISSON. Mr. Chairman, I am rather inclined to the opinion that this amendment would be an unfortunate one. I do not presume there is a man in the House that dislikes socialism or its tendencies more than I do. Personally, I am very much opposed to the teachers' union becoming associated with the American Federation of Labor. I do not suppose anyone would like the teachers to even become associated with the Bankers' Association of America and have the idea of finance imbued in their minds. I think that was a great mistake. I would a great deal rather have some legislation for the purpose of preventing teachers from becoming affiliated with the Federation of Labor, because I do believe such organization would be extremely bad. If they became imbued with the ideas of socialism that imbue some of the labor organizations throughout the United States, unconsciously those views of government would be impressed upon the children.

But the trouble about this provision is that it is so general in its terms that if a Democratic board should happen to pass upon a Republican school-teacher they would say that the teacher ought to go; that she was tending to undermine the Government of the United States. Nor do I believe that language should be quite so broad as that. If the board got to be extremely busy, they could abuse their powers under it. If they were very lax, you would just as well not have written the statute, because they would say, "Oh, well; that does not amount to anything, anyway." And I think at last you have got to trust your school authorities. Now, they have their supervising principals, their boards of trustees, and a principal for each school. I do not think much of the supervising principals—and I would not object to their going out of the bill—10 or 12 men who float superfluously around from schoolroom to schoolroom, and there are so many they can give but little supervision. The principal of each school should do this. As to the instance the gentleman cited, for myself I do not believe there are many such school-teachers in the school system. I do not believe you are going to get anywhere by this sort of legislation. The better idea would be to provide that these teachers' organizations should be for the sole purpose of improving themselves in their line of work by discussing methods. They are proper, but I do think they made a very great mistake when the effort was made—and most of the school-teachers I have talked to in the District of Columbia themselves say a mistake was made—to have them affiliated with the American Federation of Labor.

Mr. CAMPBELL of Kansas. That question is entirely aside from this, is it not?

Mr. SISSON. I do not think so. I think it is all mixed up together.

Mr. CAMPBELL of Kansas. I think it is very far removed from the question of teaching the principles of the soviet or of Bolshevism.

Mr. SISSON. I do not know just how far we ought to go in legislation in limiting methods of teaching.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Washington [Mr. SUMMERS].

The question was taken, and the amendment was rejected.

Mr. DAVIS of Minnesota. Mr. Chairman, I ask unanimous consent to return to page 33 of the bill and offer the following amendment.

The CHAIRMAN. The gentleman asks unanimous consent to go back to page 33 for the purpose of offering an amendment. Is there objection?

Mr. MANN of Illinois. Let us have the amendment reported first.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. DAVIS of Minnesota: Page 33, line 14, strike out "$3,500" and insert "$4,000" and in the same line strike out "$3,000" and insert "$3,500."

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to return to page 33 for the purpose of offering the amendment just read.

Mr. GARD. Reserving the right to object, will the gentleman explain the amendment?

Mr. DAVIS of Minnesota. I would like to explain the amendment.

Mr. GARD. I make the reservation for the purpose of having the gentleman explain it.

Mr. DAVIS of Minnesota. I believe, and I have just recently consulted my colleagues, that the subcommittee that framed this bill and presented it to the full committee raised everybody's salary who was connected with the public schools except the superintendent and except these two assistant superintendents, and that was a clear oversight on the part of the subcommittee and the attention of the full committee was not called to it. I now ask to have the assistant superintendent, who is getting $3,500, raised to $4,000. He is the assistant superintendent of the white schools. And the other one that I ask to have raised from $3,000 to $3,500 is the assistant superintendent of the colored schools. It does seem to me—in fact, I am satisfied—that the subcommittee would certainly have done this if it had not been an oversight, and I think the full committee would have been just as generous. Therefore I ask that the amendment be agreed to.

The CHAIRMAN. The gentleman asks unanimous consent to return to page 33 for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Minnesota: Page 33, line 14, strike out "$3,500" and insert "$4,000," and in the same line strike out "$3,000" and insert "$3,500."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LONGWORTH having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, had requested a conference with the House of Representatives, and had appointed Mr. GRONNA, Mr. NORRIS, and Mr. GORE as the conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Americanization work: For Americanization work and instruction of foreigners of all ages in both day and night classes, including a principal, who, for 10 months, shall give his full time to this work, at $1,800 per annum, and teachers and janitors of Americanization schools may also be teachers and janitors of the day schools, $12,000.

Mr. GARD. Mr. Chairman, I move to strike out the last word in line 16 for the purpose of having the chairman of the subcommittee inform us just what is done in this so-called Americanization work, and what is the plan of selection of teachers and of principal who gets this additional compensation, for I assume it is additional compensation, or whether these are specially selected teachers, who only teach this Americanization work and do not teach any other branch?

Mr. DAVIS of Minnesota. These are not new positions at all. This matter has been going on for some years.

Mr. GARD. I understand that.

Mr. DAVIS of Minnesota. We are simply giving them a little more money to carry on what the committee thinks is very good work.

Mr. GARD. What I want to know is whether this principal is selected from one of the principals of the school system and whether the teachers are selected from the corps of teachers; and if so, who selects them?

Mr. DAVIS of Minnesota. The lady is selected from the public schools.

Mr. GARD. Does she have duties in addition to the Americanization work?

Mr. DAVIS of Minnesota. She must devote her whole time to this work.

Mr. GARD. And in regard to the teachers and janitors of Americanization schools, who may also be teachers and janitors of the day schools, $12,000——

Mr. DAVIS of Minnesota. Most of these teachers are teachers in the day schools, and this particular work would be done at night.

Mr. GARD. Are they selected for peculiar competency by the superintendent or by the board or by whom?

Mr. SISSON. By the board of education.

Mr. DAVIS of Minnesota. By the board of education and the superintendent.

Mr. GARD. How many of them will there be? How many teachers?

Mr. BUCHANAN. Ten.

Mr. DAVIS of Minnesota. I think they asked for 10, and we did not give them quite that many. We raised the appropriation of last year $3,000. They asked for $23,000.

Mr. GARD. That takes care of about 10 or 12 people?

Mr. DAVIS of Minnesota. Yes; that takes care of 10 or 12 people.

Mr. GARD. And they get this compensation of $1,000 or $1,200 apiece?

Mr. DAVIS of Minnesota. The total appropriation is $12,000. There is one at $1,800.

Mr. GARD. These 10 get $1,000 each, in addition to their compensation as teachers?

Mr. DAVIS of Minnesota. No; there is some janitor service also to come out of this.

Mr. GARD. Yes; but that probably is not of very great consequence.

Mr. DAVIS of Minnesota. The estimate here was $2,000.

Mr. GARD. I was making the inquiry because I think this work, if it is carried out in the proper spirit, would be an excellent part of the school work. I was interested to know how it was being done.

Mr. DAVIS of Minnesota. I think the committee is satisfied from the hearings that the work is being ably done, and the lady in charge of this work is a very excellent teacher.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentlman from Texas moves to strike out the last word.

Mr. BRIGGS. Is this school conducted for the benefit of adults or children?

Mr. DAVIS of Minnesota. Both. Most of them are adults.

Mr. BRIGGS. How many are there in the school? What is the average attendance? What is the length of the course of instruction?

Mr. DAVIS of Minnesota. They have 9 or 10 different classes at different places.

Mr. BRIGGS. All through the city?

Mr. DAVIS of Minnesota. Yes; and in some places the teachers go to the homes and hold these classes in the homes of the people. They collect together 8 or 10 of the neighbors, and have them there.

Mr. BRIGGS. In this instruction that is probably followed do they have a definite course of instruction? I suppose they have.

Mr. DAVIS of Minnesota. Yes.

Mr. BRIGGS. Does this course embrace a knowledge of American history, and the taking out of naturalization papers, and becoming a part of the citizenship of this country, including an understanding of our history and Constitution and traditions?

Mr. DAVIS of Minnesota. Yes. They have special classes for teaching the Constitution and everything necessary to qualify them to become American citizens, how to take out their naturalization papers, and so on. Its name indicates what it is; it is Americanization.

Mr. BRIGGS. Does it teach them anything more than to read and write?

Mr. DAVIS of Minnesota. It teaches more than that. It teaches them to become American citizens in all ways. If they do not know how to become American citizens they will teach them how to make proper application and the process that must be pursued.

Mr. BRIGGS. It used to be my experience in naturalization matters to see people filing applications for naturalization and professing adherence to the Constitution without their knowing whether the Constitution of the United States was a battleship or a public building or what it was.

Mr. DAVIS of Minnesota. I do not think the gentleman's experience is novel, but this instruction is to overcome what the gentleman is complaining of. In other words, it is to Americanize them before making of them American citizens.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. MANN of Illinois. Is not this the work that is being carried on quite generally throughout the country at the instigation or by the inspiration of the Bureau of Naturalization?

Mr. DAVIS of Minnesota. It is.

Mr. GARD. Mr. Chairman, will the gentleman yield for a moment?

The CHAIRMAN. The gentleman has not the floor.

Mr. MANN of Illinois. I yield.

Mr. GARD. I asked the gentleman from Illinois to yield for a question. Can the gentleman from Illinois inform me how great a population of foreigners we have in the District of Columbia who are receiving instruction in this Americanization?

Mr. MANN of Illinois. I am not able to give that information. I do not know.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Central High School (new): Engineer, $1,500; 2 assistant engineers, at $1,000 each; 2 electricians, at $1,200 each; 4 firemen, at $720 each; 2 coal passers, at $600 each; janitor, $1,100; 3 assistant janitors, at $900 each; gardener, $840; night watchman, $720; 2 charwomen, at $480 each; 15 laborers, at $600 each; in all, $25,300.

Mr. DAVIS of Minnesota. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word.

Mr. DAVIS of Minnesota. Just to impart a little information that I have received concerning the question which the gentleman from Ohio [Mr. GARD] asked. The enrollment of foreign-born people in the city of Washington is 24,000, and the membership in the classes that this Americanization work now has actually in existence, conducted with the little money they had before, numbers 524.

Mr. GARD. What does the gentleman mean by "the enrollment of the foreign born"?

Mr. DAVIS of Minnesota. That is the census of 1910.

Mr. GARD. That is a very small proportion, I should say, in view of a population of 450,000. What I was interested to know about was, in view of the fact that there are no industries here and nothing to call for the coming of those who have lately been in countries over the sea, who come here for working purposes, whether or not there were in fact very many who would take advantage of this very excellent Americanization work.

Mr. DAVIS of Minnesota. As I say, the enrollment now in these Americanization schools is about 600.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For payment of necessary expenses connected with the organization and conducting of community forums and civic centers in school building, including equipment, fixtures, and supplies for lighting and equipping the buildings, payment of janitor service, secretaries, teachers, organizers, and clerks, and employees of the day schools may also be employees of the community forums and civic centers, including maintenance of automobile, $35,000: *Provided*, That not more than 50 per cent of this sum shall be expended for payment of secretaries, teachers, organizers, and clerks.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN of Illinois. I notice in this paragraph you have increased the amount of the appropriation from $25,000 to $35,000, and then increased the percentage that can be used for the employment of secretaries, teachers, organizers, and clerks from 20 to 50 per cent. That would increase the amount used for this purpose from $5,000 to $17,500. I have no doubt it is an appropriate increase. I suppose there is some reason for it.

Mr. DAVIS of Minnesota. I would state to the gentleman that the increase of that 20 per cent was raised to 33⅓ per cent by the deficiency committee. They did that some time ago, and now we have increased the total appropriation to $35,000, and we have increased the percentage to 50 per cent.

Mr. SISSON. Mr. Chairman, I did not hear the statement of the chairman of the committee.

Mr. MANN of Illinois. The chairman of the committee said that the proportion had been increased to 33⅓ per cent by the deficiency act.

Mr. SISSON. Yes. My recollection of the hearing is that the salary roll, which has not been changed, is about $20,600. If I had the hearings they would so show, I think.

Now, I think perhaps the committee made a mistake in not making it enough to take care of the pay roll, because the testimony shows that a good many of these people connected with this work, who give all their time to it, gave several months of their time for nothing rather than permit the work to suffer. We have given all that they asked, but I think they want $20,000, just enough to cover the actual pay rolls, for the actual salaries of the secretaries in the various centers.

Mr. MANN of Illinois. Wherever you commence a work of this sort the natural tendency is to increase the pay roll.

Mr. SISSON. There has been no increase in the pay rolls here. They would not have been able with the $25,000 to do the work that they did before. The District Commissioners, as well as the school board, say that they really needed last year $35,000, but these people, by reason of the interest which they have taken in the work, have continued to perform the services virtually for nothing. A great many of them are now working considerably overtime, and they are not complaining at all about that.

Mr. MANN of Illinois. What is the work they do?

Mr. SISSON. That varies. They do this work in nearly all cities throughout the United States. They teach the grown people, as well as the young people, domestic science, dressmaking, trimming hats, and all those things that tend to develop the home economics of the country. In the gentleman's own city of Chicago they have a very extensive organization of this kind, I am informed, as well as in other cities. My understanding is that the city of New York has perhaps taken the lead in this line of work. They spend a great deal of money there on work of this kind, and it is found to be very profitable, because the expense is very small in proportion to the service rendered.

Mr. MANN of Illinois. What surprised me was that in the appropriation act of last year $20,000 was appropriated for equipment and only $5,000 for personal services.

Mr. SISSON. That was a mistake.

Mr. MANN of Illinois. That seemed very remarkable.

Mr. SISSON. That was really a mistake. The gentleman from Michigan [Mr. CRAMTON] was on the committee, and I think if he were here he would tell you that there was a misunderstanding about the salaries. What he intended to do, as I understand, was to limit the amount that should be paid in the central office; that is, in the office of the officials who supervise the whole business, but he did not intend that all these people who gave their whole time to this work should receive no pay. For instance, some woman using one of the schools as a center would give her entire time to the work. The gentleman from Michigan [Mr. CRAMTON] did not intend that she should do it for nothing, but the result was that she was cut off from receiving any salary. But many of them have continued to do the work anyway. I think the amount ought to be 60 per cent instead of 50.

Mr. DAVIS of Minnesota. It is 50 per cent now.

Mr. SISSON. It ought to be 60 per cent.

Mr. DAVIS of Minnesota. It is shown in the hearings that the salary roll at the present time is $20,666.67.

Mr. SISSON. That was my recollection about it.

Mr. DAVIS of Minnesota. And you see that with the $35,000 and the 50 per cent limitation that would not help them out at all.

Mr. SISSON. But 60 per cent will.

Mr. DAVIS of Minnesota. Sixty per cent will, and if the gentleman from Mississippi will offer that amendment I will be very glad to accept it.

Mr. SISSON. I offer an amendment to make it 60 per cent instead of 50 per cent.

Mr. MANN of Illinois. In line 19, page 47.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SISSON: Page 47, line 19, strike out "50" and insert in lieu thereof "60."

The amendment was agreed to.

The Clerk read as follows:

For additional amount required for an eight-room addition, including an assembly hall, to the Petworth School, $85,000; and the commissioners are hereby authorized to enter into a contract or contracts for the construction of s a building at a total cost not exceeding $192,000.

Mr. MANN of Illinois. There is a superfluous letter "s" in line 13, which ought to be eliminated.

The CHAIRMAN. Without objection, the Clerk will make the typographical correction.

There was no objection.

The Clerk read as follows:

For contingent expenses incident to the enforcement of an act to regulate the sale of milk in the District of Columbia, and for other purposes, approved March 2, 1895; an act relating to the adulteration of foods and drugs in the District of Columbia, approved February 17, 1898; an act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898; an act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906, $1,000.

Mr. GARD. Mr. Chairman, I move to strike out the last word. I would like to ask what this appropriation for $1,000 is for, with special reference to the language on line 16, page 60, where $100 is appropriated for special service in connection with the detection of adulteration of food, including candy and milk, and then follows the appropriation of $1,000 for the detection of adulterated or misbranded or poisonous food, drugs, medicines, and liquors.

Mr. MANN of Illinois. The appropriation of $1,000 is under the pure food and drugs act.

Mr. DAVIS of Minnesota. This $100 appropriation is where they give little sums of money to individuals who are not known as inspectors to go and purchase certain things. They would not be suspicious of him or that he had anything to do with the enforcement of the law. If it was an inspector that went around they might be cautious.

Mr. GARD. There is considerable agitation and probably unnecessary for the increased purity of milk and milk products, including ice cream, because they are generally used by our people, and the object of my inquiry was whether there was but the $100 appropriation for the service of investigating candy and milk and other food or whether it was also included in what the gentleman from Illinois says is work under the pure-food law.

Mr. DAVIS of Minnesota. We have a general inspection force that is doing business all the time. I think the provision for that is on page 58 of the bill.

Mr. GARD. Yes; and some provisions on page 61. I did not understand exactly what this small appropriation of $100 was for.

Mr. DAVIS of Minnesota. That is, as I say, for a little detective fund.

Mr. GARD. You could not get much of a detective for $100.

Mr. DAVIS of Minnesota. It is to furnish the money to purchase these small articles.

The Clerk read as follows:

Police court: Two judges, at $4,000 each; clerk, $2,200; deputy clerks—1 $1,600, 3 at $1,500 each, 2 at $1,200 each; deputy financial clerk, $1,500; deputy assistant financial clerk, $1,500; probation officer, $1,500; 3 assistant probation officers, at $1,200 each; stenographer, $1,200; 7 bailiffs, at $900 each; deputy marshal, $1,000; janitor, $600; engineer, $900; assistant engineer, $720; fireman, $600; assistant janitor, $300; matron, $600; 4 cleaners, at $360 each; telephone operator, $480; in all, $40,940.

Mr. WALSH. Mr. Chairman, I reserve a point of order. Have the salaries of the police court judges been increased by a special act?

Mr. DAVIS of Minnesota. No.

Mr. WALSH. This bill carries an increase for them.

Mr. DAVIS of Minnesota. Yes; and also for the municipal court; we have treated them all alike.

Mr. WALSH. Mr. Chairman, I make the point of order against the provision in line 4, "2 judges, at $4,000 each."

Mr. DAVIS of Minnesota. I think, Mr. Chairman, it is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DAVIS of Minnesota. Mr. Chairman, I offer the following amendment, to insert "2 judges, at $3,600 each."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 65, line 4, insert "2 judges, at $3,600 each."

The amendment was agreed to.

Mr. BUCHANAN. Mr. Chairman, I want to ask the gentleman from Massachusetts if he knows that the police court made a net profit last year of more than $200,000?

Mr. WALSH. I did not know what the figures were.

Mr. BUCHANAN. And they do more work than any judges in the United States, and, as I say, make a net profit to the District of more than $200,000.

Mr. WALSH. If they do more work, then there must be more lawbreaking here than anywhere else.

Mr. BUCHANAN. There is more lawbreaking, and these men ought to be paid a commensurate salary.

Mr. MANN of Illinois. The gentleman from Texas says that they make a net profit for the District. Does that include the cost of the police force?

Mr. BUCHANAN. No; only the cost of the court.

Mr. MANN of Illinois. The police have to be in operation before the court acts.

Mr. BUCHANAN. Yes; but they do duty for other courts.

Mr. MANN of Illinois. But the gentleman puts it on the ground that they are making a profit.

Mr. GARD. What is the source of this great income?

Mr. BUCHANAN. Fines.

The Clerk read as follows:

Municipal court: Five judges, at $4,000 each; clerk, $1,500; 4 assistant clerks, at $1,200 each; clerk and messenger, $840; elevator operator, $600; janitor, $600; charwoman, $240; in all, $28,580.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. This appears to be another increase in the salary of judges from $3,600 to $4,000. Is there any statutory authority for this increase?

Mr. DAVIS of Minnesota. I know of none.

Mr. WALSH. It is only a few years ago that we increased the salary of these judges in the municipal court.

Mr. DAVIS of Minnesota. About three years ago, I think.

Mr. WALSH. You are also increasing the salary of the assistant clerk from $1,000 to $1,200.

Mr. DAVIS of Minnesota. From $1,000 to $1,200.

Mr. WALSH. I wonder if we have any profit and loss list to show how much the municipal court turns in.

Mr. BUCHANAN. One hundred thousand dollars. They try from 100 to 125 cases a day.

Mr. WALSH. You gave them the same increase in salary as the police court, and they turned in $200,000.

Mr. BUCHANAN. That is true, but one is more profitable than the other. Both of them are working all of the time, and if they are of any account at all they are worth $4,000 if they bring in that much revenue.

Mr. WALSH. How many of them have resigned recently?

Mr. BUCHANAN. I am not informed of that. How many Congressmen have resigned?

Mr. WALSH. I know of two who resigned, though not recently, but within the last few months.

Mr. BUCHANAN. Did they get a better place?

Mr. WALSH. I could not say as to that. I could say that some of the gentlemen who have resigned are certainly entitled to better places.

Mr. DAVIS of Minnesota. Mr. Chairman, I wish to state to the gentleman that recently by legislation we increased the jurisdiction of this court from $500 to $2,000.

Mr. WALSH. The gentleman means that the House did that.

Mr. DAVIS of Minnesota. Yes.

Mr. WALSH. But that has not become a law as yet.

Mr. DAVIS of Minnesota. I think it has been reported favorably in the Senate—increasing the jurisdiction from $500 to $2,000, which makes them a pretty large court.

Mr. WALSH. Yes. That measure was reported from the committee of which I have the honor to be a humble member, and at the time it was considered the members of the committee stated that there was not any question that it would be made the basis for a demand for increase in the salaries, but the increase comes along before even the law increasing the jurisdiction is on the statute books, and if this is permitted to go, then next year you will have another jump, because they will say that the increase now proposed was given before the jurisdiction was increased and enlarged by the law.

Mr. DAVIS of Minnesota. Is that a conclusion of the gentleman or a statement of fact?

Mr. WALSH. I think it is as much a fact as the statement of the gentleman that we had increased the jurisdiction, and a little more so, because we all know, and the gentleman knows, how easy these demands come to Congress for increasing salaries. I wish to state that the committee has done fairly well in standing out against some of these increases, but I do not think we ought to start in increasing salaries of the judges in the District of Columbia, at least at this particular time, and especially at this particular court. They had an increase only two or three years ago. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. DAVIS of Minnesota. Mr. Chairman, I offer to amend by inserting the figures "$3,600" in place of the "$4,000" which was stricked out by the point of order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 66, line 8, after the word "at" insert "$3,600."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

EMERGENCY FUND.

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood or fire or storm, and of like character, and in all cases of emergency not otherwise sufficiently provided for, in the discretion of the commissioners, $8,000: *Provided*, That in the purchase of all articles provided for in this act no more than the market price shall be paid for any such articles, and all bids for any such articles above the market price shall be rejected and new bids received or purchases made in open market, as may be most economical and advantageous to the District of Columbia.

Mr. WALSH. Mr. Chairman, I move to strike out the last word to ask how much was expended out of this money in the last year?

Mr. DAVIS of Minnesota. About $5,000.

Mr. BUCHANAN. Five thousand three hundred and eighty-four dollars and thirty-nine cents.

Mr. WALSH. Was that necessitated by riots, pestilence, public insanitary conditions, calamity by floods, fire, or storm? Which of those emergencies occasioned that expenditure?

Mr. DAVIS of Minnesota. And all other emergencies of like character.

Mr. WALSH. It came under that?

Mr. DAVIS of Minnesota. Yes. Probably a good deal came under that.

Mr. WALSH. Does not the gentleman know whether any of this was expended on account of the race riots which occurred in Washington?

Mr. DAVIS of Minnesota. No; I do not.

Mr. WALSH. Mr. Chairman, I withdraw the pro forma amendment.

Mr. MANN of Illinois. Mr. Chairman, if the gentleman happens to have the information, will he tell us what it was expended for? I would like to know out of curiosity whether an appropriation of this sort is reserved for the purpose for which it is appropriated or whether they manage to expend it for something never intended.

Mr. DAVIS of Minnesota. I will state to the gentleman what it was expended for. Selective service act, $3,576.41; health department motor wagon, $394.98; plumbing inspectors' office, $33.67; industrial home school, $798. They now have a balance of $3,145.21.

Mr. MANN of Illinois. I thank the gentleman for the information, which was very much what I had expected.

Mr. DAVIS of Minnesota. And this unexpended balance has all gone back into the Treasury.

Mr. MANN of Illinois. It is impossible, I take it, for Congress to make an appropriation intended to be used only in case of emergency and not have the people in authority spend it for something that is not an emergency at all.

Yet we have to provide for emergencies. When we do they spend the money for something they want to spend it for without regard to the purpose for which it was intended.

Mr. DAVIS of Minnesota. I am glad the gentleman is scolding somebody besides the committee.

Mr. MANN of Illinois. I am not scolding anybody, I am stating a fact.

Mr. WALSH. Will the gentleman state what emergency not otherwise sufficiently provided for in connection with the selective-draft service now occurred during the past fiscal year?

Mr. DAVIS of Minnesota. I can not answer from memory because I have not had occasion to look it up.

Mr. WALSH. Is it in the hearing?

Mr. DAVIS of Minnesota. I do not think it is. I did not ask him about that.

Mr. WALSH. Well, of course, if there was some emergency under the selective-service law for this last fiscal year that required $3,000 of expenditure of the public funds, it seems as though there ought to be some explanation of it in the hearing.

Mr. DAVIS of Minnesota. I will say to the gentleman it covered a part of the period of the war, as the gentleman knows.

Mr. WALSH. I did; how?

Mr. DAVIS of Minnesota. The war was not over at that time when part of this money was spent.

Mr. WALSH. Well, we stopped drafting men after November 11, 1918.

Mr. DAVIS of Minnesota. That is true.

Mr. WALSH. That is not within the last fiscal year.

Mr. DAVIS of Minnesota. This is for the fiscal year 1919.

Mr. WALSH. I see. This is for the fiscal year 1919.

The Clerk read as follows:

Miscellaneous expenses: For such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, including also such expenses other than for personal services as may be authorized by the Attorney General for the court of appeals, District of Columbia, $15,000.

Mr. DAVIS of Minnesota. Mr. Chairman, I believe the time has arrived when we should quit work, and I therefore move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 13266, the District of Columbia appropriation bill, had come to no resolution thereon.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 696. An act to carry out the findings of the Court of Claims in the case of Frank S. Bowker;

S. 2709. An act authorizing the Secretary of the Interior to issue patent to school district No. 8, Sheridan County, Mont., for

block 1, in Wakea town site, Fort Peck Indian Resevation, Mont., and to set aside one block in each town site on said reservation for school purposes;

S. 2343. An act for the relief of Capt. Frederick B. Shaw;

S. 2257. An act for the relief of George B. Hughes;

S. 2440. An act for the relief of the estate of John M. Lea, deceased; and

S. 1329. An act to authorize the Secretary of the Interior to acquire certain Indian lands necessary for reservoir purposes in connection with the Blackfeet Indian reclamation project.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 316. Joint resolution relating to supervision of the Lincoln Memorial.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WEBSTER, for the day, on account of illness.

To Mr. SMITHWICK, for two weeks, on account of business.

To Mr. RODENBERG, for two weeks, on account of important business.

To Mr. WHEELER, for three days, on account of important business.

ADJOURNMENT.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.), the House adjourned to meet to-morrow, Tuesday, March 30, 1920, at 12 o'clock noon.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 11947) granting an increase of pension to George McDowell, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McCULLOCH: A bill (H. R. 13326) to amend section 7 of the act approved January 16, 1883, entitled "An act to regulate and improve the civil service," to give preference to soldiers, sailors, marines, and Red Cross nurses; to the Committee on Reform in the Civil Service.

By Mr. BARKLEY: A bill (H. R. 13327) to amend the war finance corporation act; to the Committee on Ways and Means.

By Mr. MOTT: A bill (H. R. 13328) to amend section 904 of the revenue act of 1918; to the Committee on Ways and Means.

By Mr. REAVIS: A bill (H. R. 13329) to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes; to the Committee on Military Affairs.

By Mr. SANDERS of Indiana: A bill (H. R. 13330) authorizing the Secretary of War to donate to the town of Coatesville, Hendricks County, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 13331) providing for the removal of the remains of certain soldiers, sailors, and marines to the United States; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 13332) authorizing and directing the Secretary of War to donate to the Hendrix College, of Conway, Ark., two captured German cannons or fieldpieces, with carriages, for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. GRIFFIN: A bill (H. R. 13333) to provide for the return to soldiers, sailors, marines, and others serving in the United States forces during the World War the premiums deducted from their pay for war-risk insurance, and the refunding of all allotments deducted from the pay of the enlisted personnel for their dependents; to the Committee on Ways and Means.

By Mr. GRIGSBY: A bill (H. R. 13334) to prohibit for the purpose of canning and export from Alaska fishing for salmon in the Yukon River, Alaska, its tributaries and adjacent waters; to the Committee on the Merchant Marine and Fisheries.

By Mr. DARROW: A bill (H. R. 13335) for the relief of certain customs employees at the port of Philadelphia who served as acting customs guards during the war emergency; to the Committee on Ways and Means.

By Mr. BOWERS: A bill (H. R. 13336) authorizing the acquisition of a site for a public building at Parsons, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. VAILE: A bill (H. R. 13337) authorizing the Secretary of War to donate to certain municipalities in the State of Colorado certain pieces of ordnance; to the Committee on Military Affairs.

By Mr. CAREW: Memorial of the Legislature of the State of New York disapproving the proposed St. Lawrence ship-canal project; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOWERS: A bill (H. R. 13338) for the relief of John Lyons; to the Committee on Military Affairs.

By Mr. FIELDS: A bill (H. R. 13339) granting an increase of pension to Benjamin Burchett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13340) granting a pension to John A. Combs; to the Committee on Pensions.

By Mr. FRENCH: A bill (H. R. 13341) granting an increase of pension to John Miller; to the Committee on Pensions.

By Mr. HERNANDEZ: A bill (H. R. 13342) granting a pension to Zenas B. Curtis; to the Committee on Invalid Pensions.

By Mr. HOCH: A bill (H. R. 13343) to reimburse J. B. Glanville and others for losses and damages sustained by them through the negligent dipping of tick-infested cattle by the Bureau of Animal Industry, Department of Agriculture; to the Committee on Claims.

By Mr. McCULLOCH: A bill (H. R. 13344) for the relief of Lillian B. Swaney; to the Committee on Claims.

Also, a bill (H. R. 13345) for the relief of John M. Doddridge; to the Committee on Claims.

Also, a bill (H. R. 13346) granting an increase of pension to Curtis C. Griffin; to the Committee on Invalid Pensions.

By Mr. NEELY: A bill (H. R. 13347) to reimburse L. W. Dragoo, formerly postmaster at Smithfield, Wetzel County, W. Va., for money, money orders, and postage stamps stolen; to the Committee on Claims.

By Mr. QUIN: A bill (H. R. 13348) granting an increase of pension to Matilda D. Clark; to the Committee on Pensions.

By Mr. RUBEY: A bill (H. R. 13349) granting an increase of pension to George Tuttle; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 13350) to correct the military record of John W. Gulley; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 13351) granting a pension to Jacob McNewell; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 13352) granting a pension to Sarah McGhee; to the Committee on Pensions.

Also, a bill (H. R. 13353) for the relief of the heirs of Claud Turner; to the Committee on Claims.

By Mr. VAILE: A bill (H. R. 13354) granting a pension to Jacob Jones; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2636. By the SPEAKER (by request): Petition of members of the Ancient Order of Hibernians, of East St. Louis, Ill., protesting against certain English propaganda; to the Committee on Foreign Affairs.

2637. Also (by request), petition of employees of the Otis Co., Ware, Mass., and employees of the Bodston Duck Co., of Bondsville, Mass., favoring the daylight-savings law; to the Committee on Interstate and Foreign Commerce.

2638. By Mr. BABKA: Petition of the Air Service, Post No. 137, Cleveland, Ohio, favoring the passage of House bills 10835 and 10365; to the Committee on Military Affairs.

2639. By Mr. BARBOUR: Petition of clerks in the post office at Fresno, Calif., urging support of the McKellar bill for a punitive rate of time and a half for overtime work; to the Committee on the Post Office and Post Roads.

2640. By Mr. DYER: Petition of the Merchants' Exchange of St. Louis, Mo., opposing House bill 8342; to the Committee on Agriculture.

2641. Also, petition of the St. Louis Association of Gardeners, relative to the transportation system in the national parks, etc.; to the Committee on Public Buildings and Grounds.

2642. Also, petition of the Merchants' Exchange of St. Louis, urging the passage of House bill 13015 and Senate bill 4027,

also favoring House bill 12822; to the Committee on Ways and Means.

2643. Also, petition of the Niehoff Grocer Co. and the Monsanto Chemical Co., of St. Louis, Mo., urging the 1-cent postage; to the Committee on the Post Office and Post Roads.

2644. Also, petition of Victory Lodge, No. 554, Brotherhood of Railway and Steamship Clerks, favoring recognition of an Irish republic; to the Committee on Foreign Affairs.

2645. Also, petition of Independent Electric Machinery Co., Missouri Savings Bank Association, the Employers' Indemnity Corporation, of Kansas City, Mo.; the Mexican Hat Co. and the Central Telephone & Electric Co., of St. Louis, Mo., favoring adoption of the 1-cent rate for drop letters; to the Committee on the Post Office and Post Roads.

2646. Also, petition of the American Commission on Irish Independence, of St. Louis, protesting against the British armed forces as reported in the press; to the Committee on Foreign Affairs.

2647. Also, petition of the Merchants' Exchange of St. Louis, favoring the passage of House bill 9755; to the Committee on Coinage, Weights, and Measures.

2648. By Mr. ELSTON: Petition of the First Unitarian Church of Berkeley, Calif., protesting against the Armenian massacres and urging relief measures; to the Committee on Foreign Affairs.

2649. By Mr. EMERSON: Petition of the Air Service, Post No. 137, of Cleveland, Ohio, favoring the passage of House bills 10365 and 10835; to the Committee on Military Affairs.

2650. By Mr. ESCH: Petition of the Label Manufacturers' National Association and the Folding Box Manufacturers' National Association of New York City, relative to the excess-profits tax; to the Committee on Ways and Means.

2651. Also, petition of the Board of Supervisors of Marinette County, Wis., opposed to the bill known as the Rolston bill; to the Committee on Ways and Means.

2652. Also, petition of the Cattle Raisers' Association of Texas, urging Federal regulation of the packing industry; to the Committee on Agriculture.

2653. By Mr. EVANS of Montana: Petition of citizens of Butte, Mont., favoring freedom of Ireland; to the Committee on Foreign Affairs.

2654. By Mr. FULLER of Illinois: Petition of the Sycamore (Ill.) Post, American Legion, favoring certain legislation for ex-service men; to the Committee on Ways and Means.

2655. Also, petition of citizens of Illinois, favoring legislation to aid the disabled men of the late war before the general relief measures; to the Committee on Ways and Means.

2656. Also, petition of the Rockford (Ill.) Central Labor Union, favoring the appropriation of $200,000 for the division of conciliation in the Department of Labor; to the Committee on Appropriations.

2657. Also, petition of the Ottawa (Ill.) Chamber of Commerce, favoring increase in pay for the post-office employees; to the Committee on the Post Office and Post Roads.

2658. By Mr. HUDSPETH: Petition of the Cattle Raisers' Association of Texas, urging the Federal regulation of the packing industry; to the Committee on Agriculture.

2659. Also, petition of the Central Labor Union of El Paso, Tex., protesting against the 1-cent drop postage; to the Committee on the Post Office and Post Roads.

2660. By Mr. KIESS: Evidence in support of House bill 12987, granting a pension to Edward Carter; to the Committee on Pensions.

2661. By Mr. LINTHICUM: Petition of M. T. Mauch, of Baltimore, Md., favoring the establishment of a home for wounded soldiers, sailors, and marines of the late World War; to the Committee on Military Affairs.

2662. Also, petition of Berndt & Co., of Baltimore, Md., opposing the passage of House bills 12379 and 12646 regarding exchange charges; to the Committee on Banking and Currency.

2663. Also, petition of Martin Gillet & Co., of Baltimore, Md., favoring 1 cent drop letter postage; to the Committee on the Post Office and Post Roads.

2664. By Mr. MOONEY: Petition of the Moniuszko Singing Society, of Cleveland, Ohio, opposed to the King bill, Senate bill No. 3718; to the Committee on the Post Office and Post Roads.

2665. By Mr. O'CONNELL: Petition of the Cattle Raisers' Association of Texas, urging the Federal regulation of the packing industry; to the Committee on Agriculture.

2666. Also, petition of the Label Manufacturers' Association and the Folding Box National Association, of New York, relative to the excess-profits tax; to the Committee on Ways and Means.

2667. By Mr. ROWAN: Petition of the Thompson Milling Co., of Lockport, N. Y., and the Crockery Board of Trade, of New York, favoring the 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

2668. Also, petition of the Cattle Raisers' Association of Texas, urging the Federal regulation of the packing industry; to the Committee on Agriculture.

2669. Also, petition of Backerman & Co., of New York, against House bills 12379 and 12646; to the Committee on Banking and Currency.

2670. Also, petition of the Borden & Lovell Coal Co., of New York, urging the repeal of the Lever Act, etc.; to the Committee on Interstate and Foreign Commerce.

2671. Also, petition of the American Home Economics Association, of Columbia, Mo., urging the passage of the Fess bill (H. R. 12078); to the Committee on Education.

2672. By Mr. SINCLAIR: Petition of the supervisors of the census of the Northwestern States, asking an increase in compensation; to the Committee on the Census.

2673. By Mr. SMITH of Idaho: Petition of the Deary (Idaho) Commercial Club, urging Federal aid appropriations for the construction of highways; to the Committee on Roads.

2674. By Mr. TAGUE: Petition of the Commonwealth Shoe & Leather Co., the Boston Molasses Co., and the Thompson-Crooker Shoe Co., all of Boston, Mass., opposed to House bills 12397 and 12646; to the Committee on Banking and Currency.

2675. Also, petition of the Abertshaw Construction Co., of Boston, and the Frank E. Fitts Co., of Boston, Mass., favoring the 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

2676. Also, petition of Albert W. Bemis, of Boston, Mass., urging an increase in salary for the customs examiners of the port of Boston; to the Committee on Appropriations.

2677. Also, petition of the Boston City Federation of Women's Clubs, urging an appropriation for the interdepartmental social hygiene board; to the Committee on Appropriations.

2678. Also, petition of the Cattle Raisers' Association of Texas, relative to the regulation of the meat-packing industry; to the Committee on Agriculture.

2679. Also, petition of the Civic Club, of Allegheny County, Pa., favoring the passage of House bill 7014; to the Committee on Public Buildings and Grounds.

2680. By Mr. WINGO: Petition of J. C. Gipson and other citizens of Hatfield, Ark., protesting against compulsory military training; to the Committee on Military Affairs.

SENATE.

TUESDAY, *March 30, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast committed a mighty task to our hands, and our time is very short. The greatness of our work makes the time seem all the shorter. So we come to Thee, the author of all blessings, the center of all life, the source of all power, and ask Thee to imbue us with that grace and power which will enable us to measure up to God's thought, to fill up the limit of our time as in Thy sight, that in the eventide we may have the blessed satisfaction of having done God's will. For Christ's sake. Amen.

Mr. CURTIS took the chair as Presiding Officer pursuant to the previous order of the Senate.

The Reading Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SMOOT, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

CALLING OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Edge	McLean	Phipps
Brandegee	Elkins	McNary	Pomerene
Calder	Fernald	Moses	Sheppard
Capper	Gay	Nelson	Smoot
Chamberlain	Harrison	New	Spencer
Comer	Henderson	Norris	Sterling
Culberson	Jones, Wash.	Nugent	Sutherland
Curtis	Kendrick	Overman	Thomas
Dial	Kirby	Page	Warren
Dillingham	McKellar	Phelan	Watson

The PRESIDING OFFICER. Forty Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of the absent Senators.

The Reading Clerk called the names of the absentees.

Mr. GLASS, Mr. BECKHAM, and Mr. TOWNSEND entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-three Senators have answered to their names. There is not a quorum present.

Mr. SMOOT. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. MCCUMBER, Mr. FRANCE, Mr. SMITH of South Carolina, Mr. SMITH of Arizona, Mr. LENROOT, Mr. HALE, Mr. TRAMMELL, Mr. KEYES, Mr. MYERS, Mr. GRONNA, Mr. FRELINGHUYSEN, Mr. UNDERWOOD, and Mr. GORE entered the Chamber and answered to their names.

Mr. GAY. I wish to announce the absence of my colleague, the senior Senator from Louisiana [Mr. RANSDELL], on official business. I ask that this announcement may stand for the day.

Mr. MCKELLAR. The senior Senator from Virginia [Mr. SWANSON] is detained by illness in his family.

The Senator from Kentucky [Mr. STANLEY], the Senator from Maryland [Mr. SMITH], and the Senator from Nevada [Mr. PITTMAN] are absent on official business.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, a quorum is present. The order directing the Sergeant at Arms to request the attendance of absent Senators will be set aside.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the act (S. 2085) relating to the maintenance of actions for death on the high seas and other navigable waters.

WOMAN SUFFRAGE.

The PRESIDING OFFICER. The Chair lays before the Senate a certified copy of joint resolution adopted by the Legislature of the State of Washington ratifying the Susan B. Anthony amendment to the Constitution extending the right of suffrage to women, which will be filed.

PETITIONS AND MEMORIALS.

Mr. CURTIS (Mr. SPENCER in the chair). I present a telegram in the nature of a resolution adopted by the Kansas Live Stock Association, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the telegram was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

TOPEKA, KANS., *March 29, 1920.*

Hon. CHARLES CURTIS,
United States Senate, Washington, D. C.:

The propaganda of the United States Department of Justice, "Save money on meat," is a crime against the live-stock producers of this country. Another act of our Government to penalize the live-stock producers for their response to the call for increased production during the war. Why pick on meat? It is already the cheapest food we have and the only one which is being produced at a loss. Why does not the Department of Justice investigate high cost of sugar, potatoes, flour, cotton, and tobacco? I urge you in the interest of the live-stock producers of Kansas to introduce resolution in Congress condemning this propaganda.

J. H. MERCER,
Secretary Kansas Live Stock Association.

Mr. CURTIS presented a memorial of sundry citizens of Sedgwick and Halstead, in the State of Kansas, remonstrating against the enactment of legislation subjecting public-school children to certain medical examinations, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Peru, Kans., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented memorials of the Farmers' Union, of Ellis County; the Farmers' Cooperative Mercantile Association, of Lost Springs; the Farmers' Union, of Freeport; of the congregation of the "Church of the Brethren," of Abilene; of Union Grange No. 807, Patrons of Husbandry, of Waverly; and of sundry citizens of Falun, Portis, Linn, and Scottsville, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. PHELAN presented a petition of the Rotary Club, of Sacramento, Calif., praying that a Federal charter be granted to the International Association of Rotary Clubs, which was referred to the Committee on the Judiciary.

He also presented a petition of the Central Labor Council of San Jose, Calif., praying that adequate appropriations be made for the maintenance of the Department of Labor, which was ordered to lie on the table.

Mr. NELSON presented a telegram in the nature of a petition from the secretary of the Masters, Mates, and Pilots of the Pacific, of San Francisco, Calif., praying that the inspection and personnel rules of the Steamboat-Inspection Service be vested elsewhere than in the Shipping Board, which was referred to the Committee on Commerce.

Mr. ASHURST presented a resolution adopted by the Chamber of Commerce of Yavapai County, Ariz., favoring the construction of the San Carlos Diversion Dam and Reservoir, which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of the Chamber of Commerce of Yavapai County, Ariz., praying for an increase in the salaries of postal employees, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. MCCUMBER, from the Committee on Pensions, to which were referred the following bills, reported them severally, with amendments, and submitted reports thereon:

H. R. 7657, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 489);

H. R. 8536, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 490);

H. R. 9448, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 491);

H. R. 10107, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 492);

H. R. 11310, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 493); and

H. R. 11554, granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors (Rept. No. 494).

Mr. WADSWORTH, from the Committee on Claims, to which was referred the bill (H. R. 6077) for the relief of the King Coal Co., of San Francisco, Calif., reported it without amendment.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TRAMMELL (for Mr. FLETCHER):

A bill (S. 4143) for the relief of Jessie M. White; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 4144) granting an increase of pension to James F. Smyers (with accompanying papers); to the Committee on Pensions.

By Mr. NEW:

A bill (S. 4145) granting an increase of pension to Ida M. Jackson (with accompanying papers); and

A bill (S. 4146) granting a pension to John L. Miller (with accompanying papers); to the Committee on Pensions.

By Mr. MCCUMBER:

A bill (S. 4147) granting a pension to Nels P. Nelson; and

A bill (S. 4148) granting a pension to Michael Emmett Urell, alias Charles Welsh (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 4149) for the relief of Manda Smith, widow of Thomas Smith; to the Committee on Military Affairs.

By Mr. CURTIS:

A bill (S. 4150) granting a pension to Fannie Howard (with accompanying papers);

A bill (S. 4151) granting a pension to Theodore Q. Whitted (with accompanying papers);

A bill (S. 4152) granting a pension to Maude McDonald (with accompanying papers);

A bill (S. 4153) granting a pension to George W. Stephens (with accompanying papers);

A bill (S. 4154) granting a pension to Elizabeth Vollmar (with accompanying papers); and

A bill (S. 4155) granting an increase of pension to Ashley R. Williams (with accompanying papers); to the Committee on Pensions.

By Mr. STANLEY:

A bill (S. 4156) to amend section 10 of the act of March 2, 1919, making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee on Commerce.

By Mr. CURTIS:

A joint resolution (S. J. Res. 178) in relation to a monument to commemorate the services and sacrifices of the women of the District of Columbia in the World War; to the Committee on the District of Columbia.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 179) authorizing use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions; to the Committee on Military Affairs.

REGULATION OF COLD STORAGE.

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (S. 3868) to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods; to regulate shipments of cold-storage foods in interstate and foreign commerce, and for other purposes, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AMENDMENTS TO LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. CURTIS (for Mr. LODGE) submitted an amendment proposing to increase the salary of the librarian of the Senate from $2,500 to $3,000 intended to be proposed to the legislative, etc., appropriation bill, which was ordered to lie on the table and be printed.

Mr. STERLING submitted an amendment proposing to repeal section 7 of the act approved October 6, 1917, entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to lie on the table and be printed.

Mr. EDGE submitted an amendment proposing to increase the appropriation for commercial attachés, Bureau of Foreign and Domestic Commerce, from $165,000 to $250,000 intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to lie on the table and be printed.

ARTICLE BY ARTHUR MACDONALD.

Mr. JONES of Washington. Mr. President, I ask that an article by Arthur MacDonald, of Washington, D. C., on the subject of Scots and Scottish influence in Congress be referred to the Committee on Printing with a view to having it printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FEDERAL RESERVE ACT.

The PRESIDING OFFICER (Mr. CURTIS in the chair; at 12 o'clock and 22 minutes p. m.). Morning business is closed.

Mr. WARREN. I ask unanimous consent that the Senate proceed to the consideration of House bill 12610, being the legislative, executive, and judicial appropriation bill.

The PRESIDING OFFICER. If there be no objection, the Senate will proceed to the consideration of the bill.

Mr. McLEAN. Mr. President, I realize that the motion of the Senator from Wyoming [Mr. WARREN] will, probably, prevail, and I do not desire to object; but before my colleagues leave the Senate for the day I feel that it is my duty to call the attention of the Senate to the bill (S. 3958) to amend section 14 of the Federal reserve act.

As I have previously remarked in this Chamber several times, that bill is urged by the Federal Reserve Board; it is also urged by the Federal Advisory Council, which is composed, as Senators all know, of 12 of the leading bankers of the country.

The provisions of the bill are very simple. We all know that the Federal Reserve System has demonstrated its ability to expand the currency and to expand credits, but the question as to whether it will be equally effective in its effort to deflate credits and the currency is one that must still be answered. We all want the system to succeed; we want it to demonstrate its ability to meet any crisis. The passage of the measure is urged by the Federal Reserve Board as being important at this time to enable the board to exert a wholesome restraint upon the further expansion of credits. It merely provides that the Federal reserve banks, with the approval of the Federal Reserve Board, may graduate the discount rate upon accommodations extended to member banks when they exceed a certain percentage of their banking capacity or a certain multiple of their stock and surplus; in other words, it enables the Federal reserve banks to establish a normal maximum discount rate for accommodations up to a certain limit, and if any bank goes above that limit a higher rate may be imposed.

It must be evident to my colleagues that if this proposed legislation is to be of any benefit the sooner Congress enacts it the better. I feel it to be my duty to put the responsibility upon the Senate if there is to be any further delay in the consideration of this matter. I do not know that there is any opposition to the bill, and I am going to ask the Senator from Wyoming if he is willing that his bill be temporarily postponed in order that the bill to which I have referred may be considered, provided there is no opposition. Of course, if it occasions debate, I shall not insist upon its consideration at this time.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Ohio?

Mr. McLEAN. I yield to the Senator from Ohio.

Mr. POMERENE. I indorse everything that has been said by the Senator from Connecticut with reference to the importance of the measure to which he has referred. Judging from what occurred when the bill was before the Banking and Currency Committee, I doubt whether there will be any opposition to it. I appreciate the desire of the Senator from Wyoming to proceed with the appropriation bill now before the Senate, but I think we would be doing a real service to the country if the bill which is presented by the Senator from Connecticut could be taken up and disposed of. I therefore join in the request to the chairman of the Committee on Appropriations in charge of the pending appropriation bill.

Mr. WARREN. Mr. President, if the bill of which I am in charge has been taken up, I may say to the Senator from Connecticut that while I am not particularly familiar with the bill to which he has referred, although I presume I shall support it, if it is a short bill of one sentence, as I understand it is, and will lead to no debate, I shall offer no objection to its present consideration. The bill has now been handed to me, and I shall be glad to give it my earnest support, now if unobjected to, or later when the bill may come up in the regular way.

Mr. SMOOT. Mr. President, I do not know to what extent debate will be precipitated upon the bill for which consideration is asked by the Senator from Connecticut. I wish to say that I am in favor of the bill as far as it goes. I think, however, there ought to be greater restrictions put upon the inflation of the currency than even this bill provides.

When the original Federal reserve act was passed I remember making the statement that under the provisions of the law it would be an easy matter to inflate our currency, but there was no provision whatever for deflating it, and that has proven true.

Mr. GLASS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Virginia?

Mr. SMOOT. I yield.

Mr. GLASS. Mr. President, as a matter of fact there were very many provisions in the Federal reserve act to prevent the inflation of the currency and to occasion deflation of the currency. The Senator from Utah must surely know that, but for the inclusion of the provision in the bill relating to United States bonds as security for loans, now being largely used by speculative borrowers, and but for the further fact that we are now confronted with the extraordinary and almost at that time inconceivable aggregate of $26,000,000,000 of outstanding United States bonds available as security for loans, there would be now no inflation of the currency. So the Senator from Utah is not exactly accurate or fair when he says there were no provisions in the Federal reserve act to guard against the inflation of the currency.

Mr. SMOOT. Mr. President, what the Senator says does not disprove anything that I say. I did not say that there was not $26,000,000,000 of obligations of the Government of the United States out. I know it, and if the original act had provided means for the deflation of the currency there would be no necessity of this amendment to it.

I recognize that the mere fact that there are these $26,000,000,000 of Government bonds out among the people has been the principal reason for the inflation of the currency. Nobody has denied that, and perhaps if that obligation had not been incurred there would not have been an inflation of the currency; but it is here, and there is an inflation of our currency, and in order to have it deflated or begin to bring it within reason I say that the bill referred to by the Senator from Connecticut meets the situation in part. As far as it goes, therefore, I am in favor of the bill, but I do think we ought to go even further than that bill proposes.

That is all I have to say.

Mr. GRONNA. Mr. President, I hope the Senator from Connecticut will not insist upon taking up this bill this morning.

There is a great deal of opposition to the bill. The objections to it may not be well founded; nevertheless the people who are honestly opposed to it are entitled to consideration, and they ought to have the opportunity of expressing their views.

I realize that the Senator from Connecticut has been very patient about this matter, but it is one which involves all the leading industries, and especially the productive industries of the country. It is so vital to those industries that I trust the Senator will not undertake to dispose of it during the morning hour, because I will say to him that that can not be done, as it will be the subject of a great deal of discussion.

Mr. McLEAN. Mr. President, I did not know that the Senator from North Dakota is opposed to the bill.

Mr. GRONNA. I was not present when the bill was reported out. I had no opportunity to hear the witnesses who testified in favor of the bill; but I have talked to a great many people who are opposed to it from honest motives, and I believe that before we dispose of it they should have an opportunity to be heard.

Mr. McLEAN. There may be opposition to the bill, as the Senator from North Dakota suggests, but I do think that a matter of this importance should be considered by the Senate; and while the appropriation bill will have precedence, it ought to be understood that there are other matters that are urgent, and if this bill is to be of any benefit at all it must be considered in the immediate future.

If we are to wait until the present crisis is past before we give the Federal Reserve Board the power which they say is necessary in order to enable them to avoid unpleasant consequences, the fault will be the fault of Congress, and not of the board or of the Federal reserve system.

I deem it to be my duty, as a member of the Committee on Banking and Currency, to avail myself of every opportunity to call the attention of the Senate to this bill until it is acted upon; and I give notice that as soon as the pending appropriation bill is finished I shall move to have the Senate take up this bill and consider it.

LEGISLATIVE, ETC., APPROPRIATIONS.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. I ask unanimous consent that the formal reading of the bill be dispensed with, and that the bill be read for amendment, the committee amendments to be first considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming? The Chair hears none, and it is so ordered. The Secretary will read the bill.

The Assistant Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Legislative," subhead "Senate," on page 2, line 15, before the word "minute," to insert "assistant financial clerk, $3,250"; in line 16, after the word "clerk," to strike out "assistant financial clerk"; in line 17, after the words "reading clerk," to strike out "$3,600" and insert "$4,000"; in line 18, after the word "clerk," to strike out "$3,600" and insert "$4,000"; and on page 3, line 3, after the words "in all," to strike out "$95,760" and insert "$96,810," so as to make the clause read:

Office of Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, $6,500; assistant secretary, Henry M. Rose, $5,000; chief clerk, $3,250; assistant financial clerk, $3,250; minute and Journal clerk, principal clerk, enrolling clerk, and printing clerk, at $3,000 each; reading clerk, $4,000; financial clerk, $4,000; executive clerk, $2,750; librarian, file clerk, chief bookkeeper, and assistant Journal clerk, at $2,500 each; first assistant librarian, and keeper of stationery, at $2,400 each; assistant librarian, $1,800; skilled laborer, $1,200; clerks—3 at $2,500 each, 4 at $2,220 each, 2 at $2,100 each, 1 $1,800, 2 at $1,600 each, 1 $1,440; assistant keeper of stationery, $2,000; assistant in stationery room, $1,200; messenger, $1,440; assistant messenger, $1,200; laborers—3 at $840 each, 3 at $720 each, 1 in stationery room $720; in all, $96,810.

The amendment was agreed to.

The next amendment was, on page 3, line 12, after "$720," to insert "to Audit and Control the Contingent Expenses of the Senate—clerk $2,500, assistant clerk $1,600, assistant clerk $1,500"; on page 4, line 14, before the word "assistant," to strike out "two" and insert "three"; in the same line, after the word "each," to strike out "assistant clerk during the period of the war, $1,500"; and on page 5, line 7, after the words "in all," to strike out "$203,260" and insert "$208,860," so as to make the clause read:

Clerks and messengers to the following committees: Agriculture and Forestry—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Appropriations—clerk $5,000, 2 assistant clerks at $2,500 each, 3 assistant clerks at $1,500 each, laborer $720; to Audit and Control the Contingent Expenses of the Senate—clerk $2,500, assistant clerk $1,600, assistant clerk $1,500; Banking and Currency—clerk $3,000; assistant clerk $1,800, 2 assistant clerks at $1,500 each; Claims—clerk $2,500, assistant clerk $2,000, 2 assistant clerks at $1,500 each; Commerce—clerk $2,500, assistant clerk $2,220, assistant clerk $1,800, assistant clerk $1,500; Conference Minority of the Senate—clerk $3,000, assistant clerk $1,800, 2 assistant clerks at $1,500 each; District of Columbia—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Education and Labor—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Finance—clerk $3,000, assistant clerk $2,220, assistant clerk $1,600, 2 assistant clerks at $1,500 each, 2 experts (1 for the majority and 1 for the minority) at $2,000 each; Foreign Relations—clerk $3,000, assistant clerk $2,220, assistant clerk $1,500; Immigration—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Indian Affairs—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Interoceanic Canals—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Interstate Commerce—clerk $2,500, 2 assistant clerks at $1,800 each, assistant clerk $1,500; Judiciary—clerk $2,500, assistant clerk $2,220, 2 assistant clerks at $1,800 each, assistant clerk $1,500; Manufactures—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Military Affairs—clerk $2,500, assistant clerk $2,220; 3 assistant clerks at $1,500 each; Naval Affairs—clerk $2,500, assistant clerk $2,220, 2 assistant clerks at $1,500 each; Pacific Islands and Porto Rico—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Pensions—clerk $2,500, assistant clerk $1,800, 4 assistant clerks at $1,500 each; Philippines—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Post Offices and Post Roads—clerk $2,500, assistant clerk $2,000, 3 assistant clerks at $1500 each; Printing—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Privileges and Elections—clerk $2,500, assistant clerk $1,800, assistant clerk $1,500; Public Buildings and Grounds—clerk $2,500, assistant clerk $1,600, assistant clerk $1,500; Public Lands—clerk $2,500, assistant clerk $1,800, 2 assistant clerks at $1,500 each; Rules—clerk $2,720, to include full compensation for the preparation biennially of the Senate Manual under the direction of the Committee on Rules, assistant clerk $1,800, assistant clerk $1,500; in all, $208,860.

The amendment was agreed to.

The next amendment was, on page 5, line 11, after the word "herein," to strike out "Seventy-nine" and insert "Seventy-eight"; in line 12, before the word "assistant," to strike out "seventy-nine" and insert "seventy-eight"; in line 13, before the word "assistant," to strike out "seventy-nine" and insert "seventy-eight," and in line 14, after the word "each," to strike out "$442,400" and insert "$436,800"; so as to make the clause read:

Clerical assistance to Senators: For clerical assistance to Senators who are not chairmen of the committees specifically provided for herein: Seventy-eight clerks at $2,500 each; 78 assistant clerks at $1,600 each; 78 assistant clerks at $1,500 each, $436,800: *Provided*, That such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which their Senator is chairman.

The amendment was agreed to.

The next amendment was, on page 6, line 9, after the word "storekeeper," to strike out "$2,220" and insert "$2,500"; in line 17, after the word "chief," to strike out "$1,200" and insert "$1,500"; in line 19, after the words "assistant superintendent," to strike out "$1,400" and insert "$1,600"; in line 20, after the word "correspondents," to strike out "$900" and insert "$1,000,'" and in line 23, after the words "in all," to strike out "$147,860" and insert "$148,740"; so as to make the clause read:

Office of Sergeant at Arms and Doorkeeper: Sergeant at Arms and Doorkeeper, $6,500; Assistant Sergeant at Arms, $2,500; Assistant Doorkeeper, $3,600; Acting Assistant Doorkeeper, $3,600; 2 floor assistants at $2,500 each; messengers—4 (acting as assistant doorkeepers) at $1,800 each, 36 (including 1 for minority) at $1,440 each, 1 $1,000, 1 at card door $1,600; clerk on Journal work for CONGRESSIONAL RECORD, to be selected by the official reporters, $2,800; storekeeper, $2,500; stenographer in charge of furniture accounts and records, $1,200; upholsterer and locksmith, $1,440; cabinetmaker, $1,200; 3 carpenters, at $1,080 each; janitor, $1,200; skilled laborers—4 at $1,000 each; laborer in charge of private passage, $840; 3 female attendants in charge of ladies' retiring room, at $720 each; 3 attendants to women's toilet rooms, Senate Office Building, at $720 each; telephone operators—chief $1,500, 4 at $900 each, night operator $720; telephone page, $720; press gallery—superintendent $2,500, assistant superintendent $1,600, messenger for service to press correspondents $1,000; laborers—3 at $800 each, 34 at $720 each; 16 pages for the Senate Chamber, at the rate of $2.50 per day each during the session, $4,640; in all, $148,740.

The amendment was agreed to.

The next amendment was, on page 7, line 4, after the word "Postmaster," to strike out "$2,250" and insert "$2,500," and in line 6, after the words "in all," to strike out "$17,587.50" and insert "$17,837.50"; so as to make the clause read:

Post office: Postmaster, $2,500; chief clerk, $1,800; 8 mail carriers and 1 wagon master, at $1,200 each; 3 riding pages, at $912.50 each; in all, $17,837.50.

The amendment was agreed to.

The next amendment was, on page 7, line 24, after the word "including," to strike out "$6,000" and insert "$7,500"; and

on page 8, line 1, after the word "Senate," to strike out "$18,125" and insert "$20,000," so as to make the clause read:

Contingent expenses: For stationery for Senators and the President of the Senate, including $7,500 for stationery for committees and officers of the Senate, $20,000.

The amendment was agreed to.

The next amendment was, on page 8, line 7, after the words "Sergeant at Arms," to strike out "$7,000" and insert "$10,000," so as to make the clause read:

For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, $10,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 8, line 10, after the words "Vice President," to strike out "$2,000" and insert "$2,240," so as to make the clause read:

For driving, maintenance, and operation of an automobile for the Vice President, $2,240.

The amendment was agreed to.

The next amendment was, on page 8, line 13, after the word "thousand," to strike out "$5,000" and insert "$10,000," so as to make the clause read:

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $10,000.

The amendment was agreed to.

The next amendment was, on page 8, line 15, after the word "labor," to strike out "$1,500" and insert "$2,500," so as to make the clause read:

For fuel, oil, cotton waste, and advertising, exclusive of labor, $2,500.

The amendment was agreed to.

The next amendment was, on page 9, line 4, after the word "exceeding," to strike out "$1" and insert "$1.25"; and in the same line, after the word "page," to strike out "$25,000" and insert "$50,000," so as to make the clause read:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding $1.25 per printed page, $50,000.

The amendment was agreed to.

The next amendment was, on page 9, line 6, after the word "installments," to strike out "$30,000" and insert "$35,000," so as to make the clause read:

For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $35,000.

The amendment was agreed to.

The next amendment was, under the subhead "Joint Committee on Printing," on page 9, line 10, after the word "clerk," to strike out "$3,000" and insert "$4,000"; in line 20, after "1895," to strike out "$2,000" and insert "$2,250"; in line 21, after the word "stenographer," to strike out "$1,000" and insert "$1,500"; and in line 23, after the words "in all," to strike out "$7,600" and insert "$9,350," so as to make the clause read:

For clerk, $4,000; inspector, under section 20 of the act approved January 12, 1895, $2,250; stenographer, $1,500; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $9,350, one half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

The amendment was agreed to.

The next amendment was, under the head of "Library of Congress," on page 19, line 22, after the word "Librarian," to strike out "$7,500" and insert "$7,000"; in line 23, after the words "assistant librarian," to strike out "$4,000" and insert "$4,500"; in line 24, before the word "librarian's," to insert "assistant chief clerk, $1,800"; in line 25, after the word "each" to insert "stenographer and typewriter to chief assistant librarian, $1,600"; and in line 4, after the words "in all," to strike out "$23,560" and insert "$26,960," so as to make the clause read:

General administration: Librarian, $7,000; chief assistant librarian, $4,500; chief clerk, $2,500; assistant chief clerk, $1,800; librarian's secretary, $1,800; clerks—1 $1,200, 2 at $1,000 each; stenographer and typewriter to chief assistant librarian, $1,600; stenographers and typewriters—1 $1,200, 1 $900; messenger, $840; messenger to chief assistant librarian, $600; junior messenger, $420; operator of photographic copying machine, $600; in all, $26,960.

The amendment was agreed to.

The next amendment was, on page 23, line 7, after the word "That," to strike out "no" and insert "not to exceed one," so as to make the clause read:

Legislative reference: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, $25,000: *Provided*, That not to exceed one person shall be employed hereunder at a rate of compensation exceeding $3,000 per annum.

The amendment was agreed to.

The next amendment was, on page 23, line 24, after "$2,500," to insert "of which $500 shall be immediately available," so as to make the clause read:

Temporary services: For special and temporary service, including extra special services of regular employees at the discretion of the librarian, $2,500, of which $500 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 24, line 9, after "$10,000" to insert "of which $625 shall be immediately available," so as to make the clause read:

Sunday opening: To enable the Library of Congress to be kept open for reference use from 2 until 10 o'clock p. m. on Sundays and legal holidays, within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, $10,000, of which $625 shall be immediately available, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 24, line 17, before the word "together," to strike out "$80,000" and insert "$90,000," so as to make the clause read:

Increase of Library of Congress: For purchase of books for the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses, and all other expenses incidental to the acquisition of books by purchase, gift, bequest, or exchange, to continue available during the fiscal year 1922, $90,000, together with the unexpended balance of the sum appropriated for this object for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 25, line 3, after the words "In all," to strike out "$90,000" and insert "$100,000," so as to make the clause read:

In all, $100,000.

The amendment was agreed to.

The next amendment was, on page 25, line 11, after the word "Librarian," to strike out "$8,500" and insert "$9,000," so as to make the clause read:

Contingent expenses: For miscellaneous and contingent expenses, stationery, supplies, stock, and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and the Copyright Office, including not exceeding $500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $9,000.

The amendment was agreed to.

The next amendment was, on page 25, line 15, before the word "telephone," to strike out "two" and insert "three"; and on page 26, line 1, after the words "in all," to strike out "$90,825" and insert "$91,545," so as to make the clause read:

Library Building and Grounds: Superintendent, $3,600; clerks—one $2,000, one $1,600, one $1,400, one $1,000; property clerk, $900; messenger; assistant messenger; 3 telephone switchboard operators; captain of watch, $1,400; 2 lieutenants of the watch, at $1,000 each; 22 watchmen, at $900 each; 2 carpenters, at $900 each; decorator, $1,400; painter, $900; foreman of laborers, $900; 16 laborers; laundress, $660; 2 attendants in ladies' room, at $480 each; 4 check boys, at $360 each; mistress of charwomen, $425; assistant mistress of charwomen, $300; 58 charwomen; chief engineer, $1,500; assistant engineers—one $1,200, 3 at $900 each; electrician, $1,500; machinists—one $1,000, one $900; 2 wiremen, at $900 each; plumber, $900; 3 elevator conductors, and 10 skilled laborers, at $720 each; in all, $91,545.

The amendment was agreed to.

The next amendment was, under the head of "Civil Service Commission," on page 30, line 17, after the word "force," to insert "excepting the fourth district," so as to make the clause read:

No detail of clerks or other employees from the executive departments or other Government establishments in the District of Columbia to the Civil Service Commission or its field force, excepting the fourth district, for the performance of duty in the District of Columbia, shall be made for or during the fiscal year 1921. The Civil Service Commission shall, however, have power in case of emergency to transfer or detail any of its employees herein provided for to or from its office force, field force, or rural carrier examining board.

The amendment was agreed to.

The next amendment was, on page 31, after line 6, to strike out:

The duty placed upon the Secretary of the Interior by section 4 of an act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, shall be performed on and after July 1, 1920, by the Civil Service Commission.

The amendment was agreed to.

The next amendment was, on page 31, after line 11, to strike out:

For contingent and miscellaneous expenses of the Civil Service Commission, including furniture and other equipment and repairs thereto; supplies; telegraph and telephone service; freight and express charges; heat and light; street car fares not to exceed $100; stationery; law books, books of reference, and periodicals, not to exceed $350; maintenance and repair of a motor truck; in all, $50,000.

The amendment was agreed to.

The next amendment was, on page 31, after line 19, to strike out:

For rent of building for the Civil Service Commission, $16,875.

The amendment was agreed to.

The next amendment was, under the head of "Department of State," on page 32, line 3, after the word "work," to strike out "eight" and insert "ten"; in the same line, after the word "each," to strike out "five" and insert "eight"; in line 4, after the word "each," where it occurs the first time, to strike out "fifteen" and insert "twenty"; in line 10, after the word "Secretary," to insert "two at $4,500 each, five at $3,500 each"; in line 13, after the word "clerks," to strike out "one $2,500" and insert "six at $2,500 each"; in line 15, before the word "and," to strike out "law clerk" and insert "editor of the laws of Congress"; and on page 33, line 6, after the words "in all," to strike out "$618,840" and insert "$696,340," so as to make the clause read:

For Secretary of State, $12,000; Undersecretary of State, to be appointed by the President, by and with the advice and consent of the Senate, $7,500; Assistant Secretary, $5,000; Second and Third Assistant Secretaries, at $4,500 each; director of the Consular Service, $4,500; officers to aid in important drafting work—10 at $4,500 each, 8 at $4,000 each, 20 at $3,500 each, 15 at $3,000 each, 17 at $2,500 each, to be appointed by the Secretary, any one of whom may be employed as chief of division of far eastern, Latin-American, near eastern, or European affairs, or upon other work in connection with the foreign relations; assistant solicitors of the department, to be appointed by the Secretary—2 at $4,500 each, 5 at $3,500 each, 5 at $3,000 each, 2 at $2,500 each; chief clerk, who shall sign such official papers and documents as the Secretary may direct, $3,000; law clerks—6 at $2,500 each, 2 at $2,250 each, 3 at $2,000 each; editor of the laws of Congress and assistant, to be selected by the Secretary to edit the laws of Congress and perform such other duties as may be required of them, at $2,500 and $1,500, respectively; chiefs of bureaus—2 at $2,250 each, 5 at $2,100 each; 2 translators, at $2,100 each; additional to chief of Bureau of Accounts as disbursing clerk, $200; private secretary to the Secretary, $2,500; private secretary to the Undersecretary, $2,000; clerk to the Secretary, $1,800; clerks—27 of class 4, 30 of class 3, 40 of class 2, 63 of class 1 (3 of whom shall be telegraph operators), 40 at $1,000 each, 10 at $900 each; lithographer, $1,400; chief messenger, $1,000; 8 messengers; 27 assistant messengers; 4 messenger boys at $420 each; packer, $720; 7 laborers; 4 telephone switchboard operators; chauffeur, $1,080; 10 charwomen; in all, $696,340.

The amendment was agreed to.

The next amendment was, on page 34, line 10, after the word "foregoing," to strike out "$20,000" and insert "$15,000," so as to make the clause read:

For miscellaneous expenses, including maintenance and repair of a motor-propelled passenger vehicle, to be used only for official purposes; automobile mail wagons, including exchange of same; street car fare not exceeding $150, and other items not included in the foregoing, $15,000.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 35, line 24, after the word "operators," to insert "mechanical superintendent, $2,250," and on page 37, line 2, after the words "in all," to strike out "$226,100" and insert "$228,350," so as to make the clause read:

Office of chief clerk and superintendent: Chief clerk, including $300 as superintendent of Treasury Building, who shall be the chief executive officer of the department and who may be designated by the Secretary of the Treasury to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries of the department, $4,000; assistant chief clerk, $3,000; assistant superintendent of Treasury Building, $2,500; administrative clerk, $2,000; clerks—1 $2,000, 4 of class 4, 1 of class 3, 4 of class 2, 5 of class 1, 1 $1,000, 1 $900; operator of photographic copying machine, $800; 2 messengers; 3 assistant messengers; mimeograph operator, $720; messenger boy, $420; storekeeper, $1,200; telegraphers—1 $1,400, 1 $1,200; telephone and telegraph operator, $1,200; 3 telephone switchboard operators; mechanical superintendent, $2,250; chief engineer, $1,400; 4 assistant engineers, at $1,000 each (including 1 for outside buildings); 8 elevator conductors, at $720 each, and the use of laborers as relief elevator conductors during rush hours is authorized; 8 firemen; coal passer, $600; chief electrician, $1,600; locksmith and electrician, $1,400; captain of the watch, $1,400; 3 lieutenants of the watch, at $900 each; 65 watchmen; foreman of laborers, $1,200; assistant foreman of laborers, $840; 8 chauffeurs, at $720 each; 6 automobile truck laborers, at $660 each; skilled laborers—2 at $840 each, 2 at $720 each; 2 electricians, at $1,200 each; wireman, $900; 45 laborers; plumber, $1,100; painter, $1,100; plumber's assistant, $780; attendant for emergency relief room, $660; head of char force, $720; 85 charwomen; carpenters—2 at $1,000 each, 1 $720. Winder Building and annex: Engineer, $1,000; 3 firemen; elevator conductor, $720; 6 watchmen; 4 laborers (1 of whom, when necessary, shall assist and relieve the elevator conductor); forewoman of char force, $480; 12 charwomen; female laborer for ladies' toilets, $660. Cox Building, 1709 New York Avenue: Two watchmen; laborer. Auditors' Building: Forewoman of char force, $480; 25 charwomen; elevator conductor, $720; 7 laborers (1 of whom, when necessary, shall assist and relieve the elevator conductor); 2 female laborers, at $480 each; skilled laborer, $840; in all, $228,350.

The amendment was agreed to.

The next amendment was, on page 38, line 23, before the words "of class 3," to strike out "two" and insert "three"; in line 24, before the words "of class 2," to strike out "three" and insert "four"; in the same line, before the words "of class 1," to strike out "five" and insert "six"; and on page 39, line 2, after the words "in all," to strike out "$28,460" and insert "$32,660," so as to make the clause read:

General Supply Committee: Superintendent of supplies, $2,500; clerks—chief $2,000, 2 of class 4, 3 of class 3, 1 $1,500, 4 of class 2, 6 of class 1; 12 temporary clerks for 4 months, at $75 each per month; assistant messenger; laborer; messenger boy, $480; in all, $32,660.

The amendment was agreed to.

The next amendment was, on page 39, line 9, after the word "activities," to strike out "$80,000" and insert "$100,000," so as to read:

For salaries of employees, office equipment, fuel, light, electric current, telephone service, maintenance of motor trucks, and other necessary expenses for carrying into effect the Executive order of December 3, 1918, regulating the transfer of office material, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities, $100,000.

The amendment was agreed to.

The next amendment was, on page 43, line 12, after the word "necessary," to strike out "$9,000,000" and insert "$8,500,000," and in line 24, after the words "in all," to strike out "$10,824,000" and insert "$10,324,400," so as to make the clause read:

Bureau of War Risk Insurance: For expenses of the Bureau of War Risk Insurance, as authorized by law: For salaries of the director, and of such assistants, accountants, experts, clerks, and other employees in the District of Columbia as the Secretary of the Treasury may deem necessary, $8,500,000; stationery and minor office supplies, $500,000; miscellaneous expenses, including telephones, telegrams, freight, express, foreign postage, not exceeding $300 for street car fares in the District of Columbia, and not exceeding $1,000 for law books, books of reference, and periodicals, $50,000; printing and binding, $559,000; furniture, equipment, and supplies, $200,000; traveling expenses, exclusive of field investigations, $15,000; salaries and expenses of employees engaged in field investigations and expenses of not more than eight temporary branch offices, $500,000; maintenance, repair, and operation of a motor-propelled passenger vehicle, $400; in all, $10,324,400: *Provided*, That all employees appropriated for by this paragraph shall be engaged exclusively on the work of the Bureau of War Risk Insurance during the fiscal year 1921.

The amendment was agreed to.

The next amendment was, on page 45, after line 11, to insert:

Beginning with the fiscal year 1921, the Federal Farm Loan Board shall, as soon as possible after the close of each half of each fiscal year, levy upon the Federal land banks and joint stock land banks in proportion to their gross assets, an assessment equal to the amounts expended from all appropriations on account of salaries (including any additional compensation) and expenses of the board and its appointees and employees for the half of the fiscal year then closed. The board, in making such assessment, shall assess exclusively against either class of banks such expenses as may be incurred exclusively on behalf of such class. Such assessments shall be covered into the Treasury of the United States as miscellaneous receipts.

The amendment was agreed to.

The next amendment was, on page 53, after line 2, to strike out "Not to exceed $550,000 of the appropriations 'Expenses of loans' shall be used during the fiscal year 1921 for temporary employees in the Office of the Register of the Treasury: *Provided*, That no person shall be employed under the said sum of $550,000 at a rate of compensation exceeding $1,800 per annum," and insert:

Not to exceed $1,200,000 of the appropriations "Expenses of loans" shall be used during the fiscal year 1921 for temporary employees in the Office of the Register of the Treasury: *Provided*, That no person shall be employed under the said sum of $1,200,000 at a rate of compensation exceeding $1,800 per annum except the following: 4 at $3,000 each, 6 at $2,500 each, 2 at $2,250 each, 2 at $2,000 each.

The amendment was agreed to.

The next amendment was, on page 54, line 8, after "$2,500," to insert "principal clerk, $2,000," and in line 13 after the words "in all," to strike out "$69,420" and insert "$71,420," so as to make the clause read:

For expenses of Federal reserve and national currency (to be reimbursed by the Federal reserve and national banks): Superintendent, $2,500; principal clerk, $2,000; teller, $2,000; clerks—1 of class 4, 1 of class 3, 4 of class 2, 5 of class 1, 4 at $1,000 each, 5 at $900 each; engineer, $1,000; counters—28 at $1,000 each, 12 at $840 each; assistant messenger; fireman; messenger boy, $420; 2 charwomen; in all, $71,420.

The amendment was agreed to.

The next amendment was, on page 55, line 20, after "$120,130," to strike out "*Provided*, That hereafter enlisted personnel of the Coast Guard shall not be detailed for duty in the office of the Coast Guard in the District of Columbia," so as to make the clause read:

Office of the Coast Guard: Two chiefs of divisions, at $3,000 each; 2 assistant chiefs of divisions, at $2,200 each; title and contract clerk, $2,000; law and contract clerk, $1,800; civil engineer, $2,250; topographer and hydrographer, $1,800; topographical draftsman, $1,500; draftsman, $1,500; chief accountant, $2,000; private secretary for captain commandant, $1,400; clerks—8 of class 4, 14 of class 3, 16 of class 2, 15 of class 1, 10 at $1,000 each, 5 at $900 each; 2 messengers; 2 assistant messengers; laborer; in all, $120,130.

The amendment was agreed to.

The next amendment was, under the subhead "Internal Revenue," on page 65, line 1, after the word "*Provided*," to strike out "That $4,020 of the foregoing sum may be expended for rental of quarters in the District of Columbia for a branch office of the collector of internal revenue for the district of Maryland: *Provided further*," so as to make the clause read:

For expenses of assessing and collecting the internal-revenue taxes, as provided by the "revenue act of 1918," including the employment of the necessary officers, attorneys, experts, agents, accountants, inspectors, deputy collectors, clerks, janitors, and messengers in the District of Columbia and the several collection districts, to be appointed as

provided by law, telegraph and telephone service, rental of quarters outside the District of Columbia, postage, freight, express, and other necessary miscellaneous expenses, and the purchase of such supplies, equipment, furniture, mechanical devices, printing, stationery, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia and the several collection districts, $21,000,000: *Provided*, That not more than $500,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation.

The amendment was agreed to.

The next amendment was, under the head of "Independent Treasury," on page 67, after line 4, to strike out:

That section 3595 of the Revised Statutes of the United States, as amended, providing for the appointment of an Assistant Treasurer of the United States at Boston, New York, Philadelphia, Baltimore, New Orleans, St. Louis, San Francisco, Cincinnati, and Chicago, and all laws or parts of laws so far as they authorize the establishment or maintenance of offices of such Assistant Treasurers or of Subtreasuries of the United States are hereby repealed from and after July 1, 1921; and the Secretary of the Treasury is authorized and directed to discontinue from and after such date or at such earlier date or dates as he may deem advisable, such Subtreasuries and the exercise of all duties and functions by such Assistant Treasurers or their offices. The office of each Assistant Treasurer specified above and the services of any officers or other employees assigned to duty at his office shall terminate upon the discontinuance of the functions of that office by the Secretary of the Treasury.

That the Secretary of the Treasury is hereby authorized, in his discretion, to transfer any or all of the duties and functions performed or authorized to be performed by the Assistant Treasurers above enumerated, or their offices, to the Treasurer of the United States or the mints or assay offices of the United States, under such rules and regulations as he may prescribe, or to utilize any of the Federal reserve banks acting as depositaries or fiscal agents of the United States, as provided by existing law, for the purpose of performing any or all of such duties and functions. Notwithstanding the provisions of section 15 of the Federal reserve act, as amended, or any other provisions of law, the Secretary of the Treasury may deposit or carry with any Federal reserve bank any securities, moneys, bullion, or funds authorized by law to be deposited or carried with the Treasurer of the United States or with any of the Assistant Treasurers: *Provided, however*, That any such trust funds or other special funds or special deposits of securities, moneys, or bullion deposited or carried with a Federal reserve bank shall be kept separate and distinct from the assets, funds, and securities of the Federal reserve bank and be held in the joint custody of the Federal reserve agent and the Federal reserve bank: *And provided, however*, That nothing in this section shall be construed to deny the right of the Secretary of the Treasury to use member banks as depositories as heretofore authorized by law.

That the Secretary of the Treasury is hereby authorized to assign any or all the rooms, vaults, equipment, and safes or space in the buildings used by the Subtreasuries to any Federal reserve bank acting as fiscal agent of the United States.

All employees in the Subtreasuries in the classified civil service of the United States who may so desire shall be eligible for transfer to classified civil-service positions under the control of the Treasury Department, or if their services are not required in such department they may be transferred to fill vacancies in any other executive department with the consent of such department. To the extent that such employees possess required qualifications, they shall be given preference over new appointments in the classified civil service under the control of the Treasury Department in the cities in which they are now employed.

The amendment was agreed to.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. STERLING. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

The reading of the bill was continued.

The next amendment of the Committee on Appropriations was, under the head "War Department," on page 78, line 3, after the word "herein," to strike out "$2,500,000" and insert "$4,000,000"; in line 8, after the word "That," to strike out "$1,850,000" and insert "$2,000,000"; in line 21, after the words "sum of," to strike out "$2,500,000" and insert "$4,000,000"; on page 79, line 1, after the word "accounts," to strike out "1 at $2,500" and insert "2 at $2,500 each"; in the same line, after the word "each," to strike out "1 at $2,200" and insert "2 at $2,200 each, 2 at $2,000 each"; and in line 4, after the word "each," to insert "Office of Surgeon General—1, $2,400, 1, $2,000," so as to make the clause read:

Temporary employees: For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War, except as otherwise provided herein, $4,000,000: *Provided*, That the Secretary of War shall submit to Congress on the first day of its next regular session a statement showing by bureaus or offices the number and designation of the persons employed hereunder and the annual rate of compensation paid to each: *Provided further*, That $2,000,000 of the foregoing sum shall be allotted to the Office of The Adjutant General and such portion thereof as may not be needed in that office shall not be allotted to any other office, but shall lapse and be covered into the Treasury: *Provided further*, That appropriations contained in any other act for the fiscal year 1921 shall not be used for the payment of civilian personnel in the bureaus or offices of the War Department in the District of Columbia, except such as may be authorized by this act or as may be appropriated for the Army War College and Office of the Chief of Staff in the Army appropriation act and the Board of Ordnance and Fortification in the fortification appropriation act: *Provided further*, That no person shall be paid from said sum of $4,000,000 at a rate of compensation exceeding $1,800 per annum except the following: Office of Secretary of War—1 at $3,500 (audit of Red Cross accounts), 1 at $3,000 (audit of Red Cross accounts), 4 at $2,750 each (audit of Red Cross accounts), 2 at $2,500 each, 2 at $2,200 each, 2 at $2,000 each; Office of The Adjutant General—6 at $2,400 each, 2 at $2,000 each; Office of Surgeon General—1 $2,400, 1 $2,000; Office of Inspector General—1 at $2,000; Office of Director of Finance—1 at $5,000, 1 at $2,000; Motor Transport Corps—1 at $2,400.

The amendment was agreed to.

The next amendment was, on page 79, line 14, after the word "clerk," to strike out "$2,500" and insert "$3,000," and in line 21, after the words "in all," to strike out "$852,540" and insert "$853,040," so as to make the clause read:

Adjutant General's Office: Chief clerk, $3,000; 10 chiefs of divisions, at $2,000 each; clerks—58 of class 4, 74 of class 3, 116 of class 2, 231 of class 1, 93 at $1,000 each; engineer, $1,400; assistant engineer, $900; 2 firemen; skilled mechanic, $1,000; 11 messengers; 61 assistant messengers; 4 watchmen; 21 laborers; in all, $853,040; all employees provided for by this paragraph for The Adjutant General's Office of the War Department shall be exclusively engaged on the work of this office for the fiscal year 1921.

The amendment was agreed to.

The next amendment was, on page 82, line 1, after the word "clerk," to strike out "$2,250" and insert "$2,500," and in line 6, after the words "in all," to strike out "$126,210" and insert "$126,460," so as to make the clause read:

Office of Chief of Ordnance: Chief clerk, $2,500; chief of division, $2,000; principal clerk, $2,000; clerks—8 of class 4, 10 of class 3, 17 of class 2, 36 of class 1, 12 at $1,000 each, 5 at $900 each; 2 messengers; assistant messenger; messengers—2 at $780 each, 2 at $720 each; laborer; in all, $126,460.

The amendment was agreed to.

The next amendment was, under the head of "Public buildings and grounds," on page 85, line 7, before the words "fifty-four," to strike "sergeant, $1,580," and insert "two sergeants, at $1,580 each," and in line 8, after the words "in all," to strike out "$78,620" and insert "$80,200," so as to make the clause read:

Park police: Lieutenant, $1,900; first sergeant, $1,700; 2 sergeants, at $1,580 each; 54 privates, at $1,360 each; in all, $80,200.

Mr. WARREN. On page 85, in line 7, where we have put two sergeants in place of one, we should have cut one private out of the 54, making 53. I move to amend accordingly.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the head of "State, War, and Navy Department Buildings," on page 87, line 18, after the word "each," to insert "sign writer, $1,400," and on page 88, line 5, after the words "in all," to strike out "$385,330" and insert "$386,730," so as to make the clause read:

Potomac Park office buildings: For the following employees for the maintenance and protection of the buildings: Assistant superintendent, $2,000; clerks—1 of class 4, 2 of class 3, 2 of class 2, 4 of class 1, 4 at $1,000 each; 4 messengers, at $720 each; chief engineer, $1,800; assistant engineers—1 $1,600, 6 at $1,400 each; storekeeper, $1,200; chief electrician, $1,600; electricians—4 at $1,400 each, 4 at $1,200 each; foreman carpenter $1,600; carpenters—3 at $1,400 each, 7 at $1,200 each; sign writer, $1,400; painters—3 at $1,200 each, 2 at $1,000 each; plumbers—1 $1,400, 4 at $1,200 each; steam fitters—2 at $1,400 each, 2 at $1,200 each; machinist, $1,400; 4 switchboard operators, at $1,200 each; 6 general mechanics, at $1,000 each; guards—captain $1,600, 3 lieutenants at $1,080 each, 3 sergeants at $930 each, 30 at $780 each, 30 at $720 each; fire marshal, $1,080; foreman of laborers, $1,400; 2 assistant foremen of laborers, at $960 each; 7 foremen or forewomen, at $780 each; 140 laborers; laborers and charwomen, $130,000; 22 female laborers, at $480 each; in all, $386,730.

The amendment was agreed to.

The next amendment was, on page 88, line 23, before the word "four," to insert "sign writer, $1,400"; and on page 89, line 8, after the words "in all," to strike out "$419,740" and insert "$421,140," so as to make the clause read:

Mall office buildings: For the following employees for the maintenance and protection of the temporary office buildings in the Mall (Units A, B, C, D, E, and F, located in Henry Park, Seaton Park, and the Smithsonian Grounds): Assistant superintendent, $2,000; chief clerk, $1,800; clerks—1 of class 3, 2 of class 2, 5 of class 1, 4 at $1,000 each; 4 messengers at $720 each; chief engineer, $1,800; assistant to chief engineer, $1,600; 4 assistant engineers at $1,200 each, storekeeper, $1,200; foreman carpenter, $1,600; carpenters—4 at $1,400 each, 6 at $1,200 each, 2 at $1,000 each; chief electrician, $1,600; electricians—2 at $1,400 each, 6 at $1,200 each, 3 at $1,000 each; 3 switchboard operators at $1,000 each; foreman plumber, $1,400; 4 plumbers at $1,200 each; steam fitters—2 at $1,200 each, 1 $1,080; machinist, $1,200; sign writer, $1,400; 4 painters at $1,200 each; 14 general mechanics at $1,000 each; firemen—7 at $840 each, 11 at $720 each; captain of the guard, $1,600; lieutenants of the guard—3 at $1,080 each; fire marshal, $1,080; sergeants of the guard—6 at $930 each, 3 at $840 each; guards—90 at $780 each, 30 at $720 each; foremen of laborers, 1 $1,400; 2 assistant foremen of laborers at $960 each; 12 foremen or forewomen at $780 each; 160 laborers; laborers and charwomen, $80,000; 16 female laborers at $480 each; in all, $421,140.

The amendment was agreed to.

The next amendment was, on page 90, line 24, before the word "painters," to insert "sign writer, $1,400"; and, on page 91,

line 9, after the words "in all," to strike out "$296,760" and insert "$298,160," so as to make the clause read:

Temporary office buildings: For employees for the maintenance and protection of the temporary office buildings known as War Trade Building, between B and C Streets and Twentieth and Twenty-first Streets NW.; Food Administration Building No. 1, between Eighteenth and Nineteenth Streets and C and D Streets NW.; Food Administration Building No. 2, between New York Avenue and D Street and Nineteenth and Twentieth Streets NW.; Council of National Defense Building, on Eighteenth Street, between C and D Streets NW.; Fuel Administration Buildings Nos. 1 and 2, bounded by Virginia Avenue, Eighteenth and C Streets NW.; Fuel Administration Building No. 3, on D Street, between Twentieth and Twenty-first Streets NW.; H. L. Pettus Building, on Nineteenth Street, between Virginia Avenue and D Streets NW.; Archie Butt Building, 1725 New York Avenue NW.; and Corcoran Courts Building, on New York Avenue, between Seventeenth and Eighteenth Streets NW.; Assistant superintendent, $2,000; principal clerk, $2,000; clerks—1 of class 3, 1 of class 2, 3 of class 1; 2 messengers, at $840 each; chief electrician, $1,600; electricians—1 $1,400, 4 at $1,200 each; foreman carpenter, $1,600; carpenters—1 $1,400, 5 at $1,200 each; plumbers—1 $1,400, 3 at $1,200 each; steam fitter, $1,400; sign writer, $1,400; painters—3 at $1,200 each, 1 $1,000; 8 general mechanics, at $1,000 each; assistant engineers—1 $1,400, 3 at $1,200 each; 18 firemen, at $840 each; 11 coal passers, at $720 each; guards—*captain $1,600, 3 lieutenants* at $1,080 each, 12 sergeants at $900 each, 120 privates at $780 each; fire marshal, $1,200; foreman of laborers, $1,000; 2 assistant foremen of laborers, at $840 each; 7 foremen or forewomen, at $720 each; 60 laborers; 6 female laborers, at $480 each; laborers and charwomen, $60,000; in all, $298,160.

The amendment was agreed to.

The next amendment was, on page 91, after line 11, to insert:

Where any of the buildings named herein have been erected on private land and the consent of the owners can not be obtained to a continuance of the leases thereon or the occupancy thereof by the United States, the commission in charge of the State, War, and Navy Department buildings is authorized to remove such buildings, upon approval of the President, either by sale or otherwise, as may be to the best interests of the United States.

The amendment was agreed to.

The reading of the bill was continued to the end of line 12 on page 92.

Mr. WARREN. At that point I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Wyoming, on behalf of the committee, offers an amendment, which will be stated.

The READING CLERK. On page 92, line 11, after "$4,000," it is proposed to insert "one at $3,000"; and at the end of the same line to strike out "two" and insert "four," so as to read:

Four at $2,400 each.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Navy Department," on page 92, line 20, after the word "following," to strike out "Two" and insert "One $3,000, two," so as to make the clause read:

For temporary employees in the office of the Solicitor for the Navy Department, $25,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum except the following: One $3,000, two at $2,400 each, one at $2,250.

The amendment was agreed to.

The next amendment was, on page 93, line 11, after the word "annum," to insert "except one person, at not exceeding $4,000," so as to make the clause read:

Toward the collection or copying and classification, with a view to publication, of the naval records of the war with the Central Powers of Europe, including the purchase of books, periodicals, photographs, maps, and other publications, documents, and pictorial records of the Navy in said war, clerical services in the District of Columbia or elsewhere, and other necessary incidental expenses, $20,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum, except one person at not exceeding $4,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 17, page 93.

Mr. WARREN. At that point, on behalf of the committee, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Wyoming offers a committee amendment, which the Secretary will state.

The READING CLERK. On page 93, after line 17, it is proposed to insert:

For temporary employees in the office of the Judge Advocate General, as follows, 2 at $3,000 each, $6,000.

Mr. CHAMBERLAIN. May I ask the Senator from Wyoming what is the purpose of increasing the force of the Judge Advocate General's office at this time, particularly in view of the fact that the Army reorganization bill provides for a reorganization of the entire department?

Mr. WARREN. This is for the office of the Judge Advocate of the Navy, I will say to the Senator, and is in response to a personal appeal of the Secretary of the Navy, after we had concluded the hearings, that we should temporarily allow two extra employees.

Mr. CHAMBERLAIN. I did not know it was for the Navy. I thought it was for the Army.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 94, line 2, after the word "except," to strike out "two" and insert "four," so as to make the clause read:

For temporary employees in the office of the Chief of Naval Operations, $56,700: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum, except 4 persons at $2,000 each.

The amendment was agreed to.

The reading of the bill was continued to the end of line 14 on page 98, in the items for the Naval Observatory.

Mr. WARREN. The committee acted under a little misapprehension in connection with the Naval Observatory items on account of some additions made by the House committee which were stricken out on points of order, which would hardly apply in the Senate, but which were perfectly good in the House. The committee wishes to make some additions and also a subtraction on page 98, in accordance with the amendment which I now send to the desk.

While I am on my feet I desire to ask that the Secretary may be instructed to correct all totals in accordance with the amendments agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered. The Secretary will state the amendment presented by the Senator from Wyoming.

The READING CLERK. On page 98, line 1, after the word "astronomers," it is proposed to insert "one $3,200"; in line 4, after the word "clerks," to insert "chief, $2,000"; and at the beginning of line 13 to strike out "$10,000" and insert in lieu thereof "$5,000."

The amendment was agreed to.

The reading of the bill was continued to the end of line 17, on page 99.

Mr. WARREN. Again, along the same line that I explained a moment ago, the committee offers two amendments providing for advances and reductions.

The PRESIDING OFFICER (Mr. SPENCER in the chair). The amendments will be stated.

The READING CLERK. On page 99, line 15, after the word "Almanac," it is proposed to insert "one, $2,500."

The amendment was agreed to.

The READING CLERK. On line 20, after the word "stars," it is proposed to strike out "$3,000" and to insert in lieu thereof "$1,500."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 99, line 21, after "$3,000," to insert "*Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,200 per annum," so as to make the clause read:

For pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, $3,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,200 per annum.

Mr. WARREN. The committee asks to have that amendment rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment was, on page 103, line 2, after the word "following," to strike out "2 at $3,000 each, 1 at $2,500, and 6 at $2,000 each," and insert "1, $3,300, 2 at $3,000 each, 1 $2,500, 3 at $2,400 each, 10 at $2,000 each," so as to make the clause read:

For temporary employees in the Bureau of Supplies and Accounts, $350,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum except the following: One $3,300, 2 at $3,000 each, 1 $2,500, 3 at $2,400 each, 10 at $2,000 each.

Mr. WARREN. I offer an amendment to that amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. Before the words "one, $3,300," it is proposed to insert "one at $4,000."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 106, line 3, after the word "each," to insert "1 $840"; and in line 23, after the words "in all," to strike out "$318,590" and insert "$319,430," so as to make the clause read:

Office of the Secretary: Secretary of the Interior, $12,000; First Assistant Secretary, $5,000; Assistant Secretary, $4,500; chief clerk, including $500 as superintendent of buildings, who shall be chief execu-

tive officer of the department and who may be designated by the Secretary to sign official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries, $4,000; assistant to the Secretary, $2,750; private secretary to the Secretary, $2,500; assistant attorney, $2,500; 2 special inspectors (whose employment shall be limited to the inspection of offices and the work in the several offices under the control of the department), at $2,500 each; 6 inspectors, at $2,500 each; chief disbursing clerk, $2,500; chiefs of divisions—1 of supplies, $2,250, 1 of appointments, mails, and files, $2,250, and 1 of publications, $2,250; expert accountant, $2,000; clerks—4 at $2,000 each, 12 of class 4, 2 at $1,740 each; 1 $1,620, 16 of class 3, 1 $1,500, 19 of class 2, 1 $1,320, 24 of class 1, 4 at $1,000 each, 1 $840; returns office clerk, $1,600; female clerk, to be designated by the President, to sign land patents, $1,200; 7 copyists; classified laborer, $1,140; skilled laborer, $840; multigraph operator, $900; assistant multigraph operator, $720; typewriter repairer, $900; 2 telephone switchboard operators; chauffeurs—1 $1,080, 10 at $720 each; 10 messengers; 7 assistant messengers; 22 laborers; skilled mechanics—1 $900, 1 $720; 2 carpenters, at $900 each; plumber, $900; electrician, $1,000; gardener, $600; messenger boys—1 $540, 1 $420; 5 packers, at $660 each; 2 elevator conductors, at $720 each; 8 female laborers, at $400 each; captains of the watch—1 $1,200, 1 $840; lieutenants of the watch—1 $1,020, 5 at $840 each; 3 sergeants of the watch at $750 each; 66 watchmen; engineer, $1,200; assistant engineer, $1,000; 7 firemen; clerk to sign, under the direction of the Secretary, in his name and for him his approval of all tribal deeds to allottees and deeds for town lots made and executed according to law for any of the Five Civilized Tribes of Indians in the Indian Territory, $1,200; in all, $319,430.

The amendment was agreed to.

The next amendment was, on page 110, line 24, after the word "clerks," to strike out "eighteen" and insert "twenty"; in line 25, before the words "of class 3," to strike out "twenty-five" and insert "thirty-one"; in the same line, after the word "three," to insert "two at $1,500 each"; on page 111, line 1, before the words "of class 2," to strike out "thirty" and insert "thirty-eight"; in line 2, before the words "of class 1," to strike out "sixty" and insert "sixty-eight"; and in line 5, after the words "in all," to strike out "$283,790" and insert "$320,790," so as to make the clause read:

Indian Office: Commissioner, $5,000; assistant commissioner, $3,500; chief clerk, $2,750; financial clerk, $2,250; chiefs of divisions—1 $2,250, 1 $2,000; law clerk, $2,000; assistant chief of division, $2,000; private secretary, $1,800; examiner of irrigation accounts, $1,800; draftsmen—1 $1,400, 1 $1,200; clerks—20 of class 4, 31 of class 3, 2 at $1,500 each, 38 of class 2, 68 of class 1 (including 1 stenographer), 32 at $1,000 each (including 1 stenographer), 34 at $900 each, 2 at $720 each; messenger; 4 assistant messengers; 4 messenger boys, at $420 each; in all, $320,790.

The amendment was agreed to.

The reading was continued to line 9, on page 113, in the items for the Patent Office.

Mr. WARREN. The committee offers an amendment in line 25, page 112, which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 112, line 25, after the words "class four" and the comma, strike out the word "eleven" and insert the word "seventeen," so as to read:

clerks—11 of class 4, 17 of class 3, 19 of class 2—

And so forth.

And in line 9, page 113, change the total from "$1,490,600" to "$1,500,200."

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 115, line 19, after the word "elsewhere," to strike out "$5,000" and insert "$6,000," so as to make the clause read:

For investigation of kindergarten education, including personal services in the District of Columbia and elsewhere, $6,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $2,500 per annum.

The amendment was agreed to.

The next amendment was, under the head of "Surveyors general," on page 118, line 18, after the word "clerks," to strike out "$11,220" and insert "$11,100"; in line 19, after the word "expenses," to strike out "$3,600" and insert "$3,500"; and in the same line, after the words "in all," to strike out "$18,820" and insert "$18,600," so as to make the clause read:

Alaska: Surveyor general and ex officio secretary of the Territory, $4,000; clerks, $11,100; contingent expenses, $3,500; in all, $18,600.

The amendment was agreed to.

The next amendment was, on page 118, line 20, after the word "clerks," to strike out "$18,400" and insert "$17,820"; and in line 21, after the words "in all," to strike out "$22,000" and insert "$21,420," so as to make the clause read:

Arizona: Surveyor general, $3,000; clerks, $17,820; contingent expenses, $600; in all, $21,420.

The amendment was agreed to.

The next amendment was, on page 118, line 23, after the word "clerks," to strike out "$14,100" and insert "$13,500"; and in line 24, after the words "in all," to strike out "$17,750" and insert "$17,150," so as to make the clause read:

California: Surveyor general, $3,000; clerks, $13,500; contingent expenses, $650; in all, $17,150.

The amendment was agreed to.

The next amendment was, on page 119, line 3, after the word "clerks," to strike out "$12,600" and insert "$12,160"; and in line 4, after the words "in all," to strike out "$16,350" and insert "$15,910," so as to make the clause read:

Idaho: Surveyor general, $3,000; clerks, $12,160; contingent expenses, $750; in all, $15,910.

The amendment was agreed to.

The next amendment was, on page 119, line 9, after the word "expenses," to strike out "$500" and insert "$400," and in the same line, after the words "in all," to strike out "$15,560" and insert "$15,460," so as to make the clause read:

Nevada: Surveyor general, $3,000; clerks, $12,060; contingent expenses, $400; in all, $15,460.

The amendment was agreed to.

The next amendment was, on page 119, line 10, after the word "clerks," to strike out "$18,900" and insert "$18,000," and in line 11, after the words "in all," to strike out "$22,800" and insert "$21,900," so as to make the clause read:

New Mexico: Surveyor general, $3,000; clerks, $18,000; contingent expenses, $900; in all, $21,900.

The amendment was agreed to.

The next amendment was, on page 119, line 19, after the word "clerks," to strike out "$11,260" and insert "$9,740," and in line 20, after the words "in all," to strike out "$15,010" and insert "$13,490," so as to make the clause read:

Washington: Surveyor general, $3,000; clerks, $9,740; contingent expenses, $750; in all, $13,490.

The amendment was agreed to.

The next amendment was, on page 119, line 21, after the word "clerks," to strike out "$10,540" and insert "$9,980," and in line 22, after the words "in all," to strike out "$14,040" and insert "$13,480," so as to make the clause read:

Wyoming: Surveyor general, $3,000; clerks, $9,980; contingent expenses, $500; in all, $13,480.

The amendment was agreed to.

The reading was continued to line 19, on page 122, in the items for the office of Postmaster General.

Mr. WARREN. I send to the desk an amendment, which I ask may be stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 122, line 19, after the words "assistant attorneys," insert "one at $4,500."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, under the head of "Post Office Department," on page 123, after line 23, to insert:

For the following force authorized by the Post Office appropriation act for the fiscal year 1917 and heretofore paid from the appropriation for railroad transportation, namely: Clerks—2 of class 4, 2 of class 3, 10 of class 2, and 46 of class 1; in all, $76,000.

The reading of the bill was continued to line 26, on page 125, in the items for office of Fourth Assistant Postmaster General.

Mr. WARREN. The total just read, $1,808,220, should be corrected according to the amendment which I now send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 125, line 26, strike out "$1,808,220" and insert in lieu thereof "$1,884,220."

The amendment was agreed to.

The reading was resumed.

The next amendment was, on page 126, after line 8, in the items for contingent expenses, Post Office Department, to insert:

For painting, $2,000.

The amendment was agreed to.

The next amendment was, on page 127, line 4, after the word "guide," to strike out "$40,000" and insert "$43,000," so as to make the clause read:

For publication of copies of the Official Postal Guide, $43,000; and the amounts received during the fiscal year 1921 from sales of the Official Postal Guide to the public may be used as a further appropriation for the publication of copies of such guide.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 128, line 15, after the words "chief clerk and ex officio superintendent of buildings," to strike out "$3,000" and insert "$3,500."

Mr. CHAMBERLAIN. I should like to ask the Senator who has the bill in charge why this item was increased from $3,000 to $3,500, and the next item, "assistant chief clerk, $2,000," was reduced $500?

Mr. WARREN. I will say for the information of the Senator that it was the intention of the committee to strike out the item "assisant chief clerk, $2,000" and allow that position to be paid, as now, the full salary from the lump-sum appropriation.

The amendment was agreed to.

Mr. WARREN. I now send to the desk an amendment having the effect I have just stated.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 128, line 15, strike out "assistant chief clerk, $2,000."

Mr. SMOOT. I will say to the Senator from Oregon that that is right. The lady holding this position is drawing $2,500 and is paid from the lump-sum appropriation. I have a letter from the Assistant Attorney General stating that if we strike this item from the bill he will continue to pay the lady holding the position $2,500 from the lump-sum appropriation.

Mr. CHAMBERLAIN. Was there any objection to making it a statutory position and putting the salary at $2,500?

Mr. SMOOT. There was this objection: We shall by this means save $2,000. There is no question that they have money to pay this lady in the lump-sum appropriation, and if it is not paid to her it will be paid to somebody else. So we simply save $2,000 in this way.

Mr. CHAMBERLAIN. I have no objection provided the Senator is sure that it will protect the person who is now receiving the $2,500.

Mr. SMOOT. If the Senator desires I will hand to him the letter from the Assistant Attorney General, in which he says that that will be done.

Mr. CHAMBERLAIN. I have no reason to question the Senator's statement, but I am interested in seeing that no injustice is done.

Mr. SMOOT. She will receive $2,500, the same salary that she is receiving to-day.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was in line 17, after the word "General," to strike out "$3,000" and insert "$3,600"; in line 21, after the word "pardons," to strike out "$3,000" and insert "$3,600"; and on page 129, line 12, after the words "in all," to strike out "$484,610" and insert "$486,310"; so as to make the clause read:

Office of the Attorney General: Attorney General, $12,000; Solicitor General, $10,000; assistant to the Attorney General, $9,000; 6 Assistant Attorneys General, at $7,500 each; Solicitor for the Department of the Interior, $5,000; Solicitor for the Post Office Department, $5,000; Solicitor of Internal Revenue, $5,000; Solicitor for the Department of State, $5,000; 4 attorneys, at $5,000 each, one of whom shall have charge of all condemnation proceedings in the District of Columbia and supervise the examination of titles and matters arising from such condemnation proceeding in which the United States shall be a party or have an interest, and no special attorney or counsel, or services of persons other than of those provided for herein, shall be employed for such purposes; attorneys—1 $4,500, 1 $3,750, 4 at $3,500 each, 1 $3,250, 14 at $3,000 each, 2 at $2,500 each; assistant attorneys—1 $3,500, 2 at $3,000 each, 2 at $2,750 each, 5 at $2,500 each, 1 $2,400, 2 at $2,000 each; assistant examiner of titles, $2,000; chief clerk and ex officio superintendent of buildings, $3,500; superintendent of buildings, $500; private secretary and assistant to the Attorney General, $3,600; clerk to the Attorney General $1,800; stenographer to the Solicitor General, $1,600; law clerks—3 at $2,000 each, 2 at $1,800 each; clerk in the office of Solicitor of International Revenue, $1,800; attorney in charge of pardons, $3,600; superintendent of prisons, $4,000; disbursing clerk, $2,750; appointment clerk, $2,000; chief of division of investigation, $4,000; librarian, $1,800; clerks—8 of class 4, 12 of class 3, 12 of class 2, 27 of class 1, 16 at $1,000 each, 15 at $900 each; chief messenger, $1,000; packer, $900; messenger, $960; 6 messengers, 13 assistant messengers; 7 laborers; 7 watchmen, engineer, $1,200; 2 assistant engineers, at $900 each; 2 telephone switchboard operators; 4 firemen; 4 elevator conductors, at $720 each; head charwoman, $480; 24 charwomen. Division of Accounts: Chief, $3,000; administrative accountant, $3,000; chief bookkeeper and record clerk, $2,200; examiners—2 at $2,500 each, 4 at $2,250 each, 2 at $2,000 each, 3 at $1,800 each; clerks—3 of class 4, 6 of class 3, 6 of class 2, 5 of class 1, 3 at $900 each; in all, $486,310.

The amendment was agreed to.

The next amendment was, on page 130, line 16, after the word "bicycles," to strike out "$2,500" and insert "$3,000," so as to make the clause read:

For official transportation, including the maintenance, repair, and operation of a motor-driven passenger car, delivery truck, and motor cycle, to be used only for official purposes, and purchase and repair of bicycles, $3,000.

The amendment was agreed to.

The next amendment was, on page 130, after line 16, to insert:

The Secretary of War is authorized and directed to deliver to the Attorney General, for the use of the Department of Justice, one surplus 1-ton truck.

The amendment was agreed to.

The reading of the bill was continued to the end of line 18 on page 134.

Mr. EDGE. Mr. President, I desire to offer an amendment at that point.

The PRESIDING OFFICER. As in Committee of the Whole, the Senate has not yet finished the consideration of committee amendments. The proposed amendment of the Senator from New Jersey will be retained at the desk until the committee amendments have been disposed of and will then be in order.

Mr. EDGE. Then I understand that individual amendments may be taken up after the completion of the reading of the bill for committee amendments, rather than during that reading?

The PRESIDING OFFICER. Only committee amendments are in order at this time.

Mr. EDGE. I thought the amendment might be considered now, as we have reached the point where I desire to offer the amendment.

Mr. WARREN. I will say to the Senator that we have already settled that by unanimous consent. If the Senator's amendment were to an amendment of the committee, it would be in order, but if it is not an amendment to an amendment it will not be in order until we have passed through the regular reading of the bill in full.

Mr. EDGE. I will defer offering the amendment until the reading of the bill has been concluded.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Department of Commerce," on page 135, line 2, after the word "than," to strike out "$63,000" and insert "$75,000," so as to make the clause read:

For all necessary expenses, including field investigations in the United States and abroad, purchase of documents, plans, specifications, manuscripts, and all other publications for the promotion of the commercial interests of the United States, exchange on official checks, and rent outside the District of Columbia, to further promote and develop the foreign and domestic commerce of the United States, $325,000, to be expended under the direction of the Secretary of Commerce: *Provided*, That not more than $75,000 of the foregoing sum shall be used for the expenses of branch offices in the United States.

The amendment was agreed to.

The next amendment was, on page 136, line 8, after the words "New Orleans," to strike out "six" and insert "five"; and line 9, after the word "each," to insert "Mobile, one $2,350," so as to read:

Assistant inspectors, as authorized by law, for the following ports: New York, 40 at $2,500 each; New Orleans, 5 at $2,350 each; Mobile, 1 $2,350; Baltimore, 10 at $2,350 each; Providence, 4 at $2,350 each, etc.

The amendment was agreed to.

The next amendment was, on page 138, line 2, after "$2,400," to insert "Bath, Me., $1,000; Rockland, Me., $1,200"; in line 4, after the word "Galveston," to strike out "$1,500" and insert "$1,800"; in the same line, after the words "San Francisco," to strike out "$3,000" and insert "$4,000"; and in line 5, after the words "in all," to strike out "$30,500" and insert "$34,000," so as to make the clause read:

Shipping service: For shipping commissioners in amounts not exceeding the following: Baltimore, $2,000; Boston, $3,000; New Bedford, $1,200; New Orleans, $2,500; Newport News, $1,500; New York $5,000; Norfolk, $1,800; Philadelphia, $2,400; Bath, Me., $1,000; Rockland, Me., $1,200; Portland, Me., $1,300; Seattle, $3,500; Providence, $1,800; Galveston, $1,800; San Francisco, $4,000; in all, $34,000.

The amendment was agreed to.

The next amendment was, on page 139, line 2, after the word "boats," to strike out "$60,000" and insert "$75,400," so as to make the clause read:

Enforcement of navigation laws: To enable the Secretary of Commerce to provide and operate such motor boats and employ thereon such persons as may be necessary for the enforcement, under his direction by customs officers, of laws relating to navigation and inspection of vessels, boarding of vessels, and counting of passengers on excursion boats, $75,400.

The amendment was agreed to.

The next amendment was, on page 141, line 6, before the word "electricians," to insert "expert optician, $2,000"; and in line 9, after the words "in all," to strike out "$432,360" and insert "$434,360," so as to read:

Bureau of Standards: Director, $6,000; physicists—chief $4,800, 1 qualified in optics, $3,600, 2 at $3,600 each, 1 $3,300, 3 at $3,000 each; assistant to the director, $3,600; associate physicists—5 at $2,700 each,

* * * * * * *

packer, $840; 2 messengers; assistant messenger; superintendent of mechanical plant, $2,500; assistant engineers—1 $1,600, 1 $1,400, 2 at $1,200 each, 1 $1,000, 1 $900; 2 pipefitters at $1,000 each; 5 firemen; glassblowers—1 1,600, 1 $1,200; glassworker, $1,600; expert optician, $2,000; electricians—1 $1,400, 1 $1,200, 1 $900; foreman of janitors and laborers, $900; 14 laborers; janitors—3 at $660 each, 1 $600; 2 female laborers, at 360 each; in all, $434,360.

The amendment was agreed to.

The next amendment was, on page 148, line 18, after the words "amounting to," to strike out "$46,250" and insert "$52,250"; on page 149, line 3, after "$3,000," to insert "commercial attachés, $6,000"; and in line 13, after the words "sum of," to strike out "$96,250" and insert "$102,250," so as to make the clause read:

Contingent expenses, Department of Commerce: For contingent and miscellaneous expenses of the offices and bureaus of the department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding $2,500); stationery; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges; fuel, lighting, and heating; purchase and exchange of motor

trucks and bicycles; maintenance, repair, and operation of one motor-propelled passenger-carrying vehicle and of motor trucks and bicycles, to be used only for official purposes; freight and express charges; postage to foreign countries; telegraph and telephone service; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; repairs to building occupied by offices of the Secretary of Commerce; rental of water-cooling plant in Commerce Building, not to exceed $1,400; first-aid outfits for use in the buildings occupied by employees of this department; storage of documents belonging to the Bureau of Lighthouses, not to exceed $1,500; street car fares, not exceeding $300; and all other miscellaneous items and necessary expenses not included in the foregoing, $50,000, and in addition thereto sums amounting to $52,250 shall be deducted from other appropriations made for the fiscal year 1921 and added to the appropriation "Contingent expenses, Department of Commerce," in order to facilitate the purchase through the central purchasing office as provided in the act of June 17, 1910 (Stat. L., vol. 36, p. 531), of certain supplies for bureaus and offices for which contingent and miscellaneous appropriations are specifically made as follows: Bureau of Foreign and Domestic Commerce—promoting commerce, $4,500; promoting commerce (South and Central America), $3,000; commercial attachés, $6,000; promoting commerce in the Far East, $4,000; general expenses, Lighthouse Service, $8,500; contingent expenses, Steamboat-Inspection Service, $7,500; contingent expenses, shipping service, $500; instruments for measuring vessels, $500; instruments for counting passengers, $250; enforcement of wireless communication laws, $1,000; Bureau of Standards—equipment $1,500, general expenses $2,000; general expenses, Coast and Geodetic Survey, $4,500; miscellaneous expenses, Bureau of Fisheries, $8,500; and the said total sum of $102,250 shall be and constitute the appropriation for contingent expenses, Department of Commerce, to be expended through the central purchasing office (Division of Supplies), Department of Commerce, and shall also be available for objects and purposes of the several appropriations mentioned under the title "Contingent expenses, Department of Commerce," in this act.

The amendment was agreed to.

The next amendment was, under the head of "Department of Labor," on page 150, line 13, after the word "each," to insert "carpenter, $1,200," and in line 19, after the words "in all," to strike out "$139,180" and insert "$140,380," so as to make the clause read:

Office of the Secretary: Secretary of Labor, $12,000; Assistant Secretary, $5,000; chief clerk, $3,000; disbursing clerk, $3,000; private secretary to the Secretary, $2,500; clerk to the Secretary, $1,800; private secretary to the Assistant Secretary, $2,100; chief of division of publications and supplies, $2,500; appointment clerk, $2,100; deputy disbursing clerk, $2,100; assistant chief, division of publications and supplies, $2,000; librarian, $2,000; clerks—4 of class 4, 11 of class 3, 9 of class 2, 13 of class 1, 9 at $1,000 each, 4 at $900 each; 3 telephone switchboard operators; 2 messengers; 5 assistant messengers; 5 messenger boys, at $480 each; carpenter, $1,200; engineer, $1,100; 2 skilled laborers, at $840 each; electrician, $1,000; 3 firemen; 11 laborers (one of whom, when necessary, shall assist and relieve the elevator conductor); lieutenant of the watch, $840; 6 watchmen; 13 charwomen; 3 elevator conductors, at $720 each; in all, $140,380.

The amendment was agreed to.

The next amendment was, under the head of "Judicial," on page 155, line 17, before the word "nine," to insert "9 law clerks, 1 for the Chief Justice and 1 for each associate justice, at not exceeding $3,600 each," and in line 19, after the words "in all," to strike out "$153,500" and insert "$185,900," so as to make the clause read:

Supreme Court: Chief Justice, $15,000; 8 associate justices, at $14,500 each; marshal, $4,500; 9 law clerks, 1 for the Chief Justice and 1 for each associate justice, at not exceeding $3,600 each; 9 stenographic clerks, 1 for the Chief Justice and one for each associate justice, at not exceeding $2,000 each; in all, $185,900.

The amendment was agreed to.

The next amendment was, on page 155, line 23, after the word "at," to strike out "$3,500" and insert "$4,500," and in line 24, after the words "in all," to strike out "$315,000" and insert "$324,000," so as to make the clause read:

Circuit Courts of Appeals: Thirty-three circuit judges, at $8,500 each; 9 clerks of circuit courts of appeals, at $4,500 each; messenger, to act as librarian and crier, circuit court of appeals, eighth circuit, $3,000; in all $324,000.

The amendment was agreed to.

The next amendment was, on page 156, line 2, after "$735,000," to insert: "*Provided*, That this appropriation shall be available for the salaries of all United States district judges lawfully entitled thereto for the fiscal year 1921," so as to make the clause read:

District courts: Ninety-eight district judges, at $7,500 each, $735,000: *Provided*, That this appropriation shall be available for the salaries of all United States district judges lawfully entitled thereto for the fiscal year 1921.

The amendment was agreed to.

The reading was continued to line 18, on page 156, in the item for "Court of appeals, District of Columbia."

Mr. WARREN. I offer the amendment which I send to the desk, to come in on page 156, line 16. It is a matter which was omitted when we considered the other circuits.

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. On page 156, line 16, strike out "$3,250" and insert in lieu thereof "$4,250," so as to read:

Court of appeals, District of Columbia: Chief justice, $8,500; 2 associate justices, at $8,500 each; clerk, $4,250, and $250 additional as custodian of the court of appeals building.

The amendment was agreed to.

Mr. PHELAN. May I ask the chairman of the committee whether there is any modification of the salary schedule of Federal judges under either the bill as it passed the House or as it is proposed to be amended?

Mr. WARREN. No; there is not. Anything of that kind would go to the Committee on the Judiciary and not to the Committee on Appropriations.

The reading of the bill was continued.

The next amendment was, in section 4, page 161, line 17, after the word "paragraph," to insert "No new typewriting machine, however, shall be so purchased if it is of a different make than the machine given in exchange," so as to read:

SEC. 4. That no part of any money appropriated by this or any other act shall be used during the fiscal year 1921 for the purchase of any typewriting machine at a price in excess of the lowest price paid by the Government of the United States for the same make and substantially the same model of machine during the fiscal year 1919; such price shall include the value of any typewriting machine or machines given in exchange, but shall not apply to special prices granted on typewriting machines used in schools of the District of Columbia or of the Indian Service, the lowest of which special prices paid for typewriting machines shall not be exceeded in future purchases for such schools: *Provided*, That in construing this section the Commissioner of Patents shall advise the Comptroller of the Treasury as to whether the changes in any typewriter are of such structural character as to constitute a new machine not within the limitations of this section.

All purchases of typewriting machines during the fiscal year 1921 by the various branches of the Government of the United States for use in the District of Columbia or in the field, except as hereinafter provided, shall be made from the surplus machines in the stock of the General Supply Committee. The War Department shall furnish the General Supply Committee, immediately upon the approval of this act, a complete inventory of the various makes, models, and classes of typewriters in its possession, the condition of such machines, and the point of storage, and shall turn over to the General Supply Committee such typewriting machines in such quantities as the Secretary of the Treasury from time to time may call for by specific requisition for sale to the various services of the Government. If the General Supply Committee is unable to furnish serviceable machines to any branch of the Government it shall furnish unserviceable machines at current exchange prices and such machines shall then be applied by the branch of the Government receiving them as part payment for new machines from commercial sources in accordance with the prices fixed in the preceding paragraph. No new typewriting machine, however, shall be so purchased if it is of a different make than the machine given in exchange. After the approval of this act and until June 30, 1921, the War Department shall not dispose of any typewriting machines except to the General Supply Committee as authorized herein.

Mr. WADSWORTH. May I ask the chairman of the committee in his good patience to tell us something about the typewriter situation?

Mr. WARREN. This particular amendment is one that was offered by the committee of the House, stricken out on a point of order, and was put in by the Senate committee on the supposition that the House had looked the situation over very fully and that it should be in.

Does the Senator know any special reason why it should not be agreed to?

Mr. WADSWORTH. No; I am not objecting to the amendment. There is another amendment below which is perhaps even more important. But it brings up this whole question of the Government's handling of the typewriter problem, and I was wondering if the chairman of the committee cared to explain it to the Senate. I have heard a good many complaints as to how the Government is handling it.

Mr. WARREN. So far as I am concerned, I should be very glad to make a trade, to disagree to the first amendment and agree to the second one, if necessary to change it at all—and I doubt the wisdom of changing it.

Mr. CURTIS. Does the Senator from New York refer to the amendment at the bottom of page 161, about the disposition of used typewriters?

Mr. WADSWORTH. Yes; that in connection with the text of the bill as unamended.

Mr. CURTIS. There has been a good deal of complaint about the disposition of typewriters, the claim being that the departments are not taking care of them, the operators refusing to oil them and keep them in condition, and that after using them a few months they are out of condition and they want to sell them.

Mr. WADSWORTH. That is my information also.

Mr. CURTIS. This is to prevent them from doing that, and to require the departments to keep the machines in good order, to see that the operators take care of their typewriters, and that they shall not sell them every four or five months as old machines.

Mr. WADSWORTH. I am in entire sympathy with the amendment, so far as it goes, in that respect. But may I ask whether it is the purpose of this amendment in effect to prevent the purchase of any new typewriters from manufacturers during the next fiscal year?

Mr. WARREN. No; I do not believe there is any reason for expecting that, for the reason that the Government has carloads of typewriters on hand which were bought by the Army and Navy,

many of which have not been used, and there is, I think, so far as typewriters are concerned, a very efficient accounting of supplies going on through the War Department. They are giving particular attention to the typewriter proposition, both as to the disposition of the new and as to the reconstruction of the old.

Mr. WADSWORTH. Mr. President, I was not criticizing the amendment itself, but as I read the text of the bill, commencing with line 6, on page 160, and going down to the bottom of page 161, ending with the second committee amendment, I gathered the impression that the effect would be to prevent the purchase of any new typewriters during the next fiscal year. If so, I am in favor of it.

Mr. SMOOT. I will say to the Senator that that will not be the result of the second amendment. When I offered the amendment in the committee, I had in it originally a limitation of four years. After a discussion of the question as to whether that was the length of time that every machine purchased by the Government should be used, it was finally concluded that three years would be long enough. I know that some of the members of the committee called attention to the experience they had had with machines in their own offices, and they stated that in their opinion three years would be sufficient.

The way section 4 is drawn now there will be but very few typewriters purchased by the Government for the fiscal year ending June 30, 1921. There will be some no doubt. For instance, new Senators and Representatives may want new machines, or something may happen to a machine that has been in operation three years in a Senator's office, and he would require a new machine. In that way, and in that way only, will there be purchases of new machines, and with the amount that we have on hand at the present time, I hope that there will be very few machines purchased.

The Chief of the General Supply Committee asked for an increased appropriation of $30,000, but the committee gave him $20,000, increasing the amount from $80,000 to $100,000, for the repair of the machines, and so forth. A part of that is for the repair of typewriters owned by the Government. That $20,000, he claims, will take care of buying all the parts necessary for the old machines he has already in store, and also all repairs that may be necessary to such machines. I think that the provisions we have in the bill are absolutely right.

The first amendment reads:

No new typewriting machine, however, shall be so purchased if it is of a different make than the machine given in exchange.

The object of that is this: In the departments they are changing clerks all the time, and a new clerk may want an Underwood typewriter or a Remington typewriter, and in the past where the exchanges have been made of one machine for another kind of machine the concern manufacturing the new machines will never give for the old machine what the manufacturers of the old machine would have given if it had been exchanged for a machine made by them. This means that wherever there is an exchange of a Remington it shall be for a Remington machine, and if an Underwood for an Underwood, and I am quite sure that the Government of the United States will save money by the amendment.

Mr. WADSWORTH. Yes, Mr. President, I am quite free to confess that I think that is an excellent idea. My information had been that there are something like 35,000 typewriters stored around Washington not in use; that they are corded up like cordwood. The employees of the Government standing on the floor take a machine and throw it up on top of the pile, and there it lies, probably breaking some little part of it which could be easily repaired. As I understand the Government's arrangement with the typewriter companies, it is to the effect that the companies must keep the machines in repair for one year free of charge.

Mr. SMOOT. That is, minor repairs. They do not furnish parts. They just simply keep a machine so that it will operate successfully. In other words, if a Senator has any trouble with his machine working successfully, the company making the machine will furnish some one to see that it is put in order. If anything happens to the machine by way of a breakage, they are not responsible in any way for it.

Mr. WADSWORTH. I suppose if a happy employee took an ax to it, the company would not be expected to keep it in repair.

I want to ask the Senator, in view of the probability of the Government having enough machines on hand that could be used if repaired and kept in repair at a very small cost, whether he thinks it is really necessary that we buy any new ones for this next year?

Mr. SMOOT. I will say to the Senator that I do not expect very many to be purchased, but there may cases arise where the purchase of a new machine would be necessary. In other words, if it does happen I think it will be with a Senator or a Representative or some official in the department. I do not think it is going to happen in any of the departments as a general thing. The wording in the bill as agreed to was for the purpose of taking care of the special cases that may arise.

There has been a disposition on the part of some Senators to ask for noiseless machines. I do not think we are going to enter upon the program of furnishing all Senators and Representatives with noiseless machines. A request for one, of course, goes to the Committee to Audit and Control the Contingent Expenses of the Senate, and I believe I am safe in saying that the chairman of that committee, the junior Senator from New York [Mr. CALDER], is not, as a member of that committee, going to agree to any such program.

Mr. CALDER. I assure the Senator he is quite right, and I hope to have his support.

Mr. SMOOT. I will assure the Senator that I will be with him in opposing any such practice.

Mr. WADSWORTH. Can the Senator from Utah tell the Senate how long the price limitation has been fixed?

Mr. SMOOT. Of $57.50?

Mr. WADSWORTH. I do not know what the price is. I mean how long has it been fixed?

Mr. SMOOT. The old price limit was $57.50 for some machines and I think the new offer is about $67. I know there is not quite $10 difference.

Mr. WADSWORTH. Can the Senator say how long this limitation as expressed from line 9, page 160, downward has existed in the law?

Mr. SMOOT. I can not say offhand.

Mr. WADSWORTH. Four or five years?

Mr. SMOOT. Perhaps. It was before the war, I will say to the Senator; and, of course, we understand that it costs more now to make typewriting machines than it did then; but there is a new limit upon typewriting machines now.

Mr. WADSWORTH. How does the new limit come about if there has been no change in the law?

Mr. SMOOT. I know there is a difference in the price of machines, if not in the law.

Mr. CALDER. In the price to the Government?

Mr. SMOOT. Yes.

Mr. CALDER. My information was that it had not been increased since before the war.

Mr. SMOOT. I think the Senator is wrong in that.

Mr. WADSWORTH. My understanding is that different companies have different prices; but these companies have been holding to the same price for four or five years.

Mr. SMOOT. I think there is one such company. I can tell the Senator in a moment what company it is.

Mr. WARREN. I think the Senator will remember one company has furnished them originally for $57.50 and then raised to $67. The company's retail rate is $100, and they give the Government a discount of about 35 per cent.

Mr. SMOOT. The Royal typewriter is the one I had reference to.

Mr. WARREN. Different companies have different prices now, because they have the noiseless and different fixtures. The supposition is on general terms that they give the Government something like one-third off, but they have been bought largely in the past from the one company that bought cheaper than others and made contracts accordingly.

Mr. SMOOT. As I remember the testimony, the Royal Typewriter Co. is furnishing the machines to-day at the same as they furnished before the war.

Mr. WADSWORTH. They have to.

Mr. SMOOT. I suppose they had some kind of a contract, but I do not remember the details of it. The other companies are asking more to-day than they did years ago.

Mr. WADSWORTH. I can not understand how that company can get more money to-day for its machines than it did four years ago, because in every bill that has been passed year after year this same clause has been inserted, that the price shall not be in excess of the lowest price paid by the Government of the United States for the same make and substantially the same model of machine during the preceding fiscal year. In other words, we fixed the price of typewriters four or five years ago at the lowest price then paid for each type of machine, and we have repeated that language every year since. So, how can any typewriter be costing more money to-day than it cost four years ago?

Mr. SMOOT. I do not know that this exact wording has been in all the different appropriation bills. It may be, but I do not remember. I do know that there are some typewriting machines for which they receive more than $57.50 from the Government to-day—that is, according to the testimony. It may have been because of the fact that they had a contract for a higher price.

Mr. WADSWORTH. It was; and they have been limited to that as a maximum ever since. I know it is not particularly popular to defend manufacturers, and it does not excite a great deal of public sympathy, but here is a case where the Government of the United States in effect compels its own citizens to sell articles to it at a loss and there is no relief whatever. It may be regarded as good business on the part of the United States to get something for less than it is worth, but I doubt the ethics of it.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Dakota?

Mr. WADSWORTH. Certainly.

Mr. GRONNA. If the Senator will read the statement of one of the men who represent the typewriter companies, he will find that the typewriter companies consider it very good business to get orders from the Federal Government because it helps their business in foreign countries. It may be true that they make no profit on any sales made to the Government, but the Senator will realize the tremendous advantage and the benefit to the typewriting concerns if they can go to foreign countries and show that their machine is used by the Federal Government here.

Mr. WADSWORTH. I can understand perfectly that argument. However, you will find that they continue to deliver them to the Government because they are afraid not to.

Mr. WARREN. Has the Senator information that they are delivering to the Government at less than cost?

Mr. WADSWORTH. That is my information.

Mr. WARREN. The committee did not get such information.

Mr. WADSWORTH. If the testimony before the committee is to the contrary, that is another thing. My information was that the machine could not be made for that price. It may not be serious, but I doubt the ethics of it.

Mr. SMOOT. I want to call the Senator's attention to a statement made by Mr. Charles J. Rogers, Washington manager of the L. C. Smith & Bro. Typewriter Co., of Syracuse, N. Y., as follows:

Mr. ROGERS. Section 4 of the legislative, executive, and judicial appropriation act limits the price that can be paid for typewriting machines. Since appearing before the House committee bids have been opened by the General Supply Committee for the furnishing of typewriters during the next fiscal year, and the following facts have been developed:

The Remington Typewriter Co., the L. C. Smith Typewriter Co., the Royal Typewriter Co., the Oliver Typewriter Co., and other typewriter companies have bid a higher price.

The CHAIRMAN. Higher price than what?

Mr. ROGERS. Than can be paid for typewriters under the proposed legislation, section 4.

The CHAIRMAN. What typewriters have not raised the price?

Mr. ROGERS. I personally know of no concern that has not raised the price. We could have technically complied with the law by having bid our typewriters f. o. b. Syracuse or Washington, eliminating the guaranty, and by that indirect method increased the cost to the Government approximately $7 per machine. Instead, we based our price on what we felt we could sell them at, and bid, as in the past, delivery anywhere in the United States, guaranteeing to keep the machine in repair free of cost for a period of one year. Based upon costs of last year, that amounts to approximately $7 per machine.

The CHAIRMAN. What do you furnish the machines for now?

Mr. ROGERS. $70; new price bid, $77—

That is the L. C. Smith Typewriter Co.—

That is the correspondent model only.

Senator OVERMAN. What machine do you sell?

Mr. ROGERS. L. C. Smith.

Senator OVERMAN. What do you retail it at?

Mr. ROGERS. $110.

Senator OVERMAN. What do you wholesale it at to the merchants?

Mr. ROGERS. To people who use a hundred or more we give them a discount of 10 and 10 per cent, equally $89 and a few pennies.

The CHAIRMAN. You make a deduction to those who use 10 or more, do you not?

Mr. ROGERS. No; we make a deduction for 25 or more of 10 per cent, making the price $99. For a machine we sell the Government at $62 we sell to a big user for $78.90, and a single user at $97.50. The injustice, if I may use that term, of this legislation is precisely this: We served the Government back in 1913 and 1914.

Other typewriter companies, who did not serve the Government at that time, and have since brought machines on the market, have been able to quote any price they chose to quote and have received the contract from the Supply Committee and orders from the Government and payment therefor.

I will not read any more. The Senator can see the drift of the testimony of Mr. Rogers, representing the L. C. Smith Typewriter Co.

Mr. WADSWORTH. I am puzzled about one part of it. As I gather from what the Senator read a moment ago, the representative of one of the manufacturing concerns says they have been delivering machines to the Government for $70, and this year they have bid $77. The Government can not pay $77, can it? It is forbidden to pay any more than last year, and last year any more than the year before.

Mr. SMOOT. If that is the case and they could not purchase under the bid, no doubt the L. C. Smith & Bros. Co. will conclude to sell to the Government their machines at $70, just the same as the old price.

Mr. WADSWORTH. Then the bid does not amount to anything?

Mr. SMOOT. I think that will be the result.

Mr. WADSWORTH. In other words, the Government has the upper hand, and, of course, is getting the machines.

Mr. SMOOT. They only have the upper hand in this way, that there is no typewriter machine made in the United States but what the maker of that machine desires to sell it to the Government of the United States and use that as an advertisement for selling machines not only throughout the United States but throughout Europe as well. I think that is about the sum and substance of it.

The amendment was agreed to.

The next amendment was, on page 161, in line 23, after the word "herein," to insert the following proviso:

Provided, That hereafter no typewriter that has been used less than three years shall be sold, exchanged, or given as part payment for another typewriter.

The amendment was agreed to.

The next amendment was, on page 162, after line 10, to insert as a new section the following:

SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section, shall receive, during the fiscal year ending June 30, 1921, additional compensation at the rate of $240 per annum: *Provided*, That such employees as receive a total of annual compensation at a rate more than $2,500 and less than $2,740 shall receive additional compensation at such a rate per annum as may be necessary to make their salaries, plus their additional compensation, at the rate of $2,740 per annum, and no employee shall receive additional compensation under this section at a rate which is more than 60 per cent of the rate of the total annual compensation received by such employee: *Provided further*, That the increased compensation at the rate of $240 per annum for the fiscal year ending June 30, 1920, shall not be computed as salary in construing this section: *Provided further*, That where an employee in the service on June 30, 1919, has received during the fiscal year 1920, or shall receive during the fiscal year 1921 an increase of salary at a rate in excess of $200 per annum, or where an employee whether previously in the service or not, has entered the service since June 30, 1919, whether such employee has received an increase in salary or not, such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation: *Provided further*, That the increased compensation provided in this section to employees whose pay is adjusted from time to time through wage boards or similar authority shall be taken into consideration by such wage boards or similar authority in adjusting the pay of such employees.

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; officers and members of the Metropolitan police of the District of Columbia and the United States park police who receive the compensation fixed by the act approved December 5, 1919; officers and members of the fire department of the District of Columbia who receive the compensation fixed by the act approved January 24, 1920; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916, except employees of the United States Tariff Commission who shall be included and except that employees of the Bureau of War Risk Insurance shall receive increased compensation at one-half the rate allowed by this section for other employees: *Provided*, That employees of said bureau who are compensated at rates below $400 per annum shall receive additional compensation only as the rate of 60 per cent of the annual rates of compensation received by such employees. The provisions of this section shall not apply to employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads, express companies, telegraph, telephone, marine cable, or radio system or systems taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads, express companies, telegraph, telephone, marine cable, or radio system or systems as employees of the United States.

Section 6 of the legislative, executive, and judicial appropriation act approved May 10, 1916, as amended by the naval appropriation act approved August 29, 1916, shall not operate to prevent anyone from receiving the additional compensation provided in this section who otherwise is entitled to receive the same.

Such employees as are engaged on piecework, by the hour, or at per diem rates, if otherwise entitled to receive the additional compensation, shall receive the same at the rate to which they are entitled in this section when their fixed rate of pay for the regular working hours and on the basis of 313 days in the said fiscal year would amount to $2,500 or less: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.

So much as may be necessary to pay the additional compensation provided in this section to employees of the Government of the United States is appropriated out of any money in the Treasury not otherwise appropriated.

So much as may be necessary to pay the increased compensation provided in this section to employees of the government of the District of Columbia is appropriated, one-half out of any money in the Treasury not otherwise appropriated and one-half out of the revenues of the District of Columbia, except to employees of the Washington Aqueduct and the water department, which shall be paid entirely from the revenues of the water department, and to employees of the minimum wage board and the playgrounds department, which shall be paid wholly out of the revenues of the District of Columbia.

So much as may be necessary to pay the increased compensation provided in this section to persons employed under trust funds who may be construed to be employees of the Government of the United States or of the District of Columbia is authorized to be paid, respectively, from such trust funds.

Reports shall be submitted to Congress on the first day of the next regular session showing for the first four months of the fiscal year the average number of employees in each department, bureau, office, or establishment receiving the increased compensation at the rate of $240 per annum and the average number by grades receiving the same at each other rate.

Mr. CALDER. I offer the amendment to the committee amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from New York to the amendment reported by the committee will be stated.

The ASSISTANT SECRETARY. On page 164, line 1, after the word "Alaska," it is proposed to strike out the following words:

Officers and members of the Metropolitan police of the District of Columbia and the United States park police who receive the compensation fixed by the act approved December 5, 1919; officers and members of the fire department of the District of Columbia who receive the compensation fixed by the act approved January 24, 1920.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York to the amendment of the committee.

Mr. CALDER. Mr. President, this amendment is offered so as to permit the members of the Metropolitan police force and the members of the fire department of the city of Washington to receive the $240 bonus which is allowed to other Government employees for the next fiscal year. Those men now receive the bonus. During the present session of Congress, however, the pay of the policemen and firemen of the District has been readjusted. They have received an increase of their basic pay on an average of about $350 each. Some few of the officers, but a very few, receive a little more than that, but as to the firemen, the men who do the work, and the policemen, the privates, their average increase is about the sum which I have indicated. In addition to that, as I have stated, these men also receive the bonus.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Wyoming?

Mr. CALDER. I do.

Mr. WARREN. I know the Senator desires to be accurate in regard to this matter, and I desire to inform him that the increase which has been received by these men has been in some instances as much as $800 instead of $350. It has varied between those two sums. Without wishing to interrupt the Senator in any remarks which he may care to make, I desire, in the interest of what he is anxious to accomplish—that is, to secure an increase of whatever is necessary for the city employees and to provide for it on general principles—to make a suggestion to him.

To undertake now, after the salaries of these employees have been nearly doubled, to make the extra pay in the shape of a bonus apply to them would be very unscientific and could not help but create trouble for the committee and for the Senate with employees in other departments.

Another appropriation bill, now being considered in the other House, will be here soon, and that bill applies directly to the District of Columbia. I should like, therefore, to have the Senator withdraw his amendment to the pending bill and take the matter up with the Committee on the District of Columbia, of which the Senator himself is a very distinguished member. On that committee also are several Senators who are likewise members of the Committee on Appropriations. The Committee on Appropriations very carefully considered this matter, and not a member of the committee, so far as I know, has committed himself to an intention to keep these men down to the salaries which they are at present receiving. It was the unanimous wish, however, that we should not by a bonus allowance attempt to raise salaries to the amount to which these have been raised—and I am not saying that the increases were too large.

Unfortunately, also, if the amendment of the Senator is agreed to as proposed, the entire structure of the bill will have to be changed, because, as the Senator will see, in two or three or more places we took the language of the bill of last year and provided that the bonus should not apply where salaries had been increased beyond a certain percentage—60 per cent. Many of the employees to whom the Senator from New York refers have had their salaries increased more than 60 per cent.

Then there is another item in the bill to the effect that any employee whose salary has been increased by $200 within the last year can not have the benefit of the bonus. It is true, however, that as to that particular item of $200 there is given liberty to the head of the department to apply the bonus. Under that authorization the head of the department may apply the bonus as the Senator proposes, but if it is inserted here he could not apply the bonus in the next year and carry out the provisions of the law.

Of course, we have got to take up the matter of the half-and-half principle in the consideration of the District bill. I do not want the Senator to make it even seem possible that any member of the Committee on Appropriations is undertaking to keep the salaries of these employees in this city at a low or inadequate rate; but the Senator, I think, will see, as I have seen, in looking over the list which I have here, that what he proposes—that the $240 shall apply to everyone—would not be a fair proposition. I think there are some to whom it should not apply, while there are others, probably, who deserve more than that. I agree with the Senator that the whole matter ought to be gone over and that any increase which may be made should be permanent. We are surrounded by thousands of employees, in fact, over a hundred thousand. We have provided for a Commission on Reclassification, whose report was submitted too late to be taken into consideration in connection with this particular bill. This entire matter of the bonus is an expedient, and, in my judgment, not a commendable expedient except to cover the matter for the time being.

We have time to take up the matter of salaries, because a commencement has been made as to the District of Columbia; we have the District appropriation bill yet to come over here; and there is at present, if it is not destroyed, a disposition upon the part of Senators who arrange matters of appropriation to take care of this question in a regular and legitimate way. I think it would tend more to defeat the object than it would finally bring it to a favorable conclusion to have this amendment adopted, and therefore I am opposed to it.

Mr. CALDER. Mr. President, I appreciate full well the position of the chairman of the Committee on Appropriations and his very kindly attitude toward these splendid public servants. We have increased the pay of these men substantially; as I indicated a few moments ago, we have increased the pay of private in the police department, one group $340, another group $360, and another group $380 a year. We have increased the pay of a few, such as the surgeons of the department, by doubling their previous compensation, but the men who really do the work, the privates in the police and fire departments, have had their pay increased about 35 per cent on an average. That, I know, is a substantial increase, but when these increases were authorized, having in mind the pay given firemen and policemen throughout the country, the Committee on the District of Columbia in their recommendations considered the question of a bonus, and we felt that, while the increase granted by separate legislation, averaging $550 or $560 a year, including the bonus, was a considerable increase, yet it did not seem to us too much. We inquired concerning the pay of similar employees in other cities of the country. In New York City the policemen and firemen have now a permanent pay of $1,900; the permanent pay in the higher grades of the firemen and policemen in the District of Columbia, including the bonus, is $1,900. In Chicago and in other cities the pay is even more than here, including the bonus.

Policemen and firemen constitute a different class from any other employees of the Government. They work every day in the month. They have no half holidays on Saturday; they have none of the regular holidays which other employees have; they are employed 24 hours in the day and are on duty continually. Of course, they have one day off a week, but the other six days they are on duty 24 hours a day, and every hour of their existence their lives are in danger.

Senators are aware of the condition of things in the District of Columbia. I think there has been on an average one police officer killed in the performance of duty in the District of Columbia each month for the last two years. These men must buy all of their uniforms and are compelled to pay now double what they did a few years ago. Policemen are required to have three uniforms a year. Perhaps some uniforms may be held over from one year to another, but they must have three different uniforms.

I believe that the basic pay now fixed by law for the policemen and firemen is sufficient. I do not think Congress ought to authorize an additional wage for these men, but I believe that in these days of high prices—and this is an old story to the Senate—when we have to pay over 100 per cent more to live than we did a

little while ago, this particular class of men, these men who safeguard the city, who safeguard the Capital of the Nation, these men who endanger their lives every hour in the day, ought to be kept in such a condition of mind that they will be satisfied with their jobs.

This matter of the bonus was considered, as I suggested a moment ago, when we raised the pay of the policemen and firemen, and I know full well that unless my amendment is adopted, despite the statement of the chairman of the committee, the pay of these men will be reduced on July 1.

Mr. HARRISON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Mississippi?

Mr. CALDER. I yield.

Mr. HARRISON. May I ask the Senator if he knows what is the pay of motormen and conductors on street car lines in the city of Washington?

Mr. CALDER. A conductor told me one day last week that his pay averaged about $5.80 a day.

Mr. HARRISON. I have understood that if this bonus was not granted many of the men in the fire department and on the police force could get better jobs as motormen or conductors on the street car lines, and it might result in disorganizing the force here.

Mr. CALDER. Replying to the Senator from Mississippi, I have been informed that, despite the increased compensation, 10 policemen have resigned since the 1st of January because better opportunities were offered them in other employment.

Mr. WARREN. Mr. President, the Senator speaks as if proposing an amendment here were a finality.

Mr. CALDER. Oh, no.

Mr. WARREN. If the Senator will excuse me a moment further, I think he is making the very best kind of an argument that these salaries ought to be fixed permanently and not temporarily. We all know the importance of the police force and of the fire force; and if it is difficult to hold men there when they have to depend upon the salary and bonus, it is far less difficult to get those men and far less difficult to employ them when they know they are going to have a regular scale of pay and will not have to submit to the luck or ill luck of receiving or not receiving a bonus.

The Senator says they are now receiving the bonus. That takes them up to the 1st of July. We have coming in, as I say, the regular appropriation bill for the District of Columbia. We shall also have toward the end of the year a deficiency bill, which we all dread, but to which we all have to submit; and we have many times taken care of city matters there if they have not been taken care of otherwise. I think the present time, however, immediately after this raise—which, if the Senator wishes, I will put in the RECORD, so as to show just what it is—is an unfortunate time to make this proposal; and it will have an unfortunate influence on legislation and on other employees and all others to raise salaries with the intention—if that is what I understand the Senator to say—that there should be a bonus in addition to that.

Where are we going to land when we take up the reclassification, where we fix salaries for the employees of the Government, if it is understood in this quarter or the other, as it naturally would be if this motion prevails, that they can apply from day to day for a bonus? In fact, we were besieged this year with applications for a bonus of $480, and while we indulge in bonuses there will always be a train of men and women at the door of every appropriations committee asking for this bonus or that or the other, seeking to raise the bonus every time and creating discontent, which condition can not exist if regular salaries are fixed which they must accept or not accept.

Mr. CALDER. Mr. President, I submit again that I dislike to disagree with the chairman of the committee. I know that he means to deal with these men, as he always does with all other Government employees, fairly and equitably; but, Mr. President, this is a different case. These men are the guardians of the city of Washington. They protect the Nation's property and the lives of officials here. If we failed to give them this bonus it would be breaking faith with them.

When we passed the bills increasing the pay of the firemen and policemen, the District of Columbia Committee agreed, as much as it was possible for us to do so, that the bonus was to continue. In fact, the bonus did continue, for to-day these men are receiving it; but unless the amendment proposed by me is agreed to, on July 1 their pay will be reduced $20 a month.

Another matter, Mr. President: When we were considering this question, we found the whole question of the affiliation of policemen and firemen with outside labor organizations was a matter of grave concern throughout the entire Nation. We had an instance of that in the police strike in Boston. We had a firemen's strike in Jersey City, N. J. We had trouble all over the country, and before these increases were authorized we obtained from these men a distinct understanding that they would at once separate themselves from any affiliation with any organization outside of their own immediate service in the District of Columbia. All of these things were considerations for this legislation; and if now we fail to provide this bonus for them for the next year, their pay will be reduced; it will cause dissatisfaction; it will be unwise, in my opinion; and Congress can fairly be accused of breaking faith.

Of course, we could provide for this in the District appropriation bill; or we could provide for it in a deficiency bill; but in this bill we are voting bonuses, and we are specifically exempting these men from it in language written into this bill. It seems to me the thing to do is to strike out this language, and deal with these men as we do with the rest, and do it now.

Mr. WARREN. There are a great many other men in exactly the same position.

Mr. CALDER. There are. As the Senator says, there are a good many men exempted; but there are no other men, so far as I know, who will suffer a reduction of salary as the result of the legislation that is in the bill. The pay of these men will be reduced $20 a month.

Mr. SMOOT. Mr. President, the House refused to put any bonus provision in this bill. The Senate committee decided that they would insert the bonus provision in the bill exactly as the law stands to-day. There is no change whatever from the present bonus provision in relation to any employees of the Federal Government or of the District of Columbia, when you take into consideration the provision of existing law that the bonus shall not apply to an employee who has received an increase of $200 per annum.

I want to call attention, so that Senators will know about them, to some of the increases that have been granted to the firemen and also to the Metropolitan police in the District of Columbia by the special act referred to in this amendment.

In the case of laborers in the fire department the old salary was $600. The new salary is $1,000, or an increase of $400. That is an increase of 66⅔ per cent.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I do.

Mr. CALDER. Will the Senator tell us how many laborers there are?

Mr. SMOOT. I have not the number of laborers here.

Mr. CALDER. I think there are six.

Mr. SMOOT. Well, I will take all of them in as to the increases, and then we will see what the result is, no matter whether there are six laborers or not. If there are but six, the amendment would only affect six, if that is all there are.

The salary of hostlers was increased from $600 to $1,080, or over 70 per cent.

The salary of privates of class 1, which was formerly $960, was increased to $1,460, or an increase of $500.

The salary of privates of class 2, which was formerly $1,140, was increased to $1,560, or an increase of $420.

The act also created an entirely new class of privates, known as privates of class 3. There were no privates of class 3 in the fire department before the act referred to; and wherever there was a promotion, if it was from class 1 to class 2 there was that additional compensation, and if they went into class 3 they received $1,660.

The old wage of the marine firemen was $840. The new wage is $1,460, or an increase of $620.

Mr. DIAL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from South Carolina?

Mr. SMOOT. I do.

Mr. DIAL. Is it not also true that that act related back to the first of last August, and thus had a retroactive effect?

Mr. SMOOT. That was the retroactive part of the law.

Mr. DIAL. Yes.

Mr. SMOOT. But what I am speaking of now is what these employees are receiving to-day, and the increases that have been made during this fiscal year.

The assistant marine engineers formerly received $1,140. Now they receive $1,660.

The marine engineers formerly received $1,200, and to-day they are receiving $1,700.

The pilots formerly received $1,150, and now they are receiving $1,700.

The assistant superintendent of machinery was formerly paid $1,200, and to-day we are paying him $2,000.

Mind you, this is without the bonus. These are the salaries that are fixed by statute to-day.

The superintendent of machinery formerly received $2,000. His salary has been increased to $2,500.

The sergeants were increased from $1,200 to $1,700.

The lieutenants were increased from $1,320 to $1,760.

The captains were increased from $1,500 to $1,900.

The clerks were increased from $1,400 to $1,660. Mind you, that takes in all of the clerks. There is no division, as there is in all of the other departments, from $1,100 up, but it takes in every clerk in the fire department.

The chief clerk formerly received $2,000. He now receives $2,440.

The inspectors were receiving $1,080. Now they are receiving $1,660.

The deputy fire marshal formerly received $1,400. He now receives $2,000.

The fire marshal under the old law received $2,000. He receives to-day $2,400.

The battalion chief engineers formerly received $2,000, and to-day they are paid $2,400.

The deputy chief engineers formerly received $2,500, and their salary has been increased to $3,000.

The salary of the chief engineer, who was formerly paid $3,500, has been increased to $4,000.

Mr. President, I do not want to take the time to go over the list of the Metropolitan police. In some cases the increases were about the same and in some cases they were somewhat less.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I do.

Mr. CALDER. If the Senator will permit me, the increases in the police department were considerably less than in the fire department.

Mr. SMOOT. In some cases, as I said, they were less and in some cases they were about the same.

Mr. CALDER. The reason why the salaries in the fire department were increased to a greater extent is because we were bringing the fire department and the police department to the same level, which is the practice in all the large cities of the country.

Mr. SMOOT. The Senator does not deny the fact that the increases I have mentioned were given?

Mr. CALDER. No; they are correct; but——

Mr. SMOOT. Now, I simply want to say this to the Senators: What excuse can we offer to all of the other 100,000 employees in the District of Columbia if, on top of these increases—in some cases increases of 70 per cent—we then add a $240 bonus? Do you think it is going to lead to satisfaction among the 100,000 employees of the District? Will not the result be dissatisfaction?

I want to be perfectly fair in whatever we do by way of bonus or by way of increases, and there should be no partiality shown in any department of the Government.

Mr. MYERS. Mr. President, as to the pending amendment offered by the Senator from New York [Mr. CALDER] to the amendment of the committee, I understand that the policemen and the firemen of the District are now receiving this bonus, and that if they are exempted from the provisions of the amendment they would each receive $240 less per year than they are now receiving.

Mr. CALDER. That is correct.

Mr. MYERS. I am not very strong on raising salaries, but I hardly believe that this is the time to reduce salaries. It does not impress me that it would be fair to reduce the compensation of any Government employees at this time. I believe that the firemen and the policemen of the District should give absolute subservience and submission to the will of Congress. I believe Congress should require of the firemen and policemen of the District undivided allegiance, loyalty, and service, without any allegiance or duty to outside influences which might lead to complications. But, at the same time, I believe Congress should voluntarily give to them fairly reasonable and adequate compensation, and I am in favor of the amendment offered by the Senator from New York. It strikes me as being fair and reasonable. Unless it is adopted, the compensation of these men will be reduced below what it is now, and it does not seem to me that the cost of living and the conditions surrounding us would justify it.

I know a couple of officers on the police force who are now receiving $1,900 a year. If they are to be exempted from this provision after the 1st of July they would receive only $1,660. For a man to attempt to live and support a family in Washington in these times on $1,660 a year I think would be a mighty hard undertaking. While I believe in Congress being absolutely supreme as to the duties of firemen and policemen in the District, and enforcing its mandates as to their duties and their services and their relation to our Government, at the same time I believe we ought to give them fair and reasonable and adequate compensation, and that we ought to do it voluntarily, without any sign of compulsion or attempted coercion from the firemen and policemen.

Mr. SMOOT. May I ask the Senator if I understood him to say that he knows of two officers of the Metropolitan police force who are receiving $2,000 a year now?

Mr. MYERS. One thousand nine hundred dollars each.

Mr. SMOOT. What officers are they?

Mr. MYERS. I do not care to mention their names, and I do not know exactly their duties.

Mr. SMOOT. To what class do they belong?

Mr. MYERS. I could not say as to that. They come in whatever grade of officers receive $1,900.

Mr. CALDER. I think it is the third class to which they belong.

Mr. MYERS. They belong to whatever class gets $1,900 at present, whatever class that is.

Mr. SMOOT. That would be a private policeman.

Mr. MYERS. A private, then. I misused the word "officer." I just used the word "officer" in the general sense, as we say that every policeman is an officer. I suppose they are privates.

Mr. SMOOT. They must be privates of the third class. They were getting under the old schedule $1,320.

Mr. CALDER. Plus $240 bonus.

Mr. SMOOT. That was increased to $1,660.

Mr. MYERS. Yes; there would be some increase. But if they are now receiving $1,900 each, it hardly seems to me that it would be fair to cut them down to $1,660.

Mr. SMOOT. The Senator knows that when that law was passed it was passed with a retroactive feature, and it was understood that it would run until June 30 of this year.

Mr. MYERS. I am not much in favor of retroactive features in regard to salaries. I do not approve of retroactive allowances or salaries, as a rule. I am not in favor of that. But it just impressed me that these are hardly the times to reduce the compensation that employees are actually receiving to-day. I am not very strong on increases, but I do not lean very much to decreases, either.

Mr. SMOOT. The Senator must know that the privates he is speaking of now have received a greater increase than those who received the bonus of $240 a year ago. They not only received the $240 bonus, but the third-class privates received an increase of $340.

Mr. MYERS. I understand they received some increase.

Mr. SMOOT. That, of course, effects quite an increase in one year.

Mr. MYERS. I understand they received some increase and then received the bonus, too. If they were not receiving the bonus now I do not think I would be in favor of giving it to them; but as long as they are receiving it, I am not in favor of taking it away from them. So I shall vote for the amendment of the Senator from New York to the amendment of the committee.

Mr. THOMAS and Mr. CURTIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. CURTIS. If the Senator will permit me, I understand that there is to be an executive session, and I have been told that a quorum will be called on this amendment.

Mr. THOMAS. Then I will yield the floor, with the understanding that it will go over until to-morrow.

Mr. WARREN. This morning I asked a brother Senator, who wished the floor for a few moments, to wait until later in the day. I understand that he wishes to call up a bill which will lead to no discussion, and I also understand that we are to have an executive session. So if the Senator from New York will agree that his amendment to the amendment may go over, the Senator from Idaho [Mr. NUGENT] can bring his bill forward, if there is no objection.

Mr. CALDER. I have no objection to that course.

LANDS AT POCATELLO, IDAHO.

Mr. NUGENT. Mr. President, last summer I introduced a bill to grant certain public lands to the city of Pocatello for public-park purposes, and also for the preservation of the water supply of the people of that community, who number approximately 20,000.

The bill was referred to the Committee on Public Lands, and was later favorably reported by that committee, with certain amendments suggested by the Secretary of the Interior. The bill is a matter of prime importance to the people of Pocatello.

The lands described in it were withdrawn from entry by the President's proclamation, and I am very much afraid that unless action is taken at an early date the bill will not be enacted prior to the expiration of the time limit provided in the proclamation. Therefore I ask unanimous consent to proceed to the consideration of Senate bill 2528.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2528) to grant certain lands to the city of Pocatello, State of Idaho, for conserving and protecting the source of its water supply, and as a municipal park site.

The bill had been reported from the Committee on Public Lands with amendments, on page 1, line 6, after the word "as" to strike out the words "sections two," and to insert the words "west half of section two and all of sections"; on line 7, to strike out the words "or such portions thereof as said city may select"; on line 10, after the word "State" to insert "upon the payment of $1.25 per acre for the land selected"; on page 2, after line 17, to add a proviso, and at the end to add a new section, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to convey to the city of Pocatello, in the county of Bannock, and State of Idaho, certain adjacent public lands described as west half of section 2 and all of sections 3, 4, 9, and 10, or such portions thereof as said city may select, in township 7 south, range 34 east, Boise meridian, in said county and State, upon the payment of $1.25 per acre for the land selected, to have and to hold said lands for the conservation and protection of the source of the water supply of said city and as a municipal park site: *Provided*, That the grant hereby made is, and patent issued thereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises or any part thereof and now existing under and by virtue of the laws of the United States: *And provided further*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found in the lands so granted and all necessary use of the lands for extracting the same; and that the lands hereby authorized to be conveyed as hereinbefore set forth and all portions thereof shall be held and used by or for the said grantee for the purpose herein specified; and if the said lands shall cease to be so used they shall revert to the United States, and this condition shall be expressed in the patent to be issued under the terms of this act: *And provided further*, That said grantee shall within two years from the passage of this act make its selection and entry of the land and make use thereof for the purposes herein specified, and the grant herein is made upon the express condition that the mayor of the city of Pocatello shall, on or before January 10 of each year after the expiration of said two years, submit report to the Secretary of the Interior as to the use made of the land herein granted during the preceding calendar year, showing compliance with the terms and conditions stated in this act, and that in the event of his failure to so report, or in the event of a showing to the Secretary of the Interior that the terms of the grant have not been complied with, that the grant shall be held to be forfeited, and the Attorney General of the United States shall institute suit in the proper court for the recovery of said lands.

SEC. 2. That the Secretary of the Interior is hereby authorized and directed to cause the east half of section 2 in township 7 south, of range 34 east, Boise meridian, to be surveyed, appraised, and disposed of under section 2381, United States Revised Statutes.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONTRACT VALUE OF COTTON.

Mr. COMER. Mr. President, I send to the desk and ask to have read a telegram which I have received from the president of the American Cotton Association.

The PRESIDING OFFICER. In the absence of objection, the telegram will be read.

The Assistant Secretary read as follows:

ST. MATTHEWS, S. C., *March 29, 1920.*

Hon. B. B. COMER:

Tremendous combination formed for purpose of defeating your amendment. Telegrams and letters being sent by thousands for this purpose. Urge use every possible step have your amendment passed. I am sending the following to leading opponents: "Consider Comer bill economic reform of great benefit every legitimate line cotton industry. To permit low grades furnishes gamblers and manipulators with instrument for controlling market. We are facing most complete change in cotton industry since South purchased first slave and exchanged birthright of sister State for mess pottage. An entirely white contract would prove still more beneficial. This bill justly places good grades cotton at a premium, encouraging improved production. Will force greatly needed reforms upon exchanges. Statement that it will penalize producers on off grades farcical and simply subterfuge. Off grades have never been sold result transactions on exchanges, and would prove just as feasible to perfect such sales through contracts permitting delivery of low grades at fair value for same as would be to produce snow drops in hades. Consider opposition to this reform grave mistake. Business must be upon safe, sound methods. Comer bill step in this direction." Show this to Senator E. D. SMITH and consult with him.

J. S. WANAMAKER,
President American Cotton Association.

Mr. COMER. Mr. President, there is quite a bit of propaganda being gotten out against the amendment offered by me to the Agricultural appropriation bill, and I wish to make a few remarks in regard to it.

The exchanges—New York and New Orleans—claim that the amendment offered by me to the Agriculture bill and adopted, requiring half of the contract delivered in cotton middling and above, leaving balance at the option of the seller, will embarrass the dealers in cotton and will bring a chaotic condition in the exchanges and hurt the producer in that it will militate against the use of low-grade cotton. The proposed change simply tends to stabilize the contract value of cotton, making it approximate commercial price, and to the extent that this is accomplished it will benefit every dealer on the exchange, will encourage business to hedge their sales or purchases on the exchanges, as this gives them increased protection. It will help the legitimate handlers of cotton from producer to consumer in that it will help deprive the illegitimate dealer on the exchange of a multiplex assembly of off grades and tendering them on contract; off grades not for the purpose of increasing their use, which in the very nature of the contract is impossible, but for the purpose of depressing the market, of unduly controlling the market. The assembly of off grades of the 10 contract types at the exchanges for the purpose of delivery is the furthest from encouraging the use and manufacture of these grades and consequently is the furthest from advantage to these grades. The exchanges were never intended to be the point or medium of delivery of cotton, good or bad. It costs several cents per pound to pass any cotton through the exchanges. The exchanges limited to the index, the barometer of price, the hedge seller accomplishes the purpose of the hedge transaction when he buys the spot cotton wherever he can do so to the best advantage and then releases by selling or purchasing his hedge. This is the utmost intent of the exchange transaction, and further use of it is not to the advantage of the cotton producer, the cotton dealer, the cotton manufacturer, or the cotton consumer, and nothing can be falser than the general proposition that the exchanges as present or past conducted encourage the use of off grades or any grade of cotton.

SUPPLY AND DEMAND CONTROL.

The cotton exchanges are the only legalized dealers in agricultural products where the interest of the gambler is recognized and protected by law.

This amendment is intended to protect the interest of legitimate transactions on the exchanges, and in the most positive terms I assert that it does not hurt any business transaction; that the character of it, the opportunities of it, should be simplified and protected by law. In limiting the opportunities of the gambler on the exchange to mark the cards with which the game is played is in every sense of the word a protection of legitimate business and should be accomplished.

Senators, what we wish in the cotton business is self-determination. Give the producer and give the dealer a chance. Give him the protection of the law. Self-determination against the gambler is what we ask.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. WARREN. Mr. President, I wish to give notice that I shall ask unanimous consent to resume the consideration of the legislative, executive, and judicial appropriation bill immediately after the close of the routine morning business to-morrow.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 31, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 30, 1920.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Joseph C. Grew, of Massachusetts, now counselor of embassy at Paris, France, to be envoy extraordinary and minister plenipotentiary of the United States of America to Denmark.

SECRETARIES OF EMBASSY OR LEGATION.

Wainwright Abbott, of Pittsburgh, Pa., to be secretary of embassy or legation of class 4 of the United States of America.

E. C. Obert Beatty, of Quincy, Ill., to be secretary of embassy or legation of class 4 of the United States of America.

Joseph Flack, of Grenoble, Pa., to be secretary of embassy or legation of class 4 of the United States of America.

Benjamin Muse, of Petersburg, Va., to be secretary of embassy or legation of class 4 of the United States of America.

William B. Southworth, of Meadville, Pa., to be secretary of embassy or legation of class 4 of the United States of America.

Edwin C. Wilson, of Palatka, Fla., to be secretary of embassy or legation of class 4 of the United States of America.

Orme Wilson, jr., of New York City, to be secretary of embassy or legation of class 4 of the United States of America.

UNITED STATES CONSUL.

John R. Bradley, of Alderson, Okla., to be a consul of class 8 of the United States of America.

PUBLIC HEALTH SERVICE.

Senior Surg. Leslie L. Williams to be Assistant Surgeon General at Large in the Public Health Service, to take effect March 11, 1920. This office was created by the sundry civil act approved July 11, 1919.

COLLECTORS OF CUSTOMS.

John B. Elliott, of Los Angeles, Calif., to be collector of customs for customs collection district No. 27, with headquarters at Los Angeles. (New office created by Executive order approved Feb. 2, 1920.)

Charles M. Sleeper, of Portland, Me., to be collector of customs for customs collection district No. 1, with headquarters at Portland. (Reappointment.)

Harry A. Lund, of Minneapolis, Minn., to be collector of customs for customs collection district No. 35, with headquarters at Minneapolis. (Reappointment.)

Robert E. Latimer, of Port Arthur, Tex., to be collector of customs for customs collection district No. 21, with headquarters at Port Arthur. (Reappointment.)

Roscoe M. Drumheller, of Seattle, Wash., to be collector of customs for customs collection district No. 30, with headquarters at Seattle. (Reappointment.)

COLLECTOR OF INTERNAL REVENUE.

Scott Reed, of Groesbeck, Tex., to be collector of internal revenue for the second district of Texas. New district created by Executive order approved March 13, 1920, effective July 1, 1920.

UNITED STATES ATTORNEY.

James R. Clark, of Cincinnati, Ohio, to be United States attorney, southern district of Ohio, vice Stuart R. Bolin, resigned. (Mr. Clark is now serving under appointment by the court.)

UNITED STATES MARSHAL.

Clayton L. Wheeler, of Utica, N. Y., to be United States marshal, northern district of New York. (Reappointment.)

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Bennet H. Bowley, jr., Corps of Engineers, from April 16, 1919, subject to examination required by law.

First Lieut. Robert D. Ingalls, Corps of Engineers, from May 1, 1919.

First Lieut. Walter L. Medding, Corps of Engineers, from June 3, 1919.

First Lieut. Warren A. Lyon, Corps of Engineers, from August 2, 1919.

First Lieut. Albert C. Lieber, jr., Corps of Engineers, from August 5, 1919.

First Lieut. Robert K. Munroe, Corps of Engineers, from August 9, 1919, subject to examination required by law.

First Lieut. Eugene F. Gaebler, Corps of Engineers, from September 10, 1919.

First Lieut. William C. Atwater, Corps of Engineers, from September 10, 1919.

First Lieut. John A. Strang, Corps of Engineers, from September 14, 1919, subject to examination required by law.

To be first lieutenants.

Second Lieut. David W. Griffiths, Corps of Engineers, from April 16, 1919.

Second Lieut. Bernard S. Stearns, Corps of Engineers, from April 22, 1919.

Second Lieut. Arthur W. Pence, Corps of Engineers, from May 1, 1919.

Second Lieut. Leslie R. Groves, jr., Corps of Engineers, from May 1, 1919.

Second Lieut. Henry C. Lodge, Corps of Engineers, from May 1, 1919.

Second Lieut. Lemuel Pope, 3d, Corps of Engineers, from May 3, 1919, subject to examination required by law.

Second Lieut. James L. Rhoads, Corps of Engineers, from May 6, 1919.

Second Lieut. Frederic B. Butler, Corps of Engineers, from May 7, 1919.

Second Lieut. Leverett G. Yoder, Corps of Engineers, from May 13, 1919.

Second Lieut. Harry A. Montgomery, Corps of Engineers, from May 20, 1919.

CAVALRY ARM.

To be major.

Capt. Verne La S. Rockwell, Cavalry, from March 20, 1920.

FIELD ARTILLERY ARM.

To be first lieutenants.

Second Lieut. Richard B. Madigan, Field Artillery, from September 6, 1919, subject to examination required by law.

Second Lieut. James V. Carroll, Field Artillery, from September 6, 1919, subject to examination required by law.

INFANTRY.

To be colonel.

Lieut. Col. Peter E. Marquart, Infantry, from March 19, 1920, subject to examination required by law.

To be lieutenant colonel.

Maj. Alexander T. Ovenshine, Infantry, from March 19, 1920.

To be first lieutenants.

Second Lieut. Paul B. Malone, jr., Infantry, from October 9, 1919, subject to examination required by law.

Second Lieut. Ernest W. Gruhn, Infantry, from October 9, 1919.

Second Lieut. Edwin H. Crouch, Infantry, from October 9, 1919.

Second Lieut. William C. Coogan, Infantry, from October 9, 1919, subject to examination required by law.

Second Lieut. John Haleston, Infantry, from October 9, 1919, subject to examination required by law.

Second Lieut. Robert H. Offley, Infantry, from October 9, 1919.

Second Lieut. John P. Zachman, Infantry, from October 9, 1919.

Second Lieut. Elton T. Cobb, Infantry, from October 9, 1919, subject to examination required by law.

Second Lieut. Richard G. McKee, Infantry, from October 9, 1919, subject to examination required by law.

Second Lieut. Joseph C. Kovarik, Infantry, from October 9, 1919, subject to examination required by law.

Second Lieut. Wynot R. Irish, Infantry, from October 9, 1919.

Second Lieut. Royal A. Machle, Infantry, from October 9, 1919, subject to examination required by law.

Second Lieut. Leonard R. Nachman, Infantry, from October 9, 1919.

Second Lieut. Clark H. Mitchell, Infantry, from October 9, 1919, subject to examination required by law.

Second Lieut. William M. Miley, Infantry, from October 9, 1919.

Second Lieut. Duncan Hodges, Infantry, from October 9, 1919.

Second Lieut. Alfred A. McNamee, Infantry, from October 9, 1919.

Second Lieut. Francis J. Achatz, Infantry, from October 9, 1919.

Second Lieut. Harold S. Kelley, Infantry, from October 9, 1919.

Second Lieut. Leon C. Boineau, Infantry, from October 9, 1919.

NOTE.—The foregoing nominations are made in the regular order of seniority.

For appointment, by transfer, in the Regular Army of the United States:

CAVALRY ARM.

Second Lieut. Robert W. Child, Coast Artillery Corps, to be second lieutenant of Cavalry, from November 1, 1918.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Chief Carpenter Peter Treutlein to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 24th day of March, 1920.

Asst. Surg. Joseph L. Schwartz, United States Naval Reserve Force, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 22d day of March, 1920.

The following-named citizens to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 1st day of March, 1920:

Francis G. Ulen and

Adolphus R. Gleitsman.

POSTMASTERS.

ARIZONA.

Nancy M. Dermont to be postmaster at Metcalf, Ariz., in place of John D. James, resigned.

CALIFORNIA.

Charles H. Coffey, jr., to be postmaster at Gonzales, Calif., in place of Charles H. Coffey, resigned.

Winifred M. Whitney to be postmaster at Oceanside, Calif., in place of Anne M. Bearhope, resigned.

COLORADO.

Hattie S. Carruthers to be postmaster at Estes Park, Colo., in place of William B. Tallant, resigned.

Cora B. Mordica to be postmaster at Springfield, Colo., in place of Anna B. Casady, declined.

CONNECTICUT.

Edward S. Coulter to be postmaster at Essex, Conn., in place of Charles Harrington, deceased.

FLORIDA.

Columbus B. Smith to be postmaster at Madison, Fla., in place of P. S. Coggins, resigned.

GEORGIA.

Victor L. Howe to be postmaster at Tallapoosa, Ga., in place of A. I. Head, resigned.

John W. English to be postmaster at Helena, Ga., in place of J. W. Turner, resigned.

ILLINOIS.

Ralph E. Trickle to be postmaster at Rantoul, Ill., in place of Z. R. Genung, resigned.

Joseph D. Robertson to be postmaster at Barrington, Ill., in place of George W. Spunner, removed.

Edwin C. O'Brien to be postmaster at Barry, Ill., in place of Lucy E. Ware, resigned.

Mack M. Lane to be postmaster at Crete, Ill., in place of Conrad Schweer, deceased.

Frank G. Robinson to be postmaster at El Paso, Ill., in place of John F. Bosworth. Incumbent's commission expired February 26, 1919.

George A. Hill to be postmaster at Virginia, Ill., in place of Glen Petefish, resigned.

Floyd E. Heath to be postmaster at Warren, Ill., in place of Lewis H. Rowe, declined.

IOWA.

Melvin V. Smith to be postmaster at Akron, Iowa, in place of B. I. Dee, resigned.

Vernon B. Petrehn to be postmaster at New Albin, Iowa, in place of H. H. Holmes, resigned.

George A. Huffman to be postmaster at Des Moines, Iowa, in place of G. A. Huffman. Incumbent's commission expired January 5, 1920.

KANSAS.

William N. Hamill to be postmaster at Grenola, Kans., in place of F. C. Flory, resigned.

Charles S. Finch to be postmaster at Lawrence, Kans., in place of Charles C. Seewir. Incumbent's commission expired January 17, 1920.

KENTUCKY.

Rebel Martin to be postmaster at Hazard, Ky., in place of Robert M. Baker, removed.

Perry Anderson to be postmaster at Hellier, Ky., in place of Grover C. Ratliff, resigned. Office became presidential October 1, 1918.

Lewis C. Wilson, jr., to be postmaster at Ravenna, Ky., in place of Hallie T. Vaughn, resigned. Office became presidential July 1, 1918.

Emma H. Hays to be postmaster at Stanford, Ky., in place of George L. Penny, resigned.

LOUISIANA.

Henry Jacobs to be postmaster at Berwick, La., in place of Albert Hanson, resigned.

William G. Stinson to be postmaster at Benton, La., in place of Tavner J. Taylor, resigned. Office became presidential January 1, 1917.

Edward G. Stuart to be postmaster at Columbia, La., in place of Monroe Jarrell, resigned.

Alfred T. Maund to be postmaster at Jennings, La., in place of Overton Gauthier, resigned.

Herbert F. Adey to be postmaster at McNary, La., in place of Samuel Lisso, resigned.

Nathan Ratcliff to be postmaster at Shreveport, La., in place of Frederick H. Gosman, resigned.

MARYLAND.

Charles A. Whittle, jr., to be postmaster at Odenton, Md., in place of H. P. Watts, resigned. Office became presidential July 1, 1919.

Hessie E. Nowlin to be postmaster at Fort Washington, Md., in place of Presley H. Ward, removed. Office became presidential July 1, 1918.

Charles M. Newman to be postmaster at Mount Rainier, Md., in place of Harry Nalley, resigned.

MASSACHUSETTS.

James W. Hastings to be postmaster at Duxbury, Mass., in place of Harold F. Harrigan, declined.

MICHIGAN.

C. Clyde Beach to be postmaster at Deerfield, Mich., in place of Harold J. Smith, removed.

MINNESOTA.

Jorgen R. Petersen to be postmaster at Askov, Minn., in place of John J. Barrett, resigned. Office became presidential April 1, 1919.

Ray B. Osborn to be postmaster at Glyndon, Minn., in place of Roy B. Osborn, to correct name.

MISSISSIPPI.

Minnie Davis to be postmaster at Duncan, Miss., in place of W. E. Davis, removed.

Daniel G. Pepper to be postmaster at Lexington, Miss., in place of W. L. Walton, resigned.

MISSOURI.

Alma C. Dobbins to be postmaster at Laredo, Mo., in place of Alma O. Chrisman, married.

Clate Cox to be postmaster at Princeton, Mo., in place of Lant Campbell, resigned.

MONTANA.

Jacob Z. Bruegger to be postmaster at Culbertson, Mont., in place of K. O. Slette, resigned.

Mathew H. Casey to be postmaster at Kremlin, Mont., in place of R. T. Sjordal, resigned.

NEW JERSEY.

Edna Dalrymple to be postmaster at Alpha, N. J., in place of C. M. Rhen, resigned.

NEW YORK.

William W. Gettys to be postmaster at Champlain, N. Y., in place of C. M. Graves, deceased.

Lewis H. Cole to be postmaster at Cuba, N. Y., in place of R. D. Morgan, declined.

L. Frank Little to be postmaster at Endicott, N. Y., in place of E. M. Andrews, resigned.

John F. Brennen to be postmaster at Hudson, N. Y., in place of J. F. Brennen. Incumbent's commission expired March 15, 1920.

NORTH DAKOTA.

Cecil J. Lynch to be postmaster at Lakota, N. Dak., in place of G. L. Barrett, resigned.

OHIO.

Charles E. Cramer to be postmaster at Fredericksburg, Ohio, in place of C. B. Hempstead, declined.

John W. Kramer to be postmaster at Maumee, Ohio, in place of H. M. Pomeroy, resigned.

William R. Hatfield to be postmaster at West Milton, Ohio, in place of R. E. Jennings, resigned.

OKLAHOMA.

William T. Bratton to be postmaster at Guymon, Okla., in place of L. B. Sneed, resigned.

John W. Orendorff to be postmaster at Henryetta, Okla., in place of A. T. Embree, removed.

Lloyd Thomas to be postmaster at Holdenville, Okla., in place of J. D. Rives, resigned.

Cora M. Austin to be postmaster at Tyrone, Okla., in place of Bessie Hall, resigned.

OREGON.

Iva E. Russell to be postmaster at St. Helens, Oreg., in place of I. E. Dodd, name changed by marriage.

PENNSYLVANIA.

Bess M. Driscoll to be postmaster at Clarendon, Pa., in place of J. H. Driscoll, deceased.

Clarence S. Page to be postmaster at Cornwells Heights, Pa., in place of J. R. Jenks, declined.

Jeremiah H. Fetzer to be postmaster at Coopersburg, Pa., in place of Sorado Miller, deceased.

Oscar G. Darlington to be postmaster at Radnor, Pa., in place of George Althouse, resigned.

Hilda J. Blomberg to be postmaster at Wilson, Pa., in place of J. B. D. Stewart, resigned. Office became presidential January 1, 1918.

RHODE ISLAND.

Marian L. Lang to be postmaster at Fort Greble, R. I., in place of J. W. Page, resigned. Office became presidential October 1, 1918.

SOUTH CAROLINA.

William D. Trantham to be postmaster at Camden, S. C., in place of C. J. Shannon, resigned.

Lorton H. Floyd to be postmaster at Fairfax, S. C., in place of J. B. O'Neal, resigned.

Alma Jones to be postmaster at Graniteville, S. C., in place of Lulie Giles, resigned.

Ernest L. Joyner to be postmaster at Meggett, S. C., in place of G. A. Bessellieu, resigned.

Joseph W. Stalnaker to be postmaster at Ninety Six, S. C., in place of G. M. Anderson. Incumbent's commission expired October 2, 1917.

Arthur A. Glover to be postmaster at North, S. C., in place of H. P. Tindal, removed.

SOUTH DAKOTA.

John A. Hawkins to be postmaster at Waubay, S. Dak., in place of Peter Schmitt, deceased.

Floyd Twamley to be postmaster at Alexandria, S. Dak., in place of C. H. Peckham, resigned.

Hellen S. Angus to be postmaster at Humboldt, S. Dak., in place of D. M. Smith, resigned.

Oscar D. Hansen to be postmaster at Irene, S. Dak., in place of N. C. Andrews, resigned.

George V. Welch to be postmaster at Philip, S. Dak., in place of H. J. McMahon, resigned.

Fred E. Goode to be postmaster at Winner, S. Dak., in place of M. K. Nolan, resigned.

TENNESSEE.

Rose Rogers to be postmaster at Paris, Tenn., in place of Y. Q. Caldwell. Incumbent's commission expired March 9, 1918.

Robert A. Potter to be postmaster at Crossville, Tenn., in place of W. A. Hamby, resigned.

Claude L. Boyd to be postmaster at Waynesboro, Tenn., in place of J. B. Gray, deceased. Office became presidential April 1, 1919.

TEXAS.

Francis O. Drake to be postmaster at Donna, Tex., in place of T. W. Hooks, resigned.

Claude H. Hamilton to be postmaster at Marlin, Tex., in place of J. G. Oltorf, deceased.

Julia L. Browder to be postmaster at Gordon, Tex., in place of R. N. Eastus, resigned.

Rosa E. Cherry to be postmaster at Cleveland, Tex., in place of T. A. Boothe, resigned.

Josephine W. Earnest to be postmaster at Cotulla, Tex., in place of W. A. Kerr, resigned.

Clarence S. Braswell to be postmaster at De Kalb, Tex., in place of D. P. Porter, resigned.

William H. D. Thomas to be postmaster at Kirkland, Tex., in place of R. L. Wood, resigned.

Eugene B. Bryant to be postmaster at Kosse, Tex., in place of W. L. Francis, deceased.

Edwin H. Todd to be postmaster at Marathon, Tex., in place of Vernon McIntyre, resigned.

John W. Patterson to be postmaster at Pecan Gap, Tex., in place of G. B. Taylor, deceased. Office became presidential July 1, 1918.

Merrell M. Jester to be postmaster at Round Rock, Tex., in place of S. B. Wright, resigned.

Marvin A. Morris to be postmaster at San Augustine, Tex., in place of J. M. Price, resigned.

Nellie L. Weber to be postmaster at San Juan, Tex., in place of R. L. Savage, resigned. Office became presidential April 1, 1919.

James A. Hilburn to be postmaster at Shamrock, Tex., in place of W. B. Smith, deceased.

UTAH.

Olga Christopherson to be postmaster at Salina, Utah, in place of D. L. Argyle, resigned.

Edward J. Young, jr., to be postmaster at Vernal, Utah, in place of David Bennion, resigned.

B. F. Caffey to be postmaster at Sunnyside, Utah, in place of J. C. Twaddle. Incumbent's commission expired January 12, 1920.

VERMONT.

Alice E. Barrett to be postmaster at Milton, Vt., in place of G. N. Wood, deceased.

VIRGINIA.

George E. Harrison to be postmaster at Lawrenceville, Va., in place of J. R. Owens, resigned.

Nannie L. Curtis to be postmaster at Leehall, Va., in place of N. L. Curtis. Office became presidential April 1, 1919.

WEST VIRGINIA.

Herbert H. Davis to be postmaster at Salem, W. Va., in place of C. G. Ogden, resigned.

WISCONSIN.

Lawrence P. Miller to be postmaster at Hortonville, Wis., in place of E. J. Jacquot, deceased.

Leo E. Butenhoff to be postmaster at Markesan, Wis., in place of John Henninger, resigned.

Anton C. Martin to be postmaster at Neillsville, Wis., in place of William Huntley, deceased.

Paul Herbst to be postmaster at Park Falls, Wis., in place of Harvey Vincent, resigned.

Percy L. Miner to be postmaster at Pepin, Wis., in place of J. A. Little, resigned.

Homer J. Samson to be postmaster at Cameron, Wis., in place of W. W. Beggs, resigned.

Wilber E. Hoelz to be postmaster at Random Lake, Wis., in place of Theresa Heinen, resigned.

Alvin L. Olson to be postmaster at Scandinavia, Wis., in place of T. A. Peterson, resigned. Office became presidential July 1, 1919.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 30, 1920.

COMMISSIONER OF IMMIGRATION.

Henry M. White to be commissioner of immigration at the port of Seattle, Wash.

COLLECTOR OF INTERNAL REVENUE.

J. Walter Mee to be collector of internal revenue for the district of North and South Dakota.

RECEIVERS OF PUBLIC MONEYS.

William Henry Treichler to be receiver of public moneys at Sacramento, Calif.

Frank G. Willis to be receiver of public moneys at Independence, Calif.

POSTMASTERS.

NORTH CAROLINA.

John H. Griffin, Wilson.

NORTH DAKOTA.

Cecil J. Lynch, Lakota.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 30, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Gracious and most merciful Father, ever interested in the welfare of Thy children, increase our faith, enlarge our hope, and make us more devoted to Thee and our fellow men; that we may be potent factors in bringing peace out of war, good out of evil, love out of hate; that the ruling passion of all men may be the development of all that we know is pure and holy; that Thy kingdom may come and Thy will be done in earth as in heaven. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. GARD. Reserving the right to object, upon what subject does the gentleman desire to extend his remarks?

Mr. FULLER of Illinois. On the subject of revenue and taxation.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the subject of revenue and taxation. Is there objection? [After a pause.] The Chair hears none.

Mr. EVANS of Nevada. Mr. Speaker, I would like unanimous consent to have printed in the RECORD a letter from the Nevada

Live Stock Association relative to grazing on the forest reserves. It is a mild, clear statement of the situation, and I feel that it would be of interest.

The SPEAKER. The gentleman from Nevada asks unanimous consent to extend his remarks in the RECORD on the subject indicated. Is there objection?

Mr. WALSH. Mr. Speaker, I think I will have to object.

DISTRICT APPROPRIATIONS.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the District appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13266, with Mr. MADDEN in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For payment to beneficiaries named in section 3 of "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances," approved March 23, 1906, $2,000, or so much thereof as may be necessary, to be disbursed by the disbursing officer of the District of Columbia, on itemized vouchers duly audited and approved by the auditor of said District.

Mr. GARD. Mr. Chairman, I move to strike out the last word for the purpose of inquiring of the chairman of the committee why this appropriation was reduced from $6,500, as it apparently was in the last appropriation bill, to $2,000?

Mr. DAVIS of Minnesota. Because there are fewer men in the workhouse and fewer cases of nonsupport. The committee thoroughly investigated that and found that this would be absolutely sufficient under the present conditions.

Mr. GARD. Not being familiar with the subject, I would like to inquire if there is a statute in the District that provides for the maintenance from the public funds?

Mr. DAVIS of Minnesota. Fifty cents per day, to be paid to the dependent from the labor of the prisoners. That is the law.

Mr. GARD. The Government gets the benefit of the prisoner's labor, and then pays 50 cents a day to his dependents?

Mr. DAVIS of Minnesota. Yes.

Mr. BLANTON. Mr. Chairman, I rise in pro forma opposition to the amendment in order to get the floor.

I just wanted to call the committee's attention to a complaint in a letter just received by me in order to bring it before the District Commissioners. I do not know whether there is any merit in it or not, but I think it deserves investigation by the District authorities. The letter says—and I will read just excerpts from it:

Irving C. Barber, the auto mechanician in charge of the water department repair shop, at Bryant Street shops, has rooms over the garage furnished by the District of Columbia government. He was given permission by Col. Kutz to keep his cars in the shops. Also, Barber uses District of Columbia material for his own use and repairs cars for other people on District of Columbia pay. In addition to that he condemns District of Columbia cylinders on autos so he can furnish work for a shop he is interested in, located in rear of 1524 M Street NW., city. There surely ought to be some way to curb this. I herewith give you the names of the employees who are now working at the pumphouse who I am sure if you would put them under oath you would get the facts: E. P. Barnard, machinist, pitometer division; Ed O'Brien, same division. Here are men who work with Barber from whom you can get the facts: William Rittenhouse, auto mechanic at Washington Steel & Ordnance Co., city, also Harry Fredrick, at same place, who worked with Barber about seven years; Thomas Phillips, auto mechanic, with the Dupont Garage, city; William or Frank Riley, auto mechanic, 508 Irving Street NW., city; Mr. Sweeney, machinist, now with the Bureau of Engraving and Printing; and John Galligher, who works for Barber. Barber sold three Empire automobiles to the District of Columbia government, water department, supposed to be new, but two of them were second-hand cars. When investigated no witnesses were sworn and Barber was whitewashed.

And so on. And there are other complaints. I do not know whether there is——

Mr. WALSH. Who signed the letter?

Mr. BLANTON. A party signs it whose name I will give to the committee, but I do not put it in the RECORD for the reason that it might cause the party to lose his position. I do not know whether there is anything in this complaint or not, but it is a matter I think the committee and the District Commissioners ought to have knowledge of; and, if it is true, some action ought to be taken. It is just a letter I received in the mail and I expect to turn it over to the chairman of the committee, but I think it is best to keep the name out of the RECORD here.

Mr. SNELL. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. SNELL. I think if you take the responsibility of putting that information in the RECORD you ought to put the whole letter in and the name of the man who signs it.

Mr. WALSH. You have put other names in there indicating some wrongdoing, and does not the gentleman think when he calls the attention of the entire country to this——

Mr. BLANTON. Yes; I will put it in. The writer did not request that it be treated "confidential," in which case I would have protected him.

Mr. SNELL. Put it all in.

Mr. DAVIS of Minnesota. I would like to ask the gentleman a question.

Mr. BLANTON. Let me first put the name in. The letter is signed "Thomas N. Smith, ex-employee of the water department," and is dated "Washington, D. C., March 28, 1920." I do not know that he has even been an employee. I do not know but that this may be a fictitious letter. In fact, I do not know anything about it, except that it came to me through the mail. The reason I hesitated about putting the name in was that there was a certain young man, a resident of Virginia, who had been in the employ of the Department of Labor for a number of years, and who, by the way, was a Royal Arch Mason, who gave some testimony over here before a committee once concerning Mr. Densmore, who was a director in the Employment Service here, and because of the testimony he gave there Mr. Densmore kicked him out of office.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. BLANTON. That young man, I say, was kicked out of office and lost his job. It meant much to him. His evidence led to information concerning a great many matters of impropriety with respect to the improper performance of Government duties by Government employees. As I say, there may be something in this communication. If there is, this man ought not to lose his job. If he has made a complaint here that is absolutely unfounded I have no objection to his losing his job.

Mr. DAVIS of Minnesota. Mr. Chairman, I would like to ask the gentleman if he thinks that the chairmen of these committees have got to go out and hunt up all those complaints when such attacks are made?

Mr. BLANTON. Oh, no.

Mr. DAVIS of Minnesota. Then why do you want me to know about it? I will say that the Commissioners of the District have full authority over all these matters, and I suggest to the gentleman to take this up with them.

Mr. BLANTON. If the gentleman does not want to use the information, I will put it in for the benefit of the District Commissioners. I have not time to look into the business.

Mr. DAVIS of Minnesota. Mr. Chairman, the information that the gentleman has put into the RECORD, if true, ought to be investigated. The gentleman has now put in the RECORD the name of the author of this letter.

If the District Commissioners do not read the RECORD, I suggest that the gentleman go in person and see them and submit this testimony to them, and I thoroughly believe that, as to these complaints and charges, the commissioners will look into them promptly.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Support of prisoners: For maintenance of jail prisoners of the District of Columbia at the Washington Asylum and Jail, including pay of guards and all other necessary personal services, and for support of prisoners therein, expenses incurred in identifying and pursuing escaped prisoners, and rewards for their recapture, repair and improvements to buildings, cells, and locking devices, maintenance of automobile, and for the support of prisoners, $90,000.

Mr. SWEET. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. SWEET. Under the law enacted August 31, 1918, we have the language "Asylum and jail: Superintendent, $1,800." Under the law enacted July 11, 1919, we have a change, the "Washington Asylum and Jail, superintendent of hospital." The language of the present bill on page 70 is "Washington Asylum and Jail: Superintendent of hospital, $1,800." Is there any superintendent of the jail provided for in the bill?

Mr. DAVIS of Minnesota. Not in the bill. I will state for the gentleman's information this, that we have a very competent man down at the workhouse at Occoquan by the name of Charles

C. Foster, who has proven to be a very good man, and now he is actually carrying on his shoulders the duties of the superintendent of the Washington Hospital, Asylum, and Jail, and he is doing it now in very good shape. When we were down there viewing the premises and looking into matters we discovered this fact, that during the superintendency of this Mr. Foster, in the absence of another superintendent, there has been saved in the jail alone, although the prisoners have increased in number and the cost of living has also increased, $11,000 in nine months.

Mr. SWEET. But there is no superintendent of the jail?

Mr. DAVIS of Minnesota. None at the present time.

Mr. SWEET. And no deputy superintendent?

Mr. DAVIS of Minnesota. No.

Mr. SWEET. But there is a superintendent of the hospital, and the superintendent of the hospital is really synonymous with the superintendent of the asylum?

Mr. DAVIS of Minnesota. Yes.

Mr. SWEET. And he is also superintendent of the reformatory and the workhouse?

Mr. DAVIS of Minnesota. Yes.

Mr. SWEET. Now, then, who is acting superintendent at the jail?

Mr. DAVIS of Minnesota. There is a deputy there acting now.

Mr. SWEET. But you make no provision for a deputy in your bill.

Mr. DAVIS of Minnesota. It is carried under the asylum.

Mr. SWEET. It is carried under the paragraph that we are now considering?

Mr. DAVIS of Minnesota. Yes; under the paragraph of $90,000.

Mr. SWEET. The paragraph just read?

Mr. DAVIS of Minnesota. Yes; the assistant superintendent.

Mr. SWEET. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SWEET: Page 72, line 5, after the word "of," insert the following: "the superintendent of the jail, his deputies, and."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Hereafter the commissioners are authorized, under such regulations as they may prescribe, to sell the surplus products of the Home for the Aged and Infirm, and all moneys derived from such sales shall be paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia: *Provided*, That a report of the amount derived from such sales shall be made annually in the Book of Estimates.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Kentucky reserves a point of order on the paragraph.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve it more particularly for the purpose of inquiring why the United States Government can not get any part of this fund unless the report of the amount so derived from such sales shall be annually made in the Book of Estimates? It seems to me that if the United States Government is entitled to part of this money, it ought to have it, regardless of whether or not the commissioners report it in their estimates.

Mr. DAVIS of Minnesota. I do not think the remarks of the gentleman are justified, even if you were to strike out this language. They do get half of it now. One-half goes to the District of Columbia and half to the Federal Treasury.

Mr. JOHNSON of Kentucky. If they get half of it now, why add the proviso that they shall not continue to get it unless an annual report shall be made?

Mr. DAVIS of Minnesota. Because we want more accurately to keep track of it. We want them to make a full and complete statement of it.

Mr. JOHNSON of Kentucky. What I understand you want is that a full report be made, and the division of it not made dependent upon their making report?

Mr. DAVIS of Minnesota. That is the point.

Mr. JOHNSON of Kentucky. Then, I take it, that after the word "Columbia," in line 23, there ought to be a period, and the words "*Provided*, That" ought to be stricken out and the word "a" immediately following should be expressed by a capital letter.

Mr. DAVIS of Minnesota. I do not think that this proviso materially helps it, and it does not detract from or diminish it at all.

Mr. JOHNSON of Kentucky. It makes it a condition.

Mr. DAVIS of Minnesota. I do not think it does.

Mr. MANN of Illinois. If the gentleman will yield, I think that if instead of a colon after the word "Columbia," in line 23, page 73, there had been only a comma, and if the word "*Provided*" had not begun with a capital *P*, it would have been construed as a condition, but under the universal practice, with this legislative body, at least, where there is a proviso inserted in the way this is inserted, it is not construed to be a condition, but it is a new proposition, inserted merely after the word "*Provided*," and not a condition upon the division of this money, as you might think from reading the language that way. Here is a new proposition introduced under the guise of a proviso. That has been the universal construction.

Mr. JOHNSON of Kentucky. I have a very high regard for the opinion of the gentleman from Illinois upon all subjects, but I can not possibly agree with him in his contention on this. This language provides for a division of this money only upon the condition that a report of the amount derived from such sales shall be made annually in the Book of Estimates.

Mr. DAVIS of Minnesota. If I agreed with the gentleman that this is a condition upon this money going into the Treasury half and half, I certainly would make no objection to its going out; but I positively can not see that it interferes with that at all. It is not a condition upon that distribution.

Mr. JOHNSON of Kentucky. If the paragraph should be changed or amended as I have just suggested, would it not remove all question as to its meaning?

Mr. DAVIS of Minnesota. I can not see that there is any question now. The gentleman's proposition might complicate it more.

Mr. JOHNSON of Kentucky. The language of the bill is that this money shall be equally divided between the District of Columbia and the United States—

Provided, That a report of the amount derived from such sales shall be made annually in the Book of Estimates.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserved a point of order on the paragraph.

The CHAIRMAN. The reservation is made under the five-minute rule.

Mr. JOHNSON of Kentucky. That being the case, Mr. Chairman, I make the point of order.

Mr. SISSON. Mr. Chairman, I suggest that the gentleman withhold his point of order for a moment.

The CHAIRMAN. The gentleman from Kentucky makes a point of order. The gentleman will state his point of order.

Mr. JOHNSON of Kentucky. My point of order is that the language is legislation, that it is unauthorized by law, and so shows on its face.

The CHAIRMAN. Does the gentleman from Mississippi wish to be heard?

Mr. SISSON. I do not care to be heard on the point of order, because I do not think it is subject to the point of order, but I want to explain to the gentleman from Kentucky that nothing was further from the purpose of the District Commissioners or of the subcommittee than to put language into the bill which would make the division of this money conditional upon the commissioners making a report. The purpose of this language is solely to require that the report be made, so that the committee from year to year may know what is being done with this fund. Without some such requirement it might be lost sight of entirely. I have no fear myself of the construction being placed upon it that the gentleman apprehends. I do not believe it is subject to the point of order. I want to assure the gentleman from Kentucky that if any such construction is placed upon it as he seems to fear, if I am on the subcommittee it shall go out in the future.

Mr. JOHNSON of Kentucky. The gentleman might not be on the subcommittee in the future, and it is quite easy to avoid the possibility of a misunderstanding; and as a similar "Provided" is constantly appearing, there ought to come a time when it shall be stopped.

The CHAIRMAN. Does the gentleman from Kentucky make the point of order?

Mr. JOHNSON of Kentucky. I do.

The CHAIRMAN. The Chair sustains the point of order. It is clearly legislation, a change of law. The Clerk will read.

The Clerk read as follows:

National Training School for Girls: Superintendent, $1,200; matron and 4 teachers, at $600 each; resident clerk, $800; overseer, $720; 2 parole officers, at $600 each; 7 teachers of industries, at $480 each; engineer, $720; assistant engineer, $600; night watchman, $480; 2 laborers, at $300 each; in all, $12,680.

Mr. WALSH. I reserve a point of order on the paragraph. The committee have substituted a resident clerk at $800 in lieu

of a treasurer at $600. Of course, this is not authorized by law. This point of order has been made every time this bill has been up for the last two or three years, and it has always been sustained.

Mr. DAVIS of Minnesota. Does the gentleman make the point of order?

Mr. WALSH. I make the point of order.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. WALSH. Yes; I will yield to the gentleman from Illinois.

Mr. MANN of Illinois. Does the gentleman contend that Congress can not make an appropriation for a resident clerk or a clerk at the National Training School for Girls?

Mr. WALSH. No.

Mr. MANN of Illinois. If this item is in order, what is the point of order?

Mr. WALSH. It has been stricken out heretofore.

Mr. MANN of Illinois. You can not make a point of order that something has been stricken out heretofore.

Mr. WALSH. The point of order is that under the statute creating this institution they are not authorized to provide for a resident clerk.

Mr. MANN of Illinois. I just asked the gentleman if he contended that they could not provide a resident clerk, and he said they could.

Mr. WALSH. I misunderstood the gentleman. I do contend that they can not. This institution is established by a special law which sets forth the officers that they shall have. This is an attempt to create a new office and to eliminate an office required by law. It has been attempted here three or four times heretofore and is clearly subject to a point of order.

Mr. MANN of Illinois. Of course, the elimination of an office has nothing to do with the matter.

Mr. WALSH. No.

Mr. MANN of Illinois. The question is whether they have a right to appropriate for a resident clerk.

Mr. WALSH. I contend that they have not the authority to do so.

Mr. MANN of Illinois. I should think myself that we have a right to. I do not know what the statute is with reference to this school.

Mr. DAVIS of Minnesota. If the gentleman will permit me a moment, he says this is the elimination of a clerk. It is not.

Mr. MANN of Illinois. I did not say it was the elimination of a clerk.

Mr. DAVIS of Minnesota. It does not increase the number of employees. This clerk has been called the treasurer. She does not remain there. She is not resident at the school. Now, that is the complaint that has been made, and we want to change it to compel her to stay there. If the gentleman wants to strike it out, I will not ask to put the clerk back.

Mr. SISSON. Mr. Chairman, I do not believe under the language carried in the bill that this is subject to a point of order. This woman does not pretend to do any real service for the District, and this is the only institution not audited by the Auditor for the District. Heretofore we have sought to put the treasurer of the organization under the District of Columbia. In this bill we are not doing that. We dropped out that employee entirely, and under the law we are providing for an official employee, and I think it is not subject to a point of order.

Mr. WALSH. The gentleman has always conceded the point of order heretofore. This institution was established by statute.

The CHAIRMAN. The Chair would like to ask the gentleman if the statute provides for the number and class of officers?

Mr. WALSH. It does; it requires that the trustees shall appoint the treasurer, and he shall attend to the duties of his office. Unless you amend that statute, they can not, as they say in the report, appoint a resident clerk, as recommended, in lieu of the treasurer at $800. The treasurer gets $600, and in this bill the resident clerk gets $800.

Mr. SISSON. I want to state to the gentleman that this clerk does not even go about, so far as the record shows, this institution. She keeps her office down in the office of the gentleman who is chairman of the board of trustees of the institution, and the Auditor of the District of Columbia has nothing to do with the fund in this bill until after it has been spent. If the gentleman wants to keep this sinecure in this gentleman's office, let him make the point of order. My contention is that we should drop out the treasurer and place in the bill this position at $800. I have heard no complaint from anyone, except the man in whose office she stays. I have understood from the outside—the information has come to me, the accuracy of which I am not certain about—that this good lady is more than willing to leave the office and accept the $800.

Mr. WALSH. Who is the gentleman talking about?

Mr. SISSON. I am talking about the treasurer.

Mr. WALSH. Who is the gentleman in whose office this woman is?

Mr. SISSON. The chairman of the board of trustees of this institution, Chapin Brown.

Mr. WALSH. Chapin Brown is at the head of the institution.

Mr. SISSON. He is chairman of the board of trustees. This lady remains in his office constantly. So far as the record shows, she could perform the work which would devolve upon her, according to statements before the committee, in about one day out of each month. The committee, not only under the present chairman but under former chairmen, have decided that the party that handles the money and makes the vouchers should be responsible to the commissioners, and the expenditure of the funds of the District should be subject to the same supervision as other funds for all other institutions. It is not that the item is large, but the principle does amount to something. I do not believe it is subject to a point of order.

The CHAIRMAN. Does the gentleman from Massachusetts make the point of order?

Mr. WALSH. Yes.

The CHAIRMAN. The Chair thinks it is clear that the law requires the election of a treasurer, and that it is not competent for the committee reporting an appropriation bill to eliminate the treasurer and substitute a resident clerk. It is clearly a change of law and not competent, under the rules of the House, for the committee that reports this bill to include in an appropriation bill this provision. The Chair sustains the point of order.

Mr. WALSH. Mr. Chairman, I offer the following amendment: Before the word "matron," in line 8, insert the word "treasurer."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 74, line 8, before the word "matron," insert the word "treasurer."

Mr. MANN of Illinois. Mr. Chairman, I move to amend the amendment by inserting before the word "treasurer" the word "resident."

Mr. DAVIS of Minnesota. Mr. Chairman, I make a point of order on that.

Mr. MANN of Illinois. Then, I will withdraw it. I thought the gentleman from Minnesota wanted it.

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. MANN of Illinois: Before the word "treasurer," in the amendment, insert the word "resident."

Mr. MANN of Illinois. Mr. Chairman, I will withdraw that amendment to the amendment.

The CHAIRMAN. The question, then, is on the amendment offered by the gentleman from Massachusetts.

Mr. WALSH. Mr. Chairman, this amendment will restore the item as it has been carried by the appropriation bill ever since the establishment of the institution.

Mr. SISSON. Mr. Chairman, I make a point of order against that because the salary carried heretofore is $600.

Mr. WALSH. This makes it $600.

Mr. SISSON. In the language of the bill it is $800.

Mr. WALSH. If the gentleman will read, he will see that it is $600.

Mr. SISSON. Oh, the gentleman inserts it in a different line.

Mr. WALSH. No; in the same line, where it has always been carried in the bill.

Mr. SISSON. All right. Mr. Chairman, I sincerely hope and trust that the committee will vote the amendment down, because not only this subcommittee but the entire committee is aware that for years this is a useless sinecure. The committee ought to vote the amendment down because there is no useful service performed by this individual and will not be unless she can go to the institution, and there is no objection coming from her. It is only objected to by the gentleman in whose office she stays. I do not know how much service she renders him and I do not care, but if we pay a salary of $50 a month to an individual that individual ought to perform some real service for the District, and I hope the amendment will be voted down.

Mr. WALSH. Mr. Chairman, the gentleman from Mississippi [Mr. SISSON] has always opposed this provision, and a reading of the hearings shows that he had been most strenuous in his opposition to this particular item.

Mr. SISSON. I think that is true.

Mr. WALSH. And the only evidence ever brought before the Committee on Appropriations is the evidence contained by implication in the questions asked by the distinguished gentleman from Mississippi, who has been upon this subcommittee.

This is a very important institution. It takes care of wayward girls, and there is also one that takes care of wayward boys. This position is the treasurer, provided for by law. She has charge of the accounts of the institution. The hearings, if not on this occasion upon other occasions, show the kind and character of duties that she performs. The gentleman from Mississippi is attempting to insinuate that this estimable lady performs some duties for the chairman of the board of trustees that may have no connection with this institution at all.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. SISSON. I do not object to her doing that. My objection is that she is performing no proper service for this institution for the salary that she receives. I do not imagine that a woman could live on that salary. I do not object to the good lady earning all that she can from other sources. I mean to say and do say that she does nothing to earn $600.

Mr. WALSH. If the law provides the office, it seems to me that the way to eliminate it is to change the law.

Mr. SISSON. The way to do it is to vote this amendment down and the appropriation will cease. There is an easy way to do it, and that is simply by making a motion to repeal the law, under the Holman rule.

Mr. WALSH. I have no doubt the gentleman is in favor of abolishing the institution.

Mr. SISSON I am not in favor of doing anything of the kind.

Mr. WALSH. The gentleman is not an enthusiastic supporter of either one of these institutions, and anybody who reads the hearings will become convinced of that fact, because he has attacked the appropriations for this purpose year after year.

Mr. SISSON. That statement is untrue, and the gentleman knows it. I am an advocate of this institution, and have done more in the last eight years for these institutions than the gentleman will ever do. I am also an advocate of having this institution dealt with as others are and not given a special privilege or favor just because the president of the board of trustees wants it or desires it. I think these accounts should be audited, just as other accounts are.

Mr. WALSH. There is a provision in the bill to that effect.

Mr. SISSON. Yes; but I want the stable locked before the horse is gone, not after.

Mr. WALSH. That has nothing to do with the auditing of the account.

Mr. SISSON. If the gentleman had not made the point of order, it would have had. I see he knows nothing about the matter.

Mr. MANN of Illinois. Mr. Chairman, may I ask the gentleman to permit me to submit a question?

Mr. SISSON. Certainly.

Mr. MANN of Illinois. The committee left out of the bill the treasurer and, as I understood the gentleman to say, inserted a resident clerk in lieu of the treasurer. The provision for the resident clerk has gone out on the point of order. Was the resident clerk supposed to do the same work that heretofore has been done by the treasurer?

Mr. SISSON. Yes. My understanding is that the same lady was willing to accept this position at $800 and live at the institution and perform some real service. In other words, she would become a clerk and do something for the institution.

Mr. MANN of Illinois. Here is what I want to get at. If a resident clerk is needed there, outside of the treasurer, then the provision for that clerk ought to be retained in the bill. If the resident clerk was put in in lieu of the treasurer, and the provision for the resident clerk goes out, it would seem to me that the treasurer ought to go back into the bill.

Mr. SISSON. I do not think that the amount of service required would justify both places, and I think the subcommittee will agree with me about that. There has been no request for any additional employees. The anomaly of the situation is that this good lady does not actually handle any money. The money goes into the Treasury, and once every quarter certain accounts are presented by her, and the money is paid to her, and then she pays it out. Then the auditor of the District of Columbia audits the account, after the money is paid, which is not true of any other account carried in this bill.

Mr. MANN of Illinois. Very well; but without some one authorized to perform the duties of treasurer, when the law provides a treasurer, who could pay any of the bills or the salaries?

Mr. SISSON. The whole matter is provided for in another section. The District Commissioners would have the auditor of the District department audit these claims, just as he does all other institutions in the District.

Mr. MANN of Illinois. Here is what I want to get at, and the gentleman can probably tell me without very much trouble. The law now provides for a treasurer. The treasurer disburses the funds that are appropriated and I suppose pays the salaries and the bills.

Mr. SISSON. That is true.

Mr. MANN of Illinois. If we leave out the treasurer and make no provision for anyone else to disburse the funds, how will they be able to pay the bills?

Mr. JOHNSON of Kentucky. Mr. Chairman, will the gentleman permit an interruption right there?

Mr. MANN of Illinois. Certainly, if I can get any information.

Mr. JOHNSON of Kentucky. If the gentleman will read lines 2 to 7 on page 75, he will find a provision there for the payment of the bills, provided that language is retained in the bill.

Mr. MANN of Illinois. Yes. That, of course, is subject to the point of order.

Mr. SISSON. That is true, but I think that if the language had been left as we presented it in the committee, the auditor would have audited the accounts just as other accounts are audited in the Treasury Department, and they would have been presented to the Treasury Department and paid after an actual bona fide audit, under the present system for all other institutions.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. DAVIS of Minnesota. Mr. Chairman, I want to mildly take exception to what the gentleman from Massachusetts [Mr. WALSH] said a while ago. I understood him to say that anyone reading the hearings would come to no other conclusion than the conclusion that he himself had come to, or any different conclusion, except possibly the gentleman from Mississippi [Mr. SISSON]. I have not only read the hearings but I took part in the conduct of the hearings, and I certainly disagree with the gentleman from Massachusetts—very respectfully.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. WALSH. I was referring only to participation by the gentleman from Mississippi [Mr. SISSON].

Mr. DAVIS of Minnesota. I understood the gentleman to say that no person could read the hearings and come to any other conclusion than the one he has come to.

Mr. WALSH. Oh, I did not say any such thing.

Mr. DAVIS of Minnesota. The gentleman from Massachusetts is the first one within my knowledge to talk about this subject who has come to that conclusion.

No member of the committee subcommittee or the full committee came to any other conclusion than that this matter should be as we have it here; but be that as it may, this matter, to my mind, is thoroughly fixed after hearing all the testimony. This matter in its present condition is an absolute sinecure. We want this lady to perform some service for the District of Columbia, and the only way that we can do it is by adding to her salary and making her become what she ought to be—a resident clerk. Then, on page 75 of this bill, we make a provision so that there will be an actual audit of the money. That provision, I presume, will be stricken out on a point of order, and if it is I think it will be doing a great injustice to this training school; that is my opinion. That provides that the appropriation made for the National Training School for Girls shall be disbursed by the disbursing officer of the District of Columbia the same as all other matters are disbursed by the District of Columbia, except this one only, and this is done, in my opinion, because Mr. Brown wants this girl sitting in his private office. I am speaking pretty plainly about it. We came to this conclusion after listening to the testimony for several years. If the point of order is made and sustained, I do not know who shall pay these accounts or how they shall be disbursed; but if the provision remains in the bill, they will be disbursed by the disbursing officer of the District of Columbia in the manner now provided by law for expenditures from appropriations for general expenses of the government of the District. That is the way it should be, and at present there is no audit. This lady or girl or whoever she is sits in a private office, so to speak, of Mr. Brown, and is willing to stay there at $600 because she does very little for the District; and if we make the position a resident clerk at $800, some duties will be imposed upon her proper to the position.

Gentlemen of the committee, I sincerely hope, and I am much in earnest, that the motion of the gentleman from Massachusetts will be voted down. If you had heard the testimony, as did the members of the committee, there would not be a dissenting voice.

Mr. WALSH. Mr. Chairman, I desire to ask the gentleman a question. Does the gentleman say that all the members of the Committee on Appropriations are in favor of this change?

Mr. DAVIS of Minnesota. All whose attention has been called to this matter.

Mr. WALSH. That differs from saying all members. The gentleman from Illinois [Mr. CANNON] is not in favor of this change and has opposed it here upon the floor heretofore.

The CHAIRMAN. The question is upon agreeing to the amendment offered by the gentleman from Massachusetts.

The question was taken and the amendment was rejected.

The Clerk read as follows:

In all, National Training School for Girls, $57,680: *Provided*, That on and after July 1, 1920, appropriations made for the National Training School for Girls shall be disbursed by the disbursing officer of the District of Columbia in the manner now provided by law for expenditure from appropriations for general expenses of the government of said District.

Mr. WALSH. Mr. Chairman, I make a point of order on the proviso.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order on the proviso. The Chair sustains the point of order on the proviso.

Mr. DAVIS of Minnesota. I will ask the gentleman if his point of order pertains to the whole paragraph?

Mr. WALSH. I made the point of order to the proviso and so stated.

Mr. DAVIS of Minnesota. It is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Children's Hospital, $15,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word to ask a question in regard to the Children's Hospital. I notice that there has been a reduction in the amount given to a number of these hospitals. The appropriation for the Children's Hospital especially attracted my attention. What is the explanation for the reduction of this appropriation at this time?

Mr. DAVIS of Minnesota. Generally, I will state, based upon the hearing, more children are paid for by their parents owing to the greater prosperity of the District. We have made a very liberal allowance in the matter.

Mr. TILSON. Fifteen thousand dollars will cover all requirements?

Mr. DAVIS of Minnesota. Absolutely.

Mr. TILSON. In my judgment, it is one of the most deserving hospitals in the whole city.

Mr. DAVIS of Minnesota. And I am proud to say that the people of the District of Columbia seem to be in better condition financially than they have been heretofore, and there has been more ability to pay. That is all there is to it.

The Clerk read as follows:

Gallinger Municipal Hospital: For continuing the construction of the Gallinger Municipal Hospital, $100,000; and the Commissioners of the District of Columbia are authorized to enter into a contract or contracts for the construction of said hospital and accessory buildings in accordance with approved plans at a limit of cost not to exceed $1,500,000.

Mr. WALSH. Mr. Chairman, I reserve the point of order. Is not this increasing the limit of cost of this hospital?

Mr. DAVIS of Minnesota. It is.

Mr. WALSH. How nearly finished is the structure?

Mr. DAVIS of Minnesota. It has not even been started.

Mr. WALSH. Well, what is the necessity for the increase?

Mr. DAVIS of Minnesota. If the gentleman will permit me, I will state to him that the first appropriation——

Mr. GARD. Will the gentleman give us the benefit of his observations over here?

Mr. DAVIS of Minnesota. I will be glad to do so. The first initial authorization of the Gallinger Hospital, after several years contest on the floor, to my personal knowledge, was $500,000 in the calendar year 1917, fiscal year 1918. The commissioners, as I am informed, endeavored to let a contract for that amount of money. They could not. Hence they came before the committee the next year, and had the authorization raised to six hundred and some odd thousand dollars. Again they attempted to let a contract and failed, and they have endeavored frequently to do so, with this increased authorization. At the present time, if this bill passes, they will have an appropriation of $700,000, $600,000 under the previous authorization and $100,000 under this. They came before the committee and, I think, with a good deal of plausibility, based upon the facts, showed that it would be impossible to construct this building or even get a contract for it for less than a million and a half. Your committee, looking the matter over very carefully, decided that owing to the increased cost of everything, while it was an enormous sum, yet were convinced, and I think the whole committee was, because I argued this matter somewhat with them, that a million and a half was the least sum that could be assigned. Therefore, we put the amount in. I have all the figures here, if the gentleman desires to read them over, showing what it will cost to erect this structure.

Mr. WALSH. Will the gentleman permit another question?

Mr. DAVIS of Minnesota. Certainly.

Mr. WALSH. If this increased authorization is permitted, is there any expectation that a contract can be awarded in the near future at that figure?

Mr. DAVIS of Minnesota. There is positive assurance from the best of authority that such will be the case. We have, so to speak, I will say to my friend from Massachusetts, grilled the authorities who have this matter in charge as much as he could if he took a six months' vacation in which to do it.

We are interested in this hospital. They have promised us faithfully to proceed as fast as possible to let that contract now without any further delay.

Mr. WALSH. What authority gives the gentleman that assurance?

Mr. DAVIS of Minnesota. The board of commissioners. They have the authority to let these contracts and make them. We have already assurances from these men. As I say, we catechised them, both in the record and out of the record, for not proceeding faster than they had, but they say they attempted to let the contract and that it could not be done, because the cost of labor and material had advanced so rapidly, and I am afraid unless we do it this year it will be $2,000,000 in the next bill.

Mr. WALSH. Very likely it will be that anyhow.

Mr. DAVIS of Minnesota. I do not believe so.

Mr. WALSH. Have they changed their plans at all?

Mr. DAVIS of Minnesota. They have, on account of the increased number of insane that will be accommodated there. They have increased the number of beds from 300 to 450. They had to do it in consequence of the increasing number of insane that will be housed there.

Mr. WALSH. So any change or alteration of plans has been along the lines of increasing the cost rather than to bring it within the authorization?

Mr. DAVIS of Minnesota. That is probably true.

Mr. WALSH. Well, Mr. Chairman, I do not think we ought to increase it.

The CHAIRMAN. Does the gentleman make a point of order?

Mr. WALSH. I reserve it.

Mr. MANN of Illinois. Mr. Chairman, there has been a long contest in reference to this hospital or a municipal hospital here, and I understand, as stated by the gentleman from Minnesota [Mr. DAVIS], in 1917 the hospital was provided at an authorized limit of cost of $500,000. How much was appropriated at that time I do not recall, but I understood the gentleman from Minnesota to say that the entire amount was appropriated, though I am not sure that I caught him right.

Mr. DAVIS of Minnesota. There is $600,000 already appropriated.

Mr. MANN of Illinois. The gentleman may be right, as he usually is. Last year, I think, there was no appropriation made for this hospital. There could not have been but $500,000 appropriated before that. Last year the limit of cost was raised from $500,000 to $603,590. The odd figures show that the District Commissioners had made a very close calculation and estimate as to what this hospital would cost last year, and the committee and Congress, relying upon the estimate of the commissioners, drew the line very fine and authorized the limit of cost of $603,590. That was only a year ago.

Mr. DAVIS of Minnesota. I will state to the gentleman exactly when the appropriations were made and how much they were each year, if he would like to know.

Mr. MANN of Illinois. Yes; it may have been made in deficiency bills.

Mr. DAVIS of Minnesota. No; made right along. The first authorization was $500,000.

Mr. MANN of Illinois. Was that an appropriation?

Mr. DAVIS of Minnesota. That year, though, an appropriation of $150,000 was made. Next year the authorization was raised to $603,000.

Mr. MANN of Illinois. The authorization, not the appropriation.

Mr. DAVIS of Minnesota. The authorization. Then we proposed $353,590.

Mr. MANN of Illinois. Not in the last year's bill, did you?

Mr. DAVIS of Minnesota. We did in 1918. And here are the figures.

Mr. MANN of Illinois. I know there are the figures, but that is not the law. I have the law before me.

Mr. DAVIS of Minnesota. We gave $100,000 last year.

Mr. MANN of Illinois. The gentleman may be correct, although that is not important——

Mr. DAVIS of Minnesota. And we asked for $100,000 more.

Mr. MANN of Illinois. This bill carries $100,000.

Mr. DAVIS of Minnesota. That will make it $703,000.

Mr. MANN of Illinois. I think if the gentleman looks it up he will find there is not that much money appropriated. However, that has nothing to do with this matter. It seems remarkable there should have been a proposed increase in cost on the same plan from $603,000 a year ago, with estimates carefully made, to $1,500,000 at this time, nearly threefold. How much of that is owing to change of plans?

Mr. SISSON. Mr. Chairman, there has been no change in the plan in the regular hospital proper, but since the plan was submitted for the last bill the District Commissioners and Board of Charities, and other people, and I believe rightly so——

Mr. MANN of Illinois. I am very sure the gentleman believed rightly so.

Mr. SISSON. I want to impress the gentleman, if I can, with this argument, that when they first made the suggestion it seemed outrageous to me, because I thought it was too great an increase; but they want to put a pyschopathic ward there where they may take care of the sick who are insane. That must be a building segregated from the others, especially for the violent insane. I was not so thoroughly convinced that they were right about it until we went out there and visited the hospital where they were caring for the insane sick, and when I saw the condition there, and saw those people strapped in bathtubs, and saw what I did there in that insanitary and unhealthy place, I say to my friend that I instantly resolved that so far as I was concerned there would be no objection to building a psychopathic ward. And it is the psychopathic ward that causes the great increase. That was not contemplated in the original plan. There would be an increase, of course, on account of the increased cost of labor even on the original units which they intended to construct.

Mr. MANN of Illinois. The gentleman from Mississippi and I sympathize very frequently about a proposition, and I will be willing to take his judgment about this. The gentleman remembers what a contest there was about authorizing a hospital costing $500,000. That having been authorized, before a stroke of work is done on it we are led to increase the cost to $1,500,000. And it may be perfectly natural——

Mr. SISSON. I think that is a very bad case on its face, but when you take into consideration the enormous increase in the cost of labor and material, and then take into consideration that as the authorities decided it was proper to put a psychopathic ward there, and the subcommittee having agreed to it——

Mr. MANN of Illinois. The gentleman will remember that a few days ago this House was very much stirred up over the question of increasing the cost of a hospital at Chicago from $3,000,000 to a limit of cost of $4,300,000, and it was denounced as outrageous; but here it is proposed to increase the cost threefold—from $500,000 to $1,500,000—although the cases are very similar.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for two minutes. I want to ask him a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SISSON. I will state to my friend that he realizes the controversy that we had over the hospital originally. Originally there was an estimate for $1,000,000, but after seesawing back and forth between the two Houses it went in in the House at $1,000,000, and it was compromised in conference at $500,000. I never thought that $500,000, even at the old prices, would build the kind and character of hospital that we should have here.

Mr. MANN of Illinois. Did this originate in the Senate? I thought it originated in the House.

Mr. SISSON. The name "Gallinger" did originate in the Senate, but the provision for the hospital originated in the House.

Mr. MANN of Illinois. I thought the hospital originated in the Senate before the House took any action on it at all.

Mr. SISSON. No; it originated here. A great fight was made on it in the Senate. Senator Lea, of Tennessee, when it came up in the Senate, took hold of the matter, offered an amendment to change the name from the "Municipal Hospital of the District of Columbia" to the "Gallinger Hospital," and took occasion to pay a warm tribute to the services which Senator Gallinger had rendered to the District of Columbia.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. WALSH. Mr. Chairman, I make the point of order.

The CHAIRMAN. To what language?

Mr. WALSH. To the language from line 21 to line 24, inclusive.

The CHAIRMAN. The Chair thinks that it is not within the province of the Committee on Appropriations to report legislation increasing the limit of cost on this hospital, and therefore sustains the point of order. The Clerk will read.

The Clerk read as follows:

The disbursing officer of the District of Columbia is authorized to advance to the agent of the Board of Children's Guardians, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as may be required of said agent by the commissioners, sums of money not to exceed $400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the board, and for office and sundry expenses, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve a point of order on the language beginning with line 20, on page 77, down to and including line 6, on page 78. I desire to ask the chairman of the subcommittee who is in charge of the bill what "traveling" expenses there would be to be paid?

Mr. DAVIS of Minnesota. Railroad fare. I think there are 11 different people now traveling, and in consequence of the increased cost of traveling expenses this is necessary.

Mr. JOHNSON of Kentucky. Why do they have to travel?

Mr. DAVIS of Minnesota. Some of these children are in institutions in Maryland and Pennsylvania and several of the adjoining States.

Mr. JOHNSON of Kentucky. Yes; but the language in line 1 of page 78 which precedes the allowance for "traveling expenses" makes provision for the money to be used "for placing and visiting" children.

Mr. DAVIS of Minnesota. That is exactly it. You have to place them.

Mr. JOHNSON of Kentucky. If the appropriation is to be paid for the expenses in "placing and visiting" children, why should you also make an appropriation for "traveling expenses"?

Mr. DAVIS of Minnesota. They have to do that in order to place the children. They can not place them all in the District of Columbia.

Mr. JOHNSON of Kentucky. No; but $400 provided for in line 1, page 78, is to be used in expenses in "placing and visiting" children. It occurs to me that is enough. We ought not to have "traveling" expenses except to place and visit children.

Mr. DAVIS of Minnesota. I am perfectly willing that the gentleman should cut it down to $300, so far as I am concerned, but I know it will hamper the energies of people who are handling it. There are over 2,000 children in their care, as I understand.

Mr. JOHNSON of Kentucky. I would like to ask the gentleman what particular expenditures the word "sundry" would cover in line 3 of page 78.

Mr. DAVIS of Minnesota. I can not tell the gentleman what is the meaning of the word "sundry." I think the gentleman is a lawyer, and he will understand that the word "sundry" covers almost a multitude of things.

Mr. JOHNSON of Kentucky. Is that intended to be a cover for a "blanket"?

Mr. DAVIS of Minnesota. They all have to be audited.

Mr. JOHNSON of Kentucky. This is a blanket authorization; the auditing does not authorize the money.

Mr. DAVIS of Minnesota. You can not advance any money except upon the authorized appropriation.

Mr. JOHNSON of Kentucky. On line 22 of page 77 this money is to be advanced upon "requisition" previously approved. By whom is the requisition to be made?

Mr. DAVIS of Minnesota. By the Board of Charities.

Mr. JOHNSON of Kentucky. But it does not say so.

Mr. DAVIS of Minnesota. All these matters are under their supervision.

Mr. JOHNSON of Kentucky. The implication there is that it is to be done by some agent, and if the agent and the auditor for the District of Columbia have previously agreed upon the matter it does not go to the board of trustees.

Mr. DAVIS of Minnesota. It goes to the agent in charge of it. That is true.

Mr. JOHNSON of Kentucky. That being true, I will make the point of order.

Mr. DAVIS of Minnesota. On the whole paragraph?

Mr. JOHNSON of Kentucky. No; on the matter contained in lines 20 to 24, on page 77, down to and including line 6, on page 78.

Mr. DAVIS of Minnesota. I suggest that the gentleman make it on the whole thing. It will simply confuse matters. If he does not——

Mr. JOHNSON of Kentucky. If the gentleman will not, I will make it.

Mr. DAVIS of Minnesota. You can make it on what you want to, and I will make it on the balance.

The CHAIRMAN. The gentleman from Kentucky makes the point of order on lines 20 to 24, on page 77, down to and including line 6, on page 78. Is that right?

Mr. JOHNSON of Kentucky. That is right.

The CHAIRMAN. Does the gentleman from Minnesota care to be heard?

Mr. DAVIS of Minnesota. No. It has been there for 15 or 20 years. Still I think it is subject to a point of order.

The CHAIRMAN. There is no law authorizing this language. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

In all, Industrial Home School for Colored Children, $35,000: *Provided*, That all moneys received at said school, as income from sale of products and from payment of board of instruction, or otherwise, shall be paid over to the commissioners to be expended by them in the support of the school during the fiscal year 1921.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make the point of order on the proviso beginning with line 23, page 78. By this bill $35,000 is appropriated for the support of the Industrial Home School for Colored Children. The appropriation of that $35,000 is made contingent and dependent upon whether or not "all moneys received at said school, as income from sale of products and from payment of board of instruction, or otherwise, shall be paid over to the commissioners to be expended by them in support of the school during the fiscal year 1921." I think that they ought to have this $35,000 regardless of whether or not the commissioners do these things. Therefore I make the point of order against the proviso.

Mr. DAVIS of Minnesota. Mr. Chairman, the gentleman's mind is no doubt made up. I will simply say that they have been getting this money for the last 15 or 20 years under exactly this language. There is no change in the language at all. But it may be, and undoubtedly is, subject to a point of order. Therefore I shall not go to the trouble of making any further explanation.

Mr. JOHNSON of Kentucky. They may have been in good enough luck in the past to get the money, but I do not think it ought to be jeopardized in the future by this condition which is attached to it. It ought to be made certain that they are going to get it. Therefore I make the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Hereafter the commissioners are authorized, under such regulations as they may prescribe, to sell the surplus products of the said workhouse and the said reformatory, and all moneys derived from such sales shall be paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia: *Provided*, That a report of the amounts derived from such sales shall be made annually in the Book of Estimates.

Mr. JOHNSON of Kentucky. Mr. Chairman, I reserve the point of order on the language contained in lines 4 to 11, both inclusive, on page 84.

Mr. Chairman, a large sum of money is appropriated under the language which precedes that, and the entire appropriation by the proviso is made dependent upon whether or not a report of the amount derived from such sales shall be made annually in the Book of Estimates. To me it seems preposterous that so many hundred thousands of dollars should be appropriated and then finally made dependent upon a trifling little thing like that. If I may be permitted to do so, Mr. Chairman, I will withdraw the point of order to all except the proviso.

Mr. WALSH. I renew the reservation of the point of order.

Mr. JOHNSON of Kentucky. The point of order being reserved, Mr. Chairman, as I have the right to make it whenever the opportunity comes, I will yield the floor.

Mr. MANN of Illinois. The gentleman can make it at any time.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard?

Mr. DAVIS of Minnesota. I do, if the Chair please. This is the same matter which we have attempted to thrash out and explain to the gentleman from Kentucky several times. Therefore I do not care to make any further explanation, because my experience has been that when a point of order is reserved argument is useless. Hence, I will admit that it is subject to a point of order, and will let the gentleman make the point of order.

Mr. WALSH. I make the point of order to the word "hereafter" in line 4.

The CHAIRMAN. Just to the word "hereafter"?

Mr. WALSH. Yes.

Mr. MANN of Illinois. I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph. Does the gentleman from Massachusetts insist upon his point of order to the word "hereafter" being disposed of now?

Mr. WALSH. Yes; I make it on the word "hereafter," and of course I think there ought to be a ruling on that.

Mr. DAVIS of Minnesota. It is subject to the point of order.

Mr. JOHNSON of Kentucky. I make the point of order on all the language contained between lines 4 and 11, both inclusive, on page 84.

The CHAIRMAN. Does the gentleman from Minnesota wish to be heard on the point of order?

Mr. DAVIS of Minnesota. I do not. It is subject to a point of order, and explanations are useless.

The CHAIRMAN. The Chair sustains the point of order of the gentleman from Kentucky and also of the gentleman from Massachusetts. The Clerk will read.

The Clerk read as follows:

For pay of troops other than Government employees, to be disbursed under the authority and direction of the commanding general, $10,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Will the gentleman from Minnesota answer a question with reference to this item, no point of order being reserved? This says:

For pay of troops other than Government employees, to be disbursed under the authority and direction of the commanding general.

What particular troops does that include—"other than Government employees"?

Mr. DAVIS of Minnesota. It includes everybody in the militia of the District who are not employees of the Government, if they get leave of absence.

Mr. WALSH. If they happen to be working in one of the Government departments and join the militia and get a leave of absence to go off to drill, they can not draw any pay. Is that the idea?

Mr. DAVIS of Minnesota. Their Government pay continues.

Mr. WALSH. I withdraw the motion to strike out the last word.

The Clerk read as follows:

REFUND OF ERRONEOUS COLLECTIONS.

To enable the commissioners, in any case where special assessments, school tuition charges, rents, fees, or collections of any character have been erroneously covered into the Treasury to the credit of the United States and the District of Columbia in equal parts, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia appropriation act approved March 2, 1911, $1,500, or so much thereof as may be necessary: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. WALSH. I do so merely to ask a question—why this is limited to three years? This three-year provision is carried in every bill?

Mr. DAVIS of Minnesota. Yes.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

SEC. 5. That hereafter all per diem employees and day laborers of the District of Columbia who have been regularly employed for 15 working days next preceding such days as are legal holidays in the District of Columbia, and whose employment continues through and beyond said legal holidays, shall be granted such leave of absence with pay as is granted the regular annual employees of the District of Columbia for said legal holidays.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make a point of order on section 5 that it is legislation on an appropriation bill.

Mr. DAVIS of Minnesota. It has been carried for the last three or four years. However, I know that it is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read the last section of the bill, as follows:

SEC. 8. That all appropriations of money to provide for the payment of the expenses of the government of the District of Columbia shall be paid, from and after July 1, 1920, out of the revenues of the District of Columbia to the extent that such revenues shall be sufficient therefor and the remainder shall be paid out of the Treasury of the United States: *Provided*, That the amounts to pay the interest and sinking fund on the funded debt of the District of Columbia shall be paid one-half out of the revenues of the said District and one-half out of the Treasury of the United States.

Mr. MANN of Illinois. Mr. Chairman, I make a point of order on section 8.

Mr. DAVIS of Minnesota. I admit, Mr. Chairman, that it is subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DAVIS of Minnesota. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee

of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. DAVIS of Minnesota. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. SISSON. Mr. Speaker, I ask for a separate vote on the amendment known as the Mudd amendment, where three streets were put in at a cost of $120,000.

The SPEAKER. Is a separate vote demanded on any other amendment?

There was no demand for a separate vote on any other amendment.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the Mudd amendment.

The Clerk read as follows:

Page 25, line 12, after the figures "$1,800," insert the following: "And including repairs to Bladensburg Road from Fifteenth and H Streets NE. to the District line, at a total cost not to exceed $51,100; and including Alabama Avenue from Pennsylvania Avenue to Ridge Road and Bowen Road, between Ridge Road and the District line, at a total cost not to exceed $21,000; and including Central Avenue from Bennings Road to the District line, at a total cost not to exceed $39,000; and including Thirty-eighth Street SE., between Bowen and Suitland Roads, at a total cost not to exceed $9,000."

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. SISSON) there were—ayes 46, noes 17.

Mr. SISSON. Mr. Speaker, I make a point of order that no quorum is present.

The SPEAKER. Clearly there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 228, nays 89, answered "present" 1, not voting 109, as follows:

YEAS—228.

Ackerman	Esch	Kraus	Paige
Almon	Evans, Nev.	Kreider	Parker
Andrews, Nebr.	Fields	Lampert	Pell
Ashbrook	Flood	Layton	Peters
Aswell	Focht	Lazaro	Phelan
Babka	Foster	Lea, Calif.	Platt
Bacharach	Frear	Lehlbach	Purnell
Barbour	Freeman	Linthicum	Radcliffe
Bee	Gallagher	Little	Rainey, J. W.
Begg	Gallivan	Lonergan	Raker
Benham	Ganly	Longworth	Ramsey
Benson	Garland	Luce	Randall, Calif.
Bland, Ind.	Glynn	Lufkin	Reavis
Bland, Mo.	Goldfogle	Luhring	Reber
Bland, Va.	Goodykoontz	McAndrews	Reed, N. Y.
Boies	Green, Iowa	McArthur	Reed, W. Va.
Bowers	Greene, Mass.	McClintic	Rhodes
Briggs	Greene, Vt.	McDuffie	Ricketts
Britten	Griest	McFadden	Riordan
Brooks, Ill.	Hadley	McGlennon	Robsion, Ky.
Browne	Harreld	McKeown	Rogers
Burdick	Harrison	McKinley	Rowan
Burroughs	Hastings	McLaughlin, Nebr.	Rowe
Caldwell	Haugen	McPherson	Sanders, Ind.
Campbell, Kans.	Hawley	MacCrate	Sanford
Campbell, Pa.	Hayden	Madden	Schall
Carew	Hays	Magee	Scott
Chindblom	Hernandez	Maher	Sears
Christopherson	Hersey	Major	Sells
Classon	Hersman	Mann, Ill.	Shreve
Cleary	Hickey	Mann, S. C.	Siegel
Coady	Hicks	Mapes	Sims
Cole	Hill	Mays	Smith, Idaho
Crago	Hoch	Merritt	Smith, Mich.
Crowther	Hoey	Michener	Snell
Cullen	Holland	Miller	Snyder
Currie, Mich.	Houghton	Minahan, N. J.	Steele
Dale	Hull, Iowa	Monahan, Wis.	Steenerson
Dallinger	Hull, Tenn.	Montague	Stephens, Ohio
Darrow	Husted	Mooney	Stiness
Dempsey	Hutchinson	Moore, Ohio	Summers, Wash.
Dewalt	Igoe	Moore, Va.	Sweet
Dickinson, Mo.	Jefferis	Moores, Ind.	Swope
Dickinson, Iowa	Johnson, S. Dak.	Mott	Tague
Dominick	Johnson, Wash.	Mudd	Taylor, Tenn.
Donovan	Johnston, N. Y.	Murphy	Thompson
Dooling	Jones, Pa.	Nelson, Wis.	Tilson
Doremus	Kearns	Newton, Minn.	Tincher
Doughton	Kelly, Pa.	Newton, Mo.	Tinkham
Dunbar	Kennedy, R. I.	Nichols, Mich.	Treadway
Eagan	King	O'Connell	Upshaw
Echols	Kinkaid	Ogden	Vaile
Elliott	Kleczka	Oliver	Vestal
Emerson	Knutson	Padgett	Vinson
Watson	Welling	White, Me.	Woods, Va.
Weaver	Whaley	Wilson, Ill.	Yates
Webster	White, Kans.	Wilson, Pa.	Zihlman

NAYS—89.

Anderson	Fisher	Mansfield	Stedman
Ayres	French	Martin	Stephens, Miss.
Barkley	Fuller, Ill.	Milligan	Strong, Kans.
Black	Gard	Moon	Sumners, Tex.
Blanton	Garner	Nelson, Mo.	Taylor, Ark.
Box	Good	O'Connor	Temple
Brand	Goodwin, Ark.	Oldfield	Tillman
Buchanan	Hardy, Colo.	Park	Towner
Byrns, Tenn.	Huddleston	Parrish	Venable
Candler	Hudspeth	Pou	Volstead
Cannon	Jacoway	Quin	Walsh
Caraway	James	Rainey, Ala.	Watkins
Clark, Mo.	Johnson, Ky.	Rainey, H. T.	Welty
Collier	Jones, Tex.	Ramseyer	Wilson, La.
Connally	Keller	Rayburn	Wingo
Crisp	Kincheloe	Robinson, N. C.	Wise
Davis, Tenn.	Kitchin	Romjue	Wood, Ind.
Dowell	Lanham	Rouse	Wright
Eagle	Lankford	Rubey	Young, N. Dak.
Elston	Larsen	Rucker	Young, Tex.
Evans, Mont.	Lee, Ga.	Sherwood	
Evans, Nebr.	McKinley	Sinclair	
Fairfield	McLaughlin, Mich.	Sisson	

ANSWERED "PRESENT"—1.

Clark, Fla.

NOT VOTING—109.

Andrews, Md.	Dupré	Kendall	Sanders, N. Y.
Anthony	Dyer	Kennedy, Iowa	Scully
Baer	Edmonds	Kettner	Sinnott
Bankhead	Ellsworth	Kiess	Slemp
Bell	Ferris	Langley	Small
Blackmon	Fess	Lesher	Smith, Ill.
Booher	Fordney	McCulloch	Smith, N. Y.
Brinson	Fuller, Mass.	McKenzie	Smithwick
Brooks, Pa.	Gandy	McLane	Steagall
Brumbaugh	Garrett	MacGregor	Stevenson
Burke	Godwin, N. C.	Mason	Stoll
Butler	Goodall	Mead	Strong, Pa.
Byrnes, S. C.	Gould	Mondell	Sullivan
Cantrill	Graham, Ill.	Morgan	Taylor, Colo.
Carss	Graham, Pa.	Morin	Thomas
Carter	Griffin	Neely	Timberlake
Casey	Hamill	Nicholls, S. C.	Vare
Cooper	Hamilton	Nolan	Volgt
Copley	Hardy, Tex.	Olney	Walters
Costello	Heflin	Osborne	Ward
Cramton	Howard	Overstreet	Wason
Curry, Calif.	Hulings	Porter	Wheeler
Davey	Humphreys	Randall, Wis.	Williams
Davis, Minn.	Ireland	Riddick	Winslow
Denison	Johnson, Miss.	Rodenberg	Woodyard
Dent	Juul	Rose	
Drane	Kahn	Sabath	
Dunn	Kelley, Mich.	Sanders, La.	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. RODENBERG with Mr. BELL.

Mr. ANTHONY with Mr. HEFLIN.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. STRONG of Pennsylvania with Mr. HARDY of Texas.

Mr. FULLER of Massachusetts with Mr. GARRETT.

Mr. DENISON with Mr. BRINSON.

Mr. TIMBERLAKE with Mr. DRANE.

Mr. GOODALL with Mr. CARTER.

Mr. KAHN with Mr. DENT.

Mr. BUTLER with Mr. BANKHEAD.

Mr. BROOKS of Pennsylvania with Mr. FERRIS.

Mr. BURKE with Mr. GRIFFIN.

Mr. ELLSWORTH with Mr. GANDY.

Mr. FORDNEY with Mr. SMALL.

Mr. FESS with Mr. STEVENSON.

Mr. DUNN with Mr. SANDERS of Louisiana.

Mr. GRAHAM of Illinois with Mr. OVERSTREET.

Mr. HULINGS with Mr. SCULLY.

Mr. IRELAND with Mr. KETTNER.

Mr. EDMONDS with Mr. SMITHWICK.

Mr. DAVIS of Minnesota with Mr. NEELY.

Mr. CRAMTON with Mr. SMITH of New York.

Mr. KENDALL with Mr. MCLANE.

Mr. COPLEY with Mr. BRUMBAUGH.

Mr. KIESS with Mr. MEAD.

Mr. COSTELLO with Mr. BLACKMON.

Mr. OSBORNE with Mr. BYRNES of South Carolina.

Mr. PORTER with Mr. CANTRILL.

Mr. SINNOTT with Mr. NICHOLLS of South Carolina.

Mr. KENNEDY of Iowa with Mr. OLNEY.

Mr. MONDELL with Mr. HOWARD.

Mr. MASON with Mr. HUMPHREYS.

Mr. ROSE with Mr. LESHER.

Mr. SLEMP with Mr. GODWIN of North Carolina.

Mr. MORIN with Mr. SABATH.

Mr. McKENZIE with Mr. DUPRÉ.
Mr. RIDDICK with Mr. CASEY.
Mr. VARE with Mr. SULLIVAN.
Mr. WALTERS with Mr. STOLL.
Mr. VOIGT with Mr. THOMAS.
Mr. WASON with Mr. DAVEY.
Mr. WHEELER with Mr. CARSS.
Mr. WILLIAMS with Mr. BOOHER.
Mr. WINSLOW with Mr. JOHNSON of Mississippi.
Mr. WOODYARD with Mr. STEAGALL.
Mr. GRAHAM of Pennsylvania with Mr. HAMILL.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DAVIS of Minnesota, a motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL MARINE EXPOSITION.

Mr. ESCH. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 148, authorizing the Department of Commerce to participate in the National Marine Exposition to be held in New York in April, 1920, which I send to the desk and ask to have read.

The Clerk read as follows:

Senate joint resolution 148.

Whereas the National Marine League of the United States is to hold an exposition in New York next April, for the purpose of demonstrating to the public the needs of the maritime industries of the United States and the means by which the interests of such maritime industries may be encouraged and promoted; and

Whereas it is believed that participation by the Department of Commerce in such exposition may tend to promote, develop, and foster the foreign and domestic commerce of the United States: Therefore be it

Resolved, etc., That the Secretary of Commerce be authorized, in his discretion, to cooperate with the managers of such exposition and to furnish such exhibits from the various bureaus and branches in his department as, in his judgment, may be of value in the performance of the functions of the department: *Provided*, That such cooperation and the furnishing of such exhibits shall be without expense to the United States.

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, I understand that this is not to cost the United States Government anything.

Mr. ESCH. The resolution provides that such cooperation and furnishing of such exhibits shall be without expense to the United States. The exposition begins in New York on the 12th of April, and in order that the Government may make its exhibit the resolution should be adopted without delay.

Mr. CLARK of Missouri. Inasmuch as that is the only thing I have heard of in the last 12 months that did not cost the Government anything, I shall not object.

Mr. WINGO. Mr. Speaker, who is going to pay this expense?

Mr. ESCH. The expense is paid by the exposition authorities. They derive their revenue by selling space in the Grand Central Palace in New York.

Mr. WINGO. What particular thing is expected to be done by the Department of Commerce?

Mr. ESCH. It will make an exhibit of the Bureau of Navigation, of the Lighthouse Service, of the Life Saving Service, and the Coast Guard Service. The exhibits are all prepared, and all that is required is shipment to New York.

Mr. WINGO. The gentleman refers to the material exhibits?

Mr. ESCH. That is all.

Mr. WINGO. I presume that some of the force of these different services will be detailed there for duty?

Mr. ESCH. No; that is not the understanding. The exhibits are self-explanatory. Some of them can be seen to-day in the National Museum. Tablets and placards are over the exhibits, so that there is no need of a demonstrator.

Mr. WINGO. The gentleman is confident that all the participation of the Department of Commerce will be the material exhibits?

Mr. ESCH. Yes.

Mr. WINGO. And there will be no detailed force there?

Mr. ESCH. No. It will be participated in by the Secretary of Commerce, by the Secretary of the Interior, by the Chief of the Shipping Board. They are all on the program of the exposition.

Mr. BLAND of Indiana. Mr. Speaker, just how does the gentleman's committee get jurisdiction of this resolution?

Mr. ESCH. The Committee on Interstate and Foreign Commerce has jurisdiction of the Life-Saving Service, of the Lighthouse Service, and of the Coast Guard Service. Those three services are to make exhibits at the exposition.

Mr. BLAND of Indiana. And does the gentleman think his committee has any jurisdiction over the matter of participation in expositions?

Mr. ESCH. We did not question our jurisdiction. The resolution was referred to the committee, and we acted, because prompt action was necessary.

Mr. BLAND of Indiana. I am wondering why the resolution was not referred to the Committee on Expositions?

Mr. ESCH. I do not know.

Mr. BLAND of Indiana. I desire to state that the committee is functioning and has a clerk and is holding sessions and meetings.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. ESCH. Yes.

Mr. WALSH. Who is the National Marine League?

Mr. ESCH. The National Marine League is composed of the Pacific Steamship Co., the American International Corporation, the Barber Steamship Lines, H. S. Borden, the Youngstown Sheet & Steel Tube Co., the Oxford Paper Co., the Worthington Pump & Machinery Co., and many other large industries.

Mr. WALSH. Is it an organization assembled together for the purpose of holding this exposition, in order that different industries might have an opportunity to advertise their goods, and they want a little Government sanction?

Mr. ESCH. It is not that, necessarily. I think it is really under the auspices of the National Marine League, an institution which is developing an interest in our merchant marine.

Mr. BLANTON. Mr. Speaker, notwithstanding the last clause in the resolution that such cooperation and the furnishing of such exhibits shall be without expense to the United States, is it not a fact that these three different divisions of the Government which he has mentioned will necessarily have numerous employees of the Government drawing salaries from the Government utilizing their time in preparing these exhibits? Is it not also true that their time, which will be lost, is not taken into consideration when it is said that the exposition shall be without expense to the Government?

Mr. ESCH. This exposition will not entail the employment of any additional force whatsoever.

Mr. BLANTON. But it will take the services of certain employees whose duties now require them to attend to other matters than preparing exhibits?

Mr. ESCH. I understand not. It merely means the shipment of these exhibits to New York.

Mr. BLANTON. They have to be prepared.

Mr. ESCH. They are prepared now.

Mr. BLANTON. And somebody must accompany them representing the Government?

Mr. ESCH. They do not need to be accompanied. They are shipped by freight.

Mr. BLANTON. If that is not the case, it is the first Government exhibit of which I have any knowledge that has not had some Government employee accompany it.

Mr. ESCH. I am sure there is no additional expenditure entailed upon the Government Treasury by reason of the participation in this exposition.

Mr. BLANTON. I shall not object, but I am sure we will realize that time will be lost on the part of the employees of the Government.

Mr. BLAND of Indiana. Mr. Speaker, reserving the right to object, while I am not inclined to want to object to the jurisdiction of the Interstate Commerce Committee, which seems to cover a great amount of ground in this House, I would like to inquire just what authority they have to consider and by what authority this bill was referred to that committee, in view of the fact that it conducts a Government agency and lends it to the exposition?

The SPEAKER. The Chair will state it was referred in the matter of routine business, and the Chair has no knowledge of why it was referred. Of course, having been once referred, the committee has jurisdiction.

Mr. BLAND of Indiana. I am of the impression it was improperly referred.

The SPEAKER. That may be.

Mr. CLARK of Missouri. Mr. Speaker, is it too late to raise that point of order in the House?

Mr. BLAND of Indiana. I could object and move to rerefer it, but I do not want to be jealous about the matter.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. ESCH. I will.

Mr. BEE. The Department of Commerce is of the opinion that this exhibit is going to be of material benefit; that is their belief, is it?

Mr. ESCH. Yes; that is indicated by the letter which the Secretary of Commerce sent to the committee.

Mr. BEE. And it will be of national benefit, in the judgment of the Department of Commerce?

Mr. ESCH. Yes.

Mr. BEE. Then I want to ask the chairman of the committee, what is the intense fear that the Government of the United States might spend a few dollars in getting this exhibit properly put in New York City at this exposition? I do not see any objection, if we do have to expend a few dollars, if it will produce the result anticipated.

Mr. ESCH. Nor do I.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read the third time, and was read the third time.

The SPEAKER. The question is on the adoption of the preamble.

The question was taken, and the preamble was adopted.

The SPEAKER. The question is on the passage of the resolution.

The question was taken, and the resolution was passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the resolution was passed was laid on the table.

AMENDING REVENUE ACT—PRINT PAPER.

Mr. GREEN of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12260, to change the tariff rates on print paper, and pending that——

The SPEAKER. The gentleman from Iowa, member of the Committee on Ways and Means, moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12260——

Mr. GREEN of Iowa. And pending that motion, I would like to ask the gentleman from Tennessee if we can agree on time for general debate. Has he anything to suggest in reference to it?

Mr. HULL of Tennessee. I suggest 30 minutes on a side, if that is agreeable. I have not heard of any general request for time on this side.

Mr. GREEN of Iowa. I think 30 minutes on a side will be agreeable; there has been no great demand on this side, and I ask unanimous consent that the time for general debate be limited to 1 hour, 30 minutes to be controlled by the gentleman from Tennessee [Mr. HULL] and 30 minutes by myself.

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate be confined to 1 hour, 30 minutes to be controlled by himself and 30 minutes by the gentleman from Tennessee. Is there objection? [After a pause.] The Chair hears none. The question is on the motion to go into the Committee of the Whole House on the state of the Union.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12260, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12260, a bill to revise the tariff on print paper, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12260) to amend section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes."

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. WALSH. I think it ought to be read and I object.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," be amended so as to read as follows:

"SEC. 600. Printing paper (other than paper commercially known as handmade or machine handmade, japan paper, and imitation japan paper by whatever name known), unsized, sized, or glued, suitable for the printing of books and newspapers, but not for covers or bindings, not specially provided for in this section, valued above 8 cents per pound, 12 per cent ad valorem: *Provided, however*, That if any country, dependency, Province, or other subdivision of government shall impose any export duty, export license fee, or other charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise) upon printing paper, wood pulp, or wood for use in the manufacture of wood pulp, there shall be imposed upon printing paper, values above 8 cents per pound, when imported either directly or indirectly from such country, dependency, Province, or other subdivision of government, an additional duty equal to the amount of the highest export duty or other export charge imposed by such country, dependency, Province, or other subdivision of government, upon either printing paper or upon an amount of wood pulp or wood for use in the manufacture of wood pulp necessary to manufacture such printing paper.

"Printing paper (other than paper commercially known as handmade or machine handmade paper, japan paper, and imitation japan paper by whatever name known), unsized, sized, or glued, suitable for printing of books and newspapers, but not for covers or bindings, not specially provided for in this section, valued at not above 8 cents per pound, decalcomania paper not printed."

SEC. 2. That this act shall expire by limitation at the end of two years from the date of its passage, and section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," shall again become operative in its stead.

The committee amendment was read as follows:

Page 3, line 2, strike out "two years" and insert "one year."

Mr. GREEN of Iowa. Mr. Chairman, I suggest that as the gentleman from Tennessee is the author of the bill that he open debate upon it.

Mr. HULL of Tennessee. Mr. Chairman, this bill does not propose any new substantive legislation. It only seeks to carry out the purpose and intent of existing law. In 1913 when the last general tariff law was enacted provisions were inserted to the effect that wood pulp and print paper as defined in this bill when imported at a value of more than 2½ cents per pound should be subject to an import duty of 12 per cent. At that time the import value of those products was substantially below 2½ cents per pound with the result that both classes of imports came in free of duty. That situation went along until 1916, when the import price of those products had either reached or was in the act of reaching 2½ cents per pound. The next step was then taken with respect to modifying the application of this 12 per cent tariff rate, which was to strike out the 2½ cents per pound and insert 5 cents a pound wherever it appeared in these provisions of the revenue act of 1913. By this action these products which I have described were still permitted to come into this country free of the 12 per cent duty so long as the import value did not pass 5 cents a pound. That situation proceeded unto the present time. The situation now is that some contract prices of Canadian concerns with our American newspapers and other publishers is being or will be raised from its present rate of below 5 cents a pound to not less than 5 and perhaps somewhat beyond 5 cents per pound. That will make the 12 per cent tariff duty applicable to all such imports. At this time a small but substantial amount of these products is coming in from Scandinavia and they are increasing somewhat in quantity, but the scarcity of print paper in this country and throughout the world is such that a severe injury is being or about to be inflicted upon the smaller and other newspapers of this country which buy their paper in our domestic spot market.

I say this upon the strength of the statement of a number of newspaper publishers. They say that the spot market in this country, when the pulp and print paper tariff of 12 per cent applies somewhat generally to imports, will be just about 12 per cent higher than it otherwise would be, and that the suspension of this 12 per cent during the present period of scarcity and of rapidly increasing prices is absolutely necessary unless it is desired to give to those who control the spot market the opportunity of keeping it on an average of 12 per cent higher than it would otherwise be. This bill was originally introduced to suspend the operation of this 12 per cent tariff primarily during this period of extreme scarcity and rapidly increasing high prices, and it was made to run two years, but the committee has reported an amendment, virtually unanimously, to strike out "two" and confine it to one year in its operation. I have now stated the substance of the proposition which the bill contains as I understand it from such information as I can get.

Mr. SNELL. Will the gentleman yield for a question?

Mr. HULL of Tennessee. Yes.

Mr. SNELL. What percentage of the paper is coming into this country at the present time? Can the gentleman tell me?

Mr. HULL of Tennessee. I want to say to the gentleman frankly, not expecting the bill to come up at this particular time, I left my figures and statistics over in my office. But, of course, the principal portion of wood pulp and print paper is imported.

Mr. SNELL. What immediate effect do you expect this will have on the newsprint-paper market, for instance?

Mr. HULL of Tennessee. As I just undertook to explain—and perhaps I did not make myself clear to the gentleman—and I want to repeat again what the American Newspaper Publishers' Association officials and others told me——

Mr. SNELL. Does it mean 12 per cent decrease in the price of paper in this country right away?

Mr. HULL of Tennessee. They say in the present situation the spot market is somewhere from 10 to 11 and a fraction

cents per pound; that if this tariff rate is made to apply to import values, those who fix the spot market in this country will simply raise it 12 per cent, with the result that it will stand during the next one or two years, during this period of scarcity and high prices, at substantially 12 per cent higher than it otherwise would be.

Mr. SNELL. The point I had in mind was whether newsprint paper would be immediately reduced 12 per cent in this country if we passed this bill?

Mr. HULL of Tennessee. I can only make the statement that I have made, with this addition, that whenever import values rise beyond 5 cents a pound, to a general extent, then the 12 per cent tariff will be a factor to practically its full amount in fixing the spot-market price.

Mr. SNELL. I understand that part, but I would like to know what information has come to the committee to lead them to believe that the price of news paper will be immediately reduced practically 12 per cent?

Mr. HULL of Tennessee. I want to say this to the gentleman in equal candor, that the scarcity of printing paper throughout the world, as I understand it, is becoming more severe every week and the prices are going up all the time; so that if it should be possible by suspending this duty for 12 months to keep the price from going up 12 per cent or more, next week, perhaps, certainly next month, it would be a saving during the operation of the bill of substantially 12 per cent to those who may buy in the spot market in this country.

Mr. SNELL. I appreciate what the gentleman said, and I would be willing to have people buy paper cheaper, but what I am wondering is whether it will have the effect desired or not, or whether the people that are manufacturing it will just raise the price of paper so much that it really will not have any effect on the price of paper in this market?

Mr. HULL of Tennessee. I think it follows from the statement of facts that I have offered, that this rapidly increasing value of this product, both the import value and the value on the spot market, which is nearly double the import price, will have the inevitable effect to save in purchases from now on substantially a 12 per cent margin where the purchases are made in the spot market.

Mr. SNELL. Is there any other information on this except what came from the newspaper publishers?

Mr. HULL of Tennessee. Only the general information from the Customs Division and the Federal Trade Commission in regard to the general scarcity and in regard to increase in price, which is very rapid.

Mr. SNELL. I am going to ask one more question. That is, what the average price of paper was that was being brought into this country for printing purposes at this time?

Mr. HULL of Tennessee. As I said at the outset, the information I have is that, beginning on the 1st of April, some of the quarterly contracts that Canadian concerns make with our domestic purchasers will be raised from 4 and a fraction cents to not less than 5, and that the price is bounding upward every time a new contract is made over there.

Mr. SNELL. Do you think that this new bill will affect the incoming contracts?

Mr. HULL of Tennessee. It is primarily to keep the spot market in this country, from now on, substantially 12 per cent lower than it otherwise would be, and also to carry out the intent of existing law.

Mr. LONGWORTH. As a matter of fact, no paper has come in so far that has as high a valuation as 5 per cent.

Mr. HULL of Tennessee. Not from Canada. It has been around 5, as to a small amount from Scandinavia.

Mr. LONGWORTH. So practically this 12 per cent has not operated, but it is anticipated it will very shortly operate.

Mr. HULL of Tennessee. Yes.

Mr. HICKS. Will the gentleman yield?

Mr. HULL of Tennessee. Yes.

Mr. HICKS. About how much is it estimated the Government will lose in revenue if this bill becomes a law?

Mr. HULL of Tennessee. Well, the amount of revenue——

Mr. KITCHIN. It will lose nothing, because we have collected nothing so far under that 12 per cent, because it has been under 5 cents and around—the imports.

Mr. HULL of Tennessee. I was going to say to the gentleman what I said in substance at the outset, that this is not new law. It simply carries out the present law as it has been for several years, and that is to maintain on the free list such articles of wood pulp and print paper as are defined in the bill.

Mr. Chairman, I reserve the remainder of my time.

The CHAIRMAN. The gentleman from Tennessee has used 12 minutes.

Mr. GREEN of Iowa. Mr. Chairman, the gentleman from Tennessee [Mr. HULL] has very correctly stated the purpose and object of the bill. I may, however, add a few words to what the gentleman has said. It has for some time been the policy on either side of this House not to put a tariff on print paper—that is, paper used for newspaper print—and the purpose of this bill is to continue that policy.

As the gentleman from Tennessee has stated, practically all the newspaper print paper that has come in has come in at a rate less than 5 cents, so that we have received no revenue from it. The demand for print paper, however, at this time is ascending by leaps and bounds. It is not necessary to state to gentlemen in this House who no doubt have received complaints from the country newspapers, as well as the large newspapers that have their own factories, that at times it is impossible for them to obtain all the paper they desire, and that it is only with the greatest difficulty that they can get paper enough to print their editions from day to day and from week to week, and so on. Under these circumstances, of course, if print paper goes any higher than 5 cents the inevitable result will be that the 12 per cent duty would be added to the already exorbitant price that is now being charged. Print paper is now being sold at rates that seem to me to be out of all reason and extortionate, although I am not able to give the cost of manufacturing.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BRIGGS. Has the pulp provision applied as yet to any paper brought into this country?

Mr. GREEN of Iowa. Not to any newspaper print paper, not of any consequence.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. As I understand, most of the paper that is imported from Canada now is imported under contract?

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. And there is no tariff because the price is less than 5 cents?

Mr. GREEN of Iowa. Yes.

Mr. MANN of Illinois. There is considerable paper—I say considerable, more or less—coming in from Scandinavia. Probably there will be more, not under contract, which would probably be above 5 cents.

Mr. GREEN of Iowa. That is the expectation, that the importations from Scandinavia will increase, as they have large forests suitable for the manufacture of wood paper and excellent water-power facilities.

Mr. MANN of Illinois. This might help the importation of paper from Scandinavia and help to relieve the shortage here.

Mr. GREEN of Iowa. That is the purpose of the bill. The price already is far out of reason, and far beyond anything that has ever been anticipated.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. FAIRFIELD. As I understand it, it is to relieve the people who buy in small quantities in the spot market?

Mr. GREEN of Iowa. That is the special object of it. Some of the big newspapers, like the Chicago Tribune and others, have their own mills and will not be affected by this bill.

Mr. FAIRFIELD. At the present time the paper now offered in the spot market is all under contract and controlled by a limited number of people. Is not that true?

Mr. GREEN of Iowa. I think that is substantially correct.

Mr. FAIRFIELD. This bill will not change that situation at all, will it?

Mr. GREEN of Iowa. I do not know that I fully understand the gentleman's question. Evidently I did not understand his former question.

Mr. FAIRFIELD. What I mean is this: Will it not be true in the future, as it has been in the past, that this imported paper will come in under contract by our domestic purchasers and that they will still control the market as they do now?

Mr. GREEN of Iowa. No; I do not think that is quite correct. This paper that comes in from Scandinavia, as I understand it, does not come in under contract. It figures on the free market. There is also a small quantity that comes in from Canada that is sold in the open market. The most of it is sold to the jobbers, and the jobbers, it is claimed, owing to the great scarcity of paper, have put it up to the very highest notch and make as much profit as possible.

Mr. FAIRFIELD. There will be no protection in case the jobbers wished to increase the price if this 12 per cent should be taken off, they having control of the market, as they do now, so that it might result in an increased income to those who are

already controlling the spot market. Is that possible in this case?

Mr. GREEN of Iowa. That would be true if the spot market were all under contract, so that they could be certain of getting it, but it is not in that form.

Mr. FAIRFIELD. As I understand it, the committee believes that the present rates asked for by the jobbers and the importers are out of all reason, extravagant, and really extortionate.

Mr. GREEN of Iowa. That is more my individual opinion than any expression on the part of the committee.

Mr. FAIRFIELD. There is no way to reach that proposition by legislation, is there?

Mr. GREEN of Iowa. No. The committee will not be able to decrease the great demand for paper that exists at this time or immediately increase the production of paper.

Mr. FAIRFIELD. The committee would not consider fixing a maximum price on print paper if it would insure that the small buyer would get it at a fair rate?

Mr. GREEN of Iowa. Unfortunately we are not able to do that on account of the fact that the greater part of our supply comes from abroad, and, of course, we could not fix the price in a foreign country.

Mr. FAIRFIELD. I am going on the assumption that we already import at half the cost that is charged to the man who buys in small quantities. An extension of the Lever Act to cover paper would really solve the problem, would it not?

Mr. GREEN of Iowa. No; I do not think it is so easily done as that.

Mr. FAIRFIELD. We, of course, all know what our experience has been in fixing prices. They have usually been lowered. I was wondering if there was a specific method by which the price of print paper could be lowered.

Mr. SUMMERS of Washington. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SUMMERS of Washington. If paper can be imported in large quantities at 5 cents a pound, why is the price still 13 cents in this country? What is the explanation?

Mr. GREEN of Iowa. The most of this paper that is imported at 5 cents a pound, or less, as I understand it, is paper received under contracts that were made a long time ago. The principal cause of the high price is that paper is so scarce that people pay anything that is asked to get it. This gives an opportunity for extortion.

Mr. SUMMERS of Washington. The price has gone up from a cent and a half in 1915 until in the beginning of 1919 it was 6 cents, and it is now advanced to 7 cents within the year 1919, out of all proportion to the cost of labor and transportation.

Mr. SNELL. Mr. Chairman, will the gentleman permit me to answer that question?

Mr. GREEN of Iowa. Yes.

Mr. SNELL. The great majority of newsprint paper is not sold in this country at 12 cents or 13 cents a pound.

Mr. SUMMERS of Washington. What is sold not under contract is, as I understand it.

Mr. SNELL. The great majority of it is under contract. The large papers buy their paper under contracts for one, two, and three years. A comparatively small quantity of spot paper is on the market for sale each year, and there is such a demand for that paper that they have raised the price out of all proportion, as compared with their contracts. The great majority of the paper is not sold for anything like the prices that Members here and other people seem to think it is.

Mr. SUMMERS of Washington. It is if you go out into the market to buy it.

Mr. SNELL. If you go into the market to buy spot paper, you have got to pay a big price.

Mr. SUMMERS of Washington. Suppose a contract expires.

Mr. SNELL. Contracts are not renewed for any such large price as that, big contracts for four or five years.

Mr. SUMMERS of Washington. I hold in my hand a publication which states that you can not go into the market and buy it for a less price than that.

Mr. SNELL. Notwithstanding what that says, I think I know that that is not the condition on large contracts.

Mr. SUMMERS of Washington. I am assured by reliable publishers that this is a reliable statement.

Mr. SNELL. I am sure that is not the fact.

Mr. KITCHIN. I should like to suggest to the gentleman from New York [Mr. SNELL] and also to the gentleman from Washington [Mr. SUMMERS] that some time ago Mr. Colver, of the Federal Trade Commission, testified before our committee that of the domestic print paper used in the United States about 90 per cent was under contract by the large papers at 4½ cents a pound, but that the smaller papers throughout the United States which did not have contracts were compelled to pay as high at that time as 9 and 10 cents a pound. I understand it is higher now.

Mr. SNELL. My information is that that is practically the exact situation, and I think I know something about it.

Mr. KITCHIN. This bill is rather in anticipation of advancing prices. It does not affect prices right now, because the print paper that is coming in from Canada is coming in at a little less than 5 cents a pound, practically none of it for as much as 5 cents a pound; but for the last two or three years it has been advancing from time to time, and the committee anticipated that in less than 60 days after the passage of this act the import price of print paper might go to 6 or 7 or 8 cents a pound. This anticipates that, and therefore it lifts the limit of the free list from 5 cents to 8 cents; that is, that paper not in excess of 8 cents per pound shall be admitted free. If it goes up to 6 cents within the next 30 days, unless this bill is passed, then the paper that is imported will cost 12 per cent in addition to that; but if this bill is passed, lifting the limit to 8 cents, then until it goes to 8 cents it will be on the free list. The papers that are not under contract will get the benefit of it and those under contract made hereafter will get the benefit of the 12 per cent.

Now, the gentleman from Indiana [Mr. FAIRFIELD] wanted to know how Congress could put down the price of paper. I am going to tell him one way, and the only practical way, in which it can put down the price of paper. This is a reasonable way, and I understand that a great many of the larger newspapers have advocated this proposition, that the Government limit the number of pages of a daily newspaper that can be sent through the mails as second-class matter, a daily paper to 16 or 20 pages and a Sunday paper, say, to 50 or 60 pages. That will put upon the market thousands of tons of other print paper. It will enlarge the supply. Some of the Sunday papers now will run from 80 to 100 pages, and some as high as 150 pages. I am not now advocating this proposition, but I am suggesting that it is the only practical way in which the Government can reduce the price of paper. That is, it will make a larger supply by cutting off the immense demand. Some of the larger papers that have been printing from 25 to 30 pages daily and from 80 to 125 pages on Sunday have said that they are perfectly willing to have the Government limit the number of pages that can be sent through the mails as second-class matter.

Mr. LONGWORTH. The gentleman will recall that Mr. Colver stated before the committee that that could be accomplished indirectly by repealing the excess-profit tax. If I recall correctly, the gentleman from North Carolina [Mr. KITCHIN] did not agree to that.

Mr. KITCHIN. The gentleman from Ohio will remember that neither the gentleman from North Carolina nor the gentleman from Ohio nor any other member of the committee agreed with Mr. Colver. He knew about as much about the excess-profit tax as he knows about a great many other things concerning which he has undertaken to instruct the American public, and that is absolutely nothing. [Laughter.]

Mr. SNELL. Is not that what causes this extra advertising?

Mr. KITCHIN. No. I have heard that——

Mr. GREEN of Iowa. If the gentleman from North Carolina would like some time, I will yield it to him.

Mr. KITCHIN. Please yield me five more minutes.

Mr. GREEN of Iowa. Reserving the remainder of my time, I will yield five minutes to the gentleman from North Carolina.

Mr. KITCHIN. I have heard that statement, too—that the excess-profit tax encourages extravagance; that parties who pay excess-profit tax will advertise more, that instead of paying the Government the excess-profit tax they will take the money and pay it to newspapers and magazines in order to advance the interests of their business and charge it to expense account. This may be true in some cases. After hearing that, I examined into the matter. I found that—taking the Saturday Evening Post, for example—the automobile manufacturers, and the Standard Oil Co., and the American Tobacco Co., and many others are not taking any more space than they did before we had the excess-profits tax; but there are several other concerns which never advertised in the Saturday Evening Post that are now advertising in it, not because of the excess-profit tax, but because their business is prosperous and expanding, and it pays them to advertise. Corporations generally are making more money in every way, and every concern—corporate firm or individual—is making more money, and they are putting their business before the public through the medium of advertisements. Now, take my little town. I do not think there is a merchant there that pays any excess-profit tax; that is, there is no corporation that is in the retail mercantile business. Individuals

and partnerships do not have to pay excess-profits tax. I notice now in that little paper there are three or four times more advertisments by the merchants than there were in 1914, not on account of the excess-profits tax, because they pay none, not being incorporated, but on account of the improvement and prosperity in business. You will find that is the case everywhere. For instance, take the want columns in the Star and the Post. Perhaps there are three or four times more than there were three years ago, and yet none of these people who put advertisements in the want colum are paying excess-profits tax. Business is greater and business people want to advertise more.

As the gentleman from Ohio said, Mr. Colver said that the excess-profits tax was responsible for the high cost of living. I believe he stated that in a speech in this city, also in one in Boston, that for every dollar of excess-profits tax the Government collected the consumer paid $10; that the manufacturer for every dollar he paid in excess profit added $10 to the consumer. Well, we collected about $2,000,000,000 in excess-profits tax in 1918. That would make $20,000,000,000, according to Mr. Colver, of the Federal Trade Commission, paid in addition to the profit on labor, on raw materials, and the profit of the turnover; and yet the total amount of profits made by all of the corporations in the United States did not exceed $10,500,000,000, according to the returns made to the Internal Revenue Bureau! [Laughter.]

Mr. PARRISH. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. PARRISH. Is that the same gentleman who said that it cost such a large per cent to collect the internal-revenue tax?

Mr. KITCHIN. Yes; he stated in his speech that it cost the Government 50 per cent to collect the excess-profits tax; that is, for every dollar of excess-profits tax the Government collected it cost the Government 50 cents. The fact is that it cost the Government less than one-half of 1 per cent instead of 50 per cent. The total collection of the income tax, estate tax, excess-profits tax, and excise tax, and all other internal taxes was about $21,000,000, while Mr. Colver, of the Federal Trade Commission, puts it at $1,000,000,000 to collect the excess-profits tax alone. [Laughter.]

Mr. LONGWORTH. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. LONGWORTH. Am I right in assuming that the gentleman from North Carolina does not think very much of Mr. Colver?

Mr. KITCHIN. Oh, I do think a great deal of him. [Laughter.] But very little of his opinion on excess-profits tax and his judgment on most public matters. I think he could fill most any position more creditably than the one he now holds. [Laughter.]

Mr. LONGWORTH. Can the gentleman state who appointed him to this high and responsible position?

Mr. KITCHIN. No; I can not. I presume somebody did. [Laughter.]

Mr. SNELL. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. SNELL. Has the gentleman any information as to the budget of these large advertisers at the present time compared with the prewar times or before the excess-profits tax?

Mr. KITCHIN. No.

Mr. SNELL. If he could get that information, he would know definitely whether there was anything in the statement that the excess-profits tax was the cause of so much advertising.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. GREEN of Iowa. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, this bill increasing the limit under which paper shall be admitted free from 5 to 8 cents is simply a bill to accomplish what was originally intended. I am a newspaper publisher, although I am not in very active service. We have never yet paid anything like 5 cents a pound for paper, but I know a great many small papers in the smaller towns in my district that do not use paper in rolls, but in the flat bundles, that have to go into the spot market occasionally, and have sometimes paid 7 or 8 cents a pound. I have known some of them to be so hard pressed that they have come to our people and had us cut our waste into squares so that they could use it to print upon. That would give you a good idea of the scarcity.

Mr. CRISP. Will the gentleman yield?

Mr. PLATT. Certainly.

Mr. CRISP. I want to supplement what the gentleman has said by saying that I have received letters from publishers in my district saying that they have received from the paper brokers quotations for paper at 10½ and 11 cents a pound.

Mr. PLATT. I think that is undoubtedly true. When a man goes into the spot market for paper he is in a serious strait. A newspaper has to come out every day or every week and it can not be postponed. A newspaper man will do almost anything rather than lose an issue. Consequently, they are at some time at the mercy of the broker who controls paper for immediate delivery.

Mr. HARRISON. Will the gentleman yield?

Mr. PLATT. I will.

Mr. HARRISON. I have a letter from the International Paper Co. This is what they say, and I would like to know if the gentleman has any information in regard to it:

> The newsprint paper industry is being crowded out of the United States into Canada. The Canadian Government gives assistance in many ways. The United States Government has done everything possible to suppress the news industry. Canadian paper comes in free of duty, and the Canadian Government is permitted to cut off the wood—our raw material—for which we have contracted. No newsprint mill of importance has been built in the United States in 10 years. Canadian mills are multiplying rapidly. We are being forced to build in Canada to protect our wood interests.

Mr. PLATT. There is some truth in that. A good many claim that we ought not to have put print paper on the free list. There is a good argument for protecting it.

Mr. HARRISON. The letter continues:

> The plain fact is that unless our Government acts to protect the industry within the States it will pass wholly into a foreign country beyond the jurisdiction of our Government.

Mr. PLATT. Is the gentleman making a protection argument?

Mr. HARRISON. No; I am not, but what I want to know is whether the committee realizes it——

Mr. PLATT. It is a pretty good argument for protection; but, as a matter of fact, it is on the free list below 5 cents, and the 8-cent limit of this bill is not as high as 5 cents seemed at the time of the enactment of the present law.

Mr. HARRISON. The trouble is that an embargo has been placed on Canadian pulp, which prevents the paper manufacturers here from getting their raw material.

Mr. PLATT. That is true, I believe, of one Province in Canada.

Mr. HARRISON. There is a bill pending which has as its object to force the Canadian Government to permit that raw material to come in.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. SNYDER. I know that the gentleman from New York [Mr. PLATT] is a printer. I have been to his establishment, and I know that he uses a lot of paper. I believe he knows what he is talking about when he talks about price, and I want to ask him if he feels in his heart, if this bill becomes a law, that it will decrease the price of paper to the man using paper in the amount that the gentleman does?

Mr. PLATT. I doubt considerably whether it will make any difference to people who use paper in rolls. Our prices have never yet gotten up to 5 cents, and I should think it would be some time before they would; but I know that other publishers are paying more than 5 cents for paper now.

Mr. SNYDER. Does it not look to the gentleman as though this might be an invitation to the paper makers in Canada to raise the price to 8 cents?

Mr. PLATT. I think it hardly could be taken that way.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PLATT. May I have one minute more?

Mr. GREEN of Iowa. Mr. Chairman, I yield one minute more to the gentleman from New York.

Mr. PLATT. I want to say in connection with what the gentleman from North Carolina [Mr. KITCHIN] said that there is a very general feeling among the newspaper publishers that the excess-profits tax does have considerable to do with the large advertising patronage. Not only are new concerns advertising who never advertised very much, but older concerns are advertising in all sorts of newspapers that they never used before. The excess-profits tax acts as a cost-plus proposition in time of peace. Anyone who has anything to sell can put anything over on the public. The people, or at least many people, are buying very recklessly, without regard to price, and in order to avoid excess-profits taxes extra expenses are created and charged off on the public. I have no complaint to make, because I am one of those who profit to a small extent from it.

Mr. SNYDER. The gentleman must have a personal interest in this bill.

Mr. PLATT. Oh, no.

Mr. SNYDER. What does the gentleman expect it will do to him—raise or lower his price?

Mr. PLATT. I do not believe it will make much difference. That is, I doubt whether newsprint by contract in rolls will go much above 5 cents; but of course it might.

Mr. SNYDER. If it will not make any difference, what is the use of it?

Mr. PLATT. The bill simply continues the present policy, and is a help to the smaller publishers.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. I yield to the gentleman from Minnesota.

Mr. STEENERSON. Why has the committee placed this figure at 8 cents a pound?

Mr. GREEN of Iowa. Does the gentleman think it ought to be placed at another sum?

Mr. STEENERSON. I would say that the Post Office Committee sent out questionnaires to the publishers throughout the United States on this subject of print paper, and we have received a large number of letters in respect to the consumption of paper and the price they have to pay. In nearly every instance the price is more than 8 cents, which they are required to pay, and it runs up to 11½ and 12 cents.

Mr. GREEN of Iowa. The gentleman forgets that the price they are paying is the jobber's price; that this 8 cents is the import price, which would be very much less than that. The import prices have never gotten up to any such figure as that. In fact, as yet they are much below it. That is the reason why we did not take into consideration these extortionate figures which jobbers sometimes ask.

Mr. STEENERSON. Another remarkable fact that appears from these communications is that publishers are unable to buy from the manufacturers of paper. They all have to deal with brokers. It seems to me there must be a concert of action on the part of the producers of paper not to deal directly with the consumers, but to deal through brokers, thereby escaping the charge of profiteering.

Mr. GREEN of Iowa. I am inclined to think the gentleman is correct, and that it might well be occasion for action on the part of the Department of Justice, but, of course, the gentleman can see that we could not do anything about that in this bill.

Mr. STEENERSON. I was thinking this 8 cents a pound would bring in paper that was beyond the price of those now buying paper.

Mr. REED of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. REED of West Virginia. The discussion has developed the fact that the small country newspaper publisher is probably not going to be benefited very much by this legislation. He will still have to pay high prices for print paper—prices which are rapidly increasing and may soon be prohibitory.

Mr. GREEN of Iowa. I will say to the gentleman that if anybody is benefited by the legislation, it will be the small newspaper man, and he is the one that we are trying to benefit. We merely wanted to fix the law so that there will be no tariff on newspaper print.

Mr. REED of West Virginia. I would like to see the committee devise some means to reduce the price of paper to the country newspaper. The Government uses a vast amount of paper. It is a fact that neither the National nor the State Governments can function without paper. The States are furnishing free textbooks for the schools and the Government is furnishing free textbooks in the District of Columbia. It is paper everywhere. Paper is one of the necessary elements in the educational forces of the country. Why should not the Government in this emergency devise a method that would get this paper and distribute it to publishers at a price that would enable them to continue their publications? The Government has found it expedient and proper to come to the rescue when other exigencies arose. Why should it ignore a problem so grave as the one relating to print paper? It is not fair that a situation should exist where the big dailies get paper for 4 cents while the country publisher has to pay from 11 to 12 cents per pound.

Mr. GREEN of Iowa. I will say to the gentleman that there is just one way in the long run by which the price of paper is going to be reduced, and that is to have more paper factories built and operated, but it takes a year or more——

Mr. SNELL. Three.

Mr. GREEN of Iowa. I accept the correction; the gentleman is right. It takes practically three years to construct a print-paper factory on a scale to manufacture it economically.

The CHAIRMAN. The time of the gentleman has expired; and the Clerk will read.

The Clerk began the reading of the bill.

Mr. GREEN of Iowa. Mr. Chairman, I would like to inquire of the Chairman how this bill is being read?

The CHAIRMAN. It is being read by paragraphs.

Mr. GREEN of Iowa. I wish to offer an amendment at that point.

The CHAIRMAN. The paragraph proposed to be amended has not been read.

Mr. GREEN of Iowa. I thought that was the first section. However, it is immaterial to me, and whatever the Chairman suggests is proper.

The Clerk read as follows:

Be it enacted, etc., That section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," be amended so as to read as follows:

"SEC. 600. Printing paper (other than paper commercially known as handmade or machine handmade, japan paper, and imitation japan paper by whatever name known), unsized, sized, or glued, suitable for the printing of books and newspapers, but not for covers or bindings, not specially provided for in this section, valued above 8 cents per pound, 12 per cent ad valorem: *Provided, however*, That if any country, dependency, Province, or other subdivision of government shall impose any export duty, export license fee, or other charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise) upon printing paper, wood pulp, or wood for use in the manufacture of wood pulp, there shall be imposed upon printing paper, values above 8 cents per pound, when imported either directly or indirectly from such country, dependency, Province, or other subdivision of government, an additional duty equal to the amount of the highest export duty or other export charge imposed by such country, dependency, Province, or other subdivision of government, upon either printing paper or upon an amount of wood pulp or wood for use in the manufacture of wood pulp necessary to manufacture such printing paper."

Mr. MANN of Illinois. Mr. Chairman, I ask that it be read by sections.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Printing paper (other than paper commercially known as handmade or machine handmade paper, japan paper, and imitation japan paper by whatever name known), unsized, sized, or glued, suitable for printing of books and newspapers, but not for covers or bindings, not specially provided for in this section, valued at not above 8 cents per pound, decalcomania paper not printed.

Mr. GREEN of Iowa. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert after the first paragraph a new paragraph, as follows:

"SEC. 600. That paragraph 322, Schedule M, and paragraph 567 of the free list of the act entitled 'An act to reduce tariff duties and to provide revenues for the Government, and for other purposes,' approved October 3, 1913, be amended so that the same shall read as follows."

Mr. MANN of Illinois. Where does that come in?

Mr. GREEN of Iowa. Between lines 5 and 6, page 1.

Mr. SNELL. What does that do?

Mr. GREEN of Iowa. If the gentleman will kindly wait a moment, I will explain. This bill applies in a rather peculiar way. It is an amendment to an amendment of another act. It is an amendment to section 600 of the revenue law of 1916, which amended paragraph 322 of Schedule M of the former tariff law and paragraph 567 of the free list.

Mr. SNELL. I know all about it now. [Laughter.]

Mr. GREEN of Iowa. This amendment really is merely a formal one. If it is adopted, as I assume it will be, the numbering of the next paragraph will be changed, and it is necessary to show where this paragraph properly comes in. The second paragraph, which is now improperly marked section 600, is really paragraph 322, Schedule M. The next paragraph, beginning with line 18 of the second page, is really paragraph 567 of the free list, but without this definition which we are now putting in, without that numbering, nobody would ever know it was from the free list. If gentlemen will read the paragraph as it stands now, beginning with line 18, page 2, they will observe that it is apparently left in the air. There is a statement in reference to a certain kind of paper, but it is not stated what will be done with it. With this amendment, which I will offer later on, giving the number and the amendment which I now offer, it will appear that paragraph 322, Schedule M, and paragraph 567 of the free list of the act of 1913 are amended.

Mr. WALSH. Mr. Chairman, I would like to ask that the amendment be again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported.

Mr. WALSH. Now, Mr. Chairman, do I understand that is an amendment at the end of line 5, page 1?

Mr. GREEN of Iowa. Yes; between lines 5 and 6.

Mr. WALSH. Then the gentleman intends to strike out section 600, in line 6, and put in section 322?

Mr. GREEN of Iowa. Not section, but paragraph 322.

Mr. WALSH. And then, line 18, page 2, to put in paragraph 567?

Mr. GREEN of Iowa. Yes; that is a portion of the free list.

Mr. GARD. Will the gentleman yield?

Mr. GREEN of Iowa. I will yield.

Mr. GARD. I was wondering if it was not necessary to strike out lines 3, 4, and 5, page 1, because it will appear twice?

Mr. GREEN of Iowa. It appears twice, because we are amending an amendment to the act of 1913. We are amending an amendment to an amendment. That is the reason it appears twice, I will say to the gentleman from Ohio.

Mr. MANN of Illinois. I suppose the Clerk understands that this comes in after line 5?

The question was taken, and the amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I now ask unanimous consent that in line 6 the word and figures "Section 600" be stricken out and that the figures "322" be inserted in lieu thereof, that being the correct number.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa as a committee amendment: Page 1, line 6, strike out the word and figures "Section 600" and insert in lieu thereof "322."

Mr. WALSH. It is not an amendment to the amendment?

Mr. GREEN of Iowa. This is an amendment to the bill.

The question was taken, and the amendment was agreed to.

Mr. HULL of Tennessee. I would like to call attention to line 9, page 2, where the word "values" is used instead of the word "valued." Down in line 23, where the same term is used again, the word "valued" is used instead of "values."

Mr. GREEN of Iowa. It should be "valued." I ask unanimous consent, Mr. Chairman, that in line 9 the word "values" be changed to "valued."

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa as a committee amendment: Page 2, line 9, after the word "paper," strike out the word "values" and insert in lieu thereof the word "valued."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I offer another amendment, that between the quotation marks and the word "Printing" insert the figures "567."

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 18, before the word "Printing," insert the figures "567," and strike out the quotation marks before the word "Printing."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 2. That this act shall expire by limitation at the end of two years from the date of its passage, and section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," shall again become operative in its stead.

Also the following committee amendment was read:

Committee amendment: Line 2, page 3, strike out the words "two years" and insert in lieu thereof the words "one year."

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. WALSH. I would like to ask the gentleman having this measure in charge the reason which prompted the committee to reduce this term? Does he think that any benefit will be derived during this short time of one year?

Mr. GREEN of Iowa. I will say to the gentleman that it was upon my motion this time was reduced. The reason I had for offering this amendment was that I did not want to do anything in any way which would tend to discourage the creation of new mills, which I believe to be the only way in which paper prices will ever be reduced. I think this country, at least in Alaska and in certain parts of Washington, is admirably adapted for the production of paper pulp and paper itself, and it is my great desire that some new mills be erected. I believe if this period was made two years it might, perhaps, have some tendency to develop the establishment of new mills, whereas if it was fixed at one year, and at the end of the year it was necessary to continue it, it would be necessary to continue it for another year or two years, as the case might be.

Mr. WALSH. If the gentleman will permit, it takes three years to establish a mill. Now, the time having been reduced to one year, with the gentleman's statement that it would be easy to extend it another year or another two years, might not that very possibility, that the term is now made so short that it will probably have to be extended, also result in deterring interests from entering upon the construction of mills?

Mr. GREEN of Iowa. I hardly think so. And my friend from Oregon [Mr. HAWLEY], at my right, suggests also another matter that was taken into consideration by the committee, that it was possible in some instances to somewhat extend the capacity of the mills, not within a very brief time, but possibly within a year and a half or so, and if possible we wanted to encourage such extension of the mills. At this particular time there is a large mill under construction, I understand, in the State of Washington. Just how near it is to completion I can not say, but my recollection is that the gentleman from Washington [Mr. HADLEY] said it would be completed in about a year.

Mr. HADLEY. I understand it is substantially completed now and will be ready for operation in the near future. I have not seen the mill for a good while. But that is the first unit, and other units are in contemplation.

Mr. WALSH. Do I understand that unless these mills are permitted to get the exorbitant prices for print paper they are not going to start in constructing them in the future?

Mr. GREEN of Iowa. No; but this raises the limitation so that the tariff would not apply except in case there was an exorbitant price. For that reason I thought it was well to limit the time.

Mr. MANN of Illinois. Mr. Chairman, I do not feel at all confident that this bill will have any practical effect upon the newspaper situation. Paper coming from Canada is now absorbed, all that the Canadian Government will permit to be exported, and I think there is no paper coming in that costs now so much as 5 cents a pound. It may have a tendency to keep the price down in future contracts. There has been some hope that with the high prices of paper in this country there might come a considerable trade with Scandinavian countries, where they have a cheap process of manufacturing paper, with the wood at hand and the water power at hand. I doubt very much whether you will be able to build up much of a trade in paper with the Scandinavian countries with the provision that you only invite such trade for one year. While paper is not a commodity that is accumulated—it is used from day to day, and newspapers live from hand to mouth so far as paper is concerned, because it takes up so much room for storage that it can not afford usually to store it—still the paper is usually disposed of in advance. Because of its bulky nature print-paper manufacturers never manufacture supplies largely in advance. They may have a considerable supply, but the storage of paper amounts to so much that as a rule it is not made in large quantities unless they know where they are going to sell it.

We are inviting Scandinavian paper mills to send us paper because we have a large shortage just now, but we are only extending this invitation so far as this bill is concerned for one year, and I do not think that the invitation will be very generally accepted. People do not start out with new lines of trade on the assumption that if they build up trade it is going to be cut off at the end of a year. It will not be done by the Scandinavian manufacturers; it would not be done by American manufacturers; it would not be done by anybody who had common sense, and common sense rules to a large extent the trade of the world. While it looks well and sounds fine, it accomplishes nothing.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. GREEN of Iowa. Division, Mr. Chairman.

The committee divided; and there were—ayes 44, noes 27.

So the amendment was agreed to.

Mr. WALSH. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman from Iowa a question.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. What is going to be the effect of this legislation at the end of one year? Section 2 says that "this act shall expire by limitation at the end of one year from the date of its passage" and section 600 shall become operative in its stead.

Now, section 600 is still operative. This act will continue it in operation, and its operation has not been suspended. Section 600 is amended by this act, but its operation is to continue in effect, and section 2 of this bill says that it shall again become operative. I wanted to get the gentleman's idea of what the effect would be at the end of the one-year period.

Mr. GREEN of Iowa. The gentleman suggests a matter that I think might, perhaps, be mended by a further amendment. It was not expected, I will say, that this bill should come up today at all. I did not draw the bill in the first instance and did not report the bill myself, and while I had noticed some other things that needed to be corrected in it and had prepared some amendments to that end I did not notice what the gentleman from Massachusetts has just called my attention to. I would

suggest, as the gentleman from Massachusetts sees the purpose of section 2, that, perhaps, he can suggest an amendment to cover his objection.

Mr. REED of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. REED of West Virginia. As a matter of fact, will it not just go back and reduce from the 8-cent to the 5-cent limit, and we shall go ahead under the 5-cent limitation? That will be the effect.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes; I yield to the gentleman from Iowa.

Mr. DEMPSEY. How would this answer the purpose: After the word "purposes" insert "as it read and existed prior to the amendment made by section 1 hereof"?

Mr. MANN of Illinois. Or "prior to the passage of this act."

Mr. DEMPSEY. Yes; or "prior to the passage of this act." That would be better. Why would not that answer the purpose? "As it read and was enforced" would probably be better than "as it existed."

Mr. WALSH. Mr. Chairman, I offer an amendment to page 3, line 4. After the word "purposes" insert the words "in effect prior to the passage of this act."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

Mr. WALSH. "As in effect prior to the passage of this act."

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 3, line 4, after the word "purposes," insert "as in effect prior to the passage of this act."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KITCHIN. Now, Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the last word.

Mr. KITCHIN. Mr. Chairman, I want to congratulate the Republican members of the Committee on Ways and Means, and the Democrats with them, and the Republican membership of the House, for the consideration and the passage of this bill. In my opinion it is needed to give at least some hope of relief from the distressed condition of the thousands of little country and little city newspapers throughout the country. It is almost an emergency.

I want to congratulate the Republicans on the fact that whenever the country faces an emergency, it matters not what it is, they resort to a Democratic policy to give relief from that emergency. [Applause on the Democratic side.] We remember when the great Chicago fire in 1872 swept away millions of property and left tens of thousands of people homeless the Republican Congress rushed to a Democratic policy to give relief to those suffering people by putting building materials on the free list for a period. [Applause on the Democratic side.]

When the fire at Portland, Me., had laid waste hundreds of thousands and millions of dollars' worth of property and left many thousands of people in distress and in suffering and without shelter, the Republican Congress at once again rushed to a Democratic policy to give those suffering people relief by putting building materials on the free list for a year. [Applause on the Democratic side.]

Again, we remember in the great strike of 1902, when the coal cormorants had every man, woman, and child in the country at their mercy, the Republicans, to give relief to a suffering people, again resorted to a Democratic policy and rushed through a Republican House and a Republican Senate, with the approval of a Republican President, an act putting coal on the free list. [Applause on the Democratic side.]

Now, when the little country papers throughout the United States are in the present struggle and distress, the Republican Party in a Republican House, with a Republican Senate, rushes again to a Democratic policy by passing a free print paper bill to give these newspapers throughout the country relief. [Applause on the Democratic side.]

Gentlemen, if Democratic policies are so good and so wise and so virtuous in relieving the people in times of emergencies, why in the name of common justice and common sense are they not good and wise and virtuous enough to have all the time, to prevent the people from getting into these emergencies? [Applause on the Democratic side.] I repeat, I congratulate the Republicans on this measure.

Mr. LUCE. Mr. Chairman, may I ask the gentleman from North Carolina a question?

Mr. KITCHIN. Certainly.

Mr. LUCE. Is it Democratic policy to put dyestuffs on the free list?

Mr. KITCHIN. Dyestuffs on the free list? Certain dyestuffs; yes, sir. I want to say, since the gentleman has mentioned it, that there is a dyestuff act on the statute books put there by the Democrats. For 40 or 50 years the Republicans had control of the Government, and they never did one single thing to encourage the dyestuff industry in the United States, and it remained for a Democratic House and a Democratic Senate and a Democratic President in 1916 to put upon the statute books the first encouraging legislation for the dyestuff industry in the United States. [Applause on the Democratic side.]

The dyestuff bill which the House recently passed followed that Democratic policy. If you had not had that Democratic example to go by, you would not have dared to write a bill. Remember, too, that a dyestuff bill was recommended by a Democratic President in this Congress before you Republicans took a single step. [Applause on the Democratic side.]

Mr. GREEN of Iowa. Mr. Chairman, I congratulate my Democratic friend in having seen the light in relation to dyestuffs and putting a Republican tariff on dyestuffs. It is really delightful to see, in some cases at least, the Democrats coming around to sound reasoning in the end.

Mr. KITCHIN. If the gentleman will permit, I want to ask him a question. Did not the gentleman vote for the Democratic dyestuff provisions in the Democratic bill in 1916, and did not the gentleman from Ohio [Mr. LONGWORTH] with him vote for it, and did not half of the Republicans on the Ways and Means Committee vote for that Democratic bill which I wrote, and did not 50 men on the Republican side of the House vote for that bill in 1916?

Mr. GREEN of Iowa. Whenever you come to the point of adopting protective principles and propose to put on a protective tariff, we will vote with you every time.

Mr. KITCHIN. But a large majority of your party voted against you and me then. But I recognize the fact that you were more patriotic than a majority of your colleagues. You must admit that the Democratic Party was the first one to put through any legislation in aid of the dyestuff industry, whether you call it a protective tariff or an encouraging tariff or a tariff for revenue with incidental protection.

Mr. LONGWORTH. Mr. Chairman, I merely desire to suggest to the gentleman from North Carolina that the Democratic Party were forced at last to come to the Republican policy, because they took the rates as provided in the so-called Hill bill and passed that bill, a Republican tariff measure.

Mr. KITCHIN. If the gentleman will permit, instead of that being the fact we turned down in committee Mr. Hill's bill and the House turned it down. The RECORD will show that Mr. Hill himself got up on this floor and said that the bill which we Democrats proposed, and for which bill Mr. LONGWORTH and Mr. GREEN of Iowa voted with me, would not amount to anything, that it would destroy all the dyestuff establishments in this country; and he offered his bill as a substitute, but it was overwhelmingly defeated.

Mr. LONGWORTH. It is true that I voted for the bill at the same time the gentleman from North Carolina did, but I voted for it because he came more than halfway to me, which is as much as we can possibly expect of a Democrat.

Mr. KITCHIN. You Republicans had never gone halfway or any other way on the dyestuff bill. [Applause on the Democratic side.] We Democrats went all the way and passed one. [Applause on the Democratic side.]

Mr. GREEN of Iowa. Mr. Chairman, I believe I have the floor. The gentleman from North Carolina is a little bit late in his dates. The proposition to put a tariff on dyestuffs was first proposed by the distinguished gentleman from Connecticut, Mr. Hill, and then the Democrats, as usual, came trailing in afterwards when they saw that it was a good proposition, and they established a protective tariff to a certain extent. When they were in control we had to take what we could get. If we could not get what we wanted, we voted for as much protection as we could get.

Mr. KITCHIN. If the gentleman will just go back to the RECORD and will see the facts, he will find that the bill for which he and I voted together is as different from the Hill bill as light is from darkness. The gentleman has got it all mixed up in his memory. The gentleman was right then, and I will ask him not to impeach his record by trying to get out of the right position that he then took. [Laughter.]

Mr. GREEN of Iowa. I would rather trust to the RECORD than to the vivid imagination of the gentleman from North Carolina, which I have often found to be defective in the past.

Mr. Chairman, I move that the committee do now rise and report the bill to the House with a favorable recommendation.

Mr. HASTINGS. I will ask the gentleman to withhold that motion for a moment.

Mr. GREEN of Iowa. I yield to the gentleman from Oklahoma.

Mr. HASTINGS. I move to strike out section 2.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS: Page 3, lines 1 to 5, strike out all of section 2.

Mr. HASTINGS. Mr. Chairman, if this is good legislation for one year, it is good legislation for two years and it is good legislation indefinitely. It is agreed here that this legislation will not help the big papers, which have made their contracts for the coming year, but that this legislation is in the interest of the small papers.

Mr. GREEN of Iowa. Mr. Chairman, just a word on that subject. The conditions that prevail to-day are abnormal. They are not likely to exist very long. I hope they will not exist very long—not any considerable term of years. If I thought that the conditions which prevail to-day were likely to continue indefinitely, I would introduce an altogether different kind of a bill. This is to remedy this special situation. I think the amendment ought to be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. HASTINGS].

The question being taken, on a division (demanded by Mr. HASTINGS) there were—ayes 28, noes 57.

Accordingly the amendment was rejected.

Mr. GREEN of Iowa. I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having taken the chair as Speaker pro tempore, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12260) to amend section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. GREEN of Iowa. I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. MANN of Illinois. Mr. Speaker, I demand a separate vote on the amendment to section 2, striking out two years and inserting one year in lieu thereof.

The SPEAKER pro tempore. The gentleman from Illinois demands a separate vote upon the amendment to page 3, line 2, striking out "two years" and inserting "one year."

Is a separate vote demanded on any other amendment? If not, the Chair will put the other amendments in gross.

The other amendments were agreed to.

The SPEAKER pro tempore. The question now comes upon the amendment on which the gentleman from Illinois demands a separate vote. The Clerk will report the amendment.

The clerk read as follows:

Page 3, line 2, strike out the words "two years" and insert in lieu thereof the words "one year."

The question being taken, the Speaker pro tempore announced that the noes appeared to have it.

Mr. LONGWORTH. Division, Mr. Speaker.

Mr. MANN of Illinois. I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees. As many as favor the amendment will, as their names are called, answer "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 60, nays 255, answered "present" 1, not voting 111, as follows:

YEAS—60.

Andrews, Md	Dale	Hawley	McPherson
Andrews, Nebr.	Dallinger	Hull, Tenn.	Madden
Ashbrook	Dempsey	Hutchinson	Martin
Bowers	Fess	Jones, Pa.	Miller
Browne	Frear	Kitchin	Monahan, Wis.
Burroughs	Garland	Lampert	Mott
Classon	Garner	Longworth	Nelson, Wis.
Collier	Glynn	Luce	Oldfield
Crago	Green, Iowa	Lufkin	Paige
Crisp	Griest	McLaughlin, Mich.	Parker
Crowther	Hadley	McLaughlin, Nebr.	Peters
Rowe	Snell	Treadway	Wood, Ind.
Sanford	Stephens, Ohio	Watson	Yates
Schall	Summers, Wash.	Webster	Young, N. Dak.
Smith, Idaho	Tilson	Winslow	Zihlman

NAYS—255.

Ackerman	Fairfield	Lazaro	Ramseyer
Almon	Fisher	Lea, Calif.	Randall, Calif.
Anderson	Focht	Lee, Ga.	Randall, Wis.
Aswell	Foster	Linthicum	Rayburn
Ayres	Freeman	Little	Reavis
Babka	French	Lonergan	Reed, W. Va.
Barbour	Fuller, Ill.	Luhring	Rhodes
Barkley	Gallagher	McAndrews	Ricketts
Bee	Gallivan	McArthur	Riordan
Begg	Ganly	McClintic	Robinson, N. C.
Benham	Gard	McCulloch	Robsion, Ky.
Benson	Goldfogle	McDuffie	Romjue
Black	Good	McGlennon	Rouse
Bland, Ind.	Goodwin, Ark.	McKeown	Rowan
Bland, Mo.	Goodykoontz	McKiniry	Rubey
Bland, Va.	Graham, Ill.	McKinley	Rucker
Blanton	Greene, Mass.	McLane	Sanders, Ind.
Boies	Griffin	MacCrate	Sanders, La.
Box	Hardy, Colo.	Magee	Scott
Brand	Harrison	Maher	Sells
Briggs	Hastings	Major	Sherwood
Britten	Hayden	Mann, Ill.	Shreve
Brooks, Ill.	Hays	Mann, S. C.	Siegel
Brooks, Pa.	Hernandez	Mansfield	Sims
Buchanan	Hersey	Mapes	Sinclair
Burdick	Hickey	Mason	Sisson
Byrns, Tenn.	Hicks	Mays	Snyder
Caldwell	Hill	Michener	Stedman
Campbell, Kans.	Hoch	Milligan	Steenerson
Campbell, Pa.	Hoey	Minahan, N. J.	Stephens, Miss.
Candler	Holland	Moon	Stevenson
Cannon	Houghton	Mooney	Strong, Kans.
Caraway	Howard	Moore, Ohio	Sumners, Tex.
Carew	Huddleston	Moore, Va.	Sweet
Carss	Hudspeth	Moores, Ind.	Swope
Chindblom	Hull, Iowa	Morgan	Tague
Christopherson	Humphreys	Mudd	Taylor, Ark.
Clark, Mo.	Husted	Murphy	Taylor, Colo.
Cleary	Igoe	Neely	Temple
Coady	Ireland	Nelson, Mo.	Thompson
Cole	Jacoway	Newton, Minn.	Tillman
Connally	James	Newton, Mo.	Tincher
Cullen	Jefferis	Nicholls, S. C.	Tinkham
Currie, Mich.	Johnson, Ky.	Nichols, Mich.	Towner
Darrow	Johnson, S. Dak.	O'Connell	Vaile
Davis, Minn.	Johnson, Wash.	O'Connor	Vestal
Davis, Tenn.	Johnston, N. Y.	Ogden	Vinson
Dickinson, Mo.	Jones, Tex.	Oliver	Volstead
Dickinson, Iowa	Kearns	Olney	Walsh
Dominick	Keller	Osborne	Ward
Donovan	Kelly, Pa.	Overstreet	Watkins
Dooling	Kennedy, R. I.	Padgett	Weaver
Doughton	Kettner	Park	Welling
Dowell	Kincheloe	Parrish	Welty
Dunbar	King	Pell	Whaley
Eagan	Kinkaid	Phelan	White, Kans.
Eagle	Kleczka	Pou	White, Me.
Echols	Knutson	Purnell	Wilson, La.
Edmonds	Kraus	Quin	Wilson, Pa.
Elliott	Kreider	Radcliffe	Wingo
Elston	Lanham	Rainey, Ala.	Wise
Emerson	Lankford	Rainey, J. W.	Woods, Va.
Esch	Larsen	Raker	Wright
Evans, Nebr.	Layton	Ramsey	

ANSWERED "PRESENT"—1.

Bacharach

NOT VOTING—111.

Anthony	Dyer	Kendall	Sinnott
Baer	Ellsworth	Kennedy, Iowa	Slemp
Bankhead	Evans, Mont.	Kiess	Small
Bell	Evans, Nev.	Langley	Smith, Ill.
Blackmon	Ferris	Lehlbach	Smith, Mich.
Booher	Fields	Lesher	Smith, N. Y.
Brinson	Flood	McFadden	Smithwick
Brumbaugh	Fordney	McKenzie	Steagall
Burke	Fuller, Mass.	MacGregor	Steele
Butler	Gandy	Mead	Stiness
Byrnes, S. C.	Garrett	Merritt	Stoll
Cantrill	Godwin, N. C.	Mondell	Strong, Pa.
Carter	Goodall	Montague	Sullivan
Casey	Gould	Morin	Taylor, Tenn.
Clark, Fla.	Graham, Pa.	Nolan	Thomas
Cooper	Greene, Vt.	Platt	Timberlake
Copley	Hamill	Porter	Upshaw
Costello	Hamilton	Rainey, H. T.	Vare
Cramton	Hardy, Tex.	Reber	Venable
Curry, Calif.	Harreld	Reed, N. Y.	Voigt
Davey	Haugen	Riddick	Walters
Denison	Heflin	Rodenberg	Wason
Dent	Hersman	Rogers	Wheeler
Dewalt	Hulings	Rose	Williams
Doremus	Johnson, Miss.	Sabath	Wilson, Ill.
Drane	Juul	Sanders, N. Y.	Woodyard
Dunn	Kahn	Scully	Young, Tex.
Dupré	Kelley, Mich.	Sears	

The following additional pairs were announced:

Until further notice:

Mr. HAMILTON with Mr. FIELDS.

Mr. MONDELL with Mr. FLOOD.

Mr. SANDERS of New York with Mr. YOUNG of Texas.

Mr. SMITH of Illinois with Mr. EVANS of Montana.

Mr. FESS with Mr. DEWALT.

Mr. SMITH of Michigan with Mr. EVANS of Nebraska.

Mr. LEHLBACH with Mr. SEARS.
Mr. STINESS with Mr. UPSHAW.
Mr. ROGERS with Mr. VENABLE.
Mr. PLATT with Mr. HENRY T. RAINEY.
Mr. WHEELER with Mr. MAJOR.
Mr. NOLAN with Mr. JOHNSON of Mississippi.
Mr. KENDALL with Mr. STEELE.
Mr. MERRITT with Mr. FERRIS.
Mr. DYER with Mr. MONTAGUE.
Mr. HARRELD with Mr. SMITHWICK.
Mr. GREENE of Vermont with Mr. BYRNES of South Carolina.
Mr. GOULD with Mr. HERSMAN.
Mr. CURRY of California with Mr. DOREMUS.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. KITCHIN. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 304, nays 0, answered "present" 1, not voting 122, as follows:

YEAS—304.

Ackerman	Fairfield	Lazaro	Ramseyer
Almon	Ferris	Lea, Calif.	Randall, Calif.
Anderson	Fess	Linthicum	Randall, Wis.
Andrews, Md.	Fisher	Little	Rayburn
Andrews, Nebr.	Focht	Lonergan	Reavis
Ashbrook	Foster	Longworth	Reed, N. Y.
Ayres	Frear	Luce	Reed, W. Va.
Babka	Freeman	Lufkin	Rhodes
Bacharach	French	Luhring	Ricketts
Barbour	Fuller, Ill.	McAndrews	Riordan
Barkley	Gallagher	McArthur	Robinson, N. C.
Bee	Gallivan	McClintic	Robsion, Ky.
Begg	Ganly	McCulloch	Romjue
Benham	Gard	McGlennon	Rouse
Benson	Garland	McKeown	Rowan
Black	Garner	McKiniry	Rowe
Bland, Ind.	Glynn	McKinley	Rubey
Bland, Va.	Goldfogle	McLaughlin, Mich.	Rucker
Blanton	Goodall	McLaughlin, Nebr.	Sanders, Ind.
Boles	Goodwin, Ark.	McPherson	Sanders, La.
Bowers	Goodykoontz	MacCrate	Sanders, N. Y.
Box	Graham, Ill.	Madden	Schall
Brand	Green, Iowa	Magee	Scott
Briggs	Greene, Mass.	Maher	Sherwood
Britten	Griest	Major	Shreve
Brooks, Ill.	Griffin	Mann, Ill.	Siegel
Brooks, Pa.	Hadley	Mann, S. C.	Sims
Browne	Hardy, Colo.	Mansfield	Sinclair
Buchanan	Harreld	Mapes	Sisson
Burdick	Harrison	Martin	Smith, Idaho
Burroughs	Hastings	Mason	Smith, Mich.
Byrns, Tenn.	Haugen	Mays	Stedman
Caldwell	Hawley	Michener	Steenerson
Campbell, Kans.	Hays	Miller	Stephens, Ohio
Campbell, Pa.	Hernandez	Milligan	Stevenson
Candler	Hersey	Minahan, N. J.	Strong, Kans.
Cannon	Hickey	Monahan, Wis.	Summers, Wash.
Caraway	Hicks	Moon	Sumners, Tex.
Carew	Hoch	Mooney	Sweet
Carss	Houghton	Moore, Ohio	Swope
Chindblom	Howard	Moores, Ind.	Tague
Christopherson	Huddleston	Morgan	Taylor, Ark.
Clark, Mo.	Hudspeth	Mott	Taylor, Colo.
Classon	Hull, Tenn.	Mudd	Temple
Cleary	Humphreys	Murphy	Thompson
Coady	Husted	Neely	Tillman
Cole	Hutchinson	Nelson, Mo.	Tilson
Collier	Igoe	Nelson, Wis.	Tincher
Connally	Ireland	Newton, Minn.	Tinkham
Crago	Jacoway	Newton, Mo.	Treadway
Crisp	James	Nicholls, S. C.	Vaile
Crowther	Jefferis	Nichols, Mich.	Vestal
Cullen	Johnson, Ky.	O'Connell	Vinson
Currie, Mich.	Johnson, S. Dak.	O'Connor	Volstead
Dale	Johnson, Wash.	Ogden	Walsh
Dallinger	Johnston, N. Y.	Oldfield	Ward
Darrow	Jones, Pa.	Oliver	Watkins
Davis, Minn.	Jones, Tex.	Olney	Watson
Davis, Tenn.	Juul	Osborne	Weaver
Dempsey	Kearns	Overstreet	Webster
Dickinson, Mo.	Keller	Padgett	Welling
Dickinson, Iowa	Kelly, Pa.	Park	Welty
Dominick	Kennedy, R. I.	Parker	Whaley
Donovan	Kettner	Parrish	White, Kans.
Dooling	Kincheloe	Pell	White, Me.
Doughton	King	Peters	Wilson, Ill.
Dowell	Kinkaid	Phelan	Wilson, La.
Eagan	Kitchin	Platt	Wilson, Pa.
Eagle	Kleczka	Pou	Wingo
Echols	Knutson	Purnell	Winslow
Edmonds	Kraus	Quin	Wise
Elliott	Kreider	Radcliffe	Wood, Ind.
Elston	Lampert	Rainey, Ala.	Woods, Va.
Emerson	Lanham	Rainey, J. W.	Wright
Esch	Larsen	Raker	Young, N. Dak.
Evans, Nebr.	Layton	Ramsey	Zihlman

ANSWERED "PRESENT"—1.

Snell

NOT VOTING—123.

Anthony	Dyer	Kiess	Sinnott
Aswell	Ellsworth	Langley	Slemp
Baer	Evans, Mont.	Lankford	Small
Bankhead	Evans, Nev.	Lee, Ga.	Smith, Ill.
Bell	Fields	Lehlbach	Smith, N. Y.
Blackmon	Flood	Lesher	Smithwick
Bland, Mo.	Fordney	McDuffie	Snyder
Booher	Fuller, Mass.	McFadden	Steagall
Brinson	Gandy	McKenzie	Steele
Brumbaugh	Garrett	McLane	Stephens, Miss.
Burke	Godwin, N. C.	MacGregor	Stiness
Butler	Good	Mead	Stoll
Byrnes, S. C.	Gould	Merritt	Strong, Pa.
Cantrill	Graham, Pa.	Mondell	Sullivan
Carter	Greene, Vt.	Montague	Taylor, Tenn.
Casey	Hamill	Moore, Va.	Thomas
Clark, Fla.	Hamilton	Morin	Timberlake
Cooper	Hardy, Tex.	Nolan	Towner
Copley	Hayden	Paige	Upshaw
Costello	Heflin	Porter	Vare
Cramton	Hersman	Rainey, H. T.	Venable
Curry, Calif.	Hill	Reber	Voigt
Davey	Hoey	Riddick	Walters
Denison	Holland	Rodenberg	Wason
Dent	Hulings	Rogers	Wheeler
Dewalt	Hull, Iowa	Rose	Williams
Doremus	Johnson, Miss.	Sabath	Woodyard
Drane	Kahn	Sanford	Yates
Dunbar	Kelley, Mich.	Scully	Young, Tex.
Dunn	Kendall	Sears	
Dupré	Kennedy, Iowa	Sells	

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BUTLER with Mr. STEELE.
Mr. TOWNER with Mr. ASWELL.
Mr. YATES with Mr. STEPHENS of Mississippi.
Mr. MCFADDEN with Mr. HOEY.
Mr. GOOD with Mr. HAYDEN.
Mr. PAGE with Mr. BLAND of Missouri.
Mr. DUNN with Mr. MOORE of Virginia.
Mr. SNYDER with Mr. FIELDS.
Mr. BEGG with Mr. HOLLAND.
Mr. DUNBAR with Mr. LANKFORD.
Mr. REBER with Mr. MCDUFFIE.
Mr. SANFORD with Mr. LEE of Georgia.

Mr. McDUFFIE. Mr. Speaker, I desire to vote "yea."

The SPEAKER pro tempore. Was the gentleman in the Hall listening when his name was called?

Mr. McDUFFIE. I was not.

The SPEAKER pro tempore. The gentleman does not bring himself within the rule.

Mr. DUPRÉ. Mr. Speaker, I desire to vote "yea."

The SPEAKER pro tempore. Was the gentleman in the Hall listening when his name was called?

Mr. DUPRÉ. I was not.

The SPEAKER pro tempore. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

On motion of Mr. GREEN of Iowa, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BLAND of Missouri, indefinitely, on account of important business.

ADJOURNMENT.

Mr. GREEN of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 48 minutes p. m.), the House adjourned until to-morrow, Wednesday, March 31, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting request for the printing of illustrations in connection with the report describing the water terminals of the United States; to the Committee on Printing.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examinations and survey of St. Andrews Bay, Fla., with a view to increasing the dimensions of the channel between the Gulf of Mexico and St. Andrews Bay; to the Committee on Rivers and Harbors.

3. A letter from the Secretary of War, transmitting report from the Chief of Engineers on findings concerning rivers and harbors improvement contracts that have become inequitable and unjust; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SMITH of Michigan, from the Committee on Labor, to which was referred the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the Women's Bureau, reported the same with amendment, accompanied by a report (No. 783), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 13298) for the relief of Josephus C. McColley, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HULL of Tennessee: A bill (H. R. 13355) to simplify and consolidate Liberty bond exemptions; to the Committee on Ways and Means.

By Mr. McKEOWN: A bill (H. R. 13356) increasing the limit of cost for a Federal building at Chandler, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of South Dakota: A bill (H. R. 13357) authorizing the Secretary of the Interior to lease public lands in Codington County, S. Dak., to the city of Watertown, S. Dak., for park purposes; to the Committee on the Public Lands.

By Mr. HICKS: A bill (H. R. 13358) for the purpose of further amending and modifying the war-risk insurance act as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS of Montana: A bill (H. R. 13359) providing for a municipal park for the city of Butte, Mont.; to the Committee on Agriculture.

By Mr. LEHLBACH: A bill (H. R. 13360) donating a captured German cannon or field gun and carriage to the borough of Glen Ridge, N. J., for decorative purposes; to the Committee on Military Affairs.

By Mr. LANGLEY: Joint resolution (H. J. Res. 323) authorizing the acquisition of lands and buildings in the District of Columbia for a hospital plant; to the Committee on Public Buildings and Grounds.

By Mr. ESCH: Joint resolution (H. J. Res. 324) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 13361) granting an increase of pension to Nicholas B. Querrin; to the Committee on Pensions.

By Mr. BENHAM: A bill (H. R. 13362) granting an increase of pension to Sarah E. Palmer; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 13363) granting a pension to Betty White; to the Committee on Invalid Pensions.

By Mr. DENT: A bill (H. R. 13364) to authorize the Secretary of the Treasury to reimburse Capt. George G. Seibels the sum of $170, money stolen belonging to the United States from the said Capt. George G. Seibels while in the discharge of his duties and paid into the Treasury of the United States by him; to the Committee on Claims.

By Mr. EDMONDS: A bill (H. R. 13365) granting an increase of pension to Nellie Josephine Merriman; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 13366) for the relief of Selma J. Gronewald; to the Committee on Claims.

Also, a bill (H. R. 13367) granting a pension to Mary A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13368) granting a pension to John Donovan; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 13369) granting an increase of pension to Jefferson P. Hunter; to the Committee on Pensions.

By Mr. HILL: A bill (H. R. 13370) granting an increase of pension to Tillie C. Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13371) granting an increase of pension to Josephine Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13372) granting a pension to William F. Hawley; to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 13373) granting an increase of pension to Lucinda Davis; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 13374) granting a pension to Julia Beckley; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 13375) for the relief of Mike Setula; to the Committee on Claims.

By Mr. LANGLEY: A bill (H. R. 13376) granting an increase of pension to Isaac Dean; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 13377) for the relief of the Liberty-loan subscribers of the Mineral City Bank; to the Committee on Claims.

By Mr. OLIVER: A bill (H. R. 13378) granting an increase of pension to Hugh T. Fairless; to the Committee on Pensions.

By Mr. RAINEY of Alabama: A bill (H. R. 13379) to reimburse J. D. Arnold, postmaster at Village Springs, Ala., for stamps stolen from said post office and repaid by him to the Post Office Department; to the Committee on Claims.

By Mr. REAVIS: A bill (H. R. 13380) granting a pension to Matilda A. Harris; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 13381) granting a pension to Jessie F. Harris; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 13382) granting a pension to Bertha E. Jones; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 13383) granting an increase of pension to Amanda M. Selleck; to the Committee on Invalid Pensions.

By Mr. WASON: A bill (H. R. 13384) granting a pension to Jonathan D. Hale; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2681. By the SPEAKER (by request): Petition of the Chinook Tribe, No. 10, Improved Order of Red Men, urging the abolition of the Indian Bureau, etc.; to the Committee on Indian Affairs.

2682. By Mr. BRIGGS: Petition of the Cattle Raisers' Association of Texas, urging the regulation of the packing industry; to the Committee on Agriculture.

2683. By Mr. CLEARY: Petition of 5,000 citizens of Brooklyn, N. Y., opposed to the national department of education bill, etc.; to the Committee on Education.

2684. By Mr. EMERSON: Petition of Lake Shore Post, No. 273, American Legion, Cleveland, Ohio, in favor of House bill 12906; to the Committee on Ways and Means.

2685. By Mr. FULLER of Illinois: Petition of the Globe Manufacturing Co., of Peoria, Ill., favoring the 1-cent postage; to the Committee on the Post Office and Post Roads.

2686. Also, petition of the Cattle Raisers' Association of Texas, urging regulation of the packing industry; to the Committee on Agriculture.

2687. Also, petition of the public affairs committee of the Union League Club of Chicago, Ill., favoring increased pay for the officers and men of the United States Army; to the Committee on Military Affairs.

2688. Also, petition of the Label Manufacturers' Association, of Cleveland, Ohio, favoring the repeal of the excess-profit tax and the substitute of a tax on sales; to the Committee on Ways and Means.

2689. Also, petition of the Ottawa and Pecatonnica (Ill.) Post of the American Legion, favoring legislation proposed by the national executive committee; to the Committee on Ways and Means.

2690. By Mr. GALLIVAN: Petition of George Banchor, of Boston, Mass., favoring enactment of the Rogers bill prohibiting misbranding; to the Committee on Interstate and Foreign Commerce.

2691. Also, petition of Automobile Mutual Fire Insurance Co., Grain Dealers' Mutual Fire Insurance Co., L. J. Mutty Co., and Brown Wales Co., of Boston, Mass., opposing House bill 12379, relating to collection of checks; to the Committee on Banking and Currency.

2692. Also, petition of Lovell & Covel Co., the Atlantic Works, and Master House Painters and Decorators' Association, Bos-

ton, Mass., favoring 1-cent drop-letter postage legislation; to the Committee on the Post Office and Post Roads.

2693. Also, petition of the Massachusetts Society for Social Hygiene (Inc.) and the Consumers' League of Massachusetts, urging an appropriation for the Woman's Bureau; to the Committee on Appropriations.

2694. By Mr. KENNEDY of Iowa: Petition of the Keokuk Post, No. 41, Iowa Branch of the American Legion, favoring the payment of the $50 bonus per month to the former service men; to the Committee on Ways and Means.

2695. By Mr. KINKAID: Petition of citizens of Rackett, Nebr., and vicinity, against universal military training, etc.; to the Committee on Military Affairs.

2696. By Mr. O'CONNELL: Petition of Edward F. Caldwell & Co. (Inc.), opposing the passage of the Steagall bill, House bill 12379; to the Committee on Banking and Currency.

2697. Also, petition of United States Park Police Association, Washington, D. C., regarding an additional force of park police; to the Committee on Appropriations.

2698. By Mr. PETERS: Petition of employees of the Cushnoc Paper Co., of Augusta, Me., and of the Lockwood Co., of Waterville, Me., in favor of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

2699. By Mr. SCULLY: Petition of Local Union No. 96, National Brotherhood of Operative Potters, of Perth Amboy, N. J., opposed to the Sterling-Graham sedition bill; to the Committee on the Judiciary.

2700. Also, petition of Board of Commissioners of the City of Newark, N. J., protesting against the building of a bridge from Elizabethport to Bayonne; to the Committee on Rivers and Harbors.

2701. Also, petition of Newark Post, No. 25, American Legion, of Newark, N. J., favoring $50 per month of service for ex-soldiers; to the Committee on Ways and Means.

2702. By Mr. TILSON: Petition of the Court of Common Council of Meriden, Conn., favoring daylight saving; to the Committee on Interstate and Foreign Commerce.

2703. By Mr. WEBSTER: Petition of W. H. Brown and numerous other citizens of Okanogan County, Wash., protesting against the passage of any law providing for universal compulsory military training; to the Committee on Military Affairs.

2704. By Mr. YOUNG of North Dakota: Petition of convention of the State Union of the American Society of Equity in North Dakota, urging favorable action on House bill 11852; to the Committee on Appropriations.

SENATE.

WEDNESDAY, *March 31, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we desire to come to the labor of this day out of the moment of serious contemplation of Thy name, that we may carry with us into the duties of the day the high inspiration that can come from beholding Thy face, waiting a moment before Thy throne. Lift up the light of Thy countenance upon us. Give us peace in our hearts and the assurance that we are workers together with God in the great field to which Thou hast called us. We ask it for Christ's sake. Amen.

The PRESIDENT pro tempore (Mr. CUMMINS) resumed the chair.

The Reading Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALLING OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Fernald	McKellar	Pomerene
Beckham	France	McLean	Sheppard
Brandegee	Glass	McNary	Smith, Ariz.
Calder	Gronna	Moses	Smith, S. C.
Comer	Harrison	Nelson	Smoot
Culberson	Henderson	New	Sterling
Cummins	Jones, Wash.	Nugent	Swanson
Curtis	Kellogg	Overman	Wadsworth
Dial	Kendrick	Page	Warren
Dillingham	Lenroot	Phelan	
Edge	McCumber	Phipps	

Mr. McKELLAR. The Senator from Nevada [Mr. PITTMAN], the Senator from Oklahoma [Mr. GORE], the Senator from Maryland [Mr. SMITH], the Senator from Kentucky [Mr. STANLEY], and the Senator from Alabama [Mr. UNDERWOOD] are absent on official business.

The senior Senator from Oregon [Mr. CHAMBERLAIN] is detained from the Senate by illness. I ask that this announcement may stand for the day.

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Forty-two Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The names of the absentees were called, and Mr. CAPPER, Mr. KIRBY, and Mr. TOWNSEND answered to their names.

Mr. GAY entered the Chamber and answered to his name.

The PRESIDENT pro tempore. Forty-six Senators have answered to their names. There is not a quorum present.

Mr. CURTIS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

Mr. WATSON and Mr. TRAMMELL entered the Chamber and answered to their names.

Mr. EDGE. I desire to announce that my colleague [Mr. FRELINGHUYSEN] is unavoidably detained.

Mr. GAY. I wish to announce the absence of my colleague, the senior Senator from Louisiana [Mr. RANSDELL], on official business. I ask that this announcement may stand for the day.

Mr. HALE, Mr. THOMAS, Mr. MYERS, and Mr. ELKINS entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty-two Senators have answered to their names. There is a quorum present.

COTTON IN STORAGE (S. DOC. NO. 263).

The PRESIDENT pro tempore laid before the Senate a communication from the Director of the Census, transmitting, in response to a resolution of the 24th instant, certain information relative to the number of bales of so-called unspinnable cotton, including gin cut, water packed, perished fiber, and linters, in public storage and at concentrating points, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 148) authorizing the Department of Commerce to participate in the National Marine Exposition to be held in New York in April, 1920.

The message also announced that the House had passed a bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented a memorial of the American Legion, Department of Kansas, of Wichita, Kans., remonstrating against the sale of Government-built cargo vessels to aliens, which was referrred to the Committee on Commerce.

Mr. TOWNSEND presented a petition of the Conopus Club, of Detroit, Mich., praying for the repeal of certain provisions in the so-called Lever Act, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the staff of the public library of Kalamazoo, Mich., praying for the passage of the so-called Kenyon Americanization bill, which was referred to the Committee on Education and Labor.

He also presented a petition of the American Association of Engineers, of Detroit, Mich., praying for the establishment of a department of public works, which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Petoskey, Mich., praying for the enactment of legislation providing a more simplified method of collecting Federal taxes, which was referred to the Committee on Finance.

He also presented a petition of the Federation of Labor, of Detroit, Mich., praying for an investigation into the activities of the Bureau of Immigration, which was referred to the Committee on Immigration.

He also presented a memorial of the Malleable Manufactures of the United States, of Albion, Mich., remonstrating against the fuel distribution order of the Director of Railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Local Lodge No. 143, National Federation of Postal Employees, of Kalamazoo, Mich., praying for an increase in the salaries of postal employees, which was ordered to lie on the table.

He also presented a petition of the Engineering Society, of Detroit, Mich., praying for the enactment of legislation to increase the compensation of certain civil-service employees, which was referred to the Committee on Commerce.

He also (for Mr. NEWBERRY) presented a petition of the Board of Commerce, of Pontiac, Mich., and a petition of the Conopus Club, of Detroit, Mich., praying for the repeal of certain provisions of the so-called Lever Act, which were referred to the Committee on Interstate Commerce.

He also (for Mr. NEWBERRY) presented a petition of the Chamber of Commerce, of Petoskey, Mich., praying for the enactment of legislation providing a more simplified method of collecting Federal taxes, which was referred to the Committee on Finance.

Mr. McLEAN presented a petition of the Hawthorne Club, of West Haven, Conn., praying for the enactment of legislation providing for vocational education in agriculture and industry, which was referred to the Committee on Education and Labor.

He also presented a petition of the Mothers' Club of West Haven, Conn., praying for the enactment of legislation providing for the continuation of the work of the United States Public Health Service and the Interdepartmental Board of Social Hygiene, which was referred to the Committee on Appropriations.

He also presented a petition of the Trades Council of New Haven, Conn., praying for the enactment of legislation providing for an increased compensation for members of the National Association of Federal Employees, which was referred to the Committee on Appropriations.

He also presented a petition of the Graduate Nurses' Association, of Hartford, Conn., praying for the enactment of legislation providing rank for Army nurses, which was ordered to lie on the table.

He also presented a petition of W. S. Steele Camp, No. 19, United Spanish War Veterans, of Torrington, Conn., praying for the enactment of legislation granting pensions to Spanish War veterans, which was referred to the Committee on Pensions.

He also presented a petition of the American Legion, Department of Connecticut, of Hartford, Conn., and a petition of the Strazza Post, American Legion, Department of Connecticut, of Stafford Springs, Conn., praying for the enactment of legislation providing a bonus for ex-service men, which were referred to the Committee on Military Affairs.

Mr. CAPPER presented memorials of the congregation of the Church of the Brethren, of Elmo; of Diamond Local Lodge, No. 1556, Farmers' Educational and Cooperative Union, of Robinson; and of sundry citizens of Augusta, Buffalo, Lincoln, Altoona, Lawrence, and Kingsdown, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. KENDRICK, from the Committee on Public Lands, to which was referred the bill (S. 3225) for the relief of bona fide settlers who intermarry after having complied with the homestead law for one year, reported it without amendment.

Mr. McNARY, from the Committee on Public Lands, to which was referred the bill (S. 2792) to enlarge the boundaries of the Oregon National Forest, reported it with amendments and submitted a report (No. 495) thereon.

ANNIE E. CARSON.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 321, submitted by Mr. OVERMAN on the 5th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Annie E. Carson, widow of Robert Carson, late an employee on the maintenance roll of the Senate Office Building, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENDERSON:

A bill (S. 4157) to consolidate certain forest lands within the Humboldt National Forest, in the State of Nevada, and to add certain lands thereto, and for other purposes; to the Committee on Public Lands.

A bill (S. 4158) to provide for additions and extensions to the United States post office at Reno, Nev.; to the Committee on Public Buildings and Grounds.

By Mr. JONES of Washington:

A bill (S. 4159) for the relief of dispossessed allotted Indians of the Nisqually Reservation, Wash.; to the Committee on Indian Affairs.

A bill (S. 4160) granting an increase of pension to Joseph W. Gay (with accompanying papers); and

A bill (S. 4161) granting an increase of pension to Annie Van Ogle (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 4162) granting a pension to Ettie Serven; to the Committee on Pensions.

By Mr. KELLOGG:

A bill (S. 4163) to incorporate the Roosevelt Memorial Association; to the Committee on the Judiciary.

A bill (S. 4164) granting a pension to Florence G. Tuttle; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 4165) granting an increase of pension to Philo S. Bartow (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A joint resolution (S. J. Res. 181) to admit Constance F. Hansen to the character and privileges of a citizen of the United States; to the Committee on Immigration.

By Mr. GORE:

A joint resolution (S. J. Res. 182) to repeal the act approved August 10, 1917, known as the Lever Act, and certain sections of the act amendatory thereof, approved October 22, 1919; to the Committee on Agriculture and Forestry.

AMENDMENT TO LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. DIAL submitted an amendment proposing to appropriate $1,200 for salary of shipping commissioner at Charleston, S. C., intended to be proposed by him to the legislative, executive, and judicial appropriation bill, which was ordered to lie on the table and be printed.

NITRATE OF SODA.

Mr. SMITH of South Carolina. I introduce a joint resolution which I send to the desk, and, in view of the fact that it involves a matter that is of vital importance to the farmers of the country, I ask unanimous consent for its immediate consideration. The joint resolution has been approved both by the Agricultural Department and by the War Department, but they find there is no law by which they can perform the service which is desired. The matter is absolutely safeguarded, and I have drawn the joint resolution in accordance with the recommendations of the departments. I hope it may be considered and passed.

Mr. SMOOT. Mr. President, did I understand the Senator from South Carolina to say that this is a joint resolution?

Mr. SMITH of South Carolina. Yes.

Mr. SMOOT. Then, Mr. President, under the rules of the Senate it must be referred to a committee. The Senator can then have it reported from the committee at once, if the committee be in favor of it, and he can then ask unanimous consent for its immediate consideration. The rules, however, require that all such resolutions shall be referred to a committee. If it were merely a Senate resolution, of course, that would not have to be done.

Mr. SMITH of South Carolina. This proposed legislation has to be in the form of a joint resolution, in order that it may be signed by the President and become operative. Under the suggestion of the Senator from Utah, Mr. President, I will merely introduce the joint resolution and have it referred to the proper committee. I presume it should be referred to the Committee on Agriculture and Forestry, and I will ask that that action may be taken.

Mr. POMERENE. May I ask the Senator from South Carolina a question?

Mr. SMITH of South Carolina. Certainly.

Mr. POMERENE. I desire to ask what plan is devised by the joint resolution for the distribution of the surplus nitrates to the farmers?

Mr. SMITH of South Carolina. The same machinery is provided which was provided in a resolution offered by me last year for the distribution of the Government's purchase of Chilean nitrates to the farmers.

The joint resolution (S. J. Res. 180) authorizing the Secretary of War to turn over to agricultural fertilizer distributors

or users a supply of nitrate of soda was read twice by its title and referred to the Committee on Agriculture and Forestry.

Mr. SMITH of South Carolina subsequently said: I am directed by the Committee on Agriculture and Forestry, to which was referred the joint resolution (S. J. Res. 180) authorizing the Secretary of War to turn over to agricultural fertilizer distributors or emergency users a supply of nitrate of soda, to report it favorably without amendment, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The Secretary will read the joint resolution.

The joint resolution was read, as follows:

Resolved, etc., That in order to meet the existing emergency in the shortage of fertilizers, the Secretary of War is hereby authorized to turn over to agricultural fertilizer distributors or users in this country such quantity of the nitrate of soda held as a reserve supply by the War Department as in his opinion can be spared consistently with the military needs of the Government, such stocks so turned over to be replaced by such fertilizer distributors or users with an equivalent amount of nitrate, the turning over and replacement being under such guaranties as the Secretary of War may prescribe.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent for the present consideration of the joint resolution. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RAILROAD LABOR BOARD.

Mr. BRANDEGEE. Mr. President, I send to the desk and ask to have read a telegram which I have received from a labor organization in Hartford, Conn.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The telegram was read, as follows:

HARTFORD, CONN., *March 15, 1920.*

Hon. FRANK B. BRANDEGEE,
Senate, Washington, D. C.:

Am informed that appointments on board created by Cummins-Esch bill will come before Senate for confirmation. Would respectfully request that you endeavor to effect the appointment of a member of our organization to represent employees who are not affiliated with the American Federation of Labor. Heretofore our members and the unorganized railroad employees of the country have not received any consideration from wage or adjustment boards appointed by the Railroad Administration. Your efforts to obtain justice in our behalf will be greatly appreciated.

H. P. FRANZ,
Recording Secretary Hartford Lodge, No. 29, American Federation of Railroad Employees.

Mr. BRANDEGEE. Mr. President, I wrote the gentleman sending this telegram that, of course, I had no power of influencing the nominations that might be made by the President to this board or whatever it may be, but that I would have their telegram read in the Senate, in order that those concerned might take notice of it.

DISPOSAL OF AIR-SERVICE MATERIAL.

Mr. President, I wish to call the attention of the Senate to two letters and two telegrams which I have received from the American Lacquer Co., of Bridgeport, Conn., which relate to the prices which are being asked by the War Department in the sale of second-hand materials which they have in stock. Of course, I know nothing about the facts, but I assume that they are as stated by the writers, because there is a telegram from the department in reference to a bid which they made. I think the matter is of sufficient interest to have the communications read by the Secretary, if I may, by unanimous consent.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Reading Clerk read as follows:

BRIDGEPORT, CONN., *March 17, 1920.*

Hon. F. B. BRANDEGEE,
United States Senate, Washington, D. C.

DEAR SIR: We want relief from the profiteering game of the alcohol companies. Denatured alcohol sold six months ago at 45 cents; to-day, after being advanced 25 cents per gallon over Sunday, it is held for $1 per gallon.

From past two years' experience we know that this appeal is useless, but want to go on record that we have advised you of the most rotten piece of gouging in the country to-day. What is the matter with Washington that our Representatives have no concern about anything except a politically damned and dead treaty?

Yours, very truly, THE AMERICAN LACQUER CO.,
C. E. PERKINS, *President.*

—

MARCH 17, 1920.

Air Service, Material Disposal and Salvage Division, New York district office.
The American Lacquer Co., Bridgeport, Conn.
Inability to accept bid on sheet No. 3747.

1. Referring to your bid dated March 15, quoting prices on material described on sheet No. 3747, we regret to advise that inasmuch as your bid is too low for our consideration we are unable to take advantage of the same.

2. However, should you care to revise your bid on this material we would be pleased to hear from you.

ROBERT COKER,
Captain, A. S. A., District Manager M. D. & S. Div.
By FRANK W. WEEKS,
Chief Sales Section.

—

MARCH 15, 1920.

WAR DEPARTMENT, MATERIAL DISPOSAL AND SALVAGE DIVISION, AIR SERVICE, *360 Madison Avenue, New York, City.*

GENTLEMEN: We would like to get a carload of acetate of lime and herein offer $2 per hundredweight f. o. b. Bridgeport, less 1 per cent cash. As this is the market price at the present time, we trust it will be acceptable.

Yours, very truly, THE AMERICAN LACQUER CO.,
——— ———, *President.*

—

BRIDGEPORT, CONN., *March 18, 1920.*

Hon. FRANK B. BRANDEGEE,
United States Senate, Washington, D. C.

DEAR SIR: We inclose another object lesson showing how the War Department is helping to the best of its ability to raise prices still higher. The market price of acetate of lime yesterday in carload lots was 2 cents per pound f. o. b. buyer's city. (This can be confirmed by writing the Oil, Paint, and Drug Reporter, 100 Williams Street, New York City, the leading chemical paper, or William S. Gray & Co., 80 Maiden Lane, New York City, who handle the output of this article in the country.)

We tried to get acetate of lime from Gray, but they told us that on account of the different wood-alcohol refineries being slowed down they had none to offer, but stated the Government had it for sale. We offered the Government the market price, as per our letter, with the result that the Government wants more money and are trying to advance the price higher than the real market has been for six months.

We admit this is nothing in the life of the war bureaucrats who are running this department, but it is something in our life, as we are barred from doing business and asked more by the Government for goods they are holding secondhand than the present market price.

A copy of this letter is being mailed to the Secretary of War and the editors of the New York World and New York Tribune. There must be an end to this price raising and there must be a way to let small concerns like ourselves live. Before we are pushed out of business you may depend on it that some one is going to know it.

Yours, very truly, THE AMERICAN LACQUER CO.,
C. E. PERKINS, *President.*

N. B.—The point we want to emphasize is our Government officials are deliberately demanding more money from us than the market price.

Mr. BRANDEGEE. Mr. President, as I have said, of course, I am not familiar with the market conditions of all these materials, and I am putting these communications into the RECORD in the hope that the department, if the facts are true, will in their own way give some proper explanation. It seems to me absurd for the Government to be holding surplus materials which they do not need and which are, at least in the trade, classed as secondhand at prices higher than the market prices. I hope some explanation will be forthcoming.

POST OFFICE APPROPRIATIONS.

Mr. TOWNSEND. On Monday last the Senate passed the Post Office appropriation bill. I expected that it would have been sent to the House on yesterday, but it was not. In order to expedite the passage of the bill and get it into conference, I move that the Senate request a conference with the House of

Representatives upon the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. TOWNSEND, Mr. STERLING, Mr. PHIPPS, Mr. BECKHAM, and Mr. HENDERSON conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 13266. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. WARREN. I ask unanimous consent that the Senate proceed to the consideration of House bill 12610, being the legislative, executive, and judicial appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from New York [Mr. CALDER] to the amendment reported by the committee.

PRESIDENTIAL CANDIDACY OF MR. HOOVER.

Mr. McKELLAR. Mr. President, in making his announcement this morning as a candidate for the Republican nomination for the Presidency, Mr. Hoover, among other things, said:

If the Republican Party—with the independent element of which I am naturally affiliated—adopts a forward-looking, liberal, constructive platform on the treaty *and on our economic issues*, * * * I will give it my support. While I do not, and will not, myself seek the nomination, if it is felt that the *issues* necessitate it and it is demanded of me, I can not refuse service.

Of course, that eliminates Mr. Hoover as a candidate of the party to which I belong, a fact of which I am glad, for I have already announced I could not support him, but, inasmuch as he speaks of *economic issues*, I wish to call the attention of my Republican friends to Mr. Hoover's very remarkable pronouncement made recently on economic issues. A few days ago I was traveling on a railroad train and came across a copy of the Philadelphia Public Ledger which contained an article about Mr. Hoover that interested me somewhat, and I am going to call the attention of the Senate and of the country to it, as I think it will be interesting to others.

The date of it is March 25, 1920, and the headline reads as follows:

POSITIVE HOOVER WOULD BE ELECTED—MEN OF ALL PARTIES IN BOSTON LOUDLY CHEER FORMER FOOD CHIEF—LABOR PROBLEMS ARE AIRED.

BOSTON, *March 25*.

The relationship of employer and employee, as considered by the national industrial conference of which he was a member, and the difference in the point of view of the conference and that of Kansas legislation for the judicial settlement of labor disputes, were discussed by Herbert Hoover in an address before the chamber of commerce here yesterday.

Enthusiasm ran very high, and Edward A. Filene, one of Boston's biggest dry goods merchants, who in Boston is credited with being the original Wilson man in this city, led the cheering, both before and after the dinner. Mr. Filene was willing to wager 2 to 1 that Mr. Hoover, if nominated by the Democrats, would be elected, while if nominated by the Republicans he would make the odds 5 to 1 on his election.

The audience which assembled at the Copley Plaza to hear Mr. Hoover was the largest which has ever attended such a function. It was composed of the substantial business men of Boston, regardless of political party, and the numbers were so large—1,570—that it was necessary to have Mr. Hoover speak twice in different dining halls.

I call especial attention to the enthusiasm reported in this article. "*Men of all parties in Boston loudly cheer former food chief.*" "*Enthusiasm ran very high,*" says the article. "Mr. Filene * * * *led the cheering,*" says the article; and then follows the remarkable *economic policy* that Mr. Hoover announced on that occasion, and I submit that policy to my good Republican friends who expect to support Mr. Hoover. I hope Senators will listen to it.

Mr. Hoover says:

The conference has endeavored to find a plan for systematic organization of the forces that are making for better relationships, to encourage growing acceptance of collective bargaining by providing a method that should enable it to meet objections of its critics, and to aggregate around this the forces of conciliation and arbitration now in such wide use.

I hope some gentleman learned in the use of language and the meaning of language will kindly suggest what this first statement of Mr. Hoover means. I must be dull witted, for after some study I can not really determine that it has any meaning at all, and if any Senator can give it a meaning I hope he will do so. Mr. Hoover seems to be running on two issues, one favoring the League of Nations with apparently the Lodge reservations and the other a progressive *economic issue*. As this is his *economic issue*, it is important that voters should know what it is. To use Mr. Hoover's statement of this issue is unintelligible, and if Senators can aid me in ascertaining what he means I shall be glad to have their aid. But I continue to quote:

It—

And I might stop right there to wonder what "it" refers to. It may possibly refer to the conference, or it may refer to the "systematic organization" of certain forces, or it may refer "to better relationships," or it may even refer to "collective bargaining." Of course, it may be immaterial in Mr. Hoover's mind as to which one it should refer to. He does not disclose to us; but, at all events, I read:

It has sought to do this without legal repression but with the organized pressure of public opinion.

That is Mr. Hoover's economic plan, the announcement of an economic policy for you Republicans to put in your platform; and here is what he says it means to him. I admit that I must be a dull-witted man, for I am utterly unable to comprehend any meaning to it at all; but here is what Mr. Hoover says it means to him, and I quote him literally:

To me there is no question that we should try the experiment of the perhaps longer road, proposed by the industrial conference, for development of mutuality of relationship between employer and employee rather than to enter upon summary action of court decision that may both stifle the delicate adjustment of industrial processes and cause serious conflict over human rights.

Mr. GRONNA. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from North Dakota?

Mr. McKELLAR. Will the Senator wait just one minute? I will yield to the Senator in just a minute. Then Mr. Hoover adds in further explanation of his statement of his *economic issue*, without which issue he says he will not accept a nomination for the Presidency:

To me the upbuilding of the sense of responsibility and of intelligence in each individual unit in the United States, with the intervention of Government only to promote the development of these relations, the suppression of domination by any one group over another, is the basis upon which democracy must progress.

I may interpolate here that if that is the only basis on which democracy can progress, I feel very sorry for democracy, because I challenge any Senator—and I am going to give the Senator from North Dakota the first chance at it in just a minute—I challenge any Senator to say what Mr. Hoover's economic issue as stated by him, or even his explanation of his own suggestion about this economic issue, actually means in English. I am reminded of the old lady who went to church and heard the minister preach. When she was asked her opinion as to what he said, she said, "Well, he talked about Bethesda and Bethlehem and Beersheba and Mesopotamia, and all those words sounded so well that I just thought it was grand." [Laughter.] So it seems to me that the best that can be said of this speech is that Mr. Hoover has gotten together in one sentence a number of words which in part are misused without really knowing what he intended to say. The remarkable part about it is that a Boston audience, according to this paper—Boston, of all places in this Republic, and men of all parties in Boston, the great educational center of the country—cheered wildly these remarkable so-called economic statements of the then prospective candidate for the Presidency on both tickets, though it is now understood that he will not accept the nomination except on one ticket; and the enthusiasm ran very high in Boston on the announcement of such a doctrine as that!

I want to say that I challenge any Senator, or anyone out of the Senate, to take Mr. Hoover's announcement of an economic platform as reported in this newspaper account and say what it means. It is a great source of regret to me, I am very sorry, that Mr. Hoover happens to be over 25 years of age. If he were under 25, he could compete with the other young Republicans of the country in getting Mr. Will Hays's prize, because surely this candidate, your candidate for President, would enter the competition on one of his two stated issues.

Mr. GRONNA. Mr. President——

Mr. McKELLAR. I now take pleasure in yielding to the Senator from North Dakota.

Mr. GRONNA. Of course I do not intend even to make an effort to analyze anything that Mr. Hoover may say or has said, but I should like to ask the Senator from Tennessee if his party has given up all hope of being able to induce Mr. Hoover to become the candidate for the Presidency on the Democratic ticket?

Mr. McKELLAR. I can not answer for my party about that, after the announcement of this economic issue of Mr. Hoover's, which statement of it I do not believe a man, woman, or child in America can understand, and I do not see how anyone could fail to support him! It may be that anyone that runs may read and understand that platform; but I think the faster a

person ran the more sense he could get out of the platform as he read it.

Mr. BRANDEGEE. Mr. President——

Mr. McKELLAR. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. Does not the Senator understand that if anybody could understand that uplifting and forward-looking conglomeration——

Mr. McKELLAR. That progressive platform.

Mr. BRANDEGEE (continuing). Its political utility for fooling the gulls would be gone?

Mr. McKELLAR. Possibly that is the only sensible purpose this statement of the issue could have—that this candidate for the Presidency had gotten hold of a dictionary and, as he expresses it, "aggregated" enough words—I believe I have usually heard the word "congregated" used, even with reference to words—he had congregated together enough words to make people read his statement and wonder what he meant. It may be a form of advertisement, at which your new Republican candidate for President seems to be a master hand. It may be that this announcement of an economic plank, a progressive plank, in your platform is meant for advertising purposes; but if it is not meant for that, then I do not believe the human mind can understand what it is meant for, or give it a substantial meaning.

Mr. BRANDEGEE. Does not the Senator know that the reason why this announcement was greeted with such stupendous enthusiasm in Boston was because they could not understand it? [Laughter.]

Mr. McKELLAR. The remarkable part about that, I will say to the Senator from Connecticut, is that Boston, with all of its intelligence and all of its learning, could not have discovered it was the mere collection of words rather than the statement of an economic issue. How Boston could have cheered the use of these words, as stated in this newspaper, will remain to me a mystery.

Mr. THOMAS. Mr. President, if it be true, as the Senator contends, that Mr. Hoover has made a declaration that nobody can understand, then he certainly is a very formidable candidate for nomination by both parties.

Mr. McKELLAR. I can only judge the matter by reminding the Senator that P. T. Barnum used to say that the American public love to be humbugged. I agree with the Senator. I think it is on that theory that this marvelous, remarkable announcement was made, an announcement that would kill any ordinary man in this country forever in the minds of his fellow citizens, an announcement of an economic platform that is without any intelligible meaning. I want to recommend, however, that if you Republicans do select Mr. Hoover as your standard bearer, when you come to announce your economic plank be certain to accept this economic plank as stated by Mr. Hoover. You can then be perfectly safe in giving it any meaning you please.

Mr. GRONNA. Mr. President——

The PRESIDENT pro tempore. Does the Senator yield to the Senator from North Dakota?

Mr. McKELLAR. I was going to yield the floor, but I shall be glad to answer any question the Senator may have to ask.

Mr. GRONNA. I want to remind the Senator from Tennessee of what happened during the war, when his party was in power. Mr. Hoover was able to charm not only the Members on this side of the Chamber, but he was able to charm even the Senator from Tennessee.

Mr. McKELLAR. I do not know so much about the last part of that statement. You had better look at the RECORD and see how the vote was before you make any such statement.

Mr. GRONNA. If the Senator from Tennessee will take some of the hearings and read the statements made by the gentleman to whom he has referred, Mr. Hoover, he will find that exactly the same terms and the same phrases were used by him then that he is using now, and those phrases, let me say to the Senator, cost the American wheat farmers more than $2,000,000,000 during the war.

Mr. McKELLAR. If the Senator will permit me, I will say to him that he is exercising an unfair advantage of me if, as a member of the Committee on Agriculture or as chairman of that committee, he heard Mr. Hoover use this kind of language before. It may be that the Senator is in a better position to determine his meaning than I am, who never read the hearings about which the Senator speaks, and it may be that the Senator can accept my challenge, to wit, to explain what this language means.

Mr. GRONNA. Mr. President, I can only judge the future by the past, and I can only interpret phrases by what they meant in the past. For instance, take the phrase "a stabilizing price." That was one of the phrases used by Mr. Hoover. It really meant to take from the American farmer the real price, the price to which he was entitled under the law of supply and demand, and leave the power in the hands of Hoover, or those who were associated with him, to take from the American farmer what I have stated, more than $2,000,000,000.

Mr. McKELLAR. Was that the meaning of the language that the present candidate for the Presidency used when he said "to aggregate around this the forces of conciliation and arbitration"?

Did he propose "*to aggregate*" these stabilizing influences in any way? I am curious to know what he meant, then. I am but seeking information. It may be that my lack of understanding of the meaning of words of the English language is at fault. It must be that when this man who is a candidate for the Presidency uses certain words he has some meaning, and I renew my challenge to any gentleman on either side of the Senate to give us the meaning of this great progressive statesman, who has been an active candidate of two parties for the presidential nomination, and has now only just confined his operations to only one of the great parties. I would like to know what he means.

Mr. ASHURST. Mr. President——

Mr. McKELLAR. I yield to the Senator from Arizona.

Mr. ASHURST. Mr. President, Mr. Hoover is a practical, successful business man, and I am not astonished that politicians do not understand the language he uses, the language of plain, direct talking. Having been a success, it is not at all improbable or impossible that politicians will not understand the sort of language he speaks. But the people of the United States will understand the language Mr. Hoover speaks.

Mr. McKELLAR. Mr. President, replying to my distinguished friend, I wish to say that I frankly admit that I am just a very plain politician. I do not claim to be one of the business citizens of the Republic who can understand this so-called plain language used by Mr. Hoover. My friend from Arizona is not a politician; he does not claim to be a politician.

Mr. ASHURST. I should like to know how I would be here if I am not a politician.

Mr. McKELLAR. My friend from Arizona claims to be merely a business man and is a statesman. Now, I challenge him, the plain business man and the statesman of this body, and the defender of Mr. Hoover, to take this language and tell the Senate and the public what it means.

Mr. ASHURST. Mr. President, I can explain any kind of language. I have been working for a number of years with men who can decorate any proposition with the most gorgeous kind of linguistic plumage. It is no trouble for me to understand Hoover's language. But I have not yet been told what it is; I want to know when Mr. Hoover used it.

Mr. McKELLAR. I will pass the article to the Senator and let him examine it at length, and after he examines it, I hope he will tell us what it means. I would like to have his interpretation of it. I pass it over to the Senator.

Mr. ASHURST. I am not going to take up the time of the Senate. I will take it and look it up. This has been denied.

Mr. McKELLAR. Denied by whom?

Mr. ASHURST. I will tell the Senator in the cloak room or at the next Democratic caucus, when we hold one.

Mr. President, after examining the clipping I find I am mistaken. The interview has not been denied, so far as I know.

LEGISLATIVE, ETC., APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

Mr. THOMAS. Mr. President, I should take the criticism of Mr. Hoover by the Senator from Tennessee more seriously if he had made it before Mr. Hoover announced his intention to enter the Republican primaries. I do not care, however, to occupy the time of the Senate, under the circumstances, with a further discussion of that gentleman, but rather to address myself to the amendment now pending to the bill under consideration.

If I am correctly informed as to the facts, I shall support the amendment offered by the Senator from New York [Mr. CALDER] to the amendment of the committee. Last autumn I deemed it my duty to criticize the police force of the city of Washington because it had organized and then affiliated with the American Federation of Labor. I regarded that act as not only unsound and unwise, but as decidedly inimical to the public welfare and inconsistent with the duties imposed by law upon a police force.

My attitude then aroused some resentment, but the position which I and other Senators then took was vindicated by the conduct of the Boston police force, followed by the verdict of

the people of the State of Massachusetts, and I think it has been and is being vindicated everywhere in this country where such organizations exist, and are faced with the alternative of discharge of their duty or the need to follow antagonistic inclination.

Shortly after the Boston episode the police force of this city very wisely and patriotically consented to surrender its charter to the American Federation, and to keep itself aloof from all obligations akin to that resting upon them by virtue of such affiliation.

The city firemen, then having in contemplation similar action, doubtless influenced by the attitude of the police force, followed their example, and are therefore entitled to equal commendation.

As a part of the negotiation leading up to this desirable conclusion, the matter of compensation was considered, and a schedule of compensation agreed upon. That schedule was embodied in a bill presented by the Committee on the District of Columbia, of which the senior Senator from Illinois [Mr. SHERMAN] is chairman, and was enacted into a law by the Congress. Among other items of compensation this bonus was considered. My information is that it was agreed, expressly or impliedly, that this compensation should continue while conditions of living continued as they were at the time of the arrangement.

Assuming that to be true, Mr. President, and with every disposition to be fair to all men, I deem it my duty to vote for this amendment, because living conditions have not improved. On the contrary, they are constantly becoming worse, that being the inevitable consequence of this attempt to extinguish a fire by throwing oil upon it. I have had occasion more than once to emphasize the fact that an increase in wages, inevitably followed by an increase in prices, constitutes a vicious circle ever traveling upward, and bound in time to collapse under the inevitable action of the law of commercial gravitation. But because of the desire for immediate relief, coupled with the political influence which stands behind every such movement in these days, which is naturally supported by the retailers of the locality, who are the real beneficiaries of such legislation, Congress determined to pursue that policy.

I knew two years ago, when the $240 bonus was provided for, that it would necessarily lead to a demand for a $480 bonus, the natural outgrowth of conditions, not because the employees desired to embarrass the Government but simply because the $240 having been absorbed by the corresponding rise in prices $480 would be needed for the ensuing year, and should that be granted $960 will be required for the next year, and so on, until the structure reaches a height which its own weight can not sustain, and the inevitable collapse will result.

But as regards these forces the understanding should be respected. I am informed by members of the department what that understanding is, and having made it we should respect it, notwithstanding that it involves an increase in the total amount of our annual expenditures in the District.

Mr. DIAL. Who made the contract, and with whom was it made?

Mr. THOMAS. Perhaps it is not proper to call it a contract. The negotiations between the members of the Committee on the District of Columbia and the police and fire departments of the city, due to the action of the former in affiliating themselves with the American Federation of Labor, and the opposition which that developed, led to a general understanding, which culminated in the conditions to which I have referred. Such an understanding is binding upon me, in conscience, quite as fully as though it were a contract, although I concede that no power exists to make such an agreement binding upon a succeeding Congress or, indeed, upon itself.

Mr. DIAL. Mr. President, I was on that committee at that time, and I made no such agreement, and no one was authorized to make any such agreement for me.

Mr. THOMAS. I may be misinformed, Mr. President. I have no first-hand knowledge about it.

Mr. CALDER. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. CALDER. I was chairman of the subcommittee which reported the legislation, and in my conferences with the House Committee on the District of Columbia, and also in my talks with the police, it was the general understanding, as far as it could be, when they were getting this raise that it included the bonus and that it was to continue.

I so discussed this with them, and agreed, so far as I could, to that arrangement.

Mr. DIAL. I do not question the statement of the Senator from New York to the extent of whatever discretion he had. It was not in his power to bind the committee. He had no such authority, and no such authority was asked.

Mr. THOMAS. I have stated, Mr. President, that no one had power to bind the committee as to any such matter, and the committee has no power to bind the Congress. That I concede. But there is such a thing as a moral understanding, quite as binding upon some men as any other.

I am very much concerned about the tendency of public officials—municipal, State, and Federal—to organize and affiliate with outside private organizations using the strike as a weapon for enforcing demands. Inasmuch as we have made a good commencement to counteract it in the District, I am willing to stretch a point, if that is necessary to make it effective, by removing any possible cause for criticism or complaint.

The situation then confronting the country, and the District particularly at that time, was a very serious one. My distinguished friend the Senator from Montana [Mr. MYERS] and myself, neither of us claiming any superior degree of foresight, long ago directed the attention of the Senate and, through the Senate, of the country to this tendency, and he has done his best to correct it by appropriate legislation, thus far unsuccessfully. I wish we could put upon this bill and upon every appropriation bill we pass his proposal that the compensation provided for shall not be paid to any official belonging to an organization affiliated with an outside organization using the strike as a weapon, for no man can serve two masters; and it goes without saying that the obligation to support the Government and an obligation to obey an outside authority will inevitably conflict.

The man subject to both obligations must choose whom he will serve, and we know by experience that as between the Government and these huge industrial organizations the Government is generally given second choice.

We have but to read the dispatches in the morning paper from Chicago if we need an object lesson on the practical consequences of industrial organizations among public employees. A large part of the municipal force in that great city are on strike. They have picketed the city hall and are indulging in the usual methods of pickets with every individual having occasion to enter that public building owned by the people, built from the public revenues, and sustained by public taxation. Their demand is for increased compensation.

Now, I put it to any thinking man and woman whether it be possible to continue the exercise of any governmental function, however necessary nationally, to the States, or to the municipalities, if organizations of men and women employed to serve the public can by combination interfere with the usual course of governmental machinery and produce governmental chaos unless and until their demands are satisfied. It can not be permitted, and I regret very much that such a condition of affairs even seemingly receives exculpation or defense at the hands of United States Senators.

I think I may say without fear of successful contradiction that the first duty of every employee, from the Presidency down to the city scavenger, is to serve the public as required by the duties of the particular place which he occupies, and if he is unable to do so for any reason then his next duty is to resign. No government can exist which entertains or permits the organization of a force within itself sufficiently strong to defy its authority or to cripple its exercise.

The situation in Chicago is a travesty upon popular government, a condemnation of the right of a great community to look after its own affairs, and a humiliating reflection upon the integrity of American citizenship. Such organizations must be circumscribed if American institutions are to survive. We have made a good start in the District of Columbia with two organizations composed of men who have been convinced that patriotism is the first requirement, that public service and public duty are the objects for which they are employed, and that they shall receive for the time being a fairly adequate compensation. Let us not disturb this relation by even seeming to disregard it, for if we do we may be sure that our action will be taken advantage of and not entirely for the benefit of the public either here or elsewhere.

It is for these reasons that I shall support the amendment.

Mr. CALDER. Mr. President, it would be impossible for any one to make the point that I tried to make yesterday more clearly than has the Senator from Colorado [Mr. THOMAS]. He puts his finger on the very thing that I am most fearful of. These two departments—the firemen and the policemen of the city—that guard the property of the Nation's Capital and the lives of the officials here have dissociated themselves from any outside union influence. We increased their pay not for that reason but because of their excellent service. Now we propose to re-

duce their compensation. It is unfortunate and something which I am sure we will regret, not that I doubt the loyalty of these men to the service, but because of the discouragement that it will bring with it if we fail to adopt this amendment.

I discussed yesterday some points about the employment of these men. I said then that they had 30 days leave a year. I find upon inquiry that the firemen and policemen of Washington really are on duty every day in the year, including holidays, Sundays, and Saturday afternoons. Their labor averages 12 hours a day and they have, all told, only 20 days leave a year. I inquired from the District Commissioners this morning and was informed that since we passed the salary bill last December increasing the pay of policemen only 41 men have applied for appointment, and of this number 21 passed the physical test and only 9 the mental test. So despite the higher salaries only 9 men have passed the examinations. Those 9 were sent for to receive appointments and 6 responded. These 6 were appointed this week. So we have had 6 new policemen appointed since last December, and yet this very week there have been six resignations from the force.

I believe the best interests of the Government require that this bonus be allowed, and I sincerely urge that the Senate agree to the pending amendment.

Mr. MYERS. Mr. President, with reference to the ever-increasing cost of living, to which the Senator from Colorado [Mr. THOMAS] has referred, I have an article which appeared as a recent editorial in the Washington Post, which I will read. I think it is very apropos of the situation and of the subject now under discussion by the Senate. I read:

THE ULTIMATE CONSUMER.

The whole controversy between the miners and the operators over wages is about to be settled amicably. President Wilson has withdrawn the bituminous coal industry from Government supervision and regulation; the miners are to receive another advance in wages, aggregating $200,000,000, in accordance with the recommendation of the joint coal commission; the operators are to fix their own prices for coal, and everybody is to be benefited—except the public, whose coal bill next year will amount to $200,000,000 more than this year, not counting profiteering pyramiding on the increase granted to the miners.

The arrangement is perfectly simple. It consists in giving the miners a big boost in wages and passing the increased charge along to the ultimate consumer. Now, the anthracite operators, who are engaged in negotiating a new wage scale with their miners, want the Government to release them from its control, in which event it may be expected that the hard coal miners will get a good advance in pay, new hard coal prices will be established, and the ultimate consumer will get another material increase in his fuel bill.

Meantime, the machinery is being erected under provisions of the new railroad act for arbitrating the demands of the railway brotherhoods for wage advances, and the experience of the past leads to the belief that they will get a good share of what they ask. It will take $1,000,000,000 to meet the wishes of the railroad employees, which, of course, the railroads can not be expected to "absorb." As usual, the "absorbing" will be done by the public. Freight rates and railroad fares will be advanced, and again the ultimate consumer will pay. Every ton of coal, every bushel of wheat, every barrel of flour will reflect the increased cost of distribution, and the bill will be passed on to the people.

So it goes all along the line. The farmer is "getting his"; the laborer is receiving the "hire" of a bank president; capital is taking its toll in larger bites; the butcher, the baker, the candlestick maker all are reveling in this orgy of high prices.

But where does the ultimate consumer get off?

What hope is there for him, and how long will he stand for being "the goat"? His food, fuel, rent, and clothing bills are going higher and higher, and just as he begins to hope for a reduction in the cost of living somebody takes another big slice out of the melon and gives him the rind. The only cheap thing he has found are his Liberty bonds, and there is danger of their becoming cheaper. Congress votes to sell 5,000,000 barrels of flour to the hungry people of Europe on credit, but the ultimate consumer has to pay cash at the corner grocery for a 10-pound sack. Congress is preparing legislation to authorize postponement by the allied Governments of the $500,000,000 annual interest on the money borrowed from the United States, but the ultimate consumer's landlord will not stand for a two-day postponement in paying the rent.

The crafts, guilds, professions, and classes are doing nicely under the high cost of living, for their takings are keeping pace with mounting prices, and possibly getting ahead a little. But the common people, who are neither of the aristocracy of labor nor the peerage of capital, are victimized. It will not last forever.

I agree with every statement in that article except the last statement—"It will not last forever." With that I do not know that I can agree. It looks to me as though it will last forever. I can see no indication of any change in this respect or of any halting of the ever-mounting cost of living. It seems to me that it is going to go on continuously and without end. I do not expect it to come to an end during my lifetime, even if I should live to be a very old man. There are children now living who are 5 years old, and if they should live to be 95 years of age I do not believe this ever-increasing cost of living will come to an end during their lives.

Organized labor has learned how to get what it wants. It learned it when the Adamson bill was enacted in 1916, and it has been profiting by what it then learned ever since. It appears that it will continue to make use of the knowledge which it then acquired. We are confronted with continual demands for higher wages, and it seems they must be granted or the entire business of the country and all the operations of the industrial world will come to a standstill and people will be confronted by conditions that mean starving and freezing.

Furthermore you can not make people work if they do not want to work. If people want to work only six hours a day, you can not make them work eight hours a day; if they want to work only four hours a day, you can not make them work six hours a day; if they want to work only three hours a day, you can not make them work four hours a day. If they want to work only five days a week, you can not make them work six days a week. We are confronted by these conditions, for which there seems to be no help.

While organized labor is continually demanding higher wages and shorter hours, and I think is in large part thereby responsible for keeping up the increased cost of living, I do not believe organized labor is wholly to blame. I think there are profiteers at the other end of the line, but so far there seems to be no way of checking their operations.

We have also in the country a class of rich people who stop at no excess of expenditure, who do not balk at paying any prices that may be asked for anything. They seem to revel in an orgy, a hysteria, of reckless spending of money, no matter what prices are demanded for things. They, too, I think, are largely responsible for keeping up the frightfully high cost of living. In reality, however, it is the decreased production of the world, more than anything else, that is keeping up the enormously high cost of living. So long as people will not work to the full extent of their ability the condition of decreased production will continue. I think in a year from now the cost of living will be at least 50 per cent higher than it now is, and that in a year from now the production of the world will be at least one-third less than it now is. The people of Europe are not going to work and producing commodities to the extent of their capacity. In large measure they are spending their time in idleness, in revolution, in petty warfare against each other—internecine warfare—and bickerings and contentions; they are doing almost everything except working. They seem to be relying very largely upon the belief that the United States will come to their relief and that they do not have to work. So long as those conditions exist the curtailment of production from which the world is now suffering will continue, and production is going to be even more curtailed.

While I do not believe in Congress yielding servilely to the demands of organizations of employees of the Government for increased wages, I think it is our duty to take cognizance of existing conditions of the times and voluntarily, without yielding to any attempt at coercion or dictation, see that employees of the Government are dealt with fairly; that they are given fair, reasonable, and adequate compensation for the services which they render. I think that applies to the policemen and the firemen of the District of Columbia. While I think we should proceed very cautiously and carefully about increasing the wages of Government employees, I do not think this is any time to decrease those wages; and I do not believe that any Government employees—that is, those of the ordinary rank and file—are receiving any greater compensation than is necessary for them to receive in order to have a decent, living wage.

I have recently been paying some especial attention to the increased cost of living; I have been making some investigations of that subject, in view of the demands that are being made by Government employees for increases of compensation, and in view of the fact that the annual appropriation bills are coming on for consideration. The high cost of living prevailing is simply frightful, staggering. Of course, people to whom it does not make any difference whether they spend $7,500 a year or $75,000 a year have no occasion to pay much attention to the cost of living; but I do not mind admitting that I am one of the few Members of this body who have to pay some attention to their expenses for living purposes.

I have generally been in the habit of keeping on hand, for my personal use, a couple of umbrellas; I usually try to keep one at my office and one at home, so that I may have one at either place in case of rainfall. I have bought quite a few umbrellas since I came to Washington. Up to about three years ago I could buy good umbrellas for a dollar apiece; that was all I paid for them; they were good enough for my purpose, because I lose them occasionally, either through my own carelessness or because of forgetfulness on the part of others. More than that, the low-priced umbrella suited better the size of my pocketbook. A few days ago I had occasion to buy an umbrella, and I went into a store for that purpose. The storekeeper wanted to charge me $5 for a plain, ordinary umbrella, but I would not pay it. The cheapest umbrella I could get in that store cost $2.50, and I purchased one of them. Three years ago or thereabouts I could buy umbrellas for a dollar apiece; a little after that they cost a dollar and a quarter apiece; last fall I bought one, and the cheapest I could

get then cost $2, while this spring the cheapest I could get cost me $2.50. The merchant told me that when he placed an order a month or so previous for umbrellas he was able to get only 100 of the kind that he could retail at $2.50 apiece. He wanted to get 500 or 1,000 of them, but said he could get only 100. He could secure plenty of higher priced umbrellas, those that retail at $5 apiece, but of those that retail at $2.50 he could only get 100; and he said, "They are nearly all gone now, and after they have been sold I will have to charge people $5 apiece for umbrellas; that is the cheapest they will be able to get them for from me." He talked to me about other articles in his store and said that the price of everything was rising in proportion. He predicted that by next fall the cost of all the necessities of life that he carried would be much greater than now. He said, "The market price is rising; it is going up all the time. If I order goods now from the wholesaler, I have to pay much more for them than if I had ordered them three months ago." He predicted that everything would be much higher in the fall.

Last summer I had occasion to have some repairing done to an ordinary watch which I carry. I had dropped it and had broken off the lid; and I had occasion to have the watch cleaned and have some repairing done, just to the lid of the watch, not the works. It cost me $14 to have that simple, ordinary repairing done to the lid of the watch and to have the lid put back on the watch and to have the works cleaned. Furthermore, I had to wait three months to have the work done.

I could not get a watch from the jeweler to carry while mine was being repaired, and in order that I might have the time with me I had to buy an Ingersoll watch to carry during those three months. The cheapest Ingersoll watch I could buy cost $2.25; so that the repairs to my watch cost $16.25, and it took three months to have the work done. The jeweler at first did not know whether it could be done at all. He said, "This watch will have to be sent away; I have no employees here to do the work; I can not get employees." The large business houses in the great cities are short of employees. "Formerly," he said, "jewelry workmen worked about 54 hours a week, whereas now they only work about 40 hours a week, and are scarce and hard to get at that; and we have to pay much higher wages than we did a few years ago before we entered the European war." "So," he said, "I do not know when I can get this work done." But he sent it away, and it took three months to get it done, and cost me $16.25. A few years ago that same work, at the utmost, I venture to say, would have cost only $3 or $4. I tell you the increased cost of living is simply frightful. The cost of everything is much higher than a few years ago, and the cost continues to mount. Each and every month the cost of living is higher than it was the month just preceding. I do not know what it will come to. It has become a problem for millions of people to live.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Montana yield to the Senator from Colorado?

Mr. MYERS. I yield with pleasure.

Mr. THOMAS. The Senator's experience with the jeweler is duplicated in a very sinister way in many parts of the country in agriculture. The enormous wages which labor now commands in the cities and the increasing demand for that labor, largely because of its decreased productive power, is causing the already slender force available to the farmer to be still further depleted. A man who gets only $2 a day for following the plow but who can get $8 a day for laying brick or carrying mortar in the cities can not be expected to remain on the ranch or on the farm; human nature is not so constructed.

The New York papers a fortnight or so ago carried an item to the effect that many farmers in the State of New York were disposing of their live stock and agricultural machinery and abandoning their farms for the present because of their inability to secure help of any kind, adequate or otherwise. The senior Senator from South Carolina [Mr. SMITH] informed me a day or so ago that similar conditions were largely prevalent in his State.

That being the case, it necessarily follows that the Senator's prediction regarding further decreased production of the absolute necessaries of life is inevitable, because the man who leaves the farm not only decreases the productive power of that farm directly by his abandonment, but he doubles the burden upon it by becoming a consumer in the city; and if this condition is not remedied it is inevitable that the present entire lack of equilibrium in the matter of compensation will result in very serious conditions next year because of a very extended shortage in agricultural production.

All of this simply bears out the fact that the eternal law of demand and supply, the regulation of compensation by what a man earns and by what the market affords, can not be violated with impunity any more than a man can disregard the laws of health or any other of the laws of nature.

Mr. MYERS. Undoubtedly the Senator from Colorado is correct about that. I know by experience something of the increased cost of living. For a long time it has been so that a Senator who kept a family here and was dependent upon his salary for a living was simply working for his board and clothes, and now it has become so that he can not even get his board and clothes out of it. He has to deny himself and family some of the substantial necessities of life or draw on his reserves, if he may have any. If this increasing cost of living goes much further, I shall favor a law to abolish the salaries of United States Senators and require them to serve for nothing, as members of the House of Lords do in the British Parliament. Then only those who are rich and could afford to serve here would come to the Senate. I do not suppose it would make any difference to the great majority of the Members of this body. I do not suppose that it would cause more than a dozen Members of the Senate to retire, while it would remove the temptation to men of slender means to come to the Senate at a sacrifice to themselves.

Realizing from experience this condition of affairs, I have some sympathy with Government employees who are struggling to maintain families on slender salaries. I do not believe in yielding to any unreasonable demands, nor in submitting to dictation, nor in being coerced or terrorized by the demands of organized employees of the Government for increases of salaries; but I think Congress should look at the matter calmly, deliberately, dispassionately, disregarding any attempted dictation or coercion or threats, and do what it thinks is right and just under the circumstances; and, while I think we should proceed very cautiously about increasing salaries in these times, yet I do not believe we would be justified in reducing any that are now being paid.

In yesterday morning's Washington Post I read that an agreement had been reached by the conference committee which, by authority of the President, has been considering an adjudication of disputes between the bituminous-coal miners and the coal operators of the country.

I learn from that article that the conference committee has agreed to recommend an increase in the miners' wages of 27 per cent, including the 14 per cent increase granted some time ago by Fuel Administrator Garfield. That increase of wages will amount to $200,000,000 per year; and, all restrictions on the price of coal having been removed, the operators will undoubtedly put that increase of cost upon the public. It simply means that during the coming year the people of the United States will have to pay $200,000,000 more for their coal than they did last year.

I read further in the same article that the next matter to come before the committee, which is completing the new agreement, will be the question of a shorter workday, and that the soft-coal diggers will attempt to get a seven-hour day. Of course, if they get a seven-hour day, that will curtail production and make the cost of coal even more than will the $200,000,000 increase of wages which will be put upon the consumers of coal next year. That comes from the increase of wage only. The reduction of hours from eight to seven would act as a still further increase of cost to the consumers, and that seems to be the tendency of everything and everybody. Why the bituminous-coal miners, if they get this increase of wages, should want a reduction from eight hours to seven hours a day is beyond me. I can not understand it. If the miners need the increase of wages to have a just wage, let them have it; but why a seven-hour day? I suppose the miners are paid by the piece—that is, by the amount of coal they produce—and they could certainly produce more coal and get more wages in an eight-hour day than in a seven-hour day. It would be to their interest, it seems to me, to work the eight hours a day and earn more; but it seems that they are determined to have a reduction to seven hours a day. I suppose they think that with the increased wages they will be able to earn enough in a seven-hour day to live in comfort and have a sufficient income, and that that is all in which they are interested, and that they will not work beyond seven hours a day, and that the people who will suffer thereby will just have to suffer and pay the penalty in increased cost.

I can not conceive of any other reason; and why things should be steadily going this way all of the time is more than I can understand. I only know that they are going that way all of the time, and I can see no hope of relief whatever. There does not seem to be a particle of hope of relief on the horizon. As I say, I think the increased cost of living is going to go on and on and on for many years, until starvation and suffering and

want really confront and afflict many of the people of this country. There is nothing to all this talk that we get periodically from official sources to the effect that we have now reached the peak of the high cost of living, and that the cost of living has at least come to a standstill, and will soon go down. That is all stuff. I know better. We know that it has not come to a standstill, and we know that it has not reached the peak; and why those statements are periodically given out by officials in high authority is more than I can understand, because the people know better. They know such statements are not true.

They do not deceive the people.

As long as this condition of affairs seems destined to go on forever, as long as there seems to be no remedy, and as long as I myself am feeling the effects of it and know the effects of it by experience, I believe that it is only right and proper and the duty of Congress to give some consideration freely, voluntarily, and dispassionately to the needs of Federal employees for an adequate living wage. I am a believer in fair wages for wage earners. Therefore I am in favor of the amendment offered by the Senator from New York [Mr. CALDER] to the committee amendment, the effect of which is to prevent a reduction in the wages of the policemen and firemen of the District of Columbia. Unless the amendment of the Senator from New York be adopted, the compensation of each policeman and fireman of the District will be reduced $240 per year below what it now is, and I do not believe that would be right or just. I hope the amendment of the Senator from New York may be adopted. I urge it.

Mr. HENDERSON. Mr. President, in connection with the subject under discussion, I desire to call the attention of the Senate to the report of the Congressional Joint Commission on Reclassification of Salaries, which was filed on March 12, and a few days later the printed report was placed on the desk of each Senator.

On page 306 of this report you will find the reclassification of the salaries of the members of the police department. Referring to the bill increasing their salaries, which was approved December 5, 1919, you will find that under that bill the privates of class 1 received $1,460 each. I understand that at the time that bill was passed they received the bonus, so that would make privates of class 1 receive $1,700, including their basic salary and the bonus. Under the report of the Reclassification Commission, on page 306, you will find that for subprivates, who are comparable with privates of class 1, there is a recommendation for an annual salary of $1,680. The principal lines of promotion are from subprivate to junior private. You will find that the junior private, in this report of the joint commission, is comparable to the privates of class 2 in the bill which was approved December 5, 1919. The recommended salaries for junior privates are $1,740 to $1,800. The commission felt it necessary to have not what you would call a promotion, but an increase in salary after the junior private had served a year and had shown that degree of efficiency which would entitle him to an increase in salary, so that going from a subprivate to a junior private he would begin on a salary of $1,740, and that salary could be increased to $1,800, which, with the salary granted under the act of December 5, 1919, with the bonus, would be $1,800.

The line of promotion is from junior private to senior private, and the salary recommended by the commission of senior private, who is comparable to a private of class 3 under the act of 1919, is $1,860 to $1,920.

All of the recommendations in this report cover all the classes referred to in the act that I have been reading, which was adopted in 1919. I believe, Mr. President, that if Senators have opportunity or time to study this report, they will find that on its adoption it will relieve the Congress of a great deal of unnecessary work, because this report shows that what you are doing now will be unnecessary, because the basic salaries, as provided for in the act of December 5, 1919, with the bonus which you will now add to that basic salary, are comparable to the salaries recommended by this report.

I simply call the Senate's attention to this at this time because I believe some attention should be given to the report of the Congressional Joint Commission on Reclassification of Salaries, filed here March 12.

Mr. WARREN. Mr. President, will the Senator yield for a question?

Mr. HENDERSON. I yield.

Mr. WARREN. I shall say, before asking the question, that what the Senator says touches the vital point that is now before us. Does not the Senator believe that the compensation should be provided for by fixed salaries and should not depend upon bonuses from year to year?

Mr. HENDERSON. I do, Mr. President. Of course, the recommendation the commission has made places me in this position, that I must support the amendment offered by the Senator from New York [Mr. CALDER], because the salary recommended under the report of the Congressional Joint Commission would be about what the present basic salary is, with the $240 bonus now proposed.

Mr. WARREN. It varies somewhat. But let me say again that this raise was made, part of it, as recently as December, and the other part late in January, and a classification was made but not by the Reclassification Commission. Does not the Senator think that it should be taken up and should conform to the classification which the Commission on Reclassification has proposed? And if so, should it not be done by the proper committee in the District appropriation bill, which is now in the office of the Senate Committee on Appropriations, or by the Committee on the District of Columbia? In that manner we may do away with having the proposition of a bonus haunt us from door to door and from year to year, after we shall receive the report on classifications with known salaries, so that an employee taking a place may know what he is to get and need not depend from year to year upon a bonus which may or may not be provided.

Mr. HENDERSON. I will say to the Senator from Wyoming that we not only ought to take this matter up in connection with the salaries of policemen but in connection with the salaries of all Federal employees in the District of Columbia. From my observation Congress has been handling this matter in the past by piecemeal, no scientific method being used at all in giving salaries to the employees in this District, and a bonus does not represent what the employee earns or what the employee is entitled to. It is a temporary sum that we say we will give to them, but which we reserve the right to cut off at any time.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Ohio?

Mr. HENDERSON. I yield.

Mr. POMERENE. I am not sure I understood the Senator correctly, and I ask my questions in order that I may understand aright. Do I understand from what the Senator has said that the present basic salary, plus the bonus which these men will receive in the event the amendment proposed by the Senator from New York is adopted——

Mr. CALDER. Which they are getting now.

Mr. POMERENE. Which they are getting now—would be about the equivalent of the salary which is proposed by the Reclassification Commission?

Mr. HENDERSON. In some cases a little less and in some cases a little more, and in cases where we have provided these steps of increase in salary which we felt were necessary in order to hold and retain employees in the service, taking an average, it would be about what it is now. I do not think the difference is very material.

Mr. POMERENE. I sympathize with the proposition that there should be some legislation upon the subject of reclassifying and adjusting these salaries; but under the rules of the Senate and our time-honored way of doing business here, with unlimited debate, can the Senator tell us when that reclassification bill will finally become a law?

Mr. HENDERSON. Mr. President, in answer to the Senator from Ohio, I will state that I was just going to tell the Senator from Wyoming that if I felt we could get an early hearing upon this report and upon the resolution that is now before the Senate, and which has been objected to a number of times, I would approve postponing this matter until all the salaries of the Federal employees in the District of Columbia could be considered. But I have no assurance, I will say to the Senator from Ohio, that we will be able to get any action on the resolution or on the report this session of Congress. We have repeatedly tried, and I want to say that I am going to try again just as soon as I can get the opportunity to do so.

Mr. WARREN. Of course, the Senator from Nevada knows that this commission is a joint commission; he knows that bills to take up such matters should originate in the House. He expects the bill to originate there, does he not? I do not say that it has to originate there, but that is the usual and better way.

Mr. HENDERSON. I beg the Senator's pardon. I thought he was asking the Senator from Ohio a question.

Mr. WARREN. The Senator from Nevada alluded to the Senator from Wyoming and the taking up of the proposed classifications. The Senate stands ready to take those matters up at any time when opportunity offers. But courtesy to the House, the observance of usages, and our rules are such that we do expect that the same report made by one-half of your commission, going to the House, will receive its attention there, and then will come to us. Does not the Senator expect that?

Mr. HENDERSON. I expect that. But we have pending before the Senate a resolution which has been reported favorably

from the proper committee, so that we would not lose the result of this work which has been carried on at an expense of nearly $75,000 for the last year, and we have been unable to get that resolution before the Senate because of the time-honored custom to which the Senator from Ohio refers.

Mr. WARREN. Now, will the Senator grant a moment more? The way to get that before the Senate is not to cut the ground out from under it by going on in the manner proposed. I do not want to use a word that would not look well in print applied to the present system of bonuses, but the move of the Senator from New York [Mr. CALDER] to bring it before us at this time simply tends to undermine the work of this Reclassification Commission, and to provide for a great number of men by a bonus who will, of course, ask for bonus continually, instead of systematically erecting a line of regular salaries and wages based upon efficiency.

Nearly all the clerks in the United States service are of class 1, class 2, class 3, or class 4, drawing basic salaries of $1,200, $1,400, $1,600, and $1,800, respectively. They have not been raised one penny since that system was inaugurated 35 or 40 years ago. These numbers not only have had no rise on account of the high cost of living but have had none on any other account in all those years. Shall you by bonuses favor some and leave those loyal people, who have been all this time standing by the Government, amid the stress and strain of war, month after month, and year after year, before we take up this reclassification and provide for all of them? That is the point I make.

Mr. POMERENE. Mr. President, I appreciate the fact, of course, that the Senator from Wyoming is a Senator of a very practical turn of mind, and a man who has done long and valued service in the Senate. But let us try to be really practical in this matter, and permit me to make this suggestion: We are now legislating on the subject of salaries and compensation. We are making an appropriation to pay these salaries. The Senator has presented an amendment to the bill providing for a continuance of the present bonus system to the employees who are beneficiaries under that amendment, and I want to commend him and the committee for having so done. I feel that it would have been a crime almost to have not provided for this bonus, and I regret that it was stricken from the bill in the House.

I do not mean to criticize. They acted under their rules and I have no further comment to make except to say that I think it was unfortunate that they did not make this provision.

Let me suggest this: You are providing here for a bonus for a very large number of employees, and the effect of the amendment proposed by the Senator from New York [Mr. CALDER] is simply to extend the bonus to a certain other number.

Mr. WARREN. Mr. President, will the Senator yield?

Mr. POMERENE. Certainly.

Mr. WARREN. But it is proposed to select a class which has had its salaries nearly doubled within three or four months and includes them with those who have not had a penny of raise in 35 years.

Mr. POMERENE. Mr. President, that may be; but that is not the fault of the amendment of the Senator from New York to the amendment of the committee. It is the fault of those who framed the law before so as not to include them. It is true, I dare say—at least it was last December—that we were waiting upon the report of the Reclassification Commission. But now that we are dealing with this subject we can provide for these employees, and an extension of this bonus, if it is just, and that is all I am interested in. If it can be shown to me that it is too much for these employees, I should be disposed to vote against it. But I have been impressed with the fact that the only fault that can be found with the bonus is that it has not been large enough under all the circumstances.

Mr. HARRISON. Mr. President——

The PRESIDING OFFICER (Mr. PHIPPS in the chair). Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. POMERENE. Pardon me just a moment. Let me make this suggestion to the distinguished chairman of the Appropriations Committee. Let us adopt the amendment of the Senator from New York, assuming, of course, that it is not paying an excessive amount to these men. Then we will have so many provided for; and if the joint resolution comes up later, to which the Senator from Nevada has referred—and I hope it will—we can classify the employees as they ought to be classified, and we can adjust their salaries as they ought to be adjusted; and if the salaries which shall be adopted in that joint resolution differ with the provisions for certain employees contained in this appropriation bill, we can add a section repealing or modifying these provisions in the appropriation bill.

If we do that, then we will be taking care of these employees. If we are going to depend upon what the Congress may do with regard to the join resolution, it will not be clear that they will be provided for. Now I yield to the Senator from Mississippi.

Mr. HARRISON. I do not understand that the Senator from Wyoming is opposing the increase, from what he stated yesterday. What he objects to, as I understand it, is the inclusion of it in this bill. He thinks it ought to come in on another bill. As in the pending bill the bonus is provided for certain employees, and an exception is made, written into the provision, with regard to the Metropolitan police force and the firemen, does not the Senator think the action of the Senate would be interpreted, if we should adopt the proposal made by the Appropriations Committee, excluding the Metropolitan police force and the firemen from sharing in the bonus, that the Senate goes on record as being opposed to any bonus, and in the other House, when the proposition might come up to give them a bonus in the District bill, or any bill, it would then be cited that the Senate expressly excepted the policemen and the firemen of the District from the benefit of the bonus, although they provided for everybody else?

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The READING CLERK. A bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. WARREN. I ask unanimous consent that the unfinished business may be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARREN. Mr. President, I wish to say to the Senator from Mississippi [Mr. HARRISON] that it could not be so construed when there are almost numberless other exceptions to other classes of employees. In fact, the bonus only applies to those that have not been provided for otherwise, and to cover the gap between now and the time when we adopt a new schedule which may do away with the bonus question.

Mr. HARRISON. But the exception is provided there, and when you adopt your provision you go down on record as being in favor of the exception.

Mr. WARREN. This bill is full of exceptions. The Senator himself makes an exception.

Mr. HARRISON. It is full of exceptions, but it is full of bonuses granted to certain employees.

Mr. WARREN. The bonuses apply to those who have had no other increases and have worked here, some of them, for 30 or 40 years without any raise whatever, and we have provided that those who came here during the war and received a larger rate of pay shall not receive this bonus benefit.

Mr. HARRISON. May I ask the Senator from Wyoming if he is in favor of the bonus next year of $240 to firemen and policemen?

Mr. WARREN. I am not in favor of a bonus to pay the firemen and policemen until the Committee on the District of Columbia, or the subcommittee of the Committee on Appropriations, which handles District matters, may go over the different classifications. If their salaries should be raised an amount which would cover the bonus, all right; if they should be raised more, all right; if some of them should be made less, then all right. But it does seem to me that we are slighting every loyal employee who has been here in Government service all these years with no raise until we adopted this matter of the bonus a few years ago. We raised this class of employees 40 to 80 per cent two or four months ago in regular salaries, and now we are asked to add enough more to more than double the pay of some of them with a bonus, while other employees have to wait still another year to get anything added except the paltry sum of $240 as a bonus.

Mr. HARRISON. They should not have to wait; they ought to be given the bonus.

Mr. HENDERSON. May I inquire of the Senator from Ohio [Mr. POMERENE] whether anyone opposed the bill increasing the salaries of the members of the police department, which was approved December 5, 1919, on the ground that they would get the bonus in addition to the salaries provided for in this act?

Mr. POMERENE. I do not recall the facts. I was here a part of the time, but I do not recall the facts. The Senator from New York [Mr. CALDER] can probably answer that question.

Mr. CALDER. No one opposed the increase in pay for the policemen.

Mr. HENDERSON. At that time everyone knew that when that bill became a law they would get the bonus in addition to the basic salary.

Mr. SMOOT. Oh, no.

Mr. CALDER. I presume they did.

Mr. WARREN. They did not know it. It was not understood. The bill itself provides otherwise, but after providing that those who have had the raise of $200 shall not be recognized by the bonus, it provides that in emergency cases the head of a department may for the time being allow the bonus.

If the Senator from Ohio will permit me, he and others speak of this matter as if lately discovered. I want to say to those Senators that I went personally to the Commissioners of the District of Columbia to tell them at the time when we were having trouble here in the District that I believed that, in considering District matters in Congress the last term, we had not done justice to the firemen and policemen. The commission was speaking of the trouble it was having and the papers were full of reports of crime, and I asked its members if they would not go to the proper committee of the House—the District Committee—and take it up there, as they could do, because it is a half-and-half proposition, or has been heretofore. So I had every reason then to give those employees everything that I believed it to be right for them to have, and I believe my record in that respect is as clear as that of anyone here.

It may be that the Senator from New York [Mr. CALDER] or some other Senator has taken it upon himself to assure these men that they can have the bonus now and have the bonus hereafter, but they had no authority from the committee to do that. Not only did they have no authority from the committee but there is no knowledge on the part of members of the Committee on Appropriations that there had been such reports. I never knew it until this matter came up before the committee last week, and I have asked other members of the committee and I have not found one who knew anything about this implied promise that was being played upon in connection with those men.

Mr. HENDERSON. I understand the Senator, at the time this act of December 5, 1919, was approved——

Mr. WARREN. I was very glad that came in. I was very glad to vote for it, and I would be glad to vote again for a change in that if it was presented here in the proper way in regular legislation and to conform to the classification if that is adopted for other Government employees; but I object to granting additional favors to a particularly favored class of employees who have already been so generously treated within three months. I object to putting on another proposition and still having a third rearrangement to consider when this matter of reclassification is taken up.

Mr. CALDER. May I say a word right here? I have no recollection that at the time this matter was up we discussed on the floor the fact that these bonuses were to be paid. I can say to the Senate that it was my understanding of it, and it was the judgment or the view of the conference committee representing the Senate in connection with their dealings with the House, it was repeatedly stated on the floor of the House, and I recall reading it in the records of the proceedings over there, and I believe everybody understood it here.

Mr. WARREN. The Senator does not mean that, surely. I am one of "everybody," and I certainly did not understand it, and I was here, and I supported the measure.

Mr. CALDER. I did not say they did. I said I believed they did.

Mr. SMOOT. I can not see why the Senator from New York believed that they did. The law as it existed at that time—December 5, 1919—affecting bonuses had this provision among other exceptions:

> Or shall receive during the fiscal year 1920 an increase of salary at a rate in excess of $200 per annum.

There is no one class of employees in the fire department, and there is no class of employees in the Metropolitan police, that did not receive more than $200 per annum increase.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. Certainly.

Mr. POMERENE. I have before me a letter from the National Zoological Park——

Mr. SMOOT. That is not the Metropolitan police at all.

Mr. POMERENE. I know, but it is a part of the police force.

Mr. SMOOT. No; they are entirely in another place and not mentioned in this amendment.

Mr. POMERENE. These are police officers receiving no increase whatsoever in their pay. They did finally receive the bonus of $240.

Mr. SMOOT. Does the Senator mean the Metropolitan police?

Mr. POMERENE. No; I do not. I said National Zoological Park police. There are eight of them, and they have received no increase. The sergeant receives $85 per month and privates $80 per month and later received this bonus, but they were not included in the number or the classes of the police officers who received any increase.

Mr. SMOOT. Of course the Senator is wrong in that statement, although it is not effective——

Mr. POMERENE. I think these police officers ought to know what pay they receive, and I get my information direct from them. I have not gone to the department.

Mr. SMOOT. I think we had better let the law speak and not a report coming to the Senator from Ohio from anyone. Let the law speak for itself.

Mr. POMERENE. I would be glad to hear what it is.

Mr. SMOOT. Section 3 reads as follows:

> SEC. 3. That the watchmen provided by the United States Government for service in any of the public squares and reservations in the District of Columbia shall hereafter be known as the "United States park police," and their annual basic salaries shall be as follows: Lieutenant, $1,900; first sergeant, $1,700; sergeants, $1,580; privates, $1,360: *Provided*, That every watchman employed for such service at the time this act becomes law shall, in addition to the salary received by him for the period of service between August 1, 1919, and the time this act becomes law, receive for such period the difference between such salary and the salary payable to him under the provisions of this section for a period of equal duration.

I will tell the Senator if he wants to know what the salaries were before. I can not help what was reported to the Senator. I want to take the law as it is.

Mr. POMERENE. I have the letter here from the men who are supposed to be the beneficiaries under this legislation, or rather who ought to have been the beneficiaries.

Mr. SMOOT. They will be under the amendment we are discussing.

Mr. POMERENE. Under the bonus provision they are receiving the bonus, but they received none of the increase. That is what I am speaking about.

Since the question is raised, I propose to read this letter. It is dated February 13, 1920, and reads as follows:

> The undersigned, who are doing police duty in the National Zoological Park, wish to convey to your notice and ask for information as regards their standing as per section 3, CONGRESSIONAL RECORD, November 17, 1919. The compensation we are now receiving is as follows: Sergeant, $85 per month plus bonus; privates, $80 per month plus bonus, from which we furnish our uniforms.
>
> The police doing duty in all the other parks in the District have received an increase in pay amounting to $1,360 plus bonus and are furnished with uniforms and other wearing apparel gratis. They are practically doing exactly the same work as the police in the National Zoological Park. It seems that we should be treated the same way; if there is no appropriation for our uniforms we should be granted an equivalent in compensation.
>
> We also beg to be informed why the park police were given the increase and why the increase failed to include the police of the National Zoological Park.

Mr. SMOOT. That information is not true. I will say to the Senator that whoever wrote it—I was going to say they wrote it knowing it was not true——

Mr. POMERENE. I do not think the Senator ought to make that statement. I have the signatures of these men to this letter.

Mr. SMOOT. I was not going to discuss the question of park policemen, but inasmuch as the Senator has brought it up I want to have it out right now. The law approved December 5, 1919, gives to the privates in the park police $1,360. That letter says the sergeants are getting $840 plus the bonus. Is that true?

Mr. POMERENE. I did not say that.

Mr. SMOOT. That is what the Senator said.

Mr. POMERENE. No; I beg the Senator's pardon. I said the sergeants were getting $85 a month.

Mr. SMOOT. I said the privates, and the Senator said the privates were getting how much?

Mr. POMERENE. The writer of the letter says:

> The police doing duty in all other parks of the District have received an increase in pay amounting to $1,360 plus the bonus.

Mr. SMOOT. What was the increase? The Senator said they had not been increased.

Mr. POMERENE. I am speaking about these policemen in the National Zoological Park.

Mr. SMOOT. Now, the Senator's letter refers to another different class of employees. The Senator said——

Mr. POMERENE. I read this letter, and if there is any mistake about it it is the Senator from Utah that misunderstood me. I can read, at least, and I think I understand what I read, even if the Senator does not.

Mr. SMOOT. I will ask the Senator to refer to the class of police he first spoke of. The Senator referred to the park police.

Mr. POMERENE. I said the National Zoological Park police, and I had this letter before me at the time and was looking at it when I used the phrase.

Mr. SMOOT. The Senator said the park police.

Mr. POMERENE. The RECORD will show.

Mr. SMOOT. Then I took the law and read what the park police were receiving. The privates of the park police were increased from $840 to $1,360; the sergeants receive an increase from $950 to $1,580; the first sergeant was increased from $1,200 to $1,900; and the lieutenant was increased from $1,900 to $2,000. This is the law in relation to the park police.

Mr. POMERENE. Is that the law with regard to the National Zoological Park police?

Mr. SMOOT. I am simply saying that is the law; and I will read it again.

Mr. POMERENE. I have asked the Senator a specific question. Is that the law as applied to the National Zoological Park police?

Mr. WARREN. Mr. President, will the Senator allow me to interrupt him a moment?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. SMOOT. I yield.

Mr. WARREN. The watchmen in certain parks are provided for in another bill entirely—the sundry civil bill. If these men referred to by the Senator from Ohio are policemen, they have been authorized to act as such, but they are not provided for in this bill at all. They are provided for in another bill which is coming up hereafter.

Mr. POMERENE. One of the men who presented this matter to me has been doing duty in this capacity as a member of the National Zoological Park police for some years, as I am told, and he said they had received no increase whatsoever except the bonus which has been granted.

Mr. SMOOT. Mr. President, I refer to section 3 of the law of December 5, 1919, which provides for the United States park police, and it is to them the Senator from Ohio referred in the beginning, and it was that reference which I was answering.

However, Mr. President, those men are not involved in this amendment at all. I myself think that the Zoological Park policemen ought to have their compensation increased. I will admit that there is some difference in the character of their work and that of the Metropolitan police; but it can not be said that when the increase was given to the Metropolitan police by the act of December 5, 1919, Senators did not know what the law was, because the bonus provision which was in effect at that time specifically stated that those who during the fiscal year had received an increase of salary at a rate in excess of $200 should not receive the bonus. As I have said, there is not a member of the Metropolitan police, there is not a member of the United States park police, but who in the act of December 5, 1919, received more than a $200 increase. Therefore, automatically they were cut off from the bonus.

Mr. President, the same provision applies to hundreds of employees in the different departments of the Government.

Mr. THOMAS. Do I understand from the Senator that the privates of the Metropolitan fire and police departments have not received this bonus at all?

Mr. SMOOT. Certainly they have received the bonus; but they received the bonus under the legislative, executive, and judicial appropriation act for the fiscal year 1920.

Mr. THOMAS. That was my impression.

Mr. SMOOT. But after the passage of that act they continued receiving the $240 because of the fact that they had not received an increase for that fiscal year; but on December 5, 1919, there was a special act passed increasing their salaries. Of course, they were provided with the bonus until June 30, 1920, by the legislative, executive, and judicial appropriation act for 1920; but the contention now is that when the act of December 5, 1919, increasing their salaries was under consideration it was understood that they should continue to receive the bonus and continue to be provided for in the legislative appropriation act for 1921. Of course, that contention can not be maintained.

Mr. CALDER. They now receive the bonus.

Mr. SMOOT. They will receive the bonus up to the end of June this year, because last year's legislative appropriation bill provided for that; but if there has been an increase in their compensation during the present fiscal year of more than $200, even if there were no mention made in this legislation of the Metropolitan police, they could not receive the bonus, because the law provided specifically that the bonus shall not be paid if there has been an increase in salary during the fiscal year of $200 or more.

I was saying, Mr. President, there are many among the hundreds of employees in the District of Columbia who will not receive the bonus next year. There are hundreds and thousands of employees that have not heretofore received the bonus. One reason why the limitation of $200 was put into the bill was that officials of the departments came into Senators' offices and took from them their clerks, for when salaries could be paid from lump-sum appropriations the departments did not hesitate to any great extent as to the salaries they offered. Clerks have been taken from the offices of Representatives, clerks have been taken from the offices of Senators, where their salary was $1,500 a year, and have been paid $2,400 a year and as high as $3,000 a year. The Government had to pay the salary in both cases. So it was decided, Mr. President, that there should be no transfer from one department to another unless there was a request and a permit granted for such transfer. In the same manner the new bureaus robbed the old departments of the Government of their best employees. While clerks were employed under statutory rates of compensation, the old departments of the Government could not increase the pay, but when the new bureaus were created, and Congress gave them lump-sum appropriations, the question of salary was left in the hands of the chief clerks of the bureaus, and they, as I have said, robbed the old departments of their most efficient employees. A law had to be passed to stop that practice. That is the reason why the law was passed forbidding the transfer of employees from one department to another without a request on the part of the department to which the employee was to go and the consent of the department from which he was taken.

Mr. WARREN. Mr. President, if the Senator will allow me for just a moment, I will respond to the inquiry of the Senator from Ohio. I have here the estimates for the sundry civil appropriation bill, in which provision is sought to be made for 1 sergeant and 10 policemen and certain messengers, and so forth. They are paid out of a lump-sum appropriation, and those in authority can make the salaries what they please. They have recommended an increase in the salaries, but unless the matter is taken up by the committee and a greater sum than $115,000, which is the amount appropriated last year to cover the same ground, is appropriated for the next fiscal year, it will probably not be possible to increase the compensation. The $115,000 to which I have referred is a lump sum to pay the employees of the Zoological Park.

Mr. POMERENE. Is the Senator reading from the estimate upon which was based the sundry civil appropriation bill for the current year?

Mr. WARREN. The estimates to which I refer are for the next year but are the same as for the current year.

Mr. POMERENE. I am trying to find out why this condition exists. It would seem that the statement made in this letter is probably correct.

Mr. WARREN. But it has no possible connection with the item which we are considering in the pending bill.

Mr. POMERENE. I was speaking about the men, while the Senator from Utah was speaking about the law. Those are two different subjects.

Mr. SMOOT. The reason of that was that the Senator stated in the first place that he referred to the park police. If he had said the Zoological Park police the matter would have been clear.

Mr. POMERENE. I did not say that, and I had this letter before me at the time I was reading.

Mr. SMOOT. I can not say that the statement made in the letter is not correct, inasmuch as I now understand it is for a different class of employees, who are not provided for in the bill under discussion. I have, however, not looked it up.

Mr. POMERENE. I accepted the statement which was made by these police officers, and I have no reason to question the statements they have made.

Mr. SMOOT. We were discussing the pending bill, and they are not provided for in this bill, and the Senator referred to the park police.

Mr. POMERENE. But statements were made here that the police officers generally had had a substantial increase, and I was pointing out a class that had not had any increase except the bonus.

Mr. SMOOT. Of course they are a different class of policemen, and their service is performed in a particular place, and from what I know they are not paid a wage to compare to what the United States park police or the Metropolitan police are paid.

Mr. POMERENE. That is very true; and that is why I am complaining about it.

Mr. SMOOT. But they are not provided for in the pending bill. When the bill in which provision is made for them is under consideration I will join the Senator in seeing that some change in their salaries is made. There is not any doubt that the Zoological Park police, to whom the Senator now refers, will receive the $240 bonus; they are not excepted from the provision providing for a bonus, and they are receiving it to-day.

Mr. POMERENE. Oh, yes; they will receive the $240 bonus; there is no doubt about that.

Mr. SMOOT. And they will receive it under this bill for another year.

Mr. POMERENE. Yes; that is true.

Mr. SMOOT. There is no doubt about it at all.

Mr. POMERENE. But these men can not pay for their uniforms and live on the salaries now paid them.

Mr. SMOOT. I agree with the Senator as to that class of policemen, but I am not inclined to think that is the case with United States park police or with the Metropolitan police.

Mr. POMERENE. That is not the class about which I was talking.

Mr. SMOOT. That, however, was the class that I was discussing.

Mr. CALDER. Mr. President——

Mr. SMOOT. I yield to the Senator from New York.

Mr. CALDER. The statement has been made, I think by the Senator from Utah, and I know by other Senators, that the matter of bonus was not considered when the bill increasing the compensation of policemen was under discussion.

Mr. SMOOT. Oh, no; I did not say that; I simply said that anybody who did not know that the legislation would prevent their receiving the bonus under the law did not know what the then existing law was.

Mr. CALDER. I have, Mr. President, the CONGRESSIONAL RECORD here containing the debate in the House, and it was explicitly stated there by the gentleman who had charge of the bill that "the salaries mentioned and here fixed are plus the bonus." The House so understood and they passed the bill with that understanding. In the House report it is also stated explicitly that the bonus was to be paid.

Mr. SMOOT. Were any of the salaries raised in the Senate over the amount carried in the bill as it passed the House?

Mr. CALDER. No.

Mr. SMOOT. So far as that is concerned, I say that under the law that existed at that time they could not have received the bonus, because the law explicitly provides that if there is an increase in compensation amounting to over $200 during the year the bonus shall not apply; and everybody in the Senate, as I recall, understood that to be the case. They certainly did, if they knew anything about the law that was upon the statute books.

Mr. President, the Senator from Ohio referred to the fact that we ought to be just. So say I; we ought to be just not to only one class of employees but to all the employees of the Government. What are you going to say to the 104,000 employees outside of the police force? Are you going to say, "You can have $240 and that is all—$240 increase over salaries fixed 35 years ago, with no increase whatever; that is what you can have"? The Metropolitan police and the United States park police, however, did on December 5, 1919, receive increases all the way up to 74 per cent of their fixed salaries, and now it is proposed to add to that a $240 bonus. The Appropriations Committee, Mr. President, says that is not right; that is not just; and I do not believe that the 104,000 other employees of the Government will say that it is just. Why not take the limit entirely off? Why not allow the chief clerks to select employees in the various divisions and bureaus of the Government, and say, "Here is my pet, here is the man to whom I want to show a particular favor, and I will promote him; he is to be paid out of a lump-sum appropriation; he is now receiving $1,200, and, as he is my friend, I want to give him $2,500"? There is nothing, Mr. President, with the exception of where we have specifically provided that salaries shall not exceed a certain amount, to prevent such a thing being done; and it has been done in departments of the Government.

Under this bill, and under every bonus provision since the first one was enacted, that class of employee can not receive the $240 bonus, and he should not receive it. Now we are asked to select a few employees in the Metropolitan police and the United States park police service and say: "Notwithstanding you have received an increase in some cases of seventy-odd per cent during the present fiscal year we are going to give you for the coming year a $240 bonus." They will receive the bonus up to June 30, 1920; but if the amendment of the Senator from New York is adopted it means that they will not only receive this increase but they will receive the bonus up until June 30, 1921—as the Senator from Wyoming says, in some cases more than doubling their past compensation.

Mr. STERLING. Mr. President, I understood the Senator to say in his last statement that they would receive the bonus up to 1921. Is that correct?

Mr. SMOOT. I said they would receive the bonus up to June 30, 1921, if the amendment of the Senator from New York is agreed to.

Mr. President, I wish we could have the Senators present. I wish we could talk to a full Senate. I wish these things could be understood by the Senators, and then I would not complain of a vote upon this or any other question.

I want to say to the Senators who are in the Chamber now that the Appropriations Committee have tried to do their very best and to be just to all of the employees of the departments. In this very amendment and in the first legislation granting a bonus the employees of the War Risk Bureau were given a bonus of only $120 instead of $240. Why make that discrimination?

Mr. HENDERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Nevada?

Mr. SMOOT. I want to answer that question myself, then I will yield.

Mr. HENDERSON. I was going to suggest why that was done.

Mr. SMOOT. If the Senator will wait a minute, I will answer it myself. Why that discrimination? We went into a thorough examination of the salaries that were paid in the War Risk Bureau at the time that a provision similar to the pending one was under consideration. We found that the compensation paid to the clerks and other classes of employees in the War Risk Bureau amounted on an average to over $120 more than the wages paid in any of the old departments of the Government, and the Committee on Appropriations decided to be just to all the employees; so, in order to do so, the employees of the War Risk Insurance Bureau were given $120 and $240 was granted to the employees of all the old departments of the Government.

The employees of the various bureaus and agencies of the Government that have been created since the war, in the great majority of the cases, are paid from lump-sum appropriations, and the heads of those bureaus have the power to name whatever salaries they desire.

I wish the Appropriations Committee had time to go into all of these lump-sum appropriations. I hope to see the time when lump-sum appropriations will be eliminated from all of our appropriation bills, and when that time does come there will be hundreds of millions of dollars saved to the Government of the United States.

I do not want to do a wrong to an employee of the Government. I have no feeling against the Metropolitan police of the District of Columbia. I know the chances they take, as referred to by the Senator from New York; but they took those same chances before an increase of salary was granted them. That is a part of their calling. I can not for the life of me see why they should receive a bonus because of the fact that they have withdrawn from some labor organization. Is it possible that we are endeavoring to offer a bribe to the employees of the Government of the United States to keep out of a labor organization? I think the suggestion casts a reflection upon every member of the Metropolitan police and of the United States park police. I believe the policemen saw the danger of belonging to an organization that might issue an order that would, if obeyed, leave the city unprotected, and withdrew thinking it was the best course to pursue. I do not say that such an order ever would have been issued to them, nor do I believe that this question ever would have arisen in the District of Columbia if it had not been for the strike of the police in Boston, Mass.

Mr. JONES of Washington. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I do.

Mr. JONES of Washington. I want to state to the Senator that I think I can say that this increase in salary—either the direct increase or the bonus—was not in any way made in consideration of these men leaving the union. The District Committee had a hearing upon a resolution prohibiting members of the police force from affiliating with a union. That hearing was had, and no consideration was given to the salary proposition. The matter then rested in the hope that without the committee taking any action upon this resolution members of the police force who had joined the union would voluntarily sever their connection with it. They did so, and after that time the matter of salaries was taken up.

Mr. SMOOT. I have not any doubt but that the statement of the Senator from Washington is absolutely correct, and I have enough confidence in the character of the Metropolitan policemen to say that it could not be otherwise.

Mr. President, if I did not believe with all my heart that the action taken by the Appropriations Committee in relation to this bonus proposition was correct I would not stand here and ask the Senate of the United States to support the committee. I hope to see the day when there shall be no bonus. A bonus is

wrong in principle, and if there had been any other way to establish an increase in the compensation for all of the employees of the Government for the services they render the question of a bonus never would have been thought of. We entered the war, and the salaries of employees in private institutions all over the country were increased rapidly. The amount of salary was of very little concern to the employer. What he wanted was to get the men, get the goods made, and he knew that when the goods were made he could sell them at a profit no matter what he had to pay for the labor required to make them. Therefore when the Congress of the United States were face to face with a proposition existing in this country they had to act quickly, and, in my opinion, the only way that they could act quickly and give relief to the employees of the Government that needed it so greatly was to provide a bonus, and that was done.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me to interrupt him, I should like to ask him if he does not think that the principle of offering bonuses is more easily managed than increasing salaries permanently? The Senator knows as well as the rest of us how difficult it would be, if conditions were to change, to reduce a fixed salary; but as the bonus must be provided for each year, if conditions were to change it would be infinitely easier to leave off the bonus than it would to reduce the salaries.

Mr. SMOOT. Mr. President, it is infinitely easier for Congress to do it, but it is not just. Why should a man who gives to the Government of the United States all that is in him, who works overtime, who remains with the Government until he knows the details of everything in the department in which he labors, receive only a bonus of $240, while a little girl who has never passed the seventh grade receives the same amount of bonus? It is not right, and no one can justly defend it. The Congress, however, was up against the proposition that it had to do something, and with bonuses the work itself can not be differentiated. It must be a bonus to one and all alike, and therefore, while it is a great deal simpler, while it could be expressed in legislation with the very least number of words, it is unjust to the men and the women who give all they have in them to the Government of the United States and are not watching for the hands of the clock to reach the hour of 4.30 so that they can leave their desk and have no concern for the morrow. So, Mr. President, I feel concerned about this amendment, and I hope that the Senate of the United States will support the committee in the provision that they have reported to the Senate.

Mr. JONES of Washington. Mr. President, I desire to ask the Senator from New York whether or not he intends to offer any other amendment to this committee amendment?

Mr. CALDER. Not unless the language in some other part of the amendment will prevent its becoming effective. If my amendment is adopted and becomes effective, I shall not.

Mr. JONES of Washington. Has the Senator in mind any amendment that he wishes to offer in addition to the one he has already proposed?

Mr. CALDER. There is some doubt in my mind as to the language on page 163, where it says that an employee who received an increase of more than $200 during the preceding year shall not be granted a bonus unless the head of the particular department recommends him for the bonus.

Mr. WARREN. That is exactly the language under which they are now being paid.

Mr. JONES of Washington. I asked the Senator from New York the question because I have not any doubt in my own mind as to what the result would be if the amendment he has now proposed is adopted and no other amendment is made to the amendment of the committee. Without a perversion of the law, it would not affect the salaries of these men one cent. Not one of them would get the bonus, simply for the reason that every member of the police force and every member of the firemen's force has received an increase of more than $200 during this fiscal year, and the amendment says that "where an employee in the service on June 30, 1919, has received during the fiscal year 1920, or shall receive during the fiscal year 1921, an increase of salary at a rate in excess of $200 per annum," he shall not get the bonus. There can not be any doubt about what that means. So the adoption of the amendment of the Senator from New York, without anything else, will not aid these men toward getting a single cent of the bonus.

Mr. CALDER. Will the Senator permit me to interrupt him?

Mr. JONES of Washington. Certainly.

Mr. CALDER. Is it not a fact that under the language of the provision on page 163 that would be taken care of?

Mr. JONES of Washington. I was just going to read that. It has been suggested that there is certain language in the amendment that would take care of it. That language is the following:

> Such employees shall be granted the increased compensation provided herein only when and upon the certification of the person in the legislative branch or the head of the department or establishment employing such persons of the ability and qualifications personal to such employees as would justify such increased compensation.

It has been suggested that under that language the heads of the departments would give certain of these men the increase of $240. I want to say that that would be a perversion of the intention and purpose of that provision. It seems to me that the purpose is to provide that where any employee, by reason of peculiar ability or qualification, shows himself to be worthy of an increase, then it can be given.

Mr. NELSON. In an individual case?

Mr. JONES of Washington. In an individual case.

Mr. NELSON. Not a whole class?

Mr. JONES of Washington. Not a whole class at all. That is not intended to give the head of a bureau or the head of a department the general power to regulate the salaries of his subordinates and bring them up to what they ought to be commensurate with the high cost of living.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator a question. He said the police who are sought to be excluded from the operation of this amendment had received in excess of $200. Has the Senator information as to what their salaries are now?

Mr. JONES of Washington. It has been read here time and again.

Mr. SMITH of South Carolina. I was not present.

Mr. JONES of Washington. I know it. The Senator was necessarily absent on business of the Senate. That is the trouble about discussing these things, as the Senator from Utah [Mr. SMOOT] said awhile ago; Senators are not here, and can not be here. They do not know the facts with reference to the particular subject under consideration. So they vote, apparently, as they are struck by the suggestion or statement that comes to them when they return to the Chamber.

I am not saying that these men are given too high a salary. I doubt if they are getting sufficient. But that same argument can be applied to practically all the employees of the Government, especially those who are getting under $2,400 or $2,500 a year. We want to do justice in this matter, and, as the Senator from Utah said, the main reason why this exception was put in here was to act justly and act fairly.

I want simply to emphasize what he called attention to, that there are hundreds of the employees of the Government who are getting small salaries, but who receive during this year an increase, by promotion or otherwise, of $200. They must drop the bonus beginning June 30. They do not get the bonus for next year. Is it fair, is it just, is it square dealing and square treatment for officials who have received five, six, seven, or eight hundred dollars increase during the year to be given a bonus beginning June 30, 1920, when the clerk who received a $200 increase, because he got that increase, will not get the bonus beginning June 30, 1920? There is the proposition that confronts us in this matter, and that is the proposition which confronted the committee, and the committee could not see where it was fair to do that.

Senators, if this amendment is adopted then we ought to strike out every part of the amendment from line 3 down to line 20 on page 163, and give to every employee who has a salary under $2,500 this bonus, no matter what increase he has had during the past year. If the Senate desires to do that, it ought to adopt the amendment of the Senator from New York [Mr. CALDER]. If it does not desire to do that, then it seems to me, in fairness and in justness to the hundreds and thousands of other employees of the Government, the amendment ought to be rejected.

Mr. President, the policemen do not want this unfair treatment. I talked with some of them this morning. They recognize that situation. I called it to their attention, and they said they did not want to be put in a class by themselves so far as treatment of that kind is concerned. They do not ask for different treatment from that given other employees of the Government. They do not want it, and they do not expect it.

If the amendment of the Senator from New York should be adopted, as I said, we ought to strike out all of this amendment of the committee from line 3 down to and including line 20.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from North Dakota?

Mr. JONES of Washington. I yield.

Mr. GRONNA. For my information, I ask the Senator if the policemen would get the increase proposed by the Senator from New York unless we further modify the paragraph referred to by the Senator?

Mr. JONES of Washington. I have said that I do not think they would. They would not get a cent.

Mr. GRONNA. Unless there would be a perversion of the law?

Mr. JONES of Washington. Yes; it could be done by a perversion of the law; the head of a department would give a blanket certification. That is not the intention.

Mr. GRONNA. So, as a matter of fact, it would not be of any substantial benefit to the policemen of this city?

Mr. JONES of Washington. In my judgment, it would be of no help at all—not one penny.

Mr. CALDER. If the Senator will permit me, why, then, was the language which I have sought to strike out put in the amendment?

Mr. SMOOT. Because of the very fact that we wanted to enumerate the exceptions, just the same as we do with the War Risk Bureau—just the same as we do with the vocational educational force. They ought to be enumerated, because of the fact that next year it will call attention to the fact that we have this bonus but that these classes have been eliminated.

Mr. CALDER. Mr. President, if the Senator will permit me again, I know of a whole group of men in the navy yard at New York who received an increase of pay of about $280, but who have not been mentioned specifically in this bill.

Mr. SMOOT. Nor do they get the bonus, because of the fact that they fall within the prevented class, having received an increase of more than $200.

Mr. CALDER. I know that is the case. I would be very glad, if my amendment is agreed to, to have the Senator from Washington offer an amendment striking out the language to which he refers. I would vote for it.

Mr. WARREN. If the Senator will allow me, I want to say to him that if the Senate adopts such an amendment I shall, I fear, not be able to protect any kind of a bonus when we get into conference. The House itself allowed the matter to pass out with little or no effort to retain it. The House found other ways of getting around points of order on other matters that went out on points of order, like, for instance, the commercial attachés; but this bonus went out cold, with no definite plan for its reintroduction, as in the case of other matters which went out on points of order and were taken care of. I read every word of the debate on this subject as it proceeded in the House to keep posted, as the chairman of a committee ought to do always, and I know it hangs by a thread; and if you load this up in the manner in which you propose to load it you will probably get no bonus at all. That will be the result of it.

Mr. GRONNA. If the Senator will permit me further, I asked the questions which I have put, and which the Senator was kind enough to answer, for the reason that personally I am in sympathy with the policemen of this city. I would be glad to do something which would be of substantial help to them. But I can really see that the amendment would be merely a subterfuge; that it would not and could not be of any substantial benefit unless we eliminate the restrictions entirely; and, of course, in that case all those who receive above $2,500 would get the $240 bonus, which can not be done.

Mr. CALDER. Oh, no; the man who gets over $2,500 will not get it.

Mr. STERLING. I was interested in what the Senator from Washington [Mr. JONES] had to say in reference to talking to the policemen of the city, and I wondered if those men had made any claim because of the more hazardous nature of their work or because of the longer hours in which they were employed; if any of them claimed at all that they should have additional compensation on that account?

Mr. JONES of Washington. They did not say anything about that this morning. Of course, those matters were gone into, however, when we prepared legislation increasing their salaries. In the general legislation that we passed that was taken into account, and I think very properly.

Mr. STERLING. The Senator has seen, perhaps, the report of the Reclassification Commission——

Mr. JONES of Washington. Yes; but I have not been able to examine it carefully.

Mr. STERLING. With regard to salaries of this kind. The Senator from Nevada [Mr. HENDERSON] called attention to it this morning. The report shows that the salaries recommended by the Reclassification Commission would approximate the salaries provided with the bonus added thereto.

Mr. JONES of Washington. Mr. President, that, to my mind, has no bearing upon the question really at issue before the Senate. That is a proposition which will be considered when we come to reclassifying the salaries. We are considering now simply a bonus proposition, that we have had in our legislation for two or three years, and which was adopted in this legislation to meet conditions that have already been described. The question before the Senate now is simply as to whether we are going to follow an entirely different course with reference to the bonus itself from that we have been following heretofore, and whether, in the interest of one particular class, we are going to work an injustice to many others in the Government service whom we have been trying by this bonus system to treat fairly and to put on the same basis.

When the bonus system was first put in the act, my recollection is that it had the provision in it that if they had received an increase of salary of $200 they would not get the benefit of it. So those who had that increase did not get any bonus. Then, in the next act we inserted a provision again that any employees of the Government who had received an increase of $200 or more should not get the bonus. Therefore, any person who was getting a bonus for that year, but had received an increase of $200, dropped the bonus the next year. When we were considering the legislation to increase the salaries of the firemen and policemen, I was a member of the District Committee, not a member of the subcommittee, but I never thought anything except that while we increased their salaries they continued to draw the bonus to the end of this year, because the law had already provided it. We never thought anything about a change which would give them the bonus, notwithstanding this increase in salaries. I thought our bonus proposition, if carried at all, would be carried just as before.

Mr. CALDER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from New York?

Mr. JONES of Washington. Certainly.

Mr. CALDER. If the same increases had come over from the previous year, then these men would get the bonus next year, would they not, under the language of the bill?

Mr. JONES of Washington. If the increase had been made last year and then they had not gotten above $2,500, if they had not received any additional increase, this year they would certainly get the bonus.

Mr. CALDER. So that if the present bonus system extends over the next fiscal year, ending June 30, 1921, these men can get the bonus?

Mr. JONES of Washington. That depends upon what provision we make in the law.

Mr. CALDER. If we follow the same language?

Mr. JONES of Washington. Certainly.

Mr. CALDER. So these men, in fact, will suffer a reduction in pay, whether you call it a bonus or otherwise, of $20 a month for a period of one year.

Mr. JONES of Washington. No more than other employees of the Government who got an increase of $200 will suffer a reduction in pay. They all suffer a reduction in pay. Anyone who got an increase of $200 by promotion and the bonus of $240 drops the bonus of $240 on the 30th of June. They get a reduction if the provision remains as it is in the bill. That is the proposition to which I am opposed. If the Senator's amendment is adopted, then I am in favor of striking out this other provision. It ought to be done in fairness and justice and square dealing to other employees of the Government.

Mr. CALDER. I would agree with the Senator, if this was not an unusual case. We are dealing, as I said this morning, with men who guard the property of the city, the Capital of the Nation, and the lives of our officials. We have had difficulty in the past in keeping up the morale of the force. We can not fill vacancies existing now, and I insist that if we reduce their pay the situation will become more chaotic.

Mr. JONES of Washington. That is the argument which comes with reference to all the various employees in the different branches of the Government service. That is the argument that appeals to us when we are fixing the salaries of the officials. It is the argument that appeals to me upon the proposition of a permanent increase in the salaries of these employees.

Just the other day a representative of one of the organizations of the Government came to me urging that we should increase salaries. Why? Because if we do not, they were going to lose the greater part of their force. The Senator from New York [Mr. CALDER] has an amendment pending before the Committee on Commerce now proposing to raise all salaries of civil engineers connected with river and harbor work. I am getting telegrams and letters every day stating that unless this legislation is enacted the Government will lose the services of those experienced men. That may be true. It may be true that they ought to have greater pay, but that, to my mind, does not apply to the question now before the Senate. I do not think anybody sympathizes more with the firemen and the policemen than I do. I may be dull, I may not be able to grasp the situation, but, to my mind, the situation is really this: Are we, by an express bonus provision, going to treat one class of employees differently from another class of

employees? That is the only question to my mind that is involved here.

As I said, the amendment proposed by the Senator from New York will not alone give these men a single dollar unless the head of the department perverts the law and does what he ought not to do and what Congress does not intend him to do. If the Senator from New York is going to amend the provision so that the firemen and policemen shall get this bonus, then it ought to be amended so that every other employee of the Government, notwithstanding an increase of $200 during the past year, shall also get the bonus. That is the question which confronts us. The committee tried to act squarely, honestly, and fairly with these people.

I may say just one word with reference to the question the Senator asked me and which was answered by the Senator from Utah [Mr. SMOOT] as to the reason why this provision was put in here. I was not a member of the subcommittee of the Committee on Appropriations that framed and reported it to the full committee. My general understanding was that the amendment was presented by the subcommittee in substantially the same language in which it was reported to the House. So far as I was concerned, as a member of the committee I did not give any special consideration to the provision. My understanding was that it was thought best to present the bonus proposition substantially as it was reported to the House, and we reported it that way to the Senate. Just what governed the House in putting in these provisions I am not prepared to say.

The Senator from New York [Mr. CALDER] says it is a special case. It is a special case. These men received special consideration at the hands of Congress. They have received exceptional increases in pay during the last year, and instead of that being an argument in favor of the retention of the bonus for them it is more of an argument against its retention. But if we give them this bonus and make this section clear that they are to have the bonus, we ought to make it clear that the other employees of the Government who got an increase of $200 shall also have the bonus.

Mr. DIAL. Mr. President, I believe in paying all employees just compensation, and I believe this class have already received what they are entitled to. I was a member of the Committee on the District of Columbia when this question came up some time ago. They appointed a subcommittee, and that subcommittee brought in a report increasing the pay for privates $500 and then graduated up from 33 per cent. At that time I thought the increase was excessive. I thought they ought to have some increase, but that that amount was excessive. I moved to cut the increase down. That motion was agreed to in the committee, reducing the increase about one-half.

Then the next thing they did was to move that that should have a retroactive effect to last August. I opposed that motion. I must say that I have very little respect for the ability of people who enact laws that have a retroactive effect. It is a bad premise, it is a bad precedent.

We ought to pass laws that would be an example to the United States. However, they antedated this to the 1st of August, and they got that amendment by. Then the matter went into conference, and they gave up the reduction which I obtained in the committee and they put the pay back to that recommended by the Senator from New York [Mr. CALDER], who was a member of the subcommittee. So they have received a greater increase in pay than any other employees of the Government so far as I am aware.

I sympathize with policemen in a proper way, but I do not believe in this Miss Nancy business of patting every employee on the back. People do not have to accept employment unless they want to, and they can quit the service if they see fit to do so. We sympathize with everybody who works, but everyone ought to work. I say that the proper way to get at this would be through the Committee on the District of Columbia. That committee recommended everything it could possibly think was necessary here. My recollection is that the testimony before us was that the policemen of the District of Columbia receive greater pay than policemen receive in the city of Philadelphia. My recollection is their duties there would be more arduous than here. I think the testimony was that a private here received by virtue of this increase something like $250 a year more than they received there. The same thing was true as to a fireman.

The duty of a fireman is not an arduous one. He sits in the house and plays poker or whatever game he sees fit to play. He has to go out only occasionally, and much of the talk about "the poor fireman" is absurd. Occasionally they go out and put out a fire, but day in and day out theirs is about the nicest job I know of. I passed along the other day and saw four of them sitting around a table playing cards. Not being an expert, I could not tell exactly the nature of the game, but they were certainly having a good time.

It is well here to talk about being just to the employees of the Government, and that is correct. No Senator ought to want to do an injustice to any employee. But the time has come when we should consider doing justice to the producers of this country. I sometimes wonder, as I sit here listening to the arguments, whether Senators remember that there is anyone else in the United States except the employees of the Government.

I heard my good friend, the Senator from Montana [Mr. MYERS], tell a while ago about his watch experience. He is in better condition than I was because he can deliver the coin, 14 wheels I believe it was, to get his watch fixed. My clock up home did not run well and I put it under my arm and went down to the tinker's establishment the other day and laid it on the counter and asked what he would charge to repair it. I said that sometimes it would run and sometimes it would not. He put his thumbs in the armholes of his vest and said "I will charge you $5." I said, "No; you will not." The idea of a man telling me he would charge me $5 for fixing my clock before he had picked it up and looked to see what was the matter with it. I would not mind paying $5, but it made me mad that the man should tell me he would charge me $5 before he even looked at the clock. So I picked up the little clock, put it under my arm again, and walked up the street.

That is what the people of this country will have to come to. We will have to say that we will not pay exorbitant prices.

Speaking about the police here not joining the Federation of Labor, I look on the policemen as patriotic citizens. They have all the ordinary intelligence of mankind. They are naturally selected for their intelligence, for their bravery, for their discretion. I think we have a good lot of policemen here who have profited as the result of the police strike in Boston and who saw the danger connected with that kind of a precedent, and therefore did not care to join the Federation of Labor. Not only that, I am one who does not believe it is necessary to give a man a premium to do his duty.

We speak of this Reclassification Commission. I do not know much about it, but I read in the paper the other day where they recommend a seven-hour day. If that is what they recommended, I hope we will never hear any more about reclassification. That is one of the reasons why the cost of living is so high now, because people do not half work. I believe in reclassifying the salary of every employee in the Government, looking over it in the proper way, and arriving at a proper and just compensation, considering all the interests of the employee and the interests of the Government. But if it has to be cut down in that way, if the Government employees are only to work seven hours a day, then I say I repudiate any such reclassification.

Talk about the high cost of living! It is getting to be so now that the people are quitting the farms and coming to town, and if we, the representatives of the Government, keep on increasing the pay of employees it is going to discourage the farmer and he is going to quit the plow, and he and his boy Tom are coming to town, too, in order to get some of this public pap. What we need is to do something to encourage them to stay on the farm, and we can do that by paying only just compensation to our Government employees. Sometimes I believe if we would say, "There will be no more increase for the present until the country gets back to normal, but, on the other hand, perhaps we will decrease compensation somewhat," we would not hear much more about wanting more pay.

The time has come when we will have to put on the brakes and apply the holdback strap and say we will stop paying out so much money. This bill, in the matter of increases in salaries, has already cost the people of the District of Columbia or the Government $334,000, I believe it was. Anyone who has had an increase of 33 per cent in the last few months ought to be ashamed, and others ought to be ashamed, too, to come here and ask Congress to do anything more.

I repudiate the action of some subcommitteeman going out and making a trade with somebody and coming in here and saying that the committee or the Senate is bound. I do not want anybody to arrogate to himself that privilege when I am on the committee. I am going to be modest about it, and I do not have much to say, being a new Member of the Senate, but I want, if the committee is to be bound, the authority expressly delegated to the one who says that some such trade has been made. So, Mr. President, I hope that the amendment of the Senator from New York will be rejected. As the Senator from Washington says, I feel that if it were passed, then we should

have to go back over this whole matter, take up this chaotic condition of affairs, and revise the pay scale considerably.

The PRESIDENT pro tempore. The question is upon the amendment offered by the Senator from New York to the amendment reported by the committee.

Mr. POMERENE. I ask that the amendment be stated again.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. In the amendment reported by the committee, in line 1, on page 164, after the word "Alaska," it is proposed to strike out the following words:

Officers and members of the Metropolitan police of the District of Columbia and the United States park police who receive the compensation fixed by the act approved December 5, 1919; officers and members of the fire department of the District of Columbia who receive the compensation fixed by the act approved January 24, 1920.

Mr. WARREN. Mr. President, I presume all the Senators present understand that the pending motion is to amend an amendment reported by the committee by striking out a part of the committee amendment. I have only to say that I hope the motion will not prevail.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from New York to the amendment reported by the committee. [Putting the question.] The noes seem to have it.

Mr. CALDER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Brandegee	France	McKellar	Sheppard
Calder	Gay	McLean	Smith, Md.
Capper	Gore	McNary	Smoot
Comer	Gronna	Myers	Sterling
Culberson	Hale	Nelson	Sutherland
Cummins	Henderson	New	Thomas
Curtis	Jones, Wash.	Nugent	Townsend
Dial	Kellogg	Overman	Trammell
Edge	Kendrick	Phelan	Underwood
Elkins	Keyes	Phipps	Wadsworth
Fernald	Kirby	Pomerene	Warren

Mr. CAPPER. I wish to announce the absence of the Senator from Vermont [Mr. DILLINGHAM] and the Senator from Mississippi [Mr. HARRISON], attending the meeting of the subcommittee to investigate the schools of the District of Columbia.

The PRESIDENT pro tempore. Forty-four Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. SMITH of Arizona and Mr. SMITH of South Carolina answered to their names when called.

Mr. MCCUMBER and Mr. WATSON entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-eight Senators have answered to their names. There is not a quorum present.

Mr. DILLINGHAM and Mr. HARRISON entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty Senators have answered to their names. There is a quorum present.

Mr. CALDER and Mr. UNDERWOOD addressed the Chair.

The PRESIDENT pro tempore. The Senator from New York.

Mr. CALDER. Mr. President, is it in order for me to ask for the yeas and nays on this amendment of mine?

Mr. WARREN. Mr. President, there will have to be a reconsideration before there can be a yea-and-nay vote, because a vote was had and the result announced by the Chair. I have no wish to delay the matter, but the Senator from Alabama [Mr. UNDERWOOD] is on the floor addressing the Chair, wishing to contribute something to the matter before us. I have, however, no objection to a reconsideration at the proper time.

Mr. CALDER. I request a reconsideration of the vote taken a moment ago in order that we may have the yeas and nays on this amendment.

The PRESIDENT pro tempore. The Chair had not announced the result of the vote.

Mr. CALDER. Then I ask for the yeas and nays on the amendment.

The PRESIDENT pro tempore. The Senator from New York requests the yeas and nays on the amendment. Is the request seconded?

The yeas and nays were not ordered.

Mr. CALDER. I ask for a division.

Mr. UNDERWOOD. Mr. President, I desire to say a few words on the amendment before it is finally voted upon. I shall detain the Senate only a few minutes.

I do not know of any set of men who have to earn their living by their daily toil who are entitled to more credit for their work, and who have had to labor under greater difficulties, than the average clerk in the departments in Washington, due to the fact that his salary did not increase and that the cost of living for a period before the war, greatly exaggerated during the war, and continuing to-day has pyramided upward and upward. Therefore, I voted in the committee to report the bonus proposition that was stricken out in the House. I voted in the committee last year for the appointment of a commission to study and report to Congress a reorganization of the salaried forces of the Government, in order that the salaried man might have a fair and just compensation. It is idle to say that we can expect to go the whole limit. We can not place the Government employee on the basis of the salaries paid by private corporations that are making war profits. The burden of taxation to-day on the American people is enormous. We must meet our war indebtedness; we must pay our obligations; and therefore our hands are shackled, and we can not do absolute and exact justice to the Government employee without burdening the Treasury to such an extent that we will jeopardize the credit of the Government.

I believe that reasonable justice should be done when the time comes, but I am not in favor of playing favorites in this matter. That is all there is in the proposition that is pending before the Senate at this hour. It is a question of a plea for favoritism.

I do not contend that an increase in salaries of $240 is a fair increase to all of the clerks in the Government employ. For some it may be too high; for a vast number it is too low; but when it was adopted we were facing the exigencies of war. We did not have time to analyze and study this situation, and we adopted it as the only expedient that was available at the time. Now we have appointed a salary commission. They have spent a year in investigating the subject. They have made their report.

The Congress has not as yet had the opportunity to analyze that report and pass upon it. I have no doubt that it will be passed upon fairly and justly when the time comes.

The House, for one reason or another, failed to include in this bill the bonus of last year. It was subject to a point of order, and it all went out. This bonus that is reported by the committee, renewing last year's contract with the clerks on that subject, is not yet in the bill. Any Senator on this floor can make a point of order against it, and it must go out; and that is the end of the bonus to every clerk in the Government employ.

As far as I am concerned, I feel very kindly disposed to pay these policemen and firemen a just and reasonable wage. They are engaged in a dangerous pursuit. They have to be uniformed men, and, as I believe, the force here in Washington is a capable and efficient force; but they are no better than anybody else. Furthermore, they are not the only employees of the Government that have had an increase. Last year numbers of men in the Government employ were prevented from getting this bonus because they had had an increase, either by individual promotion or promotion as a class.

Mr. CALDER. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from New York?

Mr. UNDERWOOD. Yes; I yield.

Mr. CALDER. The Senator has just stated that a great many clerks whose salaries have been increased during the past year have failed to receive the bonus.

Mr. UNDERWOOD. If they have been increased over $200, they have.

Mr. CALDER. Certainly.

Mr. UNDERWOOD. That is the only thing that is standing in the way of the firemen and policemen receiving the bonus. There is nothing else here to prevent them from getting the bonus; but notwithstanding the fact that they got the increase you want to aid them to hog it for more and get them on a better basis than the others.

Mr. CALDER. Mr. President, if the Senator will permit me to conclude what I was about to say——

Mr. UNDERWOOD. Surely.

Mr. CALDER. The Senator spoke a moment ago of playing favorites. If the language on page 164 that I seek to strike out is eliminated, we will place the firemen and the policemen in exactly the same position that we place all other Government employees who receive an increase; and, if the Senator will permit me, I will say to him that in many departments of the Government, and I know in the War Department, any man who receives an increase during a fiscal year who has been getting that increase for a period of six months by general order of the War Department automatically obtains the bonus. That is the practice in that department, and it may be in others, so far as I know.

Mr. UNDERWOOD. I do not know about the War Department, but I can assure the Senator that if the clerks who have come to me have told the truth—and I assume they have—there have been a vast number of them cut out of this bonus because they have been increased $200, and their chief did not desire to give them the bonus.

Mr. CALDER. I simply ask to put these men on the very same plane as other clerks and employees of the Government.

Mr. UNDERWOOD. If that were all that the Senator from New York is doing, I would agree with him; but, in my judgment, he is doing just the opposite. He is attempting to pick out a class and play favorites with them. That is all there is in this proposition.

Why, here are the clerks in the Tariff Commission. They did not get any bonus last year and they are not getting any this year. They are not included in this bill. Here are all the clerks in the War Risk Bureau. Last year, after careful investigation, because we concluded that their average salaries were better than those of the other clerks, we gave them a bonus of only $120. They came here this year and said that that state of affairs no longer existed, that they were not getting more than the average salary, and yet in the provision which the committee reported we held them down to the $120. Now, why? We had a good reason for doing that, and we ought to be sustained by the Senate.

This bonus provision was knocked out in the House. We wanted to put it back so that these clerks could get what they got last year. If we made one amendment to this bonus proposition, it was but just and fair that we should hear them all—that we should hear the men in the Tariff Commission, the men in the War Risk Bureau, the men in the machine shops, who complained about the very thing that the Senator is complaining about now and who want to have the privilege, when their compensation has been increased over $200, of getting the bonus themselves. Now, what would have happened if we had done that? If we had stopped to take in one man, if we did not intend to play favorites over last year, we would have had to hear them all. If that had been done, we not only would have delayed the bill, but we would have had to go into the consideration of a readjustment of salaries on a bonus basis when we had before us the report of a commission which was directed to investigate and recommend a readjustment of these salaries according to law.

This bonus is not a permanent matter. It is only temporary. It is intended only to last this year, with the idea that before next year's appropriation bill comes in there will be affirmative action by the Congress of the United States permanently readjusting the salaries under this Government as a matter of law.

I say, therefore, that what the Senator from New York proposes is absolutely unjust to the other clerks. It is unjust to the machinists in the navy yards, who are appealing to have this bonus proposition amended because they may have had a $200 increase in their compensation and can not come under its terms. It is unjust to the clerks in the War Risk Bureau. It is unjust to the clerks in the Tariff Commission, who are not getting any bonus at all.

It is unjust to the clerks in the Vocational Educational Bureau, who are not getting the full bonus. All of these people are in the same position.

Therefore, I say, why should we pick a particular class of men and make an exception in their favor, when the only purpose of the committee was to bring back the bonus as it was agreed to last year, on the same terms, as a temporary matter, so that we would not have to go into a salary readjustment until the committee had ample time to consider the full report of the commission that the Congress appointed to readjust the salaries?

That is all there is in this proposition.

Mr. TOWNSEND. Mr. President, may I ask the Senator a question, as a matter of information?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Michigan?

Mr. UNDERWOOD. Surely.

Mr. TOWNSEND. I am curious to know why the Senator said there were good reasons why the War Risk employees were given the $120 and not the $240.

Mr. UNDERWOOD. I will state to the Senator the reasons. I shall have to go a little into the history of this bonus and explain it.

During the war the new bureaus of the Government—which I might designate, roughly speaking, as the war bureaus—were being operated under lump-sum appropriations. There was no limitation on the salaries. A lump sum was handed to the chief of the division, and he fixed his own salaries. Wages had gone up. Clerical employees were in demand. There were millions of men in the Army, and there was a shortage of clerks. They offered much higher salaries than were paid to the statutory clerks in the Government service, the men who had served the Government for decades. Now, when this bonus proposition came along the committee assumed, and had the right to assume, that in strictly war divisions or war bureaus the salaries had been placed on a war basis, and to a large extent that was true.

But in order by law to differentiate between the war conditions and the statutory roll of the old clerks we had to fix in the committee a time limit. We did not want to stop and pick out each bureau separately, but we fixed a time limit, and said that all bureaus and divisions that were organized and operating before that time should have the benefit of the bonus, and the new divisions which were operating under war conditions should not have it.

Mr. CURTIS. Mr. President——

Mr. UNDERWOOD. Just a minute, until I finish this statement. Of course, we were hitting at the temporary organizations. The War Risk Bureau is to be a permanent organization, but it came in after our time limit was fixed, and therefore fell with the temporary organizations, and they claimed the bonus. First they were cut out entirely, and they claimed that they were entitled to the bonus. We said, "Your basis of wages has been fixed during the war at a war compensation." They said, "No; it is fixed upon the basis of the statutory clerk." There the dispute rested. But we had a thorough investigation. We brought their representatives before us and had a complete statement of their pay rolls, the average pay of the clerk, and then we compared it with the old statutory rolls in the old departments of the Government, and we concluded—and it may be that we were right or it may be that we were wrong, but I think the judgment of the committee was correct—that if we gave them a bonus of $120 we would equalize them with the clerks on the old statutory roll.

This year they come and say that there is a changed condition, and that they are entitled to the full bonus. We did not give it to them, because we said that we could not go into this matter; that it was going to be fixed next year. We said, "We can not get off with it if we are going to reorganize all these clerical forces, and therefore we will let it stand on last year's determination, with the understanding that the day will not be far distant when this whole matter will be readjusted by law, as it should be, and not by bonuses."

I yield to the Senator from Kansas.

Mr. CURTIS. Let me call the Senator's attention to the fact that I offered an amendment giving the war-risk clerks a $240 bonus, and upon that amendment the investigation was made, and the committee took the action suggested by the Senator from Alabama. Afterwards an amendment was offered on the floor of the Senate, as the Senator may remember, and the $120 proposition was rejected.

Mr. UNDERWOOD. The Senate rejected the amendment and sustained the committee.

Mr. SMITH of South Carolina. May I ask the Senator, upon the investigation did you find that the level of salaries in the War Risk Bureau was sufficiently above that of the old statutory roll?

Mr. UNDERWOOD. Yes. The Senator from Utah [Mr. SMOOT] refreshes my memory. It was $124 above the statutory roll. So there is no question about that.

I do not mean to say that a great many of the $1,800 and $1,600 clerks who have families to support are getting fair compensation or adequate compensation in comparison with what clerks receive who are doing the same class of work in private business. I am not saying that at all. But we were not trying to play favorites. We were trying to adjust the matter on an equitable basis and make them all have the same basis.

I am not complaining of the Senator from New York that he is trying to pay these men too much wage, but my complaint against him and his amendment is that he is playing favorites; that he is trying to put one class in the bill and give them this advantage as against all the others. I think if we want this to go through—and it is going through practically by unanimous consent—we ought to stand on last year's determination, and then expect that we will do justice to these clerks in the future.

Mr. WARREN. If the Senator will yield a moment, I want to add to what he has said that the House committee gave this subject a great deal of attention, especially with reference to what has been said of the War Risk Bureau. They were sixty-odd days in subcommittee before they reported it and ninety-odd days before the bill came to us, every day of which was spent in looking up that and other matters pertaining to it, and we had it before us in the bonus proposed in the House of $120 to start with.

Mr. UNDERWOOD. Certainly; the chairman is correct; and I can say this: If the Senate thinks these men are entitled to $240—and I am not combating it on the merits—then these other people are entitled to it, and instead of amending the bill it ought to be rereferred. Send it back to the committee and tell us to work out the problem as to the others. That is all there is to it. It is a question of putting them all on an equal basis, and as far as I am concerned when the proper time comes I shall be willing to give these men for whom the Senator is fighting a fair compensation; but when it comes to picking them out as a special class to be benefited by the bill above other people, I am not going to vote for it.

Mr. CALDER. If the Senator will permit me, my contention is that they are picked out as a special class.

Mr. UNDERWOOD. I know that is the Senator's contention, but the facts do not sustain it.

Mr. CALDER. I have information that many of the departments gave their employees the $240, regardless of whether they received increases amounting to $200, and they based that upon the law.

Mr. WARREN. That is only in exceptional cases. That is not the rule, so far as I am advised, in any department. Where it was applied, it was under what you might term the contingency element of the subject, and of course in the war time matters in the War and Navy Departments, under the celebrated Overman Act, were considered with a liberal construction, so as to get along the fastest and the best they could.

Mr. CALDER. If the Senator from Alabama will permit me, in reply to the Senator from Wyoming I will say that I am advised that in the War Department all clerks who served six months under the advanced pay, even if they exceeded the $200, received the bonus, and that was the case for this fiscal year.

Mr. SMOOT. Will the Senator yield?

Mr. UNDERWOOD. I yield to the Senator from Utah.

Mr. SMOOT. I understand that the War Department has made this ruling, that if the increase of the compensation in a certain fiscal year is made before the first six months of that year, then, at the end of the first six months, providing the clerk serves the six months into another fiscal year, he can receive the bonus in the following fiscal year; but the Senator can not say there is a case where a clerk in one of the departments, employed in the District of Columbia, at the beginning of a fiscal year worked six months and then received an increase of $240.

Mr. CALDER. My information is that if during the first six months of the fiscal year they receive an increase in excess of $200, at the end of the fiscal year, when the time comes to award the bonus for the following year, the bonus is allowed.

Mr. SMOOT. That is, for the next year.

Mr. CALDER. Yes.

Mr. SMOOT. Certainly; and the thing will happen here with any policeman.

Mr. CALDER. No; because you specifically prevent them from getting it.

Mr. SMOOT. There is no difference at all.

The PRESIDENT pro tempore. The question is upon the amendment offered by the Senator from New York to the amendment of the committee.

On a division, the amendment to the amendment was rejected.

Mr. THOMAS. Mr. President, the fate of the amendment to the amendment tempts me very strongly to make a point of order to the committee amendment itself. The fact that the subject was introduced into the bill by the amendment of the committee is the basis of all the trouble. The House eliminated the bonus. Before the House committee, I think, the bonus asked for was $480. The Senate committee has seen fit, and doubtless for the best of reasons, to restore the existing status, which is admittedly unjust, whose inequalities have been very graphically portrayed by the Senator from Utah [Mr. SMOOT] and the Senator from Alabama [Mr. UNDERWOOD]. Nevertheless, it is proposed, notwithstanding such inequality, to incorporate it into the present appropriation bill, at the same time eliminating an arrangement which was due to the negotiations between these two forces of the city government and the subcommittee of the Committee on the District of Columbia. I voted for that amendment entirely because of my information as to what that understanding was.

I shall not make a point of order against the amendment, because, having given the bonus, and the cost of living having automatically risen to a point where the bonus was absorbed, its recipients must continue to receive it until the general classification is effected. To take it away now would be to deprive them of a compensation which our own act here has largely contributed in producing, and I am disposed to continue it as long as conditions exist as they now are, because of the fact that the price of living has risen correspondingly.

A difficulty, however, about this method of attempting to relieve the needs of the civil service is that it deprives the recipients of the impulse for thrift, because they feel, and experience justifies the feeling, that whatever their financial shortage may be, Congress will relieve it by a bonus or by an increased expenditure.

A couple of young ladies from my State came to my office the other day to appeal to me to use what influence I might possess to secure their promotion, the plea being that they could not make both ends meet with the compensation which they received in their present positions. These ladies wore fashionable shoes of a fashionable color, silk stockings, one of them a silk dress, and both of them carried furs. They were dressed in a style my daughter can not afford. They were dressed quite as elaborately as the average woman of means you may encounter upon the street, to all of which I give my approval. It is perfectly proper and perfectly natural that women should wish to adorn themselves, and that each should be as well dressed as the others, but the difficulty lies in the effort to sustain the expense which such apparel requires and at the same time live upon the compensation given by the Government. The motive for such expenditure, Mr. President, consists in the fact that Members of Congress always are ready to relieve distress, and particularly the distress of organized employment, especially when the organization has already informed us that they are keeping a close watch upon our records and propose to disseminate it to their associates all over the United States in conjunction with the coming campaign.

If these people were given to understand that the economies of the Government required rigid frugality upon their part, these evidences of extravagance would disappear and there would be some return to reason. Just so long as they know they can apply here, just so long as they know that their statements, which are unquestionably correct, that their expenditures do not correspond to their incomes, will have results, just so long will the incentive to thrift and frugality be absent in their modes of life.

On the other hand, there is no question that the purveyors to what may be called the transient population of Washington also take advantage of our readiness to increase this compensation by fixing their rates for the needs of life accordingly.

There is another class of public employees, a useful class, a necessary class, who are suffering quite as much, if not more, because of their inadequate compensation. I refer to the officers of the Army and the Navy, many of whom, because of the demotions consequent upon the armistice and receiving a smaller salary, are compelled to resort to the most rigid forms of economy, some of them with large families being actually in need. We have in the Senate attempted to relieve that situation by passing a bill for their relief, but the House, from what I understand of its views on needed economy at the present time, has thus far taken no action upon it. This suffering is in some instances almost acute. Their economy is apparent in everything that goes to make up existence, in so far as economy is possible when you consider rents and the cost of living generally.

Speaking of rents, Mr. President, my attention was called yesterday by the wife of an Army officer to the rate of proposed rentals for a large apartment house now in process of construction which is called the Hadleigh. From what this lady tells me, and I have no reason to doubt her statement, it ought to be christened the "Holdup." It is a very large institution, partly completed. This lady was shown one of the smallest proposed apartments upon the plans, consisting of two rooms and a cell which by courtesy was called the breakfast room. The price demanded for this so-called apartment was $125 a month. One of three rooms and an attachment something like the cell to which I refer was $225 a month. The reason given is the expense of building material and of labor.

The unfortunate feature of the situation is, however, that these people derive their incomes by fixing enormous prices to those who can least afford it, because it is only those who are nearly destitute, a man and wife and family, who can live with any sort of decency, to say nothing of comfort, in two rooms and a cell. They are exploiting every class of the community which can least afford it for the purpose of obtaining enormous revenues to meet their so-called expenses.

I do not know who the men are who represent the corporation building this apartment house, but if that is their method, and it seems to be, they ought to be tarred and feathered and run out of the District of Columbia, although perhaps they are neither better nor worse than a great many others doing the same thing. But as long as this condition continues they will

be encouraged by this proposal to increase the compensation of employees at the expense of the Public Treasury. We are largely to blame for it.

I do not know what this new commission is doing, if anything, with regard to the rent problem. As far as I am able to ascertain from newspaper reports, they are acting very much like a congressional committee of investigation—they are hearing people and doing nothing else. A man by the name of Oyster, I believe, is at the head of the commission. It seems to me if that Oyster would only open his shell and get down to bedrock and inquire into conditions such as I have mentioned regarding the proposed Hadleigh apartment, and enforce the law which the Congress enacted some time ago creating that commission, it might go a long ways toward assisting us in solving the problem of increased compensation.

Mr. HARRISON. Mr. President, I desire to offer an amendment to the committee amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Mississippi.

The ASSISTANT SECRETARY. On page 164, in line 1, before the word "officers," insert the word "except"; and on the same page, line 6, after the figures "1920," insert the words "who shall be included and shall receive increased compensation at one-half the rate allowed by this section for other employees."

Mr. HARRISON. Mr. President, the provision brought in by the committee would eliminate all the bonus to the policemen and the firemen. The amendment which I suggest to the provision is that they be allowed a $120 bonus, cutting the proposition as suggested by the Senator from New York [Mr. CALDER] from $240 to $120. It would seem to me that it would be fair to these men to give them at least a $120 bonus. It is very true that we increased these men's pay, but it is not denied that to-day they are not receiving as much as policemen and firemen in Chicago, New York, and other cities.

The Senator from Nevada [Mr. HENDERSON] stated in his speech that when the Reclassification Commission considered this matter they thought they were going to get this bonus in addition to the increase as allowed by law, and that with the bonus of $240, together with the salaries that they now receive under the law, they would receive no more than they would get if the law should be written according to the report of the Reclassification Commission.

I care nothing about the suggestion that some of the department clerks did not receive as much bonus as these men would receive or receive nothing and these men receive something. I believe that every employee in the Federal Government to-day should receive a bonus. I believe that the employees in the War Risk Insurance Bureau should receive a $240 bonus, because I can not understand how they can live in the city of Washington on the inadequate salaries which are paid them.

There is this difference between the clerks in most of the departments and the firemen and the policemen in the city of Washington: A majority of the employees in the War Risk and the Treasury and the various other departments are single people, whether they are men or women. In most instances they are without families. The policemen here in most instances are married men with families, and the same is true as to firemen. I can not understand how any Senator can imagine a man with a wife and two or three children living in Washington on $125 or $135 or $150 a month.

It does seem to me that it is all wrong for the Senate to eliminate this bonus proposition as to the policemen and the firemen. Even though there are Members of the Senate who might have voted against the $240 bonus, it would seem to me that now they could vote for an amendment which would insure them a $120 bonus. I have seen these policemen and you have seen them in the wintertime standing on the streets with the mercury below zero going up against such climatic conditions as that, risking their lives in the discharge of their duties. Firemen have risked their lives in fires on many occasions. Clerks in the departments do not do that.

These men with such conditions imposed on them, it seems to me, should be adequately paid, and the facts are revealed that they are not on a similar basis with any other city in the country. I hope the amendment will be agreed to in order that, at least, they may get $120 bonus while we are paying $240 bonus to many of the others.

Mr. WARREN. If the Senator will yield a moment I will say that the House committee gave this subject a great deal of consideration, especially with reference to what has been said about the bonus. The subcommittee had hearings on the matter and it was considered by the main committee, and it was only after full consideration that this attitude was taken by the committee. Therefore I trust the amendment offered by the Senator from Mississippi will not prevail.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Mississippi to the committee amendment.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. HARRISON. I ask for the other side.

The PRESIDENT pro tempore. The Chair has counted the other side.

Mr. HARRISON. As I understand the rule, a certain per cent of the number present can ask for a yea-and-nay vote.

The PRESIDENT pro tempore. One-fifth of the Senators present.

Mr. HARRISON. A certain number have requested the yeas and nays. I am asking that those who are opposed be counted, so that we can see whether one-fifth are in favor of it.

The PRESIDENT pro tempore. The Chair, guided by the observation that it has had of proceedings in the Senate, is constrained to hold that those who are called upon to second a demand for the yeas and nays must constitute one-fifth of the Senators who are present in the Senate Chamber.

Mr. HARRISON. I ask for a division.

The PRESIDENT pro tempore. The Senator from Mississippi asks for a division on the amendment proposed by him to the committee amendment.

On a division, the amendment to the amendment was rejected.

Mr. HARRISON. A parliamentary inquiry. Is it too late to ask for the yeas and nays?

The PRESIDENT pro tempore. The Chair is of the opinion that it is now too late, inasmuch as the decision of the Chair has been announced upon the division.

Mr. SMOOT. The yeas and nays were refused.

The PRESIDENT pro tempore. The yeas and nays were called for, and the request was not seconded. A division was then called for. The vote was taken upon a division and the result was announced by the Chair. In the opinion of the Chair it is now too late to again ask for the yeas and nays upon the amendment proposed by the Senator from Mississippi to the amendment of the committee.

Mr. HARRISON. What did the vote show as to those voting for the amendment and those voting against it?

The PRESIDENT pro tempore. There were fewer voting for the amendment than voting against it.

Mr. HARRISON. May I ask what was the number voting for it?

The PRESIDENT pro tempore. The Chair does not now recall.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Glass	McNary	Sheppard
Brandegee	Gore	Myers	Smith, S. C.
Calder	Gronna	Nelson	Smoot
Comer	Hale	New	Sterling
Cummins	Harrison	Nugent	Thomas
Curtis	Jones, Wash.	Overman	Townsend
Dial	Kellogg	Page	Underwood
Edge	Kirby	Phelan	Warren
Fernald	McKellar	Phipps	
Gay	McLean	Pomerene	

Mr. McKELLAR. The Senator from Virginia [Mr. SWANSON], the Senator from Arizona [Mr. ASHURST], and the Senator from Nevada [Mr. HENDERSON] are absent on official business.

The PRESIDENT pro tempore. Thirty-eight Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. CAPPER, Mr. KENDRICK, Mr. KEYES, Mr. SMITH of Arizona, Mr. SMITH of Maryland, Mr. SUTHERLAND, and Mr. TRAMMELL answered to their names when called.

Mr. DILLINGHAM, Mr. ELKINS, Mr. WADSWORTH, Mr. STANLEY, and Mr. FRANCE entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty Senators have answered to their names. There is a quorum present.

Mr. HARRISON. I offer the amendment which I send to the desk to the amendment reported by the committee.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. On page 164, line 1, before the word "officers," it is proposed to insert the word "except," and on line 4, after the numerals "1919," it is proposed to insert

"who shall be included and shall receive increased compensation at one-half the rate allowed by this section for other employees."

Mr. HARRISON. Mr. President, this amendment confines the $120 increase merely to the police force of the city of Washington. It does not go as far as the $240 bonus allowed to other employees, but only provides for a $120 bonus.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Mississippi to the amendment proposed by the committee. [Putting the question.] By the sound the noes seem to have it.

Mr. HARRISON. I ask for the yeas and nays.

The PRESIDENT pro tempore. The Senator from Mississippi demands the yeas and nays. Is the demand seconded?

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. EDGE (when his name was called). I have a pair with the junior Senator from Oklahoma [Mr. OWEN]. In his absence, I withhold my vote.

Mr. FERNALD (when his name was called). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the junior Senator from California [Mr. JOHNSON], and will vote. I vote "nay."

Mr. JONES of Washington (when his name was called). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent. I have promised to take care of him with a pair while he is absent for the rest of the afternoon, and therefore withhold my vote.

Mr. KELLOGG (when his name was called). I have a pair with the senior Senator from North Carolina [Mr. SIMMONS]. I transfer that pair to the junior Senator from Iowa [Mr. KENYON], and vote "nay."

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Utah [Mr. KING], and vote "nay."

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON], and therefore withhold my vote. I understand that my announcement counts me as present for a quorum.

Mr. TRAMMELL (when his name was called). I have a pair with the Senator from Rhode Island [Mr. COLT]. In his absence, I transfer that pair to the Senator from Massachusetts [Mr. WALSH], and vote "yea."

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Louisiana [Mr. RANSDELL], and vote "nay."

The roll call was concluded.

Mr. GAY. I have a general pair with the senior Senator from New Hampshire [Mr. MOSES]. In his absence, I withhold my vote.

Mr. McKELLAR. I wish to announce that the junior Senator from Nevada [Mr. HENDERSON] is absent on official business, and that he is paired with the junior Senator from Illinois [Mr. MCCORMICK].

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK], and vote "nay."

Mr. DILLINGHAM (after having voted in the negative). I am compelled to withdraw my vote, as I observe that the Senator from Maryland [Mr. SMITH], with whom I have a general pair, has not voted.

Mr. CALDER. I have a pair with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to the junior Senator from Nebraska [Mr. NORRIS], and vote "yea."

The roll call resulted—yeas 13, nays 31, as follows:

YEAS—13.

Calder	McKellar	Pomerene	Trammell
Elkins	McNary	Sheppard	
France	Myers	Sutherland	
Harrison	Phelan	Thomas	

NAYS—31.

Ashurst	Glass	McCumber	Smith, Ariz.
Beckham	Gore	McLean	Smith, S. C.
Brandegee	Gronna	Nelson	Smoot
Comer	Hale	New	Sterling
Cummins	Kellogg	Nugent	Underwood
Curtis	Kendrick	Overman	Wadsworth
Dial	Keyes	Page	Warren
Fernald	Lenroot	Phipps	

NOT VOTING—52.

Ball	Fletcher	Johnson, S. Dak.	McCormick
Borah	Frelinghuysen	Jones, N. Mex.	Moses
Capper	Gay	Jones, Wash.	Newberry
Chamberlain	Gerry	Kenyon	Norris
Colt	Harding	King	Owen
Culberson	Harris	Kirby	Penrose
Dillingham	Henderson	Knox	Pittman
Edge	Hitchcock	La Follette	Poindexter
Fall	Johnson, Calif.	Lodge	Ransdell
Reed	Simmons	Stanley	Walsh, Mont.
Robinson	Smith, Ga.	Swanson	Watson
Sherman	Smith, Md.	Townsend	Williams
Shields	Spencer	Walsh, Mass.	Wolcott

The PRESIDENT pro tempore. On this question the yeas are 13, the nays are 31. Five Senators are present announcing pairs, as follows: Senators EDGE, JONES of Washington, TOWNSEND, GAY, and DILLINGHAM. Therefore the amendment proposed by the Senator from Mississippi [Mr. HARRISON] to the amendment of the committee is rejected.

Mr. HARRISON. Mr. President, my amendment as offered applied only to the policemen, as, of course, Senators know. If that amendment had been adopted, I had intended to offer a similar amendment touching the firemen; but, in view of the vote, I shall not offer the other amendment.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the committee.

The amendment of the committee was agreed to.

The reading of the bill was concluded.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole, and open to amendment.

Mr. CURTIS. Mr. President, I offer the amendment which I send to the desk. It should have been offered in its order in the reading of the bill, but I was in the chair at the time.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 19, it is proposed to strike out the word "librarian" and the comma, and in line 16, before the word "enrolling," it is proposed to insert the word "librarian" and a comma.

The amendment was agreed to.

Mr. OVERMAN. Mr. President, I was on the committee which reported this bill. Since the committee adjourned, a matter has been called to my attention in which I think a grave injustice has been done; and therefore I am going to offer an amendment, which I ask the chairman of the committee to carry to conference.

Ever since the Court of Appeals of the District of Columbia has been established the chief justice of that court has been allowed, as in the case of nearly all the courts in the country, $500 more than the associate justices. The chief justice of the Supreme Court of the District of Columbia has been allowed $500 more than the associate justices. The chief justice of the Court of Claims has been allowed $500 more than the associate justices. This $500 extra has been allowed them by reason of the fact that they are the chief justices of their respective courts. The House has made provision for the chief justice of the Court of Claims; but, on page 156, line 15, in the case of the Court of Appeals of the District of Columbia, it will be noted by the chairman that the chief justice only gets the same as the other justices, $8,500, when it should be $9,000, because that has been the rule ever since the court was established; and, on page 157, line 4, the salary of the chief justice of the Supreme Court of the District of Columbia should be $8,000 instead of $7,500.

It is manifestly unjust that the men who are the chief justices of these great courts, who ever since the establishment of their courts have received this $500 extra, should have had that amount left out, for some reason, in the House.

I therefore move to amend by inserting, on line 15, page 156, where the words "chief justice" occur, $9,000 instead of $8,500; and, on page 157, line 4, I move to make the salary of the chief justice of the Supreme Court of the District of Columbia $8,000 instead of $7,500, thus allowing them just what they have had for years, ever since their courts were established.

Mr. WARREN. Mr. President, I do not want to antagonize the Senator, but I will simply say that the last law that was passed fixed the salary as it is now reported in this bill.

Mr. OVERMAN. That is right.

Mr. WARREN. This changes the law.

Mr. OVERMAN. That is where the injustice occurs. The salary was increased, but in making the appropriation the extra $500 which is allowed to the chief justice has not been provided for.

The PRESIDENT pro tempore. The Secretary will state the first amendment proposed by the Senator from North Carolina.

The ASSISTANT SECRETARY. On page 156, under the subhead "Court of Appeals, District of Columbia," after the words "chief justice" and the comma on line 15, it is proposed to strike out "$8,500" and to insert in lieu thereof "$9,000."

Mr. JONES of Washington. Mr. President, as I understand, that is the salary that is fixed in the law?

Mr. OVERMAN. Yes.

Mr. JONES of Washington. That is correct, is it not?

Mr. OVERMAN. Yes. If the Senator will notice——

Mr. JONES of Washington. From a remark made by the chairman of the committee, I thought he understood it differently.

[A pause.] Apparently I do not understand this matter yet, from what the chairman tells me.

Mr. OVERMAN. As the Senator will remember, the Judiciary Committee in reporting the bill increased by the sum of $1,000 the salaries of the judges of the Court of Appeals of the District of Columbia and the Supreme Court of the District of Columbia and also the salaries of all of the judges throughout the United States. Now, in framing this bill the $500 extra that has always been allowed to a chief justice was not taken into consideration.

Mr. JONES of Washington. That is, the law that the Judiciary Committee reported did not give the chief justice——

Mr. OVERMAN. Five hundred dollars extra.

Mr. JONES of Washington. In other words, you are changing the law and legislating in this bill?

Mr. OVERMAN. No, Mr. President; I am asking the Senate to give them the same amount that they have had ever since the courts were established, and which I suppose every chief justice in the United States gets—$500 extra. I have no doubt that they get it in the State of Washington. I ask the Senator to let it go to conference.

Mr. JONES of Washington. I thought, from the Senator's first statement, that the law which the Judiciary Committee reported had fixed their salaries——

Mr. OVERMAN. No; we did not take into consideration the question of this extra $500 which was allowed before, but we just increased the salaries of the judges $1,000. The $500 extra which they had been getting before was not taken into account in that bill, and therefore I am providing for the extra $500 now.

Mr. JONES of Washington. What did you provide for the chief justice in that bill?

Mr. OVERMAN. Nothing at all.

Mr. JONES of Washington. You did not provide any salary at all for him?

Mr. OVERMAN. Only the $8,500.

Mr. JONES of Washington. Well, that fixed his salary at $8,500?

Mr. OVERMAN. Yes; but the $500 extra has always been allowed.

Mr. JONES of Washington. I know; but your legislation fixed the salary of the chief justice at $8,500?

Mr. OVERMAN. Yes.

Mr. JONES of Washington. Now you are proposing to raise that salary in this appropriation bill?

Mr. OVERMAN. We only propose to give him what he and his predecessors have been getting for 50 years.

Mr. JONES of Washington. That is not what I am trying to get at. What I am trying to get at is this: The law gave him, as I understand it, $8,500, and you propose to give him $500 extra.

Mr. THOMAS. Let me see if I understand the position of the Senator from North Carolina. I may not understand it. The statute increasing the salaries of judges made an increase of a thousand for each of the judges, and that would still leave the salary of the chief justices $500 in excess of the salaries of the other justices.

Mr. JONES of Washington. That is, if the law provided, for instance, that the chief justice should receive $500 more than the others, then an increase of a thousand on all, of course, would give him $500 more than the others.

Mr. THOMAS. Yes. That is what I understand the position of the Senator from North Carolina to be.

Mr. OVERMAN. That is true, but under the law they have this $500 extra, which is provided for all the courts.

Mr. JONES of Washington. Let me ask the Senator this question: Before the judiciary act was passed, did the chief justice, not according to appropriation bills but according to law, get $500 more than the other judges?

Mr. OVERMAN. Oh, yes; and the Judiciary Committee, in fixing the salaries, did not take that into consideration, but fixed the salaries of all the judges throughout the United States, and did not repeal the law which allowed them the $500 extra.

Mr. JONES of Washington. I understood the Senator from Colorado [Mr. THOMAS] to say that the bill that the Judiciary Committee reported increased all the salaries $1,000.

Mr. OVERMAN. Yes.

Mr. JONES of Washington. That would, of course, still keep the chief justice $500 ahead. Now, you are making the appropriation to conform to that?

Mr. OVERMAN. Yes.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from North Carolina.

The amendment was agreed to.

The PRESIDENT pro tempore. The Secretary will report the second amendment offered by the Senator from North Carolina [Mr. OVERMAN].

The ASSISTANT SECRETARY. On page 157, under the head of "Supreme Court, District of Columbia: Chief justice," it is proposed, after the words "Chief justice," in line 4, to strike out "$7,500" and insert in lieu thereof "$8,000."

The amendment was agreed to.

Mr. GORE. Mr. President, I move to reconsider the vote by which the Senate agreed to the committee amendment, on page 45, beginning with line 12 and extending to line 24.

The PRESIDENT pro tempore. The Secretary will read the amendment agreed to in Committee of the Whole.

The Assistant Secretary read as follows:

Beginning with the fiscal year 1921, the Federal Farm Loan Board shall, as soon as possible after the close of each half of each fiscal year, levy upon the Federal land banks and joint stock land banks in proportion to their gross assets an assessment equal to the amounts expended from all appropriations on account of salaries (including any additional compensation) and expenses of the board and its appointees and employees for the half of the fiscal year then closed. The board, in making such assessment, shall assess exclusively against either class of banks such expenses as may be incurred exclusively on behalf of such class. Such assessments shall be covered into the Treasury of the United States as miscellaneous receipts.

The PRESIDENT pro tempore. The Senator from Oklahoma moves that the vote by which the amendment was agreed to shall be reconsidered.

Mr. SMOOT. Mr. President, I do not know whether that motion at this time is in order or not. I will say to the Senator that he can have a direct vote upon the amendment when it reaches the Senate.

Mr. GORE. I am aware of that.

Mr. SMOOT. I wish to say to the Senator that this is a provision that was prepared by the Federal Farm Loan Board. I introduced a bill for this purpose in the Senate, and it passed the Senate. There is not an objection made by any bank that I know of in the United States to paying the expenses for examinations, just the same as the national banks pay for the examinations made of them.

Mr. GORE. I understand this covers the entire expenses of the system, does it not?

Mr. SMOOT. No. It costs $143,000, and it applies to all the banks in the Federal reserve system. It amounts to scarcely nothing. But why should the Government of the United States pay for the examination of these banks? The Government never pays the expenses of the examinations of the national banks. There is no reason why the Government should pay for this, and it amounts to so little to all of the banks of the country that not a bank in the United States has objected that I know of. The Federal Farm Loan Board called my attention to it before I introduced the bill, and I might say that the Federal Farm Loan Board prepared the bill.

Mr. GORE. Does the Senator consider that this is limited purely to inspection?

Mr. SMOOT. That is all the expense there is to it, the cost of the investigation of the bank, just as examiners examine national banks. It means $143,000 for all of the banks under the Federal Farm Loan Board.

Mr. GORE. You mean the land banks?

Mr. SMOOT. The land banks, both the joint-stock land banks and the Federal farm land banks.

Mr. POMERENE. Mr. President, I should like to call the attention of the Senator from Utah to this language:

An assessment equal to the amounts expended from all appropriations on account of salaries (including any additional compensation) and expenses of the board and its appointees and employees for the half of the fiscal year then closed.

Mr. SMOOT. It continues:

The board, in making such assessment, shall assess exclusively against either class of banks such expenses as may be incurred exclusively on behalf of such class.

That is all the board does. They pass upon the examination as to the condition of the banks and upon the banks' resources and liabilities, and those banks are examined just the same as the national banks are examined to-day. But under the law as it was originally passed there was $143,000 appropriated for this purpose each year, and the members of the Federal Farm Loan Board tell me that there is no objection by the different banks of the country whatever to the payment of the expenses incurred.

Mr. THOMAS. I think, Mr. President, that if the purpose of this amendment is as stated by the Senator from Utah it is not only proper but necessary. He says that this assessment is to be made to liquidate the expenses of the examination of the banks.

Mr. SMOOT. That is all it is for.

Mr. THOMAS. But the phraseology requires a deduction by an assessment equal to all appropriations on account of salaries. Certainly the examination of a bank does not cost as much as the salaries of the oppointees and employees of the board.

Mr. SMOOT. Some banks are larger than others, and they want to base the assessment upon the amount of salaries paid.

Mr. THOMAS. But the entire assessment is to be the equivalent of the salaries.

Mr. SMOOT. Not at all.

Mr. THOMAS. That is the language.

Mr. GLASS. Mr. President, I am rather inclined to think—in fact, I am firmly of the opinion—that the Senator from Utah has not accurately stated the meaning of the amendment. I am for the amendment, but it clearly means not the expenses of examination of the banks, but the expenses of the Federal Farm Loan Board.

Mr. SMOOT. Mr. President, of course the Federal Farm Loan Board makes the examinations as the reports may be made, and that is the final judge of the condition of the banks. I had forgotten about this until it was called to my attention by the Federal Farm Loan Board. I do know this: That it was discussed at the time the bill establishing the Farm Loan Board passed the Senate, and there was no objection whatever to the favorable report of the Secretary of the Treasury at the time. I think, however, that it passed before the Senator from Virginia [Mr. GLASS] was Secretary of the Treasury, although I do not remember the date.

Mr. GLASS. I recall discussing the matter while I was ex officio a member of the Farm Loan Board, and I agree that it ought to be done; but we ought not to do it under a misunderstanding as to what is contemplated. It really means to defray the expenses of the board and its appointees and employees, just as is done in connection with the Federal Reserve Board, and as ought to be done, in my judgment.

Mr. SMOOT. There is no doubt about it at all.

Mr. GORE. Mr. President, I understood this amendment to mean what the Senator from Virginia [Mr. GLASS] says it means. I did not understand it to bear the limited meaning suggested by the Senator from Utah. It is more comprehensive than his suggestion would indicate. I object to it on that ground.

Mr. SMOOT. Does the Senator think that all of these banks should be administered here by the Federal Farm Loan Board and pay no expenses whatever toward defraying the cost of the examination?

Mr. GORE. In the first place, this Federal land bank system is a new system.

Mr. SMOOT. It is not very new now.

Mr. GORE. It is new and, in a sense, it is an experiment. The system has not been launched very long, and I think it is perhaps not running steady on its keel yet. It ought to be encouraged by the Government. I do not think it ought to have a subsidy, but I think the Government ought to be generous toward this system. It ought to be made to succeed, if it can succeed, and I do not think it just or necessary to levy upon these banks a tribute to maintain the expenses of the system. I think the Government can well afford to do that much. Mr. President, we do not levy a tax upon the national banks to maintain the office of the Comptroller of the Currency here in Washington.

Mr. SMOOT. However, the national banks pay for inspection.

Mr. GORE. They do pay for inspection?

Mr. SMOOT. Certainly.

Mr. GORE. If this were limited to that, perhaps it might be justified.

Mr. SMOOT. Not only that, but the amount they charge for inspection more than pays the expenses of the inspection. The Senator must know that.

Mr. GORE. That may be true. That is not the point involved in this controversy, however. The Government defrays the expenses of the salary of the Comptroller of the Currency and the expenses attached to his office, and no tribute is levied on national banks for maintaining his office here in Washington, and we ought not to levy tribute on these farm banks in order to maintain the Federal land bank board here in Washington.

The fact that the Federal Farm Loan Board recommends this system ought not to be conclusive. It is a question which should be decided by the Congress, and if this land-bank system is earning a surplus sufficient to defray these expenses, it is earning too much. That money ought to be left in the hands of the borrowers. It ought to be represented in a reduced rate of interest. The purpose of this banking system, Mr. President, is to afford the farmers a system of long-time credits at as low a rate of interest as is consistent with the situation of the money supply of the country, and if the system is charging more than is necessary to realize that rate of interest, if it is earning a profit sufficient to meet this large appropriation, then interest rates ought to be reduced instead of this appropriation being made.

I think the Federal Farm Loan Board has an erroneous conception of its own functions and of the principles of this land-bank system. I do not think this policy ought to be adopted at this time. It certainly ought to be remitted to the future, until this system is well established, and that is the reason why I have moved a reconsideration of the vote by which the amendment was adopted.

Mr. SMOOT. Mr. President, the amount that was estimated is $143,000, and that would be about one-thousandth of 1 per cent of the rate of interest that was charged for these loans. How does the Senator think that is ever going to affect the rate of interest? Not only that, but this is assessed upon the joint-stock land banks as well, and the joint-stock land banks of this country have made outrageous profits.

Mr. GORE. I am not certain, Mr. President——

Mr. SMOOT. I am certain.

Mr. GORE. I am not certain but that this is a matter of principle and not a matter of a few dollars and cents.

Mr. SMOOT. Mr. President, we have the Federal Reserve Board, and they sit here in Washington, and the banks pay for their expenses. I say they are just as new as the Federal farm land banks, and there is no attack made upon them.

Mr. GORE. The analogy does not hold. Ultimately the surplus earned by the Federal reserve bank will go into the Treasury of the United States, after the surplus equals the capital stock, as I remember it. But whether the Government pays these salaries before it goes into the Treasury or after it goes into the Treasury is not very material.

Mr. McLEAN. I do not understand that this amendment affects the law regulating the salaries of the Farm Loan Board. Those salaries are paid by the Government.

Mr. GORE. It does not affect them at all.

Mr. McLEAN. Of course, that is the advantage they have over the other system. More than that, the Federal Government has now issued, I think, something like $300,000,000 of nontaxable bonds which are a direct subsidy to this institution.

I am sure we all sympathize with it and want it to succeed and to be granted every consideration possible; but it seems to me, since my attention has been called to it, that the expenses, as stated by the Senator from Utah [Mr. SMOOT], might well be paid by the system in view of the fact that the system is prosperous, and the Government has already granted the system a subsidy in the issue of nontaxable bonds. There is already pending in Congress a bill removing the subsidy of bonds issued by the joint-stock land banks, and I think it ought to be removed.

Mr. GORE. Mr. President, I realize that this Federal land bank system is a unique system and it has been shown certain extraordinary consideration by the Government. I think it ought to have been shown that consideration because it was designed to fill a peculiar niche in our system of credit institutions. It had to be fostered by the Government in order to be brought into existence. I know there are those, too, who have never been reconciled to the institution of this system.

There are those who would like to take away those advantages which enable it to exist and which enable it to compete with private concerns, who would like to load it down with fees and charges and other encumbrances that would make it undesirable and prevent it from filling its peculiar function in our system. I am in favor of the system and want it to succeed, and I do not want to place it in a situation where it can not meet the purposes for which it was instituted.

Mr. SMOOT. This amendment would never interfere with it at all. I will say to the Senator now that if there is a single bank in the United States that has made any objection to this, I would like to know what bank it is. I do not believe the Senator has received a single scratch of a pen from a bank in the United States objecting to it. They all recognize the fact that it ought to be paid by the banks, and I think it ought to be.

Mr. GORE. I do not know what is the attitude of the banks toward this amendment, and I am not concerned as to their attitude. I want the farmers of this country to enjoy the benefits of a system of long-time credits at low rates of interest. That is what I am concerned about. It may be true that those in charge of these banks might be willing to destroy the advantages of the system and equalize it with those private institutions, destroying the very object for which this was created. I am not in sympathy with that, and I think that if the officers of the banks are in sympathy with that kind of a scheme they might well consider changing the personnel.

Mr. McLEAN. I simply want to say that this system will not affect the rate of interest which the borrowers under the system have to pay to-day.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Oklahoma to reconsider the vote by which the amendment of the committee was adopted.

Mr. SMITH of South Carolina. Why would it not be in the interest of clarity and perfect understanding to have the amendment so worded as to indicate that for the purpose of inspection the assessment shall be levied, but not to cover the whole expenses of the entire system, because if I can read the language aright as now written it means that the assessment shall be laid upon these banks to defray the expenses of the entire system, including the salaries of the board itself.

Mr. McLEAN. I do not understand that. I have not had my attention called to it.

Mr. SMITH of South Carolina. Listen to the language. I will read the amendment and emphasize that particular part when I come to it:

> Beginning with the fiscal year 1921 the Federal Farm Loan Board shall, as soon as possible after the close of each half of each fiscal year, levy upon the Federal land banks and joint-stock land banks in proportion to their gross assets an assessment equal to the amounts expended from all appropriations on account of salaries (including any additional compensation) and expenses of the board and its appointees and employees—

If that does not cover the whole business, I would like to know what does.

Mr. McLEAN. I will say to the Senator from South Carolina that my attention is just called to this matter. I was not aware that the provision did involve the salaries of the Farm Loan Board.

Mr. SMITH of South Carolina. It covers the whole thing.

Mr. McLEAN. That would be $50,000 a year, or a little more. I think the Government now pays the direct salaries; but that is all.

Mr. SMITH of South Carolina. The contention of the Senator from Utah was that we are going to make an exception of this system as against other bank systems and assess the banks to pay the salaries and office expenses of the board here in Washington, as well as inspection and other incidental expenses connected with the whole system.

Mr. McLEAN. Putting it on the same basis as the Federal Reserve Board.

Mr. SMOOT. If it were amended as suggested by the Senator from South Carolina it would read as follows:

> In proportion to their gross assets, an assessment equal to the amounts expended from all appropriations on account of salaries (including any additional compensation) other than the members of the Federal Farm Loan Board.

Mr. SMITH of South Carolina. That is all right.

Mr. GRONNA. Mr. President, this amendment was discussed by the subcommittee. I suppose that the amendment is in the form that it was in the committee, and it is perhaps my fault that I did not take time to carefully study it. I understood, however, that the provision was to pay the expenses of examination. I agree with the Senator from Oklahoma [Mr. GORE] and the Senator from South Carolina [Mr. SMITH] that this is an innovation. I can see no reason why the Federal land banks should pay the salaries of the Federal Farm Loan Board any more than the banks should pay the salaries of the people here in Washington who are administering the banking affairs under the provisions of our banking laws.

Mr. GLASS. Will the Senator permit an interruption?

Mr. GRONNA. Certainly.

Mr. GLASS. Why should the member banks of the Federal reserve system, then, be required to pay the salaries and expenses of the Federal Reserve Board?

Mr. GRONNA. I am surprised that the Senator, having been Secretary of the Treasury, should ask that question, for the simple reason that they are permitted to make a profit, which is not the case with the Federal farm loan banks. If the Senator will pardon me, there is not a Senator here who does not know that this law, when it was passed, was for the purpose of giving a small subsidy in order to supply the small farmers with real, cheap money. We all admit that. It never was intended to be a business which would yield profits.

There is not a Senator here who does not know that we can easily go too far in extending credit and increase the bond issues, and that is my objection to the joint-stock land banks; they have been permitted not only to make profits but to make large loans and enormous profits. We can not justify the proposition which will permit either the joint-stock land banks or the Federal farm land banks to issue bonds to such an extent that it would cause complaint so that too many bonds exempt from taxation are issued. That would simply mean the repeal of the law. This law was passed for the purpose of helping the poor man, the small farmer, the farmer who could not afford to go to the money centers and get cheap money. It never was intended for the big farmer, who is able to get a loan at low rates.

This law was enacted for the sole purpose of stabilizing interest rates to the small farmer, and to encourage men to go into the industry to establish homes and to increase production.

I believe it is wrong in principle, as the Senator from Oklahoma [Mr. GORE] has said, to compel the Federal farm loan associations or the Federal farm loan banks to pay for the administration of the business here in Washington, and I never so understood it. If I had I should have objected to it.

If the amendment is now properly before the Senate, unless it is amended I shall make a point of order against it.

The PRESIDENT pro tempore. The question is upon the motion to reconsider the vote by which the amendment was agreed to. No amendment to the amendment itself is in order at this time.

Mr. GRONNA. The Senator from Utah will remember that when this question was discussed I asked that the joint-stock land banks and the Federal farm loan banks be separated and that each pay its pro rata share of the expenses for inspection. I think that is in the amendment

Mr. SMOOT. In proportion to their gross assets.

Mr. GRONNA. But I can not understand why we should insist that these banks, any more than other banks, should be compelled to pay the salaries of people here in the city of Washington.

Mr. SMOOT. They do that now under the Federal reserve system.

Mr. GRONNA. The Senator knows that those banks are permitted to make profits.

Mr. GLASS. The Senator himself ought to know, because he was on the committee, that they are permitted to make only a limited profit, and when that limit is reached the earnings of the bank go into the Treasury of the United States.

Mr. GRONNA. I agree with that.

Mr. GLASS. If we want to hold to this amendment we ought to hold to it upon the argument and not upon any mere matter of sentiment. No Senator can point out where the adoption of this amendment will increase the rate of interest to the farmers of the country one penny, because it will not do it.

Mr. GRONNA. I am glad to have the Senator say that.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. GRONNA. Certainly.

Mr. GORE. I think the Senator from Virginia [Mr. GLASS] has answered his own argument or answered the argument made by those who agree with him. It is true that the profits of the Federal reserve system are limited and that the excess over that limit passes into the Treasury of the United States, so that whether we pay the salaries of the Federal Reserve Board out of those earnings before they pass into the Treasury of the United States or permit them first to pass into the Treasury and then pay the salaries out of the Treasury, is entirely immaterial.

Mr. GRONNA. I ask unanimous consent that the vote may be reconsidered.

Mr. SMOOT. There is a motion to reconsider pending now.

Mr. GRONNA. Very well.

Mr. TOWNSEND. Mr. President, a parliamentary inquiry. As I understand it now, the motion of the Senator from Oklahoma [Mr. GORE] is to reconsider the vote, upon which the Senator from North Dakota [Mr. GRONNA] says, if it is reconsidered, that he proposes to raise a point of order upon it, so that it may go out. While ordinarily I am always willing to reconsider a proposition in order that there may be discussion, yet if the reconsideration shall take away from the Senate the power to act upon this proposition, which I believe to be absolutely just, that these banks ought to pay what the Federal reserve banks pay, then I do not believe it is proper for us to exempt them from doing it. Therefore, with that parliamentary situation confronting us, I do not feel inclined to vote to reconsider. If the provision could go through as it did before without a point of order being raised, I should be very glad to have the vote reconsidered in order that further information may be presented, if any is at hand, but I can not vote for the motion under the notice which has been given.

Mr. GRONNA. Mr. President, I had not expected the Senator from Michigan to vote for it, as I understand he has always been opposed to the farm-loan banks.

Mr. TOWNSEND. The Senator is entirely mistaken as to that. I have never been opposed to them. I voted for them, but I felt at the time they were organized that they would be of little value to the State of Michigan, for instance. I stated, however, that there were sections of the country where I thought the establishment of farm-loan banks would be of great benefit, and therefore I was willing that they should be organized. I

repeat, however, I stated that I did not think they would be of great benefit to Michigan.

Mr. GRONNA. Mr. President, will the Senator yield?

Mr. TOWNSEND. I yield.

Mr. GRONNA. The Senator knows now that he was mistaken about that, I think. I have a statement in my office which shows that the State of Michigan has taken advantage of that law almost to as great an extent as any other State.

Mr. TOWNSEND. That is one reason why I would not object to the establishment of the banks, as I never have done. I do not want that anything be done now that will be at all detrimental to the banks; I am simply asking for justice in the treatment of these banks, as in the case of other banks of the country.

Mr. WARREN. Mr. President, it is after 5 o'clock; we have had a rather trying day——

Mr. EDGE. Mr. President, if the Senator will allow me just a moment, I have a request to make.

Mr. WARREN. If the Senator desires to offer an amendment, he can hardly do that, inasmuch as an amendment is already pending.

Mr. EDGE. I was going to explain, if the Senator will give me just a moment before he makes a motion to adjourn, that engagements make it impossible for me to be here to-morrow, and I simply want to secure, if possible, unanimous consent to offer an amendment, not with the idea of discussing it now, inasmuch as another question is pending, but in order to have the amendment properly before the Senate when we reach a position where it may be considered. At that time, in my absence, some other Senator will unquestionably present it. I simply desire unanimous consent that it may be properly offered to the bill.

Mr. WARREN. The Senator has a right to offer it, of course, and to have it lie on the table.

Mr. EDGE. I offer the amendment. It is my understanding, however, from the brief conversation I have had with the Senator from Wyoming, that it will not develop any discussion, and for that reason I had hoped that it would be adopted to-day.

The PRESIDENT pro tempore. As the Chair understands, the proposed amendment has been printed and is now on the table.

Mr. EDGE. I understand that; but it is my understanding that it has to be offered again after the committee amendments have been disposed of.

The PRESIDENT pro tempore. There is a motion pending. The Senator from New Jersey must therefore defer his amendment until that motion is disposed of.

Mr. EDGE. I will be very glad to do so; but I understood that the Senator from Wyoming was about to make a motion to adjourn, and for that reason I wanted to have the amendment before the Senate.

Mr. WARREN. Mr. President, I take it for granted that the matter now before the Senate must first be disposed of unless adjournment should put it over, in which event it would be taken up to-morrow exactly as we leave it to-night. I do not understand that the Chair could entertain another amendment while a motion is pending and unacted upon.

The PRESIDENT pro tempore. The Senator from Wyoming is quite right. A motion to adjourn is in order, if the Senator desires to make it.

Mr. WARREN. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 18 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 1, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 31, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord our God and our Father, with whom nothing is impossible, without whom we are nothing, strengthen us by the power of Thy might for the duties of the hour. Guide us by the light of Thy wisdom to do Thy will here now and always. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. GRIFFIN. Mr. Speaker——

The SPEAKER. Does the gentleman rise to make a correction of the RECORD?

Mr. GRIFFIN. No; I desire to make a unanimous-consent request.

The SPEAKER. The gentleman will state it.

Mr. GRIFFIN. I ask leave to extend my remarks in the RECORD on the bill H. R. 13333, introduced by me on the bonus question.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks on the bonus question. Is there objection?

Mr. WALSH. Reserving the right to object, are they the gentleman's own remarks?

Mr. GRIFFIN. My own remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. EVANS of Nevada. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an able and instructive article upon land monopoly and its evils as discussed by Miss Anne Martin, a woman candidate for United States Senator, printed in Reconstruction.

The SPEAKER. The gentleman from Nevada asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

Mr. SNELL. Mr. Speaker, I object.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a short speech by myself on the McFadden rural credit bill, H. R. 12678.

Mr. CLARK of Missouri. What is the speech about?

Mr. SNYDER. It is in relation to the McFadden rural credit bill and has to do with a new scheme for financing the products of farms.

Mr. CLARK of Missouri. Where was this speech made?

Mr. SNYDER. It has not been made; I have it here, and I am asking permission to insert it in the RECORD without delivering it.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD on the rural credit bill. Is there objection? [After a pause.] The Chair hears none.

AGRICULTURAL APPROPRIATION BILL.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12272) making appropriations for the Department of Agriculture, to disagree to all Senate amendments, and agree to the conference asked.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the Agricultural appropriation bill, to disagree to all Senate amendments, and agree to the conference asked by the Senate.

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman how it happens they have only three conferees? The practice has been about that bill for years to have five. I think at one time it was seven.

Mr. WALSH. That is discretionary.

Mr. HAUGEN. The Senate determined on that number——

Mr. CLARK of Missouri. But the Senate has got nothing to do with the House.

Mr. HAUGEN. My recollection is that we have had three from each House—the practice has been to have the same number from each House.

Mr. CLARK of Missouri. The practice in the House has been for five, and at one time, for some reason which I have forgotten, there were seven appointed.

Mr. HAUGEN. Not on an Agricultural appropriation bill. I think that was on another matter.

Mr. WALSH. Will the gentleman from Iowa yield?

Mr. HAUGEN. Certainly.

Mr. WALSH. Of course, the distinguished gentleman from Missouri appreciates the fact that the House can not limit the discretion of the Chair in appointing conferees.

Mr. CLARK of Missouri. I know, but still I have the right to get some information if I could.

Mr. WALSH. Certainly; we have not appointed the conferees.

Mr. CLARK of Missouri. I know. I had a talk with the gentleman from Iowa here day before yesterday and he said there would be three appointed.

Mr. HAUGEN. No; I said the Senate had appointed three; that I did not know what the number would be appointed from the House, but I understood the practice is to appoint the same number from each House.

Mr. CLARK of Missouri. Does the gentleman think that because the Senate had appointed three we ought to appoint three?

Mr. HAUGEN. What does the gentleman think about it himself?

Mr. CLARK of Missouri. I think there ought to be five.

Mr. HAUGEN. Does the gentleman think one House ought to have five and the other side three? It is immaterial to me, of course.

Mr. CLARK of Missouri. I do not care what the other House does.

The SPEAKER. Is there objection?

Mr. RUBEY. Mr. Speaker, reserving the right to object—and I shall not object—I desire to ask the gentleman from Iowa in regard to two or three of these increases.

Mr. HAUGEN. Very well.

Mr. RUBEY. The Senate has increased the appropriations about $2,370,000.

Mr. HAUGEN. No; the Senate has increased it $2,470,407, but the gentleman is also aware that it cut a number of appropriations, as, for instance, the seed item of $239,416 and others, which will bring the increases up close to $3,000,000.

Mr. RUBEY. The net increase is something like $2,370,000.

Mr. HAUGEN. Two million four hundred and seventy thousand four hundred and seven dollars.

Mr. RUBEY. Well, that being quite a large amount, we must remember that this is an Agricultural appropriation bill, which is an investment rather than an expenditure. I want to call attention to two or three increases made by the Senate. On page 105 we have an appropriation for the eradication of the corn borer; the Senate makes provision for $500,000, $250,000 of which shall be made immediately available. That is exactly what I asked for in the House when we were considering the bill in the Committee of the Whole. It went out, of course, on a point of order because of the $250,000 made immediately available. Now, the committee agreed to my amendment for $400,000 for that purpose, but it went out in the House on a vote, a very close vote at that, and I hope that the conferees will see their way clear to agree to this appropriation of $500,000.

Mr. HAUGEN. My recollection is that the Committee of the Whole made it $300,000, and it went out in the House. Now, my position is that we should either appropriate an adequate amount or not appropriate anything. So far as the $250,000 is concerned, it does not go far enough. That is my individual view, but the conferees must necessarily represent the House.

Mr. RUBEY. When the gentleman says the committee made it $300,000——

Mr. HAUGEN. That is my recollection.

Mr. RUBEY. The gentleman's recollection is not correct if he refers to the Agricultural Committee. The Committee of the Whole——

Mr. HAUGEN. I mean the Committee of the Whole.

Mr. RUBEY. The Committee of the Whole, at my suggestion, adopted my amendment of $400,000. On a very close vote, with just a few votes difference, it went out, and it shows plainly that the House would have agreed to this amendment except for the fact of their desire to economize, and for the further reason that many of the Members were given to understand that the probabilities were that the Senate would take care of the situation. The Senate has taken care of it and has made this appropriation, and I sincerely hope that the conferees will agree to this appropriation, because I think it is very important. The spread of the corn borer will have a very disastrous effect upon the corn production of the country.

Mr. HAUGEN. The gentleman will recall that the matter was then pending before another committee, and for that reason the Committee on Agriculture did not give consideration or did not report on the proposition. It came up in the Committee of the Whole. Three hundred thousand dollars was agreed to. I opposed the amendment on the ground that if we appropriate any money whatever we should appropriate an adequate amount. I do not know what showing was made before the Senate. However, that is a matter that will have to be given consideration by the conferees.

Mr. RUBEY. Now, Mr. Speaker, if the gentleman will yield further, I would like to call his attention to the amendment on page 49. This is the amendment in regard to the grazing provision. The Committee on Agriculture, as the gentleman will remember, brought in in its bill a provision for appraising the grazing lands of the West, and it went out on a point of order. The amendment was finally worded differently and agreed to, and is found on page 49. This authorizes the Secretary of Agriculture to appraise the grazing lands in the forest reserve and make the appraisal the basis of the rates charged. That amendment will bring into the Treasury something like $2,000,000 additional annually. Now, then, what I want to say is this, that the House agreed to that amendment; the Senate knocks it out. I want the gentleman to agree that before he will accede to the wishes of the Senate in regard to this matter he will give the House an opportunity to vote on it.

Mr. HAUGEN. The amendment referred to is a House provision, and it goes without saying that the House conferees will insist upon the House provisions staying in. Whether it can come back to the House or not I do not know. There are 282 amendments. All of them will have to be given consideration.

Mr. RUBEY. This is an important amendment. It means that it practically makes the Forest Service self-supporting if this amendment is agreed to, and I sincerely hope that the gentleman will insist on House provision and come back to the House before he agrees to accede to the Senate in this regard.

Mr. HAUGEN. The House may determine whether it shall come back to the House before an agreement is reached. As the gentleman knows, I am in accord with his views on this grazing proposition.

Mr. LAZARO. Will the gentleman from Iowa yield?

Mr. HAUGEN. Certainly.

Mr. LAZARO. The Senate has adopted an amendment known as the Comer amendment, which deals with grades in cotton. I am not prepared to say whether it is a good or a bad amendment, but I do believe it is of sufficient importance to deserve careful consideration. Will the gentleman tell the House something about this amendment and whether or not the House will have a chance to consider it?

Mr. HAUGEN. A part of it is new matter. A part of it was reported by the House Committee on Agriculture. The last paragraph to the amendment is new matter, and a very important matter, and one that should receive very careful consideration before it is agreed to. I am not sure whether it should be adopted or not. I think that is a matter that should be largely determined by the parties interested. My opinion would be that Representatives from the cotton sections of the country should give us the benefit of their judgment and suggestions on the amendment.

Mr. LAZARO. The gentleman will admit that the people of this country and of the world are very much interested in the production of cotton, because it means whether or not the people shall have sufficient clothing.

Mr. HAUGEN. Certainly; but, after all, the Representatives coming from the cotton-producing States are more interested than others.

Mr. LAZARO. All I want to know is whether the gentleman will give the House a chance to consider it?

Mr. HAUGEN. If that is the wish of the House; if not, I should want to confer with other Members to ascertain what their desires are in the matter.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. HUMPHREYS. I agree with the gentleman that it is a very important matter. It was not considered in the Senate. The RECORD shows it had no consideration there. It has not had any consideration here. It is my opinion that the amendment ought not to be agreed to; but that is just the opinion of one man from a cotton State, and I hope, if I may express the hope, that the conferees will not agree to the Comer amendment.

Of course, the first paragraph, making the present law permanent, is all right, but I mean the latter part, known as the Comer amendment. It ought not to be agreed to unless it is thoroughly considered by one House or the other, and it is perfectly clear that it was not considered by the Senate, and the House has had no chance to consider it. I take it, and I express the hope, that the conferees will not agree to it.

Mr. HAUGEN. It is new legislation. It was subject to a point of order in the House and probably in the Senate. I believe it is generally agreed that no new legislation should be incorporated in the bill unless it clearly expresses the sentiment of the House.

Mr. GARD. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Ohio demands the regular order. Is there objection to the request of the gentleman from Iowa [Mr. HAUGEN]?

Mr. HAUGEN. Will the gentleman withhold it for a moment?

Mr. GARD. I will withhold it.

Mr. YOUNG of Texas. I call the gentleman's attention to the cotton-futures amendment put in by the Senate.

Mr. HAUGEN. That matter went out on a point of order in the House.

Mr. YOUNG of Texas. This cotton-futures act, with this amendment, the first part, four or five lines, has been in operation not quite one year. The trade has been perfectly satisfied with it. Apparently we have at this time as good a regulation of these exchanges as we can expect to have, and it having been in operation only about a year, and giving satisfaction so far, it seems to me it would be very unwise to adopt the latter part, which is the Comer amendment, which is an untried affair and bound to affect not only the cotton producer but every dealer in cotton and every manufacturer of cotton goods. Coming from a cotton-producing State, I feel that this great industry should not be subjected to an experiment that has had no consideration from the other body and which has had none here, but we ought to allow the law that has existed to continue to operate, because otherwise nobody would know what would happen if we adopted this far-reaching policy known as the Comer amendment.

The SPEAKER. Is there objection?

Mr. MONDELL. Reserving the right to object, Mr. Speaker, the Senate has increased this bill something over two and a quarter million dollars.

Mr. HAUGEN. Two millions and a half.

Mr. MONDELL. Nearer two and one-half million, the gentleman from Iowa says. From a rather hurried examination of the bill, it would appear that about every amendment in the way of an increase and in the way of new legislation that anyone had in his mind, or had a disposition to offer, or did offer in the Senate was accepted. I have such confidence in the conferees on the part of the House that I shall not catechize them or ask them to give an expression of opinion in regard to these amendments and increases, but I do feel confident that these gentlemen realize the temper of the House in these matters. Ordinarily it is not wise to accept in the form of an amendment legislation on an appropriation bill, wise or otherwise; and the House, after careful consideration of this bill, brought it in with appropriations that a great majority here believed were quite sufficient for the work of the Agricultural Department.

The gentleman from Missouri [Mr. RUBEY] has referred to this expenditure as "an investment." Well, a large part of it is an investment in the services of gentlemen whose services are more or less questionable from the standpoint of any real substantial public service, and that is a kind of investment that at this time ought not to be popular. I am sure that the conferees will have that in mind, and will have in mind the temper of the House, desirous of holding these appropriations within reasonable limits, and not increase them simply because here and there some one may desire to have us embark upon some new and questionable and experimental enterprise. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. HAUGEN]?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. HAUGEN, Mr. MCLAUGHLIN of Michigan, and Mr. LEE of Georgia.

CALENDAR WEDNESDAY.

The SPEAKER. To-day is Calendar Wednesday. The Clerk will call the roll of committees.

The Committee on Banking and Currency was called.

AMENDMENT TO THE FEDERAL RESERVE ACT.

Mr. PLATT. Mr. Speaker, I call up House bill 12711.

The SPEAKER. The gentleman from New York [Mr. PLATT], from the Committee on Banking and Currency, calls up House bill 12711. This bill is on the Union Calendar; and the House automatically resolves itself into Committee of the Whole House on the state of the Union, and the gentleman from New York [Mr. SANFORD] will please take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12711) to amend the act approved December 23, 1913, known as the Federal reserve act, with Mr. SANFORD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12711, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That section 14 of the Federal reserve act, as amended by the acts approved September 7, 1916, and June 21, 1917, be further amended by striking out the semicolon after the word "business" at the end of subparagraph (d) and insert in lieu thereof the following: "and which, subject to the approval, review, and determination of the Federal Reserve Board, may be graduated or progressed on the basis of the amount of the rediscount and discount accommodations extended by the Federal reserve bank to the borrowing bank."

Mr. PLATT. Mr. Chairman and gentlemen, this is a bill to provide a means of checking inflation—the inflation or expansion which has come about through the too great use of the rediscounting privileges of the Federal reserve system. The bill is very short. It adds only five lines to section 14 of the Federal reserve act, the section which defines the powers of the Federal reserve banks. One of those powers is "to establish from time to time, subject to review and determination of the Federal Reserve Board, rates of discount to be charged by the Federal reserve bank for each class of paper, which shall be fixed with a view to accommodating commerce and business." It seems to me it was unnecessary to put such a provision in the law, for the Federal reserve banks would naturally have had such power anyway, as all banks possess it, whether expressly granted or not; but being in the law, it seems to be limiting and to deprive the Federal reserve banks of a power which commercial banks possess at least to a certain degree, namely, of asking a higher discount rate from borrowers whose demands are greater than a normal amount. Commercial banks are not allowed to loan an amount greater than 10 per cent of their capital and surplus to any one borrower unless the loan is secured by shipping documents or warehouse receipts representing commodities in process of marketing, but within that limit and within the limits of the usury laws they have the right to charge one borrower a higher rate than another if they think the circumstances warrant it. This bill gives the Federal reserve banks this right, but through uniform rules applying to all member banks without discrimination or favor. It provides that the rates of discount "may be graduated or progressed on the basis of the amount of rediscount and discount accommodations extended by the Federal reserve bank to the borrowing bank."

The suggestion for this amendment came from the annual report of the Federal Reserve Board, which discusses the subject of expansion of credit at some length and states that it must be checked, but "with careful regard to the economic welfare of the country and the needs of its producing industries."

Some banks, generally in the big cities and frequently also where there is a good deal of speculation, have rediscounted far beyond the rediscounts of the average member banks.

In fact, if all banks of each district should ask the accommodations that a few have persistently demanded it would be impossible to meet the demand. The directors of each Federal reserve bank are by section 4 of the act required "to extend to each member bank such discounts, advances, and accommodations as may be safely and reasonably made with due regard for the claims of other member banks."

Now I yield to my colleague from Peekskill.

Mr. HUSTED. I would like to ask the gentleman if this amendment would empower the Federal Reserve Board to discriminate between different banks in the amount of accommodation by way of rediscount or discount that the Federal Reserve Board extended to the member bank?

Mr. PLATT. Only by rules and regulations applying equally and uniformly to all of them.

Mr. HUSTED. Does not the gentleman think that those regulations should be set out in the bill and not left to the discretion of the Federal Reserve Board?

Mr. PLATT. I do not think so, and for this reason: Before the Federal reserve act was passed no national bank could rediscount or become indebted to a greater amount than its capital—section 5202, Revised Statutes. When the Federal reserve act was before the House in 1913 the point was originally overlooked, but it was soon discovered that such a limit would destroy its purposes, because very often a bank having large deposits would have to rediscount beyond the amount of its capital and surplus, and so an amendment was offered on the floor which made an exception of obligations incurred under the provisions of the Federal reserve act. There were other exceptions as to the indebtedness of the bank. For instance, deposits were not regarded as indebtedness under the limitation.

Mr. HUSTED. However good that purpose may be, I do not think we should empower the Federal Reserve Board to discriminate in these matters between different member banks, because that is a power which could be grossly abused.

Mr. PLATT. I have not fully answered the gentleman's question yet. When we passed the Federal reserve act with that amendment in it there was no limit left on the amount to which a bank could rediscount. It could rediscount ten times its capital and surplus if the Federal Reserve Board would allow that to be done. Now, we propose to allow the Federal reserve banks in each district to fix a limit or line of discount, perhaps, in proportion to the capital and surplus, and allow member banks to borrow at the published rates up to that line; but if they go higher than that they shall pay a slight increase on the excess above that line.

Mr. WINGO. There was so much confusion in front of me and to the right of me and to the left of me and behind me that I could not hear the answer which the gentleman made. Do I understand that the gentleman from New York [Mr. HUSTED] asked if it was possible for the Federal Reserve Board to make a difference in the amount that two different banks might have in the way of rediscounts? Take, for illustration, two banks having the same capital stock and the same surplus. Is it the idea that the Federal Reserve Board might grant a rediscount limit of $50,000 to one and $100,000 to the other?

Mr. HUSTED. That is the idea, exactly.

Mr. PLATT. No; two banks having exactly the same deposits and the same capital and surplus——

Mr. WINGO. Let us assume, then, that two banks have the same deposits, the same capital stock, and the same surplus, but under different conditions in different parts of the country. What would be the gentleman's interpretation of the language in such a case as that?

Mr. PLATT. Necessarily the Federal reserve bank would have to treat them exactly alike if they had the same capital

and the same surplus and the same deposits and were in the same district; there would be no possible way by which they could be treated differently. The rule must apply equally and ratably to all banks in the same district having the same capital, surplus, and deposits. They would be treated exactly the same.

Mr. HUSTED. The bill does not say so.

Mr. PLATT. Unless one was situated in a reserve city and the other in the country, when the city bank would have a little larger reserve with the Federal reserve bank and possibly might be given a larger limit, if the line of credits should be based on reserve requirements.

Mr. MADDEN. Will the gentleman yield?

Mr. PLATT. I yield to the gentleman from Illinois.

Mr. MADDEN. My understanding of the Federal reserve act as it exists now is that the Federal Reserve Board has the power under the law to fix a discount rate, which must be uniform within the region.

Mr. PLATT. On each class of paper; yes.

Mr. MADDEN. That there is a uniform discount rate within a certain region; that is, they have one uniform rate on the Pacific coast.

Mr. PLATT. On each class of paper; yes.

Mr. MADDEN. But what they do is applicable to everybody within the region.

Mr. PLATT. Yes; exactly.

Mr. MADDEN. And it must be uniform?

Mr. PLATT. It must be uniform for each class of paper.

Mr. MADDEN. Now, as I understand it, this bill provides for so amending the law as to authorize the Federal Reserve Board to make a regulation——

Mr. PLATT. The Federal reserve banks of each district.

Mr. MADDEN. The Federal Reserve Board, through the Federal reserve bank, which is the same thing.

Mr. PLATT. The board is to supervise it.

Mr. MADDEN. By approval of the board, which is the same as giving the board the power to make the regulations. Now, this will give the Federal Reserve Board the power, through the Federal reserve bank, to say that any bank within a certain region shall be given a limit of credit for rediscount.

Mr. PLATT. That is the idea.

Mr. MADDEN. And that does not exist to-day.

Mr. PLATT. I do not know whether it does or not. Some lawyers think it does.

Mr. WINGO. If the gentleman from New York will permit——

Mr. PLATT. This makes it clear that it does.

Mr. MADDEN. Let me make my statement. I do not want to be interrupted. Then the gentleman can give his side of it.

Mr. WINGO. I am not giving any side of it. The gentleman from New York is stating what the law is and I want to suggest one provision he, I fear, has overlooked.

Mr. MADDEN. Then, under the regulations that this bill authorizes the Federal reserve banks to make, if a bank within the region wants to borrow more than the limit fixed for its credit, say, twice as much, or 25 per cent more, the Federal reserve bank can say that for that additional amount sought to be rediscounted they must pay an additional discount rate, and that puts it within the power of the Federal Reserve Board to play favorites.

Mr. PLATT. Oh, no.

Mr. MADDEN. Anywhere in the United States, and, in my judgment, there ought not to be any such power given.

Mr. PLATT. Absolutely not. They must make uniform rates applying to all banks equally and ratably.

Mr. MADDEN. Yes; but they can give the right to rediscount more than the limit, and this gives them the right to fix a limit.

Mr. PLATT. There is no limit assigned now.

Mr. MADDEN. But this gives them the right to make a limit.

Mr. PLATT. But they have the right now to shut off absolutely on a bank.

Mr. MADDEN. They would still have the right to refuse and play favorites.

Mr. PLATT. No; there is no chance to play favorites.

Mr. WINGO. If the gentleman will yield, in view of the statement about the law, will the gentleman permit me to read a few lines from the now existing law?

Mr. PLATT. Certainly.

Mr. WINGO (reading)—

To establish from time to time, subject to review and determination of the Federal Reserve Board, rates of discount to be charged by the Federal reserve bank for each class of paper, which shall be fixed with a view to accommodating commerce and business.

Mr. MADDEN. That is what I said, with a view to accommodating commerce and business, and the gentleman has not stated anything different.

Mr. WINGO. I think the gentleman did not intend to say what he did. He said it would give the Federal Reserve Board a right that they have not now. They have the right now——

Mr. MADDEN. The gentleman has not repeated what I said. I said they would now have, under this bill, a right by regulation that now exists under the law, and they would be the body to fix the law instead of Congress. That is what I said and what I say now.

Mr. WINGO. The gentleman is talking about one statement that he made and I am talking about the first one that he made. If the gentleman will permit, under the law now they can shut them off entirely. They can now fix, if they want to, a rate of discount uniform solely as to the class of paper. They can say to one bank we will take all of that paper that you want to rediscount and say to another bank they shall not have any at all.

Mr. SNYDER. Will the gentleman yield?

Mr. PLATT. Yes.

Mr. SNYDER. I would like to ask the gentleman from Arkansas under what conditions the Federal reserve banks can to-day refuse to discount all the paper that any commercial bank desires to send it or commercial paper or trade acceptances?

Mr. WINGO. The Federal Reserve Board? The Federal reserve banks are owned by the banks. They have directors, and the Government has supervisory control. The experience of the banks has been that the wishes of the Government and the selfish interests of the banks themselves have had a tendency to keep down speculation, as we have found in the past, and there is no limitation except by raising the discount rate, and that sometimes works hardships.

Mr. SNYDER. The gentleman knows there are several kinds of paper which the Federal reserve banks take and some that they can not take at all, but there is no limitation on the bank, as a member of the Federal reserve bank, as to certain kinds of paper it can take. The only way they could be limited would be to have some regulation such as proposed in this bill, so that a Federal reserve bank could say to banks of some sections of the country, "We will take what paper you have," and to another section of the country, where it would be needed, "We will not take any of your paper." This bill would give them the power.

Mr. PLATT. They have the power now.

Mr. SNYDER. If they have, they never dared to use it. The only reason now that they want it is because the Federal barrel is full, and they want a new arrangement, so they can stifle business by cutting down in certain sections of the country where money is needed and putting it somewhere else. Unless this bill is well explained and it is demonstrated that it has not given the power to the Federal Reserve Board to crush out industries in one section and plant them in another, the bill ought to be killed.

Mr. PLATT. The Federal reserve bank has got the power now to refuse discounts. It has the power to say to a bank that wants rediscount, you have got all you are entitled to. They have gone to New York City to some banks and told them that they could not have another cent. It is drastic. We do not want to have it so drastic. We want them to have a chance, so that they can say, "Yes, you can have a little more, but you must pay a little more"; so that they can go to their customers and hold them down as to speculative and unnecessary loans.

Mr. SNYDER. No one objects to that, if the Federal bank desires to curtail a man's rediscount by raising the rate in a certain zone. That is all right, if you use them all alike.

Mr. PLATT. That is what this bill does, and it plays no favorites.

Mr. McKEOWN. Will the gentleman yield?

Mr. PLATT. Yes.

Mr. McKEOWN. I understand the purpose of the act is to prevent the use of speculative schemes and to escape the great danger of speculation.

Mr. PLATT. That is one of its purposes. The large loans, the great rediscounts, come from banks that have connection with speculative centers frequently.

Mr. McKEOWN. Does the gentleman have any information that some of the interior banks in the country send deposits over to New York to be loaned on call while they were reducing loans in the local communities?

Mr. PLATT. That probably has been done, but I do not think to any large extent.

Mr. McKEOWN. In trying to curb speculation, is not the danger where an emergency should arise in some particular banking district because of great need for money? The money

is badly needed, and you will cause them to be deprived of these loans in order to try to remedy something that might exist in some other part of the country.

Mr. PLATT. Just the contrary. We do not want to be compelled to shut down on loans completely. That is why we are passing this bill.

Mr. SNYDER. If that is the reason for it, and the gentleman admits that the bank has the power to do it now, then there is no occasion for this legislation. Some of us believe that this does exactly the thing the gentleman says it does not do, and if the Federal Reserve Board now has the power to do the thing the gentleman says it has this will give them the legal or fixed right to do, what is the use of it?

Mr. PLATT. The Federal Reserve Board attorneys think it is doubtful whether they have this power now, and the board does not like to use powers about which there may be a doubt.

Mr. BLACK. Mr. Chairman, will the gentleman permit me to cite a short concrete case?

Mr. PLATT. I think I would better finish my statement, then the gentleman can ask any question he desires.

Mr. BLACK. If the gentleman will permit a very brief question, I am sure that it will clear up what the gentleman has in mind.

Mr. PLATT. Very well.

Mr. BLACK. If I understand the present law, if the Federal reserve bank wants to rediscount, we will say, agricultural paper of a certain class, it may fix a rediscount rate of 6 per cent.

Mr. PLATT. Yes.

Mr. BLACK. But that rate continues regardless of how much a member bank may borrow. If it is $1,000,000, the rate will be 6 per cent, and the same rate would apply if it was only $200,000.

Mr. PLATT. Exactly.

Mr. BLACK. If I understand the meaning of this bill, it is to allow the Federal reserve bank to fix what is called a graduated rate.

Mr. PLATT. On rediscounts above a certain line.

Mr. BLACK. So that it might announce to the member banks that hereafter there would be a 6 per cent discount rate on a certain class of agricultural paper, up to a certain percentage of the bank's borrowing capacity, a certain percentage of loans, and that then over that it shall be 8 per cent, and that over a certain amount it shall be 10 per cent. I understand that to be what the graduated plan means.

Mr. PLATT. The idea, of course, would be to raise it in quarter and half percentages.

Mr. BLACK. I am not intending that that shall be an exact illustration of what could be done, but that would illustrate the principle. The trouble now is that if you advance the rediscount rate you have got to advance it to all alike, and thereby penalize productive industry by making the interest rates too high.

Mr. PLATT. Exactly. You have to penalize small banks, or average banks, which have not discounted up to their line in order to curb the few banks that have gone above it.

Mr. BLACK. Yes; and the whole question of interest enters into it. The purpose of the amendment is to fix this graduated rediscount rate so that the man who has done only a reasonable amount will not be penalized by reason of the present law.

Mr. PLATT. That is the idea.

Mr. OSBORNE. Mr. Chairman, will the gentleman yield?

Mr. PLATT. I think I better not yield now. The gentleman can ask his questions after I am through with my statement.

Now, having "due regard for the claims of other member banks," the Federal reserve bank directors may refuse further loans to a bank which has asked very much greater accommodations than other banks, and that power has been exercised, but it is rather drastic, and it would often be better if additional accommodations could be extended, but at an advancing rate, which would make certain that the loan would not be continued longer than needed. Without such a means of checking expansion, where checking is most needed, the Federal reserve banks can only raise rates on all member banks in order to get at a few, and that seems hardly fair to the great majority of member banks which have not rediscounted anywhere near the limit which would be set for the normal rates. The idea is that normal maximum rediscount lines will be determined by a rule applying to all member banks in a district alike, and that the graduated rates will apply equally and ratably to all member banks rediscounting in excess of that line.

I think not many people will attempt to deny the necessity of checking expansion or inflation wherever it can be done without harming productive industry. A good deal of the most excessive borrowings are doubtless used for financing speculation or for new ventures that are of doubtful economic value to the people at such a time of stress as this. Our gold reserves are at a dangerously low ebb, and the Federal Reserve Bank of New York has several times been below or right down at its legal requirement. The demand for credit continues beyond expectation and perhaps beyond reason—at any rate beyond the limits of safety. It must be held in check if we are to get through the critical period without serious trouble.

I am not disposed to criticize the methods by which the present expansion came about, through rediscount rates on Government war paper lower than the bond-interest rates, so that member banks had an inducement to rediscount, for I do not see how the enormous war loans could have been floated in any other way. The great bond issues and the high taxation applying only to certain classes brought about the present inflation and did not serve to check expenditure after the close of the war. In one campaign, that of the fourth Liberty loan, we sold bonds equal to the total amount of currency in the country of all kinds—gold, silver, greenbacks, Federal reserve notes, and bank notes. It was only possible to do this by borrowing and rediscounting and spreading the issue over some months through the previously issued Treasury certificates. The bonds are not all paid for yet by the people who bought them, and the banks are loaded with them, tying up funds which they would otherwise have free to loan. On top of that came the Victory notes, and if we should have another big bond issue no one could tell what would happen.

What people fail to realize is that the critical financial period comes after a war is over—generally more than a year afterwards. Look at the chaos in Europe. Read Fisk's Critical Period of American History or, better yet, the first two volumes of Beveridge's Life of John Marshall for the period following the Revolution.

The trouble is that people do not understand the seriousness of the situation. The war is over, the soldiers coming home. Everybody is rejoicing, money seems plentiful, and business is booming.

The war economies are thrown aside. Are not the high war prices soon to be reduced? Are not the war taxes soon to come down? It is natural that people should feel that they can spend freely again, but it does infinite harm. The tremendous expenses of the war can not be stopped at once. The war industries must be eased down to avoid widespread bankruptcy and the men employed in them must be given a fair chance to find other employment. The peak of the Civil War debt was not reached until August, 1866, more than a year after the war was over, and the greatest depreciation of the greenbacks came considerably later. The peak of the debt of this war was apparently reached a few months ago, about a year after the armistice, but we have scarcely yet been able to pay off any appreciable amount of the great floating debt represented by Treasury certificates. Until that is substantially reduced the country can not feel safe.

We are far better off than the countries of Europe. Our currency is on a gold basis, and since last May we have been sending gold in large amounts to South America and to the Orient to pay our debts; but we have been at the same time selling to Europe on credit and are only just now beginning to receive some small payments in gold. No payments commensurate with the enormous debt Europe owes us can be expected for some years.

We are at the critical period financially right now and everything depends upon whether we can check speculation and unnecessary expansion and can gradually bring our banking conditions to a normal basis. This bill offers a means to that end and should be passed.

Mr. SNYDER. Mr. Chairman, will the gentleman yield for a question?

Mr. PLATT. Certainly.

Mr. SNYDER. The gentleman understands, of course, that in the State of New York a rate higher than 6 per cent for commercial and business paper would be usury?

Mr. PLATT. Yes.

Mr. SNYDER. That is, a bank can not charge over 6 per cent.

Mr. PLATT. That is the law, as I remember it.

Mr. SNYDER. Suppose in the gentleman's town his banks could loan up to their 8 per cent reserve and the Federal reserve banks should say to the gentleman's bankers, "Your rate from to-morrow on is 7 per cent for rediscount," how much paper does the gentleman think the bank could take in under such a condition as that?

Mr. PLATT. Of course, that probably would not be done, but it might be done.

Mr. SNYDER. The Federal reserve bank is charging 6 per cent for rediscount now, which is the full rate which we can charge for commercial paper.

Mr. PLATT. The gentleman must know that that is the unfailing practice of all central banks in Europe, like the Bank of England, to charge a higher rediscount rate than the commercial rate. You do not want to induce banks to rediscount. That must be something to which they will resort only when they really need to. There should be no actual profit in it.

Mr. SNYDER. I must say that that is an entirely new theory and policy.

Mr. PLATT. That is the uniform practice of every central banking institution.

Mr. SNYDER. So that the gentleman's bank in Poughkeepsie, if he desires to rediscount, must pay a premium for doing so?

Mr. PLATT. It should do so.

Mr. SNYDER. If this bill the gentleman is presenting here gives the right to do it, I am more against it than I was before.

Mr. PLATT. The right exists now, and the board intends to exercise it when it gets a chance, as you will see from reading its reports.

Mr. HUSTED. Will the gentleman yield?

Mr. PLATT. I will.

Mr. HUSTED. I would like to ask the gentleman, in order to satisfy those of us who believe that discrimination can be practiced under the provisions of this bill as drawn, whether he would agree to an amendment to insert the word "uniformly" before the word "graduated" in line 9? I am convinced that discrimination can be practiced under this bill as it has been drawn, and I think it could be safeguarded.

Mr. PLATT. That is fully covered in other parts of the Federal reserve act.

Mr. HUSTED. This is an amendment which is not in here.

Mr. PLATT. Well, I will consider that when the time comes for amendment. I do not believe that it would do much harm for it is fully covered by the law—section 4, I believe.

Mr. OSBORNE. Will the gentleman yield?

Mr. PLATT. I will.

Mr. OSBORNE. Referring to this very matter of uniformity in the treatment of banks, the illustration was made by one gentleman who preceded me of two banks of the same capitalization and the same amount of surplus, uniformity of treatment requiring that they should receive exactly the same consideration in extent of discounts. My inquiry is this, Whether uniformity in treatment might not involve certain other questions—the question of the business of the two banks, the nature of their business—which would be ample reason for preventing the Federal reserve banks from giving the same amount of accommodation to one bank which properly they might give to another?

Mr. PLATT. That might happen. One bank might have business which was largely speculative and they might shut down on further loans to it. They have that right now.

Mr. MACCRATE. Will the gentleman yield?

Mr. PLATT. I will.

Mr. MACCRATE. Would it be possible to limit this bill so that it would not cover discounts already made if they are to be renewed? For instance, a great many banks encouraged their depositors to buy Liberty bonds, and they guaranteed to carry those Liberty bonds for 80 or 90 per cent for a certain period. Now, if they find that the Federal reserve discount rate is being raised they must go to their borrowers, whom they have encouraged to buy these Liberty bonds, and say, "We are sorry, but our rate has been raised, and therefore we will have to raise your rate." Some of the banks who have encouraged their depositors to buy these Liberty bonds might find that they are losing depositors because they can not keep their guaranty——

Mr. PLATT. They can keep it if the rate should be the same.

Mr. MACCRATE. But would it be possible to provide that it should not attach to discounts heretofore made if they should be renewed?

Mr. PLATT. No, I think not; because the people ought to pay for their bonds, and many people will not pay as long as they can borrow on bonds more cheaply than on other security. The smaller purchasers of Liberty bonds have taken care of their bonds long ago or sold them. You can go into most any bank and can not find any fifty or hundred dollar bonds coming in now. They have been paid for long ago or sold.

Mr. MACCRATE. Some of the large banks hold those bonds to the extent of millions of dollars.

Mr. PLATT. People ought to pay for their bonds instead of spending their money for luxuries. The collateral bond rate ought not to be lower than the commercial rate. That is the very cause of inflation or expansion.

Mr. MACCRATE. As a matter of fact, banks that encouraged depositors to buy Liberty bonds may find their efforts have hurt their credit with the Federal reserve.

Mr. PLATT. Their guaranty to the purchaser of the Liberty bond which was extended has already expired. Now, does the gentleman from Massachusetts want some time?

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BACHARACH having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 11578) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes; had requested a conference with the House of Representatives and had appointed Mr. STERLING, Mr. TOWNSEND, Mr. PHIPPS, Mr. BECKHAM, and Mr. HENDERSON as the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 2528. An act to grant certain lands to the city of Pocatello, State of Idaho, for conserving and protecting the source of its water supply and as a municipal park site.

The message also announced that the Senate had passed the following order:

Ordered, That in accordance with paragraph 3 of Rule I Mr. CURTIS, a Senator from the State of Kansas, heretofore designated in writing by the President pro tempore to perform the duties of the Chair from day to day be authorized to perform such duties during the present absence of the President pro tempore.

The message also announced that the Senate had passed joint resolution (S. J. Res. 180) authorizing the Secretary of War to turn over to agricultural fertilizer distributors or users a supply of nitrate of soda, in which the concurrence of the House of Representatives was requested.

AMENDMENT TO THE FEDERAL RESERVE ACT.

The committee resumed its session.

Mr. PHELAN. Mr. Chairman, am I entitled to an hour?

The CHAIRMAN. The opposition is entitled to an hour.

Mr. PHELAN. I will ask for that time, Mr. Chairman.

Mr. PLATT. How much time have I used?

The CHAIRMAN. The gentleman from New York has used 37 minutes.

Mr. PLATT. I reserve the balance of my time.

Mr. PHELAN. If nobody else wants it I would like to have that time.

The CHAIRMAN. The gentleman from Massachusetts.

Mr. PHELAN. I yield 15 minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, a good deal has been said already about this providing for discrimination. I will call the attention of the gentleman, and especially the gentleman from New York who apprehended that, that section 4 of the bill absolutely prohibits that, referring to the board of directors of the Federal reserve bank of any region. It says:

That said board shall administer the affairs of said bank fairly and impartially and without discrimination in favor of or against any member bank or banks, and shall, subject to the provisions of the law and the orders of the Federal Reserve Board, extend to each member bank such discounts, advancements, and accommodations as could safely and reasonably be made with due regard for the claims and demands of other member banks.

That settles the question, and it is provided that they must provide for one as well as for another. They can not provide for one bank and not as to another. Now, why is this proposition brought forward? I can show you very quickly why it is brought forward. If you will look at the condition that existed about last January you will see that there was borrowed at the Federal reserve banks of the United States $6,241,000,000. Now, of that there was borrowed from the Federal reserve banks in the city of New York $3,454,000,000 and there was borrowed from the bank in Philadelphia $647,000,000, leaving out that area there was only $2,139,000,000 borrowed from all the rest of the banks in the United States. Well, now let us look for a minute a little further. That was borrowed on paper secured by United States security, $5,245,000,000 of it, and nearly all of it was borrowed in those cities on that paper. What is the result? Why, those banks got to where their gold reserve was not sufficient for the Federal reserve notes they had out and the Federal Reserve Board ordered an increase of the discount rates in order that they might stop speculation and the overborrowing that was being done in certain quarters. And what was the result? They had to put up the discount rates on every bank, on every farmer, and on every man in this country that borrowed.

Mr. HUSTED. Will the gentleman yield?

Mr. STEVENSON. In one minute. I want to finish this statement.

This was the rate they prescribed: Certificates of indebtedness of the United States, 4¾ per cent; notes secured by Liberty bonds, 5½ per cent; bank acceptances, 5 per cent; commercial paper of all kinds, 6 per cent; agricultural paper, 6 per cent. And at that time the agricultural districts were borrowing very little money, and there was no sense in the world in making them pay 6 per cent, and they could have gotten money out of the Federal reserve banks at 4½ per cent but for the fact that one or two institutions were borrowing eight, or ten, or twelve times their capital stock and surplus from the Federal banks in these centers, and the result was they were being sent to the Federal reserve banks all over the United States to get the money.

Mr. HUSTED. I would like to ask the gentleman if a very large part of this borrowing in New York City and Philadelphia, to which he refers, was not for the purpose of purchasing certificates of indebtedness from the Government of the United States in order to aid the Government?

Mr. STEVENSON. Let us see about that.

Mr. HUSTED. That is where they were sold.

Mr. STEVENSON. There was discounted in New York three billion and more, and there was only $85,000,000 of customers' paper. Eighty-five million dollars was discounted by the local banks for their customers on the United States paper attached and then rediscounted. The balance of it, $2,980,000,000, secured by United States bonds and other paper of that kind, was discounted directly by the banks.

Mr. SNYDER. What I am interested in having the gentleman tell us is how much of that $2,800,000,000 was made up of certificates of indebtedness of the United States?

Mr. STEVENSON. I do not know; but there was so much that the Federal Reserve Board came up and said, "Here is a speculative era, and we are going to stop it," and they put up the discount rates, and they stopped it to a considerable extent. They got an excess over their gold reserve, and what was the result? They went to the Federal reserve bank at Atlanta, in an agricultural district; at Dallas, in an agricultural and stock district; at Kansas City, in an agricultural and stock-raising district; in Minneapolis, an agricultural district; in Chicago, which deals with the agricultural interests; to Cleveland and Boston, and they borrowed $115,000,000 from those centers, and there had to be somethng done to stop it, and that rate was put up. They are now reducing those things; but the proposition is simply this: Are you going to allow a few money centers, a few large banks, to have all the money the Federal reserve banks can issue, and then leave nothing for the rest of the country, for the agriculture of this country, and then, when you want to stop it, put up the rate on commerce and agriculture in order to put the rate up on the speculator? That is the proposition.

Mr. MADDEN. Will the gentleman yield?

Mr. STEVENSON. Yes, sir.

Mr. MADDEN. If the Government was unable to finance this three billion of a deficit which it is now carrying in certificates of indebtedness, what would happen?

Mr. STEVENSON. The Government would default. That is what would happen. I do not think the gentleman needs any opinion from me in order to know that.

Mr. MADDEN. The gentleman knows the Government could not finance its own certificates of indebtedness, but had to borrow the money somewhere?

Mr. STEVENSON. To be sure.

Mr. MADDEN. And then the discount was made at the place where the Government was compelled to borrow?

Mr. STEVENSON. The gentleman will agree with me that the rate of discount was raised by the Federal reserve banks, not because they were securing certificates of indebtedness, but because they were milking this country in order to furnish the speculator that money and to loan on call, and that was what the Federal Reserve Board said had to be stopped. What was the result? It resulted in people who wanted to borrow on the agricultural paper paying 6 per cent and people in Minnesota and South Carolina paying it, when there was no necessity for it. That is what it resulted in. This proposition proposes to regulate that, so that there will be justice between the different banks.

There is another thing I want to call your attention to in relation to that. When they exceeded their gold reserve in issuing Federal reserve notes in New York and went to borrow from the country, what was the result? If that is allowed to go on indefinitely they will borrow at Atlanta until it gets to the gold-reserve limit, and then at Dallas and at Kansas City, the same thing, and at Chicago and Minneapolis, and at St. Louis and Cleveland and Boston, and pretty soon they will get the money in this country loaned up in one bunch over here, loaned up to where there is not a Federal reserve bank in the United States can issue another note, and then what will become of the Government's certificates of indebtedness? Where will the money come from to finance them when you get to the point where one set of banks has gotten all the money in this country? There is no escape from it.

What is this proposition? It is simply this: The directors of the Federal reserve banks of the fifth district will say, "If you want paper, if you want money, you can get it up to, say, 100 per cent of your capital and surplus at the minimum rate of 4½ per cent. If you want to get up to 125 per cent of your capital and surplus, we will put it up to 5 per cent. Now, is not that fair? Shall the bank that only borrows a little be penalized and put up to a higher rate because some other fellow wants to borrow it all?

Mr. HUSTED. Is it the purpose of this bill to stop margin speculation? Is that the real purpose?

Mr. STEVENSON. No, sir. The purpose is to prevent any one banking institution from absorbing all or the majority of the capital of any reserve bank, to the exclusion of the other banks in that region, without its being penalized. It is to make them deal justly, and you will notice the very section we are amending says that they shall have regard to the needs of commerce in fixing their rates of discount.

Section 4, that I quoted awhile ago, says there shall not be any discrimination as between banks. Well, if you let one bank borrow 300 per cent of its capital and surplus—and some have borrowed ten times their capital and surplus, as I am informed—if they make a profit on ten times their capital and surplus should they not pay a little more for the privilege? And should we not write into the law a provision that will make it a little less expensive for the bank that borrows only 50 per cent of its capital and surplus?

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. HUSTED. I know many banks in New York State have borrowed heavily from the Federal reserve banks in order to assist the Government in floating its loans. They did not have the money and they had to borrow it from the banks. Now, if it is the proposition of the gentleman to force those banks to liquidate their loans when they put up their money to patriotically aid the Government, then I say that this bill, instead of working justice, would work very gross injustice.

Mr. STEVENSON. If you take the gentleman's argument, the more money the bank borrows and the less it leaves for the other fellow, the less it ought to pay. That is his proposition, whereas it is the other way. The less a bank borrows the cheaper the rate it ought to have, and that is the rule in all the banking concerns that ever I have been connected with, that the man whose credit is good and who does not borrow very largely aways gets the cheapest rate. That is a business proposition. But you do not put in any discrimination at all. Discrimination is prohibited. All those borrowing within the same limit get the same rate.

Now, what is the situation to-day? The farmers of the South are making their loans to-day. They are making them under this rate and it had to be put high. They are making them under a rate that had to be put up, so the Federal Reserve Board said—and said it unanimously—to stop speculation. They are making them on the basis of the banks having to pay the Federal reserve bank 6 per cent interest. The Federal Reserve Board will tell you that if it was not for this situation they could get it for 4½ per cent.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. PLATT. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. DUNBAR].

The CHAIRMAN. The gentleman from Indiana is recognized for 10 minutes.

Mr. DUNBAR. Mr. Chairman and gentlemen of the House, the inflation of our national currency, due to the issue of Federal reserve notes, has been increasing to an extent not fully realized and continues to increase with steady progress not calculated to enable the regional reserve banks to serve in times of threatened financial and industrial panics the purpose for which they were intended.

The financial and circulation statements issued by the Secretary of the Treasury reveal:

The inflation of currency during the last six months to have been an increase in Federal reserve notes of $490,380,835, a decrease in our gold supply of $223,960,125, and of silver money

$28,159,623, making a progress toward currency on a paper basis as follows:

Increase of Federal reserve notes	$490,380,835
Loss of gold	223,960,125
Loss of silver	28,159,623
Total	742,500,583

Should the same financial operations continue for the next six months we shall in a year's time from September 1, 1919, to September 1, 1920, have inflated the circulating medium on a paper basis of approximately $1,500,000,000. The increase has been with almost uninterrupted continuity, evidenced as follows:

Federal reserve notes Mar. 1, 1920	$3,255,213,250
Federal reserve notes Sept. 1, 1919	2,764,832,415

There was an increase in the issuance of Federal reserve notes in five of the months and a decrease in one month from September, 1919, to February, 1920, inclusive, as follows:

	Increase.	Decrease.
September, 1919	$121,456,100	
October, 1919	72,411,860	
November, 1919	100,951,625	
December, 1919	236,137,145	
January, 1920		$169,903,870
February, 1920	129,327,975	
Net increase		490,380,835
Total	660,284,705	660,284,705

During the present month the increase in the issuance of Federal reserve notes to March 25 amounts to $37,605,000, although in the same time there has been a decrease in Federal reserve bank notes of $28,396,000, but an increase during the fiscal year of $21,800,000.

The inflation of the currency since July 1, 1918, has been as follows:

Federal reserve notes, Mar. 1, 1920	$3,255,213,250
Federal reserve notes, July 1, 1918	1,847,580,445
Increase in 20 months	1,407,632,805

Our supply of gold and silver bullion and coin has been depleted as follows:

GOLD.

July 1, 1918	$3,076,482,515
Mar. 1, 1920	2,720,767,607
Decrease in 20 months	355,714,908

SILVER.

July 1, 1918	731,832,323
Mar. 1, 1920	551,333,776
Decrease in 20 months	180,498,547

From July 1, 1918, until July 1, 1919, there was an increase in the Nation's gold resources, but the decrease since the beginning of the fiscal year amounts to $374,309,861.

The circulating medium as of July 1 and March 1, 1919, was as follows:

	Paper.	Specie.	Total.
Mar. 1, 1920	$4,562,369,841	$3,243,941,959	$7,806,311,800
July 1, 1919	3,941,181,713	3,647,292,058	7,588,473,771
	621,188,128	−403,350,099	217,838,029

More than $567,000,000 of the above increase noted in paper was issued by the Federal Reserve Board.

According to Bulletin No. 32, under date of March 26, 1920, published by the United States Council of National Defense, the Federal Reserve Board has quoted that the export of gold from the United States for the first 10 days of March, 1920, amounted to $28,316,952, and the imports only $8,010,354, showing a loss of gold for the first 10 days of March amounting to $20,306,598. The board also announces that since January 1, 1920, the export of gold amounts to $119,182,202 and the imports to $28,316,953, resulting in an exhaustion of our gold supply amounting to $90,865,249.

Our present monetary condition is, I believe, cause for the gravest concern. Contemplation of these figures, taken from governmental reports, reveals a large expansion in the inflation of currency on a paper basis. Unfortunately this inflation continues to-day, and if present conditions continue to prevail in the future we can not see the end, unless the Federal Reserve Board, realizing the dire calamities which will surely befall our financial and industrial institutions, casts an anchor to the windward and conserves our resources while there is yet time. [Applause.]

Inflation of the currency is associated with inflation of prices and is one of the elements productive of the high cost of living. It seems strange that in time of peace one of the factors in the present high cost of living should be the inflation of our currency. Yet it is true. It therefore behooves us, in order to reduce the high cost of living, to reduce our inflated currency so that it may represent real instead of fictitious value.

During the last months the Federal Reserve Board has undertaken to check the expanse of credit and the increased issue of Federal reserve notes by raising its discount rate, supposedly for the purpose of checking the frenzy, too prevalent, of stock speculations. Too much credit is used for speculative purposes. One has but to read the events on the various stock exchanges to be appalled by the amount of credit required for speculative purposes in the unproductive but necessary monetary centers.

If trading on stock exchanges were limited to investments, and "bulling" of the markets and the covering of shorts materially curtailed, much relief might be offered, with a resultant deflation in currency.

It seems to me that if the Federal Reserve Board would exercise a more careful control of credits extended for speculative purposes and endeavor to obtain the cooperation of banking officials the monetary inflation would cease and enable more credit to be diverted for industrial purposes.

We hear much in these times about increased production, economy, and thrift. Unfortunately human nature in America at the present time is mad in the indulgence of luxury and extravagance. [Applause.] We seem to expect much of the artisan and laborer, but by far the greater remedial results can be obtained by the practice of economy and thrift among the middle class and the rich. It is they who in their personal expenditures consume and expend.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DUNBAR. Mr. Chairman, may I have one minute more?

Mr. PLATT. I yield to the gentleman one minute more.

The CHAIRMAN. The gentleman from Indiana is recognized for one minute more.

Mr. DUNBAR. The purpose for which the Federal reserve banks were organized was to afford relief where financial and industrial danger threatened. By its beneficial provisions we were able to finance our war credits on the scale necessitated, but now is the time to put our house in order, and we must not continue to capitalize credit available and be unprepared for future emergencies. Money and credit to be used for speculative purposes should be withheld at least for a time and preparations begun to deflate the currency to a volume sufficient for legitimate business enterprises. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. SNYDER having taken the chair as Speaker pro tempore, a message, in writing, was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

On March 29, 1920:

H. R. 909. An act for the relief of Ellen Agnes Monogue; and

H. J. Res. 316. Joint resolution relating to supervision of the Lincoln Memorial.

On March 30, 1920:

H. R. 5346. An act for the relief of the Eastern Transportation Co.;

H. R. 12467. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 946. An act for the relief of James A. Showen;

H. R. 1317. An act for the relief of Robert T. Legge; and

H. R. 12954. An act providing for the relief of populations in Europe and in countries contiguous thereto suffering for want of food.

AMENDMENT TO THE FEDERAL RESERVE ACT.

The committee resumed its session.

Mr. PLATT. Mr. Chairman, I yield seven minutes to the gentleman from Illinois [Mr. KING].

Mr. PHELAN. And I yield the gentleman eight minutes.

The CHAIRMAN. The gentleman from Illinois is recognized for 15 minutes.

Mr. KING. Mr. Chairman, I regret that I have not had sufficient time to arrange my data and reduce my materials to writing. On a subject of this kind it is very essential and necessary, in dealing with figures and money matters, that a man should commit his statements to writing most of the time.

I have begun to take quite an interest in matters relating to banking and currency, and especially in the subject of money. When you once get to studying it a little—and I have always

studied it a little, theoretically—you will find that it is one of the most interesting subjects that can be produced. In fact, the stories of the Arabian Nights are not more interesting than the stories you find in the financial maneuvers of many of the people of this country and of other countries. What an interesting story it would make to tell how, some time before last Christmas, Lord and Lady Swathling came over from England to put their young son in an American school, and incidentally to help in some matters that were then pending in this country, and then to recite how one day he walked down to the Treasury of the United States, and, like Aaron of old, knocked on the bronze doors, which opened, and lo! from thereout began to flow United States gold to all parts of the earth.

I am not going to discuss that question particularly, because it is not pertinent to this bill; but it shows the interesting character of things that occur in connection with high financial matters.

I may say that I do not have the confidence in the Federal Reserve Board and their opinions that some of the members of the *Committee* on Banking and Currency have, and which some of the Members of this House have; and I lost my confidence in them when they advised Congress to pass what is known as the Edge law, for the purpose of incorporating companies to do an international speculation business, and because they represented to the Congress and to the committee that the purpose of it was not for speculation, not for building up industries in foreign countries, but for the purpose of stabilizing foreign exchange. You remember when that discussion was had.

Now, what has come about under that law with respect to stabilizing foreign exchange? As a matter of fact, it was a species of deceit on the part of the Federal Reserve Board to impose upon Congress with any such statement as was made at that time. I do not want now to refer to what I happened to say at that time, because it probably does not amount to very much, but I did state at that time that the purpose of that bill was to take American money and build factories in foreign countries for the purpose of manufacturing goods with cheap labor and to import those goods into the United States for sale at an immense profit.

Already in the Kingdom of Czechoslovakia they have recently erected a large cotton mill. The natives have gone to work, very laudably indeed, in a factory built by American money. Where do they expect to get their market? In America. Whether or not that is going to be a good proposition for the American workingman and the American capitalist, unless they have their money invested abroad, I can not say.

But, getting down to this bill, the bill now before the House is H. R. 12711, recommended for adoption by the Committee on Banking and Currency in its Report No. 678.

Page 138, section 14, of the Federal reserve act enumerates the powers of the Federal reserve banks pertaining to open-market operations. Among them—subdivision d—is the power—

> To establish from time to time, subject to the review and determination of the Federal Reserve Board, rates of discount to be charged by the Federal reserve bank for each class of paper which shall be fixed with a view to accommodating commerce and business.

It is proposed by this bill to add to what I have just read the following words, to wit:

> And which, subject to the approval, review, and determination of the Federal Reserve Board, may be graduated or progressed on the basis of the amount of the rediscount and discount accommodations extended by the Federal reserve bank to the borrowing banks.

As a reason for this legislation the Federal Reserve Board, in their sixth annual report to Congress for the calendar year ending December 31, 1919, say that—

> There is in said subdivision (d) no authority for establishing graduated rates based upon the total borrowing of a member bank, and consequently when it becomes necessary to advance the discount in order to curb the demands of those banks rediscounting with the Federal reserve banks in very large amounts the same rate would have to apply to the moderate requirements of other member banks who may rediscount with the Federal reserve banks infrequently and never excessively. Thus the application of rate advances as a corrective or deterrent to certain banks tends to raise the current rates to all.
>
> The board therefore recommends to Congress that an additional power be granted it by adding to subdivision (d), section 14, a proviso that each Federal reserve bank may, with the approval of the Federal Reserve Board, determine by uniform rule, applicable to all its member banks alike, the normal maximum rediscount line of each member bank, and that it may submit for the review and determination of the Federal Reserve Board graduated rates on an ascending scale to apply equally and ratably to all its member banks rediscounting amounts in excess of the normal line so determined.
>
> In this way, in the opinion of the board, it would be possible to reduce excessive borrowings of member banks and to induce them to hold their own large borrowers in check without raising the basic rate.

The Federal reserve banks would thus be provided with an effective method of dealing with credit expansion more nearly at the source than is now practicable and without unnecessary hardship to banks and borrowers who are conducting their affairs within the bounds of moderation.

I shall vote for this bill, not because it grants additional power to the Federal reserve banks but because it does not.

One of the chief recreations of the numerous professorial boards that infested Washington during the war was the chasing and capturing of phrases. More genuine glee beamed in the eye of a member of the professoriate when he invented a new phrase than even before possessed him in the capture of a butterfly on the college campus. So the phrase "graduated or progressive discounting or rediscounting" placed in the Federal reserve act, while it will adorn the rhetoric, will not increase the power.

In my humble judgment, if this power of progressive discounting does not already exist in section 14d as it now stands, it certainly stands out powerfully in the power given to every Federal reserve bank in section 14 of the act, which is as follows, to wit:

> Said board shall administer the affairs of said bank fairly and impartially and without discrimination in favor of or against any member bank or banks, and shall, subject to the provisions of law and the orders of the Federal reserve board, extend to each member bank such discounts, advancements, and accommodations as may be safely and reasonably made with due regard for the claims of other member banks.

Therefore, will anyone seriously contend that the alleged power asked for in this bill to the effect that discounts "may be graduated or progressed on the basis of the rediscount and discount accommodations extended by Federal reserve banks to the borrowing banks" is not already covered by the existing power giving said banks the right to extend such discounts as may "safely and reasonably be made"?

No power over the subject could be broader. It would certainly include the power "to determine by uniform rule, applicable to all its members alike, the normal maximum rediscount line of each member bank" and to submit to the Federal Reserve Board graduated rates on an ascending scale to apply equally to all its member banks rediscounting amounts in excess of the normal line so determined. This contention is unquestionably sustained by the law department of the Federal Reserve Board, which has recently held, in construing said section 4, and especially the words "may be safely and reasonably," that such words imposed upon the Federal reserve bank an obligation to make only those discounts which "may be safely and reasonably made"; that "the length of the line of any one particular borrower appears to be a pertinent consideration in determining both the safety and reasonableness of a discount"; and that "a Federal reserve bank may properly decline to discount for a member bank the paper of any one borrower on the ground that the Federal reserve bank has heretofore discounted for other member banks what it deems a sufficient amount of that particular borrower's paper."

Necessity not existing for this legislation, there appear but two reasons for asking it, the first one of which is the ease with which the Federal Reserve Board obtains legislation from Congress, and the second to enable the board and its supporters to lay the blame on Congress for not passing this alleged enabling law in time to avoid a crash, if any.

The administration of the Federal reserve act is responsible for the high cost of living.

That our highly elastic currency has been inflated by the Federal Reserve Board would perhaps not be so exact as to say that it has been stretched and is now close to the snapping point. Uncle Sam stands back of the Federal reserve bank dollar, so that the individual need have no fear except as he is one of the taxpayers who stand behind Uncle Sam and who in a crash must sustain the loss.

Is the low-priced dollar the cause of the high price of living or is the high cost of living the cause of the low-priced dollar? We do know that they appear together, and we do feel sympathy with the colored gentleman who wrote from Enid, Okla., saying, "This rubber goods in the banking law am making things bad for our farmers." [Laughter and applause.]

I see I am not going to have time to go into the matter that I expected to go into. That is this: I make the charge upon this floor that the administration of the Federal reserve act has been the cause and almost the sole cause for the high cost of living in the United States. If you to-day are paying $125 for a suit of clothes worth $40, charge it up to the Federal Reserve Board. If you are paying $12 or $15 or $20 for a pair of shoes, charge it up to the administration of the Federal Reserve Board. Sunday I saw an old lady picking her way along the street. Instead of shoes she was wearing cloth overshoes which were nearly worn out. When you see anything like that on the streets of Washington, charge it to the Federal Reserve Board. They, and they

alone, in the administration of this act are to blame for the high cost of living.

How is this money made? Talk about inflation! How many of us understand what inflation is? It is not strictly inflation. It is too much elasticity. It has been stretched almost to the snapping point. Now, do not any of you get alarmed because I am taking out a little bit of money from my pocket and putting it on the table here. Here are a number of Federal reserve notes which I hold in my hand. I lay them upon the table. Various gentlemen, for the purposes of illustration, have handed to me a number of bills of exchange and drafts. They have been down to South America and have bought up all the leather in the country. They have bought up all the wool in the country. Other gentlemen have bought up all the lumber in the country. As a matter of fact, they are hoarders. I am not charging them with that personally, but for the purposes of this illustration. Now gentlemen hand me a number of imitation drafts, of notes, and of bills of exchange, based upon their illustrative operations and based upon the price not at which they purchased the stuff but on the price at which they are selling it to the manufacturers and to the people of the country. What is done with all these drafts? They are put in the member bank. From the member bank they are transferred to the Federal reserve bank. The Federal reserve bank takes them and goes down to the Treasury and passes them in and takes out Federal reserve notes. So what is all this money based on? There is a 40 per cent gold reserve, but the rest of the money is based upon these drafts, notes, and bills of exchange, the foundation for which is a large hoard of wool and of leather and of lumber and of the necessities of life. You will notice that the gentleman who preceded me said that nearly 70 per cent of all these loans were in the city of New York, where the speculators are, where the hoarders are, where the men are who have piled up millions of dollars by this machinery, and are continuing to do it in time of peace and paying us in this counterfeit money issued by the Federal reserve bank. No wonder it has so little value. What will happen when the price of these things goes down? What will happen to the money which is based upon them? No one knows what will happen; but the crash will come some day.

Here is the point I want to make: What is the interest in this whole thing? Why should these high prices be kept up? Why should the price of wool and leather be kept up? The bankers who have issued and guaranteed this money are interested in the price being maintained. What is back of this money? Why, this leather and lumber and wool and these other things against which this currency has been issued. If the price of those goes down, what happens to this currency? They will never let the price go down, never in the world.

Now, they talk about rediscounting. That amounts to nothing whatever. The men who want to speculate will get their money somehow. This bill will not do a particle of good in that regard. The only remedy is liquidation of some of these things. Let some of them pay their bills to these banks. Let there be a curtailing of the issuance of these Federal reserve notes which I hold in my hand. There is no limit provided by the law. Not even the sky has been provided as the limit for the issuance of this money. So long as they go on bringing in the wool and the leather and all this other material and issue these bills of exchange against the holdings of the same for high prices and trade the same for this cheap money, then there will be no reduction in the high cost of living. [Applause.]

Mr. WELTY. Will the gentleman yield?

Mr. KING. Yes.

Mr. WELTY. Is not that money worth 100 per cent in gold?

Mr. KING. Every one of these paper dollars will purchase just as much as a gold dollar in this country, but that is not the point.

Mr. PHELAN. Mr. Chairman, this bill permits the Federal reserve banks, subject to the approval and determination of the Federal Reserve Board, to graduate or progress interest rates on certain standard bases. Under the Federal reserve act as it stands on the statute books to-day the Federal reserve banks, subject to the approval of the Federal Reserve Board, can make different rates of interest on different kinds of paper, but they can not graduate the rate or progress the rate on the same kind of paper. For example, if they put a 6 per cent rate on commercial paper in the New York Federal reserve district, they have got to charge every member bank the same rate. They must charge every bank that comes up for rediscount 6 per cent, it does not matter how much rediscounting or how little rediscounting the particular bank wants. Every bank which comes up must pay that 6 per cent.

If this bill becomes a law it will permit the Federal reserve bank, subject to the approval of the Federal Reserve Board, to progress that rate. In other words, it has in view that the Federal reserve banks, if they see fit to do so, may grant a certain normal line of credit. They may establish what they call a normal line of credit based on some standard such as the capital and surplus, or perhaps reserves, of a particular bank, or possibly upon the assets. It is left to the Federal Reserve Board to establish the standard, but the standard must be based upon the amount of rediscount and discount accommodations.

For that normal line of credit they will charge the prevailing rates—in the case I mention 6 per cent. If a particular bank wants to get more credit than it will be entitled to under that normal line of credit established, it may, if the Federal bank sees fit to do it, be required to pay a little higher rate of interest. Let me give you an example. Say a certain member bank under the rules laid down is entitled to a million dollars rediscount from the Federal bank as a normal line. If that bank borrows a million and a half, the Federal reserve bank may charge that particular bank something extra on the excess. It would charge the normal rate for the first million but may charge a little higher rate for the next half million.

Mr. HUSTED. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. HUSTED. The gentleman stated that the Federal reserve bank, subject to the approval of the Federal Reserve Board, would have the power to establish the standard upon which the advances would be made. I would like to ask the gentleman if he does not think the standard should be fixed in the bill itself?

Mr. PHELAN. No; I went over that with the members of the Federal Reserve Board, and it is extremely difficult to tell what the best standard would be.

Mr. HUSTED. That is the reason I asked the gentleman the question.

Mr. PHELAN. It is a matter to be determined only from experience.

Mr. HUSTED. Is it not possible under the terms of this legislation that the Federal Reserve Board might, for example, refuse to advance more money to a bank with a capital, say, of a million dollars, surplus, and undivided profits than it would to a bank with a capital of $500,000, surplus, and undivided profits?

Mr. PHELAN. That would depend upon the standard they take, and the standard they take will be taken with the idea of giving the banks credit to the extent they ought to have the credit.

I think it is not unlikely that they will take the capital and surplus as a basis, but it may be that the reserves would make a better basis. I have not the slightest worry that there is going to be any discrimination by the Federal Reserve Board or the Federal reserve banks.

Mr. HUSTED. I do not see how they can establish a basis of that kind without practically discriminating against some banks. I do not see how it is possible to do it. Where you progress your rates on the basis of deposits you would work injustice to some banks. On the other hand, if it was on the basis of capital stock and undivided profits it might work an injustice. I think that whatever the basis is it should be fixed in the bill.

Mr. PHELAN. I disagree with the gentleman, although at the beginning I had some doubts along that line. After working on the thing two or three days I came to the conclusion that it was better to leave the matter open and let the Federal Reserve Board, which has had much experience, work it out itself. In this Federal reserve system it is important to get flexibility, and if we make the law too rigid we are likely to handicap rather than to help.

Mr. BRIGGS. Will the gentleman yield?

Mr. PHELAN. Certainly.

Mr. BRIGGS. In the experience that the Federal Reserve Board has had with the Federal reserve banks, to what extent have borrowing banks in certain localities exceeded the limit of the normal borrowing privilege?

Mr. PHELAN. There has never been any excess, because there has never been any normal line of credit established. Under the Federal act as it stands it is not possible to establish a normal line, because when you establish a certain rate of interest on a particular class of paper you have got to keep the rate, no matter how much the particular bank borrows. I think I will explain to the gentleman in what I am about to say.

The purpose of the act is to give the Federal reserve system—the Federal reserve banks and the Federal Reserve Board in particular—a better control over the distribution of credits and a better control over the credits themselves. They are confronted with this situation to-day: Some banks will get rediscounts in a very large volume, and there is no way that the Federal reserve banks and the Federal Reserve Board can cut down credit to those banks except by shutting off altogether or raising the rate for everybody else as well as them. Take an

example. Suppose some bank has obtained a large line of credit from the Federal reserve system and used that credit in a way which is not for the best interests of the country as conditions are. Suppose the Federal reserve banks or the Federal Reserve Board wants to put some restraint on them. What can either do? It is possible to do either one of two things—either say to the banks, "You will get no more credit," and shut off abruptly, which may prove disastrous, or else say, "We have got to push up the rate of interest on you and everybody else at the same time, although the other banks may be using their credit in a proper way. If we shut off altogether on a particular number of banks, refusing to give them additional credit, it may prove ruinous to those banks, because if the public finds out that they can not get paper rediscounted it is likely to give the banks a bad name and bring trouble on them."

Under the bill we are now considering, if it becomes a law, the Federal reserve bank can say to a bank, "We want your bank to hold back, but if you want more credit you have to pay more. We will give you a certain amount at 6 per cent, but if you use more than that you must pay 6½ or 6¼ per cent." They *can put the* rate on without shutting off additional credit altogether.

Mr. JOHNSTON of New York. Will the gentleman yield?

Mr. PHELAN. I will.

Mr. JOHNSTON of New York. Would the Federal Reserve Board inquire of the bank as to the collateral on which it makes its loans?

Mr. PHELAN. Yes.

Mr. JOHNSTON of New York. Can they inquire whether the collateral represented some tangible real value, or can they inquire as to whether or not it is similar to collateral described in this morning's paper where the Stutz Motor Co. has a total value of assets, including good will, amounting to $4,000,000, while the security value of the Stutz Motor Co. is represented by $37,000,000?

Mr. PHELAN. The Federal reserve banks, as a matter of practice, require that the various kinds of paper which come to them from member banks shall be accompanied with a statement, and that in that statement shall be told the purpose for which the money or the credit obtained is used, or has been used, by the individual, partnership, or corporation which gets it. The Federal reserve bank, therefore, has that information on all of the paper that comes up to it. To get down to the Stutz Motor Co., I think I know the kind of transaction that the gentleman has in mind, and if I am correct paper of that kind can not be taken by Federal reserve banks under any conditions. If the note is all right, if the commercial paper is all right, it can be rediscounted by the Federal reserve bank. To be all right it has to be paper based on a commercial transaction. That means that the money or the credit obtained must be used in some commercial transaction such as the purchase of goods, the raising of agricultural products, the distribution of goods, but if that money is borrowed for stock-market purposes, if it is borrowed to carry loans, then that kind of paper is not rediscounted.

Mr. JOHNSTON of New York. Mr. Chairman, will the gentleman yield further right there?

Mr. PHELAN. I yield.

Mr. JOHNSTON of New York. I meant, as the gentleman suggested a moment ago, that the Federal Reserve Board will inquire for what purpose the money is to be used after it is obtained on a loan.

Mr. PHELAN. They inquire in a way. They do not exactly inquire, because they require that statement when the member banks come up to get the rediscount.

Mr. JOHNSTON of New York. All they require to know is what is to be done with the money after it is borrowed?

Mr. PHELAN. Either what is to be done or what has been done with it and any other information desired.

Mr. JOHNSTON of New York. They do not inquire as to the character of the collateral which I deposit when I obtain the loan?

Mr. PHELAN. They may, but that is not the important thing. That is the hard thing to explain about the Federal reserve act. Let me state the basis of the whole Federal reserve act, and if the gentleman can keep this in mind that act will clarify itself amazingly. It can not be kept in practice to the letter, but, in general, this is the basis of the Federal reserve act: The Federal reserve banks extend their credit, loan their money for productive and distributive purposes, and, outside of Government bonds and some other slight exceptions which are not important, all of the credit and all of the money that goes out of the Federal reserve system, speaking broadly and not holding to the letter, goes out for production and distribution. That is the basis of it all, and it is intended that no money and no credit, with the exceptions mentioned, shall be distributed from the Federal reserve system for the carrying of stocks, for the carrying of commodities for speculative purposes, for the carrying of real estate, or anything of that kind.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. PHELAN. In a moment. The theory of the Federal reserve act is this, that if the Federal reserve bank credit is extended and money loaned finally through the member banks to those who are going to produce something or sell something, then the person who is primarily liable on the commercial paper, through the very act of his manufacture, through the very act of his production, through the very act of his distribution, will get back the means whereby he can pay his obligation when it is due. The Federal reserve bank will then always be in good shape, because things are always moving; its assets are always liquid; but if at any time we permit to creep into the Federal reserve act any proposition whereby money can be loaned on real estate or on stock-market securities and a rediscount given to a Federal reserve bank, we are likely to face a situation where the Federal reserve banks may have good enough assets, but where they will be unable to meet their obligations when due. As I say, the whole principle is based on production and distribution. I yield to the gentleman from Texas.

Mr. BRIGGS. Has the gentleman any evidence of the extent of the use being made of these credits through this excessive borrowing and loans?

Mr. PHELAN. They are used in various ways.

Mr. BRIGGS. I mean whether they are used in speculation or along the lines suggested by the gentleman for legitimate purposes.

Mr. PHELAN. I will answer that as well as I can. Of course, the whole financial system of the country is a complex system. When the member banks go to the Federal reserve banks, leaving Government obligations out of it for a moment, and get their credit, they must furnish paper of the kind I have described—commercial paper.

The transaction is based on production and distribution, but when the member banks get that money or credit with whatever credit they have got, there is nothing to prevent their loaning the money on stock-market transactions, and if the Federal reserve banks give them too much credit, even though the credit is strictly in accordance with the Federal reserve act, they can, of course, sometimes extend credit for operations in the stock market. I will tell the gentleman how this bill is going to work, for that brings me right to the crux of the whole situation. Banks loan their money for productive purposes to people who want to produce something, to people who want to sell something. They also loan their money to men who want to engage in stock-market transactions, and they loan their money to men who want to carry big stocks of commodities for speculative purposes, and they loan their money for other things. We are putting in the hands of the Federal reserve banks and the Federal Reserve Board a power to put a brake on some place when they find conditions are getting bad, and conditions have been bad. They can say to the member banks, "We are going to graduate these rates. If you want something beyond a normal line of credit, you have to pay something extra for it." The minute they do that they send out a warning to every bank in the United States that credit is getting a little tight, or that money, as the term is used, is getting tighter, and immediately every wise banker, every wise board of directors, will say, "We better look after our own house and put it in order; we better watch out when they are pushing up the interest rates, for they may push them higher." What will the wise, prudent banker do when he gets that warning? He will look over his assets and loans and see what are the best. What will he determine? Will he say that stock-market collateral is the best? No, indeed; he will not. Will he say that a loan made to somebody to carry a big stock of leather or wool or something of that kind, hoping for a rising market, is the best kind of a transaction for his bank to engage in? No; he will not, because he knows if hard times come along, if some trouble arises, the thing that is going to be thrown on the market is stock-market collateral. He knows that when people start to economize, when they begin to stop their purchases of things, they are first going to stop the purchase of luxuries. If he is a prudent banker, he will determine that the safest thing for him to have his loans out on is the kind of transactions that are based on production and distribution of necessary things. In other words, when he has to cut down, the thing that he will try to keep in his portfolio will be commercial paper, the proceeds of which are being used for the production of necessary things.

Now, that means exactly—that is one of the purposes of this act, to permit the thing to be done gradually; gradually if danger threatens—there will be a reduction upon the amount of

loans that go out upon the stock market, there will be a reduction upon the amount of loans that go out in the purchase of luxuries, there will be a reduction in the loans made to carry commodities for speculative purposes.

Mr. HUSTED. Will the gentleman yield?

Mr. PHELAN. I will.

Mr. HUSTED. Does the gentleman contend, under the provisions of this bill, that the stock exchange loans can be controlled?

Mr. PHELAN. Can be controlled?

Mr. HUSTED. Under the provisions of this bill?

Mr. PHELAN. Well, I do not contend anything in particular can be controlled. I doubt if Congress——

Mr. HUSTED. Would it not be very easy to do it if we wanted to do it, and could there not be a provision that the Federal reserve banks would not rediscount to banks unless they had the statement that over and above a certain amount of money should not be loaned on stock exchange transactions?

Mr. PHELAN. We can pass such a law if we desire to do it, but I doubt very much the wisdom of passing a drastic bill.

Mr. HUSTED. The trouble about such a bill is you are going to hurt the legitimate part more than the speculative part, because the banks usually—I do not say all banks do it—but banks usually loan where they get the highest rate of interest, and they get that high rate of interest on stock exchange loans, and if any loans are going to be reduced they will be the commercial loans instead of the stock exchange loans.

Mr. PHELAN. I disagree with the gentleman, and I want to call his attention there so the record will be straight. I call attention again that no paper based upon stock market transactions, no paper the proceeds of which shall be used for stock market speculations can be rediscounted by the Federal reserve bank, so that under the power of the Federal Reserve Board and Federal reserve banks there is no question in the world that they can proceed at once to have some check upon speculation. But, to answer the gentleman again, I believe that that is all that the Government can do. When men stand upon the floor of this House or stand elsewhere and criticize either legislators or administrative officials I think they fail to realize what is at the base of the present condition. It would be impossible, as every one of us who stops to think knows, to do everything by legislation; and in my opinion in the present condition of affairs to-day it is impossible for us to do the biggest part of it. If we are going to have conditions right in this country, the people of this country ought to do it themselves, without waiting for the Congress, the President, the administrative officials, or anybody else. [Applause.]

And the future safety of our business conditions in this country lies in just two words, and those two words are "production" and "saving." [Applause.] If we are going to go through the next few years or probably the next decade, and get through without serious trouble, the people of this country have got to apply themselves to production; they have got to produce more and they have got to save more. If the people of the country will produce more and save more they will do themselves more good and the whole country more good than all the legislative bodies in the United States, including the Congress, can do. [Applause.]

Mr. GOODYKOONTZ. Will the gentleman yield?

Mr. PHELAN. I will.

Mr. GOODYKOONTZ. I want to call the gentleman's attention to the fact that a Member a while ago stated that in some instances national banks of this country had been able to borrow from the reserve system an amount of money which equaled the capital and reserve of that institution. Can the gentleman tell us whether that statement is correct; and if so, why the Federal reserve officials permitted that sort of thing to be done?

Mr. PHELAN. I will not say any particular bank has done that, because I do not know, but theoretically it is possible. The gentleman asks why the Federal Board has not stopped that. It is an extremely difficult position in which the Federal Reserve Board and banks are placed. If a member bank comes to a Federal reserve bank with commercial paper to discount, it is difficult to say that they will refuse it. If they do, it is likely to have a disastrous effect upon the bank, because people will say that if the bank can not get its paper rediscounted there must be something wrong with it. The only way to do it now is to put a check on it by raising the interest rate, and if they raise the rate of interest on one bank they have to raise the interest on the others. By this bill they can do that in reference to a particular bank on its excess credit, without subjecting the other banks to the penalty for normal. As I stated, the secret of our economical situation lies in greater production and greater saving, and this bill, I think, is the most effective piece of legislation that has been suggested to help along that situation. I do not make any wild prediction of what might be done or will be done under the provisions of this bill, but I do say that it affords an effective means whereby the Federal system—whereby the member banks, the Federal reserve banks, and Federal Reserve Board joined together—can put a check upon expansion of credits and can do it without at the same time doing unnecessary injury to anybody.

Mr. HUSTED. Will the gentleman yield?

Mr. PHELAN. I will.

Mr. HUSTED. I agree absolutely with what the gentleman said about the real and only cure for existing evils lying chiefly with the people and consisting in greater production, greater thrift, and greater efficiency. I believe that the margin of speculation is a very great evil of the present day, and I believe it causes a large part of our troubles. I believe that can be cured to a great extent by legislation, but I do not think that this legislation accomplishes anything toward that end or will affect it at all. I would like to see the committee bring in some legislation that would do some good in that regard.

Mr. PHELAN. Well, that is one problem. But this legislation does give opportunity to curb unnecessary expansion of credits.

Mr. MADDEN. Will the gentleman yield?

Mr. PHELAN. I now yield to the gentleman.

Mr. MADDEN. The gentleman stated a moment ago, if I understood him correctly, that the passage of this act would place the Federal reserve banks in a position to prevent an overrediscount of a particular bank by charging a higher rate of discount to that particular bank without affecting other banks.

Mr. PHELAN. That is not exactly my statement.

Mr. MADDEN. Well, that is the gist of it. Now, while we have the power to do that under this amendment to the law, what would prevent the banks that had not exercised the right which they might have for rediscount from making the loans to borrowers who had been refused by the banks because of the high rediscount rates, and thereby accomplish the very purpose which this bill is said to endeavor to avoid?

Mr. PHELAN. That is a very pertinent question. And in answer I will say to the gentleman that if those handling our financial situation, the Federal Reserve Board and the Federal reserve banks and a great many individuals outside, see that such a condition is taking place and see any danger in it or any evil in it, the situation can be met under this bill, just the same, by lowering the normal line of credit so that they will put a premium upon a larger amount of credit given. Or, if that fails to operate and they find that this undue expansion, for other than good economic purposes, did take place, they can raise the interest rate on everybody. The beauty of this bill is that it permits flexibility and elasticity. That was one of the things that was sought in the adoption of the Federal reserve act, namely, to give a certain flexibility to our financial system. This is a simple addition to that act, which will give opportunity for still greater flexibility.

Mr. RHODES. Will the gentleman permit a question?

Mr. PHELAN. Yes.

Mr. RHODES. I recall that the gentleman from New York [Mr. PLATT] stated at the outset of the debate that the chief object of this proposed legislation was to prevent the further expansion of credit, and I would like to know if, in the opinion of the gentleman, this object would be accomplished in the event this bill should be passed?

Mr. PHELAN. I will answer the gentleman. I do not want to say exactly that this bill has for its purpose the further curtailment of credit. Conditions may occur where we ought to have an expansion of credit. But to-day it seems that we ought not to have an expansion of credit. If I may add a word, I think a more accurate statement would be "to give a better control over credit," and if present-day conditions are such that we ought to stop further expansion, then this bill will give the opportunity for preventing the further expansion of credits. You asked me what I thought would take place?

Mr. RHODES. I asked you if you thought that the object stated by the chairman, the gentleman from New York [Mr. PLATT], would be accomplished by the passage of this bill?

Mr. PHELAN. Well, I hope that the purpose of the bill will be accomplished. I have confidence that the directors of the Federal reserve banks and the members of the Federal Reserve Board will use this power and other powers they have to get the situation back as soon as they can to normal. But I want to call this to the gentleman's attention: Much has been said about the inflation of our currency and that sort of thing. Why, it is the easiest thing in this world to deflate our currency and deflate our credits. All the Federal Reserve Board and Federal reserve banks would have to do would be to refuse to give out any more

Federal reserve notes; to call in some that are out; to raise their interest rates very much higher on the credits that are out, and you will get a deflation of your currency and credits that would absolutely amaze you.

But there is another side to this proposition. While it sounds very well to say that we ought to get a deflation, you must remember if you have got a big balloon inflated, and you prick a hole in it, it is going to collapse, and one of the difficulties of the present situation is that if they adopt too drastic methods to get deflation they will probably do more harm than good by those drastic methods. Now, what we hope is that with the power we have given them and with the power we are giving them the Federal Reserve Board and the Federal reserve banks, so far as lies in their power, will contribute to bringing back conditions to something like normal. But, again, I do not want to allow this to pass without saying that the Federal Reserve Board and all the Federal reserve banks and all the Government officials and all the Government agencies are utterly powerless to bring about a proper economic readjustment if the people themselves are not going to contribute and do their share.

Mr. RHODES. Well, could not that deflation of the currency to which the gentleman refers be accomplished under existing law without the necessity for passing this bill?

Mr. PHELAN. Yes, indeed; in some degree.

Mr. RHODES. I see that the report says that the board is undertaking to check the expansion of credit.

Mr. PHELAN. Yes.

Mr. RHODES. And the debate has not been directed to that proposition, but has been directed more to the question of conferring additional powers upon the Federal reserve banks to equalize the matter of increasing the rates of discount.

Mr. PHELAN. I tried to address myself to that question when I said that if this bill goes into operation the Federal reserve banks can gradually discourage the wrong kind of loans and gradually contract the credit that is now outstanding. I tried to explain that to the gentleman.

Mr. PLATT. Will the gentleman yield?

Mr. PHELAN. Yes; I will yield all my time if the gentleman wants it.

Mr. PLATT. Does the gentleman think this gives any power to the Federal reserve banks that the member banks do not possess among themselves?

Mr. PHELAN. In dealing with their own customers?

Mr. PLATT. In dealing with their own customers or dealing with each other.

Mr. PHELAN. Why, my recollection is that in a general way the member banks have exactly this power if they want to exercise it.

Mr. PLATT. The Federal reserve banks would have it if we put in the specific statement which seemed to imply that they have got it.

Mr. PHELAN. We have been careful of the Federal reserve banks and have put in provisions which would clearly indicate that we wanted no discrimination among member banks. Because of that the Federal Reserve Board, and I think very properly, feels if it permitted a graduated tax it might be against the spirit of what we originally intended.

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. PHELAN. Yes.

Mr. McKEOWN. Under the present arrangement, or under the present law, if they undertook to put on this graduated tax it would have to apply to all, irrespective of the purpose of the loan?

Mr. PHELAN. Under the present law they can not graduate the tax.

Mr. McKEOWN. I understand.

Mr. PHELAN. If they have the 6 per cent rate on agricultural paper, they have got to give that 6 per cent rate to the bank that borrows $100 or to the bank that borrows $10,000,000, if some bank borrows $10,000,000, or else they have got to stop the bank that borrows $10,000,000 somewhere along the line and refuse to give it any more credit.

Mr. McKEOWN. The thing I am interested in is whether, on the passage of this act, the board would graduate the rate, and if that would be used to the detriment of the agricultural communities in the effort of the board to check speculation in some stock in some speculating center?

Mr. PHELAN. No; I think absolutely not.

Mr. McKEOWN. In other words, in the making of the rule applying to discounting banks in stock districts where they speculate in stocks, whether the effect on the graduation or limitation will not be used as a precedent to impair the borrowing capacity of an agricultural community?

Mr. PHELAN. The act with this amendment will give such flexibility that it will not act to harm agricultural production. In my opinion, if the act is in operation, if the Federal reserve banks endeavor to act under it, the effect will be to help the production of necessary things rather than to injure. That is one of the purposes; that is, to help throw our credit into the production of necessary things, which is one of the things that we all desire in order to bring down the present high cost of commodities and the present high cost of living.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. The Clerk will report the bill for amendment.

Mr. PLATT. Mr. Chairman, I yield three minutes, first, to the gentleman from Massachusetts [Mr. LUCE].

The CHAIRMAN. The gentleman from Massachusetts is recognized for three minutes.

Mr. LUCE. Mr. Chairman, in considering the details of this bill the broad aspects of the situation may not have been observed. Last Friday the Federal reserve ratio fell to 42.7, the same that it was on the 20th of February, and within a shade of the low level, 42.5, that it reached on the 27th of February and the 12th of March.

The situation in a nutshell is this: Last fall it was discovered that such an immense amount of money in this country was being used for speculating purposes that the greatest orgy of gambling that the world has ever known was in progress. It is true that the tulip speculation in Holland and the John Law speculation at the time of the Mississippi bubble may have been more intense, but in the aggregate of volume there never was such speculation in the history of mankind as is now on foot.

This has been in part made possible by the misuse of certain provisions of the Federal Reserve System. The system was intended for time of emergency, but it has been resorted to for speculation by stock gamblers, and the result is you are standing on the edge of a precipice. Your doctors are the Federal Reserve Board. They are the experts to whom we have intrusted authority in this matter. They started last summer to meet the situation by raising the rediscount rate. They say now, "We need more power." Let us not befog the real issue by disputing over details. The men that we must trust in this crisis tell us they need this power. If they can not be believed, who can be believed? For heaven's sake give them the opportunity to save us, if they can. [Applause.]

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 14 of the Federal reserve act as amended by the acts approved September 7, 1916, and June 21, 1917, be further amended by striking out the semicolon after the word "business" at the end of subparagraph (d) and insert in lieu thereof the following: "and which, subject to the approval, review, and determination of the Federal Reserve Board, may be graduated or progressed on the basis of the amount of the rediscount and discount accommodations extended by the Federal reserve bank to the borrowing bank."

Mr. PLATT. Mr. Chairman, I offer an amendment on page 1, line 10, after the word "the," to strike out the word "rediscount" and insert in lieu thereof the word "advances."

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PLATT: Page 1, line 10, after the word "the," strike out the word "rediscount" and insert the word "advances."

Mr. PLATT. Mr. Chairman, the purpose of that amendment is to make the bill read exactly the same as the Senate bill. We do not want to have the two bills read differently. This word "advances" covers a little that is possibly not covered in the word "rediscount." The banks borrow, for example, directly on 10-day notes, and I question whether the word "rediscount" covers that.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. WINGO. The gentleman does not contend, does he, that this word "advances," as used in the Federal reserve act, means the same as the word "rediscount"?

Mr. PLATT. No; but——

Mr. WINGO. The gentleman is proposing to strike out the word "rediscount" and insert instead of it the word "advances." Certainly as a member of the committee I shall object to such a change as that without the committee considering what the effect will be.

Mr. PLATT. But the Senate committee——

Mr. WINGO. The gentleman knows that we have had to call the attention of the Senate committee repeatedly to errors in its bills. The word "rediscount" has a different meaning from the word "advances."

Mr. PLATT. The word "discount" means the same thing as the word "rediscount."

Mr. WINGO. Does the gentleman mean to say that the word "discount" means the same thing as "rediscount"?

Mr. PLATT. As applied to the Federal reserve banks, I do, which can not discount their own paper. They mean in that case exactly the same thing.

Mr. EVANS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. EVANS of Nebraska. Would not the end you have in mind be attained by inserting the word "advances"?

Mr. PLATT. It would be; and it would be better to have it read exactly as the Senate bill reads instead of having to pass it two or three times.

Mr. MADDEN. What objection is there to having this bill go to conference?

Mr. PLATT. It is a short bill, and a conference seems unnecessary. That matter was discussed, and the Senate bill was written somewhat differently because of the fact that the word "advances" covers something that the word "rediscount" does not cover, and it needs to be covered. The gentleman from Massachusetts [Mr. PHELAN] can explain that.

Mr. PHELAN. Yes; if the gentleman will yield to me just a minute.

Mr. PLATT. I yield to the gentleman.

Mr. MADDEN. The gentleman can not yield his time. I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MADDEN. While I am talking against this amendment I want to talk generally against the bill. I did not get a chance to do it during the debate allowed for that purpose.

My judgment is that this amendment ought not to be adopted. In the first place, under the law as it now exists, wherever a discount rate is made by the Federal reserve bank it must be made to all banks alike within the region on similar paper. If this amendment is adopted, it will give to the Federal reserve banks and the Federal Reserve Board the power to make regulations under which they will have the right to say that any given bank within a region, that may have exceeded the limit fixed by them for rediscounts, and that wishes to rediscount more than the limit fixed, must pay a higher discount rate; and it is said by the committee that this proposal is made for the purpose of enabling the Federal reserve banks or the Federal Reserve Board, or both combined, to restrict credits and thereby bring back normal conditions. They say further that the reason why it is proposed to do this is that some particular bank in a given region may have rediscounted more than its proportion of the paper that has been rediscounted within the region, and that other banks have been discriminated against by reason of the fact that they have not exercised the power they might have exercised by calling for rediscounts in order that circulation might be granted to them and that they might thereby be enabled to make additional loans to their customers. But suppose that this amendment to the law is passed and that the right is granted under the law to make the regulations proposed, and that the power is exercised by the Federal reserve banks and the Federal Reserve Board, which will give them the right to say to any bank or to all banks within a region that they shall have what they have not got now, a fixed limit within which they shall have the right to rediscount their paper, but that when they have reached that limit there shall be charged to them an additional rate of interest on any excess over the limit fixed. Now, we will assume that there are 900 banks in a region and that only one of the 900 banks has reached the limit, and that it is the only bank in the region that seeks to rediscount in excess of the limit fixed, and the Federal Reserve Board exercises its power under the regulations to charge an extra discount rate in order to prevent this bank from making additional loans, the purpose being, of course, to contract credits. Is there anything to stop the other 899 banks, which have not anywhere near approached the limit of their authority to rediscount, from making the loan to the borrower, or from rediscounting their paper in the Federal reserve bank? You have not reached the trouble here. You have not reached the cause at all. Instead of giving the Federal board the power to contract credits you have opened the way for borrowers everywhere within the region to go to the banks with whom they have not been doing business at all and to borrow to a greater limit than they have had the power to borrow from the bank with which they have been doing business and whose officers know their standing.

Mr. PLATT. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. PLATT. They could do that now. Any man can go from one bank to another and borrow, if he can get the other bank to loan to him.

Mr. MADDEN. I know he can; but you are pretending to say to us that you are prohibiting that sort of thing by giving the Federal Reserve Board the power to fix a rate which will prevent additional loans. Now you have not done it.

Mr. PLATT. We are trying to prevent the big banks from hogging all the credit and not letting the little banks have any. [Applause.]

Mr. MADDEN. You have not done that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I ask unanimous consent for five additional minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MADDEN. You have not done that. You pretend that if this bill is passed it will curtail credits, that it will limit loans, that it will contract the currency, that it will help to bring back normal conditions, that it will prevent inflation; but it does not do it. It does just one thing. It places it in the power of the Federal Reserve Board, through the Federal reserve banks, to exercise the right to discriminate against any bank within the region.

Now, what happens to-day? When the Federal Reserve Board fixes the discount rate it must fix it on a uniform basis within the region on paper of like character. You are saying to the Federal Reserve Board that within any region in the United States they may fix one rate for one bank and quite another rate for another bank; and who can say that the Federal Reserve Board will not bring politics into the operation of their action? I fear that they will and that this is one of the most dangerous laws that we could put upon the statute books on this subject.

Mr. HUSTED. In connection with what the gentleman is saying I want to call attention to the fact—and I think it is very important—that absolutely no basis for fixing this discriminating rate is named in this bill. It is left entirely to the discretion of the board, and they can change that from time to time and throw the whole system into confusion.

Mr. MADDEN. That is just what I am trying to say, that to-day the discount rate must be made under the law, and it must be made uniform; but if this bill is enacted into law it will be at the whim of the Federal Reserve Board to-morrow.

Mr. PHELAN. I want to call the attention of the gentleman to lines 9 to 11, inclusive:

> May be graduated or progressed on the basis of the amount of the rediscount and discount accommodations extended by the Federal reserve bank to the borrowing bank.

It will have to be taken as a basis and a standard set.

Mr. MADDEN. To-day the Federal board has no power to say what rediscounts shall be accepted; it has the power to refuse discounts, but it can not by regulation say to a bank within a region your limit of rediscount shall be so much. Under this bill they will be able to say to you your credit for rediscount shall be $1,000,000 and to another banker in the same region your limit shall be $500,000. They will have the power to do it, and to-day they have not the power.

Mr. PHELAN. They have a very much larger power when they can say you shall not have any credit at all.

Mr. MADDEN. They still have the power to say you shall not have any credit; but when you place in the power of human agency the financial interests of the United States, when you put in the hands of an agency the power to say that you can have a certain amount of discount and to another you can only have so much discount, you have placed the financial conditions of the country in a state of chaos.

Mr. PLATT. Does not the gentleman see that what we are trying to do is to make it so that it shall not be so drastic. They have the power now to shut off absolutely any rediscount.

Mr. MADDEN. The gentleman does not have to tell me that.

Mr. PLATT. We want them to ease up a little.

Mr. MADDEN. You want to fix it so that they can play favorites.

Mr. PLATT. The power they have to-day is fraught with danger.

Mr. MADDEN. The gentleman says the law to-day is dangerous, and yet he is willing to repeal the law by amendment,

so as to place it in the power of the Federal Reserve Board to make its own law, which need not be uniform. If this bill passes, you are giving the Federal Reserve Board the power to make regulations, and the regulations can be made according to the whim of the Federal Reserve Board.

Mr. PHELAN. Mr. Chairman, I move to strike out the last word. The amendment offered by the gentleman from New York [Mr. PLATT], while not essential, is a good one. The words in the bill as it now stands, "rediscount and discount," I believe, cover every transaction which it was intended should be covered, but for the sake of uniformity of language and phraseology of the act I think it is well to adopt the amendment offered by the gentleman from New York. The transactions covered in section 13 of the Federal reserve act and possibly in section 14 are transactions whereby a member bank takes the paper to the Federal reserve bank and gets it discounted. We are in the habit of calling that a rediscount. The word "rediscount" in the bill would cover that transaction. There is another transaction which takes place under the reserve act, where a member bank comes to the Federal reserve bank and asks to secure credit on funds on its own credit. That would be a discount.

Under section 13 of the act, what we refer to familiarly as the rediscount operation, is referred to in the language of the act by the word "discount." So when we use the word "discount" in the amendment offered by the gentleman from New York there is no doubt in the world but what we cover rediscount operations. That is the ordinary transaction where a member bank comes to the Federal reserve bank and tenders somebody's paper for rediscount purposes. The word in the act is "discount."

Further along where we make provision whereby a member bank can secure accommodation on its own obligation we have used in the Federal act the word "advance." So in the act itself we find the words "discount and advances" just as they are incorporated in the amendment of the gentleman from New York.

Since there is no doubt in the world that they cover every contraction that can arise in transactions under sections 13 and 14, I think it is better to adopt the amendment of the gentleman from New York.

Mr. WINGO. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. WINGO. I want to call the gentleman's attention to the fact that he is in error as to the wording of the present act and in error as to the legal proposition. The words discount and rediscount occur in the original act. The word rediscount is where a member bank takes one of its customer's notes to the Federal reserve bank and rediscounts that piece of paper. That is a rediscount. The discount operation is where the bank goes to the Federal reserve bank and discounts its own note.

Mr. PHELAN. Just a minute; the gentleman does not want to take up all my time. I do not want to cut into the gentleman, but I want to conserve my time. I will explain what the gentleman wants.

Mr. WINGO. How can the gentleman explain when I have not finished my question?

Mr. PHELAN. Let me read from the Federal reserve act, on page 27:

> At all events, the word discount covers the rediscount.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TINCHER. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, as I understand the amendment to the bill, the gentleman from Massachusetts [Mr. LUCE] was the most elucidating speaker on the subject. We are suffering from financial trouble and it is the theory of the Banking and Currency Committee that the only doctor we can get is the Federal Reserve Board. They not only have general powers, they have the power of discrimination, whether they will loan their money or rediscount paper; but they want to be the doctor of the world, including the United States, and want additional power to discriminate between banks in different sections of the country as to the rate of interest they will charge. The very object of the organization of the Federal reserve banks was to make a uniform credit system. I am not surprised at the gentleman from New York and the gentleman from Massachusetts being unanimous on this bill, regardless of party, because it will defeat the very purpose for which the Federal reserve act was created—the purpose by which my section of the country profits and the only purpose by which it profits.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. I could not get anyone to yield to me, even to ask a question.

Mr. PLATT. The gentleman does not want to be wrong about this?

Mr. TINCHER. I will ask the chairman of the committee whether I am wrong in stating that this bill will give the Federal Reserve Board the power to discriminate between banks as to rates of discount.

Mr. PLATT. Yes; the gentleman is wrong in that statement alone.

Mr. TINCHER. Does it give them that power? It says so.

Mr. PLATT. It makes a uniform rule.

Mr. TINCHER. And the gentleman from Massachusetts [Mr. LUCE] advocated that as a remedy for our financial trouble. For instance, he advocated charging the people from the West, as you used to do, 8 per cent, and the people from New York 4 per cent, instead of all of them 6 per cent.

Mr. PLATT. The gentleman is wrong there.

Mr. TINCHER. It looks to me as if the Federal Reserve Board is simply trying to put something over.

Mr. LUCE. Mr. Chairman, will the gentleman yield?

Mr. TINCHER. Yes.

Mr. LUCE. Does not the gentleman know that discrimination between sections is in existence to-day?

Mr. TINCHER. I know it is, but they can not discriminate between banks as to the rate of interest. They can not pick out a pet and discriminate on the rate of interest, and I tell you that the practical business men of this country would not stand for this legislation if they knew what it is. You have not had any hearings. The only people you have heard is the Federal Reserve Board, and they have come down here and convinced you that they are the proper doctor and that this medicine is good for the country. You have not heard a witness from the business world who advocated this treatment, and I would like to know more about the qualifications of the doctor.

Mr. LUCE. May I explain to the gentleman that under the Federal Reserve System ever since it has been in existence it has been possible for different rates of discount to be charged in different parts of the country. I understand that in Minneapolis to-day the rate is lower than it is in New York. The gentleman charges me with saying that I wanted discrimination as between sections. It already exists under the law.

Mr. TINCHER. The board to-day has no right to discriminate between banks on the rate of interest. When you give them that right you destroy the fundamental idea of the organization of the Federal Reserve System.

Mr. LUCE. This law gives no power whatever to discriminate as between banks.

Mr. TINCHER. This bill says it gives them the power. According to the proposed amendment, rates—

> Subject to the approval, review, and determination of the Federal Reserve Board, may be graduated or progressed on the basis of the amount of the rediscount and discount accommodations extended by the Federal reserve bank to the borrowing banks.

And I heard the gentleman's argument, and it was for a discrimination in rates, to shut off a certain line of credit that ought not to be extended to any bank, and then I heard the gentleman from New York [Mr. PLATT], the chairman of the committee, say that already under the law the Federal Reserve Board has the right to deny any bank the credit it wanted, and so I was bound to arrive at the conclusion that the only object of this legislation is to permit them to discriminate on rates, and if that is the object of it, I am against it.

Mr. PLATT. The gentleman does not understand it, that is all.

Mr. TINCHER. What is the object of it?

Mr. PLATT. There is no discrimination in it; they have to make uniform rules to apply to all banks.

Mr. TINCHER. Let us get this into the RECORD. As chairman of this committee the gentleman says that if this bill passes the rates must be uniform, and that they can not discriminate as to rates of discount. Is that right?

Mr. PLATT. In any one section.

Mr. TINCHER. What does the gentleman mean by "any one section"? They can pick out one bank and give it a discount of 8 per cent and pick out another and give it a rate of 6 per cent?

Mr. PLATT. Oh, no; they can not do anything of the kind.

Mr. MADDEN. Yes; they can.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. TINCHER. The bill says that, and that is all that I know about it.

Mr. PLATT. If the gentleman wants to be wrong, there is no use in trying to explain this to the gentleman.

Mr. WINGO. Mr. Chairman, on the proposition of the amendment offered by the gentleman from New York [Mr. PLATT] I want to submit this to the committee. I may be wrong about it, but under the law, as understood by banks, a discount operation is an original operation. That is the way it is used in the Federal reserve act. That is, if a member bank runs short of funds, but does not care to take up any of its customers' paper, it can go up and get advances in the nature of discounts. The word "advances" and the word "discount" are used interchangeably in the act. The law authorizes a bank to give advances to a member bank on its own note. That is discounting a note of a member bank. If a member bank wants a rediscount, it takes a piece of paper it already has in its portfolio, a piece of paper that it has discounted for one of its customers, and takes that to the Federal reserve bank and rediscounts it.

The word "rediscount" and the word "discount" are separate things in the law, and they are used separately, but the word "advances" and the word "discount" are used interchangeably in the act, so that I think instead of cutting out the word "rediscount" the gentleman should cut out the word "discount" and put in the word "advances." I think that would be proper. He would cut out rediscounts entirely from the act if he substituted the word "advances" for the word "rediscount."

I had not intended to say much about this act. Gentlemen are unnecessarily alarmed about it. I want to offer this suggestion to the members of the committee. In my opinion, the Federal Reserve Board already has all of the power that this amendment will give to it. I think they feel so, although I have not consulted them about it, but the Federal Reserve Board has been cautious in not assuming authority that is not given to it by explicit legislation.

That is one thing those of us who are associated with the board and who have watched its operation have noticed, and that is that they are not trying to extend their power by implication. They have the power now and have the right to discount in one region different from another. They have the power, and Congress gave it to them, of making a different rate on commercial paper and a different rate on agricultural paper, and they exercise that power. Here is one thing proposed to be done by this amendment. It is not exactly like what I wanted to get. They say, for instance, they want to say to banks, "You shall have a line of credit in an amount equal to your capital stock and surplus." That is the old law before the Federal reserve act was enacted, and those of you who were here when the law was enacted will remember that I fought to have that limitation on the Federal reserve act, because I apprehended you would have inflation. We say that if you have the power to say that the rediscount of any member bank can be limited to the amount of capital stock and surplus we will put you back to the old limitations you had under the law before we passed the Federal reserve act. Now, they will say, "If you want to go beyond that, you must pay a premium for an additional line of credit." That is not new in the banking world. Under the private banking system, as I happen to know to my personal knowledge, at least one bank in St. Louis would say to a country bank of Arkansas, "We will give you a line of credit up to a certain amount, and we will give you an additional line of credit in an additional amount at an additional rate." That is nothing new in the banking world, and this bill proposes explicitly and expressly to give the Federal Reserve Board the right to do that. I think they ought to do that just as was the custom in private banking operations. It will enable them to put a check upon inflation of credits and not expansion of credits. Now, that is all there is to it, and there is nothing for anybody to have a fit about, because I am afraid it will not have any effect at all.

I am afraid it is a milk and water proposition that will not help the situation. I will be frank. I do not think there is much to it, and if I had my way this committee would report out a bill saying no bank in this country could have a line of credit from the Federal reserve bank in an amount exceeding the amount of its capital stock and surplus. The bankers of this country, some of them, have got the idea that the Congress and the Federal Reserve Board are responsible for inflation. The inflation of this country at the present time is an inflation of credit. Every bit of inflation of the Federal reserve notes is predicated upon an inflation of credit, and the bankers of this country are responsible for the inflation of their credit.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. I ask for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none.

Mr. WINGO. A man goes to his local banker and says, "I want $10,000 with which to enlarge my plant, or I want to buy a little oil stock." Take the latter illustration. He says, "I can not let you have it." He says, "You can go to the Federal reserve bank and rediscount my note." "No, they would call that speculative security." Then he would say, "You have got my neighbor's note for $10,000 in your portfolio; you can go and get that rediscounted." He is a good customer of the bank, so the banker says, "All right," and takes it to the Federal reserve bank. What does the Federal reserve bank do? It does not want to deny what in its opinion is a proper line of credit, so in practice as a matter of fact they pass the buck on one to the other. That is the kind of condition that has existed, and, as I said, under the present law, without any limitation, a bank with a capital stock of $100,000 got over $1,000,000 in rediscounts from a Federal reserve bank, and, be it said to the credit of the Federal Reserve Board, it was called down.

Mr. GOODYKOONTZ. Will the gentleman yield?

Mr. WINGO. I will.

Mr. GOODYKOONTZ. In view of the fact of what the gentleman stated, has the central board called on the bank and forced it to withdraw?

Mr. WINGO. No; it did not force it, but just simply said that it was reprehensible and should not be permitted.

Mr. GOODYKOONTZ. I would like, so as to have it go in the RECORD, for the gentleman to give the name of the reserve bank.

Mr. WINGO. I am not going to do that. I did not ask the name of that bank of the Federal Reserve Board, and I am not going to do so.

Mr. MANN of Illinois. Mr. Chairman, I do not profess to know much about banking or currency. I am not sure that I fully understand this bill, or I think I do understand it, but if I am in error I would like to be corrected. It is based on the assumption, first, there is now or may be in the near future or the far future too much credit currency and circulation, and that the Federal Reserve Board wishes to or ought to have the power to curtail somewhat the issuance of new volumes of currency based upon credit——

Mr. PHELAN. Will the gentleman yield for just a second?

Mr. MANN of Illinois. Not until I make my statement.

That now the Federal Reserve Board has the power, if it desires to exercise it, to refuse to any particular bank new currency for discount or rediscount, or advances, or whatever they are called, but that it does not desire to exercise that power as to individual banks, because the refusal of the Federal reserve bank to discount good paper in the notes of the bank, if it becomes known, might seriously injure the credit of the bank and possibly cause a run on it; that the only way the Federal Reserve Board can control the situation as it exists to-day is by increasing the rediscount rate, all banks in the same district obtaining the same rate upon the same paper; that if it increases the rediscount rate, that means the rate of interest goes up in that entire Federal district, and that in order to avoid the increasing of the rediscount rate on all the paper that is presented to the bank the board desires the power to increase the rediscount rate under regulations where banks are borrowing too much money under their rules. A bank may properly borrow, say, $100,000 or $1,000,000, or I do not know how much more, on the rate that is universal in the district for all banks, but when the bank has pyramided its credit and seeks to get a much larger line of discount from the Federal reserve bank of the district than normally they would be entitled to, they want to be able to say, in order to curb the desire of the bank, "If you want such a large credit, you must pay an additional rate of interest for the excess over the amount that banks are rediscounting here." Is that a fair statement, I will ask the gentleman?

Mr. PLATT. I think that is a very fair and a very clear statement.

Mr. MANN of Illinois. Well, if that is correct, I can see no possible objection to the passage of the bill. It seems to me that the tendency of the bill should be to keep down the interest rates to a certain amount of credit rather than to increase the interest rates on all the credits extended. If the Federal Reserve Board is convinced that there is too much asset currency in the country—and whether they are or not, I am convinced there is too much; I think that is one of the causes of the high cost of living—and they desire to hold it down when speculation becomes rampant in every direction, then they ought to have the power to give the ordinary rate of discount to the ordinary bank for the ordinary amount of money which the bank ought to rediscount and a much higher rate for the excess. That is not a punishment to the man in business. That is a protection to the

ordinary man in business who is borrowing money ordinarily from the banks, because it keeps his interest rate down. [Applause.]

Mr. STEVENSON. Mr. Chairman, I move to strike out the last three words.

I just wanted to make one or two statements and direct the attention of the gentleman from Kansas [Mr. TINCHER] to the misconception which he had of this measure. Since the splendid statement just made by the gentleman from Illinois [Mr. MANN] I do not think anybody needs any more light on the intention of it. But the gentleman from Kansas fell under the misapprehension that this was increasing the powers of the Federal Reserve Board. That is not what it does. It is increasing the powers of the directors of the Federal reserve bank in the gentleman's region and in all the other regions. It is giving them the power to say to their customers, to the member banks, "Now, a legitimate line of credit is, say, 100 per cent of your capital and surplus, and you are all going to get the minimum rate up to that, but if you go above that you are getting more than your share, and the law says that in making loans to the member banks we must have due regard to the rights of all the other member banks." Manifestly, if the Kansas City bank, where it is about to exceed in its Federal reserve notes its gold reserve, has got to stop, and if a dozen banks have borrowed all it has up to that time, the other banks get nothing. And yet for what little the others do get they have got to pay as high a rate as the fellow who gets a monopoly. Now, the purpose of the bill is to give the directors of that bank the right to regulate that, of course to be approved by the Federal Reserve Board.

Now, the gentleman from Kansas [Mr. TINCHER] speaks of discrimination. That is not discrimination. Whenever all those who conduct themselves in a certain way get exactly the same treatment and the same rate they are not discriminated against at all. There is no discrimination there.

I wish to call the attention of the gentleman from Kansas to another thing and then I shall be through. Of the agricultural paper carried on the 30th of last January in the United States in all the Federal reserve banks 75 per cent was carried in the Kansas City and Chicago banks, and on that date, because of the excessive loans in the New York district, the rate of discount was raised all over the United States, and the gentleman's farmers out there had to go up to 6 per cent, whereas they were getting their money before that at 4½ per cent; and it was raised, not because they were borrowing more than was necessary but because some other fellows somewhere else were borrowing more than was necessary, and it was a discrimination against them to make them pay a higher rate because of the fault of somebody else. This is a proposition to prevent that discrimination.

Then you know by whom the directors of the Federal reserve banks are chosen. The directors are given power. They are selected by the bankers in your own region. Of course, the majority of them are selected by the banks in that region, and you know they would not stand for anything that is discriminatory on the part of that board.

Mr. TINCHER. I understand the gentleman is on the committee and is entirely familiar with the entire situation, and that he contends this legislation is in the interest of the borrowing farmers of my section of the country.

Mr. STEVENSON. Yes; and it is in the interest of the borrowing farmers in my section of the country. I was down there a short while ago, when the farmers were making their arrangements, and they are borrowing their money now on the basis that the banks are to have to pay the Federal Reserve Board 6 per cent, and if we do not do something to prevent them from having to borrow on that basis, because of the borrowing of too much money in another district, we are recreant to the interests of our constituents, who are not being protected in that matter. [Applause.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. STEVENSON. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. PLATT].

The amendment was agreed to.

Mr. PLATT. Mr. Chairman, if there is no further debate desired, I move that the committee rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The CHAIRMAN. The gentleman from New York moves that the committee do now rise and report the bill with sundry amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SANFORD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12711) to amend the act approved December 23, 1913, known as the Federal reserve act, had directed him to report back the bill with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. PLATT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. WINGO. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from Arkansas demands a division.

The House divided; and there were—ayes 68, noes 8.

So the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. PLATT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EXTENDING FEDERAL FARM-LOAN ACT TO PORTO RICO.

Mr. PLATT. Mr. Speaker, I call up the bill H. R. 8038.

The SPEAKER. The gentleman from New York calls up the bill H. R. 8038. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 8038) to amend section 4 of the act approved July 17, 1916, known as the Federal farm-loan act, extending its provisions to Porto Rico.

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into Committee of the Whole House on the state of the Union, and the gentleman from Kansas [Mr. CAMPBELL] will please take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8038) to amend section 4 of the act approved July 17, 1916, known as the Federal farm-loan act, extending its provisions to Porto Rico, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8038, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That paragraph 2 of section 4 of the act approved July 17, 1916, known as the Federal farm-loan act, be amended to read as follows:

"The Federal Farm Loan Board shall establish in each Federal land bank district a Federal land bank, with its principal office located in such city within the district as said board shall designate. Each Federal land bank shall include in its title the name of the city in which it is located. Subject to the approval of the Federal Farm Loan Board, any Federal land bank may establish branches within the land bank district. Subject to the approval of the Federal Farm Loan Board and under such conditions as it may prescribe, the provisions of this act are extended to the island of Porto Rico; and the Federal Land Bank of Springfield, Mass., is hereby authorized to establish a branch bank at such point as the Federal Farm Loan Board may designate on the island of Porto Rico. Loans made by such branch of the Federal Land Bank of Springfield, when so established, shall be subject to the restrictions and provisions of this act, except that such branch bank may loan direct to borrowers and that the rate charged borrowers may be 1½ per centum in excess of the rate borne by the last preceding issue of farm-loan bonds of the Federal Land Bank of Springfield.

"Each borrower through such branch bank shall subscribe and pay for stock in the Federal Land Bank of Springfield in the sum of $5 for each $100 or fraction thereof borrowed; such stock shall be held by the Federal Land Bank of Springfield as collateral security for the loan of the borrower; shall participate in all dividends; and upon full payment of the loan shall be canceled at par proceeds paid to borrower, or the borrower may apply the same to the final payments on his loan."

With committee amendments as follows:

Page 2, line 10, after the word "established," insert the words "shall not exceed the sum of $5,000 to any one borrower and."

Page 2, line 16, after the word "Springfield," strike out the period, insert a colon and the following: "*Provided, however*, That no loans shall be made in the island of Porto Rico to run for a longer term than 20 years."

Mr. PLATT. Mr. Chairman, I do not mean to take much time to start with on this bill. The report explains it, and it explains itself. It is a bill to extend the benefits of the Federal Farm Loan System to the island of Porto Rico under certain limitations.

In the first place, the rate of interest may be 1½ per cent in excess of the rate borne by the last preceding bond issue from

the Federal land banks of Springfield; that is, one-half per cent more than the law requires or provides for in the States. Then we have limited the loans to $5,000 to each person, and have provided that no loan shall run for more than 20 years.

I do not know that these limitations were necessary. The island of Porto Rico is densely populated and well cultivated and has a good deal of good farming land, but the committee thought it was wise to put in these limitations for two reasons.

In the first place, the matter is a little new and the sort of agriculture pursued in the island of Porto Rico is quite different from that in the United States. The lands are different. Most of the loans, we expect, are likely to be taken apparently by coffee plantations.

The second reason was that the limit of $5,000 on loans will apparently cover all the necessities of the case. There are a great number of small holdings on these islands and a few very large holdings, sugar plantations, and so forth, which are not affected by this at all because they can get credit outside and would have no use for this system.

We have extended the act to Porto Rico through the establishment of a branch bank connected with the Federal land bank at Springfield, Mass., which is the eastern Federal land bank. That is chosen because Porto Rico naturally comes into contact with New York City, through the fact that the steamers from the island mostly run to New York City.

With this preliminary statement I will yield 15 minutes to the gentleman from Porto Rico [Mr. DAVILA].

Mr. MORGAN. Will the gentleman yield for a question or two?

Mr. PLATT. I reserve the remainder of my time.

The CHAIRMAN. The gentleman from Porto Rico [Mr. DAVILA] is recognized for 15 minutes.

Mr. DAVILA. Mr. Chairman, this is a bill to amend section 4 of the act known as the Federal farm-loan act, extending its provision to the island of Porto Rico. This law has been in force in the United States since 1917, and the great benefit derived by the farmers under its protection is the best commendation that can be made of said act. The people of Porto Rico are in extreme need of this legislation, and if this bill becomes a law you will help the island to develop its agricultural resources, will raise the farmers to a higher economic standard, and will contribute to create a new type of citizen useful to his country and independent from an economic point of view.

It is one of the anomalies of recent legislation conferring Federal supervision upon such subjects as vocational education and the extension of financial aid to small farmers that none of these benefits have been extended to the people living in the insular possessions. And, of all the insular people, the inhabitants of Porto Rico are in far greater need of the benefits that will accrue to the small farmers from the passage of this legislation than any other.

I think I can make this clear in a few words and without the slightest trace of rivalry. Let us consider our insular possessions, the Philippines and the Hawaiian Islands. The first were acquired by the United States at the same time as Porto Rico; it is the avowed policy of one of the great political parties, or rather of the two great political parties, of this country to ultimately admit these islands into the family of nations. They are in better condition than Porto Rico from an economical point of view and have shipping facilities, good markets, and natural resources which will contribute largely to develop the progress of the country.

Let us consider the Hawaiian Islands. There is now pending before Congress and will within a few days be up for the consideration of this House a measure for the relief of the small Hawaiian farmers. In that legislation you deal with them in the same generous fashion in which you have in past dealt with the American Indians here in continental United States. In addition to the homesteads that are opened up to small farmers from time to time, it is proposed to immediately withdraw approximately 200,000 acres of land and to settle upon this land every Hawaiian family of no less than one thirty-second part of the blood of the races inhabiting the Hawaiian Islands previous to the discovery by Capt. Cook.

While much of this domain consists of lava rock which will test the agility of a goat to find subsistence, yet a sufficient area of agricultural lands is included to insure to every Hawaiian family a homestead. It is also provided that they shall never be disturbed in the possession of their homes by vesting the title in the United States, exacting a nominal rental from the lessee of $1 per year for the entire tract, and stipulating that it can never be sold or otherwise disposed of to corporations or the predatory interests that prey upon dependent people.

With this legislation the Hawaiians will never have to come here and plead with the American Congress for the extension of the farm loan act to their small farmers, for not only do you forever protect them from the tender mercies of rent-racking landlords but you provide a special fund that will afford them all the cash loans that might otherwise be provided by the extension of this farm loan legislation.

Instead of opening up the highly developed cane lands to homesteading or for the purpose of the Hawaiian Homes Commission, it is proposed that these lands, which as a class are the most productive and remunerative of any agricultural lands anywhere on earth, shall continue to be leased out under the existing plantation system. The proceeds are to be converted into a million dollar home loan fund, from which the commission is authorized to loan to any Hawaiian lessee a sum not exceeding $3,000 at 5 per cent interest to be extinguished in 30 years. It is intended that this plan will enable the small Hawaiian farmers to erect and purchase the necessary buildings, implements, and live stock with which to begin the battle of life. Mr. Chairman, I wish to say right here, on behalf of the Porto Rican people, that we do not begrudge the inhabitants of the Hawaiian Islands any of the benefits of this legislation. They are entitled to these benefits, they have sufficient land to make these reservations to the natives, and you are merely doing justice to them granting these concessions to the needy people of those islands. [Applause.] But our conditions are different from those of the Hawaiian, and, of course, you have to help in a different way the people of Porto Rico. The difference of chief importance lies in the density of population, which is not the case in Hawaii. Here in the continental United States you are not yet crowded for land upon which to grow the food necessary to your existence. There is still enough for every man to acquire a freehold if he hears the call and has a yearning to return to the soil.

But, gentlemen, consider the conditions in Porto Rico! You have there a little island of 3,606 square miles, including mountain and ravine, and a population of 1,300,000. They have only about $4,000,000 in circulation in the island, and they have thirteen hundred thousand people. They have less than $4 per capita of circulation, while in the continental United States you have about $50. You have nothing approaching that condition anywhere in this country, except in the vicinity of the great cities, and to find a parallel you must look to the islands of the Far East or the other teeming populations of the globe.

We are not here asking for largesses or special favors, but only that equal justice be accorded us, and I think that if we can demonstrate that the small farmers of Porto Rico are suffering under a more intolerable burden than any people of their class under the American flag, then they will not appeal to you in vain.

The numerous laws that have been written upon your statute books following the granger movement that started in the Western States many years ago has insured to every American farmer in the continental United States an open market and a competitive system of transportation for the movement of his crops.

The position of the Philippine Islands and the laws that have been enacted by their native assembly have insured to the producers of those islands not only intercourse with but a market among the people of the mainland of Asia, the islands of Japan, and the possessions of the British Empire in the Pacific.

I have already spoken of the Hawaiian people. Let me refer to them again long enough to say that when they were enumerating the conditions from which they are about to be relieved they explained that they were at the crossroads of the Pacific and that their harbors were teeming with ships; that the conditions that had brought the Yankees from the west to monopolize their plantations and the "Yankees" from the Orient to monopolize their labor and threaten to monopolize the population had brought some compensation in the shape of a vast tonnage that enabled them to ship their products.

But this facility of transportation enjoyed by the farmers of continental United States, Hawaii, and the Philippines is denied to the small farmers of Porto Rico. They are off the line of travel. They are in the grip of a close shipping combine that not only denies them adequate transportation, but arrogantly turns a deaf ear to their pleas for additional tonnage because the Porto Rican small farmer is the victim of the coastwise shipping laws. He can not hail the foreign ships to carry his fruits and vegetables to the Atlantic seaports during your long, hard winters when adequate transportation would prove a boon to both the Porto Rican farmer and the American consumer. [Applause.]

Being denied the privilege of producing the perishable fruits and truck crops, he is compelled to become a colono and grow cane for the big corporations that are fattening upon that island just as they are doing in Cuba, in Santo Domingo, in Hawaii, in

the Philippines, and in all the islands of the sea! Either he must become a cane colono and work out his existence for these big corporations or with his family he must retreat to a thatched hut in the mountains and eke out a mere existence as a producer of coffee. Under conditions that exist in Porto Rico today, and must continue to prevail until you extend to them the privileges of the farm-loan act, the small producers of that island will not be able to live nor to negotiate for the sale of their products in the manner that it should be the privilege of every free man to do. [Applause.]

Mr. Chairman, the people of Porto Rico are not unmindful of all that the American Government has done for them since the riddance of the Spanish régime. We realize the boon that has come through your system of education, of sanitation, of more liberalized law, and of the incalculable benefits that come with the opening up of commerce. But while you have brought inestimable blessing to the people of that island, you have not extended to them all the benefits of your legislation, and if you want you may help us to build up the small farmer, to educate our people, to obtain transportation facilities, to improve our harbors, to develop our fisheries, and to make of Porto Rico a self-supporting country. [Applause.]

You point with pride to the marvelous agricultural development on the island since the American occupation. Indeed, it has been marvelous. From a production of 40,000 tons of sugar, it has grown in 20 years to a production of 500,000 tons, outdistancing any of the agricultural activities under the American flag, unless it be the rise of the beet-sugar industry of the West. And yet, gentlemen, it was not a healthy American agricultural system that was being developed there, such as this very farm-loan legislation is designed to produce. It has witnessed the gradual extinction of the small native farmer, simply because he could not get financial aid such as is here proposed, and the absorption of his holdings by immense planting corporations, operating alike in defiance to statute law and sound economic law and producing a system of absentee landlordism that must inevitably result in social unrest, anarchy, and bolshevism. [Applause.]

Mr. UPSHAW. Viva Porto Rico! Muchas gracias, señor. [Applause.]

Mr. WINGO. Mr. Chairman, I do not agree with the committee on this bill and I am opposed to it, and I will state briefly my objections to it.

It is conceded that the conditions in Porto Rico are very bad. In other words, the very conditions that are urged in support of the necessity of extending the farm loan act to Porto Rico are conditions which, I think, make it unwise to mix up Porto Rican business with the farm-loan system of this country.

It is true that operations in Porto Rico are limited to one farm-loan bank, and that is the Springfield, Mass., bank. It is also true that they limit the loans to $5,000, and limit them to 20 years.

One argument that is made in favor of attaching the Porto Rican farm loan business to the Springfield bank is that the Springfield bank is not now making any money. To my mind that is a reason why we should not load this doubtful business on that bank if it is being run at a loss now.

But my objection to this bill is more fundamental than that. Gentlemen recall that under the farm loan act, section 21, it is provided that—

Every Federal land bank issuing farm loan bonds shall be primarily liable therefor, and shall also be liable, upon presentation of farm loan bond coupons, for interest payments due upon any farm loan bonds issued by other Federal land banks and remaining unpaid in consequence of the default of such other land banks; and every such bank shall likewise be liable for such portion of the principal of farm loan bonds so issued as shall not be paid after the assets of any such other land banks shall have been liquidated and distributed: *Provided*, That such losses, if any, either of interest or of principal, shall be assessed by the Federal Farm Loan Board against solvent land banks liable therefor in proportion to the amount of farm loan bonds which each may have outstanding at the time of such assessment.

Mr. CANNON. Will the gentleman yield?

Mr. WINGO. I yield to the gentleman from Illinois.

Mr. CANNON. I think this is a very important bill. I agree with the gentleman, and I think we ought to have a quorum present to hear his full discussion of this bill. I do not make the point to use up time. I make the point that there is no quorum present, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. No quorum is present. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Almon	Ayres	Barkley	Bland, Ind.
Anderson	Baer	Bell	Bland, Mo.
Anthony	Bankhead	Blackmon	Booher
Brinson	Fess	Kelly, Pa.	Sabath
Britten	Fields	Kendall	Sanders, N. Y.
Brumbaugh	French	Kennedy, Iowa	Scully
Burke	Fuller, Mass.	Kiess	Sears
Byrnes, S. C.	Gallivan	Langley	Siegel
Campbell, Pa.	Gandy	Lazaro	Sims
Cantrill	Gard	McCulloch	Sinnott
Carter	Garrett	McKenzie	Slemp
Casey	Good	McLane	Small
Clark, Fla.	Gould	MacGregor	Smith, Ill.
Cooper	Graham, Ill.	Mansfield	Smithwick
Costello	Graham, Pa.	Mason	Snell
Cramton	Greene, Vt.	Mays	Steagall
Curry, Calif.	Griest	Merritt	Steele
Denison	Hamill	Monahan, Wis.	Strong, Pa.
Dent	Hamilton	Morin	Tague
Dewalt	Hardy, Tex.	Nelson, Mo.	Thomas
Doremus	Hastings	Nicholls, S. C.	Timberlake
Drane	Heflin	Nolan	Treadway
Dunn	Hill	Oliver	Vare
Dyer	Hoey	Olney	Wason
Eagle	Howard	Parker	Wheeler
Edmonds	Johnson, Miss.	Rainey, H. T.	Williams
Ellsworth	Johnson, S. Dak.	Riordan	Winslow
Elston	Juul	Rodenberg	
Esch	Kahn	Rose	
Ferris	Kelley, Mich.	Rowan	

The committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 8038, amending the Federal farm-loan act, and finding itself without a quorum, had caused the roll to be called, when 310 Members answered to their names, and he presented a list of the absentees.

The committee resumed its session.

Mr. WINGO. Mr. Chairman, when the gentleman from Illinois [Mr. CANNON] made the point of no quorum I was discussing the question of the liability of these banks. Some of the Members who were not present when I started out possibly may be interested to know that the pending bill is a bill to extend the Federal Farm Loan System to Porto Rico by authorizing the Federal farm loan bank at Springfield, Mass., to do business in Porto Rico through a branch bank.

Now, Mr. Chairman, I want to state briefly my objections to this bill. The main objection is one of liability. If the Members of the House will give me their attention, I would like to call their attention to these facts.

Under the farm loan act, section 9, whenever a farmer in Arkansas or Illinois wants a loan he has to join the local association and has to subscribe an amount equal to 5 per cent of his loan of the capital stock of the association. Each individual applicant has to become a stockholder to the extent of 5 per cent of his loan. Now, he is liable on that stock to an amount equal to that over and beyond the amount of the stock itself—just like a stockholder in any other corporation would be.

When the farm loan association wishes to forward his application to the farm loan bank, it has to subscribe to an equal amount of the stock of the farm loan bank. So he becomes indirectly responsible because the stockholders of the farm loan bank are the local association, and the local association as stockholders are liable absolutely for the losses of the farm loan bank. The individual farmer, the borrower, is liable, in addition to the stock he has subscribed, to pay and bear the loss, because he is liable for the losses of the local association.

Now, what happens under section 21, which I had just read before the point of no quorum was made? I will read it again.

Every Federal land bank issuing farm loan bonds shall be primarily liable therefor, and shall also be liable, upon presentation of farm loan bond coupons, for interest payments due upon any farm loan bonds issued by other Federal land banks and remaining unpaid in consequence of the default of such other land banks; and every such bank shall likewise be liable for such portion of the principal of farm loan bonds so issued as shall not be paid after the assets of any such other land banks shall have been liquidated and distributed: *Provided*, That such losses, if any, either of interest or of principal, shall be assessed by the Federal Farm Loan Board against solvent land banks liable therefor in proportion to the amount of farm loan bonds which each may have outstanding at the time of such assessment.

Now, gentlemen, I think if you have followed me you will see that every farmer in the United States who is now a borrower and a member of the Farm Loan System will become to the extent which I have described liable for the bonds that are issued upon the Porto Rican business.

I have not been in Porto Rico. I want to be fair, and I will be fair, with you. The very reasons presented to me by friends of this measure showing the necessity for some relief to those people down there are the very reasons that make me afraid to attach this business to the Farm Loan System of this country. If they want to organize a separate land bank system, under control of the Federal Government in Porto Rico, and let it stand on its own feet, I am willing for the Government of

the United States to go to the extent of furnishing the capital stock down there, but I do insist that you ought not to jeopardize the securities of the farm-loan banks of Arkansas, Illinois, and Indiana, and all the States of this Union, for it is not fair. It is bound to have a depressing effect on our farm-loan bonds.

Mr. LITTLE. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. LITTLE. I have been told that the farming lands in Porto Rico are highly cultivated. What is the matter; what has the gentleman in mind?

Mr. WINGO. I do not know what the matter is, but the fact is that a distressing condition exists in Porto Rico. Nobody but the large landowners, the large coffee growers, are prosperous. I do not know whether we will be able to extend aid to the little fellows or not. I do not know whether it would be a success or not. But we have tried corn in Illinois, we have tried cotton in Arkansas and Mississippi, we have tried wheat in Nebraska, and we know what kind of farming conditions we have, and we can very safely permit loans to farmers of those States to be connected with our system.

Mr. McKEOWN. Will the gentleman yield?

Mr. WINGO. I will.

Mr. McKEOWN. Do they have to form some kind of an association in Porto Rico under this bill or is it the intention to have them subscribe directly?

Mr. WINGO. I am not sure, the chairman will correct me if I am wrong, but I think they organize under the provisions of existing law. They might authorize direct loans if they wished. My objection goes not so much to the details but to the principle. It is loading new business in a new territory onto our system, and business of a territory where the farming conditions are very different from what they are in the United States. I repeat that I will vote to give them a land bank and take the money out of the Federal Treasury to furnish them their first capital until they are put on their feet, but I do not want it tied up with our system, which would depress the farm-loan bonds and make them pay an additional premium. That is my objection, and it is to the principle and not because I do not want to help Porto Rico.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. SMITH of Michigan. I notice that in line 13, on page 2, of the bill there is the following language:

Except that such branch banks may loan direct to borrowers.

Mr. WINGO. That is right.

Mr. SMITH of Michigan. And I am wondering if they require the borrowers to give real estate security.

Mr. WINGO. I think that would be true, even if it were not in there. That means this: As I recall the farm-loan act now, it permits the banks where they find necessity for it to loan direct, where they can not get enough together to organize an association, and that being a part of the general law, the Springfield bank could authorize that, even if they did not put it in the bill.

Mr. MORGAN. How is this branch bank going to make original loans if it has no capital? It has no money.

Mr. WINGO. The Springfield bank?

Mr. MORGAN. Does the gentleman mean to say that under this bill they would take a part of the cash out of the Springfield bank and put it in the branch bank?

Mr. WINGO. They authorize the Springfield bank to establish a branch in Porto Rico; that is what I understand.

Mr. MORGAN. What restrictions would there be on the amount of cash they could take out of the Springfield bank and put into the bank down there?

Mr. WINGO. There are no restrictions except those placed in the bill. I was not interested in that question. My objection was to a question of principle. I am willing to give Porto Rico a Federal land bank, but let us have it independent, let it stand alone, and not make the borrowers in the United States liable for any loss that might occur down there.

Mr. PLATT. Does not the gentleman think the directors of the Springfield bank and the members of the Federal Farm Loan Board are pretty likely to carefully scrutinize every loan? They are paying 8, 12, 15 per cent now and getting away with it, and they surely can get along if we loan them a little money at a reasonable rate.

Mr. WINGO. Instead of undertaking to extend this act, which is now in its formative period, I am in favor of not amending it at all until we have given it a trial. Instead of extending it so as to give greater benefits to the farmers of the United States, you come here with this proposition and tie it up with a business that you do not know will be successful, because you say private enterprise will not go down there now except at exorbitant rates.

Mr. PLATT. Oh, that is not quite fair.

Mr. WINGO. Let us extend this to the people of the United States. First let us improve the act. Let us take up the question of personal credits. We never have solved that for the farmers yet. That is a problem to which we should address ourselves as a committee, instead of going off and extending the provisions of this act to the isles of the seven seas. If you give this to Porto Rico, then the Virgin Islands will come and say that you ought to give it to them because you have given it to Porto Rico, and then if we grab up some other island of the seas—the Island of Yap, or something like that—the people there will be coming along and saying to us that we must give it to them because we have given it to Porto Rico. Let us keep the Federal farm loan bank system clear for the present and wait until the Supreme Court determines whether or not it is a constitutional act. Let us put it on its feet, let us wait until we get beyond these abnormal times, and then will be time enough to tie other people up to it. In the meantime, if the situation in Porto Rico is so pressing as to need relief, bring in an original bill authorizing them to establish a land bank, and authorize the Secretary of the Treasury to subscribe to its capital stock. I will support that kind of a bill.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. HUMPHREYS. They have a farm-loan bank in Hawaii. I do not think it is a branch of any of the banks on the mainland. My understanding is that it is organized under the laws of the Territory. Is there any reason why Porto Rico can not have a bank organized just as the bank in Hawaii is organized?

Mr. WINGO. None whatever that I know of, unless the conditions down there are different, and I do not know what they are.

Mr. HUMPHREYS. There are more than a million people in Porto Rico and there are not more than 200,000 in Hawaii.

Mr. WINGO. There are over a million people in some of the South Sea Islands, where there are a lot of cannibals, but that would not make me want to extend the farm-loan system to those people and make the farmers of Illinois and Kansas and other States liable for trying to civilize them and install modern methods of farming. I think we ought to treat dependencies, or whatever you call them, as separate entities, and establish laws for them so that they will be separate and apart, and not jeopardize our affairs in continental United States.

Mr. HUMPHREYS. My suggestion was that, in view of the fact that there are a million plus population in Porto Rico, conditions there ought to be more favorable for them to establish a bank of their own than they are in Hawaii, where there are only perhaps 250,000 people.

Mr. WINGO. I think that is true. They come in and tell us that the small fellow there is frozen out because he has to pay from 12 to 18 per cent interest. That appeals to my sympathy, but I am talking about a practical, horse-sense proposition of how you will meet the problem. I say go and organize a separate bank to take care of them and help them, and subsidize it if you want to, but let us not tie them up with our domestic system.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. BEE. If this Springfield bank holds its own and does not fail, would there be any danger of banks all over the United States being called on for any liability, or would liability be in the event that the Springfield bank should be swamped by this?

Mr. WINGO. Oh, certainly, that is true; they could not be liable except for failure.

Mr. BEE. Will the gentleman yield?

Mr. WINGO. I will.

Mr. BEE. Would it be the only way in which the other banks would be drawn into a liability?

Mr. WINGO. As a primary proposition they are liable now as long as the bank at Springfield is solvent. As long as the bank pays the coupons they could be forwarded to the Springfield bank for payment. I call attention to this. There are two reasons for the attaching of this to the Springfield, Mass., bank. One is that it is nearer to the port which does business with Porto Rico and the other is the Springfield Federal land bank is not a profitable bank. It is being run at a loss right now, and you propose to put some more uncertain business on that bank that is already in a nonprofitable position.

Mr. PLATT. Is it not practically true that when the Springfield Bank goes into this new territory, it will make a high profit with no risk?

Mr. WINGO. Let me answer this, following to a conclusion the gentleman's logic. Take a bank that is about to fail. The cashier tells the board of directors that it is about to fail, that it is not making money; and suppose the board of directors would say, "All right, go out and make some more weak loans"——

Mr. PLATT. The gentleman does not mean to indicate that the bank is about to fail, because they are gaining every day?

Mr. WINGO. I do not say that; but it is not making money. I think it will not fail unless you load this business on it, and I am afraid this might break it. Certainly it is in worse shape to stand up under the load on it of this new business than a bank that is making money, and that bank, I think, is running now at a loss.

Mr. PADGETT. It is behind about $20,000, I think.

Mr. WINGO. More, I think.

Mr. BEE. Is there any sanctity about the Springfield Bank that makes it necessary that this bill should not be amended so as to tie the Porto Rico bank up to a strong and established institution rather than the weakest?

Mr. WINGO. I am opposed to tying it to any. I do not think it is fair to the Springfield bank. If you should undertake to tie this up to the St. Louis bank in my district, I should object. This Springfield bank has already a deficit, and now you propose to put on it this business which every man in this House knows is purely exeprimental. When private enterprise says that small loans in Porto Rico are risky you now propose to tie this business up to a bank that is not making a profit.

Mr. SMITH of Michigan. Is the Springfield bank asking for this legislation?

Mr. WINGO. I do not know. I think the people of Porto Rico are asking for it.

Mr. UPSHAW. Will the gentleman yield?

Mr. WINGO. I will.

Mr. UPSHAW. Is it not true that the main consideration before the House on this bill is not the condition of the Springfield bank, but to the island of Porto Rico, and that this Government should have every desire that the people of that island should succeed? And is it not further true that the fact that Porto Rico is a dependency makes something of pathos in the appeal? And does not the gentleman believe that it would produce a splendid spirit of good fellowship and gratitude on the part of Porto Rico to give it what it now needs and then be brave enough to say, "You act as a government"?

Mr. WINGO. Well, the gentleman is an idealist, and I sympathize with what he says, but I am not willing to tie this business up with the Georgia farm-loan system. I stated in my opening remarks, if the gentleman was here to hear me, I am in sympathy with Porto Rico and want to do something. I am willing to give Porto Rico a farm-loan bank, but my only objection is that you are tying them up to the banks of Georgia, making the farmers of that Commonwealth liable, and I know the farmers of Georgia are not in favor of that legislation, and he will find that they are not so idealistic as he is on that point.

Mr. DAVILA. I want to state to the gentleman that during the great emergency of the war the people of Porto Rico were ready to help the United States. They sacrificed their lives, their money, everything they had. There is not a country more devoted and friendly to the people of the United States than the people of Porto Rico. We have not been selfish with our lives. Are you going to be selfish with your money? No people have been more patriotic or loyal than the people of Porto Rico, and I think that the gentleman realizes this.

Mr. WINGO. The trouble with the gentleman from Porto Rico is that he thinks to use horse sense is selfishness; but I hope the gentleman has not inferred from anything I have said that I question the loyalty and the patriotism of the people of Porto Rico, and I hope he has not inferred from anything I have said that I am unfriendly to Porto Rico. I think, and I repeated the statement time and time again, that I am willing to go into the Treasury of the United States and take a specific sum, so as to know what the liability is in order to subsidize a land bank for them. I have tried to make it plain that I would go that far; but what I objected to is the plan of tying on and making the farmers of the United States liable under such a proposition as is proposed here. And I am willing to go the limit, becaue I do feel there is some extraordinary obligation to the people of Porto Rico and the Virgin Islands and these other people, but I am opposed to this plan of making the farmers of the United States liable for an experimental operation in Porto Rico.

That is the point I am trying to make. I yield to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN. The gentleman said he would be willing to establish a special bank for Porto Rico. Does the gentleman mean it would be a part of our system in any way?

Mr. WINGO. No; separate and independent, the land banks in the United States not being liable for any of its debts or any of its bonds. Let it stand on its own feet, with its own board of directors and its own bonds. Give them the benefit of mobilizing these farmers' securities down at Porto Rico. Give them the experience and the organization of our Farm Loan Board. Give them the benefit of capitalization out of the United States Treasury. When we have done that, I think we can take care of them and meet their needs without jeopardizing our own farm-loan bonds.

Mr. DAVILA. I want to say to the gentleman from Arkansas that the Legislature of Porto Rico approved a bill creating a people's bank in Porto Rico, but this bill was vetoed by the governor, a man appointed by the President of the United States. If you grant to the people of the island full self-government powers, with a governor elected by the people, I assure you that we will not come any more to the Congress of the United States asking for help.

Mr. WINGO. The gentleman has not heard me opposing their having absolute independence. If I had my way I would give them their absolute independence to-morrow, and in addition I would be charitable and try to protect you, because you are our neighbor and your people under the law are citizens of this country.

Mr. STEVENSON. Will the gentleman yield to me?

Mr. WINGO. Yes.

Mr. STEVENSON. I just wanted to direct the gentleman's attention to the fact that he did not intend, although it might be construed as an intimation, that the Springfield bank was badly managed.

Mr. WINGO. I made no such assertion as that, and hope I have not said anything that even intimated such a fact.

Mr. STEVENSON. And that it was in a precarious condition. The gentleman, I know, understands it is simply because it has not written enough of business on its own books for the 1 per cent which it has to make in order to begin to pay all expenses, but there is nothing insolvent about it. It has simply got to go on like life insurance companies, until it gets enough business on its books so that it can have 1 per cent in order to go ahead.

Mr. PLATT. Mr. Chairman, I yield 15 minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman and gentlemen of the committee, the most careful examination has been made with regard to this legislation. The matter was presented first to the governor of Porto Rico, who is, as you know, an American citizen. By him it was very strongly recommended. The matter was then referred to the Insular Affairs Bureau, which has immediate oversight of our insular possessions. The bureau made a most careful investigation regarding the matter and gave the legislation its enthusiastic approval. An investigation was then made by the Committee on Insular Affairs, of which I am the chairman. We became convinced, those of us who investigated the matter, that the legislation ought to be enacted. Then followed an investigation by the Federal Farm Loan Board. It likewise made a most careful investigation regarding the proposition. And they have likewise approved of this legislation. They themselves formulated the bill which was presented to the committee. The matter was then investigated by the Committee on Banking and Currency. That committee also reported this bill practically unanimously. There was some opposition, as you know.

The objections that have been made, I think, can be entirely and, I hope, satisfactorily, answered. It is suggested, in the first place, that it is unsafe for us to embark in this legislation, because all the banks of the United States and their stockholders would be liable for the loans made. Of course, that is a very remote possibility. In the first place, the Springfield bank is the bank to which these applications must be directly made.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. TOWNER. I hope the gentleman will not interrupt me just now. If he will wait, I will be glad to yield.

The Springfield bank was selected as the bank to which applications should be made for two reasons. In the first place, because of the fact that it would not entail upon the United States and upon the borrowers from the Farm Loan Associa-

tion any additional expense. All of the expenses, except those directly incurred with regard to making the loans, will be paid by the Porto Ricans themselves, who become borrowers under the operations of this act. In the next place, we do not leave to a local regional bank, if one should have been established in Porto Rico, the approval of the loans to be made. We guard these loans by saying that they must be approved by an American regional bank. The American regional bank can not make any of these loans without sending their appraisers to pass upon the character of the applicant, to make a personal examination with regard to the condition of the property and the amount of the security and the condition of the title. All of those things are guarded. So it would seem as if we were carefully guarding against any loss that might occur, even more carefully guarding against any possible loss that might occur than we do with regard to our own banks in the United States. It is objected also that the condition of the Springfield bank, it being the weakest, as the gentlemen say, of the banks of the United States, would be possibly unable to carry the loans. The condition of the Springfield bank is just as prosperous as that of any other bank in the United States which has its operations compared with the Springfield bank. As was suggested by one gentleman here a short time ago, none of these farm-loan banks have become self-supporting until enough borrowers were secured to make them self-supporting. In Massachusetts and in New England the people have been slow to make applications for farm loans. That is the only reason why the Springfield bank is more backward than the others. That is the only reason why it is not now self-supporting. When it secures sufficient loans it will become self-supporting.

Mr. LITTLE. Mr. Chairman, will the gentleman yield? It was on that point that I wanted to ask the gentleman a question.

Mr. TOWNER. Yes.

Mr. LITTLE. Do you think if this bill is passed it will be of enough help to the Springfield bank to enable it to go ahead and make some money? Is that one of the reasons for this?

Mr. TOWNER. No. It will undoubtedly help the Springfield bank, but the Springfield bank will be amply able to take care of itself without Porto Rico. But Porto Rico will help.

Mr. LITTLE. But it is really as much help to the bank as to the Porto Ricans?

Mr. TOWNER. Certainly; so far as the mere monetary questions are concerned. So that these objections after all, it seems to me, gentlemen, are not very serious or very material.

Now, let us examine why this legislation should be enacted. The gentleman from Arkansas [Mr. WINGO] stated that he wanted to be friendly to Porto Rico because it was our next-door neighbor. Let me say to the gentleman from Arkansas that Porto Rico is not our next-door neighbor; it is not a neighbor of any kind. It is an integral part of the United States of America. [Applause.] And every man, woman, and child in Porto Rico to-day is an American citizen. We owe to them just as much obligation as we do to our own citizens; nay, more, in the degree that those who need it most should certainly have the first claim on our attention, Porto Rico does need it most.

Let me say to you gentlemen that Porto Rico 20 years ago was probably the poorest country in all the world. It is poor yet, and whatever progress has been made, almost all the property that has been acquired, has been acquired under the American flag during those 20 years. Under Spain Porto Rico was milked dry. They kept the people of the island so low in the scale of economic prosperity that it could hardly be said that anybody could under any circumstances make anything more than a bare living.

That was Porto Rico when she came under the United States. Since the time of the American occupancy Porto Rico has prospered wonderfully, but she is yet poor, and especially economically poor. Gentlemen say, "Let them establish their own banks in Porto Rico."

Why, gentlemen, with a population of 1,200,000, the densest population of any of the American States or any of the American possessions, there is in Porto Rico to-day only $4,000,000 of money in circulation. It has no provision by which men can borrow money on mortgage. The banks there do not loan money on mortgage. They do only a commercial business. Those in the island who desire to secure loans are compelled to do so at exorbitant rates, because of the fact that almost their only chance of securing money on even real estate security is from the local merchants, and the local merchants charge them from 10 to 12 per cent. The local merchant advances them money from year to year because of the fact that they can not get money in any other way.

And yet, gentlemen, these men are a land-loving and a home-loving people. There is, I believe, a greater proportion of landholders in Porto Rico than in any other of our outlying possessions.

Let me tell you about conditions with respect to land as they exist down there. The land is divided, according to the census of 1910, into 58,371 properties. The mean size of these properties is 38 acres. The average in the United States is 139 acres; and of the 58,371 properties there are 46,000 cultivated by their owners.

Now, what are the conditions that exist in Porto Rico? There is all manner and range of landholding and of operations, from the small landholder who owns only 5 acres up to the large landholders, mostly nonresidents, who own the sugar plantations, who have acquired many thousands of acres. It is not to help the sugar planters that this legislation is contemplated. It is to help the small landowners. They are mostly engaged in raising three varieties of crops. In the first place, coffee is one of their principal productions. The small landowner, with 5, 10, or 20 acres of land, may raise coffee and sell it, and may become reasonably prosperous, if he can ever get out of debt and out of the hands of the men who are now demanding from him 12 and even 18 and 24 per cent interest. Yet, gentlemen, in spite of this handicap the small landholders own land that has been in their possession and in the possession of their ancestors, some of them for more than 150 years. They are loath to give up their land. They love their home, even if it is just a little 5-acre tract up on the side of the mountain with a little shack for a home. They want a chance to improve it. They want a chance to have better homes. They want a chance to get out from under the grasp of the money lenders who are now preying upon them. A great many people think the Porto Rican coffee is the best that is raised in all the world. Then they raise a very high grade of tobacco there. There are many small tobacco plantations scattered over the island.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. May I have a little more time?

Mr. PLATT. I yield to the gentleman five minutes more.

Mr. TOWNER. These tobacco growers are in the hands of the Tobacco Trust to-day. Their prices are fixed by the Tobacco Trust. Money is loaned to them on their crops, and sales must be made to the men who control the prices, because they have made the loans to these tobacco growers.

Then there are the fruit growers. Almost every kind of tropical fruit is raised in Porto Rico—pineapples, bananas, oranges, lemons. Almost all kinds of tropical fruit can be raised easily upon these islands. This legislation is to help these men as well.

The men engaged in these occupations are landowners living upon their land and desiring always to live upon it.

Titles to the land in the island are absolutely secure. They have one of the best systems in the world of securing titles in Porto Rico. No transfer of land can be made except by a government official, who certifies the title, which makes it absolutely secure.

All these things are to be taken into consideration. I do not think it is possible for gentlemen to imagine any greater need for this legislation or any greater security for it. Why should we not give them the benefit of the extension of this act?

I want to say this to the gentlemen of the committee, that I believe you could do no one thing that would help these more than a million people in Porto Rico, 75 per cent of whom are white people capable of making as good citizenship as we have anywhere under the American flag. These people all now look to the United States not for charity but for such help as should be given by any government on earth to its own citizenship. If we refuse it, what will they think with regard to the United States? They will think they are not regarded as citizens of the United States. They will think they are not entitled to the sympathy, love, and affection of the American people, although they have shown every possible devotion to the United States. These men will be led to believe that they are ignored and that we do not care what becomes of them. The very fact that we extend our aid to them under certain restrictions of safety will lead them to believe that we in fact do care for them, do regard them as a part of the citizenry of this great Republic.

So I believe upon every ground of safety and of expediency, and especially of obligation to our own citizens, this legislation should be enacted. [Applause.]

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. TOWNER. Yes; I will be glad to.

Mr. McKEOWN. Is there any intention to enact legislation in favor of the citizens of Porto Rico that will be of greater advantage to them than that enjoyed by our own farmers under our own farm-loan act?

Mr. TOWNER. Certainly not.

Mr. McKEOWN. I notice that there is a provision under which they do not need to form these associations.

Mr. TOWNER. It is true they do not have to form the associations.

Mr. McKEOWN. Why not?

Mr. TOWNER. But they are compelled to make the same contribution as a guaranty to the safety of the loan that is made by people in the United States. It is only for the purpose of having these matters passed upon in the United States and not by the local association—another guaranty of the safety of the act.

Mr. PLATT. Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman from New York has 22 minutes remaining and the gentleman from Arkansas 27 minutes remaining.

Mr. PLATT. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN (Mr. WALSH). The gentleman from New York asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman and gentlemen, there was placed upon the desks of all Members of Congress within the past two or three days the issue of the bulletin of the Atlantic Deep Waterways Association for the month of March. Ordinarily I think it is not of sufficient importance to answer a newspaper article to ask for time on this floor. But this bulletin contains an article on the river and harbor bill which passed this House in January. The bill is now pending before the Senate Committee on Commerce. A determined effort is being made to change the result attained in this House, and I believe that one of the incidents of that effort is the article which appears in this bulletin. It is for that reason I desire to answer it, and because the writer has a total misconception of how the bill was passed by the House and of the effect of its provisions.

In the first place, the article assumes that the bill was passed in the House as the result wholly of pressure from the management on the Republican side. In other words, that it was the result of pressure by the steering committee. The article itself refutes that charge, because it says that the bill passed this House by a vote of 167 to 35, nearly 5 to 1. An examination of the RECORD will show that that vote was fairly well divided between the two sides of the House. While more votes came from the Republican than from the Democratic side, it was by no means a partisan vote, and it was not a partisan measure. And no such overwhelming majority, coming from both sides of the House, could have been secured by pressure from the Republican steering committee or in any way except through the belief of the Members that the bill was a good one. So, as I say, the article contains on its face a refutation of the charge that the bill was reported and passed in the form in which it left the House as the result of pressure from the steering committee. Next, the article asserts that the measure was presented to the House without opportunity for a reasonable consideration of it and that all the Members were not present who could have been and would have been present if there had been enough time for them to get together. What is the fact? The fact is there were 17 members of the committee present at the session when we voted on the measure—17 out of 21, a remarkably large attendance for a committee meeting.

The next fact is that the committee voted 16 to 1 to report the measure as it came before this House—almost unanimously. Surely the Republican steering committee could not and did not compel or even influence the Democrats on the committee to join with the Republicans in a favorable report on the bill. So the charge of undue pressure on the part of the Republican steering committee disappears, and it is a fact that no such pressure was even attempted.

The next question is, What do they criticize as the result of the passage of the bill? They criticize certain specific items. Let us see what the items are. First, they say the gentleman from North Carolina [Mr. SMALL] introduced a substitute, and they give the substitute which he offered, which embraces some 54 projects, and those 54 projects were to have appropriated for them certain specified sums.

I will present to the House a list of the projects, showing the amount on hand to the credit of each project, the amount which was expended in 1919 upon each of them, and the average annual expenditure for each of them for the last five years.

You will find on examining this list that we have on hand to the credit of each of these projects in practically every case, without any additional appropriation, as large an amount as we have expended on them annually on the average during the last five years.

The article says nothing about the substitute which was introduced by the Member from North Carolina, but they leave the inference to be drawn that it would have been to the interest of the country for the House to have adopted this substitute without making any claim whatever in respect to it. I leave you to judge of this on consideration of the facts shown by the table to which I have referred, but I think you can reach no conclusion but that the House acted wisely in defeating the substitute. Then the article takes up specific items. I shall go through the items and I hope to show that the charges as to them are without any foundation.

The writer says that four or five projects which he enumerates will be without adequate funds; that they can not be completed within the estimated time; and that money will be lost because of the delay. Let us see whether any of these charges are true. Take the East River, the first item specified. We have on hand practically $5,000,000. We spent last year only $234,000, and we can not spend the money on hand in the next two years if we do the work with the utmost expedition and use every agency possible with which to proceed with the work. So that so far as East River is concerned there is absolutely nothing to the charge.

The next item is the Delaware River. There is on hand to the credit of the Delaware River project $1,000,000, and that is as much as we have spent, yearly, on the average for the last five years, and more than we spent last year.

The article says that the work on the Beaufort, N. C., canal will also lag for same reason. What is the fact in respect to that canal? They have $910,295 on hand, and it was not even suggested before the committee that they should be granted any additional sum.

The writer next refers to the Delaware and Chesapeake Canal, and says that is another project which will suffer. The Government took over that canal, and when it paid the purchase price it had $480,000 left. That is an abundant sum with which to do all of the work that can be done with proper economy in the coming year.

The bulletin also claims that the improvement of the Schuylkill River will suffer from the appropriation being too small. I have not the figures before me and speak from recollection, but, as I recall, this project has $300,000 or $350,000 to its credit and the engineers asked for an additional $50,000.

The article says further that certain other projects on the eastern coast, without specifying them, will also be retarded in the progress of their work because of insufficient appropriations. Of course, it is impossible to answer an indefinite charge like that; you would have to take all the projects and refer to each of them separately; you do not know which ones they mean. It must be remembered, too, that the projects named by this writer will share in the distribution of the $12,000,000 appropriated by the bill in addition to the amounts to their separate credits.

It seems plain that this article was written by some one who did not know the facts, and who, in ignorance of them, thought that the amount of the appropriation should be increased. I assume that there was no malice in the article, no intention to misrepresent, nothing but error as to the facts; but the bill passed the House, after the most careful consideration, by an overwhelming majority, and a plain statement of the facts will, I feel sure, convince the public and the writer of this article as well that the House acted wisely. We have given the waterways all that they need for commercial purposes. They have $60,000,000 of unexpended balances on hand to-day, and we have given them $12,000,000 more. We have given them abundant funds, not only full measure but overflowing, and there is not the slightest reason why anyone should complain. I have a very great sympathy with the project for deeper Atlantic waterways. I have always been in favor of it. During the time that the Hon. J. Hampton Moore was here as a Member of Congress he championed the cause of deeper waterways, eloquently and well. A great majority of us agreed with him, and I agree with him to-day; but I do think that such articles as this should not be inserted in this publication at this time, calculated, if not intended, to influence the action of another House upon a measure which this House disposed of in the way I state. [Applause.]

The table to which I referred respecting the amounts of money on hand and the sums heretofore expended on the projects described in Mr. SMALL's amendment is as follows:

Data on projects covered by Mr. Small's amendment to the river and harbor bill.

Project.	Proposed appropriation.	On hand Nov. 1, 1919.	Expended fiscal year 1919.	Average annual expenditure past 5 years.	Commerce.	
					Tons.	Value.
Pollock Rip Channel, Mass	$73,000	$199,315	$1,736	$43,553		
Connecticut River below Hartford, Conn	75,000	116,992	15,406	33,542	533,455	$50,090,299
Greenwich Harbor, Conn	14,000		86	40	77,025	13,380,230
East River, N. Y	2,100,000	4,786,276	566,540	234,554	53,531,457	4,447,041,016
Hudson River Channel, New York Harbor, N. Y	400,000	684,954	330,004	217,534	45,483,803	6,181,330,831
Newark Bay and Passaic River, N. J	150,000	84,505	5,210	77,265	6,496,803	493,513,493
Shrewsbury River, N. J	100,000	39,520	11,902	12,302	49,332	4,208,612
Delaware River, Pa., N. J., and Del	2,000,000	1,136,096	822,907	1,000,649	24,967,446	2,726,118,519
Inland waterway, Delaware River to Chesapeake Bay	1,000,000	480,000				
Baltimore Harbor and Channels, Md	316,000	390,473	54,403	77,539	13,271,449	630,254,734
Norfolk Harbor and Channels, Va	750,000	813,766	419,975	196,487	31,953,843	3,039,023,886
Cape Fear River at and below Wilmington, N. C	600,000	506,493	83,223	126,016	459,062	43,817,720
Charleston Harbor, S. C	400,000	1,143,353	240,119	94,993	520,685	68,564,958
Savannah Harbor, Ga	300,000	678,157	371,501	298,168	1,540,057	479,235,230
Brunswick Harbor, Ga	200,000	507,830	51,429	32,313	573,861	57,231,415
St. Johns River below Jacksonville, Fla	301,000	84,536	254,961	298,135	1,491,019	99,909,781
Hillsboro Bay, Fla	260,000	443,113	231,897	281,200	296,005	11,469,392
Alabama River, Ala	32,000	27,073	33,554	58,144	62,782	3,649,463
Mobile Harbor and Bar, Ala	150,000	275,989	284,513	175,621	1,323,997	69,127,463
Black Warrior, Warrior, and Tombigbee Rivers, Ala	150,000	228,516	34,787	275,681	671,405	719,051
Pascagoula Harbor, Miss	50,000	21,769	97,041	68,973	299,422	5,075,949
Gulfport Harbor, Miss	50,000	32,357	122,149	78,869	179,924	3,597,180
Passes at mouth of Mississippi River	1,500,000	691,313	1,592,083	835,640	9,087,084	665,579,937
Barataria Bay, La	30,000	31,181				
Houston Ship Channel, Tex	300,000	994,350	86,372	229,202	2,388,066	116,332,138
Freeport Harbor, Tex	300,000	61,153	199,198	93,505	309,700	3,097,992
Mississippi River between Ohio and Missouri Rivers	500,000	367,573	475,151	376,991	264,149	17,982,776
Mississippi River, Missouri River to Minneapolis	1,200,000	586,875	756,431	943,573	696,503	17,570,003
Missouri River, Kansas City to mouth	600,000	379,367	1,210,805	1,178,983	142,981	830,769
Tennessee River, Tenn., Ala., and Ky.:						
Above Chattanooga	140,000	140,081	169,095	216,093	529,299	2,801,202
Below Riverton	75,000	66,427	87,900	106,219	280,602	5,783,318
Cumberland below Nashville	300,000	591,215	186,685	368,150	48,208	626,927
Ohio River:						
Open channel work	400,000	420,019	240,512	266,704	6,171,412	77,685,322
Locks and dams	1,000,000	4,954,884	3,615,533	4,527,989		
Fox River, Wis	40,000	10,922	16,133	15,179	165,936	1,356,539
Milwaukee Harbor, Wis	175,000	25,896	5,998	9,363	7,086,550	362,564,868
Manistee Harbor, Mich	17,000	34,646	25,636	65,170	44,223	997,199
Chicago Harbor, Ill	40,000	661,211	28,744	213,075	1,925,633	202,214,032
Indiana Harbor, Ind	200,000	585,764	49,363	76,566	3,098,692	29,657,264
Illinois River, Ill	25,000	43,900	19,773	39,992	165,252	8,710,917
St. Clair River, Mich	26,500	77,601	2,431	893	82,979,184	955,920,199
Detroit River, Mich	700,000	754,786	9,451	56,106	88,855,520	1,023,615,590
Rouge River, Mich	273,000	488,959	4,084	2,825	1,850,391	8,851,731
Oakland Harbor, Calif	25,000	43,443	115,404	112,384	2,680,797	170,591,986
Humboldt Harbor, Calif	406,000	382,483	5,131	229,105	305,073	14,180,067
Columbia and Lower Willamette Rivers below Vancouver, Wash., and Portland, Oreg	500,000	393,833	387,367	331,800	5,661,037	134,490,409
Grays Harbor and Bar, Wash	600,000	93,595	2,967	117,773	373,123	5,792,943
Honolulu Harbor, Hawaii	150,000	8,648	14,646	56,048	1,625,669	175,119,965
Hilo Harbor, Hawaii	150,000	8,974	155,976	118,804	348,143	41,993,752
San Juan Harbor, P. R	200,000	394,520	12,604	9,771	1,162,664	141,735,851
		25,974,702	13,508,919	14,279,481		

Mr. PLATT. Mr. Chairman, I suggest that the gentleman from Arkansas use some of his time now.

Mr. WINGO. I suggest that we would better rise.

Mr. PLATT. I would like to finish the bill to-night if possible.

Mr. WINGO. Oh, the gentleman can not finish the bill to-night.

Mr. PLATT. I have only 12 minutes remaining. I do not know how much time the gentleman has.

Mr. WINGO. I have 27 minutes left, and there are some amendments to the bill. It will take an hour or an hour and a half to finish the bill.

Mr. PLATT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8038, to amend the Federal farm-loan act, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter to a constituent.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD by inserting therein a letter to a constituent. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, what is the topic of the letter?

Mr. SUMMERS of Washington. Concerning the work of the Congress, and some observations.

The SPEAKER. Is there objection?

Mr. BLANTON. I would like the gentleman to state upon what subject the letter is. Is it just the general work of Congress?

Mr. SUMMERS of Washington. Yes.

The SPEAKER. Is there objection?

There was no objection.

Mr. PLATT. Mr. Speaker, I move that the House do now adjourn.

POST-OFFICE APPROPRIATION BILL.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11578, the Post Office appropriation bill, with Senate amendments thereto, disagree to all of the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to take the Post Office appropriation bill from the Speaker's table, disagree to all of the Senate amendments thereto, and agree to the conference asked by the Senate. Is there objection?

Mr. PARRISH. Mr. Speaker, reserving the right to object, will the gentleman state whether they made any provision in that bill to take care of the rural-mail carriers who have to travel through congested territory such as the oil fields and other places, giving the Post Office Department any discretion in the matter of arranging their salaries?

Mr. STEENERSON. We had a provision for unusual conditions, and I notice the Senate amendment seems to enlarge it considerably. I have not had time to examine it.

Mr. PARRISH. I shall not object, but I hope that they will make some provision to take care of that situation.

The SPEAKER. The gentleman from Minnesota [Mr. STEENERSON] asks unanimous consent to disagree to all the Senate amendments on the Post Office appropriation bill and

agree to the conference asked for by the Senate. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER appointed the following conferees: Mr. STEENERSON, Mr. MADDEN, Mr. GRIEST, Mr. MOON, and Mr. ROUSE.

ORDER OF BUSINESS FOR TO-MORROW.

Mr. WALSH. Mr. Speaker, will the gentleman from New York [Mr. PLATT] withhold for a moment?

Mr. PLATT. I will.

Mr. WALSH. I wanted to ask the Speaker if any arrangement had been made in the House to-day relative to taking up the Private Calendar to-morrow for the consideration of unobjected bills?

The SPEAKER. There is not. No such arrangement has yet been made.

Mr. WALSH. I understood from the majority leader, who has been detained, that that was the intention, and while I do not feel that I have authority to make the request, I would like to ask the Speaker if he knew that that was the case?

The SPEAKER. The Chair understood that the request was to be made.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that to-morrow it may be in order to consider bills upon the Private Calendar, taking up the bills that are not objected to at the point at which the House left off consideration of the Private Calendar when it was last considered.

The SPEAKER. Is there objection?

Mr. WINGO. I presume, Mr. Speaker, that that will be under the same limitations as we had the other day?

Mr. MONDELL. Only those bills not objected to.

Mr. WINGO. In other words, we will just continue our consideration of the other day, under the same limitation?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I would like to ask the distinguished majority leader whether or not they have run out of something more important to do?

Mr. MONDELL. This is quite important. Gentlemen on both sides have bills on the calendar which they think ought to be considered, and we got only about halfway through the calendar the other day.

Mr. BLANTON. Are we still led to believe that we may have hopes of getting through by June 5?

Mr. MONDELL. I still entertain that hope.

Mr. GARD. Further reserving the right to object, is it the purpose to begin on the calendar where we stopped on the last Private Calendar day?

Mr. MONDELL. That was my request.

Mr. GARD. And go through the calendar and then stop, not returning over the same ground?

Mr. MONDELL. I believe the House could return to unobjected bills, but the request is that only bills not objected to, beginning at the point where the House left off. I have not an idea that we would get through with all the bills on the calendar during the day. As far as I am concerned, if the gentleman prefers to have it that way, I am perfectly well satisfied we shall go on through the calendar and not return.

Mr. CLARK of Missouri. What I want to know is when you are going to have a day here to consider these bills that some gentleman will hop up and object to?

Mr. MONDELL. My hope is that before long we may take up the Private Calendar in the regular way.

Mr. GARD. Will the gentleman modify his request so that the bills will only be those bills succeeding the point where we stopped the last time?

Mr. MONDELL. I have no objection to doing that.

Mr. WALSH. That is not necessary, because that is all that could be done anyhow.

The SPEAKER. Is there objection to the modification? [After a pause.] The Chair hears none.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2528. An act to grant certain lands to the city of Pocatello, State of Idaho, for conserving and protecting the source of its water supply and as a municipal park site; to the Committee on the Public Lands.

S. J. Res. 180. Joint resolution authorizing the Secretary of War to turn over to agricultural fertilizer distributors or users a supply of nitrate of soda; to the Committee on Military Affairs.

LEAVE OF ABSENCE.

Mr. SIEGEL, by unanimous consent, was granted leave of absence for 10 days on account of serious illness in family.

ADJOURNMENT.

Mr. PLATT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 3 minutes p. m.) the House adjourned until Thursday, April 1, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriation, required by the Division of Public Moneys for "Contingent expenses, Independent Treasury," fiscal year 1920 (H. Doc. No. 707); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting a tentative draft of a bill for the relief of certain officers in the Army of the United States, and for other purposes; to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GARD: A bill (H. R. 13385) authorizing the Secretary of War to donate one captured German machine gun, mounted, to the city of Dayton, Montgomery County, Ohio, to be placed in Stuart Patterson Park in said city; to the Committee on Military Affairs.

By Mr. MAHER: A bill (H. R. 13386) to create a war status for the naval working forces of the World War; to the Committee on Naval Affairs.

By Mr. CARSS: A bill (H. R. 13387) to extend the time for the construction of a bridge across the St. Louis River between the States of Minnesota and Wisconsin; to the Committee on Interstate and Foreign Commerce.

By Mr. JAMES: A bill (H. R. 13388) to pension policemen and firemen in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HAWLEY: A bill (H. R. 13389) to authorize the Secretary of the Interior to dispose of, at public sale, certain isolated and fractional tracts of lands formerly embraced in the grant to the Oregon & California Railroad Co.; to the Committee on the Public Lands.

By Mr. BRITTEN: A bill (H. R. 13390) for the relief of contractors and subcontractors, including material men, for work under the Navy Department, and for other purposes; to the Committee on Naval Affairs.

By Mr. PORTER: Joint resolution (H. J. Res. 325) terminating the state of war declared to exist April 6, 1917, between the Imperial German Government and the Government and the people of the United States, permitting on conditions the resumption of reciprocal trade with Germany, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GOLDFOGLE: Memorial of the Legislature of the State of New York, protesting against the proposed St. Lawrence ship-canal project; to the Committee on Railways and Canals.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MOORES of Indiana: A bill (H. R. 13391) granting a pension to Eliza J. Gibson; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 13392) granting a pension to Charles F. Walker; to the Committee on Pensions.

By Mr. RICKETTS: A bill (H. R. 13393) granting an increase of pension to Thomas Sheron; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13394) granting an increase of pension to Elizabeth A. Whitehurst; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13395) granting an increase of pension to James W. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13396) granting an increase of pension to Charles L. Taylor; to the Committee on Pensions.

Also, a bill (H. R. 13397) granting a pension to Victor F. Wilson; to the Committee on Pensions.

Also, a bill (H. R. 13398) granting a pension to Lafayette Fosnaugh; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 13399) granting a pension to Ernest B. Brown; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2705. By Mr. CARSS: Petition of sundry citizens of the United States, favoring the passage of House bill 1112, providing for the parole of Federal prisoners; to the Committee on the Judiciary.

2706. By Mr. CRAGO: Petition of the American Steamship Owners' Association, of New York, against compulsory classification of privately owned American registered tonnage; to the Committee on the Merchant Marine and Fisheries.

2707. By Mr. CULLEN: Petition of sundry citizens, favoring the Mason bill and recognition of Ireland; to the Committee on Foreign Affairs.

2708. By Mr. DARROW: Petition of the city council of Philadelphia, Pa., urging daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

2709. By Mr. EDMONDS: Petition of the city council of Philadelphia, Pa., urging daylight-saving legislation; to the Committee on Interstate and Foreign Commerce.

2710. By Mr. EMERSON: Petition of Lake Erie Post, No. 42, American Legion, of Ohio, favoring the American Legion bill for compensation; to the Committee on Ways and Means.

2711. By Mr. FULLER of Illinois: Petition of the North Boone Post, No. 205, of Capron, and the Walter S. Page Post, No. 161, of Chicago, Ill., American Legion, favoring adjusted compensation for the ex-service men and women; to the Committee on Ways and Means.

2712. By Mr. GALLIVAN: Petition of the Carton Belting Co., of Boston, Mass., relative to certain provisions in the Post Office appropriation bill, etc.; to the Committee on Appropriations.

2713. Also, petition of the Aberthaw Construction Co., of Boston, Mass., urging support of the 1-cent drop postage, etc.; to the Committee on the Post Office and Post Roads.

2714. Also, petition of the Walworth Manufacturing Co., of Boston, Mass., opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2715. Also, petition of the Boston City Federation of Women's Clubs, of Boston, Mass., and the New Jersey Federation of Women's Clubs, of East Orange, N. J., urging appropriation for the interdepartmental social hygiene board; to the Committee on Appropriations.

2716. Also, petition of Harry E. Olson, editor of the Export Recorder, Boston, Mass., relative to certain provisions in the Post Office appropriation bill; to the Committee on Appropriations.

2717. By Mr. GOLDFOGLE: Petition of Maritime Association of the Port of New York, indorsing plan for additional pier facilities in New York Harbor; to the Committee on Rivers and Harbors.

2718. Also, petition of Hugh O'Neil, of Chicago, Ill., and other residents of that city, favoring recognition of the Irish Republic; to the Committee on Foreign Affairs.

2719. By Mr. JAMES: Petition of Joseph St. George, post commander, Post No. 90, American Legion, Torch Lake Post, Lake Linden, Mich., in favor of $50 per month bonus; to the Committee on Ways and Means.

2720. By Mr. KAHN: Papers to accompany House bill 4712 (a bill authorizing the President to appoint Henry S. Kiersted, late a captain in the Medical Corps of the United States Army, a major on the retired list; to the Committee on Military Affairs.

2721. By Mr. KENNEDY of Rhode Island: Petition of Woonsocket Chamber of Commerce (Inc.), Woonsocket, R. I., favoring passage of Tinkham bill establishing housing bureau; to the Committee on Public Buildings and Grounds.

2722. By Mr. MURPHY: Memorial of the Silver Manufacturing Co., Salem, Ohio, supporting House bill 13015; to the Committee on Ways and Means.

2723. By Mr. O'CONNELL: Petition favoring recognition of the Republic of Ireland; to the Committee on Foreign Affairs.

2724. Also, petition of Albert H. Hillman, general manager, Tobacco Record, New York City, urging taxing of dealers in candy, soda water, and foodstuffs that are eaten on the premises, etc.; to the Committee on Ways and Means.

2725. Also, petition of Parker, Stearns & Co., Brooklyn, N. Y., opposing House bills 12379 and 12646, regarding collection of checks; to the Committee on Banking and Currency.

2726. By Mr. Rowan: Petition of the American Jewelers' Protective Association and the Edward F. Caldwell Co., of New York City, opposing House bill 12379; to the Committee on Banking and Currency.

2727. Also, petition of the Sioux Falls Chamber of Commerce, relative to the salaries of Government employees; to the Committee on Appropriations.

2728. Also, petition of the United States Park Police Association, Washington, D. C., urging increase in salary, etc.; to the Committee on Appropriations.

2729. Also, petition of the Label Manufacturers' National Association and the Folding Box Manufacturers' Association, of New York City, relative to the excess-profit tax; to the Committee on Ways and Means.

2730. Also, petition of W. & J. Sloane, of New York City, opposed to House bill 12976; to the Committee on Ways and Means.

2731. By Mr. THOMPSON: Petition of Montpelia Post, No. 109, the American Legion, Montpelia, Ohio, urging the enactment in its entirety the Thompson soldiers' compensation bill known as House bill 12906; to the Committee on Ways and Means.

2732. By Mr. VARE: Petition of City Council of Philadelphia, Pa., asking for passage of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *April 1, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pause in this sacred moment as Thy providence calls us to the duties of a new day. We face responsibilities which no human strength or wisdom dare face. We seek Thy guidance and blessing for the welfare of millions of Thy people who are dependent in some measure upon the work of this Senate. We pray that we may so well and duly perform our work as that we may advance the interests of Thy people and glorify Thy name. For Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

CALLING THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Brandegee	Harding	Moses	Smith, Md.
Capper	Harrison	Nelson	Smith, S. C.
Comer	Jones, N. Mex.	New	Smoot
Culberson	Jones, Wash.	Norris	Spencer
Cummins	Kellogg	Nugent	Sterling
Curtis	Kendrick	Page	Thomas
Dial	Knox	Phipps	Townsend
Dillingham	Lenroot	Pomerene	Warren
Fernald	McKellar	Sheppard	Watson
Gay	McLean	Simmons	
Gronna	McNary	Smith, Ariz.	

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness. I ask that this announcement may stand for the day.

Mr. MCNARY. I wish to announce the absence of my colleague [Mr. CHAMBERLAIN] on account of illness.

Mr. GAY. I desire to announce the absence of my colleague [Mr. RANSDELL], who is necessarily detained from the Senate.

Mr. MCKELLAR. The Senator from Arizona [Mr. ASHURST], the Senator from Montana [Mr. MYERS], the Senator from California [Mr. PHELAN], and the Senator from Alabama [Mr. UNDERWOOD] are absent on official business.

Mr. CURTIS. The Senator from Maine [Mr. HALE], the Senator from New Hampshire [Mr. KEYES], and the Senator from Florida [Mr. TRAMMELL] are absent in attendance on a subcommittee of the Committee on Naval Affairs.

The PRESIDENT pro tempore. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Members.

The Reading Clerk called the names of the absent Senators, and Mr. BECKHAM, Mr. CALDER, Mr. GLASS, Mr. OVERMAN, Mr. SUTHERLAND, and Mr. WADSWORTH answered to their names when called.

Mr. HENDERSON, Mr. ELKINS, Mr. SHERMAN, Mr. FRANCE, Mr. KIRBY, and Mr. MCCUMBER entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty-four Senators have answered to their names. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11578) mak-

ing appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. STEENERSON, Mr. MADDEN, Mr. GRIEST, Mr. MOON, and Mr. ROUSE managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12272) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1921, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HAUGEN, Mr. MCLAUGHLIN of Michigan, and Mr. LEE of Georgia managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12260. An act to amend section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes"; and

H. R. 12711. An act to amend the act approved December 23, 1913, known as the Federal reserve act.

The message also announced that the House had passed the joint resolution (S. J. Res. 134) to readmit Augusta Louise de Haven-Alten to the status and privileges of a citizen of the United States, with amendments, in which it requested the concurrence of the Senate.

BOY SCOUTS OF AMERICA.

The PRESIDENT pro tempore laid before the Senate the annual report of the Boy Scouts of America for the year ended December 31, 1919, which was referred to the Committee on Education and Labor.

PETITIONS AND MEMORIALS.

Mr. KNOX presented a petition of sundry citizens of Pottstown and Johnstown, in the State of Pennsylvania, praying for the enactment of legislation providing for the parole of Federal prisoners, which was referred to the Committee on Military Affairs.

He also presented petitions of Anthony Wayne Post, No. 418, American Legion, of Wayne; of Post No. 269, American Legion, of Palmerton; of Captain Walter M. Gearty Post, No. 315, American Legion, of Philadelphia; of Catasauqua Post, No. 215, American Legion, of Catasauqua; and of Burt J. Asper Post, No. 46, American Legion, of Chambersburg, all in the State of Pennsylvania, praying for the enactment of legislation providing an additional bonus for ex-service men, which were referred to the Committee on Military Affairs.

He also presented a petition of Lieutenant William A. Bruner Post, No. 335, Grand Army of the Republic, Department of Pennsylvania, of Sunbury, Pa., and a petition of Henry Wilson Post, No. 129, Grand Army of the Republic, Department of Pennsylvania, of Milton, Pa., praying for the enactment of legislation extending the right of suffrage to residents of the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented a memorial of Bricklayers' International Union No. 57, of Uniontown, Pa., remonstrating against the passage of the so-called Sterling sedition bill, which was ordered to lie on the table.

He also presented a memorial of the Robert Emmet Branch, Friends of Irish Freedom, of Forest City, Pa., remonstrating against the adoption of the League of Nations covenant and favoring the freedom of Ireland, which was ordered to lie on the table.

He also presented a petition of Captain Walter M. Gearty Post, No. 315, American Legion, of Philadelphia, Pa., praying for the passage of the so-called Davey sedition bill, which was ordered to lie on the table.

He also presented a petition of Colonel Hulings Post, No. 176, Grand Army of the Republic, Department of Pennsylvania, of Lewistown, Pa., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of Greensburg, Pa., remonstrating against the enactment of legislation excluding certain foreign publications from second-class mailing privileges, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented a petition of sundry Spanish War veterans, residents of Soldiers' Home, Calif., praying for the enactment of legislation granting pensions to Spanish War veterans, which was referred to the Committee on Pensions.

Mr. CAPPER presented memorials of Concord Grange, No. 1556, Patrons of Husbandry, of Hartford, and of sundry citizens of Wichita, Neosho Rapids, and Stuttgart, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (S. 3102) for the relief of Katherine Macdonald, reported it without amendment and submitted a report (No. 496) thereon.

Mr. MCNARY, from the Committee on Irrigation and Reclamation of Arid Lands, to which was referred the bill (H. R. 12537) to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley in California, reported it without amendment.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SPENCER:

A bill (S. 4166) to provide for election contests in the Senate of the United States; to the Committee on Privileges and Elections.

A bill (S. 4167) to extend the time for the completion of the municipal bridge approaches and extensions or additions thereto by the city of St. Louis, within the States of Illinois and Missouri; to the Committee on Commerce.

By Mr. BECKHAM (for Mr. OWEN):

A bill (S. 4168) to quiet title to certain tracts of land in the city of Walters, State of Oklahoma; to the Committee on Public Lands.

By Mr. KNOX:

A bill (S. 4169) to donate to the city of Glenside, Pa., two captured cannon or fieldpieces, carriages, and a suitable number of shells; to the Committee on Military Affairs.

(By request.) A bill (S. 4170) for the relief of certain estates; to the Committee on Claims.

A bill (S. 4171) granting an increase of pension to Mary Sibley McKibbin (with accompanying papers); and

A bill (S. 4172) granting a pension to Matilda A. Swift (with accompanying papers); to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 4173) to amend section 69 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1918; to the Committee on Military Affairs.

A bill (S. 4174) directing the remission of customs duties on certain War Department property (with accompanying papers); to the Committee on Finance.

A bill (S. 4175) for the relief of Regina Schorr; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 4176) for the relief of James W. Thompson; to the Committee on Claims.

A bill (S. 4177) granting an increase of pension to Dollie Cosens; to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 4178) granting an increase of pension to Woodville G. Staubly (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A joint resolution (S. J. Res. 183) authorizing the appointment of a committee to cooperate with committees designated by the various States to recommend means for commemorating the discovery of irrigation in America; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. HARDING:

A joint resolution (S. J. Res. 184) authorizing and directing the Secretary of War to loan tents to cities during the summer months of 1920 to relieve the housing situation; to the Committee on Military Affairs.

AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. UNDERWOOD submitted an amendment proposing to appropriate $3,820 to pay Thomas W. and Alice N. Keller for ground taken and damages on account of condemnation proceedings in square No. 2838, in the city of Washington, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

COMMITTEE ON PUBLIC HEALTH AND NATIONAL QUARANTINE.

Mr. FRANCE submitted the following resolution (S. Res. 342) which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Health and National Quarantine, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-sixth Congress to hold hearings, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not to exceed $1 per printed page, to report such hearings as

may be had in connection with any subject which may be pending before said committee; to sit and act at such times as it may deem necessary during the sessions or recesses of the Senate, the expenses thereof to be paid out of the contingent fund of the Senate.

AUGUSTA LOUISE DE HAVEN-ALTEN.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 134) to readmit Augusta Louise de Haven-Alten to the status and privileges of a citizen of the United States, which were, on page 2, lines 1 and 2, to strike out "daughter of Capt. Joseph Edwin de Haven" and insert "a native-born citizen of the United States, who forfeited her citizenship by marriage with an alien," and, on page 1, to strike out the preamble.

Mr. DILLINGHAM. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 12260. An act to amend section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," was read twice by its title and referred to the Committee on Finance.

H. R. 12711. An act to amend the act approved December 23, 1913, known as the Federal reserve act, was read twice by its title and referred to the Committee on Banking and Currency.

COTTON IN STORAGE.

Mr. SMITH of South Carolina. Mr. President, I want to call attention to the report of the Director of the Census, Mr. Rogers, in answer to a resolution which I introduced some time last week to ascertain as near as may be the number of bales of cotton in a class that is not suitable in the ordinary sense of spinnable cotton. The chambers of commerce, exchanges, and boards of trade have been reporting the stocks at concentrating points and public-storage warehouses, and it was complained by the different organizations throughout the country interested in cotton, as well as by the spinners, that they had no way of ascertaining what is the real stock of spinnable cotton. In this report the Director of the Census makes this significant statement:

In this connection, your attention is called to the fact that the linter statistics—

The linters being the fine fiber that is taken off the seed after the cotton itself has been ginned—

are not included with those of cotton in the census figures, although they are combined in the statistics compiled and promulgated by the cotton exchanges and other commercial organizations.

Further, he says:

In reply I have to advise that the Bureau of the Census collects information each month as to the number of bales of linters held in public storage. The number of bales of this fiber held in public storage and at compresses on February 29, 1920, was 370,712 bales. On the same date there were 281,326 bales returned as held in consuming establishments and 290,126 bales in cottonseed-oil mills. This makes a total of 942,164 bales held in these three classes of establishments on February 29, 1920.

In addition to this, he says that the Government is holding about 250,000 bales of linters. This would make over 1,000,000 bales of linters that are reported as stock by the exchanges and commercial bodies.

Now, as to the other forms of unspinnable cotton the Director of the Census says:

No data have been collected by the Bureau of the Census as to the number of bales of unspinnable gin cut, water packed, and perished fiber cotton held in the United States.

In compliance with the resolution, however, inquiries have been mailed for the reports of cotton of this character held on March 31. There are more than 3,000 places where cotton is held for the public, and it will require some time to secure the data from all of these establishments, but we hope to compile the data and furnish the Senate with the information about the middle of April.

The point I wish to emphasize is the fact that Mr. Hester reports about 4,000,000 bales of cotton as being the visible supply of American cotton in the world. Subtracting the one million and a quarter bales of linters, and then considering the subtraction which will be made when the perished fiber and other unspinnable grades have been ascertained by the Census Bureau, the probabilities are that we shall begin April with the lowest supply of cotton ever known in the history of the world. Nothing short of a cotton famine, which would be a disaster, confronts the whole world which is using cotton fiber, and it is to the interest of the public that this work be prosecuted so that the trade at large may know what the supply of raw cotton is. In my opinion it is one and a half million bales short of the estimates which are now promulgated by virtue of the fact that we are counting linters and the other unspinnable grades as stocks carried over.

Mr. COMER. Mr. President, in line with the remarks which have been made by the Senator from South Carolina, I have here an important document, which is being printed in New Orleans and sent out to camouflage the issue. I ask unanimous consent to have the document read by the Secretary, and then I desire to make some remarks upon it.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Reading Clerk read as follows:

[Extract from the Cotton Boll, published by Norman Mayer & Co., cotton commission merchants, New Orleans, La.]

DESTRUCTIVE LEGISLATION.

Toward the end of the week the cotton market has been unsettled by news from Washington to the effect that Senator COMER, of Alabama, has introduced a very drastic amendment to the United States cotton futures act affecting deliveries on contract. Evidently few of the Senators from the cotton-growing States realized the full purpose and extent of this amendment, or otherwise it would have met with strong opposition and would not have been passed by the Senate. Instead of a buyers' and sellers' contract, such as the original cotton futures act provides, the Comer amendment, if it becomes a part of the act, would make the contract now being traded in on the New Orleans and New York Cotton Exchanges strictly a spinners' contract. Senator COMER being largely interested in mills in Alabama, the motive for such legislation as he has succeeded in slipping through the Senate is very plain.

By the terms of his amendment the seller of a contract, when called upon to make delivery of the actual cotton to a buyer, must deliver 50 per cent of the cotton called for in the contract in grades of at least middling and above. The other half he can deliver in any of the 10 grades tenderable on contract under the present law. In other words, the spinner on such a contract would receive middling and above on 50 per cent of the cotton to be delivered.

Hedge interests, on the other hand, who use the contract as a protection against purchases of spots from the producers, would find themselves in a position of being forced to deliver better grades on contracts than they are able to buy on an average. Under present conditions the contract is already strict enough, as shown by the recent upheaval in the New York market on the March position, and the effect of the Comer amendment would simply be to destroy the usefulness of the contract for hedging purposes. No sane speculator would hardly care to take the chances of selling such a contract, and the result would be a market with plenty of buyers but few, if any, sellers.

WHAT EXPERIENCE TEACHES.

When the cotton exchanges closed in 1914, the year the European war broke out, and there was no contract market to provide hedging facilities, every farmer in the South knows what happened to the spot market. For weeks there was no market at all for cotton, and the producers found themselves at the mercy of British spinners and large northern interests, which gobbled up cotton many cents below the actual cost of production. The mills, foreign and domestic, had a picnic that year at the expense of the southern grower, and it was not until the exchanges reopened and future trading was resumed that cotton began the upward flight that has continued until middling cotton in this market has recently sold as high as 41 cents. If the Comer amendment finally passes both branches of Congress, demoralized conditions will again prevail in the contract market and the interests of southern growers will again be endangered.

This is probably the real intent of the Comer amendment, and all cotton-growing interests should unite in opposing any such pernicious legislation. The outlet for low grades is already so narrow that a large percentage of the cotton of the present crop can not be marketed. The tendency on the part of exporters and spot dealers is to buy only cotton that can be hedged, and even under the present contract nothing below low middling white can be hedged in the future market.

Mr. COMER. Mr. President, I have here an article which appeared in the Manufacturers' Record, which I ask unanimous consent may be inserted in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The article referred to is as follows:

COTTON, A NATIONAL PRODUCT, SHOULD HAVE NATIONAL RECOGNITION—SECTIONALISM EVEN IN BUSINESS SHOULD BE BURIED AND ALL SECTIONS BE NATIONAL IN SPIRIT.

[By B. B. COMER, president of Avondale Cotton Mills, formerly governor of Alabama.]

Cotton growing is sectional. Its use, like sunlight, reaches the farthest clime. The world demands it, and, like sunlight, the world demands it cheap. Cotton, fabulous in its beneficences, a depressant, a curse only to the section which produces it. Cotton brought the slaves from the East to the South at a price that was productive of internecine strife and civil war.

The invention of the cotton gin converted Daniel Webster from a free trader into a tariff advocate and changed John C. Calhoun from a tariff advocate into a free trader.

Cotton helped make New England a great manufacturing center; made New England the Government's ward in tariff protection; made New England rich.

Cotton made the South the defenders of slavery, the derelicts of agriculture, the victims of a vindictive peace, and consigned them to a sectional prejudice in the country's Government. The unnatural demand that cotton should be grown cheap and sold cheap placed the South in everlasting defense of its life product and in the fatal position of organizing within the Government an ex parte government for its own protection. All these things have made the South poor, not rich.

That the South is poor, the poorest section in the United States, is evidenced by the tax assessments of the Government in the calls for the Liberty loans, Red Cross, Y. M. C. A., and other Government demands on the loyalty and ability of the people. The South was assessed the least not because they were the least loyal, but because they had the least money. The section which has made the most out of cotton, more out of it than the growers—New England—was assessed more not because they were more loyal, but because they had more property.

New England fights the price of cotton. In 1914—war just declared, a big cotton crop coming in, export demand shut off—it was evident that unless stabilized the price of cotton would go to pieces and that there would be widespread loss and suffering to the cotton grower. The Secretary of the Treasury, Mr. McAdoo, called a meeting in Washington to see what could be done. The writer was present, and, when recognized by

the chairman, stated—first calling to the attention of the Secretary that the year before, when the corn, meat, wheat, and cotton crops were about to be placed on the market, there was wide suggestion of a money panic because there would not be money enough to finance the crop—that Mr. McAdoo, in an interview, declared that the United States had $500,000,000, or any other millions, that might be necessary, and there was no panic. Continuing to speak, I suggested to Mr. McAdoo that with the war on, the export demands stopped, the cotton crop coming in, prices going to pieces, if he would say to the reserve banks that he would recognize loans at 8 cents a pound on middling cotton, although 8 cents was far below the cost of producing cotton, it would immediately stabilize cotton at this price and that this price would take care of the pressing wants of the farmer; that the manufacturer could use it, the trade would take the goods, and there would be no irreparable loss to the cotton section.

A gentleman from Fall River, Mass., attending the meeting, getting recognition, objected to the proposition that the Government should help to stabilize the value of cotton at 8 cents, stating that the manufacturers were going to have an opportunity to buy cotton cheap, and that the price should be at supply and demand; and yet the gentleman was from the home of the Home Market Club, the section which had received the greatest benefits from the tariff. Cotton went to 5 cents a pound, and there was incalculable loss and suffering.

Great fluctuations in the price of cotton is to the worst interest of the manufacturer. The manufacturers do not benefit from erratic values in raw material; they want stabilized values; regular values. A price which kills the producer does not help the manufacturer. The hyperbolic vaulting in the cotton exchanges, made possible by the rendition of the Smith-Lever bill in the Secretary of Agriculture's office, resulted in hardships not only to the cotton grower but also to the cotton manufacturer. It is downright irreligious that cotton should be made the Armenian, or the unspeakable Turk, in the political economy of the land. Cotton should not be subjected to a sectional defense, but should have a national defense, ah, an international defense!

The labor producing cotton is paid the lowest scale of any class of labor in the United States. If the war labor boards had fixed the price of cotton-field laborers at anything like the equivalent of any other labor, the cost of cotton would have gone darjeeling. A picture of the cotton-field laborers getting regularly $1.50, $2, $3, $4, not to say $5, and working eight hours a day, has never been drawn, neither has the price of cotton, based on a fair price for labor, ever been estimated, and the Congressman or labor agitator who would suggest that such a thing as right be done would be put in an iron cage and carried around to show as the wild man from Borneo.

I have planted cotton for 50 years, was born and raised on a cotton plantation. The elements which enter into the production and cost of cotton are so varied, depending upon soil, season, insect enemies, character of fertilizer, and cultivation, that stated cost value is impossible and estimated profits a vagary. That the profits in cotton raising are the lowest of any other agricultural product or any industrial proposition, and that the cotton producer's life is less desirable and ideal is evident. Cotton lands are the least sought after; the price is the cheapest. There is no immigration into the cotton lands, and there is emigration from the cotton lands. The poor whites, and also the poor darkeys, in the South are made so by the poor results of cotton planting, and not because inherently in the climate or class are the qualities which bring these results. No country can be prosperous when it takes a crop failure to produce a fair price for its product.

In the last national election the principal arguments were anti-South, stressing particularly that the southern Congressmen voted for the price fixing of wheat, but would not allow the price fixed on cotton. The argument found fallow soil, and it looks like we will again have a sectional, prejudiced Congress.

The cotton farmers, witnessing extravagant high prices on everything else, and remembering conditions which had been theirs from boll weevil, from drought, from short crops, and from the first year of the war, believing that the incoming crop was short and would be high, and desiring to share in the general great prosperity, clamored for the supply and demand prices. The cotton representatives in consequence refused to stand as a national party and committed the mistake of voting for stabilizing other farm products and refusing to fix the price of cotton.

In my opinion, the fight made against the stabilizing or fixing the price of cotton was wrong. The South should have trusted the Government. Whatever was right and useful for the Government in carrying on the war, whether affecting cattle or hogs, wheat or corn, wool or cotton, the prices should have been fixed and all products should have been used by the Government in one vast aggregate, used as they saw best. It was not a time for sectionalism in agricultural, industrial, or other commodities. In fact there is no time for sectionalism. Every part of the United States suffers from sectionalism. Every man and every product of every State, everywhere, should be to the Government like the stars and stripes in our flag and the defenders of which should be like the component parts of the Rainbow Division, not a question of what State or section from, the only question, "What do you want done, Gen. Pershing?" It was the Rainbow spirit, the American spirit, which whipped the Kaiser.

Our policy, at least commencing now, after the settlement of the greatest war the world ever saw, a war in which one nation proponing to itself the best culture, the highest superiority to every country and to everything, has been dragged to the dust; the Entente, proposing democracy, equality, that every man should sit under his own vine and fig tree, and have it just like every other man, everywhere—this has won.

Mr. Editor, we are too far from Webster and Calhoun, too far away from Grant and Lee to appreciate the thunders of sectionalism. Nationalism should be the demand of the hour and of the country everywhere. Americans should feel that the cotton crop was theirs, and should help the cotton South produce cotton, should help the cotton South get a fair price for cotton.

Again, cotton carries the greatest beneficences. Americans should see to it that the poorest of their fellow citizens should not continue to be called upon to make it a benevolence.

Mr. COMER. Mr. President, the article which has been read at the desk is an article which has been sent out from the New Orleans Cotton Exchange, and it makes some very grave charges against the amendment which has been submitted by me. In the first place, it says the amendment was "slipped in." I desire to say in reply that the amendment was read the day before it was formally offered, was ordered to be printed, and to lie on the table so that every Senator might see it. The amendment was discussed for quite a while. However, this article further charges me with being a spinner, and that the amendment is offered for selfish purposes. All the amendment attempts to do is to make the exchange market conform to the commercial market, and when that is done you hurt gambling and help everything except gambling. I take it, Mr. President, that it is not the desire here to help that class.

The statement also is made that the amendment injures the hedging sales of cotton; that is, a man can not safely sell the market. Of course, he can sell the market; it is only required that he must deliver at least half of the better grades. If a miller were to buy 10,000 bushels of wheat and you could deliver him any grade from No. 3 down, how would you feel if he should come before Congress and demand that he should have the right to have No. 3 and above for at least half of it. That is what the amendment referred to means. It means that in selling a contract you must deliver half of it of middling and above, embracing five grades, and you may have that right for the other half to deliver the other grades. It is to provide a buyer's and seller's contract. Now, it is a seller's contract entirely. The seller has from the 24th of the preceding month to the 25th of the current month in which to deliver the conglomerate grades at a high price. Of course, that is not for the best. The New Orleans Exchange article charged that the proposed amendment has disorganized the market. Since February 20 May cotton has advanced 5½ cents per pound, $27.50 per bale; July cotton has advanced 4½ cents, $22.50 per bale. Even a threat of this has advanced May cotton 5½ cents a pound, which is $27.50 a bale; it has advanced July cotton $32.50 a bale. Senators may examine the market reports for themselves and ascertain that fact. To-day May cotton is 39½ cents; just a few weeks ago it was, as I recall, 33 cents. This is the effect of the disorganization. We want a contract the commercial value of which shall be the same as the commercial value of cotton, and it is right that there should be such a contract; it is right to know in part what you are going to get in the way of deliveries, and this will help take care of the market and can not possibly hurt legitimate contracts.

We have laws governing the sale of patent medicines. A patent medicine may not be sold without stating what are its contents. Certainly we ought to have a law which is equivalent, so far as the sale of cotton is concerned, so that the purchaser will know what he is getting.

The further statement is made that the exchanges saved the price of cotton and consequently the producers and dealers in the war panic of 1914. In 1914 every exchange shut its doors; even the stock exchange shut its doors. That was done for self-protection, and it was right to do it. I do not question that at all.

By the way, I ought to say that we have no fight against the exchange; we want the exchange; it is the methods of the exchange we are fighting; that is all, particularly the gambling feature of it.

Prior to 1890 the exchanges had to deliver cotton at the commercial price. That was right; they ought to do that now. All cotton was delivered at the commercial price. If that were done now, there would be no trouble whatever; but after 1890 the exchange had a committee of exchange members to say what the differences in the different grades should be, and there is where the trouble began. Price differences in grades were so fixed and differences were so arranged as to suit the speculators; in other words, they reaped the benefit from the decision of what the differences should be. That was the open charge. Matters got so bad in 1906 there was a vast accumulation of low-grade cotton, of punk cotton, assembled, which was held over the market not for the purpose of making a market but for the purpose of defeating the market. That practice was continued until it became a scandal in the commercial world. There were some 60,000 or 100,000 bales of punk cotton assembled at easy exchange points, and parties holding this cotton and selling the market, ready to deliver this cotton at differences made by themselves, created fearful conditions. There was so much swindle that Congress, by legislative enactment, restricted the number of tenderable grades to 21, which resulted in the protection of the cotton spinner. Prior to this, when all the grades were tenderable, in consequence of which the market could be easily sold to pieces and it was impossible to make a reasonable contract on the exchange, Messrs. Brown, Haynes, Patton, and others formed a combination to buy all these punk grades, take them off the market, and thus realize, if possible, straight deliveries of cotton to be shipped in from the spot market to relieve the depressing influence of the punk cotton held for the purpose of depressing the market. Senators will recall how these men were indicted as being conspirators to affect the

market. It was the other crowd, the crowd who were holding for speculative purposes, for purpose of unholy gain, this accumulation of punk grades on the market, who ought to have been indicted.

I confess to you that our company was one of that crowd. We bought some of that cotton and took it off the market and manufactured it. We tried to get rid of the whole thing. Then the law was enacted that you could deliver but 21 grades. But even in this it was found that the speculators could still get together for the purpose of delivery strict and low middling tinges, yellows, spotted, strict middling and middling stains, and so forth, and with these depressing the market so much—as much as 5 cents per pound in a day—that Congress passed a law restricting the variations in the market to 2 cents per pound a day. In other words, with the 21 grades they could still get together most undesirable cotton and practice various stunts on the market, accomplished by the power to deliver cotton the least desirable and the most unspinnable.

Speculators could still supply an assembly of low-grade cotton that few could use. That is what they practiced regularly on the market—instead of delivering cotton that was spinnable they delivered cotton that was unspinnable. When a dealer buys a contract of cotton he ought to have a real, genuine delivery of cotton that can be used, or if he does not or can not use it himself that he can sell. In the last contracts of 21 grades this was impossible. We took up 200 bales of cotton in New York and were given 12 different low grades on each contract, and we had that cotton in New York for three months trying to sell it, but we could find no market for it. The only thing we could do was to sell it back to the exchange and redeliver it. That is a totally unfair proposition; and this is what we are trying to avoid today. With 10 grades they can still play the market and make it a seller's market. One half middling and above and the other half at the seller's option make it both a seller's and a buyer's market, equal protection to both. It is said that it is a spinner's contract; but it is not; it is a producer's contract, because it protects the price of the cotton—protects it so that the exchange price will coordinate with the commercial price, that the price of spot cotton and the price of exchange cotton will carry the evidence that it is the same product that is under value, and that there will be no thimblerigging of values; there will be no marking of the cards, it will be an open-game proposition, in which any business man can engage; make it possible that the exchange price will be the equivalent to the spot price, so that a man any day can take up the newspapers and see what cotton is worth, and that is more than the farmers heretofore have been able to count on and is exceedingly important. A transaction by an authorized Government agent should be as clear as day and impossible of any swindling arrangement.

Certain interests are trying, as I have said, to camouflage the issue. We get this morning the message to which I have referred, copies of which are being sent to Senators. They are threatening southern Members of Congress, using all kinds of false statements regarding the effect of this amendment on the interest of the farmer and the interest of off-grade cotton.

Senators, cotton is a national product; it is of national use, and it is the duty of the Nation to stand up and defend it, and not to legislate to the interest of the speculators. It is the only agricultural product in the world where the gambler's interest is recognized by law. The measure to which reference is made does not involve the destruction of the exchange at all, but simply the destruction of the power of the gambler to attempt to say what the price shall be. I say that is entirely wrong, and I trust that the Congress will rectify that situation.

MEAT PRODUCTION.

Mr. CAPPER. Mr. President, I ask consent to read a telegram from the head of the live-stock department of the State of Kansas on what we regard as a very important matter:

TOPEKA, KANS., *March 30.*

Senator ARTHUR CAPPER,
United States Senate, Washington, D. C.:

The propaganda of the United States Department of Justice to "save money on meat" is a crime against the live-stock producers of this country—another act of our Government to penalize the live-stock producers for their response to the call for increased production during the war. Why pick on meat? It is already the cheapest food we have, and the only one which is being produced at a loss. Why does the Department of Justice not investigate the high cost of sugar, potatoes, flour, cotton, and tobacco? I urge you, in the interest of the live-stock producers of Kansas, to introduce resolution in Congress condemning this propaganda.

J. H. MERCER,
Secretary Kansas Live Stock Association.

I should like to have this telegram referred to the Committee on Agriculture and Forestry; and in that connection I want to say that Mr. Mercer undoubtedly voices the wishes of the live-stock interests of Kansas generally, and I share his view of it also. The matter complained of is in line with the policy of governmental agencies here for the last year or two—a willful disregard of the interests of the producer—and the inevitable result is decreased production. Already there are evidences out in the West of a lessened operation in the cattle industry. That is certainly a short-sighted policy, which will mean hardship for the consumer and will inevitably bring higher prices.

I hope the Committee on Agriculture and Forestry can give this memorial prompt attention.

The PRESIDENT pro tempore. The telegram will be referred to the Committee on Agriculture and Forestry.

At 2 o'clock and 33 minutes p. m.,

The PRESIDENT pro tempore. The morning business is closed.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. WARREN. I ask unanimous consent that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill, H. R. 12010.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12010) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes.

The PRESIDENT pro tempore. The question is upon the motion to reconsider made by the Senator from Oklahoma [Mr. GORE].

Mr. STERLING. Mr. President, just a word in regard to the pending motion.

Mr. SMOOT. Will the Senator yield for just a moment?

Mr. STERLING. I yield to the Senator from Utah.

Mr. SMOOT. I wanted the Senator to yield so that I could ask unanimous consent for a reconsideration of the vote on the amendment found on page 45. The Senator from North Dakota [Mr. GRONNA] stated that if we had a reconsideration of it we could vote upon it, and whatever the Senate decided would be satisfactory to him.

The PRESIDENT pro tempore. The Senator from Utah asks unanimous consent for the reconsideration of the vote by which the amendment on page 45 of the bill was agreed to. Is there objection? The Chair hears none; and the vote by which the amendment was agreed to is reconsidered. The question now is upon agreeing to the amendment.

Mr. STERLING. Mr. President, it was not my intention to make any point of order against this amendment in the event it is reconsidered by the Senate, but I hope the amendment will be reconsidered, and that on a reconsideration the amendment will be disagreed to.

I have been led to examine the provisions of the Federal farm-loan act, and I find that this amendment will repeal by implication, and also, it seems to me, by indirection, several provisions of the Federal farm-loan act. I shall occupy but a moment, and I want to call attention to those provisions.

Subsection 3 of the act provides as follows:

The salaries and expenses of the Federal Farm Loan Board, and of farm-loan registrars and examiners authorized under this section, shall be paid by the United States. Land-bank appraisers shall receive such compensation as the Federal Farm Loan Board shall fix, and shall be paid by the Federal land banks and the joint-stock land banks which they serve, in such proportion and in such manner as the Federal Farm Loan Board shall order.

So it will be seen that all expenses and all salaries under the original Federal farm-loan act, except the salaries of appraisers, must be paid by the Government of the United States.

Referring now to the very broad language of this amendment, it reads:

Beginning with the fiscal year 1921, the Federal Farm Loan Board shall, as soon as possible after the close of each half of each fiscal year, levy upon the Federal land banks and joint-stock land banks in proportion to their gross assets an assessment equal to the amounts expended from all appropriations on account of salaries (including any additional compensation) and expenses of the board and its appointees and employees for the half of the fiscal year then closed.

Thus, Mr. President, compelling the Federal farm-land banks themselves to pay all salaries and all expenses; so, if the committee amendment is enacted, it will repeal the provisions of the Federal farm-loan act.

Now, Mr. President, to call attention to another provision or two of the act: What is one of the powers of the Federal Farm Loan Board? Subdivision 9 of subsection 13 provides as follows:

To charge applicants for loans and borrowers, under rules and regulations promulgated by the Federal Farm Loan Board, reasonable fees not exceeding the actual cost of appraisal and determination of title. Legal fees and recording charges imposed by law in the State where the land to be mortgaged is located may also be included in the preliminary costs of negotiating mortgage loans. The borrower may pay such fees and charges, or he may arrange with the Federal land bank making the loan to advance the same, in which case said expenses shall

be made a part of the face of the loan and paid off in amortization payments. Such addition to the loan shall not be permitted to increase said loan above the limitations provided in section 12.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Ohio?

Mr. STERLING. I yield to the Senator from Ohio.

Mr. POMERENE. I have only been able to hear part of the Senator's argument; but, with his permission, I should like to ask him a question. Under the farm-loan act, to which the Senator is referring, how are the expenses of inspection paid?

Mr. STERLING. They are paid by the Government of the United States, except as "inspection" may mean "appraisal." The appraisal of the land and recording fees are all that are paid by the Federal farm land banks, and of course ultimately they are paid by the borrower.

Mr. POMERENE. That was my recollection about it, but I was not entirely clear.

Mr. STERLING. Now, Mr. President, I do not believe the Congress of the United States wants to repeal these provisions of the Federal farm-loan act. This act, according to its title, was to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, and so forth. The main purpose of this act, as revealed by its consideration in the Senate of the United States, was to reduce the rate of interest and cut out commission charges on farm loans to the farmers of the country. That was the great purpose, because it was realized that for a long time farmers had been paying an exorbitant rate of interest; and to that end we made the property, except real estate but including the notes, and the mortgages taken by the farm-land banks and the bonds issued by them, free from taxation. The act provides that they shall be deemed Government instrumentalities, all to accomplish the one purpose of bringing down the rate of interest on farm loans to a reasonable rate. So, Mr. President, I think we should refuse to repeal these wholesome provisions. If we do not, we help to destroy the very purpose of the Federal farm-loan act.

Mr. SMOOT. Mr. President, when I first offered the amendment it was at the request of members of the Federal Farm Loan Board. It does repeal a part of subsection 3 of the Federal farm-loan act providing for the payment of expenses as enumerated in this provision. It conforms to the law that affects the payment of expenses of the Federal Reserve Board.

The Federal farm-loan banks, Mr. President, I am told this morning, are clearing at least $2,500,000 per annum——

Mr. OVERMAN. Net?

Mr. SMOOT. Net; $2,500,000 per annum. I am very glad of it. I have no criticism whatever to offer, and I wish it were more.

My attention has been called to the fact that one of the reasons why the board recommends the passage of this law is the criticisms that have been leveled at the Federal farm-loan banks by corporations and individuals doing a banking business, dealing with the same class of customers the Federal farm-loan banks deal with, who point to this very item of expense that has been paid by the Government. In other words, Mr. President, the rate of interest is fixed by law; the Government not only furnished all of the capital to begin with but the Government pays all the expenses of the Federal Farm Loan Board. It is such a small item compared with the total business that I can not see why there should be any objection to it any more than the board that directs the affairs of these banks.

Mr. President, what little expense the Government is relieved of by this amendment does not all fall on the Federal farm-loan banks. A portion is to be met by the joint-stock land banks; and I want to say that unless Senators who favor the Federal farm-loan banks support legislation that will check the extension of the joint-stock land banks and take from them some of the privileges which the Federal farm-loan bank itself has not, they are going to drive the Federal farm-loan banks out of existence.

What moral right have individual citizens in any State of the Union to organize a joint-stock land bank with the privilege of issuing bonds exempt from taxation fifteen times the amount of their capital stock? What moral right have they to loan out fifteen times the amount of their capital stock, draw as a premium 1 per cent interest per annum upon all their loans, and when the limit is reached sit down in their office and seek no further business for years and years, and make, in many cases, more profit than other bank organizations in the United States?

Are we going to relieve that class of men, doing business as owners of the joint-stock land banks, of a few paltry dollars that they would be compelled to pay under this amendment? Is there any other business whose expenses are suggested be paid by the Government of the United States?

Mr. STERLING. I would like to ask the Senator from Utah how many joint-stock land banks there are.

Mr. SMOOT. The last report I received, months ago, gave the number as 29; but I am quite sure there have been others organized since then. In fact, I am quite sure that there are over 100 applications on file now.

Mr. STERLING. Can the Senator state how many national farm land-bank associations there are?

Mr. SMOOT. The associations are not affected by this amendment at all.

Mr. STERLING. The members of the associations are affected by it. They will ultimately have to pay all the salaries and expenses which the amendment provides shall be assessed against the Federal farm-land banks.

Mr. SMOOT. Mr. President, can a Senator stand upon the floor of the Senate and say that the Government of the United States ought to pay the running expenses of banks?

Mr. STERLING. The Government should pay all the expenses, just as is provided in the original act, except the expenses of appraisement and recording.

Mr. SMOOT. Mr. President, the only reason why there was not any objection at that time was that there were no banks established at the time, and it was necessary to have some provision to take care of the board, and that could only be done by an appropriation.

Mr. McLEAN. Mr. President——

Mr. SMOOT. I yield to the Senator from Connecticut.

Mr. McLEAN. Mr. President, I might call the attention of the Senate to the fact that every dollar that was required to start this system came out of the Treasury of the United States. All the cash that was necessary to subscribe for the capital stock of each of these banks—$750,000 in each case—came out of the Treasury of the United States. Not only that, but they have had a bond subsidy, which now amounts to more than $290,000,000, free from taxation.

While I am on my feet I want to say that we all have sympathy for this system, and we want it to succeed, and it is succeeding. The farmers of the country are not mendicants. They are not coming here and asking alms. All they ever asked for was to be put upon a competing basis with other industries in their demands for credit, and they are getting their money now at reasonable rates and are satisfied. They compare favorably with the rate that other productive industries pay.

The governors of the system, the members of the Federal Farm Loan Board, in asking for this legislation ask for it because they have the money to pay these expenses, and it will not raise the rate of interest to the borrower a mill. It seems to me that under the circumstances there ought to be no hesitancy on the part of Congress to adopt it.

I disapprove writing general legislation into an appropriation bill, Mr. President, but I have observed that a measure that is reasonable and sensible and proposes really to save a few dollars to the Treasury of the United States has to be written into an appropriation bill in order to pass this body.

You have an opportunity here to save $100,000 or more. The farmers, I am sure, will not suffer to any extent in securing their loans under this system. It will not raise the rate of interest, as I have said, a mill. The profits of the system furnish the money to pay these expenses, and I am glad, under the circumstances, that the Committee on Appropriations did write this amendment into the bill, and I shall vote for the amendment.

Mr. SMOOT. Now, Mr. President, there is no necessity of taking any further time of the Senate if there is going to be a point of order made against the amendment. There is some doubt in my mind as to whether a point of order would lie against it, any more than it lay against the amendment to an appropriation bill establishing the stop-watch system in the different arsenals of our country. But I am not going to raise that question. I voted for the bill to establish the Federal farm loan banks. I will do anything in reason to assist them. But I say now, Mr. President, that you can not find a Federal farm loan bank from one end of this country to the other which will object to paying the paltry sum that would be imposed upon them under the pending amendment.

I am going to pause and ask whether any Senator is going to make a point of order against the amendment? And if so, let him do it now, because in that case there would be no need of taking any more time of the Senate.

Mr. GORE. In view of that statement, I will state that I made the motion to reconsider with that in view; and as the Senator's remark indicates that there will be no breach of faith if the point of order is made, and I am certainly under no obli-

gation to withhold it, I therefore make the point of order against the amendment that it is general legislation and changes existing law.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. POMERENE. There is no amendment pending?

The PRESIDENT pro tempore. There is no amendment pending.

Mr. POMERENE. Last night the junior Senator from New Jersey [Mr. EDGE] presented an amendment, on page 134, line 11, to strike out the numerals "$1,500" and insert in lieu thereof "$2,000." I may say that I expect to follow that up with another amendment increasing the amount appropriated as indicated on line 18 from $165,000 to $250,000. Let the amendment be stated.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 134, in the item relative to commercial attachés to be paid a salary not to exceed $1,500, on line 11, it is proposed to strike out "$1,500" and in lieu thereof to insert "$2,000," and to change the total to accommodate that change, if made.

Mr. POMERENE. Mr. President, this relates to the subject of commercial attachés connected with the Department of Commerce. These attachés have been doing most excellent work toward the extension of our commerce abroad. We will be obliged to find markets for our surplus goods.

Mr. WARREN. Mr. President, I do not wish to interrupt the Senator, but does he propose to do away with the $1,500 limit upon the clerks to the commercial attachés?

Mr. POMERENE. No; I propose to increase the amount to $2,000, instead of leaving it at $1,500.

Mr. WARREN. It is subject to a point of order in that shape, and I shall have to make the point of order, although I am willing to withhold it to hear what the Senator has to say.

Mr. POMERENE. I hope the Senator will not make the point of order. I am in entire sympathy with the purpose to economize wherever it is legitimate, but I do not regard this kind of economy as legitimate economy. You are seeking here to provide a compensation of $1,500 for clerks to be sent abroad as representing these attachés, and you expect a $1,500 man to fill the place. I submit that ordinarily, if a man is going to one of the foreign countries as a clerk for an attaché and he is not worth more than $1,500 to the Government he ought not to be sent there, but he ought to be kept at home. A clerk can not sustain himself in a foreign country, doing the work that will be required of him, on that salary, and I am asking that it be increased to $2,000. I do not understand why there should be any objection to it. If we are going to cripple the department by cutting down this remuneration we might just as well do away with the officials themselves.

In this connection I desire at the same time, because I believe I will save time by doing it, to discuss the other propositions.

The Senate committee has accepted the appropriation of $160,000 made by the House. Mr. Kennedy, representing the department, discussed this subject before the committee. I read from page 1416 of the hearings, where in answer to a question he said:

> We have not made any specific request as to the rate of salary. We have asked for an increase in our commercial attaché appropriation, for example, from $165,000 to $300,000, and the Secretary of Commerce will review the salaries, I presume, and decide on what he thinks is necessary, and if we have that enlarged appropriation he would be in position to increase the salaries at different posts.

Further on he was asked the question:

> Is that increase for the purpose of increasing the salaries or for increasing the number of the service?
>
> Mr. KENNEDY. It is for several purposes. One purpose is to increase salaries, another purpose is to establish three or four additional offices, and another purpose is to enable us to pay salaries somewhat higher to clerks. At the present time we only have 4 clerks, whereas we have 14 commercial attachés. There is a provision in the law that not more than $1,500 can be paid for a clerk. That limitation does not apply to the naval attaché or to the military attaché or to the State Department clerks, and, as a matter of fact, our inquiry showed they are getting anywhere from $1,800 to $2,500 at various posts. As a result, our clerks have resigned and we have not been able to get others. If that limitation is taken out of the law and the Secretary of Commerce is allowed to designate what he thinks is a fair going rate for a clerk at a particular post we will be able to give every commercial attaché a clerk.

I submit that anyone who has followed the work of these attachés must be convinced of the necessity of having practical and competent clerks to aid them in their official work.

Mr. President, the junior Senator from New Jersey [Mr. EDGE] and myself have conferred about this matter, because it so happened that I at one time had given some attention to the subject and he has taken it up independently. He was obliged to leave the city yesterday to keep a previous engagement, and he has written to me a letter presenting his views with regard to the subject. I send the letter to the desk and ask that it may be read.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

> UNITED STATES SENATE,
> COMMITTEE ON COAST AND INSULAR SURVEY,
> *March 31, 1920.*
>
> MY DEAR SENATOR: In informally discussing with you in the Senate Chamber this afternoon the possibility of great commercial advantages through more encouragement on the part of Congress to the Department of Commerce in connection with its Bureau of Domestic and Foreign Commerce, you evinced so much interest in these possibilities that I am taking the liberty of asking you to call up for me the inclosed amendment to H. R. 12610 now pending. An engagement previously made calls me from the city to-night, and I presume the bill will be disposed of before my return, and, feeling that the adoption of the attached amendment would be of so much practical benefit to American producers and exporters, I feel that the opportunity should not be lost.
>
> I really think this department, with the great possibilities of increasing our domestic and foreign commerce, should have a more substantial appropriation in practically every activity coming under this subhead. But, recognizing the necessity for special curtailment in expenditures, the amendment I have proposed alone affects the item of commercial attachés and the personnel of their organizations. Congress has modestly but gradually increased the appropriation allowed this bureau ever since its inception in 1914. This year, when so much opportunity presents itself, the appropriations as provided in the pending bill are precisely the same as allowed in the current year. Of course, it is perfectly obvious that even a similar appropriation for the ensuing year, as compared with the past year, would not permit of the same service, even if no expansion were contemplated, simply because of the greater cost in administering any going business or in carrying out any activity. So therefore the effect of the pending appropriation, if unchanged, will be to curtail rather than to maintain even similar activities this year as compared with last.
>
> Just why the department should be thus handicapped when the whole world is, in a way, calling for our products, is beyond comprehension. The bill as presented provides that clerks in the office of commercial attachés in offices abroad shall receive salaries not to exceed $1,500. The amendment I propose raises this maximum to $2,000. It is evident that the salary of $1,500 has not attracted clerks, inasmuch as Mr. Kennedy, at the head of the bureau, testified before the committee of the House that at the present time only four clerks were employed, whereas there were 14 commercial attachés in different sections of the world. I can well understand this, for, to be frank about it, in my judgment, a $1,500 man should never be sent abroad representing the United States Government in an endeavor to broaden commercial possibilities of the business men of the United States. Two thousand dollars seems to me much too little, but I have endeavored to make my amendment at least modest.
>
> The same section of the pending bill provides that the total expenditure for this entire work shall be limited to $165,000; the amendment I have proposed raises this to $250,000; the department requested $300,000, so that the amendment suggested is well within the request. This additional $85,000 will permit the appointment of additional commercial attachés and permit of investigation in the interest of the producers of the United States in order that our trade may receive the benefit of that possible expansion.
>
> I might point out what the Board of Trade of Great Britain is doing at this very moment in the interest of her manufacturers and producers, with the desire to stimulate export business. I quote from an announcement recently issued by the London Board of Trade, which is in itself a semigovernmental organization:
>
> > The Government are prepared through the export credit department of the board of trade to consider applications for advances up to 80 per cent of the cost of the goods to the seller, including freight and insurance, commission paid to the department by the seller in respect of exports to—
>
> and then follow various countries of the world. This is actually advancing cash to permit the British business man and farmer to finance the sale of his produce in other countries.
>
> The Department of Commerce, through its foreign bureau, of course, advances absolutely nothing, but simply secures information and learns conditions for dissemination among American business men and producers, so that they can arrange a sale if they see fit and proper to do so.

The policy of our governmental boards has usually been that of investigation and almost oppression, while that of foreign Governments, as here evidenced, has been cooperation almost up to the point of financing prospective business.

To-day we are pardonably proud of our splendid merchant marine and considering a policy in order that it be prosperous. Of course, it is self-evident that it can only be prosperous if it carries full cargoes from American ports to all the countries of the world. It can never be prosperous going abroad in ballast. Therefore, with this splendid opportunity, when for the first time in almost a century we have our own bottoms with which to transfer our wares, it seems to me a very inopportune moment to reduce, comparatively speaking, the appropriations of the one department of the Government whose responsibility lies in the direction of building up our export business.

Of course, I appreciate that, in a way, the consuls who are representing our State Department contribute considerable valuable information in the interests of our foreign trade, but their activities are necessarily and properly limited to the diplomatic field which a consul should occupy. As I understand it, the commercial attachés of the Department of Commerce have no such restriction and are permitted to go right in to possible trade sections and be of much more practical benefit to the business man. As an evidence of the great practical benefit that has already accrued from this department, with its meager appropriation, I am attaching a few references from actual reports from that department from commercial attachés abroad.

In conclusion, it may be interesting to note that, in addition to the activities of the London Board of Trade, the Government, notwithstanding her enormous war debts and her expenditures far in excess of her revenue, has appropriated this year approximately a million and a half dollars for her department of overseas trade alone. This is of significance when compared with the $910,000 provided in the pending bill, which includes both domestic and foreign activities. I am informed that France, confronted as she is with the necessity for rigid economy and with the prospects for export business in no way parallel even with a small portion of the United States, has appropriated $850,000. Therefore, it does seem to me that the small increase for this activity should be granted by Congress and thus the work be encouraged.

I do not know a period in the history of the country when the opportunity was greater and when it was more necessary to encourage greater production, and, of course, you can not encourage greater production if the market is limited. Around greater production, all agree, many of our problems assemble, and in this department, at very small expenditure from the evidence at hand, the Government can contribute her part toward increased prosperity that greater production assures.

We can not reach out for world trade if we bind our commercial arms with the thongs of penuriousness or false economy.

Cordially, yours,

WALTER E. EDGE.

Mr. POMERENE. Mr. President, I happen to have before me a letter indicating concretely the character and kind of work that some of these attachés are performing in the interest of American industry, and I want to read just one paragraph from the letter:

> Now for the concrete results obtained by the foreign trade promotion activities of the Bureau of Foreign and Domestic Commerce. Since the fiscal year 1915 Congress has appropriated the comparatively insignificant sum of $600,000 for the commercial attaché service. Yet one commercial attaché alone—the one in China—together with the assistance of one of the special technical representatives of the Bureau of Foreign and Domestic Commerce, was responsible for an initial order of over $600,000 of American cotton-mill machinery being installed in China, and as a result of this one example of trade promotion a total business of $16,000,000 of such machinery business came to this country in the single year of 1918 alone.

I think that demonstrates the wisdom of maintaining this service.

Now, does not the Senator feel that the sum of $1,500, which is the maximum limit for the payment of these clerks, is entirely too small?

Mr. WARREN. There is no doubt about that. If the Senator will permit me, I will give him my reasons for suggesting the making of the point of order.

This whole attaché matter was under discussion in the other House; in fact, as I now recall, the committee did not report it at all, but left the entire matter out of the bill, and I know they were opposed to it on the floor.

Mr. POMERENE. The Senator from Wyoming is speaking of the House of Representatives?

Mr. WARREN. I am speaking of the House of Representatives. The House of Representatives, understanding the ideas of the committee, reinstated the provisions of the present law, and the bill came to us in that form. We have had a large number of people before the committee; in fact, the so-called combination committee, representing 18 or 20 industries from New York, were heard, but the committee still thought that, taken as a whole, in these times when we must cut to the bone where we can, it was best to leave it as it now is.

As to the increase of the compensation to $2,000, the Senator will observe that the $165,000 is a lump sum, and if the limit of the compensation of the clerks is raised from $1,500 to $2,000 there should also be a limit as to the number of clerks.

I understand from what the Senator has said that he is the residuary legatee of the amendment suggested by the Senator from New Jersey [Mr. EDGE], and that he will probably propose to increase the $165,000. Of course, there have been estimates for a larger sum than that; and, without speaking for either the committee or the Senate, I should myself feel like increasing the compensation to $2,000 if it is confined to 14 clerks and let the matter go to conference.

As to the $165,000, instead of increasing that to $300,000 or even to $250,000, personally I should not object to its being increased to $200,000 and letting the matter go to conference in that way.

Mr. POMERENE. Mr. President, I had expected to present an amendment to increase the $165,000 appropriation to $250,000. My information was in accord with that which the Senator has given, namely, that there was an estimate of $300,000. Would the Senator consent to increase the amount of $225,000?

Mr. WARREN. I should not be in favor of increasing it at all unless the Senator will confine the increase so that it will not exceed $200,000.

Now, as to the other matter, if the suggestion I have made is satisfactory to the Senator and the author of the amendment, of course the Secretary can arrange the details as to the 14 clerks.

Mr. POMERENE. I have no objection to limiting the number of clerks to 14, and that could be very easily done by providing:

> And for 1 clerk, not to exceed 14 in number, to each of said commercial attachés, to be paid a salary not to exceed $2,000 each.

That, I think, would meet the situation the Senator has in mind.

Mr. WARREN. Let me say to the Senator that the clerk of the committee will arrange that, if the amount proposed is agreed to and the Senate consents to it. It will be so arranged that only 14 clerks shall receive the increased amount.

Mr. POMERENE. Ought we not to have the matter settled now, while it is before the Senate? I will move to amend by inserting, on line 10, after the word "clerk," the words "not to exceed 14 in all."

The PRESIDENT pro tempore. The Secretary will state the proposed amendment.

The ASSISTANT SECRETARY. After the words "one clerk," in line 10, it is proposed to insert the words "not to exceed 14 in all."

Mr. WARREN. Mr. President, let me have read a suggestion, not as an amendment that I am proposing but as representing the kind of language that I have suggested I might not object to in arriving at the point to which the Senator is directing his attention.

The PRESIDENT pro tempore. The amendment originally proposed by the Senator from Ohio [Mr. POMERENE] was to strike out "$1,500" and to insert "$2,000." There may have been some different understanding arrived at, but that is the amendment on which the question must first be put, if it be not withdrawn.

Mr. POMERENE. I think there is no objection to having that amendment acted upon now, and then we can take up the other amendment later.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. On page 134, it is proposed to strike out the words "one clerk to each" and to insert in lieu thereof "14 clerks"; and in line 11, before the word "each," to strike out "$1,500" and insert "$2,000," so as to read:

> and for 14 clerks of said commercial attachés to be paid a salary not to exceed $2,000 each.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to. The next amendment will be stated.

The ASSISTANT SECRETARY. On page 134, line 18, it is proposed to strike out "$165,000" and to insert "$200,000."

Mr. POMERENE. Mr. President, I hardly like to accept the responsibility for acting for the Senator from New Jersey in this matter, but so far as I am concerned I am willing to accept, so far as I may, the increase from $165,000 to $200,000.

The PRESIDENT pro tempore. The Senator from Wyoming proposes to strike out "$165,000" and to insert "$200,000."

Mr. WARREN. No; I do not propose that, and unless the Senator from Ohio offers it as an amendment it will be objected to.

Mr. POMERENE. I offer that as an amendment.

The PRESIDENT pro tempore. The Senator from Ohio proposes an amendment, which will be stated.

The ASSISTANT SECRETARY. On page 134, line 18, it is proposed to strike out "$165,000" and in lieu thereof to insert "$200,000."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. DIAL. I desire to offer an amendment to come in on page 138, and I ask that the Secretary may read it. I have heretofore sent it to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from South Carolina.

The ASSISTANT SECRETARY. On page 138, line 3, after the words "Portland, Me., $1,300," it is proposed to insert "Charleston, S. C., $1,200," and on the same page, line 5, to strike out the total, "$34,000," and insert "$35,200."

Mr. WARREN. Mr. President, I could make objection to the amendment, but it has come to the knowledge of the committee that business at the port of Charleston has greatly increased, and, so far as I am personally concerned, I am willing that the amendment shall go to conference and see what we can do with it there.

The PRESIDENT pro tempore. Without objection, the amendment proposed by the Senator from South Carolina is agreed to.

Mr. PHELAN. Mr. President, I offer an amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. On page 151, line 2, it is proposed to strike out "$100,000" and in lieu thereof to insert "$150,000."

Mr. PHELAN. Mr. President, last year the amount available for the commissioners of conciliation under the Department of Labor was $200,000, and the department estimated for this year's work the same amount. The committee has cut that item down to $100,000 without any apparent reason except to save money without respect to the merit and necessities of the service.

I have here the report of the Secretary of Labor, who makes the very obvious reflection that last year, which was a war year, extending from July 1 to November 11, the date of the armistice, there was very little difficulty in bringing about settlements, whereas now in this period of readjustment the difficulties have increased, and hence the necessity of maintaining the efficiency of the Division of Conciliation. He says:

> A patriotic impulse had stirred both the employer and the worker, and many differences that, based upon our experience in normal times, would have caused a suspension of operations were very lightly passed over and adjusted without recourse to either strikes or lockouts. So, during the period from July 1 to November 11—what may be called the war months—the Division of Conciliation encountered few difficulties in making harmonious adjustments. From November 11 until the present date the readjustment of industry from war to peace time activities, the reemployment of demobilized soldiers, and the transfer of workers from war industries to normal production have all contributed to the general unrest so noticeable not only in our country but throughout the world.

So I make the point that there is much more necessity to provide for the Division of Conciliation, if it is worthy of support at all, at this time than at a time when $200,000 was available for its use. A like amount, as I have stated, has been recommended by the department.

Why is this work important? In the adjustment of labor troubles we have found that this agency has effected extraordinary results since its inauguration in 1915. In 1915 the number of cases before it was 42; in 1916, 227; in 1917, 378; in 1918, 1,217; and in 1919, 1,780. Of these cases there were, in 1919, 1,223 adjusted; 111 which the Division of Conciliation were unable to adjust; pending, 13; unclassified, 213; and referred to the National War Labor Board, 219. So there has been a progressive growth in the work of this bureau and in the success of its methods, which are to employ conciliation. There are 27 conciliators, and there are only 6 or 7 clerks employed by the bureau in Washington. The bill itself provides a limitation in connection with the employment of clerks at headquarters of $12,000.

So the work is in the field. Wherever there is labor trouble, there these men have gone; and I know from my personal knowledge—and that is what has interested me—that they went into the oil fields of California and they settled, at a very critical time, a dispute which was well calculated to interfere with the production of oil; 25,000 men were involved; and they settled it how? Not necessarily by making concessions. They settled it at a time when the wage asked for by the men was $5 a day. They settled it at $4.50 a day, and the men accepted it. It was in war time, and there was that spirit among the men, which must be praised, not to embarrass the Government during war time. Now, that spirit, as we all know, has diminished, and men are seeking equitable adjustments without reference to patriotic considerations. But the mine operators, recognizing the fact that the men were entitled to their demands, subsequently and voluntarily granted them. The same is true of the textile industries, where 22,000 employees were affected. Both the employers and the employees left it to the commissioner of this department as to whether the employees should have a certain increase. The men wanted 15 per cent and the company offered them 12½ per cent. The commissioner decided on 12½ per cent, and later the companies voluntarily granted the other 2½ per cent, and good feeling remained, and the workers were not disemployed and production was not interrupted.

We are all familiar with the work of these men in the shipyards, what they accomplished for this Government, and the saving of time and money by methods of conciliation. So it does not seem right at this moment, when the difficulties ahead of us are many and not insignificant, to cripple in any manner a bureau which has demonstrated its success.

I have a letter from the American Federation of Labor which doubtless was also received by other Senators. It reads as follows:

> AMERICAN FEDERATION OF LABOR,
> *Washington, D. C., March 26, 1920.*
>
> Hon. JAMES D. PHELAN,
> *Senate Office Building, Washington, D. C.*
>
> MY DEAR SIR: I desire to direct your attention to a matter of grave importance to the workers, the employers, and the people generally. There are two branches of the United States Department of Labor which have rendered invaluable service to our country. They are the Division of Conciliation and the Bureau of Labor Statistics.
>
> By providing the means for the prompt settlement of labor differences the Division of Conciliation has saved millions of dollars to employers and employees in preventing labor troubles. Its methods of adjustment are simple. Upon the request of either side to an industrial controversy commissioners of conciliation, appointed by the Secretary of Labor, endeavor to arrange a conference between the parties to discuss the questions at issue. This discussion usually results in an effective adjustment of pending differences, and also develops such a spirit of good feeling that the groundwork is laid for permanent peaceful settlement of all future issues. The benefit to industry, and consequently to all the people, of the work of this division can not be calculated in terms of money. Industrial peace and order are necessary to progress. The agency which can establish these is of incalculable worth to the people.
>
> The Bureau of Labor Statistics has been the source of the people's information on the actual costs of living.
>
> The appropriations for these two services are now before the Senate in the legislative, executive, and judicial appropriation bill, and they have been reduced to a figure that will greatly restrict the activities of these helpful agencies of the Government and consequently aid the forces of disorder. The appropriation for the Division of Conciliation has been reduced from $200,000 to $100,000, which is just one-half the amount this service has had for the past two years.
>
> The appropriation for the Bureau of Labor Statistics has been reduced by the sum of $55,000.
>
> I would therefore request that when these two items of this bill are being considered you exert your influence to have restored the amounts which have been requested by the Department of Labor. Believing as I do that impairment of peaceful and voluntary methods for adjusting industrial differences and restricting the means of the people for obtaining truthful information on the cost of living will serve only to increase industrial strife and general unrest, I feel that reducing these appropriations will defeat the purposes of real economy. Millions of dollars may be lost to the country to conserve hundreds to the Treasury.
>
> Confident that you will comply with this request, I am,
> Yours, very truly,
>
> FRANK MORRISON,
> *Secretary American Federation of Labor.*

Mr. President, I have not asked for the restoration of $200,000. The committee has allowed $100,000. I have asked for an increase of $50,000 in order that the usefulness of the bureau may not be crippled. I do that entirely on my own responsibility. I know there is a very strong feeling on the part of the Senate Committee on Appropriations and on the part of the corresponding committee of the House that appropriations should be kept down, and we have pleaded with them in many cases, with success occasionally, that it is false economy to reduce an appropriation which by its employment is serving a very useful and necessary purpose. I think that by the addition of $50,000 now recognition would be given to the usefulness of this service, and we could, perhaps, carry it over during the year. Of course, its work depends upon the number of cases that are reported to it, and we can not estimate that in advance; but we do know that during the war period, when they received $200,000, there was less disposition on the part of the workers to interrupt the harmonious relations which existed between them and their employers, moved not by economic but patriotic considerations. I am sorry to say that that spirit is not so manifest to-day; but it is something that we must recognize, and therefore I submit that it is no time to make a change in this appropriation. I yield, however, to that general spirit of economy, and I ask, not that it be restored according to the estimate of the department or according to the amount received

by this valuable adjunct of the department for the last two years, but only by $50,000.

Mr. WARREN. Mr. President, let me assure the Senator from California that there is no disposition whatever to cripple the conciliation commissioners, so far as I know, on the part of a single individual on the committee. We appreciate the work that that commission has done, and we have given them the money that has been necessary from time to time. There never has been a time when additional money has been needed but that they have asked for it in a deficiency estimate and have received it.

These estimates were made up last year, when everything was fomenting. The estimates were made long beforehand, when they had a great deal of work to do, and they estimated for the outer limit of what the possibilities might be in this work of conciliation.

As the Senator so well remarks, one can not tell beforehand what amount of work will have to be done by these commissioners of conciliation. There may not be a time in the next year when they will have one case to act upon. On the other hand, there may be a line of cases for which we shall have to appropriate double and perhaps treble this sum. But now, when the Treasury is so nearly bare, and when we are trying to economize in all directions, when they have money enough at present to go until the 1st of July, and we now give them this $100,000, which is enough to preserve and keep in order all that rightfully belongs to or contributes to this commission and that is useful, I submit that we should not increase this amount. We should rely upon this, and then if it is necessary, as I say, it is one of those things we are bound to have to take up from time to time.

Every one of these appeals that come here to different Senators ought to be disregarded. We ought to go to the head of a department, if anywhere, for correct information. These letters come from employees who fear that they may be discharged, because many of these departments have enlarged the number of their employees beyond the wildest dreams of peaceful times, and of necessity they must reduce. This Department of Labor, if my memory serves me right, has employees now who belong in other departments and who are detailed there. They can return some of those to the departments where they belong if too many are now in employment. It is not necessary that the Department of Labor should be so favored above all others that it can keep a lot of spare men for which it may possibly have use at times.

It seems to me that when we put in $100,000 for expense so long ahead, and they commence on July 1, if we have an eruption that causes very much work for that commission between now and July, there is yet to come a deficiency bill; and then, on the other hand, we shall be here again on the first Monday in December. In other words, we shall be here in less than six months from the time they commence to use this $100,000. It is true that they used $200,000 last year, but they had more work to do then than they have a right to expect for the coming year. I do not believe we ought to acknowledge here on the floor that we expect we are going to have the line of differences that we had for some two or three months last year; and I do not believe, by our appropriations for them, we ought to encourage the idea that we are to continue to have constant use every day for the active work of commissioners of conciliation. We do have a commission every day. Its members are there, to be used whenever required. As I said before, they may go on for six months or a year with not a single item to deal with, and on the other hand they may have many.

I hope the amendment may not be adopted.

Mr. POMERENE. Mr. President, I regret again that I can not agree with the chairman of the committee in his opposition to this increased appropriation. I am in sympathy with the position taken by the Senator from California [Mr. PHELAN]. I think these commissioners of conciliation have done a splendid work in the past. I have had occasion to observe their work during the last several years. I think we must all agree, first, that all labor disputes are deplorable. They are bound to come, however, and when they do come I think we will all agree again that they ought to be amicably settled; and that is the function to be performed by these conciliation commissioners.

Before this matter is finally passed upon I want to call attention to another feature. I am one of the Senators who were in part responsible for the railroad legislation, and I have been attacked a good deal by some of these radicals because I favored some method of adjustment of labor disputes in the case of railroads. I have no apology to make for my position on that subject, and I am willing to defend it at any and all times; and my guess is that notwithstanding the position that is taken by some of the radicals now, when the system adopted by the railroad legislation has had an opportunity to work, and the laboring men have become familiar with its service and the character of it, they will be the men who will commend it.

Now, let me make a suggestion to Senators—and I believe that when I make the statement that I am about to make I will be expressing the views of the chairman of the Committee on Interstate Commerce quite as well. It was our hope in the committee that in all railroad disputes methods of conciliation and mediation would be resorted to, with the hope that all of these disputes might be settled; and I want all of these disputes settled by some method of conciliation, by some method of mediation, if possible, or by arbitration, and if they can not be settled by these methods, then I want them settled by the adjustment boards or by the labor board which are provided for. Their jurisdiction, of course, applies only to railroad disputes.

I know that there is a certain amount of antagonism against that legislation. Nothing that is worth while in this world is ever accomplished without opposition, and the men who are opposing that legislation now will be its friends in the near future. The men who are often called out on strikes suffer because they are called out on strikes. Everybody knows that, and the laboring men know it better than the rest.

Why do I say this at this particular time? I want the men who are opposing that railroad legislation to feel that the men who stood sponsors for it are just as much in favor of conciliation and mediation or by arbitration now as they ever were, and I do not want it said by these men, or any of those who are opposed to that railroad legislation, that "You see the Congress of the United States is trying to limit the appropriations so as to do away with or cripple the methods of conciliation and mediation which have heretofore been adopted."

I hope that it will not be necessary for these labor boards to act. I hope that every dispute can be amicably settled, and I will help every time I have an opportunity to bring about a settlement. But I was for that railroad legislation, because I deny the right of any man, or any set of men, to tie up the commerce of the United States, and starve and freeze innocent workingmen, women, and children, because there is a quarrel on, forsooth, between some employers and some labor leaders. It is for that reason, among others, that I want to see the Congress sustain to the full the methods of conciliation and mediation and arbitration which we have now, and I am afraid if you are seeking to reduce these appropriations unduly now it will result in unnecessary agitation and will cause further unrest.

Let us provide liberally on this subject for these boards. If we find that any of them are incurring undue expenses, we can take care of that in the future. Two hundred thousand dollars, I believe, was the appropriation for the last two years, and now do not Senators realize that this feeling of unrest is still with us, and that it is going to continue for some time? But the sober American judgment is going to prevail, and let us say to the employers and employees alike that we are still going to retain these methods of settling disputes which have served us in the past, in most instances acceptably. In some instances they have not been able to get the contending parties together. But do not encourage the feeling of unrest by paring down unduly this appropriation. It will be a mistake.

I would have taken this position if there had been no railroad legislation, but I am more strongly in favor of it now because we have the railroad legislation. I recognize the fact that there are some men who have come here to control legislation and put certain Senators and Representatives on the blacklist because they will not follow their dictation. I understand that, and I for one am always amenable to reason, but I will never stand for dictation by any man or any set of men anywhere.

Mr. PHELAN. The Senator is not one of those who will "refuse to do good because the devil bids him," as the old saying hath it.

Mr. POMERENE. I have said I was in favor of this. But I do not like that suggestion. I have not called anybody names. I do not intend to, and I do not think the Senator is justified in making that statement in that kind of way.

Mr. PHELAN. Mr. President, my humor evidently is misunderstood. I quite agree with the Senator. I am aware that there is occasionally a lobby here dictating legislation. In common with the Senator, I examine that legislation. If it appeals to my judgment, I support it. If otherwise, I reject it. But because it is proposed by somebody whom we may not like, I would not on that account condemn the legislation. I was reducing to proverb something which is in part humor, and if it offends the Senator I beg his pardon. I withdraw it.

Mr. POMERENE. I take exception to that other statement, that there are some people whom I do not like. I like them all, but I do not like some of the things they do, and when I do not like them I do not hesitate to say so.

Mr. President, this thing has appealed to me. Some men have written me on the subject, and I did not hesitate to say that I was going to support liberal appropriations for this purpose, and I want to beg Senators on the other side and on the committee not to make the mistake now, at this crucial time, of denying a proper appropriation for this purpose.

A strike of a few days or a few weeks' duration may result in untold harm not only to a local community but to a State, to the Nation, to the world; and then when I think that we have this great country of ours, with 110,000,000 of people, nearly all of them producers; with a wealth that challenges the admiration of the world—a nation which can do everything but the impossible; with countless opportunities for disputes to arise—many, perhaps most of them, justified, some of them not—and then the Congress of the United States comes forward with a picayunish appropriation of $100,000 to be employed in conciliatory methods!

Let not the Senate of the United States make that mistake. I indulge the hope that the amendment offered by the Senator from California [Mr. PHELAN] will be accepted.

Mr. SMOOT. Mr. President, I do not believe there is a Senator who has any intention whatever of crippling the commissioners of conciliation in their work. I say now that there is not a Senator who can state how much money will be necessary for that work the coming fiscal year; that is, the year beginning on the 1st day of July, 1920, and ending June 30, 1921. I say that there is not a man in the United States who can tell the amount. But if we make an appropriation of $200,000 for this commission, I do not care how few cases may develop during the next fiscal year the $200,000 will be expended; and I might say that if it were $300,000, the $300,000 would be expended.

Mr. President, before June 30, 1921, I will venture the assertion now that there will be at least half a dozen deficiency bills pass this body, and as a member of the Committee on Appropriations I want to say that if cases come before the commissioners of conciliation which require the expenditure for that fiscal year of more than $100,000, whatever is necessary to make up the deficit will be put in a deficiency bill and will pass Congress and be signed by the President of the United States.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT SECRETARY. A bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. STERLING. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered. The Senator from Utah will proceed.

Mr. NUGENT. Mr. President——

Mr. SMOOT. I yield to the Senator from Idaho.

Mr. NUGENT. Do I understand the Senator from Utah to say that in the event it later becomes necessary to appropriate more money for the proper conduct of affairs on the part of the commissioners of conciliation such appropriation will be made and will be included in a deficiency bill, and that that procedure will meet with the approval of the Senator from Utah?

Mr. SMOOT. It will meet with my approval most heartily. I will say to the Senator whenever a supplemental estimate is made and it is demonstrated that the case is an emergency one and the amount determined as necessary is agreed to, I will be one of the Senators who will urge its passage through this body just as quickly as it can be done.

Mr. NUGENT. I am glad to hear the Senator make that statement.

Mr. SMOOT. I say again that there is not a single Senator in this body who wants to cripple the work of this commission; but, Mr. President, I ask any Senator here if he were to pay the expenses of the commission out of his own pocket and he had to get the money to pay it out of the resources that he himself owned what would he do? He never would borrow money, which would be the same as selling bonds on the part of the Government, and set it aside to the amount of $200,000 when he did not know whether half of it would be needed or not.

The time has arrived when the affairs of the Government of the United States ought to be run upon business principles, as far as collecting the revenues of the Government are concerned and the expenditure of the Government's money.

I do not mean that business principles ought to apply to all of the general legislation, but I do mean that they ought to apply to the expenditures of the Government and to the receipts of the Government. It would be quite a different proposition if past experience did not prove beyond a question of doubt that whenever an appropriation of money is made the money is expended, no matter what may be the amount appropriated.

The trouble is and it has been the practice of the Government from the first year of its organization, with very few exceptions, that the appropriations have increased every succeeding year, and as we are creating new departments and divisions created by the dozens and dozens—there seems to be no limit—and commissions by the scores and scores, the head of each bureau or department or commission feels it his duty to see that each year the commission or the bureau or the department increases in the number of employees.

The whole system of submission of estimates for the expense of the Government of the United States is wrong in principle. I said the other day that the Secretaries of the departments know very little about what the estimates are for. The estimates are made up by the heads of the bureaus and the chief clerks of the divisions, and they are submitted, no doubt, to the head of the department, and after the head of the department casually looks over them they are submitted to the Secretary of the Treasury in a prepared form and perfunctorily sent by him to the Congress of the United States as estimates.

There is one item in the bill by way of a lump sum that we have decreased, I am afraid, not enough. I have come in contact with so many statements made by these chief clerks and heads of divisions that an estimate submitted means very little to me. I was asked while an appropriation bill was before the subcommittee, after a hearing upon the item, as to what the subcommittee had done with that particular item. I said, "I think the subcommittee is going to cut the amount." He said, "Do not cut it more than 25 per cent." "Why?" "Our estimate, of course, is always made more than we anticipate getting, but we can not get along with a cut exceeding 25 per cent." I hope that the Senate will stand by the committee on this appropriation of $100,000 for the reasons I have stated. If there was a man in the United States who could state approximately how many cases would be heard by this commission we could then judge as to about what the amount of expense would be; but the man does not live who can do that.

We had far better make the appropriation of $100,000 and tell the commission that is all the money they can expend for this purpose, unless there are cases enough coming before the commission that will absolutely require more money, and if there are more cases between July 1, 1920, and June 30, 1921, we will see that the appropriation is made in the regular way to cover that expense.

I want to say also, Mr. President, as the Senator from North Dakota [Mr. GRONNA] has suggested to me, that this matter was before the House, and after it was thoroughly considered by the House it was their judgment that the proper amount to appropriate was only $100,000.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Utah yield to the Senator from Nebraska?

Mr. SMOOT. Certainly.

Mr. NORRIS. The Senator has suggested that we say to the commission that this is all we will appropriate unless there are other disputes. Nobody is authorized to say that to the commission unless we put it in the law. I would be very glad to vote for an amendment that would make that statement. Would the Senator favor that kind of an amendment?

Mr. SMOOT. I do not think it is necessary.

Mr. NORRIS. Who is going to speak for Congress to the commission?

Mr. SMOOT. I do not know that anyone can speak for the Congress of the United States other than this: Wherever there is a commission of this kind created, and there is no possible way of telling what the work of the commission will be a year ahead, or an emergency exists, the Congress of the United States has never refused to meet the expenses of such an emergency. I do not know whether the Senator was in the Chamber——

Mr. NORRIS. Yes; I have been here all the time.

Mr. SMOOT. Then I will not repeat what I said.

Mr. NORRIS. The Senator has said many things that appeal to me with great force. I admit that there is a difficulty. We do not want to appropriate any more money than will be necessary to pay for whatever work in the line of conciliation may be necessary, but suppose this $100,000 appropriation were exhausted and Congress not in session, and there were disputes on and no money appropriated, would not the officials under the law be liable even to a penalty if they went ahead and acted when they knew that there was no money at their disposal?

Mr. SMOOT. Yes; under the law they would be.

Mr. NORRIS. That is a dangerous proposition.

Mr. SMOOT. I want to say to the Senator that there is no more attention paid to that law than to the whistling of the winds.

Mr. NORRIS. I think there ought to be attention paid to that law.

Mr. SMOOT. So do I, in many cases.

Mr. NORRIS. I believe in the enforcement of all law, but I think that is a just law and it ought to be enforced. On that theory it seems to me wholly logical when I reach the conclusion that the appropriation ought to be increased for fear that we might get into just that kind of a difficulty. In cases like this, where the Senator says no man can tell what the absolutely necessary expense is going to be, if we could put in the law authority that would give to the proper officials the legal right to go ahead in every case of dispute, and then appropriate the money afterwards, it would meet the contingency; but when I asked the Senator if he would favor that kind of an amendment I did not expect him to agree to it, and I do not know that I would want to agree to it.

Mr. SMOOT. I do not think the Senator would.

Mr. NORRIS. That would be a dangerous precedent to establish. There would be other dangers. So that brings us almost back to the proposition, it seems to me, that here is an appropriation that is exceedingly important and might mean the saving of us from a danger that would be nation wide if there were not sufficient funds appropriated in this case and a great strike or a good many strikes should happen to come on when Congress was not in session.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Utah yield to the Senator from Michigan?

Mr. SMOOT. Certainly.

Mr. TOWNSEND. May I ask the Senator a question? I am wondering if it would be possible under any contingency to spend more than $100,000 between the 1st day of July this year and the beginning of the next session of Congress. Congress will be in regular session from December until March.

I feel as the Senator from Nebraska does, that I would not want to cripple this service, because I think it has great possibilities for good, but if $100,000 is now appropriated, available the 1st day of July, it seems to me that would carry us clear through until the first Monday in December, and then if it is shown conclusively that there is need for more, I do not think the Congress would hesitate a moment to make an additional appropriation which would carry it through to the next July 1.

Mr. WARREN. Mr. President, my understanding is that the head of a department has the right to create a deficiency in cases like this, as they have in every department. Take great forest fires, take matters of disease, and so forth; under the law they have the right to create a deficiency.

Mr. TOWNSEND. I did not know that that was true. I am not myself friendly to that proposition, but I repeat that the present appropriation will clearly carry us to the time when Congress will again be in session. There is no possibility of Congress not being in session in December next, and remaining in session until the following 4th of March. As we could meet it then, perhaps, it would be wise to let this item go through.

Mr. SMOOT. Mr. President, the law as it stands upon the statute books positively prohibits the creation of deficiencies. I have wondered why the law was not lived up to strictly; but inasmuch as the President of the United States appoints each one of the heads of the departments of the Government, who are the responsible parties, and that the President also appoints the Attorney General, who is going to bring the actions, it never has been done and, in my opinion, never will be done, although I think in many cases it ought to be done; but wherever conditions warrant the creation of a deficiency, as in the case now under consideration, there can not be any doubt at all about making the necessary appropriation. I think the committee acted very wisely in following the recommendations of the other House.

Mr. NELSON. Mr. President, I wish to say to the Senator from Utah that the very fact that at every session of Congress deficiency appropriation bills are presented indicates that every department technically violates the law to which he has referred. If that law were lived up to technically there would not be any deficiency bills; we should not have any measures of that kind; but in the nature of the case the law is too rigid. Many emergencies arise in all of the departments which fully justifies them in exceeding the regular appropriations; and in cases of that kind I have never felt disposed to criticize them for such action, for it is impossible in advance to know just what appropriations are required.

As to the board of conciliation, we can not tell at this moment how many cases are likely to confront it between now and the next session of Congress. They have furnished us no basis on which we can make a clear estimate for legislation. We appropriate $100,000 blindly. That will undoubtedly carry them over until the next session of Congress, and if they then need more money, no one doubts that the Congress of the United States will give it to them.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from California [Mr. PHELAN]. [Putting the question.] The noes seem to have it.

Mr. PHELAN. I ask for the yeas and nays, Mr. President.

The yeas and nays were not ordered.

The amendment was rejected.

Mr. PHELAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Capper	Harding	Nelson	Smoot
Culberson	Harrison	New	Spencer
Cummins	Henderson	Norris	Sterling
Curtis	Kellogg	Nugent	Sutherland
Dial	Kendrick	Phelan	Thomas
Dillingham	Lenroot	Phipps	Townsend
Elkins	McCumber	Pomerene	Underwood
France	McKellar	Sheppard	Warren
Gay	McLean	Simmons	
Glass	McNary	Smith, Ariz.	
Gronna	Moses	Smith, S. C.	

The PRESIDING OFFICER. Forty-one Senators have answered to their names. A quorum is not present. The Secretary will call the names of the absent Senators.

The names of the absent Senators were called, and Mr. CALDER, Mr. TRAMMELL, and Mr. WADSWORTH answered to their names when called.

Mr. PAGE, Mr. KEYES, Mr. HALE, Mr. JONES of Washington, Mr. MYERS, Mr. SWANSON, and Mr. SMITH of Maryland entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. PHELAN. Mr. President, I inquire what is the parliamentary situation with respect to the amendment offered by me?

The PRESIDING OFFICER. The amendment was not agreed to.

Mr. PHELAN. I offer an amendment on the same page providing $200,000, the present appropriation, instead of $100,000, for the board of conciliation.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 151, line 2, it is proposed to strike out "$100,000" and in lieu thereof to insert "$200,000."

Mr. PHELAN. Mr. President, many Members have been called to the Chamber since the amendment was proposed. The commissioners of conciliation of the Department of Labor now have $200,000, an appropriation which they have had for their work for the last two years. The work is increasing necessarily on account of labor adjustments after the war, whereas during the war there was a disposition of a patriotic character to settle disputes without much negotiation. Therefore I have made this motion that the appropriation be restored to the present amount—$200,000.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Wyoming?

Mr. PHELAN. I yield.

Mr. WARREN. I just want to say that the appropriations for last year were not made together. They were made in different sums and in different bills.

Mr. NORRIS. Mr. President, I should like to suggest to the Senator from California that I was in favor of his amendment. I voted for it, and tried with the Senator to get a roll call on it, and if this were the last opportunity we had I probably should support this amendment; but as soon as the bill gets into the Senate, which probably will be in a few minutes, the Senator can offer his amendment again, and we can have a vote on it then. Let me suggest to the Senator, therefore, that he withdraw this amendment, and then offer his other amendment in the Senate.

Mr. PHELAN. I acquiesce in the Senator's suggestion and withdraw my amendment, and give notice that I shall bring up the former amendment when the bill returns to the Senate.

The PRESIDING OFFICER. The amendment is withdrawn. The bill is still before the Senate as in Committee of the Whole, and open to amendment.

Mr. SMOOT. Mr. President, I have a committee amendment which I desire to offer at this time. It is to come in on page 29, following line 10.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah will be stated.

The READING CLERK. On page 29, after line 10, it is proposed to insert the following:

The Bureau of Efficiency, together with its books, papers, and records, furniture, equipment, and supplies is hereby transferred to the jurisdiction of Congress; and its officers and employees are transferred in their present status without reappointment. The Chief of the Bureau of Efficiency shall hereafter be appointed jointly by the President of the Senate and the Speaker of the House of Representatives, and may be removed from office by concurrent resolution for inefficiency, neglect of duty, or malfeasance in office. All other employees of the bureau, including a disbursing officer for the payment of the salaries and expenses of the bureau, shall be appointed in accordance with the civil-service laws and regulations. The Bureau of Efficiency is authorized to investigate any matters relating to the organization, activities, or methods of business of the several administrative services of the Government, and shall from time to time submit to Congress reports of its investigations, with recommendations looking to greater efficiency and economy in the conduct of the public business. It shall make such special investigations and reports as may be required by either House of Congress, or by any committee of either House having jurisdiction over revenues, appropriations, or expenditures. Officers and employees of the executive departments and other establishments shall furnish authorized representatives of the Bureau of Efficiency with all information that the bureau may require for the performance of its duties, and shall give such representatives access to all records and papers that may be needed for that purpose.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

Mr. NORRIS. Mr. President, I do not care to discuss the amendment if the Senator from Utah is going to explain it.

Mr. SMOOT. I will explain the amendment in just a few words.

Mr. NORRIS. I will wait, then.

Mr. SMOOT. Mr. President, there is in existence to-day a Bureau of Efficiency provided for in the pending appropriation bill found on page 29. This amendment simply provides for the transfer of that bureau, together with all its books, records, and so forth, to the jurisdiction of Congress, so that wherever there is an item in an appropriation bill or the expenditures attached to the Government about which we want information the head of the Bureau of Efficiency can be ordered to make an investigation of the same. To-day the Bureau of Efficiency makes certain examinations into the workings of the departments at the request of the heads of the departments. This amendment means that if Congress desires an investigation made, or information as to any estimate submitted to it, it can ask the Bureau of Efficiency to make such an investigation.

Mr. NORRIS. Mr. President, why can they not do that to-day?

Mr. SMOOT. There is not anything in the law that compels the head of a department to allow the bureau to make an investigation or recommendation. I will say that many of the departments have done so, and some of them have refused.

Mr. NORRIS. I have never known a bureau or a commission to refuse to obey a resolution of Congress.

Mr. SMOOT. The Senator misunderstands me. Congress could pass a resolution directing an investigation to be made, but that would not allow the committees enumerated in the amendment to ask them to secure information. Under this amendment the Bureau of Efficiency will be an agency of Congress, to do the work that the committees named may ask them to do, and they have the power to make investigations requested.

Mr. NORRIS. The Senator's amendment does not give the Committee on Appropriations legal authority to call on them and require them to perform it.

Mr. SMOOT. No.

Mr. NORRIS. It would have to be through action on the part of Congress.

Mr. SMOOT. The amendment says:

It shall make such special investigations and reports as may be required by either House of Congress, or by any committee of either House having jurisdiction over revenues, appropriations, or expenditures.

Mr. NORRIS. Under whose jurisdiction are they now?

Mr. SMOOT. The only jurisdiction they are under, I think, is that of the President of the United States.

Mr. NORRIS. They are appointed by the President?

Mr. SMOOT. They are appointed by the President.

Mr. NORRIS. Was it intended that it should be a permanent bureau?

Mr. SMOOT. It was; and I will say to the Senator that it is one of the agencies of the Government that by its investigations have saved large sums of money, and we simply want to make it more responsive to Congress, so that we can get the information when we want it, and get it direct.

Mr. NORRIS. Mr. President, of course I want this bureau to respond to any resolution of Congress. I do not know whether I would extend it to every committee in Congress or not.

Mr. SMOOT. Not to every committee.

Mr. NORRIS. The amendment does.

Mr. SMOOT. No; it says, "by any committee of either House having jurisdiction over revenues, appropriations, or expenditures."

Mr. NORRIS. That includes practically everything.

Mr. SMOOT. Only the appropriation committees and committees handling appropriations and the revenue legislation.

Mr. NORRIS. Now, as I understand the duty of the Bureau of Efficiency, it is to suggest improved methods by which we can economize, save money, and do better work in the various departments.

Mr. SMOOT. That is one of the things.

Mr. NORRIS. I think everybody is in entire sympathy with work of that kind; and while I do not have at my command and have never made an investigation far enough to convince me, yet what I have heard, or at least considerable of what information I have gained, has not been, in my judgment, satisfactory as to the work that that bureau is doing. As I say, my information is limited, because I have never undertaken to go into it; but in conversation with various employees of the Government I have often asked them, without suggesting why I wanted to know, questions that pertained to the work of this bureau, and I know that there are many persons in the Government employ who think this bureau is a joke. I am not charging that, because, as I say, I do not know enough about it. It ought to be very useful. They ought to do a whole lot of good; but there are a good many people who know more about the matter than I do who think that the only thing they do is to draw their salaries, and that some of the experts do not know nearly as much about efficiency as the people that they are investigating.

That may be wrong, as I said. I want it distinctly understood that my information does not come from a full investigation; but, so far as I have heard, it has not been very complimentary to this bureau.

I do not know whether it would be advisable to make this bureau respond to a committee of the House or of the Senate. I am afraid it would make clerks of them, to investigate things that are not within the duties of an efficiency expert. I am afraid they would be called upon to perform duties and do work that would be more along the line of a legislative bureau. I fear that they would be called upon to draft amendments and draft proposed laws. As the Senator from Minnesota [Mr. NELSON] suggests, we already have a legislative drafting bureau, very properly so, and I think it is a very necessary adjunct in a progressive legislative body.

Mr. SMOOT. Mr. President, I will say to the Senator that this efficiency bureau has no intention of doing any such work, nor has any committee any such intention.

Mr. NORRIS. I know that; but while this may not be the case, I fear that if this amendment is adopted, giving practically every committee of the House and the Senate the right to call upon them at any time, it might lead them into that kind of a channel.

Mr. NELSON. Mr. President, as I understand the amendment, it is practically limited to committees of appropriation and committees that have to do with revenue legislation.

Mr. NORRIS. Yes.

Mr. NELSON. That will be two committees in this body—the Committee on Appropriations and the Finance Committee—and in the House it will be the Committee on Appropriations and the Committee on Ways and Means, and not the other committees.

Mr. NORRIS. Mr. President, let us see about that. Let us take the Senate. It would be the Appropriations Committee, it would be the Finance Committee, it would be the Foreign Relations Committee—because they bring in an appropriation bill—it would be the Agricultural Committee—because they are an appropriation committee—it would be the Naval Affairs Committee, and it would be the Military Affairs Committee. Now, what have you left? Not very much. The condition is somewhat similar in the House of Representatives. It would not be confined to two committees.

I would not want, of course, to take any action that would prohibit the committees from getting information. That is one of the things committees are for, and I want them to have all possible opportunities; but it does not seem to me that the Bureau of Efficiency ought to become an information bureau for committees of Congress. Just as surely as it does, it will not do very much work along efficiency lines, I fear.

Mr. SMOOT. Mr. President, I will simply make this short statement:

To-day the estimates come to Congress through the Secretary of the Treasury, and they are furnished him by the heads of the departments. When those estimates come to the different committees on appropriations, if they are reduced the department making the estimates asks the appropriations committee for a hearing. The persons to testify are the very ones that have made the estimates, and the committee, as the Senator must understand, has not the physical power, nor could it possibly have the time, to make an investigation into all of the cases. Now, if we had this Efficiency Bureau at the command of the committee, those questions could be examined into and reported to the committee.

I know, Mr. President, that any agency on the part of the Government that tries to save a dollar for the Government or tries to get information with a view of saving money is not very popular with certain of the employees of the Government; but I ask the Senator in all earnestness to go to the Secretary of War, or to go to the Postmaster General, and ask what this Efficiency Bureau has done for their departments, and I think he will get an answer that will be perfectly satisfactory to him, for I know from the statements he has made here so often upon the floor that he is interested in having the expenses of the Government cut just as low as possible.

Mr. President, if we adopt this, and if the House agrees to it, that will be the result of this amendment.

Mr. NORRIS. Mr. President, I doubt that a great deal. I do not mean that I doubt the Senator's word or his judgment, but I am inclined to think he is mistaken. I do not want the Senator from Utah or anybody else to get the idea that I would condemn this commission because some person in the Government service whom they were investigating was dissatisfied with the investigation and complained to me. Nothing of that kind has occurred. I might very easily have the wool pulled over my eyes and be deceived; and I am deceived unless I am wrong in the statement that I make when I say that I do not believe any employee of the Government has ever had an idea that any question that I have ever asked, or any information I have ever sought, was for the purpose of finding out what the Bureau of Efficiency was doing.

I realize the difficulty of going into it without having authority and time. I have had neither. But when occasion presented itself I did not conduct a preconceived investigation, but a thing would happen now and something next month, and if I thought I had an opportunity to find out something I always improved it, and I have found out some of their activities, some of the things that have been done in the name of the Bureau of Efficiency; but only some. I presume they have done thousands of things that I do not know anything about, and many of them, perhaps, were very beneficial and saved the Government money; but I have found some cases where it seemed to me that those representing the Bureau of Efficiency were more interested in drawing their own salaries than they were in improving the systems of the various departments.

Mr. THOMAS. I would like to inquire of the Senator from Utah his reason for transferring the appointing power from where it is at present to Congress.

Mr. SMOOT. Because it will then be under the direction of and responsible to Congress. Congress is responsible for the appropriations, and Congress should not make any appropriations unless they have the fullest information at hand in order to justify the same.

Mr. THOMAS. Would not that same reason apply to every other bureau?

Mr. SMOOT. Not necessarily, because Congress appropriates the money direct.

Mr. THOMAS. It appropriates the money for every other bureau of the Government.

Mr. SMOOT. But only upon the estimates made by the departments. There ought to be some kind of a check, and this amendment will provide it.

Mr. THOMAS. Of course, I am not at all familiar with the province or the work of the Bureau of Efficiency. I always regarded that name as applied to a Federal bureau as a piece of congressional humor, because I know of no such thing as efficiency in any of the departments of the Government, Congress included.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah [Mr. SMOOT].

The amendment was agreed to.

Mr. MOSES. Mr. President, I offer the following amendment, which I hope will be accepted by the chairman of the committee.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 2, line 25, after the numerals "$1,200" and the semicolon, insert "messenger in the Library, $1,000"; on page 3, line 2, strike out the word "three" and in lieu thereof insert the word "two," so as to read:

Messenger in the Library, $1,000; messenger, $1,440; assistant messenger, $1,200; laborers—3 at $840 each, 2 at $720 each—

And so forth.

Mr. WARREN. I have no objection to the amendment.

The amendment was agreed to.

Mr. WARREN. Mr. President, I ask for the adoption of the amendment I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 3, line 12, strike out "laborer, $720" and insert in lieu thereof "messenger, $900."

The amendment was agreed to.

Mr. WARREN. The totals will be changed accordingly, of course.

The PRESIDING OFFICER. The clerks at the desk will change the totals to correspond with the action of the Senate.

Mr. KIRBY. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The ASSISTANT SECRETARY. On page 6, line 4, in the items for the offices of Sergeant at Arms and Doorkeeper and in the provision for two floor assistants at $2,500 each, strike out "$2,500" and in lieu insert "$3,000."

Mr. SMOOT. I will ask the Senator if their salaries were not increased last year?

Mr. KIRBY. I do not think so, but these are very capable men.

Mr. SMOOT. I am not going to say anything in opposition to the amendment.

Mr. McKELLAR. They are very efficient men, Mr. President.

Mr. THOMAS. That is true of all our employees; at least, they are supposed to be efficient. If we are going to review the bill and increase salaries, I shall make a point of order against the proposed amendment.

Mr. KIRBY. A point of order will not lie.

Mr. SMOOT. It will lie, because it was not estimated for.

Mr. KIRBY. It is only changing the amount.

Mr. THOMAS. That is all, just increasing it.

Mr. SMOOT. It was not estimated for nor reported by a standing committee.

Mr. McKELLAR. Have not changes been made on the floor of the Senate in other cases?

Mr. SMOOT. Yes; because no point of order was made.

Mr. McKELLAR. We know that these young men are two as valuable men as there are about the Senate Chamber. They work as faithfully as any men here, and they are entitled to recognition. It does seem to me that the Senate ought to have more pride than to permit the small salary of $2,500 for these two floor assistants to exist. We ought to give them something like a living wage for the work they do.

Mr. KIRBY. In any event, I think the Senate ought to be allowed to vote on the matter. It is something for the Senate's convenience, and I ask that no point of order be made against it.

Mr. THOMAS. The reasons which are assigned are unquestionably good, but they can be applied to practically every employee of the Senate. No one questions the capacity of these men, their faithfulness, or their merit. I think $2,500 a year is a pretty good salary. It is far in excess of the average salary paid by the Government. If we are going to begin this increase, where are we going to end it?

Mr. KIRBY. It will end right here.

Mr. THOMAS. I do not know whether it will or not. For the purpose of testing it I make a point of order against the amendment.

The PRESIDING OFFICER. The point of order is sustained.

Mr. NEW. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The Secretary will report the amendment.

The ASSISTANT SECRETARY. On page 29, line 10, after the words "per annum," insert the following proviso:

Provided, That all clerks on the temporary rolls and other employees rendered necessary because of increased work incident to the war with Germany who served in the Army, Navy, or Marine Corps during said war and have since been honorably discharged and are at present employed in any of the several departments of the Government are hereby transferred to the classified service as of their present grade or rate of compensation, respectively, and shall be continued in the several departments where now employed without further examination, subject, however, to transfer, promotion, or removal, the same as other clerks and employees in the classified service. And the several appropriations herein made for such clerks and employees under the several departments and offices shall be available for payment of the salaries of all clerks and employees transferred to the classified service under this provision, and the appropriations made for such temporary clerks and employees for the fiscal year ending June 30, 1920, shall be also available for the payment of salaries of all such clerks and employees herein transferred for the balance of the current fiscal year.

Mr. THOMAS. Mr. President, from a casual reading of the proposed amendment this transfer might include and make permanent a number of places for which there is no immediate need, or for which there may be no need hereafter. In other words, if I gather the purpose of the amendment correctly, we may make permanent a number of places that are transient, and which will be disposed of very soon but for this amendment. I ask the Senator from Indiana whether I am correct in that impression?

Mr. NEW. Mr. President, I think the Senator from Colorado is incorrect. I do not think the amendment is open to that construction. At least, it certainly is not intended that it shall be. The purpose of the amendment is to transfer to the permanent civil-service roll those employees now on the temporary roll who served in the Army, Navy, or Marine Corps during the recent war.

Mr. THOMAS. Does it include those who were in the employment of the Government at Washington and other places in the country, as well as those at the front?

Mr. NEW. It does not expressly say that it is limited to those who saw duty at the front, and I do not see how that discrimination could very well be made.

Mr. THOMAS. I do not think so, either.

Mr. NEW. It applies to those that saw service in the Army, Navy, or Marine Corps.

Mr. THOMAS. I do not think there should be any discrimination, either; but the fact that it can not be done rather militates against the expediency of doing it. The effect of it is to give a very extraordinary preference to a class of our citizens over the rest of the community.

Mr. NEW. I think that class is entitled to very extraordinary preference.

Mr. THOMAS. We will take the case of John Smith, by way of illustration, who volunteers and who is rejected because of physical deficiency. He can not go to the front, but he is upon the civil-service roll, notwithstanding that fact, having passed a mental examination. This is to postpone him for somebody who served the Government here in one of the departments, or who perhaps was employed in some semimilitary capacity in Indianapolis or in the city of Denver. I do not think that is just.

Mr. NEW. I do not think that anyone is apt to suffer injustice under the circumstances which are brought forward by the Senator from Colorado.

It may be possible, but I do not think at all likely. The purpose of the amendment is perfectly apparent. It is intended for the benefit of clerks now on the temporary roll who saw service in the armed forces of the United States during the war. While it is possible that there may be here or there an exceptional case, where a man is now employed on that roll who did not see much service, those cases are certainly the very rare exceptions and not the rule, and I do not believe they are numerous enough to be worth taking into account at all in an argument against the adoption of the amendment.

Mr. WARREN. Will the mover of the amendment yield to me for a moment?

Mr. NEW. Certainly.

Mr. WARREN. If I heard the reading aright, I think the Senator should amend it, because I hardly see how it can be considered without amendment. It should provide that they will be subject to the usual soldier exemptions. The laws now provide a preference for every soldier of this war and every other war. I happened to look it up within the last week. I went over it with the Civil Service Commission, and I found that the rule is that a man who has been in service and passes, say, at 65, and is in competition with men who have passed even at 99, when the names are sent up the soldier is put at the top of the list and preferred.

Unless some provision of that kind is added, what the Senator from Colorado [Mr. THOMAS] says might take place, and that is we would put in all the men regardless of the examination, in which they might fail, and regardless of their capacity altogether—everyone who had had even limited service, and on a basis of employment for all time. I hardly think the Senator wants to go quite that far.

Mr. NEW. These employees are, of course, subject to all the rules and conditions that are prescribed by the civil service. If they should chance to be incompetent after having been placed upon the permanent roll, they can be disposed of in the same way that others are. I do not think there is any danger of the quality of the service being impaired by the acceptance of the amendment. It reads, "Clerks now on the temporary roll." If they are now on the roll, it is certainly an evidence of their competency.

Mr. WARREN. Of course, being on the temporary roll means that they are put on for 30 days and then sometimes extended for 30 or perhaps 90 days more, and if they should fail on examination they could still be employed temporarily in that place or another. To get them permanently on the roll there should be, in my opinion, some grade of examination, and when the rule is applied, as I have mentioned, they have to be only two-thirds as capable in examination as the others to make them not only equal but preferred.

I do not believe the Senator will take any chance in doing that, and I think we would have pretty hard work in conference to get an amendment through, should an amendment be voted in, that would go quite as far as that offered, without some qualification, would be construed as going.

I am entirely in sympathy with the idea that the Senator has, to give these men preferred employment, but I would not be willing to subject my own business and I would not be willing to subject the Government's business to an entire misfit, and, of course, besides the misfit, it would hardly be justice to have him obtain a livelihood without having him render a fair equivalent.

Of course, now, as the Senator knows, those who have been disabled have for years been provided for and they have had preference, and by a late law signed as recently as the 11th of July, 1919, we extended the law to take in all soldiers in good health or in bad health, and whether they are incapacitated or not. They go in as preferred if they can pass the lower scale, which is at present, under the rule, 65.

Mr. NEW. I know there is preference given to ex-soldiers, but I do not think that affects this at all. The mere fact that an applicant for appointment passes a civil-service examination to-day with a grade of 90 or more does not mean that he is going to continue permanently at that degree of efficiency during his whole period of service, and his permanent continuance depends upon his continued efficiency, even under the terms of the civil-service law. That same thing would apply to the ex-soldier who is put upon the permanent roll under the operation of the proposed amendment.

Mr. WARREN. Undoubtedly there would be a way found to discharge such a man. For the information of the Senator, although perhaps he knows it, I will say that there have been cases, for instance, growing out of the Spanish War, where it was not made a preference as to soldiers, but there was a preference given to a large number of clerks in the War and some other departments; in fact, the arms of the civil service were cast around some hundreds of employees by direct law, but before they arrived at that they were employees who had been put on temporarily under war orders and had been retained a long time. In a bill like this we inserted a provision that during the year following the heads of departments should make selections of their best temporary employees and reduce the numbers to cover only those whom they desired to keep permanently, so that at the end of that year the matter of taking them into regular service might be considered. At the end of the first year they were not ready and another year was taken when they were to be selected, and then it was done by examinations outside of the civil service, but by an examination just the same, and then they all went in to the main body of the civil-service employees.

Mr. NEW. If the Senator from Wyoming will permit me, I think he will find that an amendment identical in language was included in the legislative appropriation bill which followed the Spanish-American War. Perhaps it was as late as 1902, but it is identical.

Mr. WARREN. That simply confirms exactly what I have said. But notice had been given beforehand on two different occasions, the first one year and the second a year later, for each department to so trim as to exclude all inefficient ones.

I am not going to make a point of order against the proposed amendment, and if the Senator insists upon it in the shape it is let it go to conference and see what can be done with it, but I imagine that the question will have to be settled either here or there.

Mr. THOMAS. Mr. President, I shall be compelled to make the point of order against the amendment on the ground that it is general legislation upon an appropriation bill.

The PRESIDENT pro tempore. Does the Senator from Indiana desire to be heard on the point of order?

Mr. NEW. The Senator from Indiana is content, of course, to accept the ruling of the Chair.

The PRESIDENT pro tempore. The point of order is well taken and is sustained.

Mr. NELSON. Mr. President, I offer the following amendment.

The PRESIDENT pro tempore. The Secretary will report the amendment proposed by the Senator from Minnesota.

The ASSISTANT SECRETARY. On page 2, line 17, strike out the words "and printing clerk" and insert, in line 18, after the numerals "$4,000" where they occur the second time, the words "printing clerk, $4,000."

Mr. WARREN. We all know that the Senator who offers the amendment is one of the most careful and economical Senators in this body, and he offers it in the interest of a man who is employed the year round, every day in the year. So I shall, so far as I am personally concerned, accept his amendment.

Mr. THOMAS. Mr. President, I make the same point of order against this amendment that I made against the amendment offered by the Senator from Arkansas [Mr. KIRBY].

The PRESIDENT pro tempore. The Chair will inquire whether the head of a department has estimated for the increased sum mentioned.

Mr. NELSON. The printing clerk is an employee of the Senate, and, in the nature of the case, no estimate can be made by a department for this increase. In the very nature of the case the Treasury Department makes no estimate and can make none. We are our own estimators in that respect.

The object of this amendment is to increase the salary of the printing clerk. As every Senator knows, he is one of the most attentive and efficient employees in the Capitol. He is here always, late and early, day and night, and he is here when Congress adjourns; he stays here the year round. I feel that if anyone is entitled to an increase of salary he is one of that kind.

The PRESIDENT pro tempore. Rule XVI provides that—

> No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session, or unless the same be moved by direction of a standing or select committee of the Senate or proposed in pursuance of an estimate of the head of some one of the departments.

The Chair is of the opinion that the point of order is well taken, and the Chair sustains it.

Mr. TOWNSEND. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Michigan will be stated.

The ASSISTANT SECRETARY. On page 4, at the end of line 22, it is proposed to strike out "$2,000" and to insert "$2,220" for the salary of the assistant clerk of the Committee on Post Offices and Post Roads.

Mr. TOWNSEND. Mr. President, I desire simply to make a brief statement. There are two assistant clerks to the Committee on Appropriations, who receive $2,500 and who ought to receive that amount. The Committees on Commerce, Finance, Foreign Relations, the Judiciary, Military Affairs, and Naval Affairs each have an assistant clerk at $2,220. The assistant clerk of the Committee on Post Offices and Post Roads receives but $2,000. The object of the amendment is to make his salary the same as that of the assistant clerks of the other committees, with the exception of the assistant clerk of the Committee on Appropriations.

If there is an assistant in any of the committees outside of the Appropriations Committee who puts in more time than does the assistant clerk of the Committee on Post Offices and Post Roads, I do not know who he is. That committee has a large appropriation bill to prepare, and the assistant clerk is constantly in his office. Every week and sometimes every day during the session of Congress we are hearing contested matters which are raised before the committee, and it requires patience and intelligence to properly perform the duties involved. I am offering the amendment for the purpose of putting this office on a par with the others.

Mr. WARREN. Mr. President, it is a most ungracious thing for a Senator to object to any amendment which may be offered to favor any of the faithful employees of the Senate. The chairman of the Committee on Appropriations has considered the matter involved in the pending amendment, and he presumes other members of the committee also have to some extent done the same. I do not want to see the Senate run away with these matters. Of course, the statement of the Senator from Michigan need not go any further as to other committees, because it hardly can have reference to the Committee on Appropriations. It is true, of course, that the Post Offices and Post Roads Committee has jurisdiction of an appropriation bill which is one of the largest of all the appropriation bills, although it occupies fewer pages. On the other hand, the Committee on Post Offices and Post Roads, in common with the Committee on Military Affairs and the Committee on Naval Affairs, have a flood of nominations coming before them, which they have to look up in order to see if they are right or wrong; in order to see if the Senators from the different States agree to the appointments, and, if not, why they disagree, and so forth. It so happens that as to both the Committee on Military Affairs and the Committee on Naval Affairs the second clerk draws $2,220. So, constrained as I shall have to be, ungracious as it is to object, so far as I am concerned, to this general line of increases, I desire to say that we shall probably have to provide at the next session for a rearrangement of the clerks, perhaps, of every Senator on a different scale than now exists by doing away with the bonuses. It is only lately, however, that we adpoted the so-called Jones amendment and arranged our committees, and we ought, as near as we can, to let them remain as at present constituted, at this time. However, I am not going to object to the proposition of the Senator from Michigan on the ground that I have stated. We all know how many nominations have to be considered by his committee, and the other work it has to perform, and if he believes the assistant clerk of the committee should have this increased salary I shall make no objection to the amendment.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Michigan [Mr. TOWNSEND].

The amendment was agreed to.

Mr. McKELLAR. Mr. President, a parliamentary inquiry. A while ago an amendment was adopted, on page 2, line 25, allowing a messenger in the library. Another amendment was also adopted, on page 3, line 12, changing the salary of a laborer from $720 to that of a messenger at $900. My parliamentary inquiry is, after we get into the Senate can a point of order be raised as to those two amendments?

The PRESIDENT pro tempore. The Chair is of the opinion, following at least the latest precedents of the Senate, that any point of order that can be made as in Committee of the Whole can also be made in the Senate.

Mr. McKELLAR. I give notice that I may make the point of order as to both the amendments I have indicated when the bill gets into the Senate.

Mr. WARREN. Mr. President, while I differ from the Chair in his ruling, I do not propose to make any objection.

I will say, however, to the Senator from Tennessee that one of the men to whom he alludes happens to be an employee of my committee to whom I am paying something in addition to his salary, and shall probably continue to do so even when this slight increase of $180 shall have been made. I will ask a reconsideration of the vote whereby the amendment was agreed to so that the Senator may throw the matter out now.

The PRESIDENT pro tempore. The Chair is aware that there have been rulings both ways on this question, but the present occupant of the chair is of the opinion that the point of order can be made in the Senate even though not made in Committee of the Whole.

Mr. McKELLAR. Since the Senator from Wyoming has made an explanation about the matter concerning his own committee, I certainly shall not raise the point of order.

Mr. WARREN. As to one of these cases, I will say that the increase from $720 to $900 was made so as to provide better pay to a messenger who performs work which requires education.

Mr. McKELLAR. Mr. President, I am absolutely sure as to the man whose status has been changed from a laborer to a messenger that it is perfectly right and perfectly proper and that it ought to be done. As I have stated, I am not going to raise the point of order against it; but I make the parliamentary inquiry merely to show how we are legislating.

Here are two young men, Mr. Halsey and Mr. O'Toole, in this body, who are of as much material benefit in a personal way to the various Senators as perhaps any other two men in connection with the whole force of the Senate; certainly they are just as material to the performance of the duties of Senators. These two young men are here all the time; they are courteous and polite; they will do anything in the world for Senators, and they are constantly on the go. For men of their abilities, of their efficiency, and of their attention to their duties they are getting a very much smaller salary in comparison than is the man at the door of the Senator from Wyoming.

Points of order were raised when it came to amendments providing more and adequate compensation for these two employees whose salaries ought to be raised, yet when it comes to other salaries being raised the amendments pass through without points of order being raised, and new offices are created without points of order being raised. My proposition is that we ought to be fair all along the line, and where employees are entitled to increases they ought to have them. It is wrong to legislate in

this way. If points of order are going to be raised against some provisions of this kind, points of order ought to be made against all. That is all I have to say.

Mr. GAY. Mr. President, I move to reconsider the vote by which the Senate agreed to the committee amendment on page 136, line 9. If that motion should prevail, my idea is to make a subsequent motion to restore the House text.

Mr. WARREN. Will the Senator indicate again the amendment he desires to have reconsidered?

The PRESIDENT pro tempore. There are two amendments on line 9, page 136. To which does the Senator from Louisiana refer?

Mr. GAY. It is necessary, as I understand, first to move to reconsider the vote by which the committee amendment was agreed to. My idea is to change the first amendment, on line 9, page 136, by inserting "six" in place of "five," so as to make it conform to the bill as it originally came from the House.

Mr. WARREN. The text in line 9 formerly read "six"—it has now been made "five"—"at $2,350 each." Then little further along there is an amendment inserting the words, "Mobile, one $2,350." What is the motion of the Senator?

Mr. GAY. I wish to change the item pertaining to New Orleans, so as to provide for six assistant inspectors, just as it came from the House, in lieu of the committee amendment inserting "five." I should like to give my reasons for doing so.

Mr. WARREN. Does the Senator wish to strike out the provision for one assistant inspector at Mobile and reinstate the provision providing for six assistant inspectors at New Orleans?

Mr. GAY. No; I am not asking to have the provision in regard to the assistant inspector at Mobile stricken out; I am asking to have the number of assistant inspectors at the port of New Orleans placed at six, as it has been for many years.

I desire to say, Mr. President, that the change proposed by the committee amendment, which has been agreed to, in my opinion will seriously affect the Steamboat-Inspection Service at New Orleans. I took occasion to-day to speak to the Chief of the Steamboat-Inspection Service of the Department of Commerce, and I wish to read what he has to say on that subject:

1. Referring to your telephone conversation of even date with Mr. Hoover, the Deputy Supervising Inspector General, in regard to that provision in the legislative bill which appears on page 136, and which provides for five assistant inspectors of steam vessels at New Orleans, La., instead of six as at present, and one assistant inspector at Mobile, Ala., where there are no assistant inspectors at present, you are informed that in the estimates the bureau asked for two assistant inspectors at Mobile, Ala. These two assistant inspectors were asked for because of the immense pressure of work at Mobile and the tremendous increase in the work of inspection at that port. Apparently the committee, when considering the item of six assistant inspectors at New Orleans, where there are at present six, has taken action arranging for five, and has taken one of the assistant inspectors from New Orleans and placed him at Mobile, Ala. This will not relieve the situation at Mobile and it will destroy the efficiency of the force at New Orleans, La.

2. It was explained to you that there are assistant inspectors of hulls and assistant inspectors of boilers, and that these men work in pairs; and so you can see that if there is an uneven number of assistant inspectors at a port it means that it is impossible to work the inspectors in pairs, which is an arrangement that is highly desirable for the purpose of efficiency. There is just as much need as ever that there shall be six assistant inspectors at New Orleans. The work of that port is very heavy, and the inspection work is increasing considerably, and there is just as much reason now for asking for two assistant inspectors at Mobile as when the estimates were submitted. Relief can only be given at Mobile by the appointment of two assistant inspectors and leaving the six assistant inspectors at New Orleans as at present.

3. It may be stated that the bureau was not consulted by the committee in arranging to place one assistant inspector at Mobile, Ala., and taking one from New Orleans, La., and the action of the committee is not based upon any recommendation made by the bureau.

Mr. WARREN. Will the Senator allow me to interrupt him there?

Mr. GAY. I should like to conclude reading the letter, and then I will yield.

Mr. WARREN. When the Senator concludes I will give him the estimate submitted for this service.

Mr. GAY. The letter concludes as follows:

The bureau would recommend now, as it has consistently done in its estimates, that two assistant inspectors be appointed at Mobile, Ala., and that six assistant inspectors be allowed to remain at New Orleans, La.

Now, Mr. President, I have here the estimates spoken of by the chairman of the committee, and I know full well what they recommended. They recommended six at New Orleans, two at Mobile, and a number of others, I believe including some at Galveston. They are all listed here, but I do not think the service at one port ought to be impaired for the benefit of any other port, and I think it is only right that we should reconsider this amendment and make the necessary change. If Mobile needs two inspectors it should have them, but certainly Mobile should not have an inspector at the expense of New Orleans. I consider that that is a very poor way to legislate.

Mr. WARREN. Mr. President, I will say to the Senator that he is entitled, of course, to make an offer to arrange this according to the estimate; that is, as he proposes, to leave six at $2,350 each at New Orleans, and the estimate is to put two at Mobile instead of one and to fix their salaries at $2,100 each instead of $2,350. The only question that arises with me is why there should be three pairs of inspectors at the same salary at New Orleans while they put one pair alone at Mobile at a lesser sum.

Mr. GAY. I presume the work here justifies it. There may be a difference in the work. I notice that they are at different salaries. For instance, there are 40 at New York at $2,500 each. I can not see why there should be 40 at New York at $2,500 and 2 at Mobile at $2,100.

Mr. WARREN. So far as I am concerned, I shall offer no objection to reconsidering the amendment, so that the Senator may make the offer inside of the estimates.

The PRESIDENT pro tempore. The question is on the motion to reconsider the vote by which the amendment in line 9, page 136, was adopted.

The motion to reconsider was agreed to.

The PRESIDENT pro tempore. The question now is upon agreeing to the amendment proposed by the committee.

Mr. WARREN. There can either be an agreement or a disagreement; but there should be a striking out and substituting in place thereof, unless the proposition is to strike out the first committee amendment, and then proceed to take up the Mobile amendment. That can be done.

The PRESIDENT pro tempore. The question is, however, upon agreeing to the committee amendment.

Mr. GAY. Mr. President, I offer as a substitute for that the amendment which I send to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. It is proposed to strike out "five" and insert "six."

The PRESIDENT pro tempore. The Chair is of the opinion that the amendment is not in order.

Mr. LENROOT. It is just a question of agreeing to the amendment of the committee.

Mr. WARREN. Mr. President, if I can make myself understood——

The PRESIDENT pro tempore. The entire question will be settled by disagreeing to the committee amendment.

Mr. GAY. I move that we disagree to the committee amendment.

The PRESIDENT pro tempore. The Chair is compelled to hold that that motion is not in order. The question is upon agreeing to the committee amendment, and if that question is negatively decided the original text of the bill will stand.

Mr. WARREN. Is the Senator's amendment to strike out "five" and insert "six"?

Mr. GAY. To strike out "five" and insert "six."

The PRESIDENT pro tempore. The question is upon agreeing to the committee amendment.

Mr. LENROOT. Mr. President, I should like to ask the chairman of the committee why they made the change to "five" if there was no reason for it?

Mr. WARREN. The reason given at the time was that a portion of that business was being done at Mobile; but, from the statement the Senator has just read, it seems to be due to the new business at Mobile, without lessening the amount at New Orleans.

Mr. GAY. Mr. President, if the Senator will yield, I will say to him that the business of the port of New Orleans and the business of Mobile are entirely separate and distinct, and that this will not relieve the situation at New Orleans at all. It may be that Mobile needs two inspectors.

Mr. LENROOT. Mr. President, may I ask the Senator a question?

Mr. GAY. Certainly.

Mr. LENROOT. Are these inspectors confined in their duties to the ports? Are the duties of the six men confined to the port of New Orleans?

Mr. GAY. I understand that their duties are confined to the port of New Orleans just as they are for other ports, 40 for the port of New York, 10 for Baltimore, and so forth.

Mr. LENROOT. Certainly. These inspectors, as I understand, cover an entire district, and the six at New Orleans heretofore were required to make the inspections at Mobile and at other points within the district.

Mr. GAY. I think the Senator is in error in that, judging from the statement that is made by the inspector general, which I have just read, in which he says that they need these men at New Orleans. It has been explained that they work in pairs, that there is a hull inspector and a boiler inspector, and that

reducing the number will very much affect the efficiency of this work. There is just as much need now as there ever has been for the six assistant inspectors at New Orleans. The work of that port is very heavy, and the inspection work is increasing considerably. So I will say to the Senator that this will not give any relief if you take one away and put him at Mobile. The necessary number should be reinstated at the port of New Orleans.

Mr. LENROOT. Mr. President, I will ask the Senator if it is possible that New Orleans is the only Southern port on the entire South Atlantic coast that has the benefit of inspection?

Mr. GAY. I think not. I think there are others. If the Senator will look over the list, I think he will find that there are several others.

Mr. LENROOT. No; there are none except the amendment relating to Mobile. The next one is Baltimore, which is away up the coast.

Mr. GAY. There are 10 at Norfolk, as the Senator will see if he will notice.

Mr. WADSWORTH. And Jacksonville.

Mr. GAY. And at Jacksonville there are two. I do not know just how these districts are divided.

Mr. LENROOT. But they are not confined to ports. They cover certain districts.

Mr. GAY. I do not mean to say that they are confined to ports. I mean to say that these men are located at those ports, but of course they cover districts.

Mr. WADSWORTH. If I may interrupt the Senator, does he understand from the inspector's letter that there has not been any steamboat-inspection service at Mobile prior to this time?

Mr. GAY. They have recommended that there should be two men there. Where Mobile has been having this work done, I am not prepared to say. Where they get their inspectors from, I can not say.

Mr. WADSWORTH. The probability is that they have been getting them from New Orleans.

Mr. GAY. It may be true that they have been getting them at New Orleans.

Mr. WADSWORTH. The two amendments ought to be read together, it seems to me. As I read the two amendments, this bill gives them the same number of inspectors that they have now. It simply assigns one of them to Mobile.

Mr. GAY. This bill breaks up the arrangement in such a way as to make it inefficient, and to divide the work in such a way that it will not be of any benefit to either port. That is why I ask to have it restored as it was in the House bill.

Mr. WARREN. Mr. President, the House for some reason left out Mobile. I do not understand from the evidence that was before us that it was considered there at all. So I imagine they did not go into it. A member of the committee, the Senator from Alabama [Mr. UNDERWOOD], stated that there was a growing business there, and that they ought at least to spare one for that port, if not two. The committee, acting in the line of economy, undertook to make the six inspectors cover the two places, notwithstanding the estimate which was below that. The two matters ought to be considered together, of course. In one case, the proposal is to have one inspector less at New Orleans. That is the way it stands—one less than what was wanted by the department, and one more in Mobile. If we are to cut out Mobile entirely, that is one angle of it, and if we are to cut out the five and make it six, that is the other angle. If you move to cut out the amendment, and treat it all as one, then if you disagree and call it all one amendment, you leave six at New Orleans and leave the others out entirely.

Mr. GAY. If Mobile is entitled to or should have inspection service, I have no disposition to interfere with that, but I simply want to say that this change will injure the work of the port of New Orleans, and my amendment calls for the reinstatement of six assistant inspectors at New Orleans. Then the committee amendment for Mobile could remain. If the disposition is to change that in conference, that is a matter for the conferees to determine; but I do not think they should take service away from the port of New Orleans and give it to the port of Mobile, injuring the one port for the benefit of another. I favor two inspectors for Mobile and would like to see that amendment placed in this bill.

The PRESIDENT pro tempore. The question is upon the committee amendment, which proposes to strike out, in line 9, page 136, the word "six" and insert the word "five."

The amendment of the committee was rejected.

Mr. GAY. Now, I ask that my amendment, which has been stated by the Secretary, may be agreed to.

Mr. WADSWORTH. There is no amendment left.

The PRESIDENT pro tempore. The Chair does not understand that the Senator has any amendment now pending.

Mr. GAY. It reads now, "New Orleans six, Mobile one, Baltimore ten."

The PRESIDENT pro tempore. There has been no motion to reconsider the vote by which the second amendment in line 9 was agreed to.

Mr. WARREN. Mr. President, I understand that without some further motion that leaves Mobile out of the question.

The PRESIDENT pro tempore. Unless the vote is reconsidered by which the amendment to which the Senator from Wyoming refers was adopted, the amendment reading "Mobile, one, $2,350," remains in the bill. It has been agreed to.

Mr. WARREN. Then I move to have two at Mobile, but to cut the salary down to $2,100 each, so that it can go to conference in that way. Then it will read, "Mobile, two at $2,100 each."

The PRESIDENT pro tempore. Without objection, the vote by which the amendment referred to was agreed to will be reconsidered. The Chair hears no objection. The question is on the amendment proposed by the Senator from Wyoming, which will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out "Mobile, one, $2,350" and insert "Mobile, two at $2,100 each."

The amenndment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to add as a separate section the following:

That section 7 of the act approved October 6, 1917, entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," is hereby repealed.

Mr. WARREN. Mr. President, I make the point of order against that.

Mr. STERLING. Will not the Senator withhold his point of order?

Mr. WARREN. I withhold it for the moment.

Mr. STERLING. Mr. President, this amendment is in the same terms as a bill which I introduced in the Senate some time ago and which was referred to the Committee on Civil Service and Retrenchment. There has been no opportunity to consider the bill in committee for the reason that the attendance of a quorum of the committee could not be obtained; but, Mr. President, I desire just briefly to call attention to some of the reasons for the repeal of section 7 of the act of 1917, the second urgent deficiency act of that year, and I will let authority higher than myself speak on this question. I quote briefly from a letter of the Civil Service Commission. They say:

In the performance of its lawful duties of administering the civil-service act and rules in the entire classified service the commission undoubtedly has had an opportunity of observing the effect of the restriction under consideration which no other Government establishment has had. The provision works a hardship upon many individuals in the service in that it prevents the Government from utilizing the services of a man who has demonstrated by every test that he is qualified and able to serve the Government in a superior capacity.

The provision sought to be repealed by this amendment is that provision of the act of 1917 which prohibits increased pay from lump-sum appropriations to employees transferred within one year.

Quoting a little further from the letter of the commission, from a concrete case which they cite, they state:

From the passage of this bill, however, no man could be appointed at an increased salary if the salary was to be paid from a lump-sum appropriation. Three days ago a young man appeared at the commission asking advice. He has graduated in law and has been admitted to practice before the New York bar. He passed an examination for claims examiner, which requires legal knowledge. He also passed an examination for temporary Census Office clerk. In ignorance of the restriction of the act under consideration, he accepted an appointment at $1,020 per annum offered him by the Census Office rather than remain idle. Soon after he was offered the position of claims examiner at $1,800 per annum in the Bureau of War Risk Insurance. The Treasury Department finds he was employed at $1,020 per annum as clerk in the Census Office, and he can not receive more as claims examiner in the War Risk Bureau on account of the law. He thus has to continue in a humble clerical position in the Census Bureau or work as claims examiner at $780 per annum less than is usually paid for such services for an entire year, or abandon the Government service entirely. This case is typical of a large number.

Others have come to my own personal notice, Mr. President. The war emergency which brought the law into existence no longer exists, and now we have injustices continually, every day, to employees who are capable of filling better positions at higher salaries, and injustices also to the Government, which is not able to avail itself of the services of these men of superior attainments. I think it is time that this law should be repealed, both

as a matter of justice to the employees and in the interest of the Government as well.

The PRESIDENT pro tempore. In the opinion of the Chair, the point of order is well taken, and it is sustained.

Mr. TOWNSEND. Mr. President, I desire to offer an amendment, which I send to the desk.

The PRESIDENT pro tempore. The Secretary will state the amendment offered by the Senator from Michigan.

The ASSISTANT SECRETARY. In the item for expenses of inquiries and investigations ordered by the Senate, add, at the end of line 4, page 9, the following:

Of which amount not to exceed $10,000 shall be available immediately.

Mr. WARREN. There is no objection to that amendment on the part of the committee.

The amendment was agreed to.

Mr. McKELLAR. I offer an amendment, which I send to the Secretary's desk.

The PRESIDENT pro tempore. The Senator from Tennessee offers an amendment, which will be read.

The ASSISTANT SECRETARY. On page 3, line 5, strike out "$2,500" and insert "$3,000," so as to read:

Document room: Superintendent, George H. Boyd, $3,500; first assistant, John W. Lambert, $3,000.

Mr. WARREN. I should like to be informed about the amendment.

Mr. McKELLAR. Mr. President, I will be glad to inform the Senator further. Mr. Lambert is the first assistant in the document room, and one of the most valuable of the Senate employees. He is of use every day to virtually every Senator here. In a sense he occupies the same important relation to each Member of this body which Mr. O'Toole and Mr. Halsey occupy, and it does seem to me that these important employees of the Senate ought to be reasonably well paid. We know that with the small salaries they get, relatively speaking, it is almost impossible for them to make ends meet, and I hope the Senator will not make a point of order on the amendment. I do not think that anyone ought to make a point of order as to Mr. Halsey and Mr. O'Toole or as to Mr. Lambert. I do not want to criticize Senators who make points of order, but surely we all recognize the value of the services performed by those gentlemen, and we all recognize the very meager salaries being paid them.

With all due respect, it does seem to me that the pay of men of this kind is in a very different situation from the matter of increasing the salary of a man who stands around and does not have the important duties to perform which they have. I hope the chairman of the committee will not raise a point of order against this amendment, or against the other amendment which I understand will be offered in reference to the two gentlemen to whom I have referred.

Mr. WARREN. Mr. President, the chairman of the Committee on Appropriations, and the committee as well, are, in a way, at the mercy of whatever may be done here on the floor. They consider carefully in committee these matters as they come in. There are between 300 and 400 clerks of committees, and there are all these magnificently efficient clerks and employees about the desk, and about the rooms, some of whom the Senator has mentioned. I have never yet made a point of order against a matter involving the salary of one of these employees, and I do not want to do it if it can be reasonably avoided. It is, as I said, a most ungracious position in which I am placed. I must ask every Senator to be a little careful and consider how he himself would like to be put into the position in which the Committee on Appropriations is put when matters of this kind come up, because while A and B and C can offer amendments, and I can say that we accept and will let it go to conference, we can not support the honor and dignity of this body if we put in the bill a matter of raising the salaries of our Senate employees and let it go to conference with any expectation that we are going to permit the House to tell us what we shall pay our own men. Hence, you put the committee in the position of letting everyone present bring up any employee and every employee and have his salary raised, and then compel the committee, when they go to conference, either to sacrifice the dignity of the Senate or else be forced to sustain those figures. Is not the judgment of a committee which takes up all these matters together better than the judgment of A, B, or C, and different ones who may have champions on the floor?

So, as I said, while I shall not make the point of order, I entreat our fellow Senators to be more considerate, and that they work with and through the committee and not spring these various unexpected individual increases upon us here in the Senate.

I understand the Senator has offered an amendment relating to one man—to raise his salary to $3,000. He receives now $2,740. It does seem to me inconsistent, in view of the fact that only one or two years ago we adopted the so-called Jones amendment, which provided, first, a rearrangement of Senate committees and raised the salaries of clerks of committees, and also the other employees; and as we raised them from time to time, in view of that behind us and of this reclassification and line of increases ahead of us, the Senator should not press the matter. The Senator will understand that we have either to reduce by $240 every clerk who is receiving $2,500 or less, when the time comes, or to raise the salary. So that when that time does come there will naturally pass in review every single salary, and I think we ought to wait until that time without going further. Perhaps we have gone too far already. But they have all had the consideration of the committee.

Mr. McKELLAR. As I understand it, the amendments that have just been offered did not receive the attention of the committee; they were not called to their attention particularly. However, I want to call attention to the amendment offered by the Senator from Michigan [Mr. TOWNSEND], which, I believe, was adopted a little while ago. Of course, that amendment ought to have been adopted; no point of order ought to have been raised against it; it was an absolutely good amendment. The man in whose interest my amendment was offered, or for whose benefit it was offered, is one of the busiest men about the Capitol. He is always at work, and he is entitled to that wage, and I hope the Senate will adopt the amendment.

Mr. SMOOT. Mr. President, favoritism can not be allowed. There have been points of order made to amendments providing for increases; I know that there are no employees of the Senate more worthy of the increases than the ones against whom the points of order were made. Therefore I make the point of order against the amendment offered by the Senator from Tennessee.

Mr. McKELLAR. May I say to the Senator that I did not raise any point of order.

The PRESIDENT pro tempore. The Chair suggests that the point of order is not debatable. The Chair sustains the point of order.

Mr. McNARY. Mr. President, I offer an amendment. On line 4, page 6, I move to strike out "$2,500" and to insert in lieu thereof "$2,750."

The PRESIDENT pro tempore. The Secretary will report this proposed amendment.

The ASSISTANT SECRETARY. On page 6, line 4, where it reads "two floor assistants at $2,500 each," it is proposed to strike out "$2,500" and to insert "$2,750."

Mr. McNARY. Mr. President, a point of order was made a little while ago when an amendment was offered increasing this compensation to $3,000 a year. My amendment would add $250 annually to the salaries of these two competent assistants.

Mr. WARREN. They will receive an increase of only $10, and I do not think they will be satisfied with a $10 increase. They have salaries of $2,500 now, and with the $240 bonus they receive $2,740.

Mr. McNARY. If their salaries are increased to $2,750, they will still get the $240 bonus.

Mr. SMOOT. They will receive an increase of $10 a year.

Mr. McNARY. Mr. President, I withdraw the amendment, and move that the figures "$2,500" be stricken out and "$2,950" be inserted.

Mr. SMOOT. Mr. President, I make a point of order against the amendment.

Mr. McNARY. I hope the Senator will withhold his point of order.

Mr. SMOOT. I will withhold it if the Senator wants to say anything about it.

Mr. McNARY. I certainly hope the Senator will take into consideration the valuable services which these two capable, efficient men render the Senate.

Mr. SMOOT. I have taken that into consideration. If we want to begin it, let us start right at the beginning and give every employee in the Senate an increase. That is all there is to it. If we are not going to do that, I am going to make a point of order against any amendment that is offered for an increase.

Mr. McNARY. The answer to that is that some of the employees of the Government have received extra compensation at this time and others have not, and these two assistants fall in the class who need an increase in their compensation.

I am not asking an increase for anyone else. I have never yet during my service in the Senate asked for an increase in salary for any employee of the Government. I exceedingly regret the position taken by the Senator from Utah, and hope he will withhold his point of order so that we may have a vote on it.

Mr. SMOOT. No, Mr. President, I make the point of order.

The PRESIDENT pro tempore. The Senator from Utah makes a point of order against the amendment, and the point of order is sustained. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Brandegee	Henderson	Nelson	Smith, S. C.
Capper	Jones, Wash.	New	Smoot
Cummins	Kellogg	Norris	Spencer
Curtis	Kendrick	Nugent	Sterling
Dial	Keyes	Page	Sutherland
Gay	Kirby	Phelan	Swanson
Glass	Lenroot	Phipps	Underwood
Gronna	McKellar	Pomerene	Wadsworth
Hale	McNary	Sheppard	Warren
Harding	Moses	Smith, Ariz.	
Harrison	Myers	Smith, Md.	

The PRESIDENT pro tempore. Forty-two Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absent Members.

The names of the absent Senators were called, and Mr. FRANCE and Mr. TRAMMELL answered to their names when called.

Mr. CALDER, Mr. DILLINGHAM, and Mr. KNOX entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-seven Senators have answered to their names. There is not a quorum present. What is the pleasure of the Senate?

Mr. WARREN. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will carry out the order of the Senate.

Mr. COMER, Mr. MCCUMBER, Mr. MCLEAN, and Mr. WATSON entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty-one Senators have answered to their names. There is a quorum present.

Mr. PHELAN. Mr. President, pursuant to the notice I have given, I now move——

Mr. WARREN. Mr. President, have the amendments been concurred in, excepting such as may have been reserved?

The PRESIDENT pro tempore. Allow the Chair to hear the statement of the Senator from California.

Mr. PHELAN. Am I now in order to move the adoption of an amendment providing for an increase in the amount appropriated for the board of conciliation?

The PRESIDENT pro tempore. In the opinion of the Chair, any Senator has a right to a separate vote on any amendment agreed to as in Committee of the Whole, but unless that right is now reserved the question will be put on concurring in the amendments en bloc.

Mr. PHELAN. I therefore request that there be a separate vote upon my amendment proposing to increase the appropriation for the commissioners of conciliation from $100,000, as reported by the committee, to $150,000.

The PRESIDENT pro tempore. The Chair is of the opinion that this is not the time for the amendment proposed by the Senator from California. The Senate, as in Committee of the Whole, did not change the House text in that respect.

Mr. POMERENE. I am not sure that I understood the position of the Chair. The Senator from California [Mr. PHELAN] moved, as in Committee of the Whole, to increase the amount of the appropriation from $100,000 to $150,000, and on a viva voce vote the amendment was declared lost. He has now reserved the right to a vote upon that question in the Senate.

The PRESIDENT pro tempore. But, if the Chair may be permitted to remark on it, that is not a reservation. The bill will be open to amendment after the amendments made as in Committee of the Whole shall have been concurred in. Without objection, the amendments made as in Committee of the Whole will be concurred in in the Senate. The bill is now in the Senate and open to amendment.

Mr. PHELAN. Mr. President, I renew my amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from California.

The ASSISTANT SECRETARY. On page 151, line 2, it is proposed to increase the amount appropriated for the commissioners of conciliation by striking out "$100,000" and in lieu thereof inserting "$150,000."

Mr. PHELAN. I ask for a yea-and-nay vote.

The PRESIDENT pro tempore. The Senator from California asks for the yeas and nays.

The yeas and nays were ordered, and the Reading Clerk proceeded to call the roll.

Mr. KENDRICK (when his name was called). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Utah [Mr. KING] and vote "yea."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. TRAMMELL (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. COLT]. In his absence I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and vote "yea."

The roll call was concluded.

Mr. HENDERSON (after having voted in the affirmative). I have a general pair with the junior Senator from Illinois [Mr. MCCORMICK]. In his absence I transfer that pair to the Senator from Tennessee [Mr. SHIELDS] and will let my vote stand.

Mr. KIRBY. I have a pair with the senior Senator from Wisconsin [Mr. LA FOLLETTE], who is absent on account of illness. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. DILLINGHAM. May I inquire whether the Senator from Maryland [Mr. SMITH] has voted?

The PRESIDENT pro tempore. That Senator has not voted.

Mr. DILLINGHAM. Then I withhold my vote, as I have a general pair with that Senator.

Mr. KELLOGG (after having voted in the negative). I transfer my pair with the Senator from North Carolina [Mr. SIMMONS] to the junior Senator from California [Mr. JOHNSON] and let my vote stand.

Mr. CALDER. I have a pair with the junior Senator from Georgia [Mr. HARRIS]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Delaware [Mr. BALL] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Georgia [Mr. SMITH];

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Missouri [Mr. REED];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Washington [Mr. POINDEXTER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 29, nays 20, as follows:

YEAS—29.

Beckham	Harrison	Moses	Spencer
Capper	Henderson	Norris	Stanley
Comer	Kendrick	Nugent	Sutherland
Cummins	Keyes	Phelan	Swanson
France	Kirby	Pomerene	Trammell
Gay	Lenroot	Sheppard	
Gore	McKellar	Smith, Ariz.	
Harding	McNary	Smith, S. C.	

NAYS—20.

Brandegee	Gronna	Nelson	Smoot
Calder	Hale	New	Sterling
Curtis	Jones, Wash.	Page	Underwood
Dial	Kellogg	Phipps	Wadsworth
Glass	Myers	Sherman	Warren

NOT VOTING—47.

Ashurst	Frelinghuysen	McCormick	Shields
Ball	Gerry	McCumber	Simmons
Borah	Harris	McLean	Smith, Ga.
Chamberlain	Hitchcock	Newberry	Smith, Md.
Colt	Johnson, Calif.	Overman	Thomas
Culberson	Johnson, S. Dak.	Owen	Townsend
Dillingham	Jones, N. Mex.	Penrose	Walsh, Mass.
Edge	Kenyon	Pittman	Walsh, Mont.
Elkins	King	Poindexter	Watson
Fall	Knox	Ransdell	Williams
Fernald	La Follette	Reed	Wolcott
Fletcher	Lodge	Robinson	

So Mr. PHELAN's amendment was agreed to.

The PRESIDENT pro tempore. The bill is in the Senate and open to further amendment.

Mr. SMOOT. I offer an amendment to insert a new section on page 167, after line 14.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. On page 167, after line 14, it is proposed to insert as a new section the following:

SEC. 8. That section 11 of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes," is hereby amended by striking out the first proviso and inserting the following in lieu thereof:

"*Provided*, That hereafter no journal, magazine, periodical, or similar Government publication, shall be printed, issued, or discontinued by any branch or officer of the Government service unless the same shall have been authorized under such regulations as shall be prescribed by the Joint Committee on Printing, and such publication shall not contain any commercial advertisements: *Provided further*, That the foregoing provisions of this section shall also apply to mimeographing, multigraphing, and other processes used for the duplication of typewritten and printed matter, other than official correspondence and office records.

Mr. SMOOT. Mr. President, I merely wish to offer a word of explanation. In the legislative, executive, and judicial appropriation act for 1920 this requirement was placed on the Joint Committee on Printing:

But such publications as are now being printed without specific authority from Congress may, in the discretion of the Joint Committee on Printing, be continued until the close of the next regular session of Congress.

Mr. President, it is a physical impossibility for the committee to make the necessary examination into all of the publications of the different departments of the Government. So far 106 of them have been discontinued, and there are 287 more to be examined into. I repeat, it is physically impossible for the members of the committee to make the necessary examination; and, therefore, the amendment is designed to amend that part of the law so that it will not be compulsory for the committee to make the report as provided in the original act.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Utah.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CIVIL-SERVICE RETIREMENT.

Mr. STERLING. I ask that the unfinished business be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

Mr. WADSWORTH. Mr. President, I should like to ask the Senator from South Dakota if he can give some indication as to how long the bill which is now the unfinished business will take before a definite conclusion is reached upon it?

Mr. STERLING. I can not answer the Senator from New York very definitely. The further consideration of the bill ought not to take a very long time. I had thought that if we could have one full day for the consideration of the bill we might dispose of it.

Mr. POMERENE. Mr. President, as one of those who have been interested in this legislation also, and hoping to see something definite done, I may say that there is at least one Senator away who will not be here for several days who desires very much to be heard upon this subject, and I think that fact ought to be taken into consideration.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. POMERENE. Yes.

Mr. McKELLAR. Does the Senator refer to the Senator from Utah [Mr. KING], who is now in Panama?

Mr. POMERENE. He is one of them; yes.

Mr. McKELLAR. Certainly the Senator would not have the Senate wait for two or three weeks.

Mr. POMERENE. I was about to say that I was not going to ask that that be done, but I thought he ought to have an opportunity to be heard upon this subject. There are certain features of it upon which he wants to be heard; and I think it may be said that if the Senators who are urging the passage of the pending bill would consent to have the bill referred back to the committee, so that some of these experts could reconcile their differences, or at least have an opportunity to reconcile their differences, they would expedite the relief which we all desire.

Mr. STERLING. Mr. President, that subject has already been considered by the chairman as well as other members of the Civil Service Committee, and I do not think any purpose will be served by sending the bill back to the committee. The bill has been before the Senate now ever since some time in February as the unfinished business of the Senate, and there has been more time than has really been needed for the discussion of the bill, but certainly ample time for its full discussion. The Senator from Utah [Mr. KING] has had ample opportunity to discuss the bill, and he has discussed it to some extent; but, Mr. President, I can not consent to a postponement of the consideration of the bill on account of the absence of any Senator. I do not think it is quite fair or just to ask that the bill be postponed because it will suit the convenience of some Senator who is absent. I want to go ahead with the consideration of the bill. I had expected that the Senate would be in legislative session to-night for a short time only, because I understand that there is to be an executive session.

Mr. SMOOT. Mr. President, do I understand that the Senator does not desire to go on with the bill to-night?

Mr. STERLING. Except that the Senator from Montana [Mr. MYERS], I understand, desires to be heard briefly on his amendment, which is the pending amendment.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Montana [Mr. MYERS].

Mr. SMOOT. Mr. President, I understand that there is to be an executive session.

Mr. STERLING. Yes; at the conclusion of the remarks of the Senator from Montana I had expected to move that the Senate proceed to the consideration of executive business.

Mr. SMOOT. Does the Senator from Montana desire a vote on his amendment to-night?

Mr. MYERS. No; I do not desire a vote on it to-night. If an executive session is desired, I will withhold my remarks.

Mr. STERLING. Mr. President, if the Senator from Montana will proceed with his remarks to-night and discuss the amendment, even though we do not take a vote to-night, there will be just so much progress made in the consideration of the bill, and just so much time saved.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. STERLING. I yield.

Mr. McKELLAR. In order to expedite the matter, I suggest that if the Senator from Montana does not want to speak to-night we adjourn until 11 o'clock to-morrow. Let us pass this bill, or else dispose of it.

Mr. WADSWORTH. Mr. President, before a motion to adjourn is made I want to be heard.

Mr. SMOOT. I want to say to the Senator that I am perfectly willing to go on with the bill to-morrow, just at the close of the morning business; or, if the Senator wants a recess to-night, let him move a recess to-night and begin at 12 o'clock, and then keep the bill before the Senate.

Mr. STERLING. It had been my expectation to move a recess at the conclusion of the executive session.

Mr. SMOOT. It seems to me it would be unfair to the Senator from Montana to ask him to make his remarks now when there is practically nobody in the Chamber. He says that he is going to speak for only a short time. He can make those remarks to-morrow and then we can take a vote at once.

Mr. STERLING. I should be willing to consult the preference of the Senator from Montana in regard to that, if the Senator from Utah would permit me to do so, but I had understood that the Senator from Montana was ready to proceed with his discussion to-night.

Mr. MYERS. Mr. President, I have had it in mind to make a few more remarks. I have made a speech on this bill which has been divided up between two or three different days, and I have been withholding publication of it until I could make a few concluding remarks and then publish it all at once; but I am not particular whether I make the few remarks I wish to make to-night or to-morrow. If it is the intention to take up the bill to-morrow, and Senators want an executive session now, I am willing to make my remarks to-morrow.

Mr. STERLING. Would the Senator from Montana prefer to make his remarks to-morrow rather than to-day?

Mr. MYERS. I have no particular preference. If the bill is going to be up to-morrow, I would just as soon make them to-morrow as to make them at this time.

Mr. WADSWORTH. Mr. President, I seem to have started the discussion by asking the Senator from South Dakota the question that I did. The Senator from South Dakota knows that I am a friend of his bill, and have supported it, and upon one occasion I think I voted against recommitting it, so my question is not due to any hostility to that measure; but I can not help stating upon this occasion that I am deeply concerned over this situation.

Since January 28 there has been pending upon the calendar the Army reorganization bill, prepared and drafted by the Sen-

ate Committee on Military Affairs, and reported from that committee. Something over a week or 10 days ago the House of Representatives passed an Army reorganization bill, and it is now in this body, in the Committee on Military Affairs. Until this question of the reorganizaion of the military forces of the United States is decided upon no Army appropriation bill can be framed and passed. The Senate's bill for the reorganization of the Army I have no doubt will give rise to long and very earnest debate, because it involves a complete reorganization of the entire military system of the United States from top to bottom, including many matters which I know very well will be matters of some contention.

So I beg to express the hope that the civil-service retirement bill will be expedited as much as possible, because if we can not reach the Army reorganization bill within a reasonably short period and dispose of it, and get the matter into conference between the two Houses, and then thrash out the radical differences which now exist between the two Houses with respect to Army reorganization, we will reach the point in the lapse of time when the Overman Act, which to-day temporarily controls the organization of the Army of the United States, may expire, which will result in a condition of utter chaos in the Army at large, and at the same time it will be utterly impossible for us to pass an Army appropriation bill which will be applicable to anything in existence.

So I want to express my concern upon this occasion. I am a friend of the Senator's bill; I shall support it; but I do hope that this matter—which I think perhaps next to the railway legislation is the most important legislation which can be considered by this Congress—will soon have an opportunity of coming before the Senate and being debated by the Senate.

Mr. STERLING. Mr. President, I shall do all that I can to expedite the passage of this bill. The Senator from New York knows something of the difficulties that have been in the way. There have been calls for a quorum; there have been motions to adjourn at a time when we might well have been considering the bill; there have been speeches made, when the bill has been before the Senate for consideration, on subjects altogether foreign to it. Whole days have been consumed in such discussions. We ought to have a rule that would prevent it, and that would permit any Senator, when another Senator is discussing some subject foreign to the bill before the Senate, to call for the regular order, which would be the bill then pending before the Senate.

Mr. TOWNSEND. Mr. President——

Mr. STERLING. I must say that I believe we will succeed at an early date in disposing of this retirement bill; and let me say this one thing further:

This is a subject of immense importance, as every Senator ought to realize. Four hundred thousand employees of the Government are, I think to a man, demanding the passage of this or a similar bill; and I should like to regard it as an achievement of the present Congress that they passed an adequate civil-service retirement bill.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator?

Mr. STERLING. I yield to the Senator from Michigan.

Mr. TOWNSEND. I am especially interested in the passage of this bill, because I realize something of the demands that are being made upon Congress, and rightfully made, for increases of salary. I know something about the situation in the Post Office Department, and I think this will be an attraction that will help keep people in the service; and I sincerely hope that the Senator will insist, as far as is possible, on keeping the matter before us until it is disposed of.

I want to say further, that I am very much obliged to the Senator for his commendation of my proposition to amend the rules of the Senate so as to provide that a Senator shall at least talk on the matter before the Senate, or else be out of order.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Montana.

Mr. McKELLAR. Mr. President, I wish to say at this time, speaking for some Members on this side of the Chamber, that I hope nothing will be put in the way of the consideration of this bill. The Senate will have to meet it. The Senate will recall that a year ago it had this same trouble, when the bill was before a preceding session of Congress. I do not think it is fair to hold up the bill in this way. I think we ought to discuss questions and vote on them. If the bill is right, it ought to be passed. I think it is right. It is costing the Government money not to have some retirement bill, and by all means Senators should be willing to submit to a vote. If the vote is in favor of the bill, it ought to pass; and if the majority of the Senate is opposed to the bill, we ought to dispose of it for other business. I certainly hope that Senators will not prolong the proceedings, and interject extraneous matter just for the purpose of postponing a vote on the bill.

Mr. JONES of Washington. Mr. President, I hope this bill will be acted upon promptly, too; but I want to say that I do not think it is necessary to change the rules of the Senate in order to get action on the bill. If we will enforce the rules of the Senate that we have now, we will get action on the bill without its being necessary to adopt any revolutionary rule with reference to speaking to the question that is before the Senate or anything of that sort.

I am not myself in the habit of discussing matters foreign to the bill before the Senate, but I see no necessity of always charging a delay in connection with a bill to what may be considered a desirable change in the rules of the Senate, when we have rules that if we enforce them will keep the matter before the Senate, unless it is displaced by a majority vote. So I feel sure that the Senator will be able to get a vote on his bill without even suggesting the necessity of a change in our rules, if he will insist upon complying with the rules that we have.

I desire to say that I shall aid the Senator in getting this bill to a vote, and I am disposed not to give my consent to any unanimous-consent request to lay the bill aside. If we will just enforce that rule, the Senator will get his bill to a vote, and he will get it to a vote before very long, unless a majority of the Senate are against it and vote to displace it.

EXECUTIVE SESSION.

Mr. STERLING. Mr. President, it is now nearly 5 o'clock; and since an executive session is desired, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. STERLING. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 53 minutes p. m.) the Senate took a recess until to-morrow, Friday, April 2, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 1, 1920.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Hampson Gary, of Texas, now agent and consul general at Cairo, to be envoy extraordinary and minister plenipotentiary of the United States of America to Switzerland.

PUBLIC HEALTH SERVICE.

Senior Surg. Louis L. Williams, to be Assistant Surgeon General at Large in the Public Health Service of the United States, to take effect March 11, 1920. This office was created by the sundry civil act approved July 11, 1919.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 1, 1920.

COLLECTOR OF CUSTOMS.

John B. Elliott to be collector of customs for customs collection district No. 27, with headquarters at Los Angeles, Calif.

COAST AND GEODETIC SURVEY.

Henry Bowers Campbell to be hydrographic and geodetic engineer.

POSTMASTERS.

KANSAS.

Charles S. Finch, Lawrence.

KENTUCKY.

Rebel Martin, Hazard.
Perry Anderson, Hellier.
Lewis C. Wilson, jr., Ravenna.
Emma H. Hays, Stanford.

NORTH DAKOTA.

Edith M. Ericson, Underwood.

PENNSYLVANIA.

Edward C. Eichholtz, Drexel Hill.

WITHDRAWAL.

Executive nomination withdrawn from the Senate April 1, 1920.

PUBLIC HEALTH SERVICE.

Senior Surg. Leslie L. Williams to be assistant surgeon general at large in the Public Health Service.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 1, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, author of every good, we thank Thee for the blessings vouchsafed unto us, calculated to satisfy our physical, mental, moral, and spiritual necessities.

We pray for a more equal distribution of the same; that happiness and tranquillity may fill our homes, society, government, which means law and order; that the strong may help the weak, the wise the unwise, the rich the poor, the good the bad.

So may we live and develop all that is pure, noble, generous, wise, and good. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

DISPOSITION OF AMERICAN TROOPS IN GERMANY (H. DOC. NO. 709).

The SPEAKER laid before the House the following message from the President of the United States.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, 29 March, 1920.

To the SPEAKER HOUSE OF REPRESENTATIVES.

SIR: I am in receipt of H. Res. 500, adopted March 25, 1920, which reads as follows:

Resolved, That the President be, and he is hereby, requested, if not incompatible with the public interest, to inform the House of the exact status of the American military forces now stationed in German territory; the scope to which their operations are confined under the terms of the armistice between the allied nations, the Government of the United States, and Germany; the extent of the authority exercised over them by Field Marshal Ferdinand Foch, commander in chief of the allied forces in the occupied Rhine Provinces, and how far their activities may be directed without express orders from the President of the United States.

The American forces in Germany on March 26 were reported to comprise 726 officers and 16,756 enlisted men. These forces are stationed principally in the Coblenz area, the exact location of the units being set forth on the accompanying map. They are occupying that territory under the armistice agreements, which, with its annexes and conventions, was transmitted by me to the Senate and published as Senate Document 147, Sixty-sixth Congress, first session. The paragraph specifically covering this occupation is Paragraph V of the clauses relating to the western front.

The original armistice, signed on November 11, 1918, provided that its duration should be 36 days, with option to extend. On December 13, the armistice was extended until 5 a. m. on the 17th day of January, 1919; on January 16, 1919, it was still further extended until the 17th day of February, 1919, at 5 a. m.; on February 16, 1919, it was still further extended to a date not fixed: "the allied powers and those associated with them reserving to themselves the right to terminate the period at three days' notice."

The American forces in Germany are at present operating under the terms of the original armistice and the subsequent conventions prolonging the armistice. The instructions proposed to be issued to the commanding general American forces in Germany, at the time of their occupying the Coblenz area, were submitted to the War Department by Gen. Pershing, and contained the following statement of policy:

The American forces will, however, undertake no action beyond the occupied regions, nor beyond that in strict accordance with the terms of the treaty. Any use of the American forces beyond that mentioned above must be specifically authorized in each case by the Government of the United States.

In reply, it was directed that—

It should be stated in the orders issued to the commanding general American forces in Germany that the function of the American forces in Germany at present is to enforce the conditions of the armistice, and that when a peace treaty shall have been ratified by the United States the function of the American forces will be as outlined.

Upon the ratification of the treaty of peace by the allied powers, an Interallied Rhineland High Commission was organized in the manner set forth in the message from the President of the United States to the Senate, containing the agreement between the allied and associated powers and Germany with regard to the military occupation of the territories of the Rhine. This document is published as Senate Document No. 81, Sixty-sixth Congress, first session.

This commission having been organized and having formulated ordinances for the zone of occupation, the question arose as to whether these ordinances should govern in the American sector, and the representatives of the State Department and the commanding general of the American forces in Germany were instructed as follows:

This Government can not admit jurisdiction of that commission over portion of Rhinish Provinces occupied by the American forces. Consequently, neither you [representative of State Department] nor Gen. Allen should issue any ordinances which conflict with or exceed the terms of the armistice, which the Department [of State] regards as continuing in force as to the United States. You should, however, maintain the closest touch with the high commission and endeavor in so far as possible to conform administrative régime within territory occupied by American forces to régime adopted by high commission for other portions of occupied territory. There is no objection to your sitting informally with high commission provided you are requested to do so, nor of continuing your activities, as well as those of your staff, in connection with special committees to handle distribution of coal, etc. Ordinances, orders, regulations, etc., relating to financial and economic matters, including those similar to ones adopted by high commission, which it is desired to put into force in territory occupied by American forces should be issued by Gen. Allen as commanding general of American forces in Germany, but only after having first been approved by you. In general, endeavor to cooperate fully with high commission and avoid all friction with that body, while at the same time make it perfectly clear that you are still operating under the armistice as before January 10, and are in no way bound by the terms of the Rhineland agreement or the memorandum of June 13, 1919, defining the relations between the military authorities and the high commission.

Replying specifically to the remaining questions in the resolution of the House of Representatives, I will state that Field Marshal Ferdinand Foch has no authority over the United States troops in German territory, nor can anyone direct their activities without express orders from the President of the United States.

It should be stated further that under his general police powers, under the terms of the armistice, Gen. Allen has full authority to utilize his troops for the police of the occupied district, the preservation of order, and to repel any attack which may be made upon him.

WOODROW WILSON.

The SPEAKER. The message is referred to the Committee on Military Affairs. To-day by special agreement it was ordered that business on the Private Calendar unobjected to should begin where we left off last Thursday.

PRIVATE CALENDAR.

Mr. GLYNN. Mr. Speaker, I ask unanimous consent that these bills on the Private Calendar be considered in the House as in Committee of the Whole House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

JAMES E. CONNORS.

The first business in order on the Private Calendar was the bill (H. R. 11410) for the relief of James E. Connors.

The Clerk read the title of the bill.

Mr. GLYNN. Mr. Speaker, I ask unanimous consent that this bill be passed over for the present.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

GEORGE W. WOODALL.

The next business in order on the Private Calendar was the bill (H. R. 3564) for the relief of George W. Woodall.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, I make the reservation of objection to the bill H. R. 3564 for the purpose of having a more complete explanation than is carried in the report, with special reference to the knowledge of the man who now seeks to be relieved from bond responsibility of the fact that the whereabouts of the man upon whose bond he was were known to him and not revealed to the Government.

Mr. KELLY of Pennsylvania. Mr. Speaker, I believe I can give the gentleman from Ohio some information on the matter, as the Committee on Claims went into that phase very thoroughly and insisted on getting complete facts before any action was taken. One Arthur A. Steele was indicted for a violation of the Mann Act in 1914. It was necessary to put up a bond of $4,000 cash, and the Southern Surety Co. refused to accept anything except cash. This $4,000 cash bond was provided by the prisoner's stepfather, Mr. George W. Woodall, who was not a professional bondsman, but desired to secure the prisoner's liberty until tried. He deposited the $4,000 with the Southern Surety Co., and the bond was issued. Now, Steele became a fugitive from justice and disappeared. There was every effort on the part of Mr. Woodall to locate him at his own expense. He went to several places where he learned Steele had been seen until he came to St. Louis, and there discovered that Steele was in the hospital seriously hurt. Mr. Woodall knew that Federal officers had information concerning the whereabouts of Arthur

A. Steele. He was informed of that at the police station where he went to secure information. Mr. Woodall thoroughly understood that the Federal officers knew where his stepson was, and for that reason he did not feel it was incumbent upon him to send any particular message to the Federal officers. He wrote a postal card back to his wife stating that Arthur Steele was in a hospital in Kansas City.

The postal card was seen by the Federal officers, and in a letter they seemed to indicate that he was trying to shield him. The fact of the matter is this bondsman was told that the Federal officers had the prisoner under surveillance, knew his identity, were ready to take him out of the hospital as soon as he recovered his strength. There was positively no desire on the part of the bondsman to shield the man; in fact, he spent his own money trying to locate him. The committee was informed that the expense that the Government was put to amounted to about $350, and we took that sum off the amount of the money to be refunded. In answer specifically to the gentleman from Ohio we have found, as the committee believe, after several hearings that Mr. Woodall did everything that he could be reasonably expected to do; that the Federal officers knew as much as he did about it, and that he is entitled to the return of this money which was put up as a bond for the return of the man who was finally convicted. I would like to say also, if the gentleman will permit, that this money is in the United States Treasury and the Government should return it, having no claim upon it now. This bill provides this money be returned to the bondsman——

Mr. GARD. If the gentleman will yield, why has not the Government a claim upon this money as being paid in on a forfeited bond?

Mr. KELLY of Pennsylvania. The bond was only technically forfeited. The fugitive was apprehended and put in jail and died as a prisoner.

Mr. GARD. The record shows, as I read it, that this man Steele was a fugitive from justice on account of the white-slave act, and that he was a son of this man Woodall's wife, and therefore Mr. Woodall went upon his bond for $4,000. He then disappeared, the bond was forfeited, and the money paid by Mr. Woodall into the court. It is claimed that he made efforts to locate Steele. Steele in the meantime, while again fleeing from police officers, fell from a railroad track in St. Louis, I believe, and was hurt in such a way that he afterwards died in the hospital.

Now, the report of the Attorney General, as I read it, corroborates this statement of Mr. Woodall. He states that the records of the department do not show that Woodall rendered material aid to the Government in the apprehension and prosecution of the defendant. Likewise the letter of the Acting Attorney General, Mr. King, states that despite the fact that he knew that Steele was a fugitive from justice, and that he was apparently closely in touch with Woodall, the man on the bond, Woodall instead of advising the Department of Justice advised his wife, under date of August 30, 1916, as stated in the report:

> DEAR WIFE: We are on the way with the car, and we will be home as soon as we can get there. Art is at K. C., but we didn't get to see him. He is in the hospital. He fell and hurt his shoulder.
>
> Your husband,
>
> G. WOODALL.

Under the circumstances, as shown in this record, I do not think this should be a matter to be passed practically by unanimous consent, and I therefore object.

The SPEAKER. The gentleman from Ohio objects.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. GARD. Yes; I will to give opportunity to the gentleman from Indiana to make his statement.

Mr. SANDERS of Indiana. Mr. Speaker, I thoroughly understand the viewpoint of the gentleman from Ohio [Mr. GARD] in objecting to this bill. I think, however, that he overlooked certain important facts that are disclosed here, and that upon reconsideration he will not object. The claimant in this case was the stepfather of the defendant, who was convicted under the white-slave act. The defendant was not present when the case was called. The bond given by the Southern Surety Co. was forfeited, and, of course, the claimant paid over the $4,000 indemnity, so that that money went into the Treasury of the United States.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. With pleasure.

Mr. BEE. When this money of the bond was declared forfeited there was no resistance on the part of Mr. Woodall or the Surety Co. to the immediate payment of the money into the hands of the Government?

Mr. SANDERS of Indiana. No. It was immediately paid.

Mr. BEE. There was no attempt to invoke the processes of law to delay the payment or to subject the Government to any trouble in relation thereto?

Mr. SANDERS of Indiana. No.

Mr. BEE. They paid it right over?

Mr. SANDERS of Indiana. Yes.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. BLANTON. If this bond had not been given in the first instance, the man would have been placed in jail, and when his case was called for trial the Government would have had him there to answer to the charge of the indictment, and he would have been tried and sent to the penitentiary. Instead of being a fugitive fleeing from justice, he would have been in custody, and the accident would not have occurred that caused him to lose his life?

Mr. BEE. Right there, let me suggest to my colleague from Texas that that is true, but that interferes with the constitutional right of a man to be at large on his bail.

Mr. BLANTON. Oh, yes; but the Constitution presumes that when a bond is given, when a man exercises his prerogative under the Constitution to go out on bail when his case is called he will appear, and when he does not appear the bondsman must make good.

Mr. BEE. Yes; and they did that.

Mr. BLANTON. And then they must not come in and ask Congress to reimburse them.

Mr. SANDERS of Indiana. I will say in answer to the statement of the gentleman from Ohio [Mr. GARD] that this is in line with several other cases where the Government of the United States by legislative action has returned the money when the defendant has been brought in and sentenced. The Government accomplished everything it expected to do. It convicted this man, and he was sentenced, and he died thereafter.

Now, I know Mr. Woodall personally. He comes from my home city. He is not a professional bondsman nor a man of wealth, but he went on this bond and furnished the money to the amount of $4,000 in order that his wife's son might have his liberty. Mr. Woodall is not learned in the matters of the law. I call the gentleman's attention particularly to the fact that he did the natural thing—he went immediately to police headquarters in his own city and at his own expense got a police officer of the State to help him, and paid his expenses to go out and search for this man. Of course, he did it in order not to forfeit the $4,000. He went personally himself, and with the aid of the information that he received from the police department he continued the search, went on and on until he finally located Steele, who was at a hospital and who was injured, and he was unable to see him. He was informed that he was in the hospital and that he could not be seen and that he was under the surveillance of the Federal authorities.

Mr. BEE. Mr. Speaker, will the gentleman yield for another suggestion?

Mr. SANDERS of Indiana. Yes.

Mr. BEE. And in connection with that, the committee has reduced the amount so as to reimburse the Government for all its expenses incurred in connection with the case?

Mr. SANDERS of Indiana. Yes.

Mr. BEE. And the bill amounts to $3,600 instead of $4,000, the amount of the bond.

Mr. SANDERS of Indiana. Yes. The Government is whole, and the committee deducted the amount which the Government had expended.

Mr. McLAUGHLIN of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. McLAUGHLIN of Nebraska. When the bond was forfeited, did they bring suit on the bond?

Mr. SANDERS of Indiana. No. When the bond was forfeited they paid $4,000 to the Treasury.

Mr. McLAUGHLIN of Nebraska. Was the defendant convicted?

Mr. SANDERS of Indiana. Yes.

Mr. KELLY of Pennsylvania. The point is that Mr. Woodall did not think it advisable and necessary to inform the Federal officers when they already had this defendant in the hospital under their surveillance.

Mr. SANDERS of Indiana. That is true. If the claimant in this case made no attempt to find the defendant, I would not feel like arguing in behalf of the payment of this claim. But the claimant made every effort and went to the officers of the law, although not to the Federal officers, and employed an officer at his own expense and found this man, and at that time he did not give the advice to the Federal officers because he was informed they had put Steele in the hospital and he could not

get away, and that he was under the surveillance of the Federal authorities. He ought not to be required to do a useless thing.

I hope, Mr. Speaker, that the gentleman from Ohio will not object to the payment of this claim.

Mr. GARD. Mr. Speaker, I renew the objection.

The SPEAKER. Objection is made. The Clerk will report the next bill.

OWNER OF THE STEAM LIGHTER "CORNELIA."

The next business in order on the Private Calendar was the bill (S. 1004) for the relief of the owner of the steam lighter *Cornelia*.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman in charge of the matter who the owners of this steam lighter are?

Mr. GLYNN. If the question is directed to me, Mr. Speaker, I will say that I do not know. This is one of the cases that I am not familiar with.

Mr. WALSH. It appears that this collision occurred in Boston Harbor rather recently—that is, in August, 1918—and that the vessel which was damaged did not have any lookout stationed on its bow, as is required by the navigation laws, and the collision resulted when both vessels were proceeding during a thick fog. But in view of the fact that it would seem that the lack of this lookout would be construed as such negligence as would not permit recovery, I can not quite see why the committee recommends this case to the Court of Claims.

Mr. GLYNN. I will say for the information of the gentleman that this is not the finding of any court. It is the finding of a board of investigation. This bill has already passed the Senate. We are simply asking that the claimants may have the opportunity to go into court and present their case. The finding of a board in investigation of the Navy ought not to estop the owners of this vessel from presenting their case in court. That is the way it would seem to me.

Mr. WALSH. If the private owners admit that they had no lookout on the bow of the vessel, would not that practically put them out of court?

Mr. GLYNN. It might. I do not know that they have admitted it.

Mr. WALSH. The findings of this board were that there was no negligence on the part of the personnel of either ship, except that the master of the *Cornelia* did not have a regularly stationed lookout in the bow of his vessel.

Mr. KELLY of Pennsylvania. Will the gentleman yield?

Mr. GLYNN. Yes.

Mr. KELLY of Pennsylvania. If the gentleman will note, on page 2 of the report, there is a very clear request on the part of the department that this matter be referred to the court for adjudication. I call the attention of the gentleman from Massachusetts to that.

Mr. WALSH. That is what they do with all these claims.

Mr. KELLY of Pennsylvania. Oh, no.

Mr. WALSH. Wherever a board of investigation finds the facts and expresses no opinion on the question of liability, the Secretary shunts them along, when a bill is introduced, with the recommendation that the matter go to the Court of Claims.

Mr. KELLY of Pennsylvania. He recommends favorable action on this bill?

Mr. WALSH. Yes; that is what he always does.

Mr. KELLY of Pennsylvania. We have had many cases where he did not recommend favorable action.

Mr. WALSH. I think the gentleman will admit that that is usually when the board of investigation expresses some opinion upon the question of liability, and when it is very adverse.

Mr. KELLY of Pennsylvania. The statement of the department in this case is so clear that I am sure my friend from Massachusetts will admit that at least it might be referred to a court of admiralty for a determination of the justice of the claim.

Mr. WALSH. Reserving the right to object, I would like to ask one further question. Is it usual in cases of this sort to make an appropriation for any judgment that may be hereafter rendered? I was under the impression that that was left until after the judgment was certified, and then it was taken care of in a deficiency bill.

Mr. KELLY of Pennsylvania. I will say to the gentleman that the certification of the amount decreed is the usual procedure.

Mr. WALSH. You have got several other bills that you are referring to the court, and they do not carry this same provision. I wondered whether this was something that was peculiar to the other body.

Mr. KELLY of Pennsylvania. If I am not mistaken, this is the clause that has been put in measures of this kind by the Claims Committee for the purpose of certifying the amount decreed by the court, so that payment will follow.

Mr. WALSH. In some of these collision cases you might be authorizing quite an appropriation of money.

Mr. KELLY of Pennsylvania. I will say that the same provision is found in the next bill on the calendar.

Mr. WALSH. Yes; in all these three Senate bills that provision is carried.

In view of the statement made by the gentleman from Connecticut and the gentleman from Pennsylvania, I will withdraw my objection.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

The SPEAKER. The gentleman from Texas objects. The Clerk will report the next bill.

STEAMSHIP "MATOA."

The next business on the Private Calendar was the bill (S. 1005) for the relief of the owner of the steamship *Matoa*.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the claim of the owner of the steamship *Matoa* arising out of a collision between said steamship and the United States tug *Lucille Ross* off Lambert Point, Va., on the 17th day of January, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Matoa* by reason of damages to and detention of said steamship may be submitted to the United States Court for the Eastern District of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States upon the same principle and measure of liability with costs as in like cases in admiralty between private parties with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the owner of said steamship *Matoa*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

With the following committee amendment:

On page 2, line 15, strike out all of section 3.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. GLYNN, a motion to reconsider the vote by which the bill was passed was laid on the table.

SCHOONER "HORATIO G. FOSS."

The next business on the Private Calendar was the bill (S. 1006) for the relief of the owners of the schooner *Horatio G. Foss*.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, this is another bill in which the findings show that this vessel was anchored in the usual course of vessels——

Mr. CLARK of Missouri. Mr. Speaker, did anybody object to this bill?

Mr. WALSH. I am reserving the right to object.

Mr. CLARK of Missouri. Would it not be a good thing to have the bill read?

Mr. WALSH. I have no objection, if the gentleman would like to have the bill reported.

Mr. CLARK of Missouri. Yes.

Mr. WALSH. I will ask that the bill be reported, still reserving the right to object.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the claim of the owners of the schooner *Horatio G. Foss*, arising out of a collision between said schooner and the U. S. collier *Jupiter* off Winter Quarter Light Vessel on the 18th day of May, 1918, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Horatio G. Foss* by reason of damages to and detention of said schooner, may be submitted to the United States court for the district of Massachusetts under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

SEC. 2. That, should damages be found to be due from the United States to the owners of said schooner *Horatio G. Foss*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

With the following committee amendment:

On page 2, line 15, strike out all of section 3.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I should like to ask the gentlemen of the committee if they heard anybody upon this claim or if they just took the report submitted by the Senate committee and reported the bill on that information?

Mr. KELLY of Pennsylvania. The Committee on Claims took the report of the Senate committee without special hearings.

Mr. TINKHAM. Mr. Speaker, perhaps I can give some information to the honorable Representative from Massachusetts. A similar bill to this in every particular was reported by the Committee on Claims of the last Congress and passed by the House of Representatives, but failed of passage in the Senate on account of the confusion at that time due to international affairs. As I am informed, at the last session, as at this session, the Navy Department has examined the facts, and in each case recommended that the claim was a proper one to be brought before an admiralty court. I am also informed that the Committee on Claims of the last Congress went as far as necessary into the merits and agreed with the Navy Department. The Senate has now passed this bill after having, as I understand it, gone into the question of its propriety for submission to an admiralty court. I have every reason, although I am not deeply familiar with the case, to believe that it has sufficient merit to be submitted for a determination of the facts and a decision.

Mr. WALSH. Does the gentleman think that the claim of the owners of the *Foss* has any merit, in view of the fact that she was anchored where vessels were constantly passing, and apparently did not sound her fog signal, and was violating the international rules of the road?

Mr. TINKHAM. I am not an admiralty lawyer, but I assume that as the Navy Department has reported it twice to be a proper matter for adjudication by an admiralty court, and as the Committee on Claims of both this Congress and the last reported it favorably, and also as the House passed it during the last Congress and the present Senate has passed it, the case must have some merit. Inasmuch as this is a mere authorization for the claim to be submitted to a court of admiralty, it seems to me that no serious harm can come from its passage. As to the specific question that the honorable Representative from Massachusetts asked me I can not answer.

Mr. WALSH. Mr. Speaker, I withdraw my reservation of a point of order.

Mr. BLANTON. Reserving the right to object, is it not usual, where the department is in favor of having such a claim as this paid, that instead of merely suggesting that it go to a tribunal for adjudication the department recommends that the Committee on Claims allow it and have it paid? Is not that the usual method?

Mr. TINKHAM. Sometimes it is done that way and sometimes not. In this particular case there may have been some doubt on the part of the department which it wanted to solve by an adjudication in an admiralty court.

Mr. BLANTON. Does the gentleman question the proposition that this particular vessel at the time it was injured was anchored in the pathway that vessels usually took, and that it took no precaution required by the laws of navigation to prevent an accident?

Mr. TINKHAM. I do not know, as I stated before, much about the merits of the controversy.

Mr. BLANTON. I shall be forced to object.

Mr. TINKHAM. If the honorably Representative from Texas will withhold his objection for a minute, the facts are to be tried in an admiralty court, and if the facts are as the gentleman claims, that court would give an adverse decision.

Mr. BLANTON. The harm would come to the extent that the machinery of the Government would be put in action to have the trial, and a trial always costs money, and is sometimes very expensive to the Government as well as private litigants engaged in the transaction. I take it that the gentleman from Massachusetts would not want to send any such case to a tribunal for adjudication, the merits of which would not appeal to him——

Mr. TINKHAM. That is true.

Mr. BLANTON (continuing). If there were facts that surrounded it that led the gentleman to believe that there were no merit in it. He would not put into motion the machinery of the Government, which is always expensive.

Mr. TINKHAM. I assume that there must be some merit in the case or the Navy Department would not have recommended that it go to a trial court, and especially when the House committee in the last Congress went into the merits of the case and recommended its submission.

Mr. BLANTON. Mr. Speaker, there are other cases on the Private Calendar more meritorious and needing attention more than this, and I object.

SCHOONER "HENRY O. BARRETT."

The next business on the Private Calendar was the bill (S. 1222) for the relief of the owners of the schooner *Henry O. Barrett*.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, I do so for the purpose of learning from the committee why it is that they strike out the section providing for the mode of service.

Mr. GLYNN. It was my understanding that it was done in order to follow the usual custom, and that it is the usual custom to report bills from the committee in this way.

Mr. GARD. If that section is stricken out, is there any special provision for service?

Mr. GLYNN. The general admiralty law, which provides what the mode of service shall be.

Mr. GARD. On page 1 it provides that it may be submitted to the United States court for the district of Massachusetts under and in compliance with the rules of said court sitting as a court of admiralty. That is the only reference I see to a rule. I confess I do not know, and therefore I am seeking information as to whether or not it is necessary to have some section providing for the service of the process in this case and similar cases.

Mr. MACCRATE. The claimant is interested in getting into court, and unless the claimant follows the admiralty course of procedure he will never get into court with his case. When you lay down a provision that he must follow the rules of that court you have done as much as you can in regard to the procedure to be followed.

Mr. GARD. What I am trying to arrive at is whether the language I have just read is sufficient to cover a question of service. I do not know; I am asking for information.

Mr. MACCRATE. The rules of the court would lay down the procedure as far as the service is concerned.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. GLYNN. I will yield to the gentleman.

Mr. GREEN of Iowa. I was unable to hear all that the gentleman from New York [Mr. MACCRATE] said, but I take it that he assumed that the last section is unnecessary.

Mr. MACCRATE. Yes.

Mr. GREEN of Iowa. The United States court will not have jurisdiction until given it by this act. Once given jurisdiction, then the provision in reference to bringing suits aganst the United States would apply, and this last section would be wholly unnecessary.

Mr. GARD. There must be some service.

Mr. GREEN of Iowa. Of course, but it would have to be in accordance with the provisions of the act defining service.

Mr. GARD. There is nothing in this bill defining service.

Mr. GREEN of Iowa. It does not have to be; the general law with reference to service applies as soon as the court gets jurisdiction.

Mr. KELLY of Pennsylvania. The Senate in introducing bills of this kind used an old form and requested the committee of the House to strike out this section as superfluous and entirely unnecessary.

Mr. GARD. I have no objection to the consideration of the bill if it is considered to be in conformity with the law.

The Clerk read the bill, as follows:

An act (S. 1222) for the relief of the owners of the schooner *Henry O. Barrett*.

Be it enacted, etc., That the claim of the owners of the schooner *Henry O. Barrett* rising out of a collision between said schooner and the United States monitor *Ozark*, off Five Fathom Bank Lightship, on the 19th day of April, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Henry O. Barrett* by reason of damages to and detention of said schooner, may be submitted to the United States court for the district of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the owners of said schooner *Henry O. Barrett*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit shall be brought and commenced within four months after the passage of this act.

The following committee amendment was read:

Strike out all of section 3.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. GLYNN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DONNELLY & EGAN.

The next business in order on the Private Calendar was the bill (H. R. 3977) for the relief of the legal representatives of Donnelly & Egan, deceased.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, from a hasty examination of the report on this bill it would appear that the Court of Claims has passed upon it adversely. It involves the damages for the taking of some cotton during the Civil War.

Mr. DARROW. Will the gentleman yield?

Mr. WALSH. Yes; I will yield to the gentleman.

Mr. DARROW. The objection, as I understand it, at that time was absolutely because of the lack of establishing to the court's satisfaction of loyalty which has since been done. There was never any question about the taking over and use of the cotton.

Mr. WALSH. Well, the court, as late as November 16, 1914, after refusing a new trial and after having petitioned Congress for relief and having the matter referred to the court under the Tucker Act, handed down a finding that it formerly made. That is as late as 1914. The facts, as I understand it, are not disputed as to the amount of cotton and the value of it, but does the gentleman know as to the status of the legal representatives of these two original claimants at this time?

Mr. DARROW. The legal representatives are still living, as I understand it. There are relatives still living who are asking for this relief.

A MEMBER. Will the gentleman state the amount of this claim?

Mr. DARROW. $26,535.

Mr. BLANTON. To save time, unless the gentleman wants to discuss the matter, and in case the gentleman from Massachusetts does not object, I intend to object to the bill—that is, unless the gentleman wants to discuss it.

Mr. DARROW. I will say to the gentleman from Texas I have no desire to discuss the bill. I think it is a proper bill and ought to be passed.

Mr. BLANTON. I object.

The SPEAKER. Objection is made.

Mr. CARAWAY. Mr. Speaker, I ask unanimous consent to proceed for a few minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. CARAWAY. Mr. Speaker, in the most solemn and emphatic manner I wish to protest against the passage of the resolution shortly to be reported to this House declaring the war with Germany and the late emergency arising therefrom at an end, by which means Congress, disregarding its duty to the country and the limitations of the Constitution, seeks to usurp the executive functions of the Government.

I can not persuade myself that any lawyer—I am not speaking now of political lawyers, but of real lawyers—believes that the Congress has constitutional authority to do this thing; nor can I persuade myself to believe that anyone who loves his country more than his party will vote for this resolution. To me it seems unthinkable he should do so. What would be the relations, internationally speaking, between our country and the German Government if this resolution should prevail? We would have then neither peace nor war, and no diplomatic relations whatsoever with the people of Germany and Austria. Necessarily we would have no voice in the settlement of any of the questions growing out of this war, because we would have taken ourselves out of the controversy and thereby denied ourselves the opportunity to see that a just and lasting peace should be concluded and kept.

Then, again, what will be our situation with reference to the seized property and ships which belonged to the nationals of Germany and Austria? We will, by the passing of this resolution, have placed ourselves in the position of a highwayman who puts a pistol to the head of an individual and demands that he surrender his property or perish. We say, in this resolution, to these nationals that if they do not surrender their property rights we will become a party to starving the men, women, and children of their countries.

We do not in the resolution, however, undertake to say there is any moral right in our position. We merely say that unless they surrender their property we will withhold from them all economic, commercial, and political rights. Whether our claims to this property be just or unjust, we will, by passing this resolution, stand discredited and dishonored in the eyes of all the peoples of the earth. How much better would it be for the Senate to reconsider and ratify the treaty of peace than for the Congress to be called upon to stultify itself in the sight of all right-thinking peoples everywhere. If the Senate would ratify the treaty, and it should then be found that any injustice or hardships were entailed under it, these could be corrected.

It is a harsh suggestion, but I think it is true, nevertheless, that this is but one more shifting of the scenes in this conspiracy by the Republican Party to discredit the President for political advantage. It is a desperate game at which the Republicans play in order to try to deceive the American people into returning that party to power.

History undoubtedly, though tardy, will record the truth and political punishment be meted out to those who aid in the committing of this political crime.

If not now, sometime, justice and fair dealing, national honor, and love of country will come into their own, and then the perpetrators of this political subterfuge will stand pilloried in the court of an enlightened public opinion. [Applause.]

WILLIAM MALONE.

The next business in order on the Private Calendar was the bill (H. R. 9046) for the relief of William Malone.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be authorized to pay, out of any money of the United States not otherwise appropriated, to William Malone the sum of $75, being the cost of an abstract of title sent to the Commissioner of the General Land Office in August, 1916, and lost by some employee of that office.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GLYNN, a motion to reconsider the vote by which the bill was passed was laid on the table.

PETER M'KAY.

The next business in order on the Private Calendar was the bill (S. 390) for the relief of Peter McKay.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. GARD. Mr. Speaker, reserving the right to object, I do that for the purpose of asking concerning the amount of this compensation carried in the bill. The bill provides for a payment of $939. The reason I make the inquiry is because it appears on page 6 of the report as sent by the Chief of Engineers of the United States Army that if Mr. McKay had come within the provisions of the compensation law with reference to injuries of employees of the Government, under the act of May 30, 1908, his compensation would have been $596.33. I do not like to object to the bill, because I realize that Mr. McKay was injured, probably badly injured, I think, from the reading of the bill, without any fault of his own, but what I would like to know is why a greater sum should be given McKay on a bill outside of the compensation law than he would have received had he been within the compensation law of 1908?

Mr. GLYNN. I do not know the committee have established any hard and fast rule. Mr. MILLER of Washington is more familiar with the case, and I will ask him to explain it.

Mr. GARD. That is what I want to know. Under the compensation law he would have received, according to the report of the Chief of Engineers, $596.33. This provided originally for $2,500, but a reduction was made to $939, which is a year's pay, as I take it.

Mr. MILLER. I believe the compensation law was passed in 1908, and this injury occurred in 1904.

Mr. GARD. Yes.

Mr. MILLER. And it would not come under the compensation law, as I understand it.

Mr. GARD. I say it would not. The point I make is that this man's claim under the compensation law would amount to $596.33, and not being under the compensation in 1904 he is not entitled to anything.

I would suggest that Mr. McKay, who legally is not entitled to anything from the Government, should receive no greater compensation than one who would come within the meaning and scope of the compensation law. Therefore if the gentleman is willing to accept an amendment providing that he should receive $596.33, it would seem to me to be following the ordinary course of procedure, and not giving this man any more or any less than other persons in the Government employ receive under the compensation law.

Mr. MILLER. I may answer the gentleman from Ohio that I believe it was the precedent prior to the enactment of the compensation law, in the settlement of claims of this character, to give one year's pay. I believe that was the principle upon which many of these claims were settled.

Mr. GARD. That was the principle.

Mr. MILLER. I may say, Mr. Speaker, that this injury occurred in 1904. I know the gentleman, Mr. McKay. He lost his leg under the most distressing circumstances. In the effort to heal himself he has lost everything he has in the world. The *Senate* passed a bill giving the old gentleman $2,500, but the House, under the precedent so long established by the committee, cut it to one year's pay, at the rate of pay he would have received at the time of the injury, which was 16 years ago.

Mr. GARD. I understand that. What I am trying to have the gentleman advise me of is as to why under the condition where this man, who was most unfortunately injured, and I think without any fault of his own, but without any recourse and compensation from the Government, should get a greater return by compensation than a man who came within the scope of the compensation law passed four years afterwards.

Mr. MILLER. My only answer is that it is in keeping with the precedents the committee reported in cases of like character at the time the injury was suffered by this man.

Mr. GARD. I think the better precedent would be that we provide for this man as much as would have been provided for him had he been within the operation of the compensation act. Is the gentleman willing to accept such an amendment?

Mr. MILLER. I can do nothing else if the gentleman insists on it.

Mr. GARD. I do not do it for the purpose of beating down this man, because it is an unpleasant thing to do. I merely do it because we should have this case correspond with cases under the compensation law.

Mr. MILLER. I can only say to the gentleman from Ohio that it is in accordance with other cases that were reported on by the committee, and this case would have received the same amount had it been possible to have had the bill passed before this. And I think if the gentleman from Ohio knew the distressing individual circumstances in this case, knowing him as I do, he would not object.

Mr. GARD. I dislike very much to make the suggestion I do, because I realize it is an unfortunate case.

I note in the bill that this is to be appropriated to or paid to "Peter McKay or his legal representatives." Is McKay living or dead?

Mr. MILLER. He is living.

Mr. GARD. Why do you use that language?

Mr. MILLER. I do not know why that language was put in the bill. I observed it. This is a Senate bill.

Mr. GARD. I think the bill should be corrected in these two particulars.

Mr. MILLER. I presume it is for the purpose of providing, if Mr. McKay should die before he got the money, that his legal representatives would receive it, which in this case would be his old widow.

Mr. GARD. Of course, that is the law. That if you make an appropriation to him in his name, and he dies when the appropriation is made and before he collects it, it would be collected——

Mr. MADDEN. It would not have to be probated if it was put in the bill in this way.

Mr. MILLER. The suggestion is made that if the phraseology of the bill is carried it would not be necessary to probate this amount in the event of the death of Mr. McKay.

Mr. GARD. I have no objection to it. If the gentleman will offer the amendment I have suggested, I have no objection.

Mr. MILLER. Will the gentleman offer his amendment?

Mr. GARD. If the gentleman cares to offer it in accordance with what I have said, in order that it may come within what is the unquestioned operation of the compensation law and afford this man just what he would have received had he been under that law, I should not object to the consideration at this time.

Mr. MILLER. I would not feel like offering an amendment, I will say to the gentleman, in view of the circumstances of this case as I know them, where the amount would not pay the doctor's bill and for the amputation of the claimant's leg.

Mr. GARD. I object, then.

SWANHILD SIMS.

The SPEAKER. The Clerk will report the next bill.

The next bill on the Private Calendar was the bill (H. R. 6198) authorizing payment of compensation to Swanhild Sims for personal injury.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. May we have the bill reported?

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Swanhild Sims the sum of $2,500 as compensation for injuries received on or about February 21, 1919, at Seattle, Wash., when she was struck by a truck operated by the United States Army.

Also the following committee amendment was read:

Committee amendment, page 1, line 6, strike out the figures "$2,500" and insert in lieu thereof "$722.25."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. GARD. Reserving the right to object, as I read from the report, this woman, Swanhild Sims, while standing on a bridge was struck by a motor truck operated by a chauffeur of the War Department. The truck had skidded on its approach to the bridge, and went from one side of the approach to the other, and when it came across on the side where Swanhild Sims was it broke down the railing, and the breaking of the railing threw her off the bridge. Is that a correct statement?

Mr. KELLY of Pennsylvania. That is the fact, Mr. Speaker, and I would say further that the committee considered the circumstances connected with this injury, and the fact that statements were made by the War Department officials that no blame particularly could be attached to the chauffeur of the Motor Transport Corps. An affidavit is filed by the chauffeur stating that he had had trouble for some months with the steering gear of his car and that he lost control of it as he approached the bridge, and that the skidding of the machine threw the machine from one side of the approach to the other, knocking down the railing, and this woman was thrown over and received serious injury. The bill provided for $2,500, and the committee considered after investigation that it would consider only the actual expenses, which include her hospital and medical expenses, and other expenses sustained by her.

Mr. GARD. Where is the affidavit?

Mr. KELLY of Pennsylvania. The affidavit of the chauffeur will be found at the bottom of page 4 of the report, and states that the machine was out of control entirely, due to the stiffness of the steering gear.

Mr. GARD. I have no objection.

The SPEAKER. The Clerk will report the bill.

The bill was again read.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

In line 6, strike out "$2,500" and insert "$722.25."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GLYNN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AUGUSTA LOUISE DE HAVEN-ALTEN.

The SPEAKER. The Clerk will report the next bill.

The next business in order on the Private Calendar was the resolution (S. J. Res. 134) to readmit Augusta Louise de Haven-Alten to the status and privileges of a citizen of the United States.

The title of the resolution was read.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. RAKER. I reserve the right to object.

Mr. MADDEN. I hope, Mr. Speaker, that the gentleman will not object until the gentleman from Colorado [Mr. VAILE] explains it or will permit me to. This is a case of a family that formerly lived in Chicago. The facts in the case justify the

consideration of the bill. I would like to submit a statement or will be glad to allow the gentleman from Colorado to make one.

Mr. RAKER. I will reserve the right to object, in order that the gentleman from Illinois or the gentleman from Colorado may make his statement. I would like, in preference to the right of reserving the right to object, to explain to the House the provisions of the affidavit of this lady, found on pages 36 and 37 of the hearings, where she states that primarily she came back to this country to obtain a divorce in order to obtain property. In other words, is the House of Representatives to resolve itself into a divorce court?

Mr. VAILE. Mr. Speaker, the House of Representatives is not assuming the functions of a divorce court. The House of Representatives is asked to pass this resolution because only in that way can this woman, who was born an American citizen and all whose relatives for generations have been American citizens, be saved from absolute destitution. I understand the gentleman from California [Mr. RAKER] has very deeply founded objections to any woman who marries a foreigner. I am not quarreling with that.

Mr. RAKER. Oh, not at all. I trust the gentleman would not put it that way. The objection I have is to an American woman marrying a foreigner and then, just the moment things do not go right, she commences to squeal and jumps back to the United States and asks for protection.

Mr. VAILE. Mr. Speaker, the "moment" referred to is a pretty long moment. She started the divorce proceedings from this German as far back as 1904. She has not seen him since 1911, as the gentleman will recall.

Mr. RAKER. By her own written declaration she entered into an agreement with her husband that they should live separate and apart.

Mr. VAILE. The gentleman knows very well what the reason was. She had two daughters, one of whom was about to be married, and the daughters regarded it as more or less of a disgrace to have a divorce in the family; but even under those circumstances she could not withhold her action for divorce forever, and again in 1910 proceedings were instituted and they are now pending. The case has been tried once and the husband's infidelity proven by undisputed evidence, but because it was not of sufficient "notoriety," because there was not sufficient public humiliation of the wife to satisfy the German court, the case was continued for further evidence; and except for the status of her husband as an officer of the German Army, which prevented a further trial of the proceedings against him——

Mr. RAKER. The lady stated on the stand, as did her counsel, that so far as the property in Germany was concerned, she expected it was gone; but in her affidavit it is shown here that this same German husband of hers told her that if she would withdraw her claim on the German property he would withdraw his objection to her divorce.

Mr. VAILE. Does the gentleman, as a Member of the American Congress, object to the American Congress proceeding in a manner which may prevent the German husband, who never did anything to conserve this property, from getting it? The gentleman apparently thinks that this American woman should permit all this property to go to her German husband to be squandered. This woman married on her eighteenth birthday. She was married 36 years ago in Switzerland. At that time she came into the possession of a very considerable inheritance, amounting to $100,000 in cash.

Mr. RAKER. Mr. Speaker, will the gentleman yield right there?

Mr. VAILE. In just a moment I will yield. This $100,000 all went to her German husband under the provisions of the German law. The gentleman from California will remember that this $100,000 has all been squandered by this German husband, except possibly about $25,000, which is invested in German real estate.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. VAILE. Yes.

Mr. RAKER. This is the statement of the defendant on page 36, an affidavit:

I am further informed and believe that my husband is prepared to withdraw all opposition to my demand for a divorce in the event of my withdrawing all claim to my property, real and personal, situated in Germany, which I have refused.

Mr. VAILE. If she has any claim left to that pitiful remnant of her former estate upon which her husband has been living and most of which he has squandered during those years following her marriage, why should we require her to surrender that? Her husband did not earn this money. It was earned by an American.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. VAILE. Yes.

Mr. BEE. Would it not be a good precedent to enable American women who are uncomfortably situated over there to get away from the thraldom and come back to this country?

Mr. VAILE. I think it would be a good thing for them to come back, but this divorce proceeding was begun years ago.

Mr. BLANTON. They ought to have more sense and never live there.

Mr. VAILE. I am inclined to agree with the gentleman. This woman's father was an American naval officer, who retired after being severely wounded in action in the Civil War. He went to Switzerland to educate his children.

He went, not to Germany but to Switzerland, when his daughters were little girls. Now, I do not know just what the reason was. Some people think it is desirable to bring up their children in countries where they have an opportunity to learn other languages while they are young. During her father's lifetime they frequently visited the United States. Her father died when she was 15 years old. After that time she lived with her stepmother, a Swiss woman, who was the mother of two boys, half brothers of this petitioner, one of whom was in the French Army and the other of whom died a corporal in the Army of the United States in the Great War.

Mr. RAKER. In paragraph 2 of the affidavit she made when trying to get to Switzerland again, which she entered as a German subject, on page 36, she makes this statement:

Since my marriage I have spent very little of my time in Germany, for the most part traveling in Italy, France, Egypt, Algeria, and Switzerland. I was last in the United States of America in the year 1917.

But the moment there is a question of property involved she comes to the United States and employs counsel, who, with a fine-tooth comb rakes over the statutes of the various States to find the State wherein she can secure a divorce the most easily. The record shows that they were afraid the peace treaty would be disposed of, and that her property would be involved in that. So therefore she comes to Congress asking us to grant her this relief as a divorce court, so that she may acquire her property, not on the question of citizenship. I am ready and willing to extend any special act and to give any relief to those returning here who are seeking citizenship in the United States, who appeal to Congress for the restoration of their rights; but this whole record from beginning to end shows that her primal object, her main purpose is to get Congress to act as a divorce court, so that she may secure property through a release from her own act, when she has been traveling all over the world and cares very little about the United States.

Mr. VAILE. Mr. Speaker, it does seem to me that a woman who is a grandmother should not be very much blamed if she wants to get hold of her property. Even I, who am young and strong and a male, like to hold on to what little property I have.

Mr. RAKER. Will the gentleman yield for a question?

Mr. VAILE. Yes.

Mr. RAKER. Let me read her own affidavit on page 36:

2. That I was married in the city of Berlin (Prussia), Germany, to the Baron Eberhard Curt-Alten on October 21, 1886; that the issue of said marriage, two daughters, are married, but the deponent has severed all relations with my said daughters since the year 1912.

This mother that the gentleman speaks about with flowing tears, who at one time had an American father, who comes to the United States solely for property, has not only left her country but has repudiated her daughters, by her own affidavit. That is the situation.

Mr. MADDEN. Will the gentleman yield to me for a moment?

Mr. RAKER. Yes.

Mr. MADDEN. I happen to have known the father of this woman.

Mr. RAKER. Oh, her father has a great record.

Mr. MADDEN. He was a distinguished captain in the American Navy, in which he served for 24 years. He was wounded in the service and retired as the result of his wounds. Her mother's father was also an officer in the American Navy, where he served for 45 years. Her other relatives were ambassadors to European countries representing the United States. There is every reason in the world why this bill should be passed. This woman's Americanism has never been questioned.

Mr. RAKER. Will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. RAKER. So that the House may fully understand, the purpose of this bill primarily is to allow this woman to obtain property.

Mr. JOHNSON of Washington. Let me make the facts as to the property clear.

Mr. MADDEN. We had a case like this in the House about two months ago, and the gentleman voted for it.

Mr. RAKER. No; I did not.

Mr. JOHNSON of Washington. Let me explain the property situation: The property is a trust left by the grandfather in an American bank for this woman. That property is now in the hands of the Alien Property Custodian.

Mr. RAKER. Well——

Mr. JOHNSON of Washington. And the Alien Property Custodian does not wish to hold it, and, of course, can not dispose of it either now or in the future.

Mr. RAKER. That is none of his business. It is his duty as a sworn officer to hold it, and he must comply with the law.

Mr. JOHNSON of Washington. Oh, the United States Government does not want to take the interest on this woman's trust from her, and it can not take the principal.

Mr. MADDEN. What this woman wants is to get the property that was willed to her in trust by her grandfather, which property is now held by the Alien Property Custodian.

Mr. JOHNSON of Washington. And it will still be a trust fund, no matter what we do.

Mr. MADDEN. It will still be a trust fund, but she can not get it unless she gets her citizenship restored.

Mr. VAILE. It is property which the Alien Property Custodian earnestly desires to return to her. Since the gentleman from California has referred to this as wholly a property proposition, let me call his attention to the fact that the Alien Property Custodian stated before the committee:

The injustice of this case is absolutely abhorrent to me.

The gentleman from California [Mr. RAKER] put this question to him:

You desire her unconditional readmission to the United States, to assume the character and privileges of a United States citizen for the purpose of primarily obtaining property?

To which Mr. Garvan replied:

I do not like the word "primarily," because I can not search the heart of the woman. From the testimony I would say that her first desire was to feel herself an American citizen—from the violence of her patriotism abroad during the war.

At a time when patriotism abroad during the war meant something our representative in Berne said:

This case is fresh in my mind, because it is about the only case I know of where an American who remained in Austria or Germany apparently acted like a good American.

Mr. GARD. Will the gentleman yield for a question?

Mr. VAILE. Yes.

Mr. GARD. Are both of the daughters of this woman married to German officers?

Mr. VAILE. They are married to Germans and reside in Germany.

Mr. JOHNSON of Washington. They have grown up, have left their mother, they have gone their own way, and in accordance with the biblical injunction, they cleave to their husbands.

Mr. VAILE. The gentleman from California suggests that as soon as we had war the grandmother left Germany and he also called attention to the fact that she had been separated from her daughters since 1912—five years before.

Mr. MADDEN. She began divorce proceedings three years before the war. She could not get service on her husband in the divorce proceedings, because he was a reserve officer in the German Army.

Mr. RAKER. The record, page 31, shows that she did get service. I want the House to understand this, it does not make any difference to me. The only fundamental question is not the property involved, not that she is an elderly lady, not that she married and went to Germany——

Mr. VAILE. Not that she is an American.

Mr. RAKER. She became a German subject under her own voluntary act.

Mr. VAILE. Thirty-six years ago when she was only 18 years old.

Mr. RAKER. She has been in the United States since that time. The very moment that a question of property is involved these people come back and appeal to the United States either through the divorce court or, if they can not get the divorce court to act rapidly enough in the United States, then they appeal to Congress, because of the reason of the fact that their father was a general or their mother was a woman of standing 40 or 50 years ago.

Mr. MADDEN. Her father was a citizen of the United States.

Mr. RAKER. That does not give her any right to come here and obtain a special act of Congress in the way of a divorce from her husband in order to obtain property. The only question is this: Is the great Congress of the United States to assume the attitude of dealing with personal property, when a person has deliberately of their own free will married an alien and become an alien, traveled over the whole world, cared little for her native country, but when she finds she is in trouble comes back and asks a special act of Congress to give her relief.

Mr. MADDEN. What is more natural in the world than that when people get into trouble they come back home to get the sympathy to which they are entitled.

Mr. BEE. They come back to their mother country.

Mr. MADDEN. The gentleman from California now having given expression to his views, I hope that he will not object.

Mr. BEE. Will the gentleman yield?

Mr. RAKER. I will.

Mr. BEE. Is this lady now in this country?

Mr. RAKER. She is; she came here last October, 1919, for the purpose of commencing divorce proceedings.

Mr. BEE. She is back in the United States now?

Mr. RAKER. She is.

Mr. BEE. Does not the gentleman from California think, under the circumstances, that if she made a mistake she ought to be given a chance to spend the last days of her life in her home country among her home people? The failure of this bill might prevent it, whereas otherwise she will have a chance in her declining days, among her own people in her own country.

Mr. RAKER. I want to say to the gentleman from Texas that there are two propositions involved. The record is here, and I am not speaking of my own knowledge, but am speaking by the card and by the record. Her counsel found that he could not get a divorce rapidly enough and thought that the peace treaty would not be adopted immediately and therefore the custodian would withhold her property. Another question is there is a remnant of property in Germany, and if she got a divorce she might lose control of that. Therefore she comes to this great, big-hearted Senate and to these good-natured Members of Congress and says, "I was once an American citizen; now do this; it does not make any difference to you; restore me to American citizenship and I will still remain the wife of Baron Alten; I will still be the wife of a German subject and have an opportunity to go back to Germany and recapture the remaining property in Germany."

Mr. MADDEN. The gentleman would not object to her taking any property in Germany as an American citizen?

Mr. RAKER. No.

Mr. MADDEN. We ought to give her every opportunity in our power to go back and take all of her property and at the same time let her enjoy her love for America.

Mr. RAKER. Let me make one more statement and then it is up to the House. I want to eliminate the question of property, the question of marriage, the question of the separation from the daughters, the separation from her husband. Does this House believe that we ought to adopt such legislation as will set a precedent that when any wife at any time in any case from Germany, Austria, or France gets into trouble with her husband we will immediately pass a special act giving her again the citizenship?

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. RAKER. Yes.

Mr. MANN of Illinois. Did not the committee two years ago report a bill permitting an American woman to retain her American citizenship if she married a foreigner?

Mr. RAKER. No.

Mr. MANN of Illinois. I think we did.

Mr. RAKER. There has been a bill introduced in the House changing the law, and the committee voted it down, leaving the law as it is, that if an American citizen marries an alien she becomes an alien.

Mr. MANN of Illinois. Now it is different. I helped to dispose of it in that time, but I have revised my views, and in view of the fact American women are soon to be voting I have not the slightest doubt that Congress will soon give the right to a woman who marries a foreign man as it gives an American man who marries a foreign woman.

Mr. RAKER. To make the matter clear, I remember the gentleman's position six years ago in reference to a bill introduced by my colleague, I think, from California [Mr. Kent], which went to the Committee on Foreign Affairs, and the bill came here and I objected to it and finally the session adjourned without action. That was the situation.

Mr. MANN of Illinois. I fought it on the floor and killed it here.

Mr. MADDEN. Gentlemen, remember the old story of the 99 who were safe within the fold and the other who was astray and was brought back.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, I desire to ask the distinguished gentleman from Illinois whether, after we receive this prodigal daughter back into the fold and place her in a position where she can secure her good American money that the Government has kept out of Germany, will that prodigal

daughter remain here and spend the rest of that American money in America or go back to Germany and spend it there?

Mr. MADDEN. I think the experience of the last 36 years has been sufficient to justify us in thinking that she will stay here, in the hopes of living in comfort.

Mr. BLANTON. In view of the fact she is a grandmother I shall not object, but if she were one of these high society foreign-husband-seeking 24-year-old widows I would object. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the joint resolution.

The Clerk read as follows:

Whereas Augusta Louise de Haven-Alten, daughter of the late Capt. Joseph Edwin de Haven, of the United States Navy, a native-born citizen of the United States and a resident of the State of Illinois, married in 1886 Eberhard Alten, an alien of German birth and parentage; and

Whereas the said Augusta Louise de Haven-Alten left Germany in 1911 and has not since returned, and in 1912 sued her said husband for absolute divorce, which suit is still pending in Germany, and has since 1911 lived apart from her said husband; and

Whereas the said Augusta Louise de Haven-Alten has since returned to the United States and renewed her residence therein and petitioned Congress to be readmitted to the status and privileges of a citizen of the United States, under and by virtue of the power and laws of the United States of America: Therefore be it

Resolved, etc., That Augusta Louise de Haven-Alten, daughter of Capt. Joseph Edwin de Haven, be, and she is hereby, on her own application, unconditionally readmitted to the character and privileges of a citizen of the United States.

The committee amendment was read, as follows:

Strike out the preamble, and in line 3, page 2, after the words "Haven-Alten," strike out the words "daughter of Capt. Joseph Edwin de Haven" and insert "a native-born citizen of the United States."

Mr. GARD. Mr. Speaker, I move to strike out the last word for the purpose of asking a question. Under the bill as it now is written by the committee when the bill came from the Senate it had a preamble which explained the marital state of Augusta Louise de Haven-Alten. Now, the committee has stricken out all of the preamble and the committee has stricken out in the bill the fact that she is the daughter of Capt. Joseph Edwin de Haven. The bill now provides:

That Augusta Louise de Haven-Alten, a native-born citizen of the United States, be, and she is hereby, on her own application, unconditionally readmitted to the character and privileges of a citizen of the United States.

Is it not necessary to have something in this bill showing why she was reinstated?

Mr. VAILE. It seemed to the committee that that sufficiently appeared by the fact that she did apply to be readmitted.

Mr. GARD. No; it says that she is a native-born citizen of the United States in the following language: "That she is hereby, on her own application, unconditionally readmitted," which seemed to be entirely opposed to the declaration she was a native-born citizen. Why not insert in the bill some language showing why she was reinstated to her citizenship?

Mr. VAILE. I will agree to such language.

Mr. GARD. The gentleman knows the facts better than I do. I suggest that because I think it is absolutely necessary, otherwise we are conferring citizenship on a native-born citizen.

Mr. VAILE. I think the gentleman's point is well taken.

Mr. RAKER. It shows on the face of the bill that Augusta Louise de Haven was her name and that Alten was the name of her German-born husband.

Mr. VAILE. That is stricken out.

Mr. RAKER. No; in line 3, page 2, she is referred to as Augusta Louise de Haven-Alten.

Mr. VAILE. I am ready to propose a proper amendment.

Mr. BRIGGS. Could not there be a recitation that she married in 1886 an alien of German birth and parentage?

Mr. VAILE. I would propose the following amendment: After the word "States," in line 5, insert the words "who lost her citizenship by marriage with an alien."

Mr. BEE. Forfeited.

Mr. VAILE. Who forfeited her citizenship by marriage with an alien.

The SPEAKER. The question is on agreeing to the committee amendment on page 2.

The question was taken, and the amendment was agreed to.

Mr. VAILE. I now offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 5, after the word "States," insert "who forfeited her citizenship by marriage with an alien."

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on striking out the preamble.

The question was taken, and the motion was agreed to.

The SPEAKER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken, and the joint resolution was passed.

On motion of Mr. VAILE, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

FIRST NATIONAL BANK OF SHARON, PA.

The next business in order on the Private Calendar was the bill (H. R. 10598) to provide for the payment to the First National Bank of Sharon, Pa., for certificate of indebtedness to the United States No. 3240, for $10,000, which has been lost.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman whether this certificate of indebtedness is past due?

Mr. GLYNN. It is past due. It was due July, 1918.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay to the First National Bank of Sharon, Pa., the amount of the indebtedness of the United States upon the certificate of indebtedness No. 3240, issued April 10, 1918, and July 9, 1918, for $10,000, bearing interest at the rate of 4 per cent, which said certificate has been lost, and is believed to have fallen into the wastebasket in the office of said bank and had been destroyed by fire: *Provided*, That the said bank shall give a bond of indemnity to the Secretary of the Treasury in such form, term, surety, and amount as the said Secretary may require.

Also the following committee amendment was read:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem certificate of indebtedness of the United States of America No. 3240, of the denomination of $10,000, of the issue dated April 10, 1918, and maturing July 9, 1918, with interest from April 10, 1918, to July 9, 1918, in favor of the First National Bank, Sharon, Pa., without presentation of said certificate, the certificate of indebtedness having been lost or destroyed: *Provided*, That the said First National Bank of Sharon, Pa., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal and interest of said certificate of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost or destroyed certificate of indebtedness hereinbefore described."

Mr. RUCKER. Mr. Speaker, I move to strike out the last word. I want to ask the gentleman a question. Was application made to the Treasury to reimburse the bank?

Mr. GLYNN. I understand it was. The gentleman from Pennsylvania [Mr. HULINGS] can inform the gentleman as to that.

Mr. HULINGS. I will say to the gentleman that application was made to the Secretary and search was instituted throughout all the banks of the country, so as to procure the evidence that was sufficient for the Secretary of the Treasury.

Mr. RUCKER. You could not make such a proof of loss as was satisfactory to the Treasury Department?

Mr. HULINGS. It was not that. The Secretary of the Treasury said that under the law now prescribed there was no warrant for them to pay the loss, but after going through the whole thing the Secretary has recommended that the bill be passed.

The SPEAKER pro tempore (Mr. CAMPBELL of Kansas). The question is on the committee amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division on the vote, just to check up.

The House divided; and there were—ayes 44, noes 0.

On motion of Mr. GLYNN, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read as follows: "A bill for the relief of the First National Bank of Sharon, Pa."

WILLIAM S. BRITTON.

The SPEAKER pro tempore. The Clerk will report the next bill.

The next bill on the Private Calendar was the bill (S. 3610) for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN of Illinois. I ask to have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to reinstate William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the Army, and to restore him to his former position and rank in the service by the issuance of a new commission to date from the 14th day of May, 1919, and to continue during the pleasure of the President, not longer than to the date when he shall be released by military hospital authorities; and if such release shall have occurred prior to the passage of this act to honorably discharge him from his commission as of the date of such release.

SEC. 2. That said William S. Britton shall be entitled to receive the full pay and allowances of a second lieutenant of Infantry from the time he was dropped from the rolls of the Army until he shall be so discharged and that his status in, and relation to, the Army of the United States shall be in all respects the same as it would have been had he not been dropped from the rolls of the Army.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN of Illinois. Reserving the right to object, how does he claim he was erroneously dropped?

Mr. MILLER. I will state to the gentleman from Illinois that Lieut. Britton was erroneously dropped from the rolls on May 14, 1919. He was at that time in a hospital. He had been wounded in action, gassed, and shell shocked, and rendered unconscious, and remained in that condition for some length of time, during which time he was unable to give any account of himself as to where he was, or anything about it, and he was placed upon the records of the Army as a deserter and dropped from the rolls as such. The letter from the Secretary of War, which I have in my hand, and a portion of which is appended to the report, recommends that Lieut. Britton be restored to the Army and suggests the form of a bill, which form has been followed in the preparation of this bill.

Mr. MANN of Illinois. The Secretary has suggested that we legislate that he was erroneously dropped?

Mr. MILLER. Yes. The Secretary suggests that Lieut. Britton has been erroneously dropped and recommends that it be cured by this legislation, as I understand it.

Mr. MANN of Illinois. He recommended that we legislate that he had been erroneously dropped?

Mr. MILLER. It might admit of that construction; yes.

Mr. MANN of Illinois. That is what I wanted to know, whether the Secretary recommended that.

Mr. MILLER. I may read the phraseology of the Secretary, which says:

On May 14, 1919, William S. Britton, second lieutenant of Infantry, was erroneously dropped from the rolls of the Army for desertion.

Mr. MANN of Illinois. I have no objection.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. LAYTON. Will the gentleman yield for a question?

Mr. MILLER. I yield to the gentleman from Delaware.

Mr. LAYTON. Is it not within the power of the Secretary of War to correct the error?

Mr. MILLER. It is not, when a man is put on the rolls as a deserter. It requires special legislation.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was again read.

Mr. GARD. Mr. Speaker, I move to strike out the last word. I am very sympathetic with the bill and think it should be passed. What I want to ask is whether or not the bill is sufficiently safeguarded to give expression to what it undoubtedly intends to do—to remove the charge of desertion? Lieut. Britton is now carried on the rolls as a deserter. Of course, he was not a deserter except in the merest technical sense. He was not a voluntary deserter, because he was not competent mentally. Now that his competency is restored does the gentleman think the bill is sufficient to correct the military record which now carries him as a deserter?

Mr. MILLER. I will say to the gentleman from Ohio that it is in the customary and usual form.

Mr. BEE. To remove the charge of desertion it occurs to me in line with the suggestion of the gentleman from Ohio, you ought to remove the charge of desertion against this man and then restore him. In other words, the charge of desertion heretofore pending against him should be "hereby removed," and then he should be "hereby restored" as an officer of the United States Army.

Mr. GARD. I think that is the better form.

Mr. MILLER. It is an excellent form, and is the one the department doubtless should follow, but they followed the other form.

Mr. BEE. The trouble is that the grandchildren of this man 50 years from now will be confronted with the charge of desertion against him, and with no chance of its removal.

Mr. MILLER. The military history of this case is in the War Department.

Mr. LAYTON. In 50 years from now do you not think that the bill itself will show it was an error and that he was erroneously dropped because of that error?

Mr. BEE. They would look at the bill——

Mr. GARD. They would look at the record and not at the bill.

Mr. MILLER. I may say that this is a time-honored way of doing this in order to reach this class of cases, and the Secretary of War has recommended it.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MILLER, a motion to reconsider the vote by which the bill was passed was laid on the table.

EDWARD SIGERFOOS.

The SPEAKER pro tempore. The Clerk will report the next bill.

The next business in order on the Private Calendar was the bill (S. 2807) to correct the military record of Edward Sigerfoos.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I ask that the bill be reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That Edward Sigerfoos, deceased, who was a colonel in the United States Army, and who was nominated by the President for appointment as brigadier general October 4, 1918, said nomination being confirmed by the Senate October 10, 1918, after the death of said Edward Sigerfoos, which occurred after his nomination, October 7, 1918, as the result of wounds received in line of duty, shall hereafter be held and considered to have become a brigadier general of the United States Army in the service of the United States, and to have held that office until the date of his death; and the President is hereby authorized to issue a commission as brigadier general of the United States Army in the name of Edward Sigerfoos, with rank to date from October 4, 1918.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEE. Reserving the right to object, who is in charge of the bill?

Mr. WELTY. I am in charge of it.

Mr. BEE. I want to ask the gentleman from Ohio a question. This does not affect any pensionable status with regard to any of this man's family?

Mr. WELTY. I think not.

Mr. BEE. I do not object to the bill, but I do not think it would be proper to fix a pensionable status by reason of this correction.

Mr. WELTY. Mr. Sigerfoos was commissioned as an officer in the United States Army after the breaking out of the war with Germany. He was nominated by the President to be a brigadier general on October 4, 1918, and October 10 the nomination was confirmed by the Senate.

On the evening of October 20 The Adjutant General received a cablegram from France stating that Gen. Sigerfoos had been wounded and died of said wounds received October 7, and that on the next day, October 21, Mrs. Sigerfoos received the commission, and which commission was returned at the request of The Adjutant General, because Gen. Sigerfoos died before the Senate confirmed his appointment. Gen. Sigerfoos received the distinguished service medal and died on the field of battle, and I hope that there will be no objection to the consideration of this bill at this time. It simply authorizes the President to again deliver this commission to the widow.

Mr. BEE. I have no objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was again read.

Mr. WALSH. Mr. Speaker, I move to strike out the last word for the purpose of getting some information and maybe offering an amendment. In line 10 this language is used:

Shall hereafter be held and considered to have become a brigadier general, United States Army, in the service of the United States, and to have held that office until the date of his death.

I would like to ask the gentleman in charge of the bill if that language should not be changed so as to read and better express the purpose of the bill: "Shall hereafter be held and considered

to have been a brigadier general in the United States Army in the service of the United States at the time of his death"?

Mr. WELTY. Well, I will say to the gentleman from Massachusetts that this bill was passed in this language by the Senate, and approved by the Committee on Military Affairs, and I would not like to have it go back to the Senate.

Mr. WALSH. Well, that argument is not at all persuasive, merely because the language is in a bill that is sent over here from the other branch. When did he become a brigadier general under this law?

Mr. WELTY. He was dead at the time the Senate confirmed him. The Senate confirmed him on the 10th of October, and he was killed in action on the 7th of October. Under the ruling of the War Department no commission can be issued to a person unless he is living at the time the Senate confirms him.

Mr. WALSH. Does the gentleman think he would have become a brigadier general——

Mr. WELTY. If he had lived three days longer he would have been a brigadier general. The commission was issued by The Adjutant General and by him sent to Mrs. Sigerfoos.

Mr. MANN of Illinois. The commission would have issued as of the date of the appointment and not of confirmation.

Mr. WELTY. Yes; but under the ruling of the War Department unless a person is living at the time the Senate confirms the appointment the commission must be withdrawn, and The Adjutant General wrote to Mrs. Sigerfoos and asked her to return that commission under that ruling. This bill is simply to grant authority to the President to send that commission to Mrs. Sigerfoos for her to preserve.

Mr. WALSH. Mr. Speaker, I withdraw the pro forma amendment.

The SPEAKER pro tempore. The gentleman from Massachusetts withdraws the pro forma amendment.

Mr. BLANTON. Mr. Speaker, I move to strike out the last two words in order to ask a question.

The SPEAKER pro tempore. The gentleman from Texas moves to strike out the last two words.

Mr. BLANTON. The gentleman indicated that under the rules of the War Department this officer would have become a brigadier general on the date that he was confirmed by the Senate.

Mr. WELTY. On the date of his appointment.

Mr. BLANTON. Is it not a fact that under the rules of the War Department, even if he was appointed by the action of the War Department and later on confirmed by the Senate, he would not actually become a brigadier general in the service of the United States until he evidenced an acceptance of that commission?

Mr. WELTY. That part of it is correct; but in case of death, as I understand it, if the officer is living when confirmed the commission will issue.

Mr. BLANTON. Then the commission would have to be sent to him and accepted by him before, as a matter of fact, he could become a brigadier general.

Mr. WELTY. Gen. Sigerfoos was in command of a brigade at the time he was killed.

The SPEAKER pro tempore. Without objection, the pro forma amendment is withdrawn. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. WELTY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PENSIONS.

The SPEAKER pro tempore. The Clerk will report the next bill.

The next business in order on the Private Calendar was the bill (H. R. 12530) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. I object. Is not this one of the bills that has already been passed?

Mr. FULLER of Illinois. No. This has been on the calendar for several weeks.

Mr. WALSH. Then I withdraw my objection.

The SPEAKER pro tempore. This bill has a privileged status.

Mr. BLANTON. I object. It has a privileged status another day.

Mr. MANN of Illinois. It may save a day for other matters which may be necessary.

Mr. BLANTON. Then I will withdraw my objection.

The SPEAKER pro tempore. The objection is withdrawn.

Mr. FULLER of Illinois. I ask unanimous consent, Mr. Speaker, to dispense with the first reading of the bill.

Mr. MANN of Illinois. That is not necessary.

Mr. FULLER of Illinois. There are a number of formal committee amendments, and I ask that I may be permitted to present them en bloc after the reading of the bill.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to present a number of committee amendments en bloc. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of John J. Kraft, late of Company A, Fiftieth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Patrick Collins, late of Company A, Fifty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Robert Sutor, late of Company I, First Regiment Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary J. Van Denbergh, widow of Jacob Van Denbergh, late of Company D, One hundred and twentieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William A. Wilson, late of Company F, One hundred and forty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy J. Clark, widow of Thomas J. Clark, late of Company K, One hundred and eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jane McMahon, widow of Matthew McMahon, late of Company D, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Zora Hockman, helpless and dependent daughter of Aaron Hockman, late of Company F, Eighty-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of William D. Dennison, late of Company H, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Callie B. Boatright, widow of John T. Boatright, late of Company A, First Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of George T. Baldwin, helpless and dependent son of William L. Baldwin, late of Company K, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Phebe E. C. Priestley, late an Army nurse, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of James Warren, late of Company B, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Ferdinand Lambert, helpless and dependent son of Andrew Lambert, late of Company A, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month, payable to a duly appointed guardian or conservator.

The name of Catharine Maconaughay, helpless and dependent daughter of James Maconaughay, late of Company G, Two hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles W. Smith, late of Company H, First Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Cynthia R. Osgood, former widow of Joseph Rudler, late of Company G, Sixty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Jesse A. Smith, helpless and dependent son of William Smith, late of Company F, Phelps Missouri Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of George W. Hollenbank, late of Company A, One hundred and eighty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary A. Slack, widow of Magnus D. Slack, late of Company K, Thirteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Franklin Harrod, late of Battery C, Kentucky Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eva McNett, former widow of Jacob B. McNett, late assistant surgeon, First Regiment Michigan Volunteer Sharpshooters, and pay her a pension at the rate of $25 per month.

The name of Samuel Bainter, late of Company C, Eleventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Annie J. Page, widow of George W. Page, late of independent company, Dennison Guard, Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Thomas J. O'Harra, late of Company B, Twenty-first Regiment Ohio Volunteer Infantry, and Company E, Seventeenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry Leedom, late of Company G, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William A. Middleton, late of Company B, Eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Acton, former widow of John Quinn, late of Company B, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Amanda B. Birch, widow of J. J. C. Birch, late acting medical cadet, United States Army, and pay her a pension at the rate of $25 per month.

The name of John Wilson, late of Company D, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Rebecca Horine, widow of George M. Horine, late of Company I, One hundred and thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Bertha Blanch Weimer, helpless and dependent daughter of John S. Weimer, late of Company F, Ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of James Robison, late of Company B, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ezra Shanks, late of Company C, Fifty-first Regiment Ohio Volunteer Infantry, and Company F, Seventh Regiment United States Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Sibria Armstrong, former widow of James M. Lawrence, late of Company I, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of $25 per month.

The name of David Hahn, late of Company D, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alice West, helpless and dependent daughter of Sylvester D. West, late of Company K, One hundred sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Stephen H. Leonard, late of Company A, First Regiment Pennsylvania Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Max J. Alwens, late of Company E, One hundred and sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Colbert Ratliff, late of Company D, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edmond Harvey, late of Company A, Ninety-seventh Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Sarah J. Bates, widow of George Bates, late of Company H, Forty-eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Joseph R. Lawson, late of Company J, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The name of Mary F. Lake, former widow of Joshua W. Lake, late of Company C, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of George W. Willard, late of Company A, Tenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Johanna Dowling, former widow of Owen Garvey, late of Company D, Seventy-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John Garvey, helpless and dependent son of said Owen Garvey, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Johanna Dowling, the name of said John Garvey shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Johanna Dowling.

The name of Emma Park, helpless and dependent daughter of James A. Park, late of Company D, Twenty-sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of George Milton Frye, late of Company E, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Isabella Gruver, widow of John A. Gruver, late of Company C, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Elizabeth I. E. Duffield, helpless and dependent daughter of Thomas A. Duffield, late of Company B, Second Regiment California Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ellen Bridge, former widow of Franklin Hart, late of Company H, Fifth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary L. Drake, former widow of John Herrington, late of Company M, Ninth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Elizabeth S. Van Pelt, former widow of Gaines Brock, late of Company G, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Lillian S. Dodds, widow of James Dodds, late second lieutenant of Company G, Fourteenth Regiment Rhode Island Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Harriet E. Ritter, widow of Austin Ritter, late of Company G, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Levi Welch, late of Company G, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lazarus W. Johnson, late of Company K, Second Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth A. Tuttle, widow of Henry G. Tuttle, late of Company E, Forty-first Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Elizabeth A. Pease, widow of Dallas M. Pease, late of Company A, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Emily N. Wellman, widow of Norman Wellman, late of Company A, Ninth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Benjamin Jackson, late of Company B, First Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louisa Mawhiney, widow of William I. Mawhiney, late of Company B, Eighth Regiment Missouri Volunteer State Militia Cavalry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of John H. Mawhiney, helpless and dependent son of said William I. Mawhiney, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Louisa Mawhiney, the name of said John H. Mawhiney shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of Louisa Mawhiney.

The name of Emma L. Lindsay, widow of David A. Lindsay, alias James D. Hamel, late of Company M, Tenth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Zachariah Allbaugh, late of Company C, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Harriett Jordan, widow of Lindsey Jordan, late of Company D, Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Cora B. Kelley, widow of James Kelley, late of Company C, Tenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Julia A. Marugg, widow of Simon Marugg, late of Company B, Sixth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Adelia Mae Lee, widow of James E. Lee, late of Company D, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Maggie Dona Lloyd, helpless and dependent daughter of Joseph Lloyd, late of Company C, First Regiment Tennessee Volunteer Light Artillery, and pay her a pension at the rate of $20 per month.

The name of Israel Boyer, alias George Johnson, late of Company C, Eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Oscar W. Miller, helpless and dependent son of Abraham Miller, late of Company A, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Frank Haight, helpless and dependent son of Frederick G. Haight, late of Company B, twenty-fifth Regiment Michigan Volunteer Infantry, and Company K, Veteran Reserve Corps, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of James B. Smith, late of Company H, Forty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George H. Bowman, helpless and dependent son of Abraham Bowman, late of Company C, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Jessie G. Gilman, helpless and dependent daughter of Elbridge P. Gilman, late of Troop G, Fifth Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of William H. Sumption, late of Company E, Eleventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Virginia Zachary, widow of John Zachary, late of Company C, First Regiment Tennessee Volunteer Mounted Infantry, and pay her a pension at the rate of $25 per month.

The name of Samuel Pryor, late of Company E, Thirteenth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Jane M. Henderson, widow of Henry W. Henderson, late of Company I, Seventieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Joseph Buckle, late of Company E, Second Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Adolphus Sterling, late of Company D, Twentieth Regiment New York Volunteer Cavalry, and Company A, Ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Peter Boyd, late of Company F, Twelfth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Felix R. Robertson, late of Company E, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eugene Cunningham, helpless and dependent son of Moses S. Cunningham, late of Company F, Forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Margaret A. Plank, widow of George W. Plank, late of Company C, Webster County, Missouri Home Guards, and pay her a pension at the rate of $35 per month.

The name of Emaline C. Lindner, helpless and dependent daughter of Samuel Lindner, late of Company D, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jason Johnson, late of Company B, Fourth Regiment, and Company D, First Regiment, Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James D. Ash, late of Company A, Third Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frances E. Parmater, former widow of John J. Parmater, late of Company A, Forty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lillian Brown, helpless and dependent daughter of Francis A. Brown, late of Company B, Sixteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George Wilson, late of Company H, Twenty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James F. Smith, late of Company G, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Benjamin F. Ford, late of Company G, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David E. Mosholder, late of Company A, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John E. Broyles, helpless and dependent son of Henry Broyles, late of Company L, Seventh Regiment Ohio Volunteer Cavalry,

and Company E, Sixth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $20 per month.

The name of Sarah E. Maurer, former widow of Isaiah Miller, late of Company G, Seventy-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Catherine Weber, former widow of Robert R. Martin, late of Company L, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Diana Lucas, former widow of Nathan Lucas, late of Company E, First Regiment Michigan Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The name of Solomon J. Grine, late of Company C, Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John R. Garstang, late of Company D, Fremont Body Guard, Missouri Volunteer Mounted Cavalry, and pay him a pension at the rate of $40 per month.

The name of Charles S. Humphrey, late of Company F, Ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy F. Taylor, widow of Thomas G. Taylor, late of Company I, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Murray V. Livingstone, late of Company D, First Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Beach, helpless and dependent daughter of Williard O. Beach, late of Company I, One hundred and thirty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary Philips, former wife of Orren W. Stanford, late of Company A, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Callie Oberer, widow of John Oberer, late of Company C, Fifteenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sarah Cain, widow of James Cain, late of Company B, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of James Cain, helpless and dependent son of said James Cain, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sarah Cain, the name of said James Cain shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Sarah Cain.

The name of Helena Garges, helpless and dependent daughter of Amandes Garges, late of Company A, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John Horn, late of Company K, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nancy H. Jacklin, former widow of William Jones, late of Company G, Fortieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of William E. Cheek, late of Company F, Ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Ervin, late of Company D, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Richard Herrell, late of Company M, Eleventh Regiment United States Colored Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jeremiah M. Fitger, late of band, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lottie Baughman, widow of Isaiah Baughman, late of Company V, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Emma E. Brown, helpless and dependent daughter of Thomas Brown, late of Company H, One hundred and eighteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Loretta Hosey, helpless and dependent daughter of James R. Hosey, late of Company G, Eleventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of James R. Hann, late of Company I, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lucian Smith, late of Company A, One hundred and thirty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Hannah Brantner, widow of James S. Brantner, late of Company B, Two hundred and eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Rhoda Button, widow of James W. Button, late of Company G, Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William Cline, late of Company I, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha L. Elliott, widow of Salathiel Elliott, pensioned as Salathiel Eliet, late of Company E, Thirty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sarah Mowry, former widow of Jasper Lanham, late of Company M, Third Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Emma Swalls, helpless and dependent daughter of Eli Swalls, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Zetta Swalls, helpless and dependent daughter of Eli Swalls, late of Company E, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jasper Stoops, late of Company H, Fifty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah J. Parks, widow of Jasper N. Parks, late of Company B, Thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary Havemaker, widow of Peter Havemaker, late of Company A, Fifty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Nelson Behymer, late of Company I, Thirteenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lemuel C. Nicooson, late of Company D, One hundred and fifteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Burton Walters, helpless and dependent son of Borda Walters, late of Company K, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Fannie E. Porter, widow of Daniel P. Porter, late of Company D, Third Battalion Rifles, Massachusetts Volunteer Militia Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles S. Porter, helpless and dependent son of said Daniel P. Porter, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Fannie E. Porter, the name of said Charles S. Porter shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Fannie E. Porter.

The name of Jane Burton, former widow of Maurice Burton, late of Company D, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary A. McGill, helpless and dependent daughter of James McGill, late of Company B, Tenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Eben N. Higley, late a coal heaver, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha J. James, widow of Leander M. James, late of Company A, One hundred and thirty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Helen James, helpless and dependent daughter of said Leander M. James, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Martha J. James the name of said Helen James shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Martha J. James.

The name of Betsey Palmer Mason, former widow of William H. Palmer, late of Company F, Fourth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Merritt A. White, late of Companies H and K, Third Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Flack, late of Company D, Sixtieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert W. Gibbs, late of Company E, Third Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William A. Coddington, late of Company B, Eighteenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Christopher Wilson, late of Company A, Eighty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Samuel J. White, late of Company C, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Rebecca E. Brown, former widow of James M. M. Houston, late of Company L, First Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of James T. Jones, late of Company C, Second Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving.

The name of Harriet A. Lake, widow of Dewitt C. Lake, late of Company F, Third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Thomas W. Sample, late of Company E, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Alfred Murray Ringland, late of Company D, One hundred and thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James D. Lafferty, late of Company K, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha J. Sexton, helpless and dependent daughter of Isaac Sexton, late of Company A, Tenth Regiment Iowa Volunteer Infantry, and Company E, Fourth Regiment Veteran Relief Corps, and pay her a pension at the rate of $20 per month.

The name of John W. Mercer, late of Company G, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jonathan Wolf, late of Company D, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Gustav Hamberger, late of Company A, Fifth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nicholas Scholl, late of Company F, One hundred and forty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William H. Hanson, late landsman, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edwin E. Warren, helpless and dependent son of Edwin A. Warren, late of Company G, Nineteenth Regiment, and Company K, Seventeenth Regiment, Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Peter P. Faller, late of Company K, Forty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robison D. Maus, late of Company I, Tenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jennie L. Lewis, widow of Joseph Lewis, late of Company G, One hundred and twenty-fifth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Robert Niven, late of Companies M and H, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $60 per month in lieu of that he is now receiving, to include $10 per month special pension under medal of honor roll.

The name of Salathiel K. Wise, late of Company E, Fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary E. Leroy, widow of Fred, alias Frederick, Leroy, late of Company E, First Regiment United States Reserve Corps, Missouri Militia, and pay her a pension at the rate of $25 per month.

The name of Louisa Engelhardt, helpless and dependent daughter of Henry Engelhardt, late of Company A, One hundred and thirty-eighth Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Joseph S. Hall, late of Company B, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John A. Keltner, late of Company D, Twenty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles Asa Clark, late of Company I, Fourteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John J. Spencer, late of Company H, Forty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Dora Myers, former widow of Charles Swordes, late of Company A, Eighth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Samuel Sheline, late of Company G, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frank Libby, late of Company B, First Regiment New Hampshire Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John N. Clark, late of Company D, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert Davis, late of Company C, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Luther Bedel, late of Company G, Sixty-seventh Regiment, and Company G, Twenty-fourth Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Flavius J. Cole, late of Company B, One hundred and fortieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of David M. Haskell, late of Company A, Third Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Webster Cotton, late of Company E, Fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Flora Heath, helpless and dependent daughter of Samuel A. Heath, late of Company C, Third Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Andrew Reiber, late of Company C, One hundred and fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah N. Bolinger, widow of Jacob N. Bolinger, late watchman United States ram *Fulton*, Mississippi Marine Brigade, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Thompson S. Lozaw, helpless and dependent son of Samuel Lozaw, late of Company D, Fourth Independent Battery New Jersey Volunteer Light Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Joseph J. Dalbey, late of Company H, One hundred and forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louise H. Thornton, widow of William H. Thornton, late of Company B, Second Regiment Pennsylvania Volunteer Heavy Artillery, and Company G, Twenty-fourth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $25 per month.

The name of Peter T. McQuain, late of Company B, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ephraim Whitson, late of Company E, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Daniel K. Rowe, late of Company C, Tenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Albert Waller, late of Company B, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Kate McLaughlin, an Army nurse, Medical Department, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Martha A. Wade, former widow of John Cales, late of Company A, One hundred and eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy C. Troupe, former widow of James L. Forgey, late of Company L, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Enoch K. Shackelford, late of Company G, Fourteenth Regiment, and Company L, Eighth Regiment, Missouri Volunteer State Militia Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Albert Shellhorn, late of Company E, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth Burgess, widow of George T. Burgess, late of Company G, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $25 per month, and it is also directed that the widow be paid the soldier's accrued pension.

The name of Alexander Kimbrough, late of Company K, Fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Garret H. Fowler, late of Company K, Sixty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frederick A. Hart, late of Company D, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph E. Crow, late of Company I, One hundred and seventy-fourth Regiment; Company H, Fourth Regiment; and Company C, One hundred and forty-fifth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Cassie R. Hatch, helpless and dependent daughter of Albion L. Hatch, late of Company F, Twenty-fourth Regiment Maine Volunteer Veteran Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William A. Karnes, late of Company E, Garrison Guards, and private, unassigned, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah E. Frost, widow of Charles L. Frost, late of Company F, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Nelson B. Hackett, late of Company C, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry H. Rowe, late of Company H, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Caroline Saint Denis, widow of Gideon Saint Denis, late of Companies I and A, Ninety-second Regiment, and Company G, Ninety-sixth Regiment, New York Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Josiah C. Hancock, helpless and dependent son of Francis M. Hancock, late of Company I, Twenty-ninth Regiment Indiana Volumteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of John Wroton, late of Company D, Seventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles M. Taylor, late of Company F, Thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Julia Ruth Bartlett, helpless and dependent daughter of Sylvanus Bartlett, late of Company H, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Jesse W. Rigby, late of Company B, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jerome B. Summers, late of Company D, Sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary Werner, widow of Adam Werner, late of Capt. Knapp's company, Seventh Indiana Legion, and pay her a pension at the rate of $35 per month.

The name of Charles M. Bingham, late of Company C, Sixty-fifth Regiment Ohio Volunteer Infantry, and Company M, Thirteenth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William T. Gibbs, late of Company D, One hundred and fifty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Coble, late of Company K, Eleventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eliza C. Ludwig, widow of Frank Ludwig, late of Company D, Third Battalion New York Volunteer Artillery; Company D, Second Regiment United States Cavalry; and Company F, Twelfth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Lafayette Van Gundy, late of Company E, Fourteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The name of Francis M. Frazier, late of Company H, Fifty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sadie C. Steadman, former widow of Hezekiah N. Steadman, late of Company E, One hundred and twenty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Hunter C. Frampton, late of Company F, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving, no deduction or rebate to be made on account of former alleged overpayment or erroneous payments of pension.

The name of Helen B. Owen, widow of Robert S. Owen, late of Company A, Third Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of William D. Moores, late of Company G, Second Regiment United States Sharpshooters, and landsman, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William O. Callis, late of Company F, Ninth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Franklin Bolen, late of Company C, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jesse Corn, late of Company E, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Marion Cahall, late of Company B, Thirty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Reuben Boring, late of Company C, Sixty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Julia A. Barnes, widow of Leander P. Barnes, late of Company D, Second Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James Doran, late of Company K, Seventh Regiment, and Company D, Thirty-ninth Regiment, Illinois Volunteer Infantry; Company A, Third Battalion, and Company F, First Battalion, Eleventh Regiment United States Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Philip A. Warner, late of Company K, Third Regiment New Hampshipe Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah J. Pond, widow of Chandler H. Pond, late of the Twenty-ninth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Martha Williams, widow of Joseph T. Williams, late of Company F, Forty-sixth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Mary E. Bowen, widow of George L. Bowen, late of Company I, Fourteenth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Elizabeth M. Sager, widow of Garrett S. Sager, late of Company A, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $25 per month.

The name of John W. McPherron, jr., late of Company B, Twenty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry J. Tinney, late of Company L, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Susan H. Orr, widow of Charles W. Orr, late of Company C, Ninth Regiment Provisional Enrolled Missouri Volunteer Militia, and pay her a pension at the rate of $25 per month.

The name of Hugo Schrottky, late of Company F, Twentieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Eva J. Plante, former widow of Louis Pelpker, late of Sixth Independent Company, Ohio Volunteer Sharpshooters, and pay her a pension at the rate of $25 per month.

The name of Loretta McKee, helpless and dependent daughter of Amos McKee, late unassigned, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $20 per month.

The name of Rosella Magee, helpless and dependent daughter of James Magee, late of Company I, Sixty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Sallie A. Cox, widow of William Cox, late of Company H, Fifth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of John Foster, late of Company A, Twenty-first Regiment, and Company G, Sixtieth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward R. Roll, late of Company F, Thirty-fifth Regiment Kentucky Volunteer Infantry, and Company B, Third Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Harriet Sillman, widow of John F. Sillman, late of Company E, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Laura Levenseler, helpless and dependent daughter of Henry Levenseler, late of Company A, Twenty-second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of William W. Goodridge, late of Company C, Twenty-fifth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nathaniel Henry, late of Company K, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah A. Christy, widow of Thomas J. Christy, late of Company C, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Sarah Keys, widow of William T. Keys, late of Company I, Seventy-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James Bartram, late of Company C, Third Regiment United States Volunteer Artillery, and pay him a pension at the rate of $50 per month.

The name of Sarah E. Totten, widow of David R. Totten, late of Company G, First Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Isaac Edgington, late of Company K, Seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Gurney E. Hall, helpless and dependent son of Elijah P. Hall, late of Company D, Seventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of George B. Pearl, late of Company F, Twenty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Margaret Burney, former widow of James M. Chapman, late of Company F, Seventy-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Robert Gilmore, late of Company C, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas J. Thomas, late of Company C, Thirty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Lyman M. Sherwood, late of the United States Marines, U. S. S. *Saranac*, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Walker, late of Company I, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Wroten, late of Company A, Thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nicholas S. Ward, late unassigned, Thirtieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Harriette Skelton, widow of Samuel G. Skelton, late of Company A, First Regiment Alabama Vidette Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of William H. Willey, late of Company B, Third Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John E. Coogle, late of Company B, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ellis Henthorn, late of Company K, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lucy J. Sheldon, widow of Charles M. Sheldon, late of Company K, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Philander S. Groesbeck, late of Company F, Eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Marsh Smith, late of Company F, One hundred and fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Catharine Lenz, widow of Solomon Lenz, late of Company F, Fifty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Charles H. Lenz, helpless and dependent son of said Solomon Lenz, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Catharine Lenz, the name of said Charles H. Lenz shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Catharine Lenz.

The name of Solomon Morris, late of Captain Eaton's Company, Departmental Corps, Monongahela, Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of James L. Moore, late of Company A, Eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Gilbert Smith, late of Company B, Third Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Harriet H. Carmical, widow of John Carmical, late of Company I, Third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Ephraim A. Adams, late of Company D, Twelfth Regiment, and Company H, Twenty-third Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Peter L. Tremper, late of Company A, Twenty-second Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Susan Bedwell, helpless and dependent daughter of David E. Bedwell, late of Company E, Twenty-second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of George H. Pennington, late of Company E, Fifty-third Regiment, and Company K, Ninety-first Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Louisa R. Bechtel, widow of Morgan S. Bechtel, late of Company G, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Joseph Guffy, late of Company A, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph Johnson, late of Company B, Forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alida A. Marshall, widow of Joseph N. Marshall, late of Company I, Ninth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $65 per month in lieu of that she is now receiving: *Provided*, That in the even of the death of James E. Marshall, helpless and dependent child of said Joseph N. Marshall, $20 of the additional pension granted herein shall cease and determine: *Provided further*, That in the event of the death of Armidred Marshall, helpless and dependent child of said Joseph N. Marshall, $20 of the additional pension granted herein shall cease and determine: *And provided further*, That in the event of the death of Alida A. Marshall, the names of James E. Marshall and Armidred Marshall shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month to each of them from and after the death of said Alida A. Marshall.

The name of Eliza McDaneld, widow of John McDaneld, late of Company A, Sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Laona Carver, widow of Andrew J. Carver, late of Company B, Sixth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Jennie L. Ramsdell, widow of Andrew S. Ramsdell, late of Company E, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Julia E. Mills, widow of Leonidas E. Mills, late of Company H, Eleventh Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Michael Kirby, late of Company D, Fifth Regiment New York Volunteer Veteran Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Anna Sheridan, widow of John Sheridan, late of Company K, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the even of the death of William Francis Sheridan, helpless and dependent son of said John

Sheridan, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Anna Sheridan, the name of said William Francis Sheridan shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Anna Sheridan.

The name of Andrew J. Hale, late of Company I, Fiftieth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Abigail Merriman, widow of Henry L. Merriman, late of Company K, One hundred and seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of James B. Erskine, late of Company B, First Regiment Maine Volunteer Heavy Artillery, and Company A, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elmar K. Coppock, helpless and dependent son of Calvin Coppock, late of Company C, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Clara C. McCracken, widow of John M. McCracken, late of Company K, Forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary A. McCracken, helpless and dependent daughter of said John M. McCracken, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Clara C. McCracken, the name of said Mary A. McCracken shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Clara C. McCracken.

The name of Electa Rexroad, widow of Maranda H. Rexroad, late of Company A, Tenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Anna F. Willis, helpless and dependent daughter of Alfred Willis, late of Company G, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary F. Woods, widow of David Woods, late of Company I, Twenty-seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Robert H. Kernan, late of Company M, Second Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Thompson, helpless and dependent son of Andrew G. Thompson, late of Company B, Forty-first Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Charles H. Bothwell, late of Company A, Ninety-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William Firkins, late of Company D, Fifty-third Regiment, and Company I, One hundred and forty-first Regiment, Illinois Volunteer Infantry, and Company K, Seventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The name of Lewis C. Fosnot, late of Company G, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George Guilford, late of Company A, Sixty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William F. Dines, late of Company C, Twelfth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Isaiah G. Mayo, late of United States Sanitary Commission's ship *S. E. Browne*, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ida McCoy, widow of James McCoy, late of Company E, One hundred and eighty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Sophia Schram, widow of John Schram, late of Companies H and B, Twenty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $27 per month: *Provided*, That in the event of the death of Estellia L. Schram, minor daughter of said John Schram, $2 of the pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Sophia Schram the name of said Estellia L. Schram shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 and $2 per month, from and after the date of death of said Sophia Schram, until she attains the age of 16 years.

The name of Ellen S. Vestile, widow of George W. Vestile, late of Capt. Bassett's independent company, Ninth Regiment Indiana Legion, and pay her a pension at the rate of $25 per month.

The name of Mary A. Shepherd, widow of William A. Shepherd, late of Company E, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $45 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William E. Shepherd, helpless and dependent son of said William A. Shepherd, the additional pension herein granted shall cease and determine: *Provided further*, That in the event of the death of Mary A. Shepherd the name of said William E. Shepherd shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Mary A. Shepherd.

The name of Susanna A. Johnson, widow of Eugene W. Johnson, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Elexious H. Conly, late of Company I, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha J. Hopkins, widow of Calvin Hopkins, late of Company G, One hundred and fifty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Eva Whittlebery, helpless and dependent daughter of William R. Whittlebery, late of Company I, One hundred and sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Edward H. Bennett, helpless and dependent son of Lewis Bennett, late of Company B, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Alwilda Wheeler, widow of George H. Wheeler, late of Company H, Eleventh Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The name of Frederick Nieutzenhelzer, late of Company A, Sixteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martin Edwards, late of Company K, Fourteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Durham, helpless and dependent son of Tolford Durham, late of Company A, Fourth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

This bill is a substitute for the following bills referred to the Committee on Invalid Pensions:

H. R. 1029. John J. Kraft.
H. R. 1888. Patrick Collins.
H. R. 2378. Robert Sutor.
H. R. 2466. Mary J. Van Denbergh.
H. R. 3012. William A. Wilson.
H. R. 3057. Nancy J. Clark.
H. R. 3524. Jane McMahon.
H. R. 3583. Zora Hockman.
H. R. 3760. Willard D. Dennison.
H. R. 5118. Callie B. Boatright.
H. R. 5198. George T. Baldwin
H. R. 5199. Phebe E. C. Priestley.
H. R. 6070. James Warren.
H. R. 6303. Ferdinand Lambert.
H. R. 6701. Catharine Maconaughay.
H. R. 6933. Charles W. Smith.
H. R. 7064. Cynthia R. Osgood.
H. R. 7171. Jesse A. Smith.
H. R. 7311. George W. Hollenbank.
H. R. 7716. Mary A. Slack.
H. R. 7823. Franklin Harrod.
H. R. 7902. Eva McNett.
H. R. 8319. Samuel Bainter.
H. R. 8450. Annie J. Page.
H. R. 8631. Thomas J. O'Harra.
H. R. 8670. Henry Leedom.
H. R. 8905. William A. Middleton.
H. R. 8908. Elizabeth Acton.
H. R. 8981. Amanda B. Birch.
H. R. 9079. John Wilson.
H. R. 9086. Rebecca Horine.
H. R. 9133. Bertha Blanch Weimer.
H. R. 9198. James Robison.
H. R. 9223. Ezra Shanks.
H. R. 9291. Sibria Armstrong.
H. R. 9450. David Hahn.
H. R. 9488. Alice West.
H. R. 9491. Stephen H. Leonard.
H. R. 9513. Max J. Alwens.
H. R. 9554. Colbert Ratliff.
H. R. 9598. Edmond Harvey.
H. R. 9659. Sarah J. Bates.
H. R. 9660. Joseph R. Lawson.
H. R. 9748. Mary F. Lake.
H. R. 9757. George W. Willard.
H. R. 9758. Johanna Dowling.
H. R. 9791. Emma Park.
H. R. 9831. George Milton Frye.
H. R. 9866. Isabella Gruver.
H. R. 9964. Elizabeth I. E. Duffield.
H. R. 10059. Ellen Bridge.
H. R. 10061. Mary L. Drake.
H. R. 10100. Elizabeth S. Van Pelt.
H. R. 10128. Lillian S. Dodds.
H. R. 10159. Harriet E. Ritter.
H. R. 10176. Levi Welch.
H. R. 10203. Lazarus W. Johnson.
H. R. 10250. Elizabeth A. Tuttle.
H. R. 10268. Elizabeth A. Pease.
H. R. 10283. Emily N. Wellman.
H. R. 10303. Benjamin Jackson.
H. R. 10318. Louisa Mawhiney.
H. R. 10321. Emma L. Lindsay.
H. R. 10333. Zachariah Allbaugh.
H. R. 10336. Harriet Jordan.
H. R. 10385. Cora B. Kelley.
H. R. 10394. Julia A. Marugg.
H. R. 10422. Adelia Mae Lee.
H. R. 10423. Maggie Dona Lloyd.
H. R. 10424. Israel Boyer.
H. R. 10425. Oscar W. Miller.
H. R. 10442. Frank Haight.
H. R. 10454. James B. Smith.
H. R. 10456. George H. Bowman.
H. R. 10457. Jesse G. Gilman
H. R. 10501. William H. Sumption.
H. R. 10504. Virginia Zachary.
H. R. 10508. Samuel Pryor.
H. R. 10522. Jane M. Henderson.
H. R. 10528. Joseph Buckle.
H. R. 10550. Adolphus Sterling.
H. R. 10553. Peter Boyd.
H. R. 10566. Felix R. Robertson.
H. R. 10589. Eugene Cunningham.
H. R. 10594. Margaret A. Plank.
H. R. 10625. Emaline C. Lindner.
H. R. 10626. Jason Johnson.
H. R. 10661. James D. Ash.
H. R. 10662. Frances E. Parmater.
H. R. 10669. Lillian Brown.
H. R. 10670. George Wilson.
H. R. 10673. James F. Smith.
H. R. 10712. Benjamin F. Ford.
H. R. 10713. David E. Mosholder.
H. R. 10723. John E. Broyles.
H. R. 10758. Sarah E. Maurer.
H. R. 10773. Catherine Weber.
H. R. 10774. Diana Lucas.
H. R. 10776. Solomon J. Grine.
H. R. 10781. John R. Garstang.
H. R. 10784. Charles S. Humphrey.
H. R. 10785. Nancy F. Taylor.
H. R. 10794. Murray V. Livingston
H. R. 10799. Elizabeth Beach.
H. R. 10801. Mary Philips.
H. R. 10813. Callie Oberer.
H. R. 10825. Sarah Cain.
H. R. 10828. Helena Garges.
H. R. 10829. John Horn.
H. R. 10830. Nancy H. Jacklin.
H. R. 10848. William E. Cheek.
H. R. 10849. John Ervin.
H. R. 10850. Richard Herrell.
H. R. 10853. Jeremiah M. Fitger.
H. R. 10854. Lottie Baughman.
H. R. 10856. Emma E. Brown.
H. R. 10860. Loretta Hosey.
H. R. 10862. James R. Hann.
H. R. 10863. Lucian Smith.
H. R. 10869. Hannah Brantner.
H. R. 10886. Rhoda Button.
H. R. 10889. William Cline.
H. R. 10896. Martha L. Elliott.
H. R. 10904. Sarah Mowry.
H. R. 10906. Emma Swalls.
H. R. 10907. Zetta Swalls.
H. R. 10908. Jasper Stoops.
H. R. 10909. Sarah J. Parks.
H. R. 10911. Mary Havemaker.
H. R. 10913. Nelson Behymer.
H. R. 10914. Lemuel C. Nicooson.
H. R. 10915. Burton Walters.
H. R. 10929. Fannie E. Porter.
H. R. 10930. Jane Burton.
H. R. 10931. Mary A. McGill.
H. R. 10932. Eben N. Higley.
H. R. 10937. Martha J. James.
H. R. 10943. Betsey Palmer Mason.
H. R. 10950. Merritt A. White.
H. R. 10951. George W. Flack.
H. R. 10952. Robert W. Gibbs.
H. R. 10954. William A. Coddington.
H. R. 10955. Christopher Wilson.
H. R. 10975. Samuel J. White.
H. R. 10978. Rebecca E. Brown.
H. R. 10979. James T. Jones.
H. R. 10980. Harriett A. Lake.
H. R. 10981. Thomas W. Sample.
H. R. 10983. Alfred Murray Ringland.
H. R. 10987. James D. Lafferty.
H. R. 10988. Martha J. Sexton.
H. R. 10991. John W. Mercer.
H. R. 10997. Jonathan Wolf.
H. R. 10998. Gustav Hamberger.
H. R. 10999. Nicholas Scholl.
H. R. 11000. William H. Hanson.
H. R. 11008. Edwin E. Warren.
H. R. 11034. Peter P. Faller.
H. R. 11035. Robison D. Maus.
H. R. 11040. Jennie L. Lewis.
H. R. 11044. Robert Niven.
H. R. 11050. Salathiel K. Wise.
H. R. 11071. Mary E. Leroy.
H. R. 11074. Louisa Engelhardt.
H. R. 11093. Joseph S. Hall.
H. R. 11097. John A. Keltner.
H. R. 11098. Charles Asa Clark.
H. R. 11101. John J. Spencer.
H. R. 11106. Dora Myers.
H. R. 11111. Samuel Sheline.
H. R. 11112. Frank Libby.
H. R. 11132. John N. Clark.
H. R. 11133. Robert Davis.
H. R. 11134. Luther Bedel.
H. R. 11136. Flavius J. Cole.
H. R. 11137. David M. Haskell.
H. R. 11139. Webster Cotton.
H. R. 11140. Flora Heath.

H. R. 11142. Andrew Reiber.
H. R. 11144. Sarah N. Bolinger.
H. R. 11147. Thompson S. Lozaw.
H. R. 11148. Joseph J. Dalbey.
H. R. 11150. Louise H. Thornton.
H. R. 11159. Peter T. McQuain.
H. R. 11176. Ephraim Whitson.
H. R. 11186. Daniel K. Rowe.
H. R. 11208. Albert Waller.
H. R. 11213. Kate McLaughlin.
H. R. 11218. Martha A. Wade.
H. R. 11243. Nancy C. Troupe.
H. R. 11244. Enoch K. Shackelford.
H. R. 11245. Albert Shellhorn.
H. R. 11246. Elizabeth Burgess.
H. R. 11247. Alexander Kimbrough.
H. R. 11259. Garret H. Fowler.
H. R. 11263. Frederick A. Hart.
H. R. 11284. Joseph E. Crow.
H. R. 11286. Cassie R. Hatch.
H. R. 11291. William A. Karnes.
H. R. 11293. Sarah E. Frost.
H. R. 11296. Nelson B. Hackett.
H. R. 11315. Henry H. Rowe.
H. R. 11316. Caroline St. Denis.
H. R. 11318. Josiah C. Hancock.
H. R. 11322. John Wroton.
H. R. 11326. Charles M. Taylor.
H. R. 11327. Julia Ruth Bartlett.
H. R. 11328. Jesse W. Rigby.
H. R. 11371. Jerome B. Summers.
H. R. 11376. Mary Werner.
H. R. 11378. Charles N. Bingham.
H. R. 11385. William T. Gibbs.
H. R. 11386. George W. Coble.
H. R. 11403. Eliza C. Ludwig.
H. R. 11404. Lafayette Van Gundy.
H. R. 11408. Francis M. Frazier.
H. R. 11413. Sadie C. Steadman.
H. R. 11418. Hunter C. Crampton.
H. R. 11422. Helen B. Owen.
H. R. 11451. William D. Moores.
H. R. 11452. William O. Callis.
H. R. 11457. Franklin Bolen.
H. R. 11458. Jesse Corn.
H. R. 11468. Marion Cahall.
H. R. 11469. Reuben Boring.
H. R. 11472. Julia A. Barnes.
H. R. 11474. James Doran.
H. R. 11479. Philip A. Warner.
H. R. 11480. Sarah J. Pond.
H. R. 11484. Martha Williams.
H. R. 11485. Mary E. Bowen.
H. R. 11488. Elizabeth M. Sager.
H. R. 11502. John W. McPherron, jr.
H. R. 11503. Henry J. Kinney.
H. R. 11510. Susan H. Orr.
H. R. 11514. Hugo Schrottky.
H. R. 11517. Eva J. Plante.
H. R. 11521. Loretta McKee.
H. R. 11522. Rosella Magee.
H. R. 11525. Sallie A. Cox.
H. R. 11529. John Foster.
H. R. 11530. Edward R. Roll.
H. R. 11532. Harriet Sillman.
H. R. 11533. Laura Levenseler.
H. R. 11534. William W. Goodridge.
H. R. 11562. Nathaniel Henry.
H. R. 11564. Sarah A. Christy.
H. R. 11577. Sarah Keys.
H. R. 11591. James Bartram.
H. R. 11593. Sarah E. Totten.
H. R. 11595. Isaac Edgington.
H. R. 11596. Gurney E. Hall.
H. R. 11598. George B. Pearl.
H. R. 11613. Margaret Burney.
H. R. 11614. Robert Gilmore.
H. R. 11615. Thomas J. Thomas.
H. R. 11620. Lyman M. Sherwood.
H. R. 11627. John Walker.
H. R. 11631. William H. Wroten.
H. R. 11632. Nicholas S. Ward.
H. R. 11643. Harriette Skelton.
H. R. 11647. William H. Willey.
H. R. 11648. John E. Coogle.
H. R. 11649. Ellis Henthorn.
H. R. 11651. Lucy J. Sheldon.
H. R. 11652. Philander S. Groesbeck.
H. R. 11654. Marsh Smith.
H. R. 11658. Catharine Lenz.
H. R. 11678. Solomon Morris.
H. R. 11689. James L. Moore.
H. R. 11701. Gilbert Smith.
H. R. 11705. Harriet H. Carmical.
H. R. 11714. Ephraim A. Adams.
H. R. 11744. Peter L. Tremper.
H. R. 11767. Susan Bedwell.
H. R. 11782. George H. Pennington.
H. R. 11801. Louisa R. Bechtel.
H. R. 11817. Joseph Guffy.
H. R. 11835. Joseph Johnson.
H. R. 11838. Alida A. Marshall.
H. R. 11855. Eliza McDaneld.
H. R. 11864. Laona Carver.
H. R. 11865. Jennie L. Ramsdell.
H. R. 11866. Julia E. Mills.
H. R. 11867. Michael Kirby.
H. R. 11872. Anna Sheridan.
H. R. 11895. Andrew J. Hale.
H. R. 11896. Abigail Merriman.
H. R. 11898. James B. Erskine.
H. R. 11902. Elmar K. Coppock.
H. R. 11906. Clara C. McCracken.
H. R. 11910. Electa Rexroad.
H. R. 11935. Anna F. Willis.
H. R. 11939. Mary F. Woods.
H. R. 11963. Robert H. Kernan.
H. R. 11977. George W. Thompson.
H. R. 11988. Charles H. Bothwell.
H. R. 11990. William Firkins.
H. R. 11992. Lewis C. Fosnot.
H. R. 12004. George Guilford.
H. R. 12016. William F. Dines.
H. R. 12019. Isaiah G. Mayo.
H. R. 12021. Ida McCoy.
H. R. 12024. Sophia Schram.
H. R. 12058. Ellen S. Vestile.
H. R. 12062. Mary A. Shepherd.
H. R. 12106. Susanna A. Johnson.
H. R. 12110. Elexious H. Conly.
H. R. 12119. Martha J. Hopkins.
H. R. 12122. Eva Whittlebery.
H. R. 12130. Edward H. Bennett.
H. R. 12142. Alwilda Wheeler.
H. R. 12172. Frederick Nieutzenhelzer.
H. R. 12175. Martin Edwards.
H. R. 12447. William H. Durham.

Mr. FULLER of Illinois. Mr. Speaker, I offer the following committee amendments, which it was understood might be offered en bloc:

Page 14, line 1, insert the words "First Regiment" at the beginning of line before the words "Veteran Reserve Corps."

Page 19, line 10, change the word "wife" to "widow."

Page 21, line 10, change designation of company from "V" to "C."

Page 23, line 19, correct name of claimant is "Haremaker"; it is printed as "Havemaker" in two places, line 19.

Page 27, line 13, add letter "t" to given name of claimant, making it read "Harriett" instead of "Harriet."

Page 28, line 8, change the word "Relief" to "Reserve," making it read "Veteran Reserve Corps."

Page 31, strike out lines 17, 18, 19, and 20. The claimant, John N. Clark, is dead.

Page 37, in lines 5 and 6, correct name of claimant and soldier to read "St. Denis" instead of "Saint Denis."

Page 38, line 23, change name of soldier from "Coble" to "Cobb."

Page 49, strike out lines 18, 19, 20, and 21. The soldier is dead.

Page 49, lines 22 and 23, correct name of claimant and soldier to read "Bedell" instead of "Bedwell."

Page 50, line 6, insert dollar mark ($) before figures "50."

Page 50, line 16, make name of soldier read "Johnston" with a "t" instead of "Johnson."

Page 55, strike out lines 8, 9, 10, and 11. The soldier, Lewis C. Fosnot, recently died.

The SPEAKER. The gentleman from Illinois offers the following committee amendments, which the Clerk will report.

The Clerk read as follows:

Amendments offered by Mr. FULLER of Illinois:

Page 14, line 1, insert the words "First Regiment" at the beginning of line, before the words "Veteran Reserve Corps."

Page 19, line 10, change the word "wife" to "widow."

Page 21, line 10, change designation of company from "V" to "C."

Page 23, line 19, change the name "Haremaker" to "Havemaker" in two places.

Page 27, line 13, add letter "t" to given name of claimant, making it read "Harriett" instead of "Harriet."

Page 28, line 8, change the word "Relief" to "Reserve," making it read "Veteran Reserve Corps."

Page 31, strike out lines 17, 18, 19, and 20.

Page 37, in lines 5 and 6, correct name of claimant and soldier to read "St. Denis" instead of "Saint Denis."

Page 38, line 23, change name of soldier from "Coble" to "Cobb."

Page 49, strike out lines 18, 19, 20, and 21.

Page 49, lines 22 and 23, correct name of claimant and soldier to read "Bedell" instead of "Bedwell."

Page 50, line 6, insert dollar mark ($) before figures "50."

Page 50, line 16, make name of soldier read "Johnston" instead of "Johnson."

Page 55, strike out lines 8, 9, 10, and 11.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. BLANTON. Will the gentleman yield to me five minutes?

Mr. FULLER of Illinois. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Speaker, I realize that a fleet of dreadnoughts and a squadron of armored tanks could not stop the passage of a bill of this kind, and I do not intend to waste any time of the House in trying to do it; but I do want to say a word in commendation of the splendid service rendered to this House and this country by two of our colleagues. I refer to the distinguished gentleman from Massachusetts [Mr. WALSH] and the distinguished gentleman from Ohio [Mr. GARD].

It is not a pleasurable task for any Member of Congress to object to private bills. Whenever objection is made, to a greater or less extent you hurt the feelings of your colleagues specially interested in those measures. Hence many Members hesitate to oppose private bills. But I do want to say that the whole country should feel indebted to these two gentlemen for the magnificent service rendered, not just once in a while, but all the time, for these two distinguished gentlemen are always on the job. In addition to finding time for all their other tasks with which they are burdened the same as we are, in addition to attending to all their other duties as Members of Congress, every time a claims day comes these gentlemen are on the floor of the House constantly, many times going without their noonday meal even. Every one of these private bills that is brought up here receives their attention. They have made a personal investigation of it. They are familiar with the facts. They know the merits and demerits of it, and when demerits appear they have the courage of their convictions to stand up here and object. It means a whole lot of hard work. The constituents of the gentleman from Massachusetts [Mr. WALSH] and the constituents of the gentleman from Ohio [Mr. GARD] will never realize the many hours of hard, tedious work that these gentlemen have put on these various bills. They are only following in the footsteps of the distinguished gentleman from Illinois [Mr. MANN], who used to perform this same valuable service. They have taken his place in a large measure. I do not believe in throwing flowers at people after they are dead and giving them no recognition while they are living. That idea has prompted me to express here to-day, so that it may go into the RECORD, this slight and humble, yet earnest and appreciative, commendation of the splendid service rendered by these two colleagues of ours. [Applause.]

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. FULLER of Illinois, a motion to reconsider the vote by which the bill was passed was laid on the table.

CROW TRIBE OF INDIANS—REREFERENCE.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the calendar Senate bill 2890 and rerefer it to the Committee on Indian Affairs.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the calendar Senate bill 2890 and rerefer it to the Committee on Indian Affairs.

Mr. GARD. Let us have the bill reported.

The Clerk read the title of the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, what is the request?

The SPEAKER. The request is that it be rereferred to the Committee on Indian Affairs. It was reported from the Committee on Indian Affairs.

Mr. SNYDER. I desire to have it referred back to the committee for further action.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the so-called Nolan bill for the relief of the Pension Office. It was passed three weeks ago on a day that I was absent from the House. I now ask unanimous consent to extend my remarks on that bill.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

M'CLINTIC-MARSHALL CONSTRUCTION CO.

The next business on the Private Calendar was the bill (H. R. 6092) for the relief of the McClintic-Marshall Construction Co.

The SPEAKER. Is there objection?

Mr. KELLY of Pennsylvania. Mr. Speaker, I ask unanimous consent that the bill may be passed for the present.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BLANTON. Reserving the right to object, have we a right to have the bill disposed of at the present time?

The SPEAKER. If the gentleman's request is granted, it would stay on the calendar.

Mr. BLANTON. Where it is objected to it could not be called up later; but if the request of the gentleman from Pennsylvania is granted, it may be called up again this afternoon.

Mr. KELLY of Pennsylvania. I ask that the bill may be passed for the day.

Mr. BLANTON. If it will not be taken up again to-day, I have no objection.

The SPEAKER. Is there objection?

There was no objection.

ALBERT T. HUSO.

The next business on the Private Calendar was the bill (H. R. 12333) for the relief of Albert T. Huso.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WALSH. Reserving the right to object, I see that this bill involves $753, and the Postmaster General, under date of February 11 last, states that the postmaster was guilty of negligence within the meaning of the statute of 1888. No evidence has been submitted to the department to warrant a different action in this case. Has any evidence been submitted to the committee which would justify a favorable action upon this claim in view of the attitude of the department? It would appear that there are no additional facts set forth in the report on the bill. It is a dangerous thing to establish these precedents in these cases.

Mr. GLYNN. The evidence shows clearly enough that the postmaster had not changed the combination on the safe for some four or five years. But that did not seem to be very material or very important to the committee in view of the fact that this safe was blown open by burglars with dynamite. There is a provision in the postal regulations which provides that the inner door of the safe shall be locked. You who know anything about safes know that there is a thin door in many safes, hardly thicker than a piece of tissue paper, one-eighth of an inch or less in thickness, and which is absolutely no protection whatever to the contents of that safe. The outer door was locked, and that, of course, is a protection. But when a burglar can blow open the outside door of a safe he is not going to be held up by the thin inside door. I am not referring now to the heavy door underneath but to the thin door inside, which did not happen to be locked.

Mr. WALSH. Certainly the burglar is not going to be held up if the door is unlocked, as it was in this case. Having blown open the outer door they found the inner door unlocked.

Mr. GLYNN. Which is so thin that it offers no protection.

Mr. WALSH. That depends on the kind of a safe; some are hard steel doors with very secure locks, and sometimes it requires considerable drilling even before they can get through the inner door. I do not know anything about the facts of this case because they are not fully stated, but the laws and regulations of the Post Office Department require that the inner door shall be locked, and in this case it was not.

Mr. HAUGEN. Mr. Speaker, this little post office is in a small town of 150 people. I do not know what the revenue of the office was, but probably $300 or $400. It is not to be expected that a young man who is hustling after business in a country store can be expected to be acquainted with all the rules and regulations of the Post Office Department, which require that the inner door of the safe shall be locked.

But, as is shown in the report of the committee and also in the letter from the Postmaster General, this safe was blown by burglars, and, as has been stated, even if the inside door had been locked it would have afforded no protection against these burglars with dynamite. Under the circumstances it would seem fair that the postmaster should be reimbursed. There are plenty of precedents for this. It has been the custom of Congress to reimburse postmasters in many instances. This bill was reported and passed by the House some years ago.

Mr. WALSH. Of course, the gentleman could make the same argument in case the outer door was closed but unlocked and they did not have to blow it open with dynamite. The regulations require and under some administrations at least we have had postmasters who were familiar with the law and the regulations. It requires that they shall keep the stamps and other valuables of the office in a safe of a certain kind and that the inner door shall be locked. That might not be any protection if blown open by dynamite, but the regulations do not say that if blown open by dynamite the responsibility on the part of the postmaster ceases.

Mr. HAUGEN. Let me read from the Postmaster General's letter. It is as follows:

> The evidence relative to the burglary of March 12, 1913, shows that the post office was forcibly entered by burglars, who apparently worked the combination of the safe therein, from which they took the postage stamps and money-order funds, as claimed by the postmaster; but the postmaster had failed to lock the inner doors of his safe and had not changed the combination since the safe came into his possession, four or five years previously.
>
> Relative to the burglary of October 2, 1913, the evidence shows that burglars forcibly entered the post office and blew open the outer doors of the safe, from which they took the postage stamps, as claimed by the postmaster. In this instance the inner door of the safe had not been locked.

Now, that is the practice of the department, but, after all, the door was forced open.

Mr. KEARNS. Do these small post offices keep safes for money and stamps?

Mr. WALSH. Some classes do.

Mr. KEARNS. The gentleman says this is a town of only 150 inhabitants.

Mr. HAUGEN. The town is in my home county. I have known this postmaster ever since childhood. He is a man of high standing and of absolute veracity. He conducted a store in this town, the population of which is about 150 inhabitants.

Mr. WALSH. It has become a sort of a habit to blow that safe open, as this is the second time it has been burglarized within six months.

Mr. HAUGEN. There have been several burglaries in that vicinity, not in this particular post office but in that vicinity. The gentleman knows——

Mr. KEARNS. Do the post offices of that size keep a safe?

Mr. HAUGEN. Yes.

Mr. GLYNN. The regulation require that he shall be responsible for the stamps, and if——

Mr. KEARNS. But is a safe required?

Mr. WALSH. When they get a safe there are certain regulations applying to it with which they are obliged to comply.

Mr. KEARNS. Suppose they had no safe and the store had been broken open and the stamps or money taken?

Mr. WALSH. It depends upon the circumstances as to whether it would be considered negligible. In this case the Postmaster General thinks it was negligible.

Mr. KEARNS. I know of post offices that have no safes at all.

Mr. LAYTON. Does the gentleman object?

Mr. WALSH. I reserved the right to object in order to get a little more information than is contained in the report.

Mr. GLYNN. I will say this to the gentleman from Massachusetts, I have been a postmaster. I know the kind of safe the Government furnished to me in a town of 10,000 people. The outside door is probably an inch and a half thick and ought to be locked, and then there was an inner box of about the same thickness and above that was the thinnest kind of door that was absolutely no protection. There is no sense of having it. That is about the same sort of safe as this kind. Why, a man with a hammer could strike it a blow and shatter it. Now, it seems to me we ought not to require a high degree of diligence in the case of a postmaster living in a village of 150 people where he has a good many other things to do. That kind of a safe is not any protection anyway. A burglar can blow it up and blow it all to pieces in very short order.

Mr. WALSH. Of course, if we establish a practice here of paying these claims for losses that the department indicates, and it is not controverted, result in part from negligence and let down the doors, why our postmasters will not take any care of the property at all. Now, in the first instance they did not blow open this safe, they unlocked it. That occurred in March. In that instance the inner door was unlocked and a part of these stamps were abstracted. Again in October they came along and although the combination on the outer door had not been changed they blew it open with dynamite and again found the inner door unlocked. Now, it seems to me the circumstances, with the nonconformity with the postal laws and regulations, are not such as to warrant us in expending over $800 in settlement of this claim, and I am inclined——

Mr. HAUGEN. The Postmaster General states the evidence shows in the last burglary that the burglar forcibly entered the post office and blew open the outer door of the safe.

Mr. WALSH. That is the October affair, not the one that occurred in March. Now, the postmaster knew of the one that occurred before and he had a little experience and he should have profited a little by it it seems to me. He worked the combination of the safe and the postmaster had failed to lock the inner door and had not changed the combination since the safe came into his possession, four or five years previously.

Mr. HAUGEN. This was in a country store; everybody understands that these small safes afford no protection against burglary but do afford protection to the contents against fire. That is about the only purpose of these small safes. The smaller post offices do not have burglar proof safes. What added protection does changing the combination give—whether it is changed or not?

Mr. O'CONNOR. Is it not easier to blow the safe than to work the combination?

Mr. GLYNN. As a matter of fact a large proportion of these country stores are said to hang the combination out and to say "Do not blow up the safe, here is the combination," because it is absolutely no protection against burglarly.

Mr. HAUGEN. It takes but a few minutes for an expert to blow a safe of that kind. One of the banks in our county—this same county—was robbed of over $30,000 in bonds recently.

Mr. WALSH. After all, there may be some distinction for paying for losses that occur through negligence and paying a burglar for coming and stealing a valuable piece of property. There is a little distinction. But if you are going to say to these people do this and violate the regulations, and then we will pass a special bill and say we will credit your account so much, when only the other day we passed a $13,000 claim, in my judgment we are simply inviting these people to be careless. I am rather doubtful about the justice of this claim and I object, Mr. Speaker.

The SPEAKER. Objection is made, and the Clerk will report the next bill.

AUTHORIZING DISPOSAL OF LAND AT WATERVILLE, ME.

The next business on the Private Calendar was the bill (S. 3187) to dispose of a certain strip of public land in Waterville, Me.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to sell to the owner of the abutting land for cash the strip of land fronting 10 feet on the southeasterly side of Elm Street and extending, of that width, southeasterly along the southwesterly side of the Federal building site in Waterville, Me., a distance of 122 feet 4½ inches, more or less, at a price not less than the pro rata square-foot cost of the land paid by the United States, which strip is not needed by the Government; to convey said land to the purchaser by the usual quit-claim deed; and to deposit the proceeds of such sale in the Treasury of the United States as a miscellaneous receipt. Or the Secretary of the Treasury may, in his discretion, grant said owner an easement in perpetuity in said strip of land for driveway purposes, charging therefor such sum as the Secretary of the Treasury deems just and reasonable.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. PETERS, a motion to reconsider the vote by which the bill was passed was laid on the table.

WALSTON H. BROWN.

The next business on the Private Calendar was the bill (S. 495) for the relief of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., and of the Philadelphia & Reading Coal & Iron Co.

Mr. BLANTON. Mr. Speaker, may we have the bill reported?

The SPEAKER. The Clerk will report the bill.

The bill was reported in full.

Mr. GLYNN. Mr. Speaker, in the absence of the chairman, I move that this bill be passed over for the day.

The SPEAKER. Without objection, the bill will be passed over for the day. The Clerk will report the next bill.

ESTATE OF HENRY A. V. POST.

The next business on the Private Calendar was the bill (S. 2300) for the relief of the estate of Henry A. V. Post.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. May we have this one reported, Mr. Speaker?

The SPEAKER. The Clerk will report the bill.

The bill was read in full.

Mr. GLYNN. Mr. Speaker, I move that the bill be passed over for the day.

The SPEAKER. Without objection, it will be so ordered. The Clerk will report the next bill.

OWNER OF DERRICK "CONCORD."

The next business on the Private Calendar was the bill (H. R. 9629) for the relief of the owner of the derrick *Concord*.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman the reason for the amendment on page 2.

Mr. GLYNN. I think the gentleman from New York [Mr. CLEARY] perhaps can explain that. Frankly, I can not.

Mr. KELLY of Pennsylvania. Mr. Speaker, if the gentleman will permit, the amendment of the committee, as stated in the bill and in the report, shows that section 2 should be stricken out and other language inserted in section 1. There is a confusion in the amendment, as the gentleman from Massachusetts [Mr. WALSH] has noted, and the first four lines and down to the proviso should be retained in the bill instead of having them stricken out. The part to be stricken out was simply the proviso in section 2, in order to have it conform to the form the Senate has used, and which the House Committee on Claims adopted in the bills already passed.

Mr. WALSH. But the amendment in reference to notice being given to the Attorney General is that in the form carried heretofore in bills of this class?

Mr. KELLY of Pennsylvania. That is the form that the House has insisted on in several bills that have gone through the committee and the House.

Mr. GARD. We passed a bill a while ago in which there was nothing of that kind.

Mr. KELLY of Pennsylvania. I was trying to explain that. These three bills that passed did not provide that the Attorney General should appear and defend the United States, although that is implied, of course, in the Senate bill. The House form as it stands puts that provision in, and at the same time provides that the money shall be paid out of the United States Treasury out of any fees not otherwise appropriated. By an error section 2 was to be stricken from the bill entirely, where only the proviso to section 2 should be stricken out, and the form retained as in the other bills.

Mr. WALSH. The proviso in section 2 is used in the amendment to section 1?

Mr. KELLY of Pennsylvania. And that is the reason it should be stricken out in section 2. Section 2 should remain as it is, except for the proviso, in order to make it concur exactly in form with the other bills.

Mr. WALSH. I will not object.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the claim of the owner of the derrick *Concord*, arising out of collision between said derrick and the U. S. S. *Robin* on January 10, 1919, at the north pier of the Merritt & Chapman Derrick & Wrecking Co.'s dock at the district salvage base, Stapleton, Staten Island, N. Y., for and on account of the losses alleged to have been suffered in said collision by the owner of said derrick *Concord* by reason of damages to said derrick, may be submitted to the United States court for the eastern district of New York under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same right of appeal.

SEC. 2. That should damages be found to be due from the United States to the owner of said derrick *Concord*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*, That such suit

shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provision of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

Also the following committee amendments were read:

On page 2, line 9, after the word "appeal," strike out the period, insert a colon and the following:

"*Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act."

Second amendment: Page 2, strike out all of sections 2 and 3.

Mr. KELLY of Pennsylvania. The first amendment should be disposed of first.

Mr. MANN of Illinois. Mr. Speaker, is this to have a suit brought in admiralty?

Mr. KELLY of Pennsylvania. Yes.

Mr. MANN of Illinois. Why do you put in this proviso to the effect that the Attorney General shall be notified, when you refused to put it in the Senate bill a little earlier in the afternoon and insisted at that time it was not necessary?

Mr. KELLY of Pennsylvania. Mr. Speaker, if I understood the proposition at that time, the question was not whether the Attorney General should be notified, which would be done as a matter of course, I presume, but whether or not the money should be paid out of the Treasury of the United States under this act.

Mr. MANN of Illinois. Oh, no. The gentleman from Ohio [Mr. GARD] very distinctly called attention to the fact that the bill then under consideration did not provide how the United States should be brought into court and how notice should be made.

Mr. KELLY of Pennsylvania. The gentleman from Ohio called attention to section 3, which provided for service, and that was stricken out in all these bills.

Mr. MANN of Illinois. The gentleman from Ohio called attention to the fact that the bill made no provision as to how the United States should be notified, unless I misunderstood the gentleman from Ohio.

Mr. GARD. In order to settle the dispute I may say that the idea that I intended to convey is given a better expression by the gentleman from Illinois [Mr. MANN].

Mr. MANN of Illinois. The gentleman from Ohio conveyed it very distinctly at the time, and the gentleman from Pennsylvania, and the gentleman from Connecticut, and the gentleman from Iowa insisted it was not necessary to describe how notice should be served, because there was a general statute on the subject. If there is a general statute, what is the purpose of putting this in?

Mr. KELLY of Pennsylvania. If the gentleman will pardon me, the question, as I understood it and as my colleague understood it, was that section 3 provided for a service of process, which we stated would be cared for under admiralty laws and that the section was not necessary.

Now, as to the notice of the Attorney General, that question, to my knowledge, did not come into the proposition at all, but the controversy was on section 3.

Mr. MANN of Illinois. It was practically the same question. That is what I want to get at, whether it is necessary. In that bill you made no provision as to how notice should be served on the United States. There is no provision, except to notify the Attorney General or the district attorney of the United States. I understood from the gentlemen all around, then defending the bill, that it was not necessary to have any specific provision, and no specific provision is in that bill. Now, what I want to know is, if I may properly ask that question, if it was not necessary in the former bill to provide how the United States should be notified why it is necessary in this bill?

Mr. KELLY of Pennsylvania. I do not think it necessary at all, Mr. Speaker, but this is the House form, and we endeavored to make the House form comply substantially with the Senate form as they send bills to us from over there.

Mr. MANN of Illinois. It is better practice, if the House has a form and the Senate has a form, for the committees to get together and have the same form, because it is ridiculous for the House to pass a Senate bill in one form and say that is sufficient and then insist that a bill in the House shall be amended according to the House form in order to make it sufficient. It is not necessary to amend one in order to make its form different. I have no objection to the amendment. I know the proposition has been in many bills, but if this amendment is necessary, it ought to have been in the other bills that were passed. If it is not necessary in the other bills, it is just wasting time to pass it in this bill.

Mr. KELLY of Pennsylvania. The confusion arises because of the forms adopted by the Senate committee and the House committee. If the gentleman desires, we will move to strike out this provision and insert section 2.

Mr. MANN of Illinois. This is to strike out the provision and insert the Senate proviso.

Mr. KELLY of Pennsylvania. I believe we can substitute the Senate provision.

Mr. McKEOWN. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Oklahoma moves to strike out the last word.

Mr. McKEOWN. I notice that there are a great many of these claims for damages done by vessels of the United States, and I take it that that occurred during the congestion during the war. But I want to know if this committee has any information as to whether any attempt is being made by the department to bring to the attention of their employees this negligence which is going on and which results in the United States being mulcted in damages every time some Government boat bumps into some other craft, resulting in a suit being brought for damages against the United States in the Court of Claims.

Mr. KELLY of Pennsylvania. In each case where a bill is presented the committee immediately takes it up with the department, and the department sends full information regarding it. I presume they endeavor to prevent a recurrence in the future. In this case the Navy Department requested that this bill be passed, so that the claim may be passed upon by the courts.

Mr. McKEOWN. I want to know if the department is taking steps to prevent in the future accidents of this kind that are occurring now, for which we shall have to pay damages.

Mr. KELLY of Pennsylvania. I could not answer that question.

The SPEAKER. The question is on agreeing to the first committee amendment.

The amendment was agreed to.

Mr. KELLY of Pennsylvania. Now, Mr. Speaker, I offer a committee amendment. On page 2, line 21, strike out the line beginning "*Provided*" and the remainder of section 2, leaving section 2 remain in the bill with that exception.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out, on page 2, lines 21, 22, and 23, covering the proviso, "*Provided*, That such suit shall be brought and commenced within four months after the passage of this act."

Mr. MANN of Illinois. This is an amendment to text. The way to do is to agree to this amendment and then disagree to the committee amendment.

Mr. KELLY of Pennsylvania. I offer this amendment now to strike out the proviso.

The SPEAKER. The committee amendment strikes out the proviso and the rest.

Mr. KELLY of Pennsylvania. Is it not possible to substitute an amendment for the committee amendment from the floor?

The SPEAKER. The gentleman moves to strike out the proviso on lines 21, 22, and 23. The question is on agreeing to the committee amendment.

Mr. MANN of Illinois. Mr. Speaker, the question now is merely upon the amendment making an appropriation for the payment of the judgment. I do not suppose it makes any material difference, but in the case of private claims, where we pay a claim, it is usual to make an appropriation for the payment of the claim, because that is what we do; but it is not usual, where we provide for a suit being brought against the United States, to provide in the same act for the payment of the judgment. Judgments against the United States, when the time for appeal has expired or appeal has been refused, are certified by the auditors or the Court of Claims, or whoever has charge of the matter, to the House of Representatives, and are included as a matter of course in the general deficiency bill. It seems to me that that is the better practice on the whole.

Mr. KELLY of Pennsylvania. I am inclined to agree with the gentleman that that is the better practice, but I may say that the Committee on Claims has passed out a number of bills providing that a certification from the court shall mean payment of the claim, just as it is carried in this section 2.

Mr. MANN of Illinois. I know it has sometimes been done and sometimes it has been refused to be done. I think it would be just as wise for the Committee on Claims to adopt the policy, wherever we authorize a suit to be brought, to provide for the payment of the judgment outside of the bill. The advantage of that is that where the Committee on Appropriations brings in a deficiency bill providing for the payment of judgments and other things it is easy to ascertain the amount of money appropriated. On these special bills the clerks of the House and the

Senate have to go over these bills and drag out and figure out the amount of the appropriation without any notice being given to the Committee on Appropriations at all; and while they do that as to private claims it is rather a difficult thing to catch up with all these bills submitting claims to the Court of Claims and we never know how much money is paid for these judgments; that is, we have no record of it in our record, and we ought to have a record of all the appropriations that are not permanent appropriations.

Mr. KELLY of Pennsylvania. The suggestion of the gentleman is a valuable one, and, as far as I am concerned, I propose to bring that to the attention of the Committee on Claims in the future. However, we have passed three bills in this form now, and if this one goes through I believe the Committee on Claims will adopt the suggestion of the gentleman from Illinois on this matter.

The SPEAKER. The question is on agreeing to the amendment.

The question being taken, the amendment was rejected.

The SPEAKER. The question is on the committee amendment to strike out section 3.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

By unanimous consent, the title was amended to read: "A bill for the relief of the Merritt & Chapman Derrick & Wrecking Co."

On motion of Mr. CLEARY, a motion to reconsider the vote by which the bill was passed was laid on the table.

JOHN E. MOORE CO.

The next business on the Private Calendar was the bill (H. R. 11572) for the relief of the John E. Moore Co.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, this is another one of these admiralty cases, seeking to send a claim to the admiralty court, but the facts in this case seem to be so clear that I do not think we ought to cumber up the docket of the admiralty court. As I understand the facts, this tugboat ran into a sunken wreck which had been properly buoyed. Warning had been given. The tugboat had gone down by the wreck, and in coming back it grazed the marking buoy and punctured its hull and a little later sunk. It would seem to me that the captain of the craft was not exercising sufficient care.

Mr. GARD. Will the gentleman yield?

Mr. WALSH. I yield.

Mr. GARD. In the gentleman's opinion, is it not better to have the question of responsibility determined in a proper court than to have the possibility of this claim coming in here at some later time? The reason I say that is that I notice in the report of the Secretary of the Navy it is stated that—

> While the record indicates that the Navy is in no way liable for the damages sustained by the tug *E. M. Millard* on August 8, 1919, nevertheless it is believed that the John E. Moore Co., the owner, is entitled to have its claim judicially determined, and as H. R. 11572, a copy of which you inclosed with your letter, has for its sole purpose the authorization of the owner of the *E. M. Millard* to sue in a district court, it is respectfully recommended that the bill receive favorable attention by the Committee on Claims.

And he recommends the passage of the bill.

Mr. WALSH. The gentleman is aware of the fact that that belief is very prevalent down in the departments, particularly in the Navy Department, with respect to nearly any kind of a claim that results from a collision with a craft belonging to the Navy Department or arising out of any circumstances in which naval craft are at all concerned. But here is a case in which it would seem to me that referring it to the court would simply result in finding what the department has set forth. There is no claim, as I understand it, that there are any other circumstances connected with the case.

Mr. McKEOWN. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. McKEOWN. Are there any facts in the record which will justify a court to investigate the case? Is there sufficient on its face to make a prima facie case?

Mr. WALSH. There does not appear to be.

The SPEAKER pro tempore (Mr. SANFORD). Is there objection to the present consideration of the bill?

Mr. McKEOWN. Mr. Speaker, I object.

Mr. MACCRATE. Mr. Speaker, I ask unanimous consent that this bill be passed over until the Member returns who has it in charge——

Mr. WALSH. You can not pass it over in that way. I have no objection to the bill going over.

Mr. McKEOWN. I will withdraw the objection if the gentleman wants to pass it over.

The SPEAKER pro tempore. If there is no objection, the bill will be passed over without prejudice.

There was no objection.

THE WILLIAM GORDON CORPORATION.

The next business on the Private Calendar was the bill (H. R. 12281) for the relief of the William Gordon Corporation.

The Clerk read the title of the bill.

Mr. GLYNN. Mr. Speaker, I ask unanimous consent that this bill be passed over.

The SPEAKER pro tempore. The gentleman from Connecticut asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

CERTAIN LANDOWNERS OF NEW CASTLE COUNTY, DEL.

The next business on the Private Calendar was the bill (H. R. 11834) for the relief of certain landowners of New Castle County, in the State of Delaware.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAYTON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice, with a view to eventually striking it entirely from the calendar, because the Secretary of War has determined by an official decision to pay this claim. If that is done, there will be no need for this legislation, but I want to retain the bill upon the calendar until the claim is paid.

The SPEAKER pro tempore. The gentleman from Delaware asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

CATHERINA REA, ADMINISTRATRIX.

The next business on the Private Calendar was the bill (H. R. 9048) for the relief of Catherina Rea, administratrix of the estate of John Rea.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. GARD. Reserving the right to object, it seems, from the information I am able to derive from the report, that these distilled spirits are claimed to have been used in hospital emergency treatment at the time of the disaster in San Francisco caused by the great fire. I believe these distilled spirits were taken by the relief and Red Cross organizations, and a bill was presented for the value of the brandy, and payment refused. I am therefore wondering why it is that the bill now comes in the form that it does.

Mr. HERSMAN. Will the gentleman yield?

Mr. GARD. Yes.

Mr. HERSMAN. Before John Rea died I knew him very well and I knew all the circumstances. I knew of his financial condition. This is not a bill to secure payment for the brandy. It is simply a bill to reimburse the estate of Mr. Rea for $173.50 for the Government stamps on the brandy.

Mr. GARD. I understand that; but his claim was that the brandy was taken by the relief workers at the time of the fire.

Mr. HERSMAN. All the testimony shows that the brandy was taken by Government officials or State officials at that time.

Mr. GARD. If it was so taken and used in hospital emergency treatment, why was not the bill paid, including the amount of the stamp tax? Why was not the bill paid by the relief commission that used this brandy?

Mr. HERSMAN. The only testimony here as to why it was not paid is contained on page 3 of the report.

Mr. KELLY of Pennsylvania. In the statement of Mr. Charles J. O'Connor.

Mr. HERSMAN. He states that the committee refused to pay the claim because it was the policy of the Red Cross and the relief association in San Francisco not to pay for confiscated liquor. Therefore they refused to pay the claim.

Mr. GARD. It appears that claim was made to the board of directors for the release of Red Cross funds for the payment of this brandy for the amount of the stamp taxes paid by him on three barrels, and it was refused. He has not only lost the brandy, but has been required to pay the tax.

Mr. KELLY of Pennsylvania. The fact of the matter is the bill was presented in due form to the Red Cross and later to the relief association on the ground that the association should pay for the confiscated liquor which had been used during the earthquake. He presented his claim in a proper way, but it was refused; but now he only asks the payment of the tax and not for the loss of the brandy.

Mr. GARD. The point I make is this: If the gentleman's claim is correct—and I assume that it is correct for the purpose of the statement—instead of presenting his claim to the Government for the relief of the amount of the stamp tax paid, why should he not have an action against the relief committee not only for the stamps put on the brandy but for the brandy which was taken and used by the relief committee during the earthquake?

Mr. KELLY of Pennsylvania. The gentleman realizes that it is a difficult matter to institute a suit against the relief committee, which was a relief organization formed to meet such an emergency as existed during the earthquake disaster. The Red Cross turned over the matters to the relief association, and that relief association has since gone out of existence and wound up its affairs.

Mr. MCKINIRY. If the gentleman will yield, I want to say that the emergency committee wound up its affairs several years ago and has gone out of existence.

Mr. GARD. I presume it has; that is why I am making the inquiry. Why should not the relief committee, which acted during the emergency, which used this brandy for hospital treatment, why should it not be responsible for the payment of it? I assume that that committee did a great many things that relief committees do in a time of great emergency.

Mr. MCKINIRY. The logic underlying the claim against the Government is that the stamps were put on the barrels to get them in a warehouse. The stamps having been placed on the liquor, neither the Government nor the owner ever received the benefit of the purposes for which the spirits were intended.

Mr. GARD. The spirits were used by these people in hospital treatment. I can not understand why, having had the benefit of it, they did not pay the man for his brandy. I have no objection to the consideration of the bill except it seems to me that the man is entitled to more than the amount of the stamp tax.

Mr. KELLY of Pennsylvania. He has waived all of his claim to anything except to the amount of the stamps.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I understand from the gentleman from Pennsylvania that this brandy was used in an emergency for relief purposes.

Mr. KELLY of Pennsylvania. During the San Francisco earthquake.

Mr. BLANTON. And the Government required the payment of the stamp tax. This Congress is asked not to pay for any portion of the value of the brandy, but merely for the amount of the stamp tax which the Government has received and upon which the owner has received no value?

Mr. KELLY of Pennsylvania. Yes; it is a tax on property that was taken from him.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Catherina Rea, administratrix of the estate of John Rea, deceased, owner of the Gilroy Winery Distillery Co., the sum of $173.50, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated, being stamp tax on three barrels of fruit spirits, packages 624 to 626, inclusive, which while in transit under bond from said distillery to one of the special bonded warehouses of the first internal revenue district of California, was seized by United States authorities at the Southern Pacific depot on or about April 20, 1906, for the relief committee for use in hospital work at the time of the San Francisco earthquake, and for the value of which spirits the owner has never been paid.

The SPEAKER pro tempore. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GLYNN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

WOODFORD BANK & TRUST CO.

The next business on the Private Calendar was the bill (H. R. 11030) for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue two certificates of indebtedness of the United States of America with interest from April 10, 1919, to September 9, 1919, in favor of the Woodford Bank & Trust Co., a State banking corporation of Versailles, Ky., in lieu of two certificates of indebtedness of the United States of America, Nos. 14978 and 14979, respectively, each bearing date of April 10, 1919, each calling for $5,000, series 5 J, and each maturing September 9, 1919, the said certificates of indebtedness of the United States of America having been lost, stolen, or destroyed: *Provided*, That the said Woodford Bank & Trust Co., of Versailles, Ky., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of said certificates of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the said certificates of indebtedness hereinbefore described which were lost, stolen, or destroyed.

With the following committee amendment:

Strike out lines 4 to 12, inclusive, of page 1, and lines 1 to 3, to the word "destroyed," inclusive, page 2, and insert the following: "authorized and directed to redeem certificates of indebtedness of the United States of America, Nos. 14978 and 14979, each of the denomination of $5,000 and each of the issue dated April 10, 1919, and maturing September 9, 1919, with interest from April 10, 1919, to September 9, 1919, in favor of the Woodford Bank & Trust Co., of Versailles, Ky., without presentation of the certificates, the said certificates of indebtedness having been lost, stolen, or destroyed."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. CANTRILL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

C. V. HINKLE.

The next business on the Private Calendar was the bill (H. R. 4184) for the relief of C. V. Hinkle.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Reserving the right to object, this bill for the relief of C. V. Hinkle, from the statement of facts as I read it, is a very unfortunate one, where a man was accused of a crime, suspended by the post-office authorities, and as soon as it was discovered he was not guilty he was reinstated. The present bill provides for a partial compliance with his request in the letter of February 7, 1920, that he be accorded compensation for all the time of his suspension.

Mr. BEE. Mr. Speaker, I will say to the gentleman from Ohio that, as I understand his case, this man was a clerk in the post office in the town of Conway, Ark., at $1,000 a year. In March, 1913, a series of post-office thefts from the registered mail were occurring in that post office. He was suspected, and under a report of an inspector in June, 1913, he was dismissed from the service because of this charge that was filed against him. He remained out of the service from March, 1913, until September, 1915. In September, 1915, the assistant postmaster confessed that he was guilty with reference to the identical registered matter that this man had been accused of stealing and discharged for taking. Immediately upon that discovery of the guilt of the assistant postmaster, now confined to the penitentiary, having plead guilty to the charge, the young man was reinstated to his original position, which he had been let out of on June, 1913, and which he had been out of until March, 1915. It was the judgment of the committee that under the circumstances the Government of the United States ought not to carry the punishment of this man to the extent of financial deprivation any more than could be helped.

In other words, if this had been an individual or corporation that had under similar circumstances discharged this man, and subsequently it had appeared that another man in the same establishment had committed the offense with which this man was charged, and he had plead guilty to it, then this man Hinkle would have had a suit for damages against this corporation much greater than the little compensation that is awarded to him now. That is the view of the committee.

Mr. GARD. How would he have a suit for damages? If a man worked for me and I suspected him of stealing from me and the fact was he was not guilty but I suspected him of it and I discharged him and then I discovered that he was not in fact guilty at all, he could not have any action for damages against me because I discharged him.

Mr. BEE. He may not have an action against you except there has been false imprisonment or an affidavit——

Mr. GARD. But there was no imprisonment.

Mr. BEE. I know. Now, this man was not in a position to protect himself against the inspector upon whose suspicion he was subsequently discharged.

Mr. GARD. I understand that he was suspended and then upon further investigation the assistant postmaster finally made a confession that he had rifled the mails and therefore the Government immediately reinstated him to his same position, but instead of getting $1,000, which he got in September, 1915, he gets $1,400.

Mr. BEE. Let me say to the gentleman from Ohio they reinstated him at $1,000 but he was promoted to $1,400. Now, if the gentleman will permit, it was the judgment of the committee under the circumstances that an injury had been done this young man. There is the question of disgrace. He had lived in the community under this suspicion for over two years, had gone about for days and weeks and months, as will be substantiated by the gentleman from Arkansas, the author of the bill, and it was impossible for him to support himself

and his family adequately. The claim was reduced from $2,400, the actual salary to which he was entitled, to $1,300.

Mr. GARD. The committee followed the usual estimate of payment. They found he was practically entitled to this amount and they set off against that the amount of money which he earned.

Mr. BEE. Leaving him $1,300. I hope the gentleman from Ohio will not object to this bill. Let me say to the gentleman from Ohio, and I know this appeal I make will not be upon barren ground, that we have passed bills here to reimburse these great shipping concerns in the amount of hundreds of thousands of dollars and other bills of that character, and here is a meritorious claim for a young man, unjustly accused by officers of the United States Government, under disgrace in his own community where he has always lived, and all that he asks in return is now to be reimbursed what he actually lost during that time, and I hope the gentleman from Ohio will not object.

Mr. GARD. He asked that all the money be given.

Mr. BEE. Certainly. He asked for the amount of his salary.

Mr. GARD. What I would like to have the gentleman inform me, and probably the gentleman is a member of the committee that has charge of the bill, and can, did the Assistant Postmaster General give any reason for not recommending the enactment of the bill, because he particularly states in his letter that the department does not recommend the enactment of the bill to which reference is made?

Mr. BEE. I will state to the gentleman from Ohio my understanding is that he was not adverse to the bill, but it was because the Post Office Department did not want to be in a position of making a recommendaiton favorably to this character of legislation, not that the Post Office Department was opposed to the bill. That is my understanding of the report of the Assistant Postmaster General.

Mr. JACOWAY. Mr. Speaker, I am the author of the bill, and the statement made by the gentleman from Texas states the position of the Post Office Department accurately, as I understand it. I want to state to the committee that I know Mr. C. V. Hinkle. For a period of time the mail at the Conway post office, Arkansas, had been rifled, and he was under suspicion, and a post-office inspector was detailed to make an investigation and report to the Post Office Department. He did so, and upon that report this man Hinkle was discharged from the service of the Government. But later on it was found that he was not the real culprit, and afterwards another man confessed to it, plead guilty to the theft, and is now serving a term in the penitentiary. I also want to state that this matter was brought to the attention of the President, and by Executive order Mr. Hinkle was reinstated to his former position at the same salary. During the time that he was under suspicion this man went about the little city of Conway with the name of a thief branded upon him, as I am informed. It was almost impossible for him to get work anywhere. He wrote and stated to me he wanted to clear his name of this odium, and day in and day out and week in and week out he sought to do so. Finally another inspector found out who was the real culprit. It was difficult for him to get work in that city sufficient to support himself and his family. I wish also to present the report of the Claims Committee, which reported this bill, which gives the history of the matter in a clear and concise report. I quote the report, omitting the caption.

The Committee on Claims, to whom was referred the bill (H. R. 4184) for the relief of C. V. Hinkle, having considered the same, report thereon with a recommendation that it do pass with the following amendment: In line 6, strike out the figures "$2,408.33" and insert in lieu thereof "$1,308.33."

STATEMENT OF FACTS.

While the claimant, C. V. Hinkle, was a clerk in the Conway (Ark.) post office, at a salary of $1,000, he was suspected of rifling registered mail, and on circumstantial evidence was suspended without pay on April 19, 1913, and removed from the service June 28, 1913. It was afterwards found that the stealings were made by the assistant postmaster, who confessed, and is now serving a term in the penitentiary. Under an Executive order Mr. Hinkle was reinstated in his former position of clerk at $1,000 on September 15, 1915. The salary loss is the amount carried by the bill, but as the claimant had been earning $50 per month for 22 months, totaling $1,100, it is recommended that this amount be deducted from the sum named in the bill.

Attached hereto is a letter from the Post Office Department, together with a communication of the claimant, both of which are made a part of this report:

POST OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., October 29, 1919.

Hon. GEORGE W. EDMONDS,
Chairman Committee on Claims, House of Representatives.

MY DEAR MR. EDMONDS: With reference to your communication of the 22d instant, requesting an opinion as to the merits of a bill (H. R. 4184) appropriating $2,408.33 to reimburse Mr. C. V. Hinkle, a clerk in the post office at Conway, Ark., for loss of salary, I have to state that while Mr. Hinkle was a clerk in the office named, at a salary of $1,000, he was suspected of rifling registered mail and on circumstantial evidence was suspended without pay on April 19, 1913, and removed from the service June 28, 1913. It was afterwards found that the depredations were committed by the assistant postmaster, who confessed and is now serving a term in the penitentiary. Under an Executive order Mr. Hinkle was reinstated to his former position as clerk at $1,000 on September 15, 1915, and is at present receiving a salary of $1,400.

The department does not recommend the enactment of the bill referred to.

Sincerely, yours,

J. C. KOONS,
Acting Postmaster General.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. V. Hinkle, late clerk in post office, Conway, Ark., the sum of $2,408.33, the same being for salary for 29 months, at the rate of $1,000 per annum, the period during which he was dismissed from duty as said post-office clerk, upon charges preferred, which charges were found untrue, and by executive order he, the said C. V. Hinkle, was reinstated, it being found that the real culprit was not the said C. V. Hinkle, but another person, who is now serving a Federal penitentiary term.

The committee amendment was read, as follows:

Page 1, line 6, strike out the figures "$2,408.33" and insert in lieu thereof the figures "$1,308.33."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JACOWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

MRS. ANNIE M. LEPLEY.

The next business in order on the Private Calendar was the bill (H. R. 1321) for the relief of Mrs. Annie M. Lepley, as postmaster at Plymouth, Amador County, Calif., for money, postal money orders, and postage stamps stolen.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, this is another one of these cases for loss of postage stamps and money taken from a safe in a post office, involving some $2,055. The safe was not locked, and the inner door was left unlocked. The department does not file a letter recommending this legislation, and I do not think it is in line with the precedents established here to pass this kind of a bill.

Mr. RAKER. Will the gentleman yield?

Mr. WALSH. Yes; I will yield to the gentleman from California.

Mr. RAKER. If the House will give me just a few moments I would like to briefly explain the case. It will take but a short time. This is a claim by a widow, Annie M. Lepley, who has one daughter, which daughter has been her assistant, a girl about 20 years of age. They live at the town of Plymouth in California, a mining town. Shortly after this burglary I happened to be in that part of the country and visited the store, and the business men and bankers, and others, and looked over the situation, and also the record that has been presented to the Post Office Department. The record shows that the door to the store, as in these various small towns, was locked with a padlock. That door was broken up. The money was in the burglar-proof part of the safe. The mother testifies, and the daughter, the assistant postmaster, that she that night left the store something after 9 o'clock; that she locked the inner door, the burglar-proof vault; that she shut the day door, which locked with a key, and locked the outer door of the safe, and turned the combination. At about 1.05 a. m. on March 13, 1915, this burglary occurred. Upon investigation in the morning, or that night, it disclosed the implements which the burglars used, various tools and sacks of all kinds, and other things. And as the burglars left the store the night watchmen shot at them, but they were unable to catch them. She immediately reported the matter to an inspector, who made an examination of the case, which shows clearly that the facts here in the department are so favorable to this lady's case that she is the present postmaster, and has been to the present time, and her daughter is assistant postmaster, and that she has not paid this money to the department. And all we ask in this bill is a credit on her account by reason of the burglary.

In regard to the recommendation, I have looked over everything I can find, and the same recommendation is presented here as in all other bills. Now, just one word. On the 19th of December, 1919, this House unanimously passed a bill for Mr. F. M. Barfield, and that case I have before me. It is not as strong as this case, but it is similar in character. The door of the building was not locked. He locked the outer door of the safe. The inner door was unlocked, and even the combination to

the vault was not changed. And the department in that case simply made, as in this one, this recommendation:

The matter of extending to this postmaster the relief contemplated in the bill is therefore left to the discretion of Congress.

The report in the present case is at the end:

The facts are submitted for such action as Congress may desire to take.

Now, I trust that the committee will permit this widow, who has proven her worth since this time as postmaster, this reimbursement, and will see fit to allow the department to give this widow the credit for the money, and so forth, that was taken from her by burglary under the circumstances as presented. She complied with every human effort that could be made, according to the record as presented to the Post Office Department, her affidavits and all. And it is a worthy case. It is a case deserving of the consideration of the House.

Let me read you a sample from this other case, the Barfield case. Here is a letter by the Postmaster General in that case:

[House Report No. 354, Sixty-sixth Congress, first session.]

Mr. ROMJUE, from the Committee on Claims, submitted the following report (to accompany H. R. 6522). The Committee on Claims, to whom was referred the bill (H. R. 6522), having considered the same, report thereon with a recommendation that it do pass.

STATEMENT OF FACTS.

The claim for which reimbursement is asked in this bill (H. R. 6522), is based upon losses sustained by F. M. Barfield, while postmaster at Pinehurst, Ga., in the burglary of said post office on the night of July 19, 1909. The amount involved is $64.88, the actual amount lost by the burglary. There is hereto attached a letter from the Postmaster General of date September 8, 1919, and made a part of this report. That the money was stolen from the post office by some burglar is not disputed.

POST OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., September 8, 1919.

Hon. GEORGE W. EDMONDS,
Chairman Committee on Claims, House of Representatives.

MY DEAR MR. EDMONDS: I am in receipt of your communication of September 4, with which you transmit a copy of bill (H. R. 6522) for the relief of F. M. Barfield.

Complying with your request, I beg to inform you that, under the provisions of the act of May 9, 1888 (25 Stat., 135), as amended by the act of June 11, 1896 (29 Stat., 458), Mr. Barfield filed in this department a claim for credit on account of $24.02 postal funds and $40.86 money-order funds, total $64.88, lost in the burglary of the post office at Pinehurst, Ga., during the night of July 19, 1909, while Mr. Barfield was postmaster at that place.

The evidence shows that the outer door of the safe in said post office was opened without the use of force, but the inside drawers were broken open, and that the funds described were stolen from said safe. The first impression of the postmaster was that the safe had been opened by working the combination. The postmaster stated to the inspector he believed that he had locked the safe on the night before the burglary, but was not positive enough to make affidavit to that effect. He recalled several occasions on which he had failed to lock the safe from the fact that he had found it open in the morning when he arrived at the office. It appears further that the postmaster purchased this safe at second hand, and that he never changed the combination of the lock as required by section 356 of the Postal Laws and Regulations of 1902, which reads as follows:

"5. A postmaster upon taking charge of his office shall immediately change the combination on every safe therein; and where at any time a safe is procured, either new or secondhand, he shall immediately change the combination. Failure to make such change shall be considered as prima facie evidence of contributory negligence on the part of the postmaster in any case where claim is made for credit for money or other property stolen from such safes which have been opened without resort to violence."

The postmaster's failure to change the combination of his safe was considered negligence within the meaning of the statute cited, and for that reason, together with his inability to certify definitely that the safe had been locked, his claim was disallowed under date of January 18, 1910.

Under date of February 21, 1914, the solicitor for this department forwarded to Hon. H. D. STEPHENS, House of Representatives, copies of all material papers relating to this claim for use in the consideration of the bill (H. R. 6398) then pending before Congress for the relief of this claimant.

The evidence in this case appears to establish conclusively that the postmaster actually sustained the loss described and that the stolen property was rightfully in his possession at the time of the burglary. However, under the law the Postmaster General had no authority to allow this claim. No new evidence has been received by the department since the settlement of this claim which would justify the allowance thereof. The matter of extending to this postmaster the relief contemplated in the bill is therefore left to the discretion of Congress.

Yours, very truly,

A. S. BURLESON, *Postmaster General.*

Then he recites the postal statutes:

5. A postmaster upon taking charge of his office shall immediately change the combination on every safe therein, and where at any time a safe is procured, either new or secondhand, he shall immediately change the combination. Failure to make such change shall be considered as prima facie evidence of contributory negligence on the part of the postmaster in any case where claim is made for credit for money or other property stolen from such safes which have been opened without resort to violence.

Mr. BLANTON. Will the gentleman from Massachusetts yield?

Mr. WALSH. Yes.

Mr. BLANTON. I want to call the attention of the gentleman from California [Mr. RAKER] to the fact that in that Barfield case, in the Sixty-fifth Congress, as a member of the Committee on Claims, I filed a minority report, calling attention to the bad precedent that we would set, and I opposed this bill on that ground, that it would establish a bad precedent; that the Postmaster General has promulgated and has in force and effect a rule which requires stamps and money orders and various documents of value to be kept properly locked, and where his regulations are not complied with he refuses and turns down all such claims; but because of the fact that this Barfield claim was less than $100—merely $64—it was rushed through and passed.

Mr. RAKER. I beg the gentleman's pardon.

Mr. BLANTON. I call attention, further, that in this case we now have under consideration, likewise in the Sixty-fifth Congress, he will find a minority report, filed by me as a member of the Claims Committee, setting up all these facts, and the further fact that it is against the precedent of the Congress to allow such claims; and this case was not taken up in the Sixty-fifth Congress because of that minority report.

Mr. RAKER. It was taken up just like others——

Mr. BLANTON. And objected to.

Mr. RAKER. And you could not get to it. Many other cases were not reached.

Mr. BLANTON. If we permit this case, it will establish another precedent, and I am calling the attention of the gentleman from California to the fact that there are numerous claims of this character, and that if we allow this one it will require the allowance of a number of others.

Mr. RAKER. Let me call the gentleman's attention to this fact: The Barfield case came up in the regular order. There was a large attendance in the committee that day. I was here and remember the circumstance. The matter was read, and the precedent was referred to, as I recollect.

Now, that was established irrespective of the amount. Here is a strong man who gets his money, but here is a widow struggling along, who is spending her subsistence to maintain a night watch for the benefit of the town; two burglars go there when she is asleep after a hard day's work and break open that safe and destroy or steal the Government's property. Ought she not to have some consideration? It is not a question of setting a precedent. It is a matter of doing justice. This Congress passed that other bill. I hope the gentleman from Massachusetts will let this bill pass.

Mr. WALSH. I will let it pass by objecting.

The SPEAKER pro tempore. Objection is heard.

ADJOURNMENT OVER UNTIL MONDAY NEXT.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns this evening it adjourn until Monday next.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that when the House adjourns this evening it adjourn until Monday next. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

PERRY L. HAYNES.

The next business in order on the Private Calendar was the bill (H. R. 1309) for the relief of Perry L. Haynes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Reserving the right to object, I will be glad to have the further word of the gentleman from Connecticut [Mr. MERRITT], who probably knows about the case. From a reading of the report it seems to me that there is a great deal of doubt as to whether the man who had charge of this money, Second Lieut. Perry L. Haynes, was not guilty of very considerable negligence, to use a mild expression, in turning over the money to the character of man that he did turn it over to; and also I would ask the gentleman for information especially with regard to the testimony of Mate Beebe, Charles J. Beebe, as appears on page 6 of the report, wherein Beebe states—and that is the man on whom it is now proposed to put the responsibility—that he turned over the package to the provost at Fort Wright, and this provost's name was Rosey, although I believe his real name was Rosenski, and Rosey receipted for it and received the loose letter. I have not been able to find, by any careful reading that I have been able to make of the evidence in the record, whether or not there was any effort made on the part of the examining officer to find out whether Rosey had this money or whether Mate Charles J. Beebe returned the money, or what did become of the money, because there is no trace of the money from the time it left the possession of its custodian, Lieut. Haynes, and was given to Beebe, Beebe being a man who could read with very considerable difficulty, and he probably did not notice what character of communication he had that was handed to him. I say there is no connection in the evi-

dence, as far as I can get it, after it left the hands of Lieut. Haynes and passed into the hands of Beebe, as to what reasonably became of the money contained in this particular letter package. Can the gentleman from Connecticut inform me on that?

Mr. MERRITT. I think if the gentleman will read the testimony and also the finding of the court, he will find that Beebe receipted for these three envelopes.

Mr. GARD. Yes; I know he did.

Mr. MERRITT. And he delivered two of them, and the third, containing the money, he did not deliver. That is clearly set forth. It is also shown by the testimony that Lieut. Haynes was doing exactly what the orders called for, and exactly what had been done since 1915. That is shown at the top of page 14, and is also shown by the finding of the board, which states:

(1) By following the custom in vogue of transferring public funds derived from sales of Quartermaster Department from Fort Terry, N. Y., to Fort H. G. Wright, N. Y., Lieut. Perry L. Haynes, Coast Artillery, National Guard, on the p. m. of December 29, 1917, turned over to the wharfinger, Corpl. Dougood, at Fort Terry, to be transferred to the quartermaster coast defenses of Long Island Sound, Fort H. G. Wright, N. Y., a sealed envelope containing $855.75 in currency and $591.42 in checks. This envelope, in good condition, was entered on the manifest by Corpl. Dougood, but was manifested for New London, Conn., instead of for Fort H. G. Wright, N. Y. The envelope was turned over in good condition to Mate Charles J. Beebe, of the steamer *Timothy Pickering*, and his attention called to the fact that it was intended for the quartermaster at Fort Wright; that Mate Beebe failed to deliver said envelope containing $1,447.17 to the wharfinger at Fort Wright; that neither said envelope nor its contents, $1,447.17, have been found; that two other envelopes containing $22.59 and $144.57, respectively, were also delivered to Corpl. Dougood at the same time and by him delivered to Mate Beebe; that Mate Beebe did deliver said other two envelopes to the wharfinger at Fort Wright.

(2) That payment on the checks contained in the lost enevlope was stopped by telegraphic instructions from Lieut. Haynes.

(3) The responsibility for the loss of this envelope was due to carelessness on the part of Mate Beebe, either in receipting for an envelope that he did not receive or else in failing to take proper care of what he actually did receive.

So that as far as Lieut. Haynes is concerned he did exactly what custom required to be done in the case. Lieut. Haynes was a member of the Coast Artillery of the National Guard, and he simply followed the custom which had been handed down to him by the Army man who handed over to him the matters he had charge of when he came to the post. He followed instructions.

Mr. GARD. I notice on page 15 that, when observing Beebe on the witness stand, they found he was too old to have the care of Government funds, or to be required to assume the responsibility.

Mr. MERRITT. He did not give the envelope to Beebe. He gave it to Dougood. Of course, he had no control over the age of Beebe, and Lieut. Haynes was not responsible for Beebe's being there. My opinion is that Lieut. Haynes observed all reasonable care, in accordance with the orders and in accordance with custom. I do not think he should be held responsible for the personnel on the boat.

Mr. GARD. Was there any inquiry as to Beebe except the limited reference here as to his—as to the location of the package?

Mr. MERRITT. It did not seem to me that that was important, as far as Lieut. Haynes's responsibility is concerned.

Mr. GARD. It is quite important, because if the money is returned or recovered there would be no likelihood that the money would be returned, and there would be no liability on the part of Lieut. Haynes or compensatory action on behalf of the Government.

Mr. MERRITT. The evidence shows that the package was stolen on the way from Fort Wright to Fort Terry, or from Fort Terry to Fort Wright, whichever it was.

Mr. PARRISH. Reserving the right to object, is there anything in the record showing that the money was receipted for when Lieut. Haynes turned it over to the party to whom he delivered it?

Mr. MERRITT. It was receipted for.

Mr. PARRISH. Is there something to show that?

Mr. MERRITT. Yes; clearly.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to reimburse Second Lieut. Perry L. Haynes, Coast Artillery Corps, National Guard, in the sum of $855.75, which amount represents funds belonging to the Government of the United States for which he was held accountable and which were lost through no fault of his.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. MERRITT, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

GEORGE W. GAMBLE.

The next business on the Private Calendar was the bill (H. R. 1288) for the relief of George W. Gamble.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. McKEOWN. Reserving the right to object, is this another post-office case where there was a burglary?

Mr. KELLY of Pennsylvania. This is the case of the clerk of the circuit court for Rock Island County, Ill., who has charge of the naturalization fees, to reimburse him for $45.50, because his office was burglarized and the money taken.

Mr. McKEOWN. Is there any question of negligence arising from the care and custody of the money?

Mr. KELLY of Pennsylvania. Not the slightest. It was properly locked up on the third floor of the courthouse. The office was burglarized and the money taken.

Mr. RAKER. Of course, it makes a difference if a strong, able-bodied man's money is taken, but when they burglarize a safe and take a widow's money you do not allow her anything.

Mr. WALSH. Was it the widow's money?

Mr. RAKER. I do not quite get the gentleman.

Mr. WALSH. The gentleman is making a statement about burglarizing a safe and taking a widow's money.

Mr. RAKER. Yes.

Mr. WALSH. Was it her money?

Mr. RAKER. I think the gentleman heard what I said.

Mr. WALSH. The gentleman states that it was the widow's money that was stolen.

Mr. RAKER. I think my statement is in the RECORD. I can repeat it.

Mr. WALSH. The gentleman ought to state the facts.

Mr. RAKER. I can repeat my statement.

Mr. WALSH. The gentleman is not stating the facts, as usual.

Mr. RAKER. I think I made my statement very clearly—that it would seem to make a distinction whether it was the money of a strong man or the money of a widow.

Mr. WALSH. I ask for the regular order.

The SPEAKER pro tempore. The regular order is, is there objection?

Mr. RAKER. I object.

Mr. MacCRATE. I hope the gentleman will not object to this. It is a very meritorious case.

Mr. RAKER. I want to explain the situation, that is all. I will not object if I may have a right to find out the facts about this case.

Mr. KELLY of Pennsylvania. I hope the gentleman will not object. This is a bill which ought justly to be paid.

Mr. WALSH. Mr. Speaker, I have asked for the regular order. I will not permit the gentleman from California to shed a few more tears over his case.

Mr. RAKER. That statement is wholly unjustified and, of course, is not a fact. I trust the gentleman when he revises his speech will make his remarks conform to the facts.

The SPEAKER pro tempore. Is there objection?

Mr. RAKER. I object, Mr. Speaker, if I can not secure the right to have the bill explained.

The SPEAKER pro tempore. The gentleman from California objects. The Clerk will report the next bill.

WILHELM ALEXANDERSON.

The next business on the Private Calendar was the bill (H. R. 12634) for the relief of Wilhelm Alexanderson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. PARRISH. Reserving the right to object, I should like to ask the gentleman in charge of this bill if he can give the House any idea as to how many more of these bills of this character we may expect? On the last day on which private bills were considered we had a number of these bills, and this makes the third of this character that we have had to-day. Is there no way by which the Government can be relieved from these lawsuits and this liability at the port of New York?

Mr. KELLY of Pennsylvania. In answer to that question I will say that the Committee on Claims has not reported out any bills of this kind unless the department has stated that the matter should be referred to the court. Now, there is a general law providing that the Navy Department may settle losses up to a limited amount, about $500, and they are settling hundreds of cases of this kind.

Mr. PARRISH. Yes; I am aware of that.

Mr. KELLY of Pennsylvania. The Committee on Claims would like very much to be relieved of the responsibility of handling these numerous claims, but in the absence of a general law it becomes absolutely necessary for each case to be considered on its merits. This is the last bill of the kind on the calendar now, and, as far as I know, the last case now before the committee, although there will be others in the future.

Mr. PARRISH. I do not object.

Mr. McKEOWN. I think there is a good deal in what the gentleman from Massachusetts [Mr. WALSH] said about the freedom with which these recommendations are made by the Navy Department, and I am in accord with the position of the gentleman from Texas [Mr. PARRISH], that we ought to be very careful in the consideration of these claims, because it is an easy matter to pass them on to the Court of Claims and shift the responsibility. I am glad to hear the gentleman from Pennsylvania say that they will be careful with these cases.

Mr. KELLY of Pennsylvania. The gentleman and I are in complete accord; but we must do something to meet these individual cases which the Navy Department can not consider. I want to say that this bill provides that the Attorney General shall be notified, and carries provisions along the lines suggested by the gentleman from Illinois [Mr. MANN]; and I think without any doubt the Committee on Claims will employ that form in the future in any other similar bills that they report.

Mr. GARD. If the gentleman will yield, owing to the congestion in the harbors at Norfolk, Boston, New York, and other places during the time of the war, there were a great many instances where Government-owned vessels collided with privately owned vessels, inflicting damage. The question of the responsibility of the Government can best be determined by submission of the cases to a court. That seems to me to be very proper. I will say to the gentleman that there are a great number of these cases, and there probably will be a much greater number in the years to come, and that I have been in favor of a general bill conferring, within certain limits, general jurisdiction to sue the United States in the admiralty courts.

Mr. PARRISH. I notice in the bill that was passed a few minutes ago that the Secretary of the Navy distinctly stated in the letter he wrote that he did not believe the Government was responsible. I would like to ask the gentlemen in charge of these bills if they believe it is good policy to permit the United States Government to be sued in cases where those in charge have made a thorough investigation and state, after that investigation has been made, that the Government is not responsible in a case of this kind.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the claim of Wilhelm Alexanderson, of Atlantic City, N. J., owner of the motor boat *Spray*, against the United States, for damages alleged to have been caused by collision between the said motor boat *Spray* and the U. S. S. *Grebe*, a mine sweeper, which is owned by the Government of the United States and operated by the Navy of the United States, on the 30th day of May, 1919, may be sued for by the said Wilhelm Alexanderson in the district court of the United States for the district of New Jersey, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of Wilhelm Alexanderson or against Wilhelm Alexanderson in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. KELLY of Pennsylvania, a motion to reconsider the vote by which the bill was passed was laid on the table.

GEORGE W. GAMBLE.

Mr. RAKER. Mr. Speaker, Calendar No. 162 provides for the relief of George W. Gamble, just passed over, where I objected. I did so solely on the ground that I was not given an opportunity to explain. I now withdraw my objection to that bill.

Mr. KELLY of Pennsylvania. Mr. Speaker, I ask unanimous consent to return to Calendar No. 162.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to return to the consideration of Calendar No. 162. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

A bill (H. R. 1288) for the relief of George W. Gamble.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $45.50 to George W. Gamble, clerk of the circuit court in and for the county of Rock Island, in the State of Illinois, which sum was lost through the burglarizing of his office.

The SPEAKER pro tempore. Is there objection?

Mr. PARRISH. Reserving the right to object, I would like to ask the gentleman how this money was locked up which they claim to have been stolen?

Mr. KELLY of Pennsylvania. It was in the third story of the courthouse in a steel box carefully locked and secured. The evidence before the committee showed that every possible care was taken to protect the money, which belonged to the United States Government and was in charge of the circuit court, although the custodian got nothing in the way of compensation.

Mr. PARRISH. It was in a safe?

Mr. KELLY of Pennsylvania. In a steel box; in a safe properly locked.

Mr. RAKER. Mr. Speaker, I move to strike out the last word. In looking over the bill it shows that the safe was in the third story of the building and the burglar broke through the transom and obtained the money. Whether he blew open the safe or not I do not know, but I imagine he opened it, as most of the safes can be opened without being blown open. Therefore they lost the money that was in the possession and belonging to the United States Government.

Now, the committee having allowed the bill to be considered, and I think rightly, I want to refer to this to call attention to the other bill that I did not get fully before the committee. There the party had the door locked with an ordinary padlock; I suppose a Yale lock that would require to be broken. You break open the door and then open the first door of the safe. The other door was locked, the inner door was locked, and the safe was fully protected, and the Government's money was taken out. It was in the custody of the postmaster. Now, of course, it does not make any difference whether the parties are male or female, strong, able-bodied clerks, or widows, but I just hope that the next time we get back to these cases that are meritorious our friends will see their way clear to let the House consider the bills.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. Certainly.

Mr. WALSH. Does the gentleman make any distinction between this case and a case where by law or by regulation promulgated under the law certain receptacles must be provided and must be kept in a certain condition in order to absolve the officials of negligence?

Mr. RAKER. In answer to the gentleman's question in as concise form as I can, I think there is no question that there should be a following of the statute as well as the rules and regulations to obtain a refund from the Post Office Department for the moneys that are taken.

I think that is clear, but all cases depend on circumstances and facts of each case. In this instance I was going to show, although I did not have time, that the party had only been postmaster a little while. She had not become familiar with the fact that the combination must be changed. Now, to show that Congress does rely on the facts of each case, I want to say that two months ago this House permitted a bill to pass where the party had not changed the combination and where the safe was not locked.

I make this statement so that next time, with due deference to my distinguished friend from Massachusetts, if my voice a while ago seemed not to be harsh and that he thought there were tears in my voice and in my eyes in speaking of the facts and conditions as they exist, it appeals to a man's heart and to his sympathies in trying to do the right thing and to protect those who ought to be protected. I thank the House for the time it has given me and also the gentleman from Massachusetts.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. KELLY of Pennsylvania, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PASQUALE DOLCE.

The next business on the Private Calendar was the bill (H. R. 7573) authorizing payment of compensation to Pasquale Dolce for personal injuries.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I notice the compensation in this case by a committee amendment is reduced from $10,000 to $2,500, and that amount is greatly in excess of what he would have been allowed under the compensation law if compensation was permissible. I do not know how the committee arrived at this reduction of $7,500.

Mr. MACGREGOR. I followed the practice of the young attorney of putting in more than we expect to get. The gentleman from Connecticut [Mr. GLYNN] went over the case thoroughly and arrived at that figure of $2,500 as being fair compensation.

Mr. WALSH. Last week we passed one or two bills, I think, where we only gave $1,080 in cases where death ensued. This amount seems to be rather excessive. It seems that he had a fracture of his skull without depression; that he was otherwise bruised by scalp wounds, facial bruises, bruises on his legs, and in the back in the sacro-iliac region.

He is 52 years old and was struck by this automobile driven by a corporal taking a major or a superior officer in a hurry to catch a train. Well, possibly the gentleman is entitled to some compensation for the negligent driving of this machine. I understand that the department finds that the corporal was driving recklessly and negligently, but I could not quite agree that $2,500 is a proper compensation to pay this gentleman for his damages.

Mr. MACGREGOR. What would the gentleman from Massachusetts think he ought to get if he was in a court of law?

Mr. WALSH. Well, it is not to be handled in just that way, because there is no legal obligation here. His wages lost were $1,200. His doctor's bills amounted to $516. I should think if he got $1,800 that would be treating him very liberally in presenting him with this gratuity.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. WALSH. I will.

Mr. SUMMERS of Washington. Would the gentleman be willing to have a fracture of the skull for $1,800?

Mr. WALSH. No; I would not be for $18,000, but that does not change the principle. This is a mere gratuity. It was an injury that happened in May of last year at 5 minutes past 9 in the morning. If he went in a court he might possiby recover the loss of what he would have earned, and so forth, but we are not bound by those rules here. I believe where we pay a poor widow $1,080 where her husband was killed through negligence of some Government employee that we are not very consistent if we come along a week later and pay somebody $2,500 where he suffered the fracture of his skull and the loss of $1,200 in wages and $516 in doctors' bills.

Mr. SUMMERS of Washington. Will the gentleman yield again?

Mr. WALSH. Certainly.

Mr. SUMMERS of Washington. Does the gentleman think that he can make a right by two wrongs?

Mr. WALSH. No.

Mr. SUMMERS of Washington. Because we gave the widow not enough, is that any reason why we should fail to compensate this man?

Mr. WALSH. I have not said we did not give the widow enough.

Mr. SUMMERS of Washington. The gentleman intimated it.

Mr. WALSH. No; but I am saying we are giving this man too much.

Mr. McKEOWN. Will the gentleman yield?

Mr. WALSH. I will.

Mr. McKEOWN. Does the testimony in the case show that there was liability on the part of the Government at all?

Mr. WALSH. Not the slightest.

Mr. McKEOWN. It does not show that they were engaged in any special line of duty at the time?

Mr. WALSH. No; there was no liability. He was taking an officer to catch the train and driving his machine in a hurry as corporals usually do when they are driving a superior officer.

Mr. McKEOWN. I was going to say to the gentleman that if we are liable all the time for the fast driving of these Army cars we are certainly in bad shape.

Mr. MACGREGOR. There is abundant evidence of negligence, and the only reason why there is no liability is because under the law a citizen has no right to sue the Government.

Mr. McKEOWN. Does the record disclose that they were performing duty under order at the time the accident happened?

Mr. MACGREGOR. I assume that the corporal was obeying the orders of his superior officer.

Mr. McKEOWN. That is one of the necessary ingredients to place a liability on a corporation or a private individual.

Mr. GLYNN. The evidence is that he was going like a fire engine with the officer to catch the train, and the likelihood is that it did not make one particle of difference whether the officer caught that train or the next one. But he wanted to catch that train. Now, the question is that the man suffered that misfortune, and there is something more than $500 of doctor's bills to be taken out of this $2,500.

Mr. McKEOWN. Has any action been taken against the sergeant or corporal for his conduct?

Mr. GLYNN. I do not recall there was, I will say to the gentleman from Oklahoma.

Mr. McKEOWN. I do not take the position he ought not to be paid something. But if the Government is to pay damages every time some sergeant or corporal driving one of these cars runs over somebody at the rate they usually go we will have a long time to settle up.

Mr. GLYNN. I will say to the gentleman from Oklahoma that that is the established policy of this Government; certainly it is the policy of the Claims Committee that if a person, through no fault of his own, is injured by the recklessness of some soldier or officer in the Army that the innocent person ought not to be obliged to suffer that misfortune alone.

Mr. McKEOWN. I agree with the gentleman——

Mr. GLYNN. And your committee places this in a position where a private corporation would be placed.

Mr. McKEOWN. I agree with the gentleman, but I was just calling the attention of the committee to the fact, and desire to say that I think the committee ought to call the attention of the War Department to the facts and have these conditions stopped, if possible.

Mr. GLYNN. Now, with reference to some objections of the gentleman from Massachusetts. To my mind there is a distinction. They have provided for cases where the relation of master and servant exists. Where a person is an employee of the Government and he is injured then they have sought to provide compensation, but where the relation of employer and employee does not exist, then it seems to me that we should look at the cases something as we would look at them if it were a private corporation and if they were injured by a reckless employee as a servant of a private corporation.

Mr. BLAND of Indiana. If the gentleman will yield, when the American Expeditionary Forces ran over a citizen of France they did not merely get $1,050, and I think we ought to pay the American people as much as we pay a Frenchman, certainly.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, unless there is some disposition on the part of the people interested to agree to a very material reduction of this amount, I shall object.

The SPEAKER. Objection is made.

Mr. MACGREGOR. Mr. Speaker, I trust the gentleman from Massachusetts will withhold his objection.

Mr. WALSH. I will withhold it in order for the gentleman to make a statement.

Mr. MACGREGOR. Mr. Speaker, I think this amount is very moderate and fair.

I feel that this man, who was injured in May, and is still suffering from these injuries, should have fair compensation when he was injured by the recklessness of an employee of the United States Government.

Mr. BLANTON. Will the gentleman yield?

Mr. MACGREGOR. Certainly.

Mr. BLANTON. Does the gentleman intend to meet the requirements of the gentleman from Massachusetts?

Mr. MACGREGOR. That is what I am trying to get at. It is simply a question of agreement as to amount. I would like to ask the gentleman from Massachusetts if it would meet his objection if it was reduced to $2,000?

Mr. WALSH. Mr. Speaker, in response, I would say that unless it was reduced to $1,716, which is apparently the loss from wages and expenses of doctors' bills and the committee would offer that as a committee amendment, I would object. The gentleman, I know, appreciates it is not a personal objection. But I believe we can not keep on making these precedents, because we will be rolling these claims up by the thousands and will not be able to pay them. I think we have got to keep within some bounds of reason here and try to follow some standard. As the gentleman from New York recalls, last week we paid two or three death claims and we based them solely on loss of earnings. One poor woman had paid $76 for a doctor's bill before her husband died, and we paid her $1,000. I think we are liberal with this particular person, unfortunate as he was. I believe if we should confine it to $1,716 that would be treating him very fairly under the circumstances.

Mr. MACGREGOR. Under the circumstances, Mr. Speaker, I accept the amendment.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money not otherwise appropriated, to Pasquale Dolce the sum of $2,500 as full compensation for injuries received on May 19, 1919, at Buffalo, N. Y., when he was struck by a truck operated by the United States Army.

Also the following committee amendments were read:

Strike out "$10,000" in line 5 and insert "$2,500."

Mr. WALSH. Mr. Speaker, I offer a substitute for the committee amendment.

The SPEAKER. The gentleman from Massachusetts offers a substitute, which the Clerk will report.

The Clerk read as follows:

Strike out "$2,500" and insert "$1,716."

The SPEAKER. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The amendment was agreed to.

The SPEAKER. The Clerk will report the further committee amendment.

The Clerk read as follows:

After the word "as" in line 6 insert the word "full."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MANN of Illinois. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN of Illinois. There was a committee amendment, and that amendment was amended by a substitute. Did the Clerk get it that the committee amendment was then agreed to?

The SPEAKER. The Clerk states that he did. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. MACGREGOR, a motion to reconsider the vote by which the bill was passed was laid on the table.

APPOINTMENT OF CONFEREE ON NAVY PAY BILL.

The SPEAKER announced the appointment of Mr. BRITTEN as one of the managers on the part of the House on the disagreeing votes of the two Houses on the bill H. R. 11927, the Navy pay bill, to fill the vacancy caused by the death of Mr. BROWNING.

FIRST NATIONAL BANK OF NEW CARLISLE, IND.

The next business on the Private Calendar was the bill (H. R. 8881) authorizing the Secretary of the Treasury to reimburse the First National Bank of New Carlisle, Ind., for the loss of war-savings stamps and thrift stamps.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is anyone particularly in charge of the bill?

Mr. HICKEY. I know something about the facts of the case.

Mr. GARD. What I wanted to call the attention of the gentleman to was that if we expect to follow the same rule that we have followed in cases of this kind it certainly would be necessary to add to the gentleman's bill the fact that the surety bond should be given as required by the Treasury Department of the United States.

Mr. HICKEY. For what purpose should a surety bond be given, in the opinion of the gentleman? For the purpose of indemnifying the Government if the stamps are found?

Mr. GARD. For indemnifying the Government against loss if the stamps are found.

Mr. HICKEY. I am perfectly willing to have that amendment, but it would seem——

Mr. GARD. I will state to the gentleman that the very next bill on the calendar provides that where certificates of indebtedness were stolen from a York County savings bank in May, the bank is to first file with the Treasury Department a bond in a sum double the amount of principal in order to save harmless the United States from any loss on account of the savings stamps.

Mr. HICKEY. If the gentleman from Ohio will read the report he will observe that the bank deposited with one of the Federal reserve banks the sum of $1,000 in bonds, and that the Government had been reimbursed by the sale of those bonds to the extent of the value of the stamps.

Mr. GARD. The Government has been reimbursed?

Mr. HICKEY. Yes; to the extent of the value of the stamps.

Mr. GARD. It would not be necessary, then, to offer the amendment?

Mr. HICKEY. It would seem not.

The SPEAKER. Is there objection to the present consideration of the bill. [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the First National Bank of New Carlisle, Ind., agents of the Treasury Department, for the sale of war-savings stamps and thrift stamps, the sum of $923.25, to reimburse said bank for war-savings stamps and thrift stamps lost on account of burglary during the month of April, 1918.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. Without objection the title will be amended in accordance with the text.

There was no objection.

On motion of Mr. HICKEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

YORK COUNTY SAVINGS BANK, OF BIDDEFORD, ME.

The next business in order on the Private Calendar was the bill (S. 2811) for the relief of the York County Savings Bank, of Biddeford, Me.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLACK. Reserving the right to object, I would like to ask whoever has knowledge about this bill a question or two about it. In looking over the testimony in this case I find that the postmaster, in order to arrive at the amount of stamps that he lost, gives the amount that he had on hand in the previous quarter, and it is——

Mr. KELLY of Pennsylvania. The gentleman is referring to the wrong bill, I believe.

Mr. BLACK. I beg the gentleman's pardon. I thought this was the postmaster's bill.

Mr. KELLY of Pennsylvania. No. This is to return to a bank certificates of indebtedness.

Mr. BLACK. It was to another bill that I had reference. I withdraw my reservation of an objection, Mr. Speaker.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem certificate of indebtedness of the United States of America No. 13867, denomination of $5,000, of the issue dated August 6, 1918, and maturing December 5, 1918, with interest at the rate of 4½ per cent from August 6, 1918, to December 5, 1918, in favor of the York County Savings Bank, of Biddeford, Me., without presentation of the certificate, the said certificate of indebtedness having been lost or destroyed: *Provided*, That the said York County Savings Bank, of Biddeford, Me., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal and interest of said certificate of indebtedness of the United States of America in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost or destroyed certificate of indebtedness hereinbefore described.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. KELLY of Pennsylvania, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. The Clerk will report the next bill.

Mr. GARD. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. BLAND of Indiana. Will the gentleman withhold that for a moment? There are only a few more bills on the calendar.

The SPEAKER. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count.

ADJOURNMENT.

Mr. GLYNN. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 37 minutes p. m.), the House, under its previous order, adjourned until Monday, April 5, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Chief Scout Executive, transmitting the annual report of the Boy Scouts of America for the year ending December 31, 1919 (H. Doc. No. 708); to the Committee on Education and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Honolulu Harbor, Hawaii; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HASTINGS, from the Committee on Indian Affairs, to which was referred the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310, Public, No. 77), reported the same without amendment, accompanied by a report (No. 784), which said bill and report were referred to the House Calendar.

Mr. BARBOUR, from the Committee on the Public Lands, to which was referred the bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes, reported the same with amendments, accompanied by a report (No. 785), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SINCLAIR, from the Committee on Indian Affairs, to which was referred the bill (H. R. 13139) for the sale of isolated tracts in the former Fort Berthold Indian Reservation, N. Dak., reported the same with amendment, accompanied by a report (No. 786), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 30) to permit the disposition of certain lands in Montana ceded by the Crow Indians, reported the same without amendment, accompanied by a report (No. 787), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WATSON: A bill (H. R. 13400) authorizing the Secretary of War to donate to Glenside Post, No. 248, of the American Legion, Glenside, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13401) authorizing the Secretary of War to donate to Montgomery County Post, No. 248, of the American Legion, Glenside, Pa., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. BARBOUR: A bill (H. R. 13402) for the purchase of land occupied by experiment vineyards near Fresno and Oakville, Calif.; to the Committee on Agriculture.

By Mr. IRELAND: A bill (H. R. 13403) establishing a bureau of war benefits in the Department of the Interior; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND of Indiana: A bill (H. R. 13404) donating a captured German cannon or field gun and carriage to the town of Loogootee, Ind., for decorative purposes; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 13405) terminating certain powers of the President in respect to fuel; to the Committee on Interstate and Foreign Commerce.

By Mr. MAPES (by request of the Commissioners of the District of Columbia): A bill (H. R. 13406) to regulate within the District of Columbia the sale of milk and certain milk products, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROGERS: A bill (H. R. 13407) to transfer to the Bureau of War Risk Insurance of the Treasury Department the care of the discharged sick or disabled soldiers, sailors, and marines provided by the United States Public Health Service, and to transfer the vocational rehabilitation of disabled persons discharged from the military or naval forces of the United States from the Federal Board for Vocational Education to the Bureau of War Risk Insurance of the Treasury Department; to the Committee on Interstate and Foreign Commerce.

By Mr. EMERSON: Joint resolution (H. J. Res. 326) authorizing and directing the Secretary of War to loan tents to cities to relieve the housing situation; to the Committee on Military Affairs.

By Mr. PORTER: Joint resolution (H. J. Res. 327) terminating the state of war declared to exist April 6, 1917, between the Imperial German Government and the United States, permitting on conditions the resumption of reciprocal trade with Germany, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MACGREGOR: Memorial of the Legislature of the State of New York, disapproving of the St. Lawrence ship canal project; to the Committee on Foreign Affairs.

By Mr. ROWAN: Memorial of the Legislature of the State of New York, urging upon Congress the necessity of sufficient appropriation to employ 1,500 men at the Watervliet Arsenal; to the Committee on Military Affairs.

By Mr. GOLDFOGLE: Memorial of the Legislature of the State of New York, urging upon Congress the necessity of sufficient appropriation to employ 1,500 men at the Watervliet Arsenal; to the Committee on Military Affairs.

By Mr. O'CONNELL: Memorial of the Legislature of the State of New York, urging upon Congress the necessity of sufficient appropriation to employ 1,500 men at the Watervliet Arsenal; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 13408) granting a pension to Julia C. Wharton; to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 13409) granting a pension to Mary L. Lewis; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 13410) granting a pension to Sarah E. Kennison; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 13411) granting an increase of pension to Thomas T. Hurdle; to the Committee on Invalid Pensions.

By Mr. VAILE: A bill (H. R. 13412) granting an increase of pension to David A. Gardner; to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 13413) granting a pension to Clara H. Farnsworth; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 13414) granting a pension to Celestine Schaeffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13415) granting a pension to Alvaro Sunderland; to the Committee on Pensions.

By Mr. HUTCHINSON: Resolution (H. Res. 509) for the relief of May Carroll; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2733. By the SPEAKER (by request): Petition of numerous citizens of Chicago, Ill., asking recognition of the Irish republic; to the Committee on Foreign Affairs.

2734. Also (by request), petition of Roxbury Post, No. 44, American Legion, Massachusetts, favoring $50 per month bonus for service men; to the Committee on Ways and Means.

2735. By Mr. GALLIVAN: Petition of Cleaveland A. Chandler, of Boston, Mass., opposing House bill 12976; to the Committee on Ways and Means.

2736. Also, petition of Lever Bros. Co., of Cambridge, Mass., opposing amendments to Federal reserve system; to the Committee on Banking and Currency.

2737. Also, petition of Gillette Safety Razor Co., favoring development of parcel-post treaty with Cuba; to the Committee on the Post Office and Post Roads.

2738. Also, petition of 5,000 members of the South Dakota Federation of Women's Clubs, favoring appropriation for the United States Interdepartmental Social Hygiene Board; to the Committee on Appropriations.

2739. Also, petition of sundry citizens of Chicago, Ill., favoring recognition of the Irish republic; to the Committee on Foreign Affairs.

2740. By Mr. LUFKIN: Petition of the Central Labor Union of Haverhill, Mass., urging an investigation into the activities of the Bureau of Immigration; to the Committee on Immigration and Naturalization.

2741. By Mr. MACGREGOR: Petition of the Federal Employees' Union, No. 19, of Buffalo, N. Y., relative to the privileges of Government employees, etc.; to the Committee on the Judiciary.

2742. Also, petition of employees in the custodian service in the Federal building at Buffalo, N. Y., urging the bonus for Federal employees, etc.; to the Committee on Appropriations.

2743. Also, petition of the United States engineer office at Buffalo, N. Y., urging support of an amendment in House bill 11892, rivers and harbors bill; to the Committee on Appropriations.

2744. Also, petition of the Builders' Association Exchange of Buffalo, N. Y., urging the defeat of House bill 12320; to the Committee on Immigration and Naturalization.

2745. By Mr. MAPES: Petition of Samuel T. Fry and 7,500 citizens of the United States, opposed to universal military training; to the Committee on Military Affairs.

2746. By Mr. MOONEY: Petition of the Air Service Post, No. 137, of Cleveland, Ohio, urging the passage of House bill 10835; to the Committee on Military Affairs.

2747. By Mr. MOTT: Petition of citizens of the city of Watertown, N. Y., protesting against the murder of Thomas MacCurtain, lord mayor of Cork, Ireland; to the Committee on Foreign Affairs.

2748. By Mr. O'CONNELL: Petition of James H. Rhodes & Co., of New York, opposed to House bill 12379; to the Committee on Banking and Currency.

2749. By Mr. ROWAN: Petition of the American Commission of Irish Independence, of Cook County, Ill., relative to Ireland; to the Committee on Foreign Affairs.

2750. Also, petition of the National Board of Farm Organizations, opposing the memorial introduced by the Philadelphia Board of Trade, etc.; to the Committee on Interstate and Foreign Commerce.

2751. Also, petition of the Corman Co., of New York City, opposing House bill 12976; to the Committee on Ways and Means.

2752. Also, petition of the Kelley-Clarke Co. (Inc.), of New York, opposed to House bill 12909; to the Committee on the Territories.

2753. Also, petition of the Harvey & Outerbridge Co., of New York, opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2754. By Mr. TAGUE: Petition of the Horrigan & Doe Co., of Boston, Mass., opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2755. Also, petition of the Tri-Mountain Garrison, No. 98, Army and Navy Union, urging the passage of House bill 6862; to the Committee on Naval Affairs.

2756. Also, petition of the Sylpho-Nathol Co., of Boston, Mass., urging the 1-cent drop postage; to the Committee on the Post Office and Post Roads.

2757. Also, petition of the Roxbury Post, No. 44, American Legion, Roxbury, Mass., urging adjusted compensation for the ex-service men, etc.; to the Committee on Ways and Means.

2758. By Mr. WASON: Petition of W. H. Cadwell and 2,514 residents of Nashua, N. H., employees of the Nashua Manufacturing Co., urging the daylight savings law, etc.; to the Committee on Interstate and Foreign Commerce.

2759. By Mr. WINGO: Petition of R. C. Hatcher and others of Van Buren, Ark., protesting against universal military service, etc.; to the Committee on Military Affairs.

SENATE.

FRIDAY, *April 2, 1920.*

(Legislative day of Thursday, April 1, 1920.)

The Senate reassembled at 12 o'clock noon, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Harrison	Moses	Smoot
Calder	Henderson	Myers	Spencer
Capper	Jones, Wash.	Nelson	Sterling
Comer	Kellogg	New	Sutherland
Culberson	Kendrick	Norris	Thomas
Cummins	Keyes	Nugent	Townsend
Curtis	Kirby	Overman	Trammell
Dial	Knox	Page	Underwood
Dillingham	Lenroot	Phipps	Wadsworth
Fernald	Lodge	Pomerene	Warren
France	McCumber	Sheppard	Watson
Gay	McKellar	Smith, Ariz.	
Gronna	McLean	Smith, Md.	
Hale	McNary	Smith, S. C.	

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness. I ask that this announcement may stand for the day.

Mr. McNARY. I wish to announce the absence of my colleague [Mr. CHAMBERLAIN] on account of illness.

Mr. McKELLAR. The Senator from Arizona [Mr. ASHURST], the junior Senator from Virginia [Mr. GLASS], the junior Senator from North Carolina [Mr. OVERMAN], the Senator from California [Mr. PHELAN], the senior Senator from North Carolina [Mr. SIMMONS], and the senior Senator from Virginia [Mr. SWANSON] are absent on official business.

The PRESIDENT pro tempore. Fifty-three Senators have answered to their names. A quorum is present.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented a petition of sundry citizens of Augusta, Kans., praying for the enactment of legislation providing for the public protection of maternity and infancy, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of sundry citizens of Topeka, Kans., praying for the enactment of legislation providing for the parole of Federal prisoners, which was referred to the Committee on the Judiciary.

He also presented a petition of the Sheep and Wool Growers' Association of Morgan County, Ohio, praying for the enactment of legislation providing for the labeling of substitutes for virgin wool in the manufacture of wearing apparel, which was referred to the Committee on Interstate Commerce.

Mr. LODGE presented a petition of sundry engineers of the General Electric Co., of Lynn, Mass., praying for the enactment of legislation to increase the salaries of the employees of the Patent Office, which was referred to the Committee on Patents.

He also presented a petition of the Massachusetts Society of Sons of the American Revolution, praying for the enactment of legislation to change the name of the Panama Canal to the Roosevelt Canal, which was referred to the Committee on Interoceanic Canals.

Mr. JONES of Washington presented a telegram in the nature of a petition from sundry citizens of Seattle, Wash., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented resolutions of the Central Labor Council of Tacoma, Wash., favoring an investigation into the activities of the Bureau of Immigration, which was referred to the Committee on Immigration.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a petition of the Chamber of Commerce of Battle Creek, Mich., praying for the enactment of legislation to increase the compensation of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also (for Mr. NEWBERRY) presented a petition of the Engineering Society of Detroit, Mich., and a petition of the Board of Commerce of Detroit, Mich., praying for the enactment of legislation to increase the compensation of certain civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

He also (for Mr. NEWBERRY) presented a petition of the State Nurses' Association, of Bay City, Mich., praying for the enactment of legislation granting rank to Army nurses, which was referred to the Committee on Military Affairs.

BACA FLOAT NO. 3, ARIZONA.

Mr. SMITH of Arizona, from the Committee on Public Lands, to which was referred the bill (S. 2728) for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona, reported it without amendment and submitted a report (No. 498) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:

A bill (S. 4179) for the relief of Elizabeth A. Sites; to the Committee on Military Affairs.

By Mr. SWANSON:

A bill (S. 4180) authorizing the Secretary of War to donate to the town of Schoolfield, county of Pittsylvania, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 4181) for the relief of George T. Larkin; and

A bill (S. 4182) for the relief of George T. Larkin; to the Committee on Claims.

By Mr. SUTHERLAND:

A bill (S. 4183) granting a pension to John W. Jeffries; and

A bill (S. 4184) granting an increase of pension to Calvin I. Newman; to the Committee on Pensions.

By Mr. HARDING:

A joint resolution (S. J. Res. 185) to provide for suitable memorials for persons who lost their lives while in the military or naval forces of the United States during the war with Germany; to the Committee on Military Affairs.

ARMY REORGANIZATION.

Mr. PHELAN submitted an amendment intended to be proposed by him to the bill (H. R. 12775) to amend an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, which was referred to the Committee on Military Affairs and ordered to be printed.

AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment proposing to appropriate $2,000 to aid the Columbia Polytechnic Institute for

the Blind, of Washington, D. C., etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. McKELLAR submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. SWANSON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENT OF THE RULES.

Mr. McLEAN. Pursuant to the notice I gave on the 24th ultimo of a proposed amendment to the Standing Rules of the Senate, I submit a resolution and ask that it be referred to the Committee on Rules.

The resolution (S. Res. 343) was referred to the Committee on Rules, as follows:

Resolved, That Rule XIV of the Standing Rules of the Senate be amended by adding thereto a new paragraph, as follows:

"6. Every bill and joint resolution which seeks to amend an existing law shall, when offered, definitely state the changes and additions proposed and the law as it will read when amended."

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On March 31, 1920:

S. 696. An act to carry out the findings of the Court of Claims in the case of Frank S. Bowker; and

S. 2257. An act for the relief of George B. Hughes.

On April 1, 1920:

S. 1329. An act to authorize the Secretary of the Interior to acquire certain Indian lands necessary for reservoir purposes in connection with the Blackfeet Indian reclamation project; and

S. 2709. An act authorizing the Secretary of the Interior to issue patent to school district No. 8, Sheridan County, Mont., for block 1, in Wakea town site, Fort Peck Indian Reservation, Mont., and to set aside one block in each town site on said reservation for school purposes.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes.

The PRESIDENT pro tempore. The pending question is on the amendment proposed by the Senator from Montana [Mr. MYERS].

Mr. MYERS. The Senator from Utah [Mr. SMOOT] told me that he wishes to make a statement, and I promised to give way to him.

GOVERNMENT PUBLICATIONS.

Mr. SMOOT. Mr. President, in an investigation made by the Joint Committee on Printing as to where the public documents go and how they are distributed, I wish to make a short report this morning as to one way by which publications are distributed.

Mr. Frederick J. Haskin, located on U Street, I think, is a newspaper correspondent and a representative of—I can not state how many papers in the United States. I suppose Senators have received a copy of their home paper and in the paper noticed inserted an advertisement of Mr. Frederick J. Haskin, in which it is stated that if the reader will clip the advertisement out of the paper and attach to it a 2-cent stamp and send it to Mr. Frederick J. Haskin he will send in return any public document that the sender may ask for.

I have a report of the number of Government publications which have been delivered to Mr. Frederick J. Haskin from January 5, 1918, to March 30, 1920. I call the attention of Senators to the fact that during that period, a little over one year, Mr. Haskin has received 1,329,475 copies of Government publications. I can not state whether they have all been sent out to parties requesting them or not. I find in the list as high as 82,715 copies of one document.

Mr. KNOX. May I inquire from whom Mr. Haskin receives these documents?

Mr. SMOOT. From the different departments of the Government, from the Public Health Service, from the Bureau of Mines, from the Agricultural Department——

Mr. KNOX. Does the Senator happen to know whether he has received them directly from the departments or on the orders of Senators and Members of the House?

Mr. SMOOT. I know that he has received them directly from the departments, and they have been delivered directly to his office.

Mr. KNOX. The reason why I make the inquiry is because Mr. Haskin came to me some time ago and stated that there were a certain number of documents to my credit for which there was no demand and which had been lying there for some years. He stated that he had a plan by which he could disseminate these documents and they would fall into the hands of people interested in them, and I gave him an order for quite a quantity. I wondered whether that was the way he got his collection.

Mr. SMOOT. I have no doubt that he made the requests from the departments and received the documents, although he may have called upon Representatives and Senators and asked them to give him an order for public documents to their credit and he would make the selection thereafter. But that is neither here nor there. I am only making this statement as a basis for what I hope will take place in the very near future in the consideration of a certain bill which, I hope, when it is presented to the Senate will not take long to discuss and put on its passage.

Mr. POMERENE. Mr. President——

Mr. SMOOT. I yield to the Senator from Ohio.

Mr. POMERENE. Some time ago—I am not now able to give the source of my information—I was told that a number of these documents, and so forth, were received from the departments and sold. I do not mean even to suggest that it was done by Mr. Haskin, but it prompts me to make this inquiry: Are these documents distributed gratis or are they charged for?

Mr. SMOOT. I do not think Mr. Haskin charges anything for the documents. He requires, however, that a 2-cent stamp be sent to him before he will send any document. Of course, there are a lot of farm bulletins among them, which it never costs 2 cents to send, but I am not saying that Mr. Haskin is making money out of these documents, because I do not know it. However, I think it gives him a standing with a clientele of people in the United States by the free distribution of these documents, which he uses in order to secure the appointment as representative of newspapers from all parts of the country.

Mr. President, these documents are printed for distribution by the departments and Senators and Representatives, and the intention originally was that they should be sent to the constituents of Senators and Representatives. The Joint Committee on Printing this morning passed the following resolution, and I think it is due to Congress to know that this resolution, under the printing act, has been adopted by that committee:

That no person connected with any department of the Government shall furnish any publication for free distribution to any private individual, corporation, or agency in lots to exceed 50 copies without first making application to the Joint Committee on Printing, giving the name of the person or agency desiring the publications, the name of the publication, and the number of copies desired: *Provided*, That this regulation shall not apply to publications which are sold at a price to cover the cost of same: *Provided further*, That the clerk of the Joint Committee on Printing be instructed to furnish to each department of the Government and to the Public Printer a copy of this resolution with a request that the receipt of same be duly acknowledged.

Mr. President, the so-called printing bill has passed the House and is now before the Printing Committee of the Senate. I hope that when the bill is reported to the Senate there will be no objection to its early consideration, for when the bill becomes a law the present practice will cease, as the amount of printing permitted to be done for each Senator and each Representative will be limited to a fixed sum in dollars and cents. Then Senators and Representatives may secure just the documents their constituents want, and if documents are printed in which they are not at all interested such documents are not to be charged to the credit of the Senator or the Representative for Government publications.

I think the practice in the past has been an abuse, and I am sure it never was intended such a course would be allowed. I am quite sure that it ought to cease.

CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, the pending question being on the amendment of Mr. MYERS, which was to insert a new section to be known as and numbered section 15, to read as follows:

SEC. 15. That none of the provisions of this act shall apply to and none of its benefits shall be received or enjoyed by any person who is a member of any association, society, organization, or union of Gov-

ernment employees which is affiliated with, subject to, or a member or component part of, or acknowledges the authority of, any higher or superior body or institution of organized labor; and, subject to the approval of the Secretary of the Interior, the Commissioner of Pensions shall make and enforce rules for the enforcement of this section and governing the method and character of proof required in order that employees may receive the benefits of this act.

Amend further by renumbering the subsequent sections in accordance herewith.

Mr. MYERS resumed and concluded the speech heretofore begun by him. The entire speech is as follows:

Mr. President, the purpose of my amendment is to prevent the affiliation of Federal employees' unions with higher or parent bodies of organized labor or at least to prevent employees of the Government who are so affiliated from enjoying the benefits and privileges of this bill. The real object is to discourage the affiliation of Federal employees' unions with higher and outside organizations.

That brings to an issue before the Senate the question of whether or not, in the judgment of the Senate, Federal employees should be members of organizations which are affiliated with higher or superior or parent bodies of organized labor; in fact, with the American Federation of Labor. I think that question should be decided by the Senate. It is growing in importance. The employees of the Federal Government are being very rapidly gathered into the Federal employees' union, all of which are affiliated with the American Federation of Labor. A large majority of the employees of the Federal Government are now so affiliated, and the American Federation of Labor, I understand, is rapidly gathering in those who are not so affiliated, and it appears to me, unless checked by law, only a question of a short time when nearly all of the employees of the Federal Government will belong to organizations which are affiliated with the American Federation of Labor.

I think the wisdom of that is a question which should be decided by Congress, and here is an opportunity for the Senate to pass upon it and decide it. I want the Senate to register its judgment on that question. If it is all right, if it meets with the approval of Congress, then let it be so decided, and let the status of the matter remain as it now is. If it meets with the disapproval of Congress, the sooner Congress registers that disapproval the better.

I have nothing to say against the American Federation of Labor as an organization. I have nothing to say against anybody in it. I know there are many good people in that organization. I believe that the great majority of that organization are good people and good citizens. I flatter myself I have some friends in that organization. There are many people in that organization whom I respect, and it is all right for the American Federation of Labor to exist. It is all right for people who work for wages to organize themselves into unions, and to confederate or consolidate into one superior, central body, which will govern their actions and control their policies. That, it appears, has become a necessity at this stage of the industrial world.

But whether or not we should go further than that and say it is all right for employees of the Federal Government to ally themselves with such an institution, in such a way, is entirely a different question. When I say it is all right for employees to associate themselves together in unions of organized labor, I mean it is all right for the employees of industrial institutions and corporations and private employers. That is all right. It seems to be necessary for employees to combine their strength in order to advance their interests and protect their rights. But when you come to employees who work for the Federal Government it presents an entirely different question to be decided.

I claim that employees who work for the Federal Government are analogous to soldiers in an army. They should owe their entire allegiance and loyalty and affiliation to the Government for which they work. They should not enter into any movement of affiliation or association which might put them in an attitude of antagonism to the Government for which they work, because the general welfare is at stake; the welfare of the entire body politic, of the entire people, of the Government itself, is at stake, and I do not believe that any Federal employee should be permitted, innocently or otherwise, to form any association or affiliation which might, by any chance, lead him, in association with others, to take a position or a stand which might be antagonistic to the true interests of the Government which employs him and feeds him, and upon which we are all dependent for our peace, tranquillity, and welfare.

Yet this is going on all the time at an ever-increasing rate, and I claim that some very pernicious effects come from it, some very detrimental results.

The complaints which I receive by mail and in person from Federal employees who are not members of the Federal employees' unions are very numerous and some of them very grave. I do not think the Federal Government wants to run a closed shop, a unionized shop, so that nobody other than a member of a labor union can work for the Government or enjoy his full rights. I do not think anybody would undertake that, and yet complaints come to me frequently, in person and through the mail, from employees of the Federal Government who are not members of Federal employees' unions, in which they complain that they are discriminated against and that it is very difficult for a Federal employee who is not a member of a Federal employees' union to obtain any promotion, any advancement, any increase of pay, and sometimes even difficult for him to hold his position.

From representations that have been made to me, the selection of employees to fill positions in the Federal departments is largely under the influence of and governed by the Federal employees' unions, and in the beginning by committees of those unions which pass upon applications of that nature. I am informed that when it comes to promotion and advancement, there are committees of the Federal employees' unions in the various departments which make recommendations in those matters, and that unless an employee belongs to a Federal employees' union it is almost impossible for him to expect from a committee of that union any recommendation for advancement or promotion or increase of pay, and that it is sometimes rather difficult for him, without the good will of such a committee of the Federal employees' unions, even to hold his position.

Many such instances have been brought to my attention. I have a communication here from a member of the Federal employees' union who worked in the Burau of Engraving and Printing. It is not only those employees who do not belong to the Federal employees' union who complain of discrimination and partiality that is worked through the unions. The nonunion members do not do all the complaining, by any means, but some of the people who belong to the unions write me or come to me and tell me of discrimination and injustice which is worked through the unions. Some of them say they join in self-defense; that they are compelled to join; that they are nagged at and are terrorized until they have to join for fear of losing their places. Others join willingly, but feel that the operation of the unions within the departments is not to the best interest of the Government and not for the good of the departments.

I have a communication here from one who has been an employee of the Bureau of Engraving and Printing and who is a member of the Federal employees' union. He writes at considerable length, and says that during the war, when there was a great rush of work in the Bureau of Engraving and Printing, when it was required to turn out a great many bonds and securities, and had a great deal of extra work on account of the war, the bureau needed many additional employees, and that a man was brought from New York and put in the bureau to have charge particularly of getting new employees; that this party was a member of organized labor; that he would not bring anybody over here and put him to work unless he was a member of a labor union; that he filled up the Bureau of Engraving and Printing almost wholly with union men. This correspondent writes of some of those men, and says:

> These men brought here through the organizer were men of low character—thugs, etc.—some having prison records. None were able to do the work they were assigned to do. The results were the bureau was tied up in getting out securities during the war. When the organizer was asked why he had brought such people here, he stated to cripple the bureau and get rid of Mr. Ralph, who they—the union men—claimed was not a friend of organized labor. The result was that Mr. Ralph resigned, owing to many complaints.

He writes further and says that, having gotten rid of Mr. Ralph, the next move was to get rid of a chief in one of the divisions there; that he was removed from his position and given an inferior and subordinate position.

He writes of many incidents in the Bureau of Engraving and Printing of partiality to union men and discrimination against men who were not connected with the unions. He writes of many intrigues that went on to displace some of the men who were not union men, and says that in every instance where they were displaced they were replaced with union men, and in the great majority of cases by men who were not so competent and who did inferior work.

If the conditions which he discloses are true, it is a very bad state of affairs. I will read, without giving names, some of the instances that he cites.

> Mr. ———, a lithographer, was employed in the bureau; a member of the lithographers' union; enlisted in the war; passed through battles in the war; asked for his reinstatement upon his return to this country from the war and was refused.

My informant explains that the lithographers' union is not connected with the Federal employees' union and is not affiliated with the American Federation of Labor, and that the men who belong to it are not considered union men.

> Another one: Mr. ———, of the watch force, and a friend of the organizer, was transferred on the rolls as a pressman and given a higher position at a higher rate of pay.

Mr. ———, an offset pressman, another member of the union, was discharged on trumped-up charges. Senatorial influences prevented his complete discharge.

Mr. ———, not a member of the union, was discharged on framed-up charges.

Mr. ——— enlisted from the general Printing Office and upon his return was sent to the bureau as a personal matter.

Mr. ———, formerly of the District of Columbia police force, was sent to the bureau, although no printer.

Seven practical lithographers from the States were discharged, all members of the lithographers' union, to make room for the organizer's friends without experience.

Mr. ———, a former walking delegate or coworker with the organizer in loading the bureau with undesirable help, was given a desirable position.

Mr. ———, the most able man in the room, was made foreman, but compelled to resign to make room for friends.

November 8, 1919, there were employed on 13 offset presses 21 journeymen, 3 apprentices, and 2 helpers, whereas if honest labor were encouraged there would be but 13 journeymen operatives and a helper for each press or journeyman, which would make a saving of at least $5 a day per press or man.

Mr. ———, nonunion, formerly foreman, compelled to resign.

I will not give the name of the writer of that letter, because conditions are such that I think it would be unjust to him for me to do so. He cites other instances, which I will not take the time to read.

I do not believe all charges of this character have been made to me. I think many similar charges have been made to other Members of Congress, and it is a question for Congress to decide whether it wants to take any cognizance of these things or not. If Congress does not want to pay any attention to them, if Congress does not desire to take any notice of these complaints, which I am sure have been made to other Members of Congress as well as to me, it is all right; let Congress go ahead and ignore them if it so desires, but I think they portray a bad state of affairs.

I believe that the influence of the Federal employees' union in the departments of the Government produces bad results in a number of respects. I do not think there can be any serious or valid objection to the employees of a department simply associating themselves together in a local union or band or association to meet and consult about their common good and to confer about their interests and present their grievances, if they may have any, to the head of the bureau or department; but I do not believe they should be affiliated with a higher and an outside power which is entirely outside of the Government departments, a foreign body, you may say, which has other interests, some of which may conflict with the interests of the Government and may place some other authority or power some time in conflict with the true interests of the Government.

When such a thing occurs, then inevitably the result is a divided allegiance on the part of the Federal employees; at least they are put in an embarrassing position, where they can not render full allegiance or loyalty to either one of two conflicting interests with which they are affiliated, to each of which they may think they owe some duty. Those conditions do arise; there is no doubt about that. We might as well be frank about it; we might as well face the facts as they are. We know that the American Federation of Labor in late months has repeatedly put itself in a position of opposition to Congress and to the United States Government. That may be all right for people who do not work for the Government; it may be all right for an independent citizen who is a farmer or tradesman or professional man or who works for a private institution. If he thinks that the Government is unjust about anything it is his privilege, as a citizen, to put himself in opposition to the Federal Government, providing he does not go too far in his opposition, and he takes the risk of doing that. However, I do not question his right to some extent, within the bounds of loyalty and law, to put himself in opposition to the Federal Government. That may be the right of a man or a body of men not working for the Federal Government; but those who are working for the Federal Government should not put themselves in a position where they can be drawn, through affiliation with others, into a position of opposition to the Government, which they are sworn to serve and from which they draw their living and to which they owe their supreme and entire allegiance.

As I have said, I am not at this time criticizing any association or any body of men which does not work for the Government in putting itself in opposition to any policy or action of the Government so long as those involved do not violate any law. Leave that for them to decide; leave that to their judgment. If people who do not work for the Government are banded together in a body or association, so long as they do not transcend the law, if they want to put themselves in opposition to the Federal Government, its policies or acts, or into an attitude of hostility thereto, let them decide whether or not that is proper. I am not now criticizing them; for my purpose at this time I concede their right to do so; but is it right for them to draw along with them, into their position of opposition or hostility to the Federal Government, those who work for the Federal Government? I say there we have an entirely different state of affairs, and that, I claim, is wrong.

As I understand, all, or nearly all, of the Federal employees' unions are affiliated with the American Federation of Labor, a higher and superior authority, an outside body of organized labor which has no connection with the Government. Through that association it is inevitable that Federal employees will at times be drawn into a position of opposition to the Federal Government. The members of the Federal employees' union, I understand, all pay assessments to the American Federation of Labor; they pay dues to the American Federation of Labor, and they may be called upon to pay strike benefits to the American Federation of Labor.

At any rate, if the American Federation of Labor may put itself in opposition to the Government or to the peace and welfare of the country, the members of the Federal employees' union, who are thereby affiliated with the American Federation of Labor, must necessarily give that parent body their moral support, and thereby come in conflict with the interests of the Government for which they work. There have been, as we all know, instances of that kind. Last summer a threat was made that all of the railroad employees of the United States would go on a nation-wide strike, and while, as I understand, they are not all affiliated with the American Federation of Labor, some of them, I believe, are; and we know if the railroad employees had gone on a nation-wide strike they would have had the influence and support in their strike of the American Federation of Labor; in fact, it was plainly and openly so stated by officials of the Federation.

Had that strike occurred, and had the American Federation of Labor given a nation-wide railroad strike its moral and financial support, the employees of the Federal Government, who are members of the Federal employees' unions, would have been contributing by their moral support, and probably by dues and assessments and strike benefits, to the men who were arrayed in open opposition to the power and authority of the United States Government. That would have been a most deplorable state of affairs.

The only way to avoid the possibility of anything of that kind is for the employees of the Federal Government to form their own local associations, associating together for their common good and to advance their interests by means of their own local associations, but not to affiliate with an outside body of organized labor of higher power which might drag them into conflict with the authority of their Government.

The steel strike of last summer, which, to a very considerable degree, disturbed the industrial peace and welfare of this country, and no doubt in a measure increased the cost of living to all of the people, had the active support of the American Federation of Labor, its open support, its avowed support; not only its moral but, I understand, to some extent its financial support.

I am not saying anything against those who engaged in the steel strike; I am not here for that purpose; that is not the issue I am discussing to-day. I will concede that the steel workers had a right to strike. If they thought they were not getting justice and thought they could better their condition by striking and that the strike was justifiable, then they had a right to strike. We will let that part of it go at that. I am not finding fault, furthermore, with the action of the American Federation of Labor in declaring its sympathy and extending its support, moral and otherwise, to the steel strikers; but when we come to consider the fact that employees of the United States were drawn into the movement because of their affiliation with the American Federation of Labor, by extending their moral support and good will, and, possibly, strike benefits as well to the steel strikers, all of which went to increase and keep up the high cost of living and worked for industrial disturbance and unrest in this country, was it right for the employees of the Federal Government to be in that position and to be drawn into that attitude? If not entirely a question of right and wrong, was it best for the country, and was it best for the Government, that they should be allowed so to do?

Congress is the judge of that; Congress is the judge of whether it was right or wrong; Congress is the judge of whether or not it was best for that condition of affairs to exist; Congress is the judge of whether or not it was justified and a proper thing, a wholesome thing, a good condition of affairs. Congress can not escape that liability; it can not run away from it; it can not turn its back upon it; it can not close its eyes to it without being false to its duty. It is for Congress to decide whether or not that was best, and if Congress does not make the decision it is shirking and evading its duty.

If we meet the issue and decide that it was right, that it was best, that it was wholesome, and that it was justifiable for employees of the Federal Government to be drawn into affiliation with a higher outside body and into giving their moral and other support to an outside strike, to a private dispute, as it might be called, between employers and employees, which disturbed the rest and peace and prosperity of the country and aided in keeping up the high cost of living, and if we want to go on record and will go on record as saying that was right and best and that it has our approval, I will submit, if that is to be the judgment of Congress, but I think the matter should be decided.

I repeat, I see no objection to Federal employees combining in their own local associations for their mutual good, for consultation, and to advance their interests in a legitimate way; but I do not believe it is a good policy or to the best interest of the Government for associations of that kind to be allowed to affiliate with higher and superior bodies of organized labor, separate from the Government employees, which have no connection with the Government. I have given a number of instances of what I consider the detrimental effects of such affiliation, and I shall cite a few more that I think are apt illustrations.

One very startling phase, to my mind, of the Federal employees' unions and their autocratic rule is the fact, which I have learned, that those who join the Federal employees' unions are not permitted to resign from those unions. That seems anomalous to me. Once in the Federal employees' unions, according to the charters and rules of those unions, the members must be in for life or so long as they remain Federal employees. They are not permitted to resign. I never before heard of so autocratic a rule in any organization as that rule, a rule that a member is not permitted to resign.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Montana yield to the Senator from South Dakota?

Mr. MYERS. I yield with pleasure.

Mr. STERLING. I should like to ask the Senator from Montana if he has the rule to which he refers or has authority for saying that there is such a rule? I confess that it is entirely new to me. I supposed, of course, that any member of the Federation of Labor or of any organization affiliated with the Federation of Labor had a right to quit the organization whenever he chose.

Mr. MYERS. I am speaking of the Federal employees' unions, not of the American Federation of Labor. I have not the rule, but I have authority for what I say, and I will give the authority. I think it a most unwholesome rule, because I know there are many members of the Federal employees' unions who are tired of the domination of those unions. They do not believe in them. They are sorry they joined, and they would like to be out of them. They are opposed to the policies and methods of the Federal employees' unions, and they want to get out; they have tried to get out, but they have been informed they are not permitted to get out. I have here a copy of the letter, dated November 6, 1919, written by Mr. Van A. Zahn, secretary and treasurer of Federal employees' union No. 2 of the National Federation of Federal Employees, of this city. I have also a letter written by quite a number of the members of that Federal employees' union, signed by about a dozen of them, and addressed to Mr. Zahn.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from South Dakota?

Mr. MYERS. I yield with pleasure.

Mr. STERLING. Is the union of which the Senator speaks affiliated with the American Federation of Labor?

Mr. MYERS. I can not say positively. I think it is; but I am not speaking on that point now.

Mr. STERLING. Does the Senator understand that the rules of the union itself, aside from any affiliation with the American Federation of Labor, prohibit a member from severing his connection with the union?

Mr. MYERS. Yes, sir. The point I am talking about now has nothing whatever to do with the American Federation of Labor. I am not charging it to the American Federation of Labor. I am not speaking about the American Federation of Labor at all, but about Federal employees' union No. 2 of the National Federation of Federal Employees, whether it is affiliated with the American Federation of Labor or not.

Mr. SMOOT. Mr. President, on this question I should like to say that the letterhead of the Federal employees' union states that it is affiliated with the American Federation of Labor.

Mr. MYERS. I thought it was.

Mr. KENYON and Mr. STERLING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield; and if so, to whom?

Mr. MYERS. I yield first to the Senator from Iowa.

Mr. KENYON. I ask the Senator if the federations of employees of the Government of which he speaks do not provide against any strikes? Do they go to the extent of countenancing strikes?

Mr. MYERS. Some of them, at any rate, have nonstrike charters. I do not know whether all of them have or not. There was a vote taken in one of those unions a few months ago upon a question of amending the charter so as to eliminate the antistrike provision, and it did not quite carry, but came very near carrying.

Mr. KENYON. I have understood that that was the provision. Why is it any worse to belong to one of these unions if they do not have the strike provision—and I agree with the Senator that Government employees should not be allowed to strike—than it is to belong to a Masonic lodge or a church or any other kind of an institution? What is the harm in their getting together and talking over their affairs?

Mr. MYERS. I just stated that I had no objection to that whatever, if they do not affiliate with a higher and superior body of organized labor, apart from Government employees, which claims some allegiance from them. I make no objection to their own local associations. I now yield to the Senator from South Dakota.

Mr. STERLING. Then the Senator's objection does not go to the question as to whether an employee may sever his connection with the local union to which he belongs, does it?

Mr. MYERS. I think prohibiting resignations a very unreasonable rule and one which I am sure is distasteful to many members. I think it especially becomes objectionable when such associations are affiliated with the American Federation of Labor, an outside higher body of organized labor.

Mr. STERLING. But standing separate and alone, the Senator's proposed amendment does not go to that question. I think he will admit that.

Mr. MYERS. My amendment relates to affiliation with higher bodies, not to rules against resignations. I am using that matter of a rule against resignations to show that no matter how distasteful such higher affiliation may be, a member of an employees' union can not get away from it as matters now are. I now resume my statement. About a dozen members of Federal employees' union No. 2 of the National Federation of Federal Employees wrote a letter, a copy of which I hold, to Mr. Van A. Zahn, secretary and treasurer of that Federal employees' union, stating that they wanted to withdraw from the Federal employees' union of which they were members. I have here a copy of the letter to those parties from Mr. Van A. Zahn, secretary and treasurer of Federal employees' union No. 2 of the National Federation of Federal Employees, which, it appears from the correspondence in my hand, is affiliated with the American Federation of Labor. Mr. Van A. Zahn is an official of Federal employees' union No. 2 of the National Federation of Federal Employees, and he speaks with official authority. He addresses one of the members who wrote the letter to him, saying certain ones wanted to withdraw. In Mr. Van A. Zahn's letter he says:

> You are informed that we are unable to accept their resignations on account of our constitution, which does not allow members to resign unless they are leaving the Government service. Our only course in their cases would be to mark their records here in the office as "dropped on account of nonpayment of dues," a course I would regret very much to take.

It appears, therefore, that Federal employees who join the Federal employees' unions, which are affiliated with the American Federation of Labor, are not permitted to resign from those Federal employees' unions; that if they become dissatisfied with the course of the employees' unions or with their affiliation with the American Federation of Labor, or with any stand or attitude or action of the American Federation of Labor, with which they may object to affiliating, they are absolutely not permitted to resign from their local organization. I think that a monstrous act of autocracy.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from South Dakota?

Mr. MYERS. I yield with pleasure.

Mr. STERLING. The rule referred to by the Senator from Montana is, indeed, a very strange one—to say that a man must be bound to one of these associations or unions against his will when causes may have arisen that require or make it very desirable, at least, that he should separate himself from the organization. It is a very strange thing that he can not resign or retire. As a last resort, I suppose he has his remedy in the

courts; but unless permitted to resign and sever his connection with the organization he would not be a free citizen.

Mr. MYERS. It costs money to go into court; and I do not think Federal employees who are dissatisfied with the employees' unions or their affiliation with other bodies of organized labor should be compelled to go into court to establish their individual rights. That is a degree of autocracy that I think amounts to the infliction of slavery, the deprivation of the individual will, and the suppression of all individual rights. I think it illustrates the plan on which Federal employees' unions are conducted in general, and the degree of coercion which the officers and managers of such unions attempt to exert and do exert and enforce in most instances over the men whom they have gotten into their power.

In further reply to the Senator from Iowa [Mr. KENYON], I will say, as I said awhile ago, that I have no objection to Federal employees forming their own local unions amongst themselves, merely for the protection and advancement of their own interests; but, when affiliated with the American Federation of Labor or other higher bodies of organized labor, they are liable to be called upon to pay strike benefits, to contribute dues and assessments toward keeping up strikes and industrial disturbances that may be absolutely inimical to the authority of the United States Government and the welfare of the American people. I will, however, go into that a little later.

As I have said, my objection to the attitude of the Federal employees' unions is based on their affiliation with higher and outside bodies of organized labor which are entirely separate from and independent of the Government and which are liable to place Federal employees in an embarrassing position, where they will owe or think they owe a dual allegiance or a divided allegiance, so that their entire loyalty, allegiance, and devotion may not be given to their Government.

Mr. STERLING. Mr. President, will the Senator yield?

Mr. MYERS. I yield with pleasure.

Mr. STERLING. Mr. President, of course some of these local unions have probably been affiliated with the American Federation of Labor for a long time—for years, in fact. I should like to ask the Senator if he knows of any case where a Federal employee, or the local organization to which that Federal employee belongs, acknowledges an allegiance to the American Federation of Labor superior to his or its allegiance to the United States as employees of the United States?

Mr. MYERS. I can not say as to that; I can not put my finger on any Federal employee who has acknowledged an allegiance to the American Federation of Labor superior to his allegiance to the Government. If he did so, he would be guilty of a violation of his oath, guilty of treason; he would violate the oath which he took when he became an employee of the Government. Nobody is going to make an acknowledgment of that kind, of course.

Mr. STERLING. Is not that really the very important thing now in this discussion, as to whether or not by virtue of his affiliation with the American Federation of Labor or the affiliation of his union with that organization he recognizes a superior allegiance? If he does, of course he will yield to the demands of the American Federation of Labor, and he will, for example, go on strike as against the interests of the Government and even imperil the interests of the Government by going on such strike. So it is very important to know whether or not that superior allegiance has ever been recognized.

Mr. MYERS. I do not think that a Federal employee has to go out on the street and shout out that his allegiance to the American Federation of Labor is superior to his allegiance to the United States Government, but he may commit acts in aiding the American Federation of Labor that place him in an attitude of hostility and of opposition to the authorities of the United States Government, which will amount to that.

Mr. SMOOT. Mr. President——

Mr. MYERS. I yield with pleasure.

Mr. SMOOT. I have before me the statement of receipts and disbursements of the National Association of Federal Employees for the months of November and December. For the month of November they disbursed on account of affiliation with the American Federation of Labor $665.08, and for the month of December the amount paid on account of affiliation with the American Federation of Labor was $916.78. I take this statement from the Official Employee, a magazine for Government workers, volume 5, No. 7, issued February 14, 1920.

Mr. MYERS. I will give the Senator from South Dakota and the Senate some instances of what I think is the objectionable and detrimental effect upon the Government and upon Government employees of the affiliation of employees' unions with the American Federation of Labor. Last fall there occurred a strike of bituminous-coal miners which was clearly an undertaking to starve and freeze the people of the United States, who constitute the Government, into submission to what were deemed on all hands extreme, arbitrary, oppressive, and revolutionary demands of the miners. The President of the United States declared that strike was unjustifiable and contrary to law; the Attorney General of the United States declared it was unjustifiable and illegal; a Federal court at Indianapolis, presided over by Judge Anderson, declared that it was contrary to law, and it was enjoined on that ground. Yet, in the face of all of that and after all of that, the executive committee of the American Federation of Labor assembled here in Washington, right under the shadow of the Capitol, and declared its sympathy with that strike; declared in favor of the strike; declared that it would go to any lengths to uphold the strike; declared that it would do everything within its power to uphold that strike and to make it successful. I say that thereby the executive committee of the American Federation of Labor put itself in an attitude of hostility to and defiance of both the executive and the judicial branches of the Government of the United States.

I can not speak authoritatively, but I have no doubt that the American Federation of Labor contributed strike benefits to the coal miners who were on an unlawful strike in defiance of the United States Government, in defiance of the President, in defiance of the Department of Justice, in defiance of a Federal court. It was so stated in reliable newspapers. It was published in a Washington newspaper that the Central Labor Union of the District of Columbia voted a certain amount of money to the striking coal miners, who were out in defiance of a court injunction, to sustain them during that strike. The Federal employees' unions of the District of Columbia are members of, constituent parts of, and affiliated with the Central Labor Union of the District of Columbia, and they must have contributed their share to those strike benefits, and I am informed they did so.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. MYERS. I yield with pleasure.

Mr. THOMAS. I am informed, in that connection, that what perhaps I might safely call an assessment was made for that identical purpose, and that as a result of that action the sum of $2 each was required from the members of these federated unions, or a great many of them, and that some of them paid it with extreme reluctance and virtually under duress.

Mr. MYERS. There were statements to that effect in the city newspapers. Now, I say, if those statements are true, then every Federal employee who contributed strike benefits or assessments to the striking coal miners, after the strikers had been put under the ban of the law by an injunction, rendered to the American Federation of Labor an allegiance superior to his allegiance to the United States Government, and I think that a most deplorable state of affairs. Others may look upon it lightly; others may pass it over lightly and give it little consideration, but I think it bespeaks a most deplorable and almost intolerable state of affairs.

There is an instance in which I think a divided allegiance resulted disastrously to the interests of the United States Government. I will not say that any contribution of a Federal employee to the maintenance of that strike caused him to neglect his work in the department or that the work of the department suffered; but if there were any such contributions—and it has been reliably so reported—I say that the dignity and authority and honor of the United States Government suffered at the hands of the very men and women who were being fed by that Government for which they were working—the Government which was supporting them and maintaining them. It is a state of affairs that I do not think should be allowed to continue. I do not think we should allow an opportunity for repetition of any such state of affairs. I think it is a monstrous state of affairs, if I have been correctly informed, and I have no doubt I have been.

The coal strike ended by compromise soon after that; but if that strike had gone on all winter, if it had gone to the extreme limit of the endurance of the strikers, see in what a condition the members of the Federal employees' union of this city would have been placed! See what their attitude would have been! They would have been forced into an attitude of open or covert hostility to the Government which they were sworn to support and obey and from which they were receiving money. It would have been taking a part of the money of the United States Government, drawing it in wages and salaries, and turning it over in part to lawless strikers, with which to fight the authority of the United States Government.

Of course, the coal strike did not go very far. It was ended by compromise. It may have been best that it was so ended, but I doubt it. I thought then, and think now, that it would have been better for the Government to have taken a firm, unyielding stand and to have fought it out with the coal strikers, regardless of what the consequences might have been. I do not believe in compromise with lawlessness. I believe it would have been better in the end for the Government to have maintained its stand for right. However, if the strike had gone further and lasted all winter and the employees of the Federal Government had continued to give strike benefits and assessments to the striking miners, it would have brought about a condition of affairs that would have been truly intolerable. Great suffering of the people would have resulted, and money paid by taxpayers to Government employees would have been used against them to prolong their suffering and defy the Government. I mention that as an instance of what this condition of affairs may lead to.

Now, mind you, please, I am not making any objection to Federal employees having their own local associations among themselves without any higher affiliation; and, mind you, please, further—get this, please—I am not now making any objection to the American Federation of Labor as such or to any of its actions. That is not the issue before me to-day. I am not now discussing that issue. I admit the right of labor to organize. I admit the right of the American Federation of Labor to exist, and if any of its component parts sees fit to strike and the American Federation of Labor sees fit to extend to the strikers strike benefits and assessments and moral support I am not now objecting to that. Let that stand and speak for itself. All I am objecting to to-day, at this time, upon this issue, is the affiliation of Federal employees with the American Federation of Labor, and I am not now objecting to the bill that is before the Senate. I am not now seeking its defeat. I am not urging its defeat. I am not now fighting the bill, but I am simply saying that I think the Federal employees, in the event of the enactment of this bill, should be required to elect between staying out of, staying away from affiliation with, the American Federation of Labor and getting the benefits of the bill. I say let them take their choice.

I am not saying anything against the Federal employees. I am not an enemy of Federal employees. I understand that I have been so characterized. I understand that one of the newspapers of this city, which is generally regarded as the organ of the Federal employees, has referred to me, among others in the Senate, as one of the enemies of the Federal employees. I am not an enemy of the Federal employees. I have voted for every bonus that the Federal employees have ever been given by the Government. I have done so cheerfully and willingly. I voted for the $240 bonus last year, and I expect to vote for it again. I am in favor of it. I think during these times of high cost of living that the employees should have it. Whether or not we should go any higher than $240 a year in granting a bonus I do not know. I have my doubts. I doubt if I would vote for any more, but I am willing to vote again for the $240 bonus. I have not cast any votes in this body that were inimical to Federal employees.

During the war I voted for the Borland bill, a bill that would have required Federal employees to work eight hours a day so long as the war might last. When our soldiers abroad were working and fighting ofttimes 24 hours a day in the trenches for $30 a month, I thought the Federal employees in the departments here, safe and snug in their departments, drawing fair salaries, should be required, as a war measure, to work eight hours a day, and I voted for it in the face of the opposition of Federal employees; but that is the only measure of which I can recollect at present for which I voted in the face of the pronounced opposition of Federal employees. So I am in no sense an enemy of the Federal employees; but I do not think they should be allowed to belong to unions which affiliate with an outside body of organized labor of a higher and superior character.

Now, I will go on to another phase of this matter.

We all know that the American Federation of Labor has declared war on all Members of Congress who have not voted as it wanted them to vote, and has declared that they are all to be defeated in the coming election, if up for reelection, if their defeat can be accomplished by the united action of organized labor all over the United States, with all the power that it can bring to bear. That is the privilege of organized labor. I make no particular complaint of that. I do not believe in class movements of that kind in politics, either for or against candidates for office. I do not believe it is a good American principle to try to cast thousands of votes in one block by pulling strings for or against any candidate on account of what he may have done or may not have done while in public office; but I am not now complaining of that. That, under the American system of government, is the privilege of any organization—the right to support or fight any candidate who is running for public office; but in that crusade against Members of Congress who have not been subservient to the will of organized labor, the Federal employees' unions must necessarily take part, and of it be a part, so long as they are affiliated with the American Federation of Labor. Therefore the Federal employees, the very clerks and employees whom we support by creating their positions and voting money and bonuses for their salaries, will be engaged in a factional political warfare, contributing their share of the expense, and giving their moral support to the movement to decimate Congress by eliminating from it all of the Members who have not been subservient to the demands of organized labor. The people whom we feed will be fighting some of us.

I make no complaint now about that as to members of organized labor outside of the Federal Government employ, but I do not believe it is fair or right, just or proper, or a good policy, or in the interest of the Government for organized Federal employees to engage in a crusade as a body against the reelection of Members of Congress simply because those Members have not voted in accordance with the wishes of some organized body outside of the Federal Government which is seeking to have its own desires enacted into law or which opposes certain laws.

It may be all right for people outside of the Federal Government employ to engage in such crusades if they want to. At any rate, they must be the judges as to their actions. I do not like the principle; I do not think it is wholesome; I do not think it is American. Be that as it may, I do not think Federal employees should allow themselves to be dragged into such partisan, factional, political activity—into saying: "Members of Congress who vote to please us will be reelected, if we can bring it about by acting in a body; and those who do not so vote will be defeated, if we can bring it about. We, the Federal employees, propose to use the very money that we draw from the Government, and that you vote to us, to defeat you for reelection if you do not vote as some class organization outside of the Government dictates that you shall vote."

We can not escape the conclusion that Federal employees will be drawn this year, during the coming campaign, into such a crusade. In fact, I have here an article clipped from a recent issue of the Washington Times, which is as follows:

CLERKS INDEX CONGRESSMEN—TABULATE SENTIMENT OF LAWMAKERS ON QUESTIONS AFFECTING SALARY.

All employees in the Government service, whether they live in Washington or San Francisco, will soon know just who are their friends or enemies in Congress, and they will be strongly urged to vote accordingly at the coming elections.

The National Federation of Federal Employees, in its headquarters at 1423 New York Avenue, is busily engaged at present card indexing every Representative in the Capital as an important part of the voters' information bureau which has been established by the federation.

The sentiment of Congressmen on the legislative program of the Federal employees' union has been carefully followed, and every vote cast for or against measures of concern to Federal employees has been tabulated.

SIMILAR TO AMERICAN FEDERATION OF LABOR PLAN.

The union legislative program, including such issues as minimum wage, retirement, and numerous other measures, together with the attitude of each Congressman toward the program, is being prepared to send broadcast to the headquarters of the locals throughout the United States.

The system being followed by the national federation is similar to that of the American Federation of Labor in keeping tab on officials' attitude toward labor.

The employees' union will not only keep its membership of nearly 100,000 informed, but will disseminate as well its voting information to every employee in the Government service.

WATCH NEW CANDIDATES.

While present Congressmen will be the principal subject of such a list, new candidates for the office will not be overlooked. It is planned to sound out thoroughly each new aspirant to Congress as to his attitude toward the Government employee.

The National Federation of Federal Employees is massing its full strength to procure a friendly Congress. Not only will it blacklist certain Members of Congress, but every effort will be made to have every employee in the Government service exercise his full voting right.

To encourage voting among nonresident employees in Washington, the federation is completing data on election laws, election dates, and other information relative to every State in the Union, which can be handily gotten by calling at the headquarters of the federation.

I do not believe this bespeaks a wholesome state of affairs. I do not believe it is desirable for Federal employees to crack that kind of a whip over the heads of Members of Congress. As it is, they are doing it boldly, openly, and without reserve. I cite that as one of the things to which affiliation of the Federal employees with the American Federation of Labor leads, which, while not putting allegiance to the American Federation of Labor above their allegiance to the Federal Government, while not

treason or disloyalty, I think bespeak an unwholesome state of affairs. It bespeaks a determination to effect an organization which will crack whips over the heads of Congress and dictate to Congress what legislation it shall and shall not enact and what it may and may not do. I believe that if allowed to be kept up it will lead to a condition that will tend to make the legislative department of the Government subservient to the employees of the executive department.

Mr. THOMAS. Mr. President——

Mr. MYERS. I yield to the Senator from Colorado.

Mr. THOMAS. The Senator might go further and assert, I think, with perfect truth that it has already had that tendency.

Mr. MYERS. It has that tendency now, and it has that effect to a large degree.

Mr. THOMAS. We know that many bills, appropriation bills and others, become effective by a majority vote of the Members of Congress because those thus voting, or a great many of them, are afraid to vote otherwise.

Mr. MYERS. We all know that is so.

Mr. THOMAS. If the Senator will permit me——

Mr. MYERS. With pleasure.

Mr. THOMAS. I will not interrupt him again upon this subject, but let me say that this condition of the civil service was predicted by its opponents long before it was established. I did not believe it then and, of course, it was generally discredited by public opinion, but those who inveighed against civil service, among other things, pointed out the certainty of organization followed by an attitude toward the legislative branch and possibly the executive branch of the Government as a result of thorough organization that would make the civil service the masters and not the servants of the United States Government.

Mr. MYERS. The predictions have undoubtedly come true. As to the open, bold, and avowed declarations of the American Federation of Labor, that it will exert every power to control the next Congress of the United States and make that Congress subservient to its will, we are all informed. It is reasonable to assume, I think, that in carrying out those declarations large sums of money will be expended. I have a clipping here from the New York World on that subject, which appears to be reliable and authentic, stating some of the arrangements that have already been made by the American Federation of Labor for raising a large campaign fund for putting in force its determination to control the next Congress of the United States. I ask that this article may be inserted in the RECORD in connection with my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article referred to is as follows:

AMERICAN FEDERATION OF LABOR IS EXPECTED TO RAISE HUGE SUM FOR CAMPAIGN USE—CONTRIBUTIONS ARE TO BE RESTRICTED TO 4,000,000 WORKER MEMBERS OF NATION.

(By John J. Leary, jr.)

WASHINGTON, *February 20.*

To make its campaign for the election of a Congress friendly to labor effective it is expected that the American Federation of Labor will in the course of the next few days issue an appeal to the unions of the country asking for funds.

Here is the political platform of the federation as expressed by its national nonpartisan political campaign committee:

Stand faithfully by our friends and elect them.

Oppose our enemies and defeat them, whether they be candidates for President, for Congress, or other office, whether executive, legislative, or judicial.

THOUSANDS TO BE SPENT.

As outlined, the campaign cost will run into the hundreds of thousands of dollars, and it is expected that these will be provided in the form of small monthly assessments voluntarily levied.

As the federation has a membership of 4,000,000, an idea of the amount of money that can be raised is gained when the statement is made that a 5-cent per month assessment means $200,000 a month, and in the months remaining before the polls close in November, in excess of $1,500,000. The total sum is expected to exceed that amount.

Contributions to this fund will be restricted to members of the labor movement. Funds are not to be solicited and are not desired from either of the great parties, from their nominees, or from interests that in return therefor are likely to make demands later that might prove embarrassing.

COMMITTEE ON EXPENDITURES.

The money thus collected will be expended under the direction of a subcommittee appointed by the executive council of the federation made up of Samuel Gompers, Frank Morrison, and James O'Connell. In general charge will be a committee of 24, known as the American Federation of Labor National Nonpartisan Political Campaign Committee. On this committee are:

Mr. Gompers; James Duncan, head of the Granite Cutters' Union; Joseph F. Valentine, of the molders; Frank Duffy, general secretary of the carpenters; William Green; John L. Lewis, leader of the miners; T. A. Rickert, of the garment workers; Jacob Fisher, head of the barbers' international; Matthew Woll, president of the photo-engravers; Daniel J. Tobin, national head of the teamsters; Frank Morrison; John Donlin and William J. Spencer, of the building trades; James O'Connell, head of the metal-trades department, and A. J. Berres, its secretary; John W. Hays, of the printers; John J. Manning, of the clothing workers; James Lord, head of the mining department; Bert M. Jewell and John Scott, of the railroad department; and John P. Frey, editor of the Molders' Journal.

The woman voter will be looked after by Mrs. Sara A. Conboy, Misses Anna Fitzgerald, Melinda Scott, and Anna Neary.

TO ESTABLISH BUREAUS.

Under the direction of this committee a national press bureau, a bureau on organizing, and a bureau of records will be established here. Already the press bureau is functioning under the direction of Chester M. Wright, of New York, while Henry McInerney has been placed in charge of organization. The selection of a labor man of national note as director of the speakers' bureau will be made shortly.

For the use of the committee an entire floor of the Federation Building has been set aside. Additional room will be taken in the new building of the Machinists' Union, directly opposite the Federation Building, which will be ready for occupancy within a fortnight.

Mr. THOMAS. If the Senator will permit me, I will offer in this connection this clipping from the morning press:

LABOR OPENS POLITICAL WAR—REPRESENTATIVES WHO VOTED FOR RAIL BILL ON BLACKLIST.

PHILADELPHIA, *March 10.*

Decisions of American Federation of Labor officials, reached in Washington two weeks ago, to oppose all candidates for public office who are regarded as foes of organized labor bore fruit here to-day in the opening of a campaign against 25 Pennsylvania and 7 New Jersey Members of the House of Representatives.

In a bulletin issued by the Philadelphia-Camden advisory boards of the federation attention is called to the railroad bill recently passed by Congress and approved by the President, and the defeat of all voting for it is urged.

Mr. MYERS. I read that article in the morning paper and I thank the Senator for introducing it at this point. It is most apropos.

It is a question for Congress to decide whether or not it is wholesome that we drift into a government of classes, where class is arraigned against class and where elections which are carried on are simply contentions of one class against another class for the control of the Government, for the benefit of some particular class of our people. Do we want to go further in that direction? Is it wholesome and desirable that we should have gone in that direction as far as we have gone?

What are the present tendencies? Are they not to go still further in that direction? Very decidedly, I say. Is it desirable that the employees of the Federal Government be dragged into that maelstrom of class contention, class arrayed against class, class seeking control over class for the benefit of class, that our entire Government and the election of officials be prostituted into a battle of classes for the control of the Government and of the whole American people for the benefit of some particular class?

Is it desirable that the employees of the Government, who hold their positions by our will and who draw their salaries from appropriations made by the Congress, should be active factors in that class warfare for the control by a class of the Government and of the entire American people for the benefit of some particular class? That is just what the employees of the Federal Government are now; at least those of them who are affiliated with the American Federation of Labor. They have assumed that position boldly, openly, avowedly, and the Congress is the only authority that has the power to stop it.

Congress can only stop it by providing that the Federal employees' unions shall no longer be affiliated with outside higher, superior bodies of organized labor, or if they are so affiliated that they shall not participate in the benefits of legislation enacted by Congress, such as the pending legislation.

In this propaganda or campaign for class control of the Government, which is set forth in the newspaper article which I have just placed in the RECORD and in the newspaper article which the Senator from Colorado has just read, the Federal employees, so long as they are constituent and component parts of the American Federation of Labor, are bound to be drawn as a part and to take their part and to do their part therein and to contribute their share of money to defeat certain Members of Congress because those Members have incurred the hostility of certain classes and factions of our people by not bowing down to their will and being subservient to them. There is no escaping the conclusion that the Federal employees will necessarily be a part of that movement.

I have here some other newspaper clippings on the subject, a few of which I will read. I suppose the Senators have read most of them, but they are so bold and open in their declarations that I think it is well to set them forth as a part of my argument as to why Federal employees should not be allowed to go further in the direction in which they are now going:

The policy of the American Federation of Labor to support only those political candidates favorable to organized labor was unanimously indorsed by the Central Labor Union last night.

W. W. Keeler, president of the central body, announced he would appoint the legislative committee of the union to cooperate with the executive council of the federation. The resolutions adopted declared that District unionists will forsake party lines in the next general election to vote for candidates loyal to labor. The central body also adopted resolutions favoring investigation of the cooperative movements between

the farmers and labor, with the object of bringing such organizations under control of the federation. A committee of 10 will be named from the District to assist in this investigation.

That is a clipping from a recent issue of the Washington Post. It relates to the action of the Central Labor Union of the District of Columbia. The Federal employees' unions of the District of Columbia are members and component parts of the Central Labor Union of the District of Columbia.

I have another article here from the Washington Post, of a date some time back, which I will read:

Organized labor's campaign to elect a Congress friendly to it was opened formally yesterday by Samuel Gompers, president, and J. A. O'Connell, vice president, of the American Federation of Labor, in addresses before a shipbuilders' trade convention here. Both speakers vigorously assailed the present Congress as the "most reactionary in the history of this country," and declared that from it labor need expect not the slightest assistance in the way of "remedial legislation."

Inviting the representatives of 500,000 shipyard workers present to join the federation in its fight to "reward our friends and defeat our enemies," Mr. Gompers promised them every assistance of his organization in forcing the Government to continue the war-time ship construction program to its logical conclusion, giving the United States the "greatest merchant marine in the world."

"We propose to move ahead no matter what obstacle is placed in our way," said Mr. Gompers, referring to the campaign. "The labor movement can not stand still; it must of necessity progress."

"It is a policy just the reverse of that in every other country," the speaker asserted, describing the liberal movement in Europe. "It is your duty to see that this tendency toward autocracy is curbed. In our fight you can expect the bitterest opposition from every enemy of labor, especially from every standpatter, reactionary, and some damn fools on the 'hill.'"

J. A. O'Connell, vice president of the American Federation of Labor, referred to antistrike legislation as a deliberate attempt to enslave labor through compelling workmen to remain on the job against their wills. "We must prepare to clean house," the speaker said. "Labor is entitled at the very least to an even break in representation in Congress."

Announcement of the federation's decision to wage an active campaign, he said, already has led Congressmen to review anxiously their records, but he warned these that labor would do its own reviewing.

The convention adopted a resolution favoring Government ownership and operation of the American merchant marine and another proposing that three members of the board supervising operation be representative of the men employed in the industry.

Mr. Gompers speaks for the Federal employees' unions of the District of Columbia when he refers to the "damn fools on the hill." He speaks for the Federal employees' unions of the District of Columbia, men and women who are holding positions by virtue of the will of Congress and drawing their pay from appropriations made by Congress.

Mr. THOMAS. Does not the Senator think he speaks for them, but about the Senator and myself and others in similar positions?

Mr. MYERS. I accept the amendment of the Senator from Colorado. I think that is undoubtedly correct.

That is all right for Mr. Gompers. He is an independent citizen. As an American citizen he has the right to express his mind and to speak his opinion of Members of Congress or of any other official of the Government. But I do not believe it a proper attitude for employees of the Federal Government to be put in by their acknowledged spokesman. I do not think it comes with becoming propriety from employees of the Federal Government, through their authorized spokesman. I think it bespeaks an attitude that is not conducive to proper conduct of the Government and the upholding of the best interests of the Government and the common work in which Congress and the executive departments and employees of the Government are engaged, and should be engaged, with hearty good will and genuine cooperation.

There are other stands which organized labor is taking which I will not criticize at this time, in so far as is concerned organized labor not connected with the Government. It is the privilege of those engaged therein to take those stands. They are free American citizens. It is optional with them as to taking or not taking stands in regard to such public matters; but when they involve with them, as a part of their organization, Federal employees, I think it sometimes becomes wholly improper, so far as the Federal employees are concerned. Some things that may be all right for others I think not becoming or desirable in Government employees.

There is a general disposition on the part of organized labor all over the country to oppose and denounce any and all antisedition legislation at this time. It has most vigorously and bitterly opposed the enactment of the antisedition bill which was introduced in this body by the Senator from South Dakota [Mr. STERLING], which passed this body and is now in the House, and is known there as the Sterling-Graham antisedition bill. Organized labor all over the country is very vigorously opposing the enactment of that proposed legislation. I have received many communications on the subject. I will read one that I received from the officials of Cut Bank Lodge, No. 726, of the Brotherhood of Railway Carmen of America, of Cut Bank, Mont. It is addressed to me and bears a recent date. It is as follows:

BROTHERHOOD RAILWAY CARMEN OF AMERICA,
CUT BANK LODGE, No. 726,
Cut Bank, Mont., February 6, 1920.

Hon. HENRY L. MYERS,
Senate, Washington, D. C.

DEAR SIR: As a body of loyal citizens, we, the members of Cut Bank Lodge, No. 726, Brotherhood Railway Carmen of America, are bitterly opposed to the Sterling-Graham peace-time sedition bill, and demand that the Senators and State Representatives of the State of Montana do not support the said bill in any manner, and we further demand that they make known their protests to the Congressmen and Senators who will pass on this proposed bill.

CUT BANK LODGE, No. 726,
BROTHERHOOD RAILWAY CARMEN OF AMERICA.
[SEAL.] W. E. HEILAND, *President.*
F. G. NEUMUTH, *Secretary.*

That is a peremptory demand by organized labor that the Sterling-Graham antisedition bill, and all other antisedition bills, be defeated. I have received protests against the Sterling-Graham bill and against all antisedition measures pending at this time from a large number of labor unions in Montana. I have here one which is most remarkable in its language and assertions. I have not answered it because I do not consider it is couched in respectful language. It is most intemperate and violent in its language. It evinces an unreasonable spirit, with which I think argument useless. I make this my answer to it. I will read it. It is as follows:

LIVINGSTON, MONT., *February 4, 1920.*

Senator THOMAS J. WALSH,
Senator HENRY L. MYERS, and
Representative CARL W. RIDDICK,
Washington, D. C.

HONORABLE SIRS: There are at present before the Congress of the United States several bills seeking to amend the present Federal sedition laws. These measures are to increase the penalty for sedition, make it easier to secure convictions, and, above all, to advance the forces of reaction and repression.

The present sedition laws have proven adequate in the past for the protection of our country and its institutions, and we believe they are still adequate for the protection of American institutions.

In our opinion the desire for a more stringent sedition law is for the sole purpose of making it easier for the big interests of this country to fight organized labor. In proof of this, your attention is called to the records of the courts in trials of alleged violations of the espionage law. Thousands of members of organized labor have been railroaded to the pen for long periods of imprisonment, in some instances practically meaning a life sentence, for the sole reason that they made use of the good old American privilege of free speech, while agents of the German Government, representatives of the German war office, aliens, received light prison sentences for dynamiting ships, railroad bridges, munition plants, and carrying on a destructive campaign in the interests of the military forces of the Central Powers.

On the other hand, we defy you to show us a single instance where any rich man has received a jail sentence for graft connected with Government war work, although we have reason to believe graft was rampant in this country during the war, to wit, the Hog Island scandal, the powder graft, and the spruce railroad steal by Ryan in the interests of the Milwaukee Railroad, and profiteers generally.

When the Declaration of Independence was drafted, it was the rich, the exploiting class, royalty, and aristocrats generally that denounced it, while the workers everywhere hailed it with delight. To-day it is not the workers who are fighting the fundamental principles of our country, but the big interests that are seeking to destroy every vestige of free American institutions, free speech, free assemblage, and free press; all are being assailed by the big moneyed interests, while laboring men all over the country are defending Americanism.

If you and the other elected Representatives at Washington will read the Declaration of Independence sufficiently to have it committed to memory, you will be better able to truly represent your constituents and be much better American citizens.

The members of Federal Labor Union No. 15582, American Federation of Labor, desire you to know that we are opposed to all the sedition bills now before Congress, and, further, we think that it is time that our Representatives got back to the good old principle of Americanism and quit trying to enact class legislation in the interests of Wall Street, the big interests, and the exploiting class generally.

WM. JARVIS,
C. A. ROGERS,
G. W. ALLEN,
JAMES D. GRAHAM,
Committee.

Read and approved at a regular meeting of Federal Labor Union No. 15582, American Federation of Labor, held on Wednesday, February 4, 1920, and secretary instructed to send copies to Montana Representatives at Washington, D. C.

[SEAL.] J. G. CARTER,
President.
WM. JARVIS,
Secretary.

That communication, in my opinion, breathes a spirit that is not wholesome for the American people. It is a spirit of intense class antagonism. As to the gratuitous reflections flung at Hon. John D. Ryan, a distinguished citizen of Montana and late Assistant Secretary of War, a gentleman who enjoys the esteem and confidence of the President of the United States and the Secretary of War, there is absolutely no cause or foundation for them. Mr. Ryan received his appointment at the hands of the President and accepted it at a great sacrifice. The Secretary of War is thoroughly familiar with every detail of Mr. Ryan's

official acts and repeatedly he has publicly declared that Mr. Ryan did nothing to deserve censure, but that his acts were characterized by honesty, fidelity, and the highest patriotism. The majority of a partisan committee criticized him, but charged no corrupt act or motive.

That communication shows an intent to sow seeds of dissatisfaction, industrial unrest, class hostility, industrial strikes, and opposition to acts of the Government. It is a remarkable communication, and I think breathes a regrettable spirit. That spirit comes from higher up. Undoubtedly it is being inculcated by high authority in circles of organized labor. These people are being taught that those things are true, and I regret it. It may be all right from their standpoint, if they want to assume that attitude and disseminate that spirit of insubordination and dissatisfaction among American citizens. I will not question their right to assume such an attitude, but I do believe it is most deplorable and highly regrettable that employees of the United States Government should be drawn through affiliation into participation in any such spirit and into upholding any such attitude by a class of our people.

That, I think, the most deplorable feature of it; the fact that it drags Federal employees into that attitude of hostility to the American Government, hostility to Congress, hostility to the enactment of laws intended for the benefit of our country, and of all of the people of our country, including wageworkers, as well as all others. This affiliation of which I have spoken at some length produces that very result and I do not think it should be allowed to continue.

I have received many communications from labor organizations demanding the release of Eugene Debs, Tom Mooney, and other so-called "political prisoners," as they are styled by the people who send me the communications. In large measure, so far as I have observed, organized labor has taken the position that Mr. Debs has committed no offense against the Government of the United States, against the laws of our country; that he is unlawfully and improperly imprisoned, and is being imprisoned as a part of a systematic warfare against organized labor. That idea is being spread, that poison is being spread and inculcated into the minds of wageworkers everywhere in the United States.

I have noted a number of remonstrances from labor unions against the deportation of Emma Goldman, Alexander Berkman, and the other anarchists who were deported at the same time they were. Of course, this is a free country; people can take that attitude if they want to; but I do not believe it is right or best for the employees of the Federal Government, through affiliation with outside organizations, to be dragged into that sort of hostility toward the Federal Government. I have here a clipping which I took from a newspaper only a short time ago. I will read it:

ASKS GENERAL AMNESTY.

WASHINGTON, *February* 27.

Union labor to-day joined the effort to obtain amnesty for all "political prisoners" being held in Army disciplinary barracks. At a conference with War Department officials, Hugh Frayne, representing the American Federation of Labor, and Mrs. Lucy Robins, of the Central Labor Bodies Conference of Greater New York, for amnesty for political prisoners, urged that another review be made of the charges against 2,050 men still imprisoned for war-time offenses.

Mr. Frayne said later that, in response to a request of the delegation, a promise was made that a distinction will be made at the time of the review between penal offenses and forms of strike activity.

While hope was held out for the early release of practically all prisoners, War Department officials were understood to have stated that the men who persist in refusing to obey the reasonable orders of the prison authorities will receive no consideration until they change their attitude.

Whatever may be thought of the propriety of independent citizens, who have no connection with the Government, in taking that attitude and pursuing that course—and I am not just now criticizing it; those who take that attitude are the judges of the right and propriety of it; this is a free country; a man may express any opinion he may wish so long as he does not violate the law—but whatever may be the propriety of it, I say I do not believe it desirable for Federal employees to be in affiliation with people who do take this attitude, and by such affiliation to be put in an attitude of hostility toward the Government which they are sworn to support, for which they are working, and from which they are deriving their living.

These utterances which I have quoted or to which I have referred all represent, in part, the Federal employees' unions of the District of Columbia, because they are affiliated with and are component bodies of the higher bodies of organized labor which take such stand and give utterance to such sentiments. When the higher bodies, through their spokesmen, utter such sentiments and take a stand of critical opposition to the action of the Government, its courts, and Congress, they speak, in part, for the employees of the Government, because the employees of the Government are affiliated with them, and they have a right to speak, in part, for the Federal employees. There can be no escape from that. Spokesmen of organized labor are bound to represent, in what they say, the Federal employees, as well as all other branches of organized labor.

I do not believe it desirable that Federal employees be led into a continual fight on their Government, a continual course of criticism and hostility to the actions of their Government, which they are serving. Let others do it if they may wish; I am not now criticizing them; I am not at this time objecting to that; it is not the objection I am making. What I object to at this time is that Federal employees are, by affiliation, necessarily a part of an apparent crusade to sow seeds of unrest and dissatisfaction and to cause critical opposition to our Government and hostility to the acts of the Government, and that it thus comes from people who are working for the Government and whom we are supporting by appropriations that Congress makes. That is my objection. I do not believe it right or desirable or wholesome; and I do not believe it should be allowed to continue. I believe Congress should exercise its authority to step in and put an end to such a situation. Congress should say, "You can have your local associations and organizations and unions if you desire them, and you can participate in the benefits of this bill if you want to, but you can not enjoy its benefits and affiliate with some outside body or organization which is liable to lead you into critical opposition to the acts of your Government from which you are deriving these benefits."

We all know that we are living in an era of great industrial unrest, in which there are strikes and threats of strikes on all hands. Undoubtedly organized labor is back of those strikes and threats of strikes; that is what it is organized for. I am not criticizing that now; but the whole tendency of organized labor at this time is to increase wages, reduce working hours, curtail production, and cause industrial unrest through the medium of the strike. Those who are doing that have announced boldly their determination to get control of the Federal Government, so they may have their way, and in order to do that they are undertaking to ally with them the farmers' organizations of the country.

I do not think the farmers, if they look at their true interests, will approve a movement to increase wages, reduce working hours, and curtail production; I do not believe their interests lie in that direction, and I believe that that attempt largely will be futile; but the Federal employees of the Government, by virtue of their affiliation, are being drawn into an attempt to unite the farmers with the wage workers to control the country by class interests. I believe the sensible farmers' organizations are opposed to and will oppose such a move.

I have here a statement, recently issued by the authorized representatives of a number of the leading farm organizations, which decries the constant tendency of organized labor to increase wages and reduce working hours and curtail production, and thereby keep up the high cost of living, which is the inevitable result. As a part of my remarks I ask that this statement be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement referred to is as follows:

FARMERS' VIEWS ON NATIONAL QUESTIONS.

WASHINGTON, D. C., *February 12, 1920.*

So much has been said in justification of the organized strike that we deem it advisable to outline the position of the farmers of the country upon this all-important question at this time. We desire to discuss the question more particularly as applied to the railroads, for the reason that the farmers are more directly affected by railroad strikes than strikes in other lines of industry or commerce.

The statement has been made so often and kept to the front so continuously that organized workers have an inherent right to strike, when and wherever they please, that the public generally has accepted the statement as being true, and, as a result, strikes have in times past received to some extent the support of public opinion. Recent events and happenings, however, indicate that the country generally is giving this question serious consideration, and as a result there is a growing demand that some other method be employed to bring about the settlement of controversies between employer and employee. This demand is more pronounced on the part of the farmers of the United States than of many other classes, for the reason that they are affected more directly than most other classes. The farmers develop a section of country adapted to the production of perishable products. They spend vast sums of money in building houses and barns, digging drainage or irrigation ditches, and in bringing the land up to a high state of productivity. Such land could not have been developed if the transportation facilities had not been such as to insure that the farmers could get their products to the markets of the country with the least possible delay and before they become unfit for consumption. What applies to the production of perishable products applies, in varying degrees, to the production of all other products, and in no case could the farmers undertake to produce extensively or beyond their own needs if there were no facilities for transporting their products to the consuming centers.

On the other hand, no great city could be built up if it were not for the fact that those who live in them may depend, first, on the farmers of the country to produce an ample supply of food for all; and, second, on the railroads or other transportation facilities to function properly

at all times and deliver farm products to city consumers with regularity and as needed.

If the above is true, and no sane man will say otherwise, then it naturally follows that those who believe that labor has an inherent right to organize a strike, believe that such organizations have a right to starve the people of the cities to death, on the one hand, and to destroy the property of the farmers on the other. No such right has ever existed and no such right exists now. It is economically unsound, and the American people can and will work some other method for the settlement of such controversies. No set of men has ever had the moral or legal right to destroy property or cause suffering by conspiring together, and the welfare of all the people must ever remain superior to that of any class or group of people.

A farmer produces a crop after months of toil and heavy expenses, only to find, when it is ready to move to the market, that he is confronted with a strike, and he sees the result of his work utterly destroyed, while he stands helplessly by and witnesses the destruction. He acted in good faith in the production of his crop, and he had every reason to believe that he would have no trouble in getting his products to the consuming centers and receive a reward commensurate with the labor and expense required to produce it, but the inherent right (?) to strike has robbed him of it all, and where is his remedy? He has none.

What would be the verdict of the people if the farmers of the United States should suddenly decide to go on a strike and refuse to supply the wants and needs of those who are not in a position to produce food and clothing for themselves? They would be condemned from one end of the country to the other, and the fact would be pointed out that they, as the owners and tillers of the land, had no right, either moral or legal, to bring about such a calamity. If the farmers who own and occupy the land have no such moral or legal right, then why should it be conceded by anyone that those who handle the farmers' products have a right to block the transportation or industrial facilities of the country and thus jeopardize the food and clothing supply of the Nation? If the farmers have no such rights, those who handle his products have no such rights.

The farmers must look to Congress to solve this great question in the light of fairness for all and not for the benefit of the few at the expense and perhaps misery and suffering for all.

T. C. ATKESON,
Washington representative the National Grange.
GRAY SILVER,
Washington representative American Farm Bureau Federation.
E. A. CALVIN,
Washington representative Cotton States Board.
JOHN A. SIMPSON,
President Association State Farmers Union Presidents.

Mr. MYERS. It will thus be seen that some of the farmers' organizations of the country recognize the decided tendency of organized labor to resort frequently to the strike as an industrial weapon and decry it and deny the promiscuous and unlimited right of strike and point to the disaster sure to follow such a course. Are farmers any more interested in good government, industrial peace, and justice for all than Government employees should be? No. Then why should Government employees take an opposite stand? Notwithstanding I do not believe farmers will generally act with organized labor in trying to obtain class control of the Government, I think there is grave danger that the movement will succeed, unless the people arouse and exert themselves.

The people seem to be asleep to the dangers that beset them. There are about 530 Members of Congress. Unless there should be a most marvelous, almost a miraculous, awakening of the people, I predict that the Sixty-seventh Congress, which will come into existence in less than a year, will contain at least 200 Members who will be in entire accord with all of the demands of organized labor; and that in the Sixty-eighth Congress, which will come into existence in less than three years, there will be at least 400 Members who will be in entire accord with all of the demands of organized labor.

Then, and in that event, I predict a program of legislation to nationalize, as it is called—I call it sovietize—the industries of this country. If that should be the will of a majority of all of the people and in accord with peaceful methods and the provisions of the Constitution of the United States, all right; but I do not believe it would be advisable or in accord with the principles of our Government, and I think the attention of all of the people of the country should be called to the undoubted tendency to that end, in order that there may be a full, fair, and complete expression of opinion of all of the people on the issue, and that a majority may intelligently register its will.

The pending amendment to the civil-service retirement bill now before this body is an amendment which is intended to prohibit the affiliation of Federal employees' unions with higher and outside bodies of organized labor. It would not in any way prevent Federal employees from forming their own unions and associations amongst themselves for their own mutual advancement and the promotion of their own welfare and interests; I can see no serious objection to that; but the effect of the pending amendment would be to prevent such unions of employees from affiliating with outside and higher bodies of organized labor.

I will say frankly that the pending amendment has been denounced by the executive council of the American Federation of Labor. That council has demanded that I withdraw my amendment or that it be defeated by the Senate. To withdraw it, I decline. Whether or not it shall be defeated by the Senate is a question for the wisdom of the Senate.

I have supported many measures desired by or in the interest of organized labor. No longer ago than the day before yesterday I voted in this body for an amendment which was intended to prevent a reduction in the compensation which the policemen and firemen of the District of Columbia are now receiving. I may vote for other measures desired by organized labor. I have been opposed to some of the demands of organized labor and have voted against some of the measures which it demanded. I may vote against more measures demanded by it. However, whenever I have opposed demands of organized labor I have always done so in respectful, reasonable, temperate, calm, dispassionate language, free from vituperation, epithets, and abuse. I can differ from people without using abusive language about them. When the time may come that I am not a free man and untrammeled Senator, free to follow in this body my own conscientious convictions and to use my own best judgment in the discharge of my duties without fear or favor and without influence from outside this body, private life will look good to me. I made a living before I entered the Senate, and I think I could do so again. I have made my living since before I was 21 years of age, sometimes meager, always modest, but I was satisfied with it, and I could be satisfied with it again.

I think I have given the Senate ample reasons and illustrations as ground for the adoption of the pending amendment. I have made to the Senate, I think, some logical arguments and cited some appropriate illustrations in favor of the adoption of the amendment. Mr. Gompers says it must not be adopted. That is for the Senate to decide; I am perfectly willing to leave it to the wisdom of the Senate. I want each Senator in voting upon this amendment to follow his own conscientious convictions and to use his best judgment. I expect Senators to do that. It is, I repeat, simply a question for the Senate to decide.

If the Senate thinks that it is right and best for Federal employees' unions to affiliate with higher outside bodies of organized labor; if the Senate wants to go on record in approval of that policy; if the Senate wishes to give that policy its sanction and wishes to let the employees of the Government know that the Senate believes that it is right, proper, and advisable, here is a good place and now is a good time to do so. On the other hand, if the Senate disapproves of that policy, this is equally a good time and place to do so.

I think this question should be settled; I want it settled; it is one that is being agitated and is attracting considerable attention. If the Senate in its wisdom says it approves of the policy of affiliation by Federal employees with higher and outside bodies of organized labor, if the Senate says it believes it is right and wants the practice to continue, I shall bow to the will and wisdom of the Senate; but I think the matter should be decided; I think it is of momentous importance.

In addition to the incidents and illustrations which I have used as arguments to uphold the adoption of the amendment which I have offered, I will give the Senate one more. There appeared in the morning newspapers of the country on the morning of the 31st of March an Associated Press dispatch of the day before, which I read, as follows:

CHICAGO, *March 30.*

With 1,000 city hall clerks, stenographers, and bookkeepers on strike to-day, the municipal garbage-reduction plant closed through the walkout of 400 garbage handlers, and the threat of 90 per cent of firemen to resign unless wage advances were granted, Chicago to-night faced a general strike of city employees.

The city hall was picketed by striking clerks and stenographers. The police were called to preserve order after a stenographer who remained on duty was attacked. The sessions of the city council also were guarded by policemen.

The city council, which to-day rejected a revised budget calling for an increase of $4,000,000 to provide salary advances for city employees, met again to-night in an endeavor to find a way out of financial difficulties.

Other groups of city employees, including sewer workers, street inspectors, pumping-station engineers, and the laboratory staff of the health commissioner's office, threatened to-day to strike unless wage advances were granted.

The strike of the garbage handlers forced 150 teamsters out of work. Window washers at the city hall also quit to-day.

Threats that 90 per cent of city firemen would resign of they were refused an increase of $300 a year were contained in a letter from President George B. Hargan, of the firemen's association, to Mayor Thompson and Fire Chief O'Conner.

That is one more illustration of what the unionization of Federal, State, and city employees may lead to if allowed in affiliation with outside influences.

I do not know that those city employees of Chicago were affiliated with the American Federation of Labor or any other outside higher organization. The article does not disclose. They may not have been, and I admit that Federal employees might of their own motion and accord go on a strike against the Government, even if not so affiliated; but I think that they would be far less apt to do so if not so affiliated, and if they went on a strike without such affiliation they would be thrown upon their own resources to keep up the strike, whereas if they were affiliated with any outside, higher, and more powerful body of organized labor—with the American Federation of

Labor, for instance—they would have brought to their aid and support all of the powerful influence and support of that outside organization.

It is said that nearly all, if not all, the Federal employees' unions have antistrike provisions in their charters. That, I think is true; but we know from newspaper accounts and from other authentic reports that there is much muttering and rumbling of a disposition among some of the Federal employees to eliminate the antistrike provision from charters of the employees' unions and that that provision can be eliminated. It is not fixed and irremovable. It is not irrevocable. It may be eliminated, and there is evidence of very much disposition in some quarters to eliminate it. The disposition in that direction seems to be growing; and I know from publications issued by some of the Federal employees' unions, from newspaper reports, Associated Press dispatches, and other authentic sources of information that in some of the meetings and conventions of Federal employees' unions speeches have been made boldly declaring in favor of eliminating the antistrike provision from the charter and, in some instances, boldly advocating the right of strike by Federal employees, the same as by other workers, the same as by employees of industrial and commercial enterprises.

This is a question which is pressing upon the country and pressing upon Congress, and I do not think Congress should sidestep it. I think it is the duty of Congress to face it and settle it, one way or the other. I think the time has come to settle it. I want to see it settled. I think it is in the interest of the country, the Government, and the employees themselves that it be settled.

As I have said, I have no objection to the departmental unions of employees of the various departments. I never have opposed that; but I do think that the matter should end there and that Federal employees should be prohibited from allying themselves in any way whatever with powerful influences outside of the Government. I think they should be prevented from forming any allegiance or alliance with any influence other than that of the Government for which they work and to which their supreme duty is owing.

I favor liberal compensation to Federal employees. I believe in giving them good, fair, adequate compensation; something more than a living wage. I have always stood in this body for that. I have voted for every bonus that has been proposed for Federal employees in every annual appropriation bill that has come before the Senate since I have been a Member of this body. I voted for the $120 bonus, two or three years ago, for all Federal employees. For the last two or three years, each year I have gladly voted for the $240 bonus. I voted for increases in compensation for the policemen and firemen of the District. In the latest legislative, executive, and judicial appropriation bill, which the Senate passed yesterday, I really was inclined to favor a bonus of $360 a year for Federal employees. I do not think it would have been too much and if the committee had recommended it I would have voted for it, but I felt disposed to respect the judgment of the committee which had investigated the matter and passed upon it. I think we should be careful in these times about increasing the expenses of the Government; but I do believe in fair and liberal compensation for Federal employees, and I have always so voted; that is my record in this body. I also believe, however, in undivided allegiance upon the part of those employees to their supreme duty, that of service to their employer, the United States Government, without any alliance with any outside body or influence whatsoever.

I think my amendment is just and proper, and that it should be adopted and that the issue should now be settled by Congress as to whether or not such affiliation as this amendment is aimed to prevent is to be allowed in future. I do not think the matter should be allowed to remain in doubt or held in abeyance any longer.

Therefore, with these remarks, I submit it to the judgment of the Senate.

Mr. THOMAS. Mr. President, at the outset let me say that I am not opposed to the object of this bill, which is designed to provide a pension fund for the retirement of those who have devoted the greater part of their lives to the civil service. I have been gazetted as an opponent of the principle, for what reason I do not know, except it be that in the discussion of the bill, in slightly different form, before the last Congress I listened to the criticisms of the Senator from Ohio [Mr. POMERENE] and was practically persuaded that a different system from that outlined was essential for the protection of the Government and as well for its employees.

I believe in a system of pensions, intelligently devised and applied, with justice as its foundation. Those who give their lives to the country in the military and naval service have the highest possible claim upon our bounty, and their dependents left behind should be the object of the Government's most solicitous care and consideration. Those disabled in whole or in part, either by casualties or by disease, while in the country's service, should also be recompensed to the extent of such disability. The officers of the regular line or staff, whatever the nature of their duties, all of whose time is given to their duties in the Army or the Navy, upon retirement should and do receive a fairly adequate compensation in ordinary times; and the same should be true of those who serve the country in a civil capacity. The men and women devoting their lives to such service, giving the country the best that is in them, should, upon reaching a period of life when their mental and physical activities are on the wane, be also the subject of our generous consideration. I believe that no government should go beyond this, since that converts a pension system into a bounty system, and scatters the public revenues, without regard to the nature of the service or the need of the beneficiary, to all who have worn the uniform whatever their service. That system, which has disgraced and disfigured the legislative history of the past 50 years, is, in my judgment, indefensible, and has much to do with the pending demand of soldiers of the recent war for compensation or a bonus, equivalent in the aggregate to about two and a half billion dollars.

So I am not opposing the principle of this bill, and I want to assure the distinguished Senator having it in charge that I have no intention of postponing a vote upon the measure. I have some views, however, upon the amendment offered by the Senator from Montana, which I shall support, and to which I wish to give expression before a vote is reached.

Like all amendments offered by the Senator from Montana [Mr. MYERS] its purpose is clear and unmistakable. It proposes to exclude from the benefits of this bill all employees of the Government affiliating with outside organizations which believe in the strike as a weapon of offense or defense, or both; and if it is accepted, as it should be, it will go very far to the settlement of the proposition and serve to establish a conservatism in the civil service regarding this and kindred subjects that in the end will redound to their benefit quite as much as, if not considerably more than, the benefit of the country at large.

Mr. President, I do not think that we can fairly consider this subject without directing attention to some existing conditions in the industrial world, and to those which have developed since the end of the Great War, because it is necessary, in order to justify this proposed legislation, to demonstrate that it is necessary, and that if conditions remain as they are, they will be aggravated by the precedents now existing and which are multiplying day by day throughout the country. I do not think I exaggerate, Mr. President, when I declare that the labor movement, so called, never until recently intended to comprehend within its ranks the officials and employees of the public, whether engaged in national, State, or municipal service. The object, and the legitimate object, of labor organizations is to meet modern conditions made necessary by organizations of employers and of capital, thus giving to them that collective strength which proceeds from union and which is essential to meet and hold its own when confronted by similar association with which they have to deal.

The fundamental idea lying at the foundation of organized labor, in English-speaking countries, at any rate, has been the assumption—a correct one, in the main—of an antagonism of interest and of purpose between employer and employee, a divergence of interest, and therefore of opportunity and of advancement, in which the wage earner acting individually is handicapped and must be overcome by counter organization. It is a sound idea and one with which no man acquainted with the industrial history of the last century can challenge.

That situation can not be applied to public employment. There can be nothing but community of interest in public affairs among all who represent the Government in whatever capacity. We speak of the Government as a sort of an abstract entity, existing apart and of itself, generally unmindful of the fact that Government consists of every employee and every official, from the highest to the lowest, whose activities are essential to the operation of public affairs. Hence all employees, whatever their grade, all wage earners of the Government, whatever their position, together with the heads of bureaus and of departments, and the President of the United States as well, constitute the Government. To argue, therefore, the existence of an antagonism, either of interest or of purpose, between those engaged in humbler occupations for the public and those engaged in higher occupations for the public is to my mind unthinkable.

Once it is introduced or acknowledged, the Government is divided against itself, antagonisms necessarily ensue, politics becomes the trade of those who fear that competition or a con-

flict of interest may result in their injury, and the public service suffers in consequence. Of course, organization of employees to better their condition, to improve their minds, to promote their social intercourse, and in a perfectly proper way to present their views to legislators is to be encouraged so far as they are legitimate. That they have accomplished much good goes without saying, and that is true whether we consider the associations of national employees or those of the States and the different localities.

But when, in addition to such organization, the public servants affiliate with a private union, national in extent, founded upon the existence of this antagonism and conflict of interest, identify themselves with their constitutions, their policies, and purposes, with whatever reservations, it is inevitable that they must some time, somewhere, confront a divided allegiance, one to the Government, which is their employer and of which they are a part, and the other to the outside organization, of which they are also a part, but to which they should be strangers in interest and therefore in policy. Who doubts the direction of the scale which seeks to balance such a situation?

Even in the matter of dues, contributions must be made to the outside organization, as required by the terms of its charter. These, whether general or special, must be liquidated, because, as was shown the other day by the Senator from Montana, once a man joins this organization he can never resign, and he fails to pay his dues at his peril. He is just as much a part of the organization as though it were a machine, each and every portion of which is essential to the remainder. They may in their own constitution seek to guard against strikes of any character and insist upon the observance of that reservation. It is possible that such a reservation would be respected; but the sympathy, the identity of interest, and the financial contributions remain the same.

I am told by good authority that when the great steel strike was in full blast agents of organized labor went through the public buildings, or some of them, in the city of Washington to collect a special levy of $2 per head from the members of the employees' unions, the money to be used for the benefit of those engaged in that tremendous industrial upheaval. I hope my information is incorrect, but I do not think it is.

Men and women in the employ of the Government had no alternative, because of their affiliations, but to comply with this requirement. Many of them did so reluctantly, under duress; but, having deprived themselves of the right or the power of refusal, they were just as much bound by the demand as though they were themselves a part of the striking force and engaged actively in the effort to make it effective.

The Senator has called attention to conditions in Chicago, and there we have a graphic illustration of the effect upon government of organized employees. These are striking for higher wages, but using all the weapons of an industrial strike, excluding citizens and taxpayers from their own buildings, which leads ultimately to the interference of State authorities and the use of the military arm of the Commonwealth, not only for the preservation of order, but that the machinery of the great city may again function, albeit imperfectly.

The Boston police strike is still fresh in the memory of all. Its approval by the American Federation of Labor almost immediately followed the calling of the strike and while the city was in the hands of the lawless, criminal, and riotous elements always ready in the great metropolitan centers of the country to take advantage of such conditions and ply their trade in bloodshed and murder and robbery with impunity. You can no more defend such action upon any principle than you can defend treason against the Constitution, which many grades of employees are required to take an oath to support, because if it can be defended as to a municipality it may be maintained as against the Nation.

I have no doubt there is a basis for the action of the Chicago employees; that is to say, not receiving sufficient compensation to enable them to get along, they have demanded more and have taken this method of securing it. But if a man is not satisfied with his public job, no law prevents his resignation, and at the present time when the labor market is so short I do not see how any man or woman of enterprise and ambition, normally constituted, can remain in the Government employ, because the longer they do so the more certain it is that they lose their power of initiative, their sense of self-reliance, and their ambition to get on in the world. They become cogs in an enormous wheel, and there they remain until worn out and cast aside. These employees, however, not content with refusing to work, propose that no one shall perform the work, however badly it may be needed. That means a contest against the Government itself.

Here is an object lesson that I wish all Senators, most of whom are unfortunately absent, would take to heart and understand before they cast their votes upon the amendment of the Senator from Montana [Mr. MYERS]. In 37 cities of the Union the police are organized and affiliated with the American Federation of Labor, whose official heads not only defend but encourage the multiplication of these affiliations, and I understand were disinclined to cancel the charter given to the Metropolitan police of this city when demand was made upon them to do so.

I can easily imagine the unionization of every police force in every considerable town in the United States, their affiliation with the American Federation of Labor, and a consequent subjection to its purposes, its objects, and its policies; and it is easy to go one step further and imagine a strike of the policemen, we will say, of the city of Macon, Ga., leading to a sympathetic strike of similar organizations in all parts of the country. How such a situation can possibly consist with a republican form of government, or any other form of government so far as that is concerned, is beyond my comprehension. It is unthinkable, and if the Congress sits here supinely, cognizant of these conditions, both actual and potential, and takes no action, then it becomes particeps criminis to a movement that is dangerous to the integrity of American institutions. We can stop it among employees by prohibiting it, and the people of the United States, the independent, intelligent, reflective, thinking masses of our population, will say amen without regard to local resentments and adverse criticisms, which every public man must encounter if he exercises any independence at all in legislation.

The Senator from Montana is not alone in his viewpoint; indeed, it was anticipated by the President's last industrial commission, which made a report sometime ago, section 5 of which was devoted to this subject. I read from the comment upon labor conditions by President Charles W. Eliot, president emeritus of Harvard University, in the New York Times of March 7, the article bearing the title "Why the public has lost sympathy with strikes":

> In section 5, which relates to Government employees, there is another hopeful statement to the effect that no Government employees who are concerned with the administration of justice or the maintenance of public safety or public water supplies should be permitted to join or retain membership in any organization which authorizes or orders strikes or which is affiliated with any organization which uses the strike. Another important sentence is to the effect that no interference with the continuous operation of Government functions through concerted cessation of work or threats thereof can be permitted.

President Eliot goes on to say that—

> These statements will doubtless be acceptable to a very great majority of the American people, including the greater part of the working class, commonly spoken of as labor, organized or unorganized.

And in that I think he is entirely correct. Indeed, I can not conceive how any report of any commission, official or otherwise, upon this subject could fail to make a recommendation, for it strikes one in the face instantly that he proceeds to a discussion of modern industrial conditions. We can not avoid it, and should not avoid it, if we could, for we were sent here to meet such problems and legislate upon them, and if we are afraid to do it we should resign and go home. It is better to be useless at home than to be obstructive or compliant in public life.

Canada has confronted this situation. I read a clipping from the Washington Post of March 6, 1920:

> DENY RIGHT TO JOIN UNIONS—CANADA PLACES BAN ON GOVERNMENT EMPLOYEES.
>
> OTTAWA, *March 5.*
>
> The right of employees of the Dominion Government to join labor unions was denied in a letter sent to-day by the cabinet to the Dominion Trades and Labor Congress.
>
> The letter adds that, in so far as private industry is concerned, the Government already has sanctioned the workers' right to organize and has recognized the wisdom of collective bargaining on more than one occasion.

That is comparatively recent. I have not observed any comments in the press regarding this order, which seems to be fundamental and which our own Government might well copy. Indeed, it should have been done long since, but in this country we are very fond of the game called "passing the buck," and it is passed wherever possible from administrative to legislative hands, and vice versa. We sometimes pass it to the judiciary, feeling that they will safeguard the institutions and welfare of the country, and while we gratify certain elements among our own constituency by voting as they desire, leaving the ultimate responsibility to the Supreme Court of the United States, I might add, parenthetically, that we have sometimes regretted having done so in view of the results secured from that department of the Government.

Mr. President, while it may be true that many of these organizations, perhaps all of them, have reserved to themselves the right of refusal to enter into strikes or to participate in any manner concerning them, it still remains that they become politically

active. The Senator from Montana [Mr. MYERS] the other day read into the RECORD a newspaper clipping which outlines what the Federal employees' unions are doing politically, from which it is seen that this political activity synchronizes with the declaration of the American Federation of Labor regarding the forthcoming political campaign. It is and will be their purpose to tabulate the public record of every Member of this Congress, not for the purpose of checking him up generally, not to lay that record before the people and let them judge whether it is creditable or otherwise, but to ascertain just how each and every Member has spoken or voted upon legislation in which they are interested.

A Senator, Mr. President, if such a thing were possible, may have opposed every salutary measure during his service and advocated every pernicious measure upon which he has been called to act; he may be entirely committed to great corporate interests; he may sympathize with the enemies of his country; he may have flouted and disregarded public opinion and the clear requirements of his official duty as regards every subject of national or international concern, and this association is indifferent to the record; but if he has failed to comply with its requirements regarding any matter which they desire or to which they are opposed he is to be retired from public life.

I do not think any man assuming the responsibility of a Senator or of a Member of the other House should for a moment shrink from his record. I wish the people would study them more closely than they do; it would be better for them and sometimes better for us; but I do contend that the public employees of the United States have no more right to dictate to me or to you, Mr. President, what our course shall be here and no more right to advertise something in which they are interested and concerning which our votes have offended them than have the Senate and the House the right to inquire into their political affiliations, their notions upon public questions, or the lines of their public conduct so long as they offend no law while in the employ of the Government.

The time was in older republics which passed their meridian and lapsed into ruin when aggregations of public interests did precisely that thing. The disappearance of independence of the people's representatives sounded the knell of their inevitable dissolution.

When Lucius Q. C. Lamar was first elected to Congress, having accepted the office very reluctantly, he informed the nominating convention that if he came here they could not do his thinking for him, either between the plow handles or behind the counter; in other words, if he was to represent them, he would do so according to his own judgment and to the best of his ability. The time was, Mr. President, when that was the attitude of every man in either House of Congress, when modern propaganda was unknown, and when a Senator's daily mail could easily receive his consideration in the course of an hour. That time has passed. We now receive copious and multitudinous petitions, telegrams, letters, appeals, demands, to take this, that, and the other attitude upon everything of practical importance that comes to our calendar. Half a man's constituents sometimes tell him to vote "yea" upon a particular proposition or be damned, and the other half assures him at the same time that if he does so he certainly will be damned. That is when some men feel like taking to the woods. That is bad enough, but to have semipolitical organizations of the men and women who are dependent upon Congress for their positions through legislation, and resenting refusal of their demands and clamoring for political heads, is something which, as I have said, can not be permitted with impunity.

I do not know how extensive the organization in this city is. I understand there are 107,000 Government employees in Washington. The head of the organization is a man named Steward, who, I believe, is a Government employee. He is their walking delegate, their lobbyist, their generalissimo; and I say this in no disrespect of that gentleman, although he must be held responsible for this propaganda.

Now, let us see what his revenues are. I do not know; but if we assume that his organization numbers 100,000 members and he obtains monthly dues of 50 cents apiece, then his organization commands $50,000 a month, or $600,000 a year—quite a respectable fund. The dues may be but 25 cents, if you please, but that would amount to $25,000 a month, or $300,000 a year——

Mr. MYERS. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER (Mr. PHELAN in the chair). Does the Senator from Colorado yield to the Senator from Montana?

Mr. THOMAS. I yield.

Mr. MYERS. I have learned from the literature of the Federal employees' union that the dues are 50 cents a month, or $5 a year if paid in advance.

Mr. THOMAS. I had that impression, Mr. President. I do not know whether or not the head of the Washington organization is the head of the organizations all over the country, but the fact remains that of the money which the Government pays these employees and which they say they can not live upon, the enormous sum of $600,000 is to be devoted, among other things, to politics, to disseminating literature against or circulating demands for the defeat or the reelection of this, that, or the other Member of Congress. Hence, in view of the perils which such a condition involves and the certainty that these practices will beget imitation quite in proportion to the development of weak-kneed Senators and Representatives when confronted with them, what may we expect for the future? We should meet it at the threshold, and if we have failed to do so, then to meet it at its present stage of development.

I think, Mr. President, I can say in this connection that the great majority of the employees of this Government are in sympathy with this amendment. They will not say so; they dare not say so, since political and social excommunication might follow. One Government employee told me that she joined her union because she was warned that unless she did she might never hope for promotion. I have no doubt that is true, generally speaking. That is coercion; and the only relief that employees can obtain from such requirements is through the action of the Congress; otherwise they are helpless.

Mr. President, this is a branch of a still larger political movement to which I shall refer for a few moments. Shortly after the enactment of the railroad law, or during the last days when that measure was under consideration, and doubtless because of the certainty of the acceptance of the report of the committee of conference, the American Federation of Labor announced its entry into politics, its purpose being to punish enemies and reward friends. Its official declaration, signed, I think, by Mr. Samuel Gompers, was published about that time; and I ask leave to insert it in the RECORD as a part of my remarks, without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

LABOR LAUNCHES MOVEMENT FOR UNITY AT THE BALLOT BOX—AMERICAN FEDERATION ANNOUNCES ENTRY INTO POLITICS—WILL PUNISH ENEMIES AND REWARD FRIENDS, IS DECLARATION.

Organized labor's announcement of its entry into politics, a call to "all lovers of freedom to marshal their forces in defense of their rights and ideals," and to all trade-unionists and their friends to unite in defeating those seeking office who are hostile or indifferent to the rights of labor, to-day was being sent broadcast over the country.

The declaration, issued officially by the American Federation of Labor, after reciting what it termed "vain efforts to secure remedial and constructive legislation for the interest and welfare of the toilers," denounced Congress for its "failure to do its duty" and its "repression of labor."

"Scorned by Congress, ridiculed and misrepresented by many Members of both Houses," the announcement said, "the American labor movement finds it necessary to vigorously apply its long and well established nonpartisan political policy. The American Federation of Labor announces its determination to apply every legitimate means and all of the power at its command to accomplish the defeat of labor's enemies who aspire for public office, whether they be candidates for President, for Congress, for State legislatures, or any other office."

NONPARTISAN COMMITTEE NAMED.

The appointment of a national nonpartisan political committee which will mobilize the trade-unionist movement was announced, and the campaign will be started immediately. The work will begin in the primaries and will be carried through to the general elections. Each aspirant for office, the announcement said, will have his record "analyzed," and those regarded as favorable to labor will be supported regardless of party affiliations, while those antagonistic to the labor movement will be opposed.

The labor organizations' declaration was adopted at the conference of trade-union representatives here in December. The conference was authorized at the last convention of the American Federation of Labor.

Announcement of its decision was made in an official circular embodying the conclusions of the federation's general committee, which has been in session here several days. This circular will be distributed to trade-unionists in every State through the local unions, by which it will be called also to the attention of friends of organized labor.

ALLEGES RIGHTS ARE THREATENED.

"The inherent rights and principles of our people are threatened," the circular begins.

"The free institutions of our country are menaced.

"The ideals of democracy are in danger.

"The Congress of the United States has failed to do its duty. It has failed to meet the emergency. It has given encouragement and support to autocratic and reactionary policies. Its dominating thought has been the repression of labor.

"Every effort to secure remedial and constructive legislation has been strangled. Every appeal for redress has met with subtle and open hostility. The Halls of Congress have been used by labor's enemies to foster and spread a vicious propaganda against the efforts of the toilers to exercise their normal and lawful activities for the protection and promotion of their interests and welfare. Labor has appealed for relief in vain.

"The hour has arrived when those who believe in the maintenance of democratic institutions must marshal their forces in defense of their rights and ideals.

CONDITIONS REGARDED "INTOLERABLE."

"It is intolerable that a people who spared no cost to make the world safe for democracy should be forced to submit to any restriction of the glorious liberties inherited from the founders of our Nation. The perpetuation of our fundamental rights and the enactment of essential constructive legislation demand the election of men, regardless of their political affiliations, who are truly representative of American ideals of liberty.

"Conscious of its responsibilities, impressed by the grave problems resulting from the Great War, the American Federation of Labor, at its annual convention in June, 1919, adopted a reconstruction program. This program defined the essential industrial policies and legislative enactments required to establish a full measure of justice and opportunity for labor.

"Because of grave emergencies which arose since that convention it became imperative that the representatives of organized labor and of farmers should assemble and confer to devise ways and means for safeguarding their rights and liberties as free men and citizens. On December 13, 1919, a conference of representatives of labor and of farmers met in Washington, D. C.

"This conference expressed 'labor's grievances, protests, and demands.'

PLACES BLAME ON CONGRESS.

"No favorable legislative action upon the recommendations contained in the American Federation of Labor reconstruction program, or those expressed at the December conference, has been taken by Congress. Instead, many Congressmen have endeavored to enact legislation providing for compulsory labor. Despite the patriotism and sacrifice of the masses of labor of America during the World War, under the guise of antisedition laws the effort has been made to repress free association, free speech, and free press.

"Scorned by Congress, ridiculed and misrepresented by many Members of both Houses, the American labor movement has decided to vigorously apply its long and well established nonpartisan political policy.

"Confronted by a succession of hostile Congresses, the American Federation of Labor in 1906 announced its historic 'bill of grievances.' This was followed by a vigorous and successful nonpartisan political campaign. In 1908, 1910, and 1912 the same program was energetically applied. As a result many of labor's enemies in Congress were defeated and all of the essential legislation in 'labor's bill of grievances' of 1906 was enacted.

ASKS "CONSTRUCTIVE LEGISLATION."

"Constructive legislation has never been so necessary as at present. Never has it been so essential to secure the defeat of labor's enemies and the election of its friends and supporters.

"Sinister forces are already actively engaged in efforts to confuse and nullify labor's political power. Their object is to divide the labor vote so that the election of reactionaries and enemies of labor will be assured. Unless labor holds steadfastly to its nonpartisan political policy, the enemies of labor will be successful in their efforts. Labor can not, labor must not, permit its political strength to be divided in the present crisis. Organized labor owes allegiance to no political party. It is not partisan to any political party. It is partisan to principles—the principles of freedom, of justice, and of democracy.

"It is the duty of trade-unionists, their friends and sympathizers, and all lovers of freedom, justice, and democratic ideals and institutions to unite in defeating those seeking public office who are indifferent or hostile to the people's interests and the rights of labor.

"Wherever candidates for reelection have been friendly to labor's interests they should be loyally supported. Wherever candidates are hostile or indifferent to labor's interests, they should be defeated, and the nomination and election of true and tried trade-unionists or of assured friends should be secured.

DEFEAT OF ENEMIES IS AIM.

"Complying with the instructions of the last convention and the labor and farmer conference of December 13, 1919, the American Federation of Labor announces its determination to apply every legitimate means and all of the power at its command to accomplish the defeat of labor's enemies who aspire for public office whether they be candidates for President, for Congress, for State legislatures, or any other office.

"The American Federation of Labor calls upon all affiliated and recognized national, international, and brotherhood organizations, State federations of labor, central labor bodies, local unions, and labor's friends and sympathizers to unite and give loyal support to the nonpartisan political campaign now set in motion.

"This political campaign must begin in the primaries. The record of every aspirant for public office must be thoroughly analyzed, stated in unmistakable language, and given the widest possible publicity. Labor's enemies and friends must be definitely known. To this end the American Federation of Labor has created the national nonpartisan political campaign committee, and it now calls upon all affiliated and recognized labor organizations to create district and local committees and to cooperate with the national committee and coordinate its efforts.

"The future welfare, the very ability of the trade-union movement to carry on its work for humanity, depends upon the success of the campaign herewith inaugurated.

"There can be no hesitancy.

"There must be no turning aside.

"The time for vigorous and determined action is here."

GENERAL COMMITTEE IN CHARGE.

The general committee in charge of the campaign consists of the executive committee, the eight vice presidents of the federation, James Duncan, Quincy, Mass.; Joseph F. Valentine, Cincinnati; Frank Duffy, Indianapolis; William Green, Coshocton, Ohio; W. D. Mahon, Detroit; T. A. Rickert, Chicago; Jacob Fischer, Indianapolis; Matthew Well, Chicago; Daniel J. Tobin, Indianapolis, treasurer of the federation; John Donlin, Chicago, president, and William J. Spencer, Washington, secretary of the building trades department; A. J. Beeres, Washington, secretary of the metal trades department; John W. Hays, Indianapolis, president, and John J. Manning, Washington, secretary, of the union label trades department; James Lord, Washington, president of the mining department; Bert M. Jewell, Washington, acting president, and John Scott, Washington, secretary of the railroad employees' department; John P. Frey, Norwood, Ohio, editor International Molders' Journal; Mrs. Sarah A. Conboy, New York, secretary United Textile Workers; Miss Anna Fitzgerald, Chicago, president of Women's International Labor League; Miss Melinda Scott, New York, United Felt, Panama, and Straw Hat Trimmers and Operators; and Miss Anna Neary, Baltimore, International Brotherhood of Bookbinders.

Mr. THOMAS. It is a somewhat passionate announcement, embodying amid much eloquence a series of charges and statements which can be excused when emanating from men laboring under great excitement, but which, in my judgment, are largely imaginary. Generally speaking, the claim is that the rights of labor and its demands for legislation have been constantly disregarded and neglected by the present Congress, as a result of which the American Federation of Labor is compelled, for its protection and preservation, to take part in the coming political campaign, which, it declares, must begin in the primaries.

A day or two after the publication of that manifesto, Mr. Gompers, speaking in a neighboring city to a gathering of shipyard workers, promised them every assistance of his organization in forcing the Government to continue the war-time shipconstruction program to its logical conclusion, giving the United States the greatest merchant marine in the world—an assurance, I may say, Mr. President, which receives my hearty commendation.

"We propose to move ahead no matter what obstacle is placed in our way," said Mr. Gompers, referring to the campaign. "The labor movement can not stand still; it must of necessity progress."

"It is a policy just the reverse of that in every other country," the speaker asserted, describing the liberal movement in Europe. "It is your duty to see that this tendency toward autocracy is curbed. In our fight you can expect the bitterest opposition from every enemy of labor—especially from every standpatter, reactionary, and some damn fools on the 'Hill.'"

That last reference, in all probability, being to the Congress, or those Members of it who have incurred Mr. Gompers's displeasure.

J. A. O'Connell, vice president of the American Federation of Labor, referred to antistrike legislation as a deliberate attempt to enslave labor through compelling workmen to remain on the job against their wills. "We must prepare to clean house," the speaker said. "Labor is entitled at the very least to an even break in representation in Congress."

Announcement of the federation's decision to wage an active campaign, he said, already has led Congressmen to review anxiously their records, but he warned these that labor would do its own reviewing.

The convention adopted a resolution favoring Government ownership and operation of the American merchant marine, and another proposing that three members of the board supervising operations be representative of the men employed in the industry.

I might add, Mr. President, a number of clippings relating to this subject, as I have quite a considerable number of them here; but I will not burden the RECORD with more than two or three others.

I have here an editorial from the World, the date of which I unfortunately omitted to record, entitled "Functioning perfectly." This editorial was inspired in some degree by the aggressive attitude of the American Federation of Labor toward the coming campaign. I will read the editorial:

"FUNCTIONING PERFECTLY."

Strikes and lockouts referred to the United States Department of Labor for settlement in the year of 1919, we are told, involved 2,300,000 workers and cost them in lost wages upward of $100,000,000. This is rather startling. But we are further told these cases constituted "only a small percentage of the actual number of strikes." They did not even include the steel and coal strikes.

Thus the actual number of workers involved in strikes during one year must have been several times 2,300,000. Thus their wage losses must have been several times $100,000,000. What the employers lost is not even guessed at, but it must have been many times what the workers lost. What they lost altogether would unquestionably run into the billions of dollars. And it was an absolute loss. It was a loss that will never be recovered. It was a loss, moreover, which only accentuated the general cause of the strikes and made still more unbearable the costs of living.

And these uncomputably enormous losses to labor, to capital, and to the whole industrial society of the United States were suffered under a "machinery" for regulating hours and wages, which Mr. Gompers now speaks of as tending to "function perfectly"—so perfectly, indeed, that it should not be interfered with by any schemes of arbitration or peaceful adjustments as proposed by the President's Industrial Conference!

Several millions of workers, including many of those already affected by these great losses, now appear as planning new strikes to overcome the unbearable burdens in living costs imposed by yesteryear's upheavals and idleness. What can be their opinion of that "machinery" of Mr. Gompers which for them functions so "perfectly"?

Mr. President, if I read aright the evolution of the present threatened political movement, it is largely due to the antistrike clauses of the railroad bill, which the House unfortunately eliminated, and to the issuance of a writ of injunction against certain officials of the United Mine Workers of America by Judge Anderson at Indianapolis last December, the one indicating the correctness, if I may so say, of my diagnosis in 1914 of the provisions of the Clayton antitrust law upon the subject of injunctions, and the other indicating the independence of Congress and the exercise of its own matured judgment upon a subject of great public concern affecting every man, woman, and child in the United States, all of whom are dependent in greater or less degree upon the constant operation of our transportation system. The American Federation of Labor, incensed by these things, has used them as the basis of a political propa-

ganda which may have been contemplated before and probably was. Of course these are but a small portion of the alleged grievances which, taken together, would indicate that the wage earner was not only unprotected by the laws of his country, but that they had been designed and framed with the effect, whether intentional or otherwise, of degrading him to the level of a common chattel.

Some days afterwards Mr. Gompers announced his "14 points," in imitation of a very celebrated personage of contemporaneous American history, one of the greatest of American Presidents, upon which the New York Tribune make this comment. The editorial is entitled:

THE GOMPERIAN FOURTEEN.

The 14 points of the political program of Mr. Gompers not only make a formidable array, but in one respect are superior to their prototype. They are, in the main, specific and understandable. Their details do not fade away into a fog of vagueness no eye can penetrate.

Mr. Gompers would have open income taxes openly arrived at; Federal licensing of all corporations; Government loans at low rates for home builders; a graduated tax on all usable lands above the acreage used by the owner; higher income, inheritance, and land taxes; Federal subsidies for education, with teachers permitted to organize; rigid public control of business credits; public ownership and operation of all public and semipublic utilities, including docks and merchant marine; Government development of all unused water powers; a constitutional amendment under which laws passed by Congress or legislatures when nullified by the courts could not be nullified a second time if repassed; no troops for service during industrial disputes; and, finally, making it a felony for any employer to hamper the organization of a labor union or to oppose its striking.

We pass over other matters as to which Mr. Gompers is rhetorically emphatic but not definite. But even thus deleted his program is reasonably inclusive. During the Gomperian era it would be requisite for all to have union cards, and when everyone had one the warfares of society would, of course, be between the rival unions. Gang fighting would take the place of tribe fighting. Steel workers would march against coal diggers and masons boycott carpenters.

During the war Mr. Gompers was alive to the common rights of men, but in peace time he is at the old job of assuming that somewhere are stores of wealth or groups of willing workers that everyone can easily live on if unionism becomes universal. The venerable leader of American trade unionism can not see that for the success of his system it is indispensable to have outsiders.

The Republic is based on the principle that community citizenship is more important to a man than class or vocation citizenship. It is time for Mr. Gompers and for all others to get back to full allegiance to this simple but most vital truth.

And it is, Mr. President, as vital as it is simple. Community citizenship is more important to a man than class or vocation citizenship, a fact neither recognized nor contemplated by the labor party. This is to be deplored. But I must confess, Mr. President, that the American Federation has precedent for its action. Its manifesto does not chronicle the first time that class interests have set out to secure control of the Congress or of the Presidency. It is not the first occasion wherein the people have had to contemplate the consequences of threatened Government control by privilege, because it is an unhappy truth in our political history that more than once great business and industrial aggregations, not openly, as Mr. Gompers does, which is to his credit, but through subterranean influences and by the use of aggregated wealth, have laid siege to the citadel of this Republic and occasionally captured its outer ramparts. No man denounced those plans and purposes more constantly, more vigorously, more eloquently, and more effectively than the venerable head of the American Federation of Labor. I recall in many campaigns of the past not only his virile denunciation of these unconstitutional and class methods of attempted control, but his graphic picture of the consequences of their success in terms far more vivid and eloquent than I can hope to imitate. Labor may well say to capital, "The villainy you teach me I will execute, and it shall go hard, but I will better the instruction." But that is not American.

Mr. President, in my humble way and in the limited sphere of my activities, I have for the past 40 years to the best of my ability fought against these monopolistic tendencies, and defied, as best I could, the effort to establish privilege in America as the governing force of control; and so long as I live I shall continue to oppose these efforts from whatever source they may emanate.

This is a country, Mr. President, without classes, in Government at least, and no class as such—financial, social, industrial, or otherwise—can be safely intrusted with the supreme power in this country without very seriously undermining our institutions and weakening the American concept of republican government, a concept which, I am I glad to say, is common to both the great political parties of the Nation.

That sort of thing is hateful to me, Mr. President, no matter who its advocates and beneficiaries may be. Autocracy is hateful, whether it assumes plutocratic form, corporate form, or the form of democracy. One of my reasons for rejecting the treaty was the fact that it creates a class as a privileged part of the international concert, endowing it with particular authority, singling it out as the peculiar beneficiary in a great scheme designed for an enduring world peace.

We can imagine the response of this country had the treaty made similar provision for the organized wealth of the world, or, if you please, for its banking or transportation or professional interests. It is not democratic. Not only so, Mr. President, it is opposed to every modern conception of true democracy.

I regret very much, Mr. President, that this great industrial organization, always opposing privilege and the exercise of uncontrolled political power when advanced from some other direction, should now demand, and, if possible, secure, the same authority, wield the same weapons, and exercise the same power the attempt to secure which by others it has so frequently and so successfully opposed. Whatever is wrong is wrong, no matter who advocates it. Whatever is right is right, regardless of its championship, and if it be wrong to submit the authority and the destinies of this Republic to any specific element of its people, the fact, Mr. President, is not altered by the circumstance that some other source or influence seeks the same end by the same processes.

But what is the grievance demanding such drastic remedies?

Let me for a moment ask what it is, in fact, which the National Congress has failed to do for labor; because, if we are to take these manifestoes literally, it has done nothing. I have no time to review the enactments of the Congress for the past quarter or half of a century, and single out the many laws which have been placed upon the statute books in the interest of those who depend upon their physical energies for a livelihood; but I make the statement without hesitation that the legislation of the Congress of the United States during the past 30 years has more and more been inclined to yield to the requests as well as to the demands of labor, until the time has come when the only things remaining are subjects which must be provided against upon the principle of national security and national preservation.

I do not believe in class legislation. Neither party believes in it, if we are to accept their declarations upon the subject. But, unfortunately, our actions do not square with our words. Congress has been prone to special legislation ever since the Constitution was ratified, sometimes in one direction, sometimes in another, sometimes in several directions by the same Congress. When corporate power was at its height, that power could practically dictate the legislation of the Congress, and it took advantage of the opportunity wherever its interests or supposed interests so demanded. There is no question about that. The influence assumed protean form and has done as much, Mr. President, to bring about the present condition of industrial unrest as any other one thing in our legislative history. This influence controlled, because the Congresses depended upon it for a continuation of power and places. Just as soon as the power began to wane, just so soon did Congress abandon its possessors.

In 1917 Congress passed the eighteenth amendment, the prohibition amendment. For many years prior to that time the liquor interests controlled our legislation upon the subject. They did so because they possessed, or Congress supposed they possessed, the balance of political power in the country. But as one State after the other enlisted under the banner of prohibition, so did one Member after another see the great light of a new dawn; and if a Senator can not perceive a change in public sentiment upon any subject as quickly as anyone, my observation of the last seven years has been decidedly misleading.

Of course, as the States, one after the other, fell into the prohibition column, it became quite apparent that the prohibition sentiment was in control, and we hastened to get out of the wet. I did not intend that as a pun, although it is true in a double sense. As a consequence, the prohibition amendment was adopted. The manufacturer of intoxicants was not even compensated for his losses for stock on hand. His pursuit was banned, and to-day a man carries a flask in his traveling case at the peril of his limb and perhaps his life. We saw the great change, we followed it, and prohibition became an accomplished fact.

That is equally true of what for want of a better term we call the labor movement in America. As the power of the organization waxed and its membership extended, so were its demands on the Congress duly heeded, and we transferred or extended our practice of enacting special legislation and establishing class privilege. As a result our statute books are disfigured with a series of class enactments that, in my judgment, are violative at least of the spirit of the Constitution. I shall not enumerate them. Suffice it to say that we have not been able to pass a bill through the Congress since I have been here carrying with it appropriations to be expended in the workshops and laboratories and manufactories of the Government without attaching to it the celebrated stop-watch exemption. We have been unable to legislate against the trusts without exempting labor organizations from the operation of the law. We interfered in the great railroad crisis of 1916 and enacted the Adamson law and abandoned the rest of the President's program because labor opposed

it, notwithstanding the assurance of the Democratic majority that it would receive favorable consideration. We have made the effort to deprive the courts of the country of the use of their prohibitive processes, whatever the emergency may be, as against wage earners organized and engaged in strikes. Yet it is said that we have done nothing for labor.

I did not support these measures; I could not do so in conscience. But a majority of both Houses thought differently. Now, because some of us hesitate to go further, because we refuse to always bow the knee to Baal and, as independent Senators and Representatives, to obey the demands and register the decrees of outside authority, we are all to be retired to private life, a new Congress consisting of men devoted to a particular class of people is to succeed us, its members pledged beforehand not to support the Constitution of the United States but to accept its legislative program as prepared by those who are to enjoy its benefits.

I will not do it. The moment I can not represent, in accordance with my own judgment and my convictions, the people who sent me here, the moment I am obliged upon matters of legislative concern to substitute for my judgment the interests and desires of others, whether I approve them or not, that moment I will gladly retire to private life. Why should we have representative Government at all if the representative is to be shorn of his independence and of the right to exercise his own judgment, however erroneous, upon matters of public concern?

I go further and declare that a man who would accept a position in this body, or the body at the other end of the Capitol, bound in mind and body to the course he shall here follow, a course outlined and dictated by a privileged class, is not only unfit to be a Member of the American Congress, but is not entitled to the privileges of American citizenship. A Congress composed of such membership would be a travesty upon republican institutions, it would be the antithesis of representative government, it would mark the beginning of the end of official independence and legislative integrity.

In this connection let me refer briefly to the career of one of our most eminent Members, who is scheduled for political execution. I will preface it by reading this clipping from a paper published two or three days ago:

SENATOR CUMMINS MARKED FOR DEFEAT BY LABOR MEN.

Senator CUMMINS, of Iowa, is one of the Members of Congress whom organized labor will attempt to defeat in November, according to L. E. Sheppard, acting president of the Order of Railway Conductors, who is now in Washington attending the railroad wage conference.

Senator CUMMINS was the author of the antistrike provision of the railroad bill which was thrown out in conference.

The headquarters of the railway conductors is at Cedar Rapids, Iowa, and it is said that this union will organize the fight against Senator CUMMINS. Mr. Sheppard said, however, that union labor had not yet decided on a candidate to oppose Senator CUMMINS, whose term will expire next March.

Mr. President, I do not exaggerate when I say that the senior Senator from Iowa [Mr. CUMMINS] is one of the most eminent, one of the most useful, one of the most patriotic, Members of this body. He served his State for two or three terms as governor with eminent ability and signal success. He is a sincere and conscientious statesman, devoting all his time and energies to the duties of the great office with which he has been honored more than once by his appreciative constituency. He has brought to the discharge of his responsibilities a mind enriched by years of study, reflection, and experience; he is qualified both by nature and by education to intelligently discharge the duties of his position here and is thoroughly equipped with all the qualifications of an American legislator. He has been the friend, the extreme and unshakable friend, of organized labor ever since I have had the honor of his acquaintance. He has gone so far in supporting their demands as to subject himself to the quiet criticism of some of his associates, none of whom, however, ever had a doubt of his integrity, his honor, or his purity of purpose.

The Senator from Iowa virtually had charge of the antitrust bill in 1914, when it was under consideration here. It was nominally in charge of the former Senator from Nevada [Mr. NEWLANDS], who depended upon his colleague for the analysis of its provisions, the defense, both legal and practical, of its contested recitals. The evolution of its many and difficult provisions was largely the work of the Senator from Iowa. On this floor he prepared and introduced an amendment which was adopted, specifically reciting that labor was not a commodity. That was the first appearance of that statement in any legislation of which I am cognizant. He was the author as well of the exemption of labor and agricultural associations from the operation of the antitrust law. I do not think it is too much to say that but for the Senator's vigorous, earnest, and persistent advocacy of those amendments they might not have passed. The Senator from Iowa was upon the committee of conference, stood by his amendments, and succeeded in retaining them in their original form. But he has offended Mr. Gompers, so he must walk the political plank in November.

It would seem, Mr. President, that ordinary gratitude and common justice would require some allowance, if not a little sympathy, for that Senator if in after life he may have fallen from grace and has failed to measure up to the Gompers standards of labor legislation; but no, his services are forgotten, the man is repudiated. Like a squeezed lemon, he is to be thrown aside. He must give way to a more obsequious individual, because, forsooth, he framed and championed the railroad bill which has just gone upon the statute books.

Mr. President, I know of no Member of this body, unless it be the senior Senator from Ohio [Mr. POMERENE], who has given as much thought and attention to problems of railway and inland water transportation as the senior Senator from Iowa [Mr. CUMMINS]. Since he became chairman of the Committee on Interstate Commerce he has devoted practically all his time up to the good hour when the bill finally became a law to the consideration of one of the greatest and most serious problems of legislation that ever confronted the Congress. Under his guidance a bill was finally prepared, reported favorably, and placed upon our calendar.

The bill was not entirely satisfactory to anyone, but it was the best compromise possible. It was not prepared in a moment, in a day, in a week, or in a month. It was the result of a long and patient series of hearings in which was represented every phase of every proposition subsequently adopted or rejected. The wage earners and the capitalists alike were welcomed to the committee's rooms; each and every one of them was given all the time desired. After securing this wealth of information, the bill, by the painful process of additions and eliminations, finally reached a form where it commanded the vote of a majority of the committee.

One of its most beneficent provisions related to strikes and made provision against their occurrence on lines of transportation, while thoroughly safeguarding the welfare of the operative. That was championed by the Senator from Iowa upon the floor in an argument which, to my mind, was absolutely unanswerable; for I can not assent, Mr. President, to the proposition that the right, whatever the grievance, to throw this country into turmoil and subject great communities to want and starvation is consistent with the integrity of the Union or with the larger general rights of all the people. However, I have no time to elaborate that view now. I shall probably do so on a future occasion. The Senator had the courage of his convictions, and as a representative of the people he believed that his duty, under his oath of office, required him to support that measure and he did so. For that, although the clause went out in conference, he is to-day pilloried by labor and politically ostracized by a large element in his State, whose indictment against him in its final analysis is that he did his duty as he saw it after due and full reflection and without regard to personal consequences.

Mr. President, I would be more than human if I should say that I did not prefer to see a Democrat from Iowa returned to the Senate at the next election, if such a thing were possible; that is a feeling that is common to all men who entertain my political convictions; but if the State of Iowa, under these circumstances, shall repudiate its senior Senator, it will serve notice that its representatives in the Congress of the United States must hereafter submit to the mandates of organized labor whatever they may be and regardless of consequences to them or to the remainder of the people of the country; it will serve notice upon the others that the independence of the representative is not only no longer required or expected, but its assertion will be punished by repudiation if exercised at all. This the people of Iowa will never do. Mr. President, that will not be done of any honest man, in my judgment, by a single State in this Union, provided we meet this issue as it deserves to be met and appeal to the judgment, the reason, the confidence, and the patriotism of the citizenship of this country.

If I am not mistaken about this, and if the next Congress shall be chosen by Mr. Gompers, as he says he intends it shall be, to consist of men subject to his orders and obedient to his decrees, the first bill to be introduced and at once enacted should read as follows:

REVISED OATH OF OFFICE.

You do solemnly swear that you will support and defend the constitution and by-laws of the American Federation of Labor as construed and understood by the president thereof; that you will support all legislation approved by and defeat all measures opposed by such president; that you will otherwise conform your public action to his wishes and requirements, and should you at any time refuse or fail so to do you will

resign. Subject to this qualification, you do also solemnly swear that you will support the Constitution of the United States and faithfully perform all duties imposed upon you by law. So help you God.

The Constitution itself should be amended so that the enacting clause of all our legislation shall read as follows:

Be it enacted by the Senate and House of Representatives of the American Federation and of the United States.

An oath such as I have outlined will comport with this new species of proposed legislative control. The present oath can not be observed if compliance with these new demands is to be abjectly made, for the Constitution is designed for all of us. The Senate of the United States and its companion Chamber at the other end of the Capitol were created by the Constitution to meet the needs of all men and women in America, and the oath which the Members are required to take comports only with the exercise of their sound judgment here, due regard being given to all phases of every subject coming within our jurisdiction and demanding legislative consideration.

Mr. President, I have already occupied two hours of your time; I have much to say upon this subject which I have not remotely considered; but I am so confident that the opportunity will be offered in the near future to do so that I shall not longer postpone the final consideration of the bill.

I feel very deeply, Mr. President, upon this subject. If I did not I would not speak of it. I regard it as one of the profound and far-reaching movements which can be properly and permanently disposed of only after full analysis, without passion, without personalities, and without prejudice.

I realize that a great organization, said to have a monthly income of $4,000,000, with its ramifications all over the country, and claiming a membership of between four and five million voters, is a formidable combination for any man or party to confront, and if I thought that the units composing it were all in sympathy with the purpose of its rulers I should contemplate the immediate future with some apprehension; but the average citizen of the United States, whether he be a member of a labor organization, a laborer, a farmer, a professional man, or a capitalist, is and must be, first of all, an American, and such, I flatter myself, he is. If so, then reason and reflection will teach him that the exaltation of one class in America, which means the degradation of all others, will sooner or later react upon those responsible for such a mighty and sinister change and hasten the very consequences which such action is intended to prevent.

Of course, such a plan leads to a democracy pure and simple, and a democracy acting through the volume of the mass, without the interposition of representatives or delegates, inevitably becomes a despotism of the most malignant character, where the rights of the minority are not only not respected but flouted and trampled under foot, where the man who talks the loudest and promises the most is the leader, where property rights are overthrown, where justice is denied to the weak, and the immediate impulse of the moment becomes the ruling principle of the majority, only to give way to something more entrancing. History from its beginning, Mr. President, is replete with instances of oppression; and if it be true that history is but philosophy teaching us by example, then we should reflect very seriously over the melancholy fact that no pure democracy, great or small, ever outlived the ravages of time or long survived the uncontrolled and conflicting passions of those composing it.

Mr. President, I can not close without again acknowledging that there is much precedent in our political history, possibly much occasion, for this proposed labor movement in politics. Of the right of every man to participate, either in an organized way or as an individual, in the campaigns of the country there is no question.

Of the right of these organizations to select the candidates whom they will support, there is no question. I am not criticizing that. I refer to these organized movements, backed by tremendous funds, and designed for the punishment of men whose crime is that they have sought to obey the dictates of their conscience, who have conducted their duties here to the best of their ability, and with due regard for the people as a whole. I know that sometimes the avenues of political action have been closed, and that whenever that occurs the passions, the prejudices, and the desires of those denied the enjoyment of their political rights must find a vent in some other direction; and just here let me repeat, as I have heretofore said, that the exclusion of duly elected representatives to the legislative bodies of this country because of their political beliefs is worse than indefensible; it is contrary to the policy and the genius of this country. If an organization can not select its representatives by complying with the requirements of the law governing everyone, and applicable to all, without encountering the penalty of exclusion in the event of success, then such an organization has no recourse but to resort to extra-constitutional measures to secure the recognition of its purposes and the accomplishment of its objects however lawful they may be.

I am not familiar with the details of the political opinions of certain representatives of the State of New York who yesterday, for the second time, were denied their seats. If they are socialists, of course I reject their doctrine. If their political beliefs embody a change in this form of government, I will go as far as any man in opposition to such indefensible ambitions. But if there be such in the United States constituting the majorities in legislative districts anywhere they have the right with Democrats and Republicans to nominate their tickets, register their voters, cast their ballots at the polls, and receive certificates of election in the event of success. This is a country of majorities; and if there be such majorities reflecting, as I think, upon their intelligence or their patriotism, they are majorities nevertheless, and their verdicts lawfully registered are entitled to the respect of all men.

Our Republican brethren are a majority here. They regard Democratic doctrines and Democratic principles as inimical to the welfare of America as we know theirs to be. Because they so regard our beliefs and our methods they may with equal propriety exclude us from our seats here, our views, our objects, our political principles being, in their judgment, inimical to the country. Where will you draw the line?

Precedents, Mr. President, and especially pernicious ones, always perplex and disturb the law. They are equally vicious in the political world. No! Let us in this country meet every question, however dangerous, by discussing and dissecting it, by determining its integrity or the lack of it, and by submitting its analysis through arguments to the court of last appeal—the great body of the American electorate.

I grant you that I have no right to preach treason, revolution, bloodshed, or crime anywhere. I grant you that if I have violated the laws of my country by lifting my hand against its institutions, by advocating riot, insurrection, and murder by others, or in other fashion, my personal qualifications should be carefully investigated before being permitted to enjoy public office. That is one thing, but to exclude arbitrarily because, forsooth, I represent parties and combinations believed by others to be sinister and menacing, is to establish a policy which must inevitably lead to riot and revolution. I want nothing of that sort.

The sooner we get back to the principles and policies under whose benign influence this country progressed and the happiness of its people was assured, the sooner we heed the great truth that increased production, thrift, and economy are the fruitful parents of prosperity, and that we can not reacquire that standard of industrial progress which we enjoyed a few years ago, the better it will be for this generation and the generations that are to come.

Mr. STERLING. In the first place, Mr. President, I want to express my sympathy with very much that has been said by the Senator from Colorado [Mr. THOMAS]. No one would more jealously guard Federal employees from any influence that would weaken or destroy their allegiance to the Government which they serve than I myself.

But, Mr. President, Federal employees, like other employees belonging to trade-unions, for example, are workers. It may be that their work is in an office and at a desk. It may be in the Ordnance Department or in the Navy Department, and where the labor is manual rather than mental.

As between workers of all kinds, whether they be in Federal or whether they be in private employ, there must be some bond of sympathy. We can not ignore that, and I think it is well that there should be some bond of interest and sympathy between workers of all kinds, whether known as Federal employees or workers outside of the Federal service.

I think it was natural in the first instance that those in the employ of the Federal Government should form unions. They formed them for the purpose of bettering their conditions—conditions relative to wages, conditions relative to working hours, and so forth. They saw that the American Federation of Labor had the same great object, namely, to improve the conditions of the members of the various labor unions throughout the country, and in order to accomplish what might be termed a common end and purpose, they saw no harm in affiliating themselves with the American Federation of Labor.

I do not sympathize by any means with everything the American Federation of Labor has done. I think sometimes, and especially under its present leadership, it has yielded to the demands of the radical element in labor where it should have been firm and taken a strong stand against it, and in support of law and of the Government. It may have been deemed expedient at the

time to yield; but therein was the great mistake, which I think organized labor generally sees. There has been something of an awakening among the workers themselves in this regard, and there is now regret upon the part of a very large element of organized labor that the head of the Federation of Labor did, for a time at least, yield to the demands of the extremists and defend their action.

Mr. President, the Federal employees have kept themselves aloof from the Federation of Labor so far as participation in or the encouragement of any strike is concerned. If I read the record aright, the Federation of Labor itself, Mr. President, can not call a strike or order a strike. Its constitution will not permit it. It may indorse a strike, it may disapprove of a strike, and I think the record will show that the Federation of Labor itself has many times been a restraining influence, an influence against a strike, and especially an influence against any violence incident to or growing out of a strike.

Mr. WARREN. Mr. President—

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from South Dakota yield to the Senator from Wyoming

Mr. STERLING. I yield.

Mr. WARREN. Has not the Senator noticed that of late years, under certain legislation affecting labor, strikes of all kinds and character seem to have been sustained by the American Federation of Labor, until it had finally become so oppressive to all branches of business, labor having proposed to starve and freeze the people into submission, and so forth, that finally the United States Government took a hand, and since that time there has been some slight notice of less activity in sustaining strikes? This is perhaps what the Senator alludes to.

Mr. STERLING. Mr. President, I would not say that they have always been sustained by it. I think many times they have been sustained by it.

Mr. WARREN. If there are exceptions, they prove the rule; there are so few of them.

Mr. STERLING. They may have been sustained when they ought not to have been sustained; I agree to that; but I think I have heard of many instances where they have discountenanced a strike and where, by their influence, they have prevented a strike.

But now, Mr. President, coming to the point of the amendment of the Senator from Montana [Mr. MYERS], and, briefly, I want to call attention to the constitution of the National Federation of Federal Employees, section 2 of which reads as follows:

> The methods for attaining these objects shall be by petition to Congress, by creating and fostering public sentiment favorable to proposed reforms, by cooperation with Government officials and employees, by legislation, and other lawful means.

Now comes this proviso:

> *Provided*, That under no circumstances shall this federation engage in or support strikes against the United States Government.

Mr. WARREN. There is nothing, however, to prevent them from associating themselves with and supporting strikes other than those against the United States Government.

Mr. STERLING. I will call attention to that a little later and to the statement of the president of the National Federation of Federal Employees.

Mr. WARREN. If the Senator will allow me, he will also find, by examining the papers before him, that everyone who belongs to that federation must pay his dues every month, and out of that a small portion goes to the American Federation of Labor.

Mr. STERLING. Yes; but I will come to that, if the Senator will permit me.

Mr. WARREN. In other words, while those two or three lines prevent them from striking against the Government, they do not prevent interferences from time to time. Let me say, if the Senator will allow me, that I do not know of anyone who has the slightest objection to any class of workers, all of whom are occupied in the same line or similar lines of work, federating with each other in a legitimate way and bringing their wants before the public and before legislators; but I do not like to see employees of the Government associated with an outside, or, you might say, a mother, federation or a parent federation the government of which and the rules and practices of which always support, no matter what happens, no matter what crime is committed, a member of that association, and which, so far as we know, have never crossed off the name of a man who belonged to that association, even though convicted of crime, and no matter what the crime may have been.

Mr. STERLING. Mr. President, I agree with the Senator from Wyoming that the Federation of Labor, or the officials, the very high officials, of the Federation of Labor have done some most reprehensible things. I sympathize entirely with what the Senator says in regard to the attitude toward those charged with and even convicted of crime. But, Mr. President, that has little to do with the particular question before the Senate, the amendment of the Senator from Montana.

I want to read from the constitution of Federal employees' union No. 2. I previously read from the constitution of the National Federation of Federal Employees. It is practically the same. Section 1 of article 1 provides that—

> The objects of this organization shall be attained by petition to Congress, by creating favorable public sentiment, by cooperation with public officials and employees, and by other lawful means: *Provided*, That under no circumstances shall this union engage in or support strikes against the United States Government.

As I said in the outset, Mr. President, there are some reasons why these people, thinking they might find some relief, might improve their wages and working conditions, were led to affiliate themselves with the Federation of Labor.

Mr. WARREN. Will the Senator allow an interruption?

Mr. STERLING. In a moment I will yield. I think, Mr. President, many of them now feel that they have been mistaken in that regard, and from conversations I have had with employees in the Federal service, and particularly with the postal employees, I am led to believe there is a process of education going on now in regard to the nondesirability of their union being affiliated with the American Federation of Labor. They are seriously considering whether such affiliation is of any benefit.

But the point I make is this, Mr. President, that if we should adopt this amendment to this bill now it would create resentment and a feeling of ill will toward the Government; there would be the disposition to believe that the Government had failed to treat them fairly and justly or consider the motives under which they entered these unions in the first place, and which later became affiliated with the Federation of Labor. I yield to the Senator from Wyoming.

Mr. WARREN. First, Mr. President, as to those two or three lines in the various constitutions, that they will not strike against the Government, does the Senator consider that any American citizen makes a concession when he agrees that he is not going to undertake to run the Government—that he will not strike against the Government? Of course, it might be said of a man that he is not going to sin against the laws of his community or against the Government. Of course he will not, because the strong arm of the Government will prevent. That is a supposition to begin with. It must be known that, unless revolution shall occur which will throw us into the hands of unlawful unions or associations, of course men can not strike against the Government, because the Government authorities will not permit it. So I do not consider that there is any concession there.

On the other hand, if the Senator will allow me, I agree with him that there is a spirit manifest among the employees caused by several things. One is the attention which has been brought to the matter by the action of the Boston policemen and firemen.

Mr. STERLING. Caused by late developments.

Mr. WARREN. That and developments in this city have set them to thinking. I may say, personally, that not only one of these employees, but dozens, have appealed to me to say that they are tired of being badgered as they are by walking delegates, who tell them that they must come into the union or they will not receive any attention, they will never receive promotion in the various bureaus unless they belong to the union and pay their 50 cents every month, part of which goes to the American Federation of Labor.

On the other hand, there is another effect it has on employees, according to my information. The employee who believes that in joining this union he has joined an organization which is going to protect him, instead of attending to his duties and seeking promotion by efficiency of service, seeks it through the federation, and the consequence is you will find them in dozens, grouped together, talking about the federation and whether the president or vice president of the union is going to do this or that.

Furthermore, when matters come up like the bonus, you could read every morning and every night in the newspapers what the federation president was going to do, and what he would say about it, and so forth. The president knew the committees would take care of it. But the idea is to make all employees believe that they must belong to that union and pay their dues and obey the orders, in order to first obtain and then hold and then be promoted in their positions, notwithstanding the falsity of such premises.

Mr. STERLING. Mr. President, a word or two further, and to the point.

I have here a statement entitled "Our relations with the American Federation of Labor," put out by Federal employees' union No. 2, with hearquarters here in Washington.

It is in the form of a questionnaire, and I find this question, which partly answers some of the statements which have been made here. It reads:

Can dues paid by the National Federation of Federal Employees to the American Federation of Labor be used in support of strikes?

(1) Not 1 cent of the dues paid by the National Federation of Federal Employees to the American Federation of Labor is or can be used for the support of strikes.

(2) The National Federation of Federal Employees pays to the American Federation of Labor 1 cent per member per month upon the full paid-up membership, as required by the constitution of the American Federation of Labor.

Mr. POMERENE. What is the document from which the Senator is reading?

Mr. STERLING. The document is entitled "The Federal Employees' Union. Our Relations with the American Federation of Labor," put out by Federal Employees' Union No. 2, with headquarters here in Washintgon.

The sum so paid is used by the American Federation of Labor for defraying its ordinary expenses of maintaining its central organization.

I want to quote from a letter from the head of the National Federal Employees, Mr. Steward. Reference has been made to him in this discussion. He had read in the RECORD the speech of the Senator from Montana [Mr. MYERS], and he makes some comments on that speech. I am not going to read the entire letter, but portions of it. He says:

There is no possible way in which the American Federation of Labor can call Federal employees, or any other human beings, out on strike. The American Federation of Labor can not call a strike. It can merely indorse or approve a strike which has been called by the union of the trade concerned. The only power that can call a strike of Government employees is Government employees themselves, and they have voluntarily pledged themselves not to do so, and have so stated in their constitution.

That is the constitution from which I read a little while ago.

Senator MYERS is quoted as saying that "some of the union locals have a nonstrike provision, but I understand there is a growing tendency to eliminate this." This is another misstatement. The nonstrike clause was written into the national constitution when the National Federation of the 60 separate locals then existing was formed, and although the constitution has been amended and revised at each national convention since, elimination of the nonstrike clause has never been so much as mentioned.

Not only is this the fact as to the national constitution but the local constitutions must be submitted to the national office for approval before adoption, and every one of them has contained the nonstrike clause, with no suggestion of a desire to eliminate it.

Mr. MYERS. Will the Senator permit an interruption?

Mr. STERLING. Certainly.

Mr. MYERS. I entered the Chamber while the Senator was reading that letter. I do not suppose anyone will contend that it is within the power of the Federal employees' union to eliminate by proper action the nonstrike clause in their charter; I do not suppose anyone will contend that it is irrevocable; but I know that in some of the meetings and conventions of the employees' unions there has been discussion about the advisability of eliminating the nonstrike provision, and that at least one Federal employees' union has taken a vote on eliminating it. It did not carry, but the majority against elimination was not very great.

Mr. STERLING. Mr. President, I can not think that there is any danger whatever of a single local union of Federal employees eliminating the antistrike provision from their constitution. It may have been broached, it may have been discussed, but it is never carried in any local union nor do I believe it ever will.

I read further from this letter. I will say to the Senator from Montana that this is a letter from Luther B. Steward, national president of the Federal employees' union. I read:

Senator MYERS's misstatements on the subject of strike funds are, if possible, more incorrect than the rest of his assertions. He says "the Federal employees affiliated with the American Federation of Labor paid their quota of strike benefit dues to the coal strikers." Neither the National Federation of Federal Employees nor any of its locals paid one cent to the support of the coal strike, nor did the coal miners or the American Federation of Labor so much as ask them to do so. But to go beyond this attempted particularization of Senator MYERS'S, let me say that not one cent of the dues paid by the National Federation of Federal Employees to the American Federation of Labor is, or can be, used for the support of strikes. The per capita tax of 1 cent per member per month paid by the National Federation of Federal Employees to the American Federation of Labor is used by the latter to defray its ordinary expenses for maintenance of its central organization.

The foregoing statements have been printed and circulated by our organization in the form of the circular herewith inclosed.

From that I read a moment ago.

I am handing you also herewith a copy of the constitution of the National Federation of Federal Employees and of the membership obligation, which you will note is printed on the application for membership. There is no "secret work" in our organization.

In conclusion, permit me to say, in behalf of our members in reply to Senator MYERS'S allusions to "men and women fed and clothed by the Government," as self-respecting citizens and wage earners, we object to that characterization. The time when workers could be held to receive their means of livelihood as bounty from their employer, be that employer man or government, disappeared with the days of slavery. The National Federation of Federal Employees exists to serve this Government by giving to Government employees, through the cooperation which comes from their own sense of the brotherhood and equal rights of man, the highest ideals of efficient public service and social justice.

Mr. President, I do not think this bill is any place for the amendment proposed by the Senator from Montana. If this proposition is to be considered by Congress, let it be in some independent bill which we will have the courage to discuss and insist on enacting on its merits alone. I hope the amendment will not prevail.

Mr. MYERS. Mr. President, I only heard part of the letter of Mr. Steward read by the Senator from South Dakota, having entered the Chamber during the course of the reading. Of course, whether or not any dues were actually paid by the Federal employees' unions to support strikers during the coal strike, the steel strike, or other recent strikes I can not say with positive knowledge and authority; but I have received some credible information to the contrary of that which the Senator from South Dakota has just read to the Senate. There are other phases of this matter about which there are contradictions.

It has been stated that it is impossible for a member of the Federal employees' union to resign from the union. My statement, heretofore made, to the effect that it is impossible has been contradicted; but I have a letter, a part of which has heretofore been put in the RECORD, from an official of one of the Federal employees' unions to certain members who wanted to withdraw, stating that it is impossible to withdraw and that resignations are not accepted. If that is not true, this official had no business writing the statement. If the statement that members can not resign is true, then the contrary reports are incorrect.

Mr. HARRISON. Mr. President, I am not in favor of the pending bill and will vote against it. Ordinarily one who is opposed to a piece of legislation would vote for obnoxious amendments so that they might load the bill down with such amendments, making the legislation more objectionable, but it seems to me that if this legislation is going to pass it ought at least be fair to the employees.

I do not think the amendment proposed by the Senator from Montana [Mr. MYERS] would be just to the employees that might come under the provisions of the bill. I am not opposed to unions nor organizations. I believe that it has been necessary in a very large measure for the Government employees to organize if they were going to be adequately taken care of by Congress—and why not? Every other business in the country is organized. Commercial organizations in every city of the Union are organized into a still larger organization known as the United States Chamber of Commerce to look after the business interests of the country. The merchants of the country are organized so that the interests of the merchants might be looked after and their conditions bettered. The cattlemen, the farmers, and the lumbermen, and every other interest in the country is organized.

Mr. MYERS. If the Senator will permit me, I will say that the amendment which I have offered does not in any wise prevent the formation among Federal employees of their own associations and unions composed entirely of their own membership. It does not prevent them from meeting together and organizing in any way whatever so as to advance their mutual interests.

Mr. HARRISON. I have read the proposed amendment, and I will get to that proposition presently. Every interest in the country is organized for their betterment, protection, and development. They have organized not only to obtain larger profits but to extend their various businesses in the country and to place them on a sounder basis.

The time was when rural carriers in America were paid $300 a year. The increase of those salaries was very slow. Finally they organized and brought pressure on Congress; that is, they presented their case to Congress, their grievances, so to speak, and their salaries have been constantly increased. In my humble opinion, if the rural carriers had not organized and presented their claims to Congress they would to-day be getting much less than they are now receiving.

The clerks of the post offices of the country received very little salary; they are receiving to-day, in my opinion, an inadequate salary; but they organized and presented their claims to Congress; Congress looked into those claims and has increased their salaries.

In these days of high cost of living I believe it is the salaried man, the man who is working upon a fixed wage, who has the hardest fight to make "ends meet." A man with a wife and children, earning $100 or $125 or $150 a month, can not live under present conditions. Tell me that these men might not organize in order to present their just claims to Congress! It is placing them in an unfair condition not to permit it.

The Senator from Montana says he does not object to that, but he objects to any employees of the Federal Government belonging to any organization that might be affiliated with the American Federation of Labor. That is what he means. His amendment does not state the American Federation of Labor, but that is the proposition at which he is hitting.

Mr. MYERS. I have so stated in my speeches.

Mr. HARRISON. I have not said that the Senator had not so stated in his speeches. I say that his amendment does not state that.

Mr. MYERS. The amendment is intended to apply not only to the American Federation of Labor but to any other outside higher organization of labor.

Mr. HARRISON. I hold no brief for the American Federation of Labor; they have done some things, no doubt, that were wrong; but I believe that in the main their purposes are good; that they are trying to protect and better the condition of the laboring people of the country. If the laboring elements of the country—and when I speak of them I mean farmers, artisans, laborers—were not organized, God knows what would become of them. So I shall not enter into a condemnation of the American Federation of Labor. It will perform a very splendid service so long as it operates along sane and just lines and chooses safe and wise leaders. I am, therefore, opposed to the proposition that simply because an employee of the Federal Government belongs to a union or an association or an organization that is affiliated with the American Federation of Labor he should be excluded, if this legislation should pass, from the benefits of the legislation.

Some of these organizations which have been founded by the Government employees have been carrying, for instance, an insurance feature. There are men in the employ of the Government who belong to a particular union or association or organization who have been paying insurance dues for, perhaps, almost a generation. After they have done that for years and years, after they have sacrificed themselves and been compelled to practice the most rigid economy because of their contributions to meet insurance premiums, to provide now that they shall be deprived of benefits under the pending bill when they are to be retired simply because they belong to a union that may have been affiliated with the American Federation of Labor is to impose a great wrong upon them.

There is no justice in the proposition to penalize men in the employ of the Government who have been paying insurance premiums for years and years and who have now, perhaps, reached the age where they might come under the provisions of the pending bill and be retired, by depriving them of that benefit because they belong to an organization which is affiliated with the American Federation of Labor.

It has been shown by the Senator in charge of the bill that all of these associations and unions are merely organized to increase the salaries or to better the conditions of their membership; it is expressly stated that they do not believe in the strike and that they will not strike against their Government. Of course, if the employees of the Government should organize and attempt to strike against the Government, the strong arm of the Government should come in and deprive such people of the opportunity of working for it; but that is not the condition; that is not the situation. Not an instance is cited where these employees because of their affiliation have attempted to strike and deprive the Government of their services, but the bugaboo is held out, because, perhaps, of some prejudice against the American Federation of Labor.

I am opposed to the amendment. It will work an injustice upon a class of employees who, at least, should be treated equally as fairly and as justly as other employees of the Government in the event the pending legislation is enacted.

Mr. LENROOT. Mr. President, I am very anxious for an early disposition of the pending bill and I had not intended to speak on it at all. In reference to the pending amendment, however, I desire to say that it does seem to me there ought to be a stop to the baiting of organized labor as such and especially as proposed by this amendment. If the Congress of the United States believes that Federal employees should not affiliate themselves with the American Federation of Labor, there is a way by which Congress can forbid their doing so, and do it directly. I do not myself believe that it should be done, but, at any rate, it ought not to be done in such indirect fashion as is proposed by the amendment.

When, Mr. President, has the American Federation of Labor become an outlaw? It is just such attacks as this that increase the unrest in the country and give to extreme radicals the argument they so much desire, that Congress selects organized labor, selects those who toil, as marks for injustice, but when it comes to legislation granting special privileges to capital they point to the fact very often that the very Representatives in Congress who are always attacking organized labor never raise their voices against special privilege to organized capital.

I say the amendment is an unfair way to deal with this question. So long as it is lawful for organizations of Federal employees to affiliate with organized labor they ought not to be deprived of the benefits of the retirement bill because they may do that which is entirely lawful for them to do. If the Senator from Montana [Mr. MYERS] desires to prevent Federal employees through their organizations from affiliating with the American Federation of Labor, let him bring the matter directly before the Senate. Congress has power to deal with it directly. It ought not to deal with it in any such fashion as is here proposed.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Montana [Mr. MYERS].

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MYERS. I suggest the absence of a quorum.

Mr. HARRISON. A parliamentary inquiry, Mr. President. The Senator from Montana has suggested the absence of a quorum. Is the roll to be called on a yea-and-nay vote or to ascertain the presence of a quorum?

The PRESIDENT pro tempore. The absence of a quorum having been suggested, the Secretary will call the roll in order to develop the presence of a quorum.

The Reading Clerk called the roll, and the following Senators answered to their names:

Beckham	Jones, Wash.	Norris	Spencer
Capper	Kendrick	Nugent	Sterling
Comer	Knox	Page	Sutherland
Cummins	Lenroot	Phelan	Swanson
Curtis	Lodge	Phipps	Thomas
Fernald	McKellar	Pomerene	Trammell
France	McNary	Ransdell	Wadsworth
Gay	Moses	Sheppard	Warren
Gore	Myers	Smith, Md.	Watson
Harrison	New	Smoot	

Mr. MCKELLAR. The Senator from North Carolina [Mr. SIMMONS], the Senator from South Carolina [Mr. DIAL], the Senator from Arkansas [Mr. KIRBY], and the Senator from Kentucky [Mr. STANLEY] are absent on official business.

The PRESIDENT pro tempore. Thirty-nine Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The names of the absent Senators were called, and Mr. OVERMAN and Mr. SMITH of South Carolina answered to their names when called.

Mr. KEYES, Mr. MCLEAN, Mr. TOWNSEND, Mr. CULBERSON, and Mr. NELSON entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-six Senators have answered to their names. There is not a quorum present. What is the pleasure of the Senate?

Mr. STERLING. I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will carry out the order of the Senate.

Mr. GLASS, Mr. GRONNA, and Mr. MCCUMBER entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators having answered to their names, there is a quorum present. The question is upon the amendment proposed by the Senator from Montana [Mr. MYERS]. Upon that amendment the yeas and nays have been ordered.

Mr. POMERENE. Mr. President, I desire to say that I have a good deal of sympathy with this amendment; but I do not feel that the matter should become involved in the pending legislation. Whatever is done so far as a retirement system is concerned, I do not think we should involve in it any other matter. It seems to me that it would be more in consonance with sound legislation if the proposition involved in the Myers amendment should be determined upon its own merits alone.

I have not been very apprehensive that the Government employees, or any considerable number of them, would seriously think of striking against their Government. I realize that there are some of them that would, but I am very happy in the belief that that is a negligible number; and I have not any hesitancy in saying that when a man is favored by being invited to serve his country, whether in military life or in civil life, he ought to appeal to reason to accomplish his ends. The instrument of the strike ought never to be used against a government, and the man who uses the strike against the Government for the purpose of enforcing a demand falls little short of treason.

This Government is intended to serve all the people, and I believe that as far as human government is capable of serving

all of the people it does. I have often criticized acts of government, and I shall do it in the future, if I live; but the Constitution has prescribed methods by which to correct irregularities or abuses. It has authorized the change of the Constitution when the people want it changed in harmony with the methods provided in the instrument itself. If the laws are unsatisfactory, Congress can be petitioned to change them; and if the Congress is unwilling to change them as they ought to be changed we are all grateful for the fact that Congressmen and Senators can be retired, and they ought to be retired when they do not do that which the majority of the people want done. The right to strike by employees of the Government, when once recognized, means that they can strike during a time of war as well as during a time of peace, and think what it means! It means the crippling of the Government. It means tying its hands, whether in war or in peace. It means that men under certain leadership are not content to appeal to the Congress, but they will usurp the functions of the Congress or the administrative branch of the Government in order to enforce their demands.

Mr. President, if I were to assert the right of any individual or any set of individuals not connected with the Government to make demands upon the Government, and, if the Government did not see fit to grant them, that they could resort to other than constitutional or legal means to bring them about, those who now claim the right on behalf of the Government employees to strike would deny the right to anybody else. There can not be any question about that; and I am satisfied that the Government employees themselves, when rightly led by loyal men, will never embarrass their Government by striking.

I have on several occasions commended the courageous and patriotic conduct of the great governor of Massachusetts for the way in which he dealt with the policemen of Boston, and I shall never hesitate to commend him for his course so long as I live. It was an arrant piece of presumption for anyone outside of the State of Massachusetts to tell the governor of Massachusetts that "I, an outsider, will come in and intervene between you and the policemen of Boston in order to bring about peace." The people of Massachusetts resented it, and I commend them for what they did. I hope there may be 48 governors in 48 States made up of the same kind of material in all the years yet to come.

Mr. President, I have said thus much in order that I may make perfectly clear my position on that subject. I do not want any doubt about it, and I will meet the issue if it is ever necessary to meet it.

But, Mr. President, that is a question which, it seems to me, we should decide upon its own merits, and not have it involved with legislation of this kind. I trust that the substitute measure which I have presented, or some compromise of it, may be adopted. I feel that the pending measure is drawn along wrong lines. But if we decide in favor of a retirement scheme, some pension system, and I think we need it, let it stand or fall on its own merits.

More than that, let me say this: I think that now the power is lodged in the President and in the executive heads of the departments to discharge every man in those departments from the service if he refuses to function, and particularly if he does it as a result of a conspiracy for the purpose of embarrassing the Government. I do not think I am wrong about that, and that is another reason why it is perhaps not necessary for us to deal with the subject matter of the amendment proposed by the distinguished Senator from Montana [Mr. MYERS], for whose great courage, ability, and integrity I have the highest admiration.

Mr. President, we are going a great way, it seems to me, in this legislation. I recognize the necessity for a retirement bill. I became convinced of that years ago after I had thoroughly gone into the conditions as they exist in these departments. After having studied this question, as I have during the past number of years, I have been somewhat surprised, if not amused, at some of the statements which are made by alleged experts who were called to tell us what this bill was going to cost, and who so camouflaged their figures that it takes an expert to find out what they mean.

It occurred to me that we are going pretty far in legislation when we attempt to retire men at 60 years of age and 62 years and 65 years. I want to take care of those who, by reason of years, or by reason of long and arduous service, have become disabled. But if 60 is the measure of ability to serve, then probably two-fifths of the United States Senators ought to be retired to private life. We have four judges of the great Supreme Court of the United States now past 70. They could retire. All of them are able men, and as American citizens we have a just pride in the great work they are doing. It may be that once in a while they render a decision, out of the abundance of their legal knowledge and information, which we do not approve; but that does not justify the wholesale criticism that we sometimes hear of this great court. We would all regret to see the four great jurists to whom I have referred retire from that great bench. Yet those men are to-day working not 8 hours a day but 10 and 12 often, and my belief is that for the most part they are better able to render their great service now than when they went on the bench. Yet we talk about retiring men at 60 years of age. I do not know what I would think of myself if I were asking to be relieved of toil at 60 years of age. I hope I may never see the day, so far as I myself am concerned, when I can not toil and am not willing to toil.

Sixty years! Let us remember when we are considering this subject that most of these men and women who are now 60 years of age are probably doing better service than they ever did in their lives before, and most of them will continue to do good service for 10 years longer. Yet we want to retire them. If they become disabled and have seen long years in the service, then I think we ought to take care of them. But the man who wants to retire at 60 years of age, if he is in good health, ought never to have been permitted to connect himself with the Government. He is not made of the right stuff.

I remember when I had the honor to be the chairman of this committee that I was waited upon by a gentleman who said that he was interested in a couple of ladies who were in the departments, and they wanted to know if I would object to reducing the retirement age to 55. I am glad I did not know who those women were, and I did not ask their names, because if I had known who they were I would have been sorely tempted to do what I could to separate them from the service. It is a great thing to serve the Government of the United States, and the obligations are not all on one side. I do not know that the Government drafted any of these people into the service; certainly not many of them. They took the jobs because they thought they were the most promising jobs they could get, because they had an ambition to serve the Government, because they could not get anything better to do. And now that they have their positions, when there are many other men and women throughout the country who would be most happy to have them, it seems to me that they ought not to ask to be retired at 60 or at 62 or at 65. Three score years and ten is the allotted length of man's life, and my observation has been that with reasonable employment, under good conditions, any man or woman is better off working than in idleness. The idle rich are most pitiable objects to me, but the idle poor are even in a worse condition, because the idle rich, with their surplus money, can buy their amusements, their diversions, but the idle poor can not.

So it seems to me that these men and women, if they are consulting their own good fortune—and I am speaking only of those who are now capable, physically and mentally—it would be better to have them employed than otherwise; and I will go as far as any of my fellow men to relieve the crippled, the sickly, the distressed, whether in the employ of the Government or out of it.

Mr. President, some days ago I gave a statement of what it would cost the Government to carry out the provisions of this bill if it is passed as now pending, with these age limits of 60, 62, and 65. I do not want to be personal in this, but I think that if the Senate of the United States was about to retire the distinguished chairman of this committee because he happens to be past 65, he would resent it; and I think I echo the judgment of every Senator who has had the pleasure of coming in contact with the distinguished chairman of the committee when I say that he is able to do better work to-day than he did the first day he came into the Senate, and if we were going to suggest to him that he retire because, forsooth, by reason of his advancing years he was no longer capable of serving, what would he think?

Mr. STERLING. Mr. President, let me say to the Senator from Ohio that the bill is so drawn that I might serve my Government, were I a Federal employee, 10 years longer.

Mr. POMERENE. I do not think the bill was drawn as it is because his type of a man wanted to serve for a longer or a shorter term.

Does anybody really believe that a man 60 or 62 or 65 years old ought, as a matter of compulsion, to be required to retire if he is in good health? Ought he to be given the option to retire if he is in good health and can be of service to himself and to his family as well as to the Government?

As I said, the man who wants to retire at 60 or 62 or 65 years of age, if he is in good health, ought to have retired from the service before he entered it.

Let us see what this would cost with these figures as they are, assuming that there is an assessment of 2½ per cent. The first year it would cost the Government $4,585,000. It would run to

the peak in 35 years, and it would cost the Government $34,513,000, and then it would decline to the seventy-third year, when it would reach $28,205,000 per year. The total cost for 60 years to the Government would be $1,500,160,000. The total cost for 77 years would be $1,980,216,000.

I here want to make a correction. When I discussed this subject before I made the statement, as the RECORD will show, that these figures included not only the cost to the Government but the amount which would be contributed by the employee. I was in error as to that. The figures which I gave were the cost to the Government alone.

The average for the 77 years would be $27,015,792.20 annually to the Government to retire men at 60 years, 62 years, and 65 years of age.

No, Mr. President, in days like these when we have to sustain great burdens of taxation, when there is this feeling of unrest lest these burdens shall be unduly increased, let us not cripple our man power or our woman power by taking away from the productive branch of our people these able-bodied men and women at these years. It is a mistake to do it, and it will be regretted if we undertake it.

I think that is all I care to say on the subject at the present time. I felt that frankness required me to state exactly what my position was with regard to the pending amendment, and I think those who read will be able to understand me.

Mr. McCUMBER. Mr. President, whatever disagreement there may be with reference to the amount that will be paid by the Government, I think all will agree that whatever sum is paid will have to be paid by some of the people of the country who are a part of the Government. I think it will have to be conceded that one class of people must pay, whatever the sum of money may be, to another class. Then, the question immediately arises whether from the standpoint of justice we ought to tax one class of people to pay a pension to another class in civil employment.

It so happens that under our present system the labor is performed by the average Government clerk from about 9 o'clock in the morning to half past 4 in the afternoon, allowing, I think, half an hour for lunch. Those are the people to whom it is proposed to give a life pension after they have completed their service with the Government.

I turn then from that class of our citizens to a class constituting about one-third of the present population of the United States, those living in the rural districts. Being somewhat acquainted with the latter class, I know that their services generally range from about 7 o'clock in the morning until 8 o'clock in the evening. I find then that I am asked to tax that third of the population who work from 7 o'clock in the morning until 8 o'clock in the evening to pay a life pension to the other class who work from 9 o'clock in the morning until half-past 4 in the afternoon. I do not know how it strikes other Senators, but it appeals to me as being a little unjust to the man who puts in the long hours of labor.

I then look at the next question which appeals to me. Prior to the war the average earning of a Government clerk was almost double the average earning of clerks in other employments in the country. I take the one-third of our population who live in rural districts and then I will add to it the clerks in all the civil employments, in the stores and other places throughout the United States, who generally work from 8 o'clock in the morning until about 6, 7, or 8 in the evening. You ask those people again, whose average earning capacity with equal ability was a trifle more than one-half of what these employees of the Government received, that they shall go down into their pockets and pay a life pension to the other class that is doing less and that is earning the most. I can not work myself up to a condition where I can commit that injustice against the great majority of the working people of the United States.

Therefore, Mr. President, I shall not vote for the pending bill. I am opposed to class legislation, and I am bitterly opposed to making a man who works 12 or 14 hours a day and often 16 hours a day, with an earning capacity of 50 per cent less than that of the man who works from 9 o'clock until half-past 4, go into his pocket to pay a pension to the man who does less work for greater remuneration.

I know the Senator from South Dakota [Mr. STERLING] says that the Government will benefit by it, because the Government will get better service. It has been properly stated by the Senator from Ohio [Mr. POMERENE] that any department may discharge any person when that person becomes unfit to perform his duty. That is exactly what we have to do in civil life. That is what every employee throughout the country has to submit to, and he does not get any pension. Then why, let me ask the Senator from Ohio, who has made such a splendid argument against allowing a pension to any class, should we vote to pension a special class of the American people?

So long as there exist in my State, a purely agricultural State, people who are working from 7 o'clock in the morning until 8 o'clock in the evening to make a living, and whose remuneration I know is not one-quarter that which the Government clerks receive, I shall never vote that they shall pay the bill to give a life pension to this particular class that we want to make Government favorites of.

Mr. President, I have briefly stated why I can not vote for the bill. Senators can put it through. It comes up every year. They can vote for it and create this class legislation. It is only the first wedge. It will be followed by an old-age pension bill, and with justice, because the vast majority of the American people will be restive under a principle that selects a particular class and pensions them for a service that they have performed which is not different from what every good citizen performs in doing his own work honestly and fairly. They will never submit without a battle to a continuance of this policy unless they are included in it. Then you will be voting to pension every person in the United States who has reached the age of 65 years; the efforts which human beings make everywhere to provide for their old age, to care for themselves and those dependent upon them, will be greatly lessened, and the country will suffer as the result. There may be but one vote against this measure, and if there is but one vote against it that vote will be mine.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Montana [Mr. MYERS]. Upon this question the yeas and nays have been ordered. The Secretary will call the roll.

Mr. NEW. Mr. President, before the roll is called may we have the amendment stated?

The PRESIDENT pro tempore. The Secretary will state the amendment.

The ASSISTANT SECRETARY. It is proposed by the Senator from Montana [Mr. MYERS] to insert after section 14, on page 17 of the printed bill, a new section, to be known as and numbered section 15, and to read as follows:

SEC. 15. That none of the provisions of this act shall apply to and none of its benefits shall be received or enjoyed by any person who is a member of any association, society, organization, or union of Government employees which is affiliated with, subject to, or a member or component part of or acknowledges the authority of any higher or superior body or institution of organized labor; and, subject to the approval of the Secretary of the Interior, the Commissioner of Pensions shall make and enforce rules for the enforcement of this section and governing the method and character of proof required in order that employees may receive the benefits of this act.

Amend further by renumbering subsequent sections in accordance herewith.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Assistant Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Utah [Mr. KING], and vote "nay."

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. SMITH]. In his absence I withhold my vote.

Mr. SMITH of Maryland (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I notice he is not in the Chamber. In his absence I withhold my vote.

Mr. TRAMMELL (when his name was called). I have a general pair with the Senator from Rhode Island [Mr. COLT]. I transfer that pair to the Senator from Massachusetts [Mr. WALSH], and vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN], who, I believe, is absent. I make a transfer of the pair so that that Senator may stand paired with the Senator from Connecticut [Mr. BRANDEGEE], and I vote "yea."

The roll call was concluded.

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER], who, I understand, has not voted.

The PRESIDENT pro tempore. That Senator has not voted.

Mr. BALL. I transfer my pair with that Senator to the junior Senator from Maine [Mr. HALE], and vote "nay."

Mr. McNARY. I wish to announce the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of illness. He has a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. If present, the senior Senator from Oregon would vote "nay."

Mr. SPENCER. I have a pair with the junior Senator from New Mexico [Mr. JONES], but under an arrangement which I have with him I feel free to vote upon the pending question. I vote "nay."

Mr. PHIPPS (after having voted in the negative). I notice the absence from the Chamber of the junior Senator from South Carolina [Mr. DIAL], with whom I have a pair. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and allow my vote to stand.

Mr. GLASS. I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. In his absence I withhold my vote. Were I permitted to vote, I should vote "nay."

Mr. McKELLAR. I rise to announce the unavoidable absence of the junior Senator from South Carolina [Mr. DIAL], who is absent on official business. He is paired, as has been stated, with the Senator from Colorado [Mr. PHIPPS]. If the Senator from South Carolina were present, he would vote "yea."

I also wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Nevada [Mr. HENDERSON], the Senator from South Carolina [Mr. DIAL], the Senator from Kentucky [Mr. STANLEY], the Senator from Louisiana [Mr. RANSDELL], the Senator from Arkansas [Mr. KIRBY], and the Senator from North Carolina [Mr. SIMMONS] are absent on official business.

The result was announced—yeas 3, nays 35, as follows:

YEAS—3.

Myers	Thomas	Warren

NAYS—35.

Ball	Jones, Wash.	New	Smith, S. C.
Beckham	Kendrick	Norris	Smoot
Capper	Keyes	Nugent	Spencer
Cummins	Knox	Page	Sterling
Curtis	Lenroot	Phelan	Sutherland
France	McKellar	Phipps	Swanson
Gay	McLean	Pomerene	Trammell
Gronna	McNary	Ransdell	Wadsworth
Harrison	Moses	Sheppard	

NOT VOTING—58.

Ashurst	Frelinghuysen	Kirby	Shields
Borah	Gerry	La Follette	Simmons
Brandegee	Glass	Lodge	Smith, Ariz.
Calder	Gore	McCormick	Smith, Ga.
Chamberlain	Hale	McCumber	Smith, Md.
Colt	Harding	Nelson	Stanley
Comer	Harris	Newberry	Townsend
Culberson	Henderson	Overman	Underwood
Dial	Hitchcock	Owen	Walsh, Mass.
Dillingham	Johnson, Calif.	Penrose	Walsh, Mont.
Edge	Johnson, S. Dak.	Pittman	Watson
Elkins	Jones, N. Mex.	Poindexter	Williams
Fall	Kellogg	Reed	Wolcott
Fernald	Kenyon	Robinson	
Fletcher	King	Sherman	

The PRESIDENT pro tempore. There is not a quorum present. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ball	Jones, Wash.	Myers	Smith, S. C.
Beckham	Kendrick	New	Smoot
Capper	Keyes	Norris	Spencer
Comer	Knox	Nugent	Sterling
Cummins	Lenroot	Page	Thomas
Curtis	Lodge	Phelan	Trammell
Dillingham	McCumber	Pomerene	Wadsworth
France	McKellar	Ransdell	Warren
Gay	McLean	Sheppard	
Gronna	McNary	Simmons	
Harrison	Moses	Smith, Md.	

Mr. McKELLAR. The Senator from North Carolina [Mr. OVERMAN], the Senator from Nevada [Mr. HENDERSON], the Senator from Arkansas [Mr. KIRBY], the Senator from South Carolina [Mr. DIAL], the Senator from Kentucky [Mr. STANLEY], and the Senator from Virginia [Mr. SWANSON] are absent on official business.

The PRESIDENT pro tempore. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Assistant Secretary called the names of the absent Senators, and Mr. GLASS, Mr. SUTHERLAND, and Mr. TOWNSEND answered to their names when called.

Mr. PHIPPS entered the Chamber and answered to his name.

The PRESIDENT pro tempore. Forty-five Senators have answered to their names. There is not a quorum present.

Mr. STERLING. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay,

Mr. STERLING. In view of the difficulty, if not impossibility, of securing a quorum this evening, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Saturday, April 3, 1920, at 12 o'clock meridian.

SENATE.

SATURDAY, *April 3, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in the midst of the bounding impulse of life on every side of us we come before Thee aspiring for life, the life eternal, the life that is hid with God in Christ. We pray that we may enter into a closer and diviner fellowship with Thee, that we may through the spirit of this time, embodying it in our hopes and aspirations, have a consciousness of the power of God that rests upon us. Guide us in the discharge of the duties of this day. Help us to fill up the measure of our responsibility. We ask for Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of Thursday, April 1, 1920, was dispensed with, and the Journal was approved.

CALLING THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Brandegee	Jones, Wash.	New	Stanley
Capper	Kellogg	Norris	Sterling
Comer	Kendrick	Overman	Thomas
Culberson	Knox	Phipps	Townsend
Cummins	McCumber	Pomerene	Wadsworth
Curtis	McLean	Sheppard	Warren
Fernald	McNary	Smith, S. C.	
Gay	Moses	Smoot	
Gronna	Nelson	Spencer	

The PRESIDENT pro tempore. Thirty-three Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Members.

The Reading Clerk called the names of the absent Senators, and Mr. DILLINGHAM, Mr. LENROOT, Mr. NUGENT, Mr. SMITH of South Carolina, Mr. SWANSON, and Mr. TRAMMELL answered to their names when called.

Mr. LODGE, Mr. BALL, Mr. PHELAN, Mr. PAGE, Mr. KEYES, and Mr. HALE entered the Chamber and answered to their names.

Mr. McNARY. I desire to announce the absence of my colleague [Mr. CHAMBERLAIN] on account of illness.

Mr. McKELLAR entered the Chamber and answered to his name.

Mr. McKELLAR. The Senator from Arizona [Mr. ASHURST], the Senator from Kentucky [Mr. BECKHAM], the Senator from Arkansas [Mr. KIRBY], the Senator from Louisiana [Mr. RANSDELL], the Senator from North Carolina [Mr. SIMMONS], and the Senator from Alabama [Mr. UNDERWOOD] are absent on official business.

The PRESIDENT pro tempore. Forty-seven Senators have answered to their names. There is not a quorum present.

Mr. CURTIS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

Mr. MYERS and Mr. HARRISON entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators have answered to their names. There is a quorum present.

LOSSES TO CONTRACTORS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of June 19, 1919, certain information relative to the amount and cause of loss, if any, to contractors on the several mentioned contracts in the lower St. Francis levee district, etc., which, with the accompanying papers, was referred to the Committee on Commerce.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, one of its clerks, announced that the House had passed the following bills:

S. 2807. An act to correct the military record of Edward Sigerfoos;

S. 2811. An act for the relief of the York County Savings Bank, of Biddeford, Me.;

S. 3187. An act to dispose of a certain strip of public land in Waterville, Me.; and

S. 3610. An act for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army.

The message also announced that the House had passed the bill (S. 1005) for the relief of the owner of the steamship *Matoa*, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 1222) for the relief of the owners of the schooner *Henry O. Barrett*, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1288. An act for the relief of George W. Gamble;

H. R. 1309. An act for the relief of Perry L. Haynes;

H. R. 4184. An act for the relief of C. V. Hinkle;

H. R. 6198. An act authorizing payment of compensation to Swanhild Sims for personal injuries;

H. R. 7573. An act authorizing payment of compensation to Pasquale Dolce for personal injuries;

H. R. 8881. An act for the relief of the First National Bank of New Carlisle, Ind.;

H. R. 9046. An act for the relief of William Malone;

H. R. 9048. An act for the relief of Catherina Rea, administratrix of the estate of John Rea;

H. R. 9629. An act for the relief of the Merritt & Chapman Derrick & Wrecking Co.;

H. R. 10598. An act for the relief of the First National Bank of Sharon, Pa.;

H. R. 11030. An act for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.;

H. R. 12530. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 12634. An act for the relief of Wilhelm Alexanderson.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND (for Mr. NEWBERRY) presented petitions of the Rotary Club, of Lansing; the Rotary Club, of Battle Creek; the Rotary Club, of Muskegon; and the Rotary Club, of Sturgis, all in the State of Michigan, praying for the enactment of legislation to incorporate the International Association of Rotary Clubs, which were referred to the Committee on the Judiciary.

He also (for Mr. NEWBERRY) presented a petition of sundry citizens of Iron Mountain, Mich., praying for the enactment of legislation providing for public protection of maternity and infancy, which was referred to the Committee on Public Health and National Quarantine.

He also (for Mr. NEWBERRY) presented a petition of Local Branch No. 295, National Federation of Post Office Clerks, of Detroit, Mich., praying for the enactment of legislation to increase the compensation of postal employees, which was referred to the Committee on Post Offices and Post Roads.

Mr. KNOX presented resolutions of the American Hose Company No. 2 of Mahanoy Plane, of Local Union No. 1112, United Mine Workers of America, of Mahanoy Plane, of sundry citizens of Mahanoy Plane, of sundry citizens of Mahanoy City, of the Goodwill Club of Mahanoy Plane, and of Local Lodge No. 1353, Loyal Order of Moose, of Mahanoy City, all in the State of Pennsylvania, favoring the freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Philadelphia, Pa., praying for the enactment of legislation providing for the appointment of a minister and consuls to the Irish republic, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's International League for Peace and Freedom, of Haverford, Pa., praying for the recognition of the Russian Socialist Federal Soviet Republic, which was referred to the Committee on Foreign Relations.

He also presented a petition of the city council of Philadelphia, Pa., praying for the enactment of legislation providing for daylight saving, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Prince-Forbes Post, No. 7, of Philadelphia, Pa., praying for an extension of the statute of limitations to six years from the date of the declaration of peace by the President of the United States, in order that the Federal authorities may have ample time to search for and bring to trial evaders of the draft and offenders of draft laws, which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Pittsburgh, Pa., praying for the enactment of legislation providing for the parole of Federal prisoners, which was referred to the Committee on Military Affairs.

He also presented petitions of Charles E. Kelly Post, No. 112, American Legion, of Meyersdale; of J. Wesley Garland Post, No. 123, American Legion, of Lansford; of Bullock-Sanderson Post, No. 136, American Legion, of Ardmore; of Herbert Paul Lentz Post, No. 29, American Legion, of Allentown; of Harry Fisher Post, No. 445, American Legion, of Berlin; of Victory Post, No. 25, American Legion, of Selinsgrove; of Thomas B. Fales Post, No. 168, American Legion, of Philadelphia; of Gerald Fox Post, No. 506, American Legion, of Carrolltown; of the Chamber of Commerce of Honesdale; and of the Woman's Auxiliary of the American Legion, Lincoln Post, No. 73, of Shamokin, all in the State of Pennsylvania, praying for the enactment of legislation providing a bonus for ex-service men, which were referred to the Committee on Military Affairs.

He also presented a petition of Goodrich Post, No. 22, Grand Army of the Republic, Department of Pennsylvania, of Danville, Pa., and a petition of Major William Watson Post, No. 332, Grand Army of the Republic, Department of Pennsylvania, of Bedford, Pa., praying for the passage of the so-called Fuller pension bill, which were referred to the Committee on Pensions.

He also presented petitions of General Thomas L. Rosser Camp, No. 38, United Spanish Veterans, Department of Pennsylvania, of Philadelphia; of Admiral James M. Forsyth Garrison, No. 145, Army and Navy Union, of Philadelphia; and of Colonel Frank Heath Garrison, No. 133, Army and Navy Union, of Philadelphia, all in the State of Pennsylvania, praying for the passage of the so-called Sells pension bill, which were referred to the Committee on Pensions.

He also presented a petition of Philadelphia Chapter, American Officers of the Great War, of Philadelphia, Pa., praying for an increase in the pay of officers and men of the Army, Navy, Marine Corps, Coast Guard, and Public Health Service, which was ordered to lie on the table.

He also presented a memorial of International Molders' Local Union No. 46, of Pittsburgh, Pa., remonstrating against the passage of the so-called Sterling sedition bill, which was ordered to lie on the table.

Mr. ASHURST presented a petition of the Arizona Cattle Growers' Association, of Tucson, Ariz., praying for the enactment of legislation for the suppression of bolshevism, which was referred to the Committee on Immigration.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring the inspection of live stock and hides from Mexico for the purpose of locating stolen cattle, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring the barring of aliens from the use of the public domain for grazing purposes, which was referred to the Committee on Public Lands.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring the extension of the time limit for the return transportation for cattle attendants, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Arizona Cattle Growers' Association, remonstrating against the insurance of live stock for the purpose of loan security, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring import duties on live stock and its products, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring prohibition of importation of live stock and meat from countries where contagious animal diseases exist, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring the enactment of the so-called "pure fabric" legislation, which was referred to the Committee on Finance.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring the control of contagious abortion among cattle, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring universal military training, which was ordered to lie on the table.

He also presented a memorial of the Arizona Cattle Growers' Association, remonstrating against the enactment of legislation guaranteeing a 5½ per cent net return to railroads for a period

of three to five years, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring appropriations for the destruction of range-destroying rodents and predatory animals, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring changes and modifications in the forest regulations and grazing fees, which was referred to the Committee on Public Lands.

He also presented a resolution adopted by the Arizona Cattle Growers' Association, favoring the adoption of the San Carlos Dam project, which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 1280) for the relief of J. G. Seupelt (Rept. No. 499); and

A bill (S. 3895) authorizing the granting of certain irrigation easements in the Yellowstone National Park, and for other purposes (Rept. No. 500).

Mr. SMOOT, from the Committee on Pensions, to which was referred the bill (S. 4149) for the relief of Manda Smith, widow of Thomas Smith, asked to be discharged from its further consideration and that it be referred to the Committee on Military Affairs, which was agreed to.

Mr. SMOOT, from the Committee on Public Lands, to which was referred the bill (S. 3994) validating certain applications for and entries of public lands, and for other purposes, reported it with an amendment and submitted a report (No. 504) thereon.

Mr. KIRBY, from the Committee on Military Affairs, to which was referred the bill (S. 2989) for the relief of Walter I. Whitty, reported it without amendment and submitted a report (No. 503) thereon.

Mr. SUTHERLAND, from the Committee on Military Affairs, to which was referred the bill (S. 3896) for the retirement of Frank Schoble, jr., and Raymond D. Day, first lieutenants in the United States Army, reported it with amendments and submitted a report (No. 505) thereon.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 179) authorizing use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions, reported it without amendment and submitted a report (No. 502) thereon.

NATIONAL GUARD ENLISTMENTS.

Mr. WADSWORTH. From the Committee on Military Affairs I report back favorably, without amendment, the bill (S. 4173) to amend section 69 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," and I submit a report (No. 501) thereon. I ask unanimous consent for the present consideration of the bill.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Assistant Secretary read the bill, as follows:

Be it enacted, etc., That section 69 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1918, be amended to read as follows:

"SEC. 69. Original enlistments in the National Guard shall be for a period of three years and subsequent enlistments for periods of one year each: *Provided*, That persons who have served in the Army for not less than six months and have been honorably discharged therefrom may, after examination and qualification as to physical fitness, enlist in the National Guard for a period of one year and reenlist for like periods."

The PRESIDENT pro tempore. The Senator from New York asks unanimous consent for the present consideration of the bill just read. Is there objection?

Mr. GRONNA. Will the Senator from New York kindly give us a brief explanation of the bill?

Mr. WADSWORTH. Under section 69 of the national defense act as it now stands on the statute books the period of enlistment in the National Guard is three years' active service and three years in the reserve, a total of six years.

The period of enlistment for the National Guard was arranged at the same time the period of enlistment for the Regular Army was made three years with the colors and three years in reserve. A period of enlistment of that length makes it almost impossible to secure enlistments. The enlistment period of the Regular Army has been reduced to three years straight and the provision for three years in the reserve has been eliminated by a previous act of Congress. That, however, was not done for the National Guard, and to-day the period of enlistment in the National Guard is three years' active service and three years in the reserve. This bill is to make the period of enlistment in the National Guard conform with that of the Regular Army as to length.

Mr. GRONNA. May I ask the Senator from New York if the bill is approved by the officers of the National Guard?

Mr. WADSWORTH. Yes; it is. I may also say that this bill is embraced in the House reorganization bill which was passed by the other House, and this very language is a part of that bill.

Then, there is another little feature of this bill which provides that a soldier who has served six months in the Army of the United States during the recent war may enlist in the National Guard for one year instead of for three years. That same privilege is extended to-day to soldiers who want to enlist in the Regular Army. If they have served in the World War, they may enlist in the Regular Army for one year. This bill is to make the two services have the same period of enlistment.

Mr. POMERENE. Perhaps the Senator from New York in his answer to the Senator from North Dakota gave the information I seek, but I was not able to hear him. Do I understand that the bill cuts off the reserve period entirely?

Mr. WADSWORTH. It does.

Mr. POMERENE. So that the period of enlistment is limited to three years?

Mr. WADSWORTH. It is limited to three years, but for veterans to one year, and then they may reenlist for one-year periods as often as they like.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 4185) to permit the acquisition of land at the Leon Springs Military Reservation, Tex.; to the Committee on Military Affairs.

By Mr. MYERS (for Mr. WALSH of Montana):

A bill (S. 4186) to authorize the Broadwater Irrigation District, a Montana corporation, to construct a dam across the Missouri River; to the Committee on Commerce.

By Mr. McNARY:

A bill (S. 4187) providing for the transfer of the hull and boiler inspectors of the Willamette (Oreg.) collection district from the fourth to the third class; to the Committee on Commerce.

By Mr. KNOX (for Mr. PENROSE):

A joint resolution (S. J. Res. 186) to extend the authority of the county of Luzerne, State of Pennsylvania, to construct a bridge across the north branch of the Susquehanna River from the city of Wilkes-Barre, county of Luzerne, Pa., to the borough of Dorranceton, county of Luzerne, Pa.; to the Committee on Commerce.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. KNOX submitted an amendment proposing to appropriate $714,007.39 for payment to the McClintic-Marshall Construction Co., as recommended in the report made to Congress under date of February 11, 1916, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

ARMY REORGANIZATION.

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which was ordered to lie on the table and be printed.

ESTATE OF EDWIN W. TRIMMER.

Mr. WADSWORTH submitted the following resolution (S. Res. 344), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, to Horace C. Trimmer, Theodore L. Trimmer, Sidney C. Trimmer, Rhoda W. Pickrell, and Gail C. Peacock, children of Edwin W. Trimmer, late a conductor of elevator in the employ of the United States Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

J. W. FLANAGAN.

Mr. CULBERSON (by request) submitted the following resolution (S. Res. 345), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and hereby is, authorized and directed to pay to J. W. Flanagan, administrator of the estate of the late J. W. Flanagan, formerly a Senator from the State of Texas, the sum of $5,356.16, for balance of salary due him as a Senator of the United States from March 4, 1869, to March 29, 1870, to be paid from the miscellaneous items of the contingent fund of the Senate.

CONTRACT VALUE OF COTTON.

Mr. COMER. Mr. President, I have here a clipping from an article being issued by Mr. Calvin, who purports to be chairman of sundry farming committees. I desire to read from the clipping, as follows:

This is a bad time to be experimenting. Cotton has reached and maintained a good price under the present system, and it seems to me that it would be unwise to tamper with it at this time.

Mr. President, I should like to know what that has to do with the price of cotton at this time. In my opinion, it has nothing whatever to do with it.

If the amendment should be enacted into law and the price should undergo a heavy decline it would be a hard matter to convince the farmers that the amendment was not responsible for it.

I should like to know how that could possibly be.

There is an old saying that "we should let well enough alone," which seems to apply with added emphasis in this case at this time.

That is always the statement made by the fellow who wants to keep what he has got.

As above stated, I do not know how the board as a whole which I represent stands on this matter, and I do not think that they should come to any conclusion without a thorough investigation, for it is a matter of far-reaching importance to the cotton farmers and not one to be passed upon in a superficial manner.

This matter has been discussed for several years, backward and forward, in the effort to get a satisfactory solution; in other words, in the effort to get the exchange price equal to the commercial price.

I am of the opinion that the members of the board would prefer to "let well enough alone" and not tamper with a proposition that might have dynamite in it.

That is exactly like an exchange orator discussing the question; such orators always endeavor to scare you with the charge that there is dynamite in the proposition.

I am also of the opinion that this will be the attitude of an overwhelming majority of the cotton growers.

That is his opinion, which he is circulating here broadcast amongst the Members.

I sincerely trust that the conference committee can see its way clear to take the amendment out of the Agricultural appropriation bill, and if, as above stated, there are those who think this legislation wise and expedient, let them introduce a bill in due form and give all interested parties an ample opportunity to be heard, and if such a bill has merit Congress will no doubt enact it into a law.

The amendment was put on the Agricultural bill because when I first came here the Agricultural bill was before the Senate, and the matter had to be taken care of then or not at all. There was not time to introduce a new bill and put it through, so that it had to be done at that time.

The three last sections of E. A. Calvin's circular letter of March 29 in the interest of the cotton exchanges, and sent to all Representatives, House and Senate.

Mr. Calvin proposes to be the Washington representative of the cotton States official advisory marketing board, but judging from his letter he could not better represent the gamblers on the cotton exchanges.

I want to call your particular attention to that.

It is difficult to understand how he could represent the gambling devices of the cotton exchanges and the farmer at the same time.

I have here a telegram from Mr. L. B. Jackson, the director of the Georgia State bureau of markets:

ATLANTA, GA., *April 2, 1920.*

Hon. B. B. COMER:

Your telegram received. The cotton States official marketing board, composed of commissioners of agriculture and other agricultural officials of the cotton belt, have not met and considered the Comer amendment and only know from meager newspaper reports what it contains—

You know Calvin said that he believed his attitude would be the attitude of the overwhelming majority of the cotton growers. This man, the secretary, says they only know from meager newspaper reports what it contains—

therefore no one has any authority to commit the board. I am secretary of the board and know whereof I speak. Personally I have always urged an amendment that would compel deliveries to average middling.

Now, that is just what the tendency of this contest means—to compel a delivery that will average middling. This particular bill does not go as far as it ought to. It simply demands that half of a contract shall be middling or above, and half, at the seller's option, down.

As I read the news items that is what your amendment does. I want to know exactly what your amendment provides.

That is from L. B. Jackson, director of the Georgia State bureau of markets.

Here is a letter which I have written to a cotton firm at Greenville, S. C.:

I am having sent you copy of the CONGRESSIONAL RECORD of April 1 and the two days before that, all relating to my amendment to the cotton-futures act.

This has created some stir among the exchanges, they claiming that it will hurt the producer and the dealer.

They always claim that. Give me a man who is reaping an unholy gain, and he will always say that to take that away will hurt somebody other than himself. They always say it.

As you know, I am both producer, dealer, and manufacturer, and what we are trying to do is to escape the defects of last year's amended act restricting the delivery to 10 grades.

We say you should make the two markets alike, the exchange and the commercial, but we have seen this year where the variation has been as much as from 3 to 5 cents, and right now July cotton and May cotton are below April cotton. It has always been below spot cotton. Now, Senators, we expect that the exchange price will be lower, because the very minute you get it higher the exchange becomes the market of delivery, and it is never intended to be the market of delivery. They do not intend cotton to go through the exchange. It does not go through the exchange. The exchange hedges the sale or hedges the buy, and you go into the market and buy it where you find the cotton.

What we are trying to do is to escape the defects of last year's amended act restricting the delivery to 10 grades and fix it so, in a measure (it is not a complete measure), that the gambling seller will be afraid to sell the market to pieces; that anybody, both seller and buyer, can make a hedge that will be much less dangerous than at present.

At this time, as you know, New York fluctuates constantly from 3 to 6 cents per pound, and the distant months are always behind the present months. This is, as you know, wrong. We ought to get back as near as we can to where you could sell or buy cotton basis middling any of the months ahead with fair confidence that you would have the approximate price of the commercial market and not be jingled around in the laps of, or in the sweet generosity of, the exchanges.

Now, that is just what they are claiming. They are claiming that they are generous. They are saying that it is jingled around in their laps, safe to all, and in the best interests of all. The producer and dealer have got to have a defense in the markets, and the buyers and sellers in the markets have got to have an arrangement safe to both and all protected in the law.

It is a mistaken idea that the producer's, the dealer's, and the manufacturer's interests are at loggerheads.

It is not true.

Their interests are the same, and all of these are against any anvantages in the law which the gambling speculator may have at the present time.

That is just what it all means.

I have here an editorial from the Macon Telegraph. I should be glad if all of you would listen to it, particularly the southern Members. This is from the Macon Telegraph. That is right in the heart of the cotton country:

BREAK UP THE ROBBERY.

Opinion is divided as to what is for the best interests or what is fair in regulating the cotton exchanges. B. B. COMER, former governor of Alabama and now United States Senator, attached an amendment to the Agricultural bill on its way through the Senate providing that a buyer of future contracts may require delivery of one-half in middling to middling fair and the other half from any standard grade of cotton. There was a time when future contracts on the New York exchange could be filled in any or all of 28 grades on a middling basis.

He meant 21 grades.

The gamblers, with their exchange rules, kept about 100,000 bales of dog-tail and unspinnable cotton in New York warehouses, and when they were called by any holder of a future contract, they dragged out this old stuff which they kept on cold storage from one season to the other and drove the demander out of the market.

That is true; and, Senators, if they will do that one time, will they not do it again? If they practice it when they have the whole thing, will they not practice it when they have a part of the thing? It is the farmer, the producer, the dealer, the manufacturer, that you must protect.

He could not spin it or sell it.

I introduced evidence the other day showing where we took cotton that we kept in New York three months, trying to sell it, and we could not get a single bid, and we had to put that same cotton back and deliver it on the exchange. We could not deliver it anywhere else. Such a thing as that is monstrous.

As a consequence of these practices, on delivery days there was a selling of contracts instead of demanding cotton, and the sellers or bears who always seek to depress the market would make their "killing" among the boosters of prices.

In other words, they sheared the lambs.

Then came Government "regulation" of the exchanges, and the number of grades tenderable was finally reduced to 11—

It was 10, as a matter of fact—

which is the status of the matter now. And Senator COMER wishes to further amend the law. The exchange manipulators have organized a crusade against the Senator—

You all know that is so. The exchanges have organized a crusade against this amendment, for what purpose? By George, to protect the farmer! Who ever heard of a thing like that?

The exchange manipulators have organized a crusade against the Senator, charging that inasmuch as he is a manufacturer of cotton—

They always say that. They always attribute selfishness to somebody. It is one of their methods of escape; it is one of their attacks. It is an outrage that a man can not come up and do his duty without being accused of being selfish in trying to do it—

he has introduced this bill in the interests of the manufacturer and against the interests of the farmer—and the exchange.

Who ever heard of a thing like that? The farmers' interests and the manufacturers' interests have to go together. They have to do it. It is the manufacturer, the man who buys the cotton, that takes it off the market. If it were not for his purchasing it, taking it off the market, and sending it to consumption, what would become of the market?

I want to call the attention of every southern man here to this: This year and last fall the exchanges tried time and again to break the price of cotton. Time and again they tried to do it. It was only by the firm holding by the farmers, by the spot holders, that the market was preserved. Many times the exchange market went from 3 to 5 cents below the spot market, and yet they say they are acting in the interests of the farmer!

But Senator COMER makes a good showing as to his farming interests, as well as being a manufacturer, and it is believed he has the whip hand in the fight before the conference.

The whip hand in the fight! They have not seen the exchanges fight, have they? They do not know down there how it is done. The farmers never organize. They have no adequate organization. They do not know how. They have not the money to organize with. It is the other fellow who does the organizing. It is organization against unorganization. That is what wins the fight always, and that is where the farmer has had his trouble.

He claims for his bill that a future contract will mean something and can not be used for speculative and gambling purposes.

All it means, Senators, is that it tends to make the exchange price commensurate with the commercial price. That is all it means—nothing else—and anybody knows that is what the exchange stands for, and it will stand for it if it is not prevented by law.

The agility and facility with which cotton contracts were manipulated in the unregulated days, and the only slight improvement that has been achieved under the law as it stands, makes Senator COMER'S amendment worthy of serious consideration, and if it will accomplish what he says it will—

It will not accomplish, Senators, the full intent of it. I could not get a bill like that through; but it will accomplish in a large measure what it is intended to do, and that is the protection of the cotton people; and, by the way, there is nothing more important in the United States than cotton farming—

it should have the whole-hearted support of every Congressman and Senator.

The people of the South, unorganized and financially depressed as they have been since the War between the States, have had their cotton taken away from them—

That is so. The exchanges have fleeced them unmercifully—

by the most abominable combinations and tactics of the speculators, who could organize a raid at any time and sell 40,000,000 bales of cotton against a crop of only 15,000,000 bales, and when delivery time came at the end of any month they would tender the dog tail and escape all consequences of overselling. Under this nefarious practice cotton could be depressed at any time, and the cotton farmer was robbed of his cotton as an annual festivity.

I have had New Orleans deliver me 16 different styles of low-grade cotton in 100—16 different styles, an average of 6¼ bales of a kind in 100 bales, when they knew it was unusable.

Mr. GRONNA. Mr. President, will it disturb the Senator if I ask him a question?

Mr. COMER. Why, surely not.

Mr. GRONNA. Being a member of the committee of conference which has to decide this question, I want to say at the outset that I believe it is only fair to say that the committee of conference is willing to take the judgment of the people from the cotton States; but as to the merits of the Senator's amendment, as I understand, the Senator wants to make it possible for the buyer to demand one-half of the purchase to be above the standard grade.

Mr. COMER. No; not above; not below, Senator.

Mr. GRONNA. Well, at or above.

Mr. COMER. No; that half of it shall be the higher grades, you understand.

Mr. GRONNA. And the other half below?

Mr. COMER. Anywhere they want. It gives the seller the option of delivering anything he wants as to half of it. It gives the buyer the right to demand that half of it shall be middling and above. You know, there are 10 grades that are tenderable. There is middling, strict middling, good middling, strictly good middling, and middling fair. Those are the five grades up. He can deliver any one of those, or any combination of those, for half of it. Then there are five off grades—low middling, strictly low middling, strict middling tinges, good middling tinges, and good middling light yellow stains, making five. Now, he can deliver any part or combination of those he wants to, or he can deliver any combination he wants in the 10 grades for the 50 per cent, but the 50 per cent shall be middling and above. I will state while I am on this question that three-fourths of the mills, possibly, use middling and above, you understand, and some of them use strict middling, and by a combination of good middling and middling you make strict middling. The majority of the cotton is middling to good middling. More than half of it runs that way.

More than half of the mills spin these grades, and when a man takes a contract of this kind, if he can not use it himself, he can sell it; but under the old system possibly more than two-thirds of the mills could not use one-tenth of it.

Mr. GRONNA. Let us take a concrete case, now, and say that a farmer has a thousand bales of cotton, one-half of it middling or better; the other half middling or lower than middling. In order to sell that cotton he would of course have to sell it all, because the buyer could refuse to accept the half below middling, but perhaps he would be willing to accept what was above middling or good middling. Would it not penalize the cotton farmer in disposing of his lower grades?

Mr. COMER. Not in the least. The exchanges do not spin any cotton, and they do not manufacture any cotton.

Mr. GRONNA. I understand that.

Mr. COMER. They do not deliver cotton through the exchanges. If the exchange price were to exceed the market price sufficient to pay the cost of delivery through the exchange, then the dealer would sell the market, the exchange would be flooded with cotton, and there would be an immediate recession of the exchange price. This, you understand, can only happen for a very few days at a time, making what is called a "market squeeze." A farmer sells or buys a thousand-bale contract on the exchange market, then sells or holds his cotton, as the case may be, to the spot dealer offering the best price, getting the spot differences between his grades. There can be no other relation between the farmer and the exchanges in the bettering of his condition than to wait to see how his exchange contract is working and then close the contract out. If he goes into the exchange market it is pure speculation. He takes his chances as to whether there is an advance or a decline in the price. The final disposition of his cotton, no matter what the grade, has to be on the spot market. The exchange does not help him in his differences at all. The spot market as a rule ignores his differences.

Spot cotton is sold always at the supply and demand price, at the market price. You can not sell it for a penny more, no matter where it is, except in an accidental "squeeze."

Mr. GRONNA. I am asking only for information. Let us take another case. Suppose a farmer has a certain number of bales of cotton, and it is all either middling or below good middling. What happens to that farmer when he offers his cotton on the market?

Mr. COMER. On the spot market he takes the actual price on the different grades. On the exchange market he takes the chance, and with the present law the chances are against him, and at last his cotton has to be sold at the market price. Just suppose I am a farmer, and that I have a thousand bales of cotton which I want to sell on the market and get the money for, but I am not satisfied with the price at the time. I believe it will go higher, and I go on the exchange and buy a thousand bales of cotton. I buy that cotton within the 10 grades, and the seller could deliver me any part of it that he pleases. Say I am also a manufacturer, and I want to buy a thousand bales of cotton, and I go on the exchange and buy a thousand bales of cotton, and the time of delivery comes, when I want to cancel my contract and get the cotton in. I go out in the market where the cotton is, anywhere from Virginia to Texas, and buy my thousand bales at the market, and sell my hedges. You do not put any low-grade cotton or high-grade cotton on the exchange. They do not have anything to do with the exchanges. The exchange is not a consumer; it is a supposed barometer or index of prices and should be a true one.

Let us take wheat. You have, say, a million bushels of wheat—I am giving you a limited amount, you see—which you want to sell. You do not want to hold it; you want to realize on it before you deliver it. You go into the market and sell a million bushels of wheat. You go ahead and you get your

wheat out and sell it in the market to the millers, or anybody else; they are the ones who get it at last. Then you go and close your hedge. Cotton is handled in the same way. The mills do not get the cotton out of the exchanges. They go on the market and buy it. To-day we have contract hedges in New Orleans. To-day we are buying low-grade cotton from all over Texas. As we get in the spot cotton, we close the hedges, or wait, as we have been doing very much to our advantage, and close at the end of the month. This latter part is speculation, which we would not do if the exchange market was a true index of the commercial or spot market.

Mr. GRONNA. I will say to the Senator that while I have not dealt on the exchanges in grain, I am quite familiar with the grain exchange. But we deal with only one grade, and that is the contract grade of wheat.

Mr. COMER. No. 2.

Mr. GRONNA. We deal only with the No. 2 northern, which is the contract grade, and whatever is of an inferior quality will, of course, be reduced in price.

Mr. COMER. Certainly.

Mr. GRONNA. There is where the wheat farmer has suffered, because there are times when 60 pounds of wheat of a grade which has been graded simply by looking at it or by weighing it will produce practically as much flour, and absolutely as good flour, as the higher priced wheat. I do not know that that will apply to cotton. If it does, it seems to me there might be such a thing as penalizing the farmer on the lower grades.

Mr. COMER. Not through the exchanges. The exchanges have not anything to do with the value. The exchanges can not exceed the commercial price on any grade. The very minute the exchange got higher than the commercial price people would ship the cotton into the exchanges and break it. You can not sell the cotton higher than the commercial price. The mills are buying the higher grade cotton at a high price rather than the lower grades at the lower price, because of the high cost of manufacture and in the higher prices of the better grades of goods they can make more money than out of the lower grades.

Mr. GRONNA. I am quite sure that the Senator from Alabama wants to do what is for the best interests of the cotton farmer, as well as for the manufacturer. I am quite sure of that, and I am not at all surprised that a propaganda has been instituted and is carried on if there is anything that hurts the exchanges. I had some experience with the exchanges myself on the floor of the Senate only recently, and I simply mention this to show that the Senator is not alone in being attacked when legislation is proposed which will tend to make a commercial price and not a speculative price. When I introduced a bill not long ago to abolish the Grain Corporation, because it was my belief, and the belief of a great many people throughout the United States, that the Grain Corporation was in fact a factor in creating speculative prices, the members of the Chamber of Commerce of Minneapolis who testified here admitted that never in the history of the grain trade had there been greater fluctuations on the markets than during the time the Grain Corporation had exercised control over the wheat.

Mr. COMER. Certainly.

Mr. GRONNA. Great fear was expressed by the Grain Corporation that if my bill should go through the farmer would lose.

Mr. COMER. They always do.

Mr. GRONNA. He was the man whom the Grain Corporation, and every grain exchange, every chamber of commerce, and every board of trade was trying to protect. Of course, the price of wheat went down temporarily, because there was a scare; but wheat to-day is selling at $3.20 a bushel in the markets of the city of Minneapolis, and it shows that the fears expressed were entirely unfounded. I simply rose to get some information from the Senator and also to say to him that I hope the Senators from the cotton States will get together and agree upon what they want, and, so far as the conference committee is concerned, I am quite sure they will stand by the judgment of the people who know something about the industry.

Mr. COMER. I thank the Senator very much. I understand that. If this amendment does not go through, we have a case against some man from down home. But, in connection with the question the Senator raised, let us suppose a farmer has a hundred bales of cotton which he wants to get the money for. He believes that cotton will advance and he sells his hundred bales and buys a contract. The other man believes that cotton is going down and he sells a hundred bales on contract. Neither of those men expect the delivery of a single bale, good, bad, or indifferent, and when they say the amendment will result in hurting low-grade cotton every man knows it is not true. I understand there are some low grades raised down in Oklahoma. Oklahoma has a great deal of low-grade cotton, and they say it will hurt low-grade cotton. Mr. President, you might just as well say it will hurt No. 3 wheat. There is not a word of truth in it. Low-grade cotton has to come through the factory; it has to come through the mills for that class of goods; and I want to explain for the record here why low-grade cotton is so cheap right now. There is a big difference in conditions. Machinery is three times as high as it was. It costs three times as much to build a mill as it did. Labor is very much higher than it was. You can mill high-grade cotton much faster than you can low-grade cotton; you do not have to stop and clean it. Then, besides that, there is so much more of it waste in low-grade cotton. Then, again, the price of goods made out of high-grade cotton is better than that made out of low-grade cotton, and that makes the difference in the price. It is governed by the law of supply and demand. It is a question of what the mills can do with it. They have charged that our mills, the Avondale Mills, will be benefited by the amendment.

I have a letter from my son, who says, "Dad, your bill will hurt us, because we can use any grade cotton we can get." He is the manager of the business. In our business we can use any grade, and he says, "We use anything from waste up to strict good middlings. When a contract is tendered us, we have the ability to take it, and thereby we do not lose any money on the business. You can easily understand that. When, say, July cotton was 6 cents cheaper than spot cotton, we bought July cotton. When May cotton was 5 cents a pound cheaper than December cotton, we bought May cotton and held it, and we did not care about it." But it is the man who can not hold it; it is the small fellow, the farmer, who is hurt in all these nefarious transactions, and it is wrong. It is wrong for any man to sit here and allow himself to be befuddled with such propaganda as they get out, and I for one resent it. It is not right.

This editorial continues:

> The people of the South, unorganized and financially depressed as they have been since the War between the States, have had their cotton taken away from them by the most abominable combinations and tactics of the speculators, who could organize a raid at any time—

They could organize a raid at any time—

> and sell 40,000,000 bales of cotton against a crop of only 15,000,000 bales, and when delivery time came at the end of any month they would tender the dog tail and escape all consequences of overselling. A man could not take it. He had to settle with their differences.

This editorial continues:

> Under this nefarious practice cotton could be depressed at any time, and the cotton farmer was robbed of his cotton as an annual festivity. Cotton manufacturers have very little interest in the particular price of cotton.

They think we are always trying to beat the market, and why should we want to try to beat the market? We want things on an even basis. The manufacturer of cotton wants prices on an even basis the year around. It is not the price he pays for it; it is regularity he wants.

The editorial continues:

> Cotton manufacturers have very little interest in the particular price of cotton. What they want most of all is a stabilized market. Manufacturers prefer to have a high market, all things being equal, rather than a low one, because their percentage of profit applies to the gross cost of the manufactured article, and high cotton means more profits. The manufacturers want a future delivery of cotton to protect their contracts for manufactured goods.

Now, I will say to the Senator from North Dakota, suppose I have sold 10,000 bales of goods, and I have not the cotton, and I want to go into the market—not the spot market, but in the future market—and get my contracts and hedge that. But suppose on the contrary I have bought 10,000 bales of cotton and have it in the warehouse, and I have not sold the goods, and I want to go in there and sell 10,000 bales of cotton and hedge that, and I want to do it in a business way. I do not see how on earth anybody can object to it.

This editorial proceeds:

> The manufacturers want a future delivery of cotton to protect their contracts for manufactured goods. They sell a bill of goods to-day, requiring 10,000 bales of middling cotton. The manufacturer can not go into the market and in one day get 10,000 bales of middling cotton. And the next day the price may have advanced to where he would not have any profit in his goods contract. So he must protect himself upon the goods contract by an immediate purchase of a cotton futures contract at the price at which he agreed to deliver the goods.
>
> The manufacturer, as the exchange gamblers charge against Mr. COMER, does want this law amended as proposed by Mr. COMER.

They are always charging something; they are just like a man who is trying to get his hand in your pocket. Let me read that again:

> The manufacturer, as the exchange gamblers charge against Mr. COMER, does want this law amended as proposed by Mr. COMER. He wants this amendment because under it he would be able to make the exchange speculator or trader deliver to him the manufacturable cotton he will have to deliver in the goods he has sold. It will furnish the manufacturer a market wherein he can instantly buy the ten or twenty thousand bales of cotton required, protecting himself against loss, and

he can insist that he get the cotton required for his goods contract. Even now he must close out his futures contract as he buys his cotton or let the speculator or exchange trader palm off on him the 11 grades provided for under the present law, loading him up with a lot of grades he has no use for.

I want to call the attention of the Senator from North Dakota to this in particular:

It is charged by the speculator, who has always had the dearly beloved farmer's interests so much at heart, that with this amendment of Mr. COMER'S a farmer with other grades of cotton than those specified in the futures contract can not sell his grades at all.

That is what they claim.

Which is all bosh.

There is nothing in it whatever. It is not sold through the exchange. You have to get the market at exchange prices. It is exchange prices which we are insisting should be the commercial prices or along in that neighborhood. That is what we are interested in.

The futures contract under the Comer amendment will be worth exactly what the spot cotton is worth—

That is what you want. You do not want futures contract worth 6 cents a pound less than the commercial price.

The futures contract under the Comer amendment will be worth exactly what the spot cotton is worth, because spot spinnable cotton can be demanded under it. Under the Comer amendment, we shall not see July futures go down to 30 cents while March spots stood at 40 cents, as was the case this month.

That was true at that date; it was an outrage; and it was the case this month.

The grade specified in a contract will be a basis, and the delivery of that grade will be demanded or its equivalent in real honest spinnable grades as are acceptable to the spinner. And this spinnable cotton will have to be raised by the farmer and bought from him.

You have to buy it from him. It has to come from him. He does not send the cotton to the exchange, no matter what happens. It is the index, the barometer—not the mercury, but the barometer showing the true condition.

If Mr. COMER'S bill will accomplish what is aimed at, and what for so many years has been sorely needed, it should pass in a hurry. It will make futures and spots stand on a parity, and the speculator can not manipulate his drives so as to depress the market and rob people and maintain a difference of 10 cents per pound between spots and futures. If the farmers of the South had had no money in bank on which to hold their cotton this past month and year, their spot market would have followed the futures down to 30 cents, as it has always done. More power to Senator COMER.

I am not through yet.

The exchanges have a very strong lobby here, being directed, I understand, by Mr. Calvin, who is using his relation to the official cotton people to make more effective his lobby in the interest of the exchanges. They are the farmers; the exchanges are the farmers he is representing.

You will recall that prior to 30 days ago the New York exchange market was running from 3 to 4 cents per pound cheaper than the spot market, that occasionally a spurt of selling would take place trying to break the spot market. They did that. They tried hard to break it. This species of guerrilla warfare will be entirely defeated if the exchanges have to deliver one-half of a contract middling and above instead of, as now, all the contract their selection from the most undesirable grades. You understand that a large percentage of the mills do not use anything below middling.

That is true. A large part of the crop is above middling. The exchange selection for delivery is made not as an agricultural commodity or a manufacturing commodity, but as a speculating commodity.

Of course, this makes it to the greater advantage of those mills that use the grades below middling—I mean the present exchange contract—as they have no trouble in hedging. A mill or dealer strong enough to play the game, particularly those mills which could use any grade, can go right into the market and buy the ahead months, and as the months come due demand delivery of the cotton and have ability to pay for it, unless the party on the exchange is willing to deliver the contract on basis of spot value. They always protect themselves. It is the other fellow who can not do it. But in the future market, as at present constituted, the small trader and the public at large—the producer and the small spinner who always get run out of the market on the threat of tender—will always be at the mercy of the smart fellows on the exchange organized as against the unorganized public, and the amendment will certainly help protect these small users.

The cotton-exchange men know that to claim that the privilege of tendering low-grade cotton on contracts would furnish a market for the low-grade cotton carries absolutely no truth. There is not a word of truth in it. In the years past when any grade could be tendered, we have seen cotton contracts selling at anywhere from 25 to 50 per cent off middling cotton. The only low-grade cotton that is ever accepted on an exchange contract has merely been that some big operator could accumulate a supply of it and hold it in hand at New York or New Orleans forever as a threat to tender and so depress and keep depressed the market.

Of course, in all important legislation defending the public, there are scare heads, threats, and bullies, and all sorts of dire prophecies resulting from that species of legislation. You will remember that when Columbus was trying to get ships to sail west on a voyage of discovery and all through the voyage, until land was found, there was every dire prophecy of impending evil and disaster held out.

It is the same way about this proposition here. It is simply a scare head, a scare head that ought not to fool anybody. I am sorry it does fool some people. Are the exchanges competent advisers as to how they should be controlled? Should Congress lay down the regulations to protect the farmers, the dealers, and the manufacturers, or should the exchange do it? Should they be left to what the exchanges advise? Cotton speculation as practiced through the exchanges and abundantly borne out in their history has shown the most outrageous swindling methods. The value of cotton not only to the South, not only to America, but to the world is too great to be bandied around in any such manner, and Congress owes it to this great international product to fully protect it.

THE HARBORD MISSION (S. DOC. NO. 264).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, ordered to be printed, and, with the accompanying papers, referred to the Committee on Foreign Relations:

To the Senate:

I transmit herewith a report from the Secretary of State, with accompanying papers, in response to a resolution of the Senate requesting the President to furnish that body, if not incompatible with the public interests, with a copy of the report made on conditions in the Near East by the mission headed by Maj. Gen. James G. Harbord, United States Army, known as the "Harbord Mission."

WOODROW WILSON.

THE WHITE HOUSE, *April 3, 1920.*

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Claims:

H. R. 1288. An act for the relief of George W. Gamble;

H. R. 1309. An act for the relief of Perry L. Haynes;

H. R. 4184. An act for the relief of C. V. Hinkle;

H. R. 6198. An act authorizing payment of compensation to Swanhild Sims for personal injuries;

H. R. 7573. An act authorizing payment of compensation to Pasquale Dolce for personal injuries;

H. R. 8881. An act for the relief of the First National Bank of New Carlisle, Ind.;

H. R. 9046. An act for the relief of William Malone;

H. R. 9048. An act for the relief of Catherina Rea, administratrix of the estate of John Rea;

H. R. 9629. An act for the relief of the Merritt & Chapman Derrick & Wrecking Co.;

H. R. 10598. An act for the relief of the First National Bank of Sharon, Pa.;

H. R. 11030. An act for the relief of the Woodford Bank & Trust Co., of Versailles, Ky.; and

H. R. 12634. An act for the relief of Wilhelm Alexanderson.

H. R. 12530. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was read twice by its title and referred to the Committee on Pensions.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. McLEAN. I report back favorably, without amendment, from the Committee on Banking and Currency, the bill (H. R. 12711) to amend the act approved December 23, 1913, known as the Federal reserve act, and I ask that the Senate proceed to the consideration of the bill. It passed the House last week. I will state that the bill is a verbatim copy of Senate bill 3958, reported favorably from the Committee on Banking and Currency, which has been on the calendar for a month or six weeks.

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent for the present consideration of House bill 12711. Is there objection?

Mr. GRONNA. Mr. President, I wish to say a word. I shall not object to the request of the Senator from Connecticut. I think, however, that it is a mistake to pass this bill. I believe that the bill will eventually pass, and for that reason I shall not take advantage of the rule and ask to have it go over.

Mr. President, my opposition to this proposed amendment to the Federal reserve law comes from the fact that I have always been opposed to giving too much power to any individual or to any board. There have been times during the war when that was necessary, and it would be necessary if we were to have a war in the future to give to the President of the United States and those associated with him unlimited power. But I have never been able to see any good reason why we should in times of peace give unlimited power and authority to public servants, because that is what they ought to be, nor should the Federal Reserve Board be given the power to limit loans, to increase the rate of interest, to make conditions such that it would be impossible perhaps to carry on production.

I know it is said with reference to this bill that it is for the purpose of doing away with speculation. To that I certainly would have no objection, but that is not the way it works out. I know from actual experience that only recently an order was sent out by the Federal Reserve Board authorizing the raising of the rates of interest. The class first affected by this order and who actually had to bear this burden were the producers. That has always been the condition, and that always will be the condition. I know as a matter of fact that within the last three months the order to raise rates of interest and to limit loans seriously affected the producers of the country. It affected the producers in my State and in the Northwest generally.

The argument is made that this will only affect the large concerns and those who are asking for larger credits than they are entitled to, but that does not always follow. When the order was sent out only a short time ago that the banks must exercise care and not extend credit to the farmer what effect did it have? And, Mr. President, that was at a time when it was impossible for the producers to get cars to enable them to ship their products.

You might just as well say to the farmer, "You must sell your wheat; you must sell your cotton; you must sell your live stock," as to say to him, "On the first day of the month, when your obligation becomes due, you must pay us, because we can not extend further credit." That is what has happened, and I am afraid it will happen in the future.

Why it should be necessary for the Federal Reserve Board constantly to have to ask for more power in times of peace is more than I can understand. I think I know that the Federal reserve law has been and is defective, so far as the question of inflation is concerned. I think I may be pardoned for saying that I have studied that law. I may not understand it correctly, but I have formed the conclusion, sir, that at a time when inflation has actually taken place we can not by law give power arbitrarily to deflate the currency without ruination to the producers of the country, because the effect of such an undertaking must necessarily fall upon the producers, and the farmers' products will be the first ones to decline in price.

I am only giving my reasons, Mr. President, why I do not think the bill should be passed. I believe it will serve no good purpose to the country, because it will be detrimental to the producers, and legislation which is detrimental to the producers will ultimately become burdensome and detrimental to the people generally. We can not continue to saddle burdens upon the producers without having a serious effect upon the country generally. We are not living in a country where the producers are going to be satisfied to be slaves, as many of them have been in the past.

We are living in an enlightened age and in a country where we should help the producers to have the same opportunity as the man in other business or as the man who is engaged in vocations and trades. The young boy on the farm to-day will not remain on the farm with conditions as they have been in the past. Who is going to perform the labor if we create such conditions that it will be impossible to make a living upon the farm without the old order of having to work from 4 or 5 o'clock in the morning until dark, when all labor elsewhere is clamoring for a six, seven, or eight hour day and five days during the week? I ask you how are you going to keep the educated young farmer on the farm under those conditions?

I do not mean to say, Mr. President, that those who are supporting this bill desire the passage of this bill for the purpose of hurting the farmer. I am sure that is not the case. I am sure their motives are just as patriotic and just as good as are mine; but I question whether it is for the best interests of anybody to enact this legislation.

A banker does not have to take bonds or to discount bonds or to buy bonds, whether they are par or below par, if he does not wish to do so. The only ones who will be burdened by this kind of legislation will be the smaller banks, the smaller institutions, and ultimately credit will be denied the farmer. That simply means that the farmer must stop or cease producing.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which is as follows:

Be it enacted, etc., That section 14 of the Federal reserve act as amended by the acts approved September 7, 1916, and June 21, 1917, be further amended by striking out the semicolon after the word "business" at the end of subparagraph (d) and insert in lieu thereof the following: "and which, subject to the approval, review, and determination of the Federal Reserve Board, may be graduated or progressed on the basis of the amount of the advances and discount accommodations extended by the Federal reserve bank to the borrowing bank."

Mr. SMITH of South Carolina. Mr. President, when my attention was first called to the pending measure I thought I saw in it an extension of power that could be used to the detriment of the commercial world. With a law, new as the Federal reserve law was, that had stood the test of the greatest financial strain that the world had ever endured, that had financed the World War so far as America was concerned, and in a large degree had financed the Governments which were allied with us, without there being any financial disaster in this country, but, on the contrary, an increased prosperity in spite of the war burden—after this crucial test of the system, that had more than met the expectation of those who had formulated and enacted it, it seemed to me that while we were in a reconstruction time, when the great cry of the country was for production, it was a doubtful experiment to begin an artificial deflation of our currency. The high cost of living has been attributed to different causes, and perhaps it is attributable in part to most of the causes that have been advanced, but all of us agree that the solution of the problem of the high cost of living in this country is production equal to or in advance of the demand.

The proposed amendment of the law provides that the Federal Reserve Board shall be given the power, to be exercised at its discretion, it is true, to say at what limit a borrowing bank shall begin to pay a premium or a penalty or a tax on its excess borrowings over the amount allowed. That is a tremendous power to put in the hands of the Federal Reserve Board, in view of the particular genius of the Federal Reserve System.

That system as a whole accommodates all of the member banks; the gold reserve that it has is the common property of the system; the wealth that is back of the notes issued upon the gold reserve, plus the commodities themselves, represents the commercial and floating wealth of the country.

Mr. President, I submit that so long as there is the gold reserve, so long as there is the wealth of the country for the issuance of our time paper—30, 60, 90 day or 6 months paper—it is wholesome that we have what seems to be an inflation of the currency, but which on analysis is nothing more nor less than clearing-house certificates based upon the actual wealth of the country and secured by a percentage of the gold reserve.

The small banks throughout the country, members of the system, in the time of moving the crops and commodities which have been produced on the farm, in the field, and in the factory on their 30, 60, 90 day and 6 months paper have had freedom for the first time in the history of banking in this country in hypothecating that paper and securing enough currency on it to meet their obligations and to tide over the time between the time of a transaction being entered into and its consummation. Heretofore the amount of money has been limited; the amount of circulating medium has been limited by rigid, inflexible standards that caused us to be always under the shadow of a panic, always upon the thin crust of a crater. The commercial life of America was absolutely in the hands of a few bankers and financiers who, at their sweet will, could demand the retirement of certain securities and bring about a panic.

Under the provisions of the Federal reserve banking legislation the commercial wealth of the country, that which may be bought and sold, has been mobilized and rendered flux by virtue of the fact that the amount that could be issued to a member bank was not restricted to the capital and surplus of such bank but was measured entirely by the resources of the entire Federal Reserve System, so that a small bank having a limited capital, being a member bank, receiving paper that had been passed upon the Federal Reserve Board as collateral, could discount an almost unlimited amount of paper at its regional reserve bank. This proposed amendment of the law provides that when the banks have reached a certain percentage of their capital and surplus, which may be called the normal percentage, the Federal Reserve Board may from then on, by means of a graduated or progressive tax, restrict the facilities of that bank.

I appreciate, as every other Senator here does, that we are face to face with a situation that is alarming. When the Federal reserve act was passed there were less than $1,000,000,000

of bonded indebtedness owed by this Government, while to-day the amount is over $20,000,000,000. When the Federal reserve act was passed there was incorporated in it a provision making Government bonds collateral for loans. During the campaign for the floating of Liberty bonds the people throughout the country were flatly told, and honestly, as they thought, that if they would subscribe for those bonds the banks of the country would carry them for them and give them a certain time to liquidate. Under this proposed amendment the inevitable result will be that the banks that are carrying such bonds will be forced to liquidate their holdings.

There are a great many people who believe that there was a moral contract between the Government and the purchasers of the bonds that they should have this privilege. Now, we are told that, in order to meet the commercial necessities of the country, we must find a way by which we can check certain great banks which are depleting the Federal Reserve System of its reserves, and we must find a way by which we can check this wild speculation where they hypothecate their collateral and take the money that is thus drained and go to Wall Street and there lend it on call at anywhere from 6 to 30 per cent.

I recognize the fact that the currency could be inflated to an almost unlimited degree upon the hypothecation of the promise of the Government to pay, and some remedy must be found by which there can be left in the Federal Reserve System sufficient reserves to meet the requirements of the commercial interests of the country, but I am not sure as to whether the Federal Reserve Board should be given the power at its own will artificially to deflate the currency at this time, because we all know that that is the object sought to be attained—not so much the checking of wild speculation, but the deflation of the currency in order to bring down prices to what they claim is the normal.

I have never seen in this country, especially in the section with which I am familiar, such great prosperity; I have never seen so much real, genuine investment; I have never seen such bright hopes; I have never seen so much energy put forth, because, when everything is said and done, you may extend to a man all the credit that he may need in the form of book credit, but nothing takes the place of the actual possession of the circulating medium of the country to nerve him to invest and to expand his business.

I had intended to oppose this bill. I thought it unwise, and were it not for the fact that we are face to face with a condition over which we have no control—the issuance of the staggering bonded indebtedness of this country, making the inflation of the currency a possibility that would absolutely ruin commerce—I say, were it not for the conditions that confront us, and with the hope born of my desire that the governors of our Federal Reserve System, those in whose hands we have placed the administration and execution of this law, will deal justly and fairly with the situation, I might further oppose this amendment of the present law; but I want to say in conclusion, Mr. President, that I do not believe it is a sound policy of government to make it possible for any man or set of men arbitrarily to determine whether I am speculating or whether I am investing money.

When I bring to a bank a collateral that is recognized as gilt-edged and hypothecal and ask for a loan, it is not the province of the bank or the banker to know what I am going to do with that money. It is too far-reaching to say to them, "We grant you, by the enactment of a statute, the right to determine whether this man is speculating or whether that man is investing properly"; yet that is precisely what this legislation proposes to do. When they have evidence that a certain bank or certain banks are borrowing too much for speculative purposes, they can invoke this rule to discourage it.

Mr. McLEAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Connecticut?

Mr. SMITH of South Carolina. I yield.

Mr. McLEAN. I do not like to interrupt the Senator from South Carolina, because, if I understand this bill, his remarks, so far as they touch it, constitute a very sound argument in favor of its passage. But the statement which the Senator has just made, to the effect that this is granting a new power to the Federal Reserve Board, which would authorize them arbitrarily to play favorites with the banks, I think is a statement which is utterly unfounded, because the law as it reads to-day gives to the Federal reserve bank, with the approval of the Federal Reserve Board, the power to extend to each member bank such discounts, advancements, and accommodations as may be safely and reasonably made with due regard for the claims and demands of other member banks.

This is very broad language. A Federal reserve bank can prefer either the bank or the security offered, if it desired to abuse its power; but the amendment which is proposed defines this provision and permits a limit to which a Federal reserve bank can refer member banks and say, "While we may have discretion under the law to do anything we have a mind to do with you, we do not want to decline to discount good paper, for it may hurt your bank to have it advertised throughout the community that you have been declined accommodation; nevertheless here is the law." Under this law, when they fix the normal discount rate below a percentage of the banking capacity of the borrowing bank and the bank desires to borrow above that percentage, then the Federal reserve bank can say, "Here is the law. You have unduly expanded your credits. We have fixed this limit, and if you want further accommodation you must pay a higher rate."

If the Senator will pardon me while I am on my feet—I do not want to take any more time than necessary in discussing this measure, because I am very anxious to get a vote on it before 2 o'clock—I will say to him that it must be clear to him and to those who are opposed to this measure, if there are any others besides himself and the Senator from North Dakota [Mr. GRONNA], that this bill simply gives to the Federal reserve bank, with the approval of the Federal Reserve Board, the power to fix a normal maximum rate which they can apply and must apply to every member bank in a given district. If a bank seeks accommodations above the limit fixed by the board, they can raise the discount rate. Now, it may well happen that a few of the stronger banks in the district, inasmuch as the law now is "First come, first served," may exhaust the resources of a Federal reserve bank, in which event other banks in the district that may have been modest and conservative in their demands must be denied all accommodations.

I agree with the Senator that while credits may be unduly expanded it would be unwise and disastrous to undertake artificially to curtail the credits needed by legitimate commercial demands. We all want increased production; we all agree that it must be had; and we know that if we increase production we must increase the credits demanded to finance the producing activities of the country. On the other hand, credits that are desired for speculative purposes should be discouraged and restrained in every possible legitimate way.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me right at that point, the only thing that has at all reconciled me to this measure is that upon speaking to certain ones in authority over this law I was informed that their object in discouraging and having the power to refuse an excessive loan from certain sources was that they would then be enabled to have sufficient reserves to put the initial rate of interest on commercial paper on the real investments and purchases so long that even though the graduation was put upon it the maximum that they might reach after they had perhaps exceeded their capital and surplus, or the normal, would not be a prohibitive rate of interest; but we have no guaranty that this will be observed, and the law is there.

Now, Mr. President, in answer to what the Senator said a moment ago about having the power, the Senator knows that whenever any class of paper is received for discount, whatever the rediscount is, it is uniform for that class of paper throughout the entire system. They would have to do that or they would be guilty of playing favorites; but what I was saying was this——

Mr. McLEAN. Mr. President, will the Senator allow me to interrupt him right there? That is one of the primary purposes of this amendment. The rate must be the same on a certain class of paper to-day.

Mr. SMITH of South Carolina. Yes.

Mr. McLEAN. Now, then, if this bill passes, the rate on first-class commercial paper can be lowered under the limit fixed by the Federal Reserve Board, and that is all in the interest of conserving the resources of the Federal reserve bank in the interest of legitimate commercial paper. The Senator can see that.

Mr. SMITH of South Carolina. Oh, I said a moment ago that that was the feature of the thing that reconciled me to it.

Mr. McLEAN. Now, they could not do that as the law is to-day. The rate on that class of paper must be the same, no matter whether a bank has borrowed double its capital and surplus or whether it has not borrowed a dollar. If you have a bank in South Carolina that has not asked for a dollar of accommodation the rate must be the same as would be charged to a bank that had borrowed eight times its capital and surplus.

Mr. SMITH of South Carolina. I recognize that.

Mr. McLEAN. It must be clear to the Senator that in that this amendment will permit the Federal reserve bank to conserve its resources in the interests of legitimate commercial transactions. There is no question about that, and that is the whole purpose of the law.

Mr. SMITH of South Carolina. What to me is the most objectionable is fixing a limit of the borrowing capacity of a

member bank, putting a line, and saying that if it goes beyond that line it begins then to pay a premium.

Mr. McLEAN. That it can do now, in my opinion, under the statute which I quoted to the Senator. But the language is very general.

Mr. SMITH of South Carolina. If that is the law now, why does the Senator want to have this amendment adopted?

Mr. McLEAN. Because, as I have said, the Federal reserve banks do not want to say to a member bank, "We can not let you have any more money at all." It will not sound well in the community and may hurt the bank. They want the law to expressly give the power to graduate the discount rate and fix a limit to which they can refer the banks and say, "You have borrowed up to a certain multiple of your bank's capital and surplus, or a certain percentage of your borrowing capacity. The law has expressly given us the power to fix a limit. Now, we have fixed it under this law, and you can not go beyond that. If you do, you must pay a higher rate."

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. SMITH of South Carolina. I yield.

Mr. GRONNA. The Senator from Connecticut stated, and I agree with him to a certain extent, that this amendment would enable the Federal reserve banks to make a limited amount of loans upon first-class commercial paper; but the Senator is overlooking the fact that it leaves the authority with the Federal Reserve Board to decide the question as to what is good commercial paper. The Senator knows that that question has been debated for years and years in Congress.

Mr. McLEAN. Of course. This proposed law does not affect that one way or the other.

Mr. GRONNA. But it leaves the arbitrary power to the board——

Mr. McLEAN. This adds nothing to the law in that regard.

Mr. GRONNA. To decide which is and which is not commercial paper.

Mr. McLEAN. No.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. McLEAN. I move that the bill (S. 3958) to amend section 14 of the Federal reserve act, which is identical in language with the bill just passed, be indefinitely postponed.

The motion was agreed to.

RESIGNATION OF OFFICERS IN 1861.

Mr. HARRISON. Mr. President, I have a communication here which I ask may be read from the desk, and I shall then follow it by the introduction of a joint resolution.

The PRESIDING OFFICER. Without objection, the Secretary will read it.

The Reading Clerk read as follows:

PETITION OF THE CONFEDERATE NAVAL VETERANS TO CONGRESS TO ACCEPT THE RESIGNATIONS OF THEIR DEAD COMRADES.

Several hundred officers of the United States Navy, from the South, resigned their commissions in 1861 to cast their fortunes with their States. The resignations of most of them were accepted at the time. There were 136 of them, however, who resigned at about the same time whose resignations were not accepted and the Navy Register of 1862 records them as "dismissed," while it records all the others as "resigned."

By instructions from my comrades at our reunion in Birmingham in May, 1916, I am here to petition Congress to accept these resignations in order that their descendants may not bear the stigma of their parents' dismissal from the United States Navy. If any were dismissed for any other cause than that they believed they owed paramount allegiance to their States let the record in their case remain as it is.

The heroism these men displayed during the Civil War is an American heritage and may be the pride of every American citizen. Their sons and grandsons fought your battles in the Spanish-American War. Their grandsons and great-grandsons are fighting the battles of America to-day. They are denied the privilege of joining patriotic orders because their ancestors are branded as having been dismissed from the service.

The Confederate Naval Veterans have tried to get the Confederate Army Veterans to join in this petition, and include those who resigned from the United States Army in 1861 to cast their fortunes with their States, but we have been unable to do so. In fact, we withdrew our petition last June for that purpose. After waiting a year to secure their cooperation and receiving no response we feel that we should not be denied because they have not joined with us in our petition.

Every man named in that list of 136 is dead, and of the 6,000 who served in the Confederate States Navy all are dead but about 150, and those are following them fast, and we ask this boon at the hands of Congress before we, too, have passed away.

In the list is Capt. Sidney Smith Lee, brother of Gen. Robert E. Lee. The general resigned April 25, 1861, and his resignation was accepted. The captain resigned April 22, 1861, and the Navy Register records him as having been dismissed on that date. Capt. Lee's name appears on the accompanying list.

This act of grace is within the power of Congress, either to date the acceptance of these resignations back to the time they resigned or of this date, 57 years after they resigned.

Respectfully,

THE CONFEDERATE NAVAL VETERANS,
By A. O. WRIGHT, *Admiral Commanding.*

Mr. HARRISON. Mr. President, I am sure that in view of that statement, and the facts connected with this matter, no one would object to having the records show that these men were not dismissed, but that they resigned, as they did in the many cases of men who happened to be in the American Navy and who threw their fortunes with the Confederate side. I introduce a joint resolution, and ask unanimous consent for its immediate consideration.

The joint resolution (S. J. Res. 187) to correct the records of certain naval and marine officers who joined the Confederate forces was read the first time by its title and the second time at length, as follows:

Resolved, etc., That every officer or midshipman of the United States Navy or Marine Corps, who was dismissed therefrom solely because he left such service in order to join, or because he joined, the Confederate forces for service during the Civil War, shall be held and considered to have duly resigned and to have been honorably discharged therefrom, and the Secretary of the Navy is hereby authorized and directed to correct the records of such officers and midshipmen in accordance herewith, as of the date of such dismissal.

Mr. SMOOT. This is a joint resolution, and under the rule it must go to a committee.

Mr. HARRISON. I will merely introduce the joint resolution, then, and——

Mr. SMOOT. Does not the Senator want to have it referred?

Mr. HARRISON. Yes; I move that it be referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. HARRISON. As a part of my remarks I would like to incorporate a list showing the names of the men who were in the American Navy prior to the war and who would be covered by the joint resolution.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The list referred to is as follows:

United States Naval Register, 1862–63.

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DISMISSALS FROM JANUARY 1, 1861, TO DECEMBER 31, 1862.

Capt. French Forrest, April 19, 1861.
Capt. Franklin Buchanan, April 22, 1861.
Capt. Samuel Barron, April 22, 1861.
Capt. George N. Hollins, June 6, 1861.
Commander William T. Muse, April 2, 1861.
Commander Robert G. Robb, April 18, 1861.
Commander Archibald B. Fairfax, April 18, 1861.
Commander Richard L. Page, April 18, 1861.
Commander Arthur Sinclair, April 18, 1861.
Commander John R. Tucker, April 18, 1861.
Commander Thomas R. Rootes, April 19, 1861.
Commander McBlair, April 20, 1861.
Commander Charles E. McIntosh, April 20, 1861.
Commander Sidney Smith Lee, April 22, 1861.
Commander Thomas L. Page, April 22, 1861.
Commander Thomas T. Hunter, April 23, 1861.
Commander Matthew F. Maury, April 26, 1861.
Commander John K. Mitchell, May 27, 1861.
Commander Charles H. A. Kennedy, June 4, 1861.
Lieut. John Taylor Wood, April 2, 1861.
Lieut. Charles M. Fauntleroy, April 7, 1861.
Lieut. George T. Sinclair, April 16, 1861.
Lieut. Robert B. Pegram, April 17, 1861.
Lieut. Washington Gwathney, April 17, 1861.
Lieut. James H. Rochelle, April 17, 1861.
Lieut. William Sharp, April 17, 1861.
Lieut. Charles F. M. Spotwood, April 18, 1861.
Lieut. Carter B. Poindexter, April 18, 1861.
Lieut. John S. Maury, April 18, 1861.
Lieut. John V. Bennett, April 19, 1861.
Lieut. Harry H. Lewis, April 20, 1861.
Lieut. John Wilkinson, April 20, 1861.
Lieut. William H. Parker, April 20, 1861.
Lieut. William L. Powell, April 20, 1861.
Lieut. John M. Brooks, April 20, 1861.
Lieut. Peter U. Murphey, April 21, 1861.
Lieut. William H. Murdaugh, April 21, 1861.
Lieut. Edward L. Winder, April 22, 1861.
Lieut. Charles C. Simms, April 22, 1861.
Lieut. Robert D. Minor, April 22, 1861.
Lieut. Oscar F. Johnston, April 22, 1861.
Lieut. Hunter Davidson, April 23, 1861.
Lieut. Isaac N. Brown, April 25, 1861.
Lieut. Silas Bent, April 25, 1861.
Lieut. J. Pembroke Jones, April 29, 1861.
Lieut. David P. McCorkle, May 17, 1861.
Lieut. Joseph N. Barney, June 4, 1861.
Lieut. Charles W. Hays, June 5, 1861.
Lieut. Alphonse Barbot, June 10, 1861.
Lieut. Van R. Morgan, June 23, 1861.
Lieut. Hamilton H. Dalton, July 1, 1861.
Lieut. George S. Shryock, July 1, 1861.
Lieut. Joseph W. Alexander, July 5, 1861.
Lieut. Francis E. Shopperd, July 8, 1861.
Lieut. John J. Guthrie, July 13, 1861.
Lieut. William H. Ward, July 16, 1861.
Lieut. Thomas K. Porter, July 18, 1861.
Lieut. William P. A. Campbell, September 19, 1861.
Lieut. Henry K. Stevens, September 30, 1861.
Lieut. Benjamin P. Loyall, October 5, 1861.
Lieut. Walter R. Butt, October 5, 1861.
Lieut. Julian Myers, December 6, 1861.
Lieut. Alexander M. De Bree, December 6, 1861.
Lieut. Dulaney A. Forrest, December 6, 1861.

Lieut. William T. Glassell, December 6, 1861.
Lieut. Nicholas H. Van Sandt, December 24, 1861.
Lieut. John Henry Parker, January 18, 1861.
Lieut. James Iredell Waddell, January 18, 1861.
Surg. Lewis W. Minor, May 7, 1861.
Surg. William B. Sinclair, May 10, 1861.
Surg. Randolph F. Mason, May 10, 1861.
Surg. James F. Harrison, June 15, 1861.
Surg. William H. Page, October 10, 1861.
Surg. Daniel S. Green, September 18, 1861.
Surg. Richard W. Jeffery, September 28, 1861.
Passed Asst. Surg. Charles W. Williams, May 10, 1861.
Passed Asst. Surg. H. W. M. Washington, May 10, 1861.
Passed Asst. Surg. J. W. B. Greenhow, July 5, 1861.
Asst. Surg. Joseph Grafton, May 2, 1861.
Asst. Surg. Frederick Van Bibber, May 6, 1861.
Asst. Surg. Algernon S. Garnett, May 10, 1861.
Asst. Surg. Bennett W. Green, May 16, 1861.
Asst. Surg. John W. Sanford, jr., May 29, 1861.
Asst. Surg. Robert J. Freeman, June 4, 1861.
Asst. Surg. Marcellus P. Christian, July 7, 1861.
Asst. Surg. James E. Lindsey, October 10, 1861.
Asst. Surg. James W. Herty, December 17, 1861.
Asst. Surg. S. Iglehart, April 2, 1861.
Paymaster George W. Clark, April 2, 1861.
Paymaster John De Bree, April 19, 1861.
Paymaster John Johnson, April 20, 1861.
Paymaster Richard T. Allison, May 6, 1861.
Paymaster James E. Harwood, May 31, 1861.
Paymaster Felix Senac, June 11, 1861.
Paymaster Thomas R. Ware, June 13, 1861.
Paymaster James A. Semple, June 15, 1861.
Midshipman Edmund G. Read, May 1, 1861.
Midshipman Thomas L. Dornin, June 4, 1861.
Midshipman James L. Hoole, June 4, 1861.
Midshipman Francis L. Hoge, June 4, 1861.
Midshipman Samuel W. Averett, June 5, 1861.
Midshipman James L. Tayloe, June 5, 1861.
Midshipman George A. Borchert, July 24, 1861.
Midshipman Thomas L. Harrison, July 26, 1861.
Midshipman Henry D. Claiborne, August 24, 1861.
Midshipman Hilary Cenas, August 24, 1861.
Midshipman Arthur D. Wharton, August 25, 1861.
Chief Engineer Michael Quinn, April 17, 1861.
Chief Engineer William P. Williamson, May 6, 1861.
Chief Engineer Thomas A. Jackson, May 6, 1861.
Chief Engineer James H. Warner, July 8, 1861.
First Asst. Engineer Edward W. Manning, May 6, 1861.
First Asst. Engineer Henry A. Ramsey, May 6, 1861.
First Asst. Engineer Virginius Freeman, July 8, 1861.
First Asst. Engineer George W. City, August 1, 1861.
Second Asst. Engineer John W. Tynan, May 6, 1861.
Second Asst. Engineer Marshal P. Jordan, May 20, 1861.
Third Asst. Engineer Henry X. Wright, May 6, 1861.
Third Asst. Engineer John T. Tucker, May 6, 1861.
Third Asst. Engineer Charles W. Jordan, May 6, 1861.
Third Asst. Engineer Edward L. Dick, May 28, 1861.
Third Asst. Engineer Benjamin Herring, July 8, 1861.
Third Asst. Engineer Henry Fagan, July 8, 1861.
Boatswain Charles H. Hasker, June 4, 1861.
Gunner Charles B. Oliver, May 21, 1861.
Gunner John W. Lovett, June 4, 1861.

MARINE CORPS

Maj. Henry B. Tyler, May 4, 1861.
Capt. and Bvt. Maj. George H. Terrett, May 6, 1861.
Capt. Jabes C. Rich, May 22, 1861.
Capt. Algernon S. Taylor, May 6, 1861.
Capt. Robert Tansill, August 8, 1861.
Capt. John D. Simms, July 8, 1861.
First Lieut. Israel Green, May 18, 1861.
First Lieut. Julius E. Meiere, May 6, 1861.
First Lieut. John R. F. Tattnall, November 22, 1861.
First Lieut. Thomas S. Wilson, August 24, 1861.

Mr. HARRISON. I move that the papers accompanying the joint resolution, and which I have presented, be also referred to the Committee on Naval Affairs.

The motion was agreed to.

CIVIL SERVICE RETIREMENT.

The PRESIDING OFFICER (at 1 o'clock and 52 minutes p. m.). The morning business is closed.

Mr. STERLING. I ask that the unfinished business be laid before the Senate and proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, the pending question being on the amendment of Mr. MYERS, which was to insert a new section, to be known as and numbered section 15, to read as follows:

SEC. 15. That none of the provisions of this act shall apply to and none of its benefits shall be received or enjoyed by any person who is a member of any association, society, organization, or union of Government employees which is affiliated with, subject to, or a member or component part of, or acknowledges the authority of, any higher or superior body or institution of organized labor; and, subject to the approval of the Secretary of the Interior, the Commissioner of Pensions shall make and enforce rules for the enforcement of this section and governing the method and character of proof required in order that employees may receive the benefits of this act.

Amend further by renumbering the subsequent sections in accordance herewith.

The PRESIDING OFFICER. The yeas and nays have been ordered on the amendment offered by the Senator from Montana [Mr. MYERS]. The Secretary will call the roll.

The Reading Clerk proceeded to call the roll.

Mr. GLASS (when his name was called). I have a general pair with the senior Senator from Illinois [Mr. SHERMAN]. If I were permitted to vote, I should vote "nay," but I withhold my vote.

Mr. GRONNA (when Mr. LA FOLLETTE's name was called). The senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent on account of illness. He is paired with the Senator from Arkansas [Mr. KIRBY].

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. I transfer that pair to the Senator from California [Mr. JOHNSON] and vote "nay."

Mr. SHEPPARD (when Mr. NUGENT's name was called). The Senator from Idaho [Mr. NUGENT] is absent on official business.

Mr. OVERMAN (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN], and he not being present I transfer my pair to the Senator from Tennessee [Mr. SHIELDS] and vote "nay."

Mr. PHIPPS (when his name was called). I have a pair with the junior Senator from South Carolina [Mr. DIAL], which I transfer to the Senator from West Virginia [Mr. ELKINS] and vote "nay."

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. ROBINSON], and I withhold my vote.

Mr. TRAMMELL (when his name was called). I have a pair with the Senator from Rhode Island [Mr. COLT]. I transfer that pair to the Senator from Massachusetts [Mr. WALSH] and vote "nay."

The roll call was concluded.

Mr. KENDRICK. I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from Utah [Mr. KING] and vote "nay."

Mr. THOMAS. I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], which I transfer to the senior Senator from Nevada [Mr. PITTMAN] and vote "yea."

Mr. GAY. May I inquire if the senior Senator from New Hampshire [Mr. MOSES] has voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. GAY. I have a general pair with that Senator which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. HARDING. I have a general pair with the senior Senator from Alabama [Mr. UNDERWOOD]. Not knowing how he would vote on this question, I transfer my pair to the junior Senator from New Hampshire [Mr. KEYES] and vote "nay."

Mr. FERNALD. I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer my pair to the junior Senator from Iowa [Mr. KENYON] and vote "nay."

Mr. BALL. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. In his absence I transfer my pair to the junior Senator from Maryland [Mr. FRANCE] and vote "nay."

The PRESIDING OFFICER (Mr. JONES of Washington) after having voted in the negative. The Chair desires to state that the senior Senator from Virginia [Mr. SWANSON] is necessarily absent, and I agreed to take care of him with a pair to-day. My recollection is that he voted on yesterday upon this amendment the same way that I have voted, and therefore I shall allow my vote to stand.

Mr. MCCUMBER entered the Chamber.

Mr. WATSON (after having voted in the negative). I am paired with the Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the Senator from Minnesota [Mr. NELSON] and let my vote stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Georgia [Mr. HARRIS];

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Nevada [Mr. HENDERSON];

The Senator from Michigan [Mr. NEWBERRY] with the Senator from Missouri [Mr. REED];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Washington [Mr. POINDEXTER] with the Senator from Rhode Island [Mr. GERRY]; and

The Senator from Missouri [Mr. SPENCER] with the Senator from New Mexico [Mr. JONES].

The roll call resulted—yeas 3, nays 43, as follows:

YEAS—3.

Myers	Thomas	Warren

NAYS—43.

Ashurst	Gronna	McNary	Smith, Ariz.
Ball	Hale	New	Smith, Md.
Beckham	Harding	Norris	Smith, S. C.
Brandegee	Harrison	Overman	Smoot
Capper	Jones, Wash.	Page	Stanley
Culberson	Kellogg	Phelan	Sterling
Cummins	Kendrick	Phipps	Sutherland
Curtis	Lenroot	Pomerene	Trammell
Dillingham	Lodge	Ransdell	Wadsworth
Fernald	McKellar	Sheppard	Watson
Gay	McLean	Simmons	

NOT VOTING—50.

Borah	Glass	La Follette	Sherman
Calder	Gore	McCormick	Shields
Chamberlain	Harris	McCumber	Smith, Ga.
Colt	Henderson	Moses	Spencer
Comer	Hitchcock	Nelson	Swanson
Dial	Johnson, Calif.	Newberry	Townsend
Edge	Johnson, S. Dak.	Nugent	Underwood
Elkins	Jones, N. Mex.	Owen	Walsh, Mass.
Fall	Kenyon	Penrose	Walsh, Mont.
Fletcher	Keyes	Pittman	Williams
France	King	Poindexter	Wolcott
Frelinghuysen	Kirby	Reed	
Gerry	Knox	Robinson	

The PRESIDING OFFICER. The yeas are 3 and the nays are 43. The Senator from Virginia [Mr. GLASS], the Senator from Michigan [Mr. TOWNSEND], and the Senator from North Dakota [Mr. MCCUMBER] are present and paired. A quorum is therefore present. The nays have it.

So Mr. MYERS's amendment was rejected.

Mr. THOMAS. Mr. President, in view of the practical unanimity with which the amendment of the Senator from Montana [Mr. MYERS] was voted down, I want to supplement what I said yesterday by reading into the RECORD an extract from a letter of Mr. Herbert C. Brown, Chief of the Bureau of Efficiency, upon the subject comprised by that amendment.

In answer to a question asked him by Congressman BLANTON:

May we expect efficient service generally from our employees as long as they are affiliated with the American Federation of Labor?

Mr. Brown said:

I believe that the affiliation of Government employees with labor organizations must, of necessity, result in a reduction of efficiency in the departments. I am of the opinion that such affiliation has an unfortunate effect on the morale of the service. The employee comes to feel that his success depends not so much on his individual effort as on the political strength of the organization to which he belongs.

"(3) Is there not fully as much reason for separating our Government employees from strike organizations as there was for separating the police and firemen from such organizations?"

Yes, quite as much reason, and even more. In the event of police strikes or strikes involving a fire department it will always be possible, because of the relatively small number of people involved, for residents of the community to assume the burdens laid down by the striking policemen or firemen, and while it is true that inexperienced persons would not be able to safeguard the public interests to the same extent as could regular policemen or firemen, yet the danger to the community could be kept within reasonable bounds and situations of this sort could be taken care of with a relatively small loss to the public. In the case of a strike of Government workers, which might involve not merely a few employees, but practically the entire force in the Government service, the damage to the public interest would be far greater. Such a strike would practically result in the suspension of all the functions of the Federal Government. It would affect not merely a few people, or a few thousand people, but, practically speaking, the entire population of the country.

Senators may vote down amendments like this, but they can not refute the arguments upon which the affirmative of the amendment is founded.

Mr. STERLING. Mr. President, I desire to offer an amendment. On page 13, in line 6, after the word "of," I move to insert the words "paying annuities and of," so that it will read "for the purpose of paying annuities and of carrying out the provisions of section 11 of this act."

Mr. SMOOT. I see no objection to that amendment.

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. On page 13, in line 6, after the word "of," where it appears the first time in the line, insert the words "paying annuities and of," so that it will read "shall constitute a part of said fund for the purpose of paying annuities and of carrying out the provisions of section 11 of this act."

The amendment was agreed to.

Mr. STERLING. I desire to offer one other slight amendment. On page 13, in line 9, the word "the" appears to have been stricken out, as though it were an amendment of the committee which had been agreed to. I am satisfied that that was done by inadvertence. It was probably a typographical error. The word "the" should remain in the text.

The PRESIDING OFFICER. Without objection, that amendment will be considered as disagreed to and the word "the" will remain in the text.

Mr. SMOOT obtained the floor.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. I hope the Senator from Ohio will not suggest the absence of a quorum.

Mr. POMERENE. Mr. President, I have been requested not to do what I had intended to do, and under the circumstances I am going to respect the wish, but I indulge the hope that in some way these empty benches may transmit to their possessors the information which the Senator from Utah is about to give. I think it due to the taxpayers at least that Senators should hear him.

Mr. SMOOT. Mr. President, when we stop to think that the bill before this body, which, if the duration of the bill is 75 years, will involve the expenditure of the enormous sum of $2,475,000,000, it is unbelievable that we can not get more than one-half dozen Senators to listen to the argument upon such a measure——

Mr. DILLINGHAM. Mr. President, there were some of us who failed to understand the Senator's statement as to the length of time involved.

Mr. SMOOT. Seventy-five years. I know that in the last few years the minds of the people, and particularly legislators, have been trying to grasp what a billion dollars really means, and yet no man can stop to consider how far-reaching the expenditure of that amount of money will go without wondering when all such huge expenditures of money are going to cease.

Two years ago on the floor of this Chamber I made the statement that not for the next quarter of a century would the expenses of our Government be less than $3,500,000,000 per annum. I was taken to task for that statement. I was charged with talking politics and for political advantage, and the statement was virtually denied by officials of the Government. But I say again that the expenses of the Government of the United States will not be for the next quarter of a century less than $3,500,000,000 per year, and I am fearful that they will be at least a half billion dollars more than that.

Mr. McCUMBER. I wish the Senator would give us some justifiable reason for supposing the sum would be less than $5,000,000,000, considering the way we are making appropriations and increasing expenses.

Mr. SMOOT. I was prepared, Mr. President, to expect estimates from the departments of the Government for $4,000,000,000 for the coming fiscal year, particularly after the denial had been so vehemently made that our expenditures would ever again amount to $3,500,000,000, but when the actual estimates came in for the coming fiscal year they, in conjunction with expenditures not actually estimated for, amounted to $5,200,000,000, notwithstanding the fact that the war has been over for 14 months.

I know it is very unpopular for a Senator or Representative to undertake to reduce appropriations, and one who does so is looked upon with a great deal of disgust; he becomes very unpopular here in the District of Columbia and every effort is made to render him unpopular with his people at home; but be that as it may, Mr. President, so long as I am in public life I am going to try to treat the money of the people of the United States and its expenditure through appropriations by Congress in the same way that I would if the money belonged to me personally. I am just as sure as I live that if Senators of the United States would give attention to the details of appropriation bills, we could cut them by hundreds of millions, if not by billions, of dollars each year.

I am fully aware that there is going to be a retirement bill passed, and if the pending one was a proper bill I should favor it, as I have favored similar legislation in the past. I do not want a bill to pass this Congress unless at least Senators have had an opportunity to understand what its provisions are and what obligations it is imposing upon the Government of the United States. When that information shall have been given to the Senate, so far as I am concerned, it shall rest with this body whether the legislation now before the Senate shall be passed in its present form or whether it shall be amended.

In nearly all the former bills which have been before Congress relating to the subject of retirement the age of retirement has been fixed at 70 years. I am not going to repeat the argument which was made by the senior Senator from Ohio [Mr. POMERENE] upon this subject, but I wish that every Senator

would read what he said, for no honest man can refute the statements made by him.

The pending bill provides three ages for retirement of Government employees: One class is to be retired at the age of 60 years, another at 62 years, and the third at 65 years of age. I wish to say, however, in addition to what was said by the Senator from Ohio on yesterday, that, if the ages are ultimately agreed to in this pending bill, the result will be that the provision allowing an extension of two terms of two years over and above the ages of retirement, the inefficient clerks of the Government will remain in the service the extra four years, but the efficient man will leave the service, draw his annuity of $720 per annum, seek private employment, and the Government of the United States will lose his services perhaps for 10 years.

I know that it is proper and right when a man, whether he be an employee of the Government or of a private institution, has given the best part of his life to the Government or to such institution and becomes disabled in any way, I do not care how it may come about, through age or otherwise, there ought to be consideration shown him and an annuity of some kind paid to him in order that he may not suffer during the remaining days of his life; but where a man at 60 years of age is in the vigor of health, as most men are, there is no necessity for his retirement. Some of the best service ever given not only to the Government of the United States but to institutions of every character and kind has been rendered by men between the ages of 60 and 75 years. I say to Senators that I can go into the departments of the Government to-day and find men 75 years of age who, after having served the Government for now nearly 40 years, are the men who have all the details of the department at their fingers' ends. If you want any information in reference to governmental affairs you can get it from them.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. Yes.

Mr. POMERENE. Have any of the men to whom the Senator refers asked to be retired at 60 years of age?

Mr. SMOOT. Not one, Mr. President. And if it were not for filling the RECORD with letters, I should like to have inserted as a part of my remarks 20 or 25 letters from men in the service above the age of 70 years who state that they hope that no provision will be made whereby they will be compelled to leave the service of the United States until they shall have arrived at an age when their services will no longer be valuable to the Government.

We all believe in a contributory plan; I do not believe there is a Senator on this floor, nor do I believe there are many Representatives who do not believe a contributory plan is the one which should be adopted; but, as I have said, I would rather have a noncontributory plan than to have the plan provided for in this bill. Most of the evil in this bill arises because of the age limit, and I am going to offer an amendment to this bill striking out 60, 62, and 65 as the ages of retirement and inserting in lieu thereof the age of 70.

I have had prepared a careful estimate of the cost by years of retiring employees in the classified civil service at the ages of 60, 62, and 65, under the provisions of the pending bill, and at the age of 70, with the same benefits. The statement is based upon the number of employees who were in the Government service before the war, just as all the other estimates have been made upon the same basis. That is the only fair way to make a comparison of costs. The estimate is made for a period of years, running from 1 year to 77 years, and gives the total cost under the provisions of the bill as reported to the Senate, including all that the Government of the United States would be required to pay and all that would be contributed by the employees as proposed under the plan of the bill. I am not going to take the figures for each year, but will begin with the year that the act takes effect and follow on down every fifth year until the seventy-seventh year is reached. I ask unanimous consent, however, that the table showing the comparative estimate of costs be inserted in the RECORD at the end of my remarks as part thereof.

The PRESIDING OFFICER. Without objection, the table referred to will be printed in the RECORD.

Mr. SMOOT. With the retirement ages fixed at 60, 62, and 65 the total cost for the first year this bill takes effect will be $4,584,871, while, with the retirement age fixed at 70, the cost will be $2,051,387. For the fifth year, in the first instance, the cost will be $7,629,299 as against $3,006,582; for the tenth year, $12,070,624 as against $4,388,062; for the fifteenth year, $17,987,266 as against $7,146,618; for the twentieth year, $25,297,838 as against $10,122,487; for the twenty-fifth year, $33,064,667 as against $14,344,735; for the thirtieth year, $39,168,775 as against $18,576,206; for the thirty-fifth year, $42,429,271 as against $21,821,095; for the fortieth year, $42,780,162 as against $23,418,405; for the forty-fifth year, $41,299,243 as against $23,451,217; for the fiftieth year, $39,810,490 as against $22,007,725; for the fifth-fifth year, $38,759,167 as against $20,304,967; for the sixtieth year, $38,193,032 as against $19,323,573; for the sixty-fifth year, $37,977,711 as against $18,901,116; for the seventieth year, $37,925,831 as against $18,774,315; and for the seventy-fifth year, $37,919,821 as against $18,750,221. The total for the 77 years under the retirement ages of 60, 62, and 65 will be $2,475,299,798 as against a total cost with the retirement age fixed at 70 of $1,228,462,661.

The cost to the Government, and the percentage of the cost to the Government, and the cost to the employees, and the percentage of the cost to the employees perhaps will tell the story better than the total cost as to what changes my amendment would make in the bill. I will give the total, so as to save time; but any Senator who desires to follow this and see just what the difference may be, can find every year from the year the act goes into effect for the next 75 years.

In other words, the cost to the Government at the retirement ages of 60, 62, and 65 would be $1,943,281,146. At the retirement age of 70 the cost to the Government would be $804,406,769. The average percentage of cost to the Government at the retirement ages of 60, 62, and 65 would be 78.51 per cent, and at the age of 70 it would be 65.48 per cent, while the percentage of cost to the employees at the ages of 60, 62, and 65 would be 21.48 per cent, and at the retirement age of 70 it would be 34.52 per cent. The total cost to the employees at the retirement ages of 60, 62, and 65 would be $532,018,652, and at the retirement age of 70 it would be $424,055,892.

Mr. President, in all of the discussion of the retirement bill the statement has so often been made that we were working upon the half-and-half plan. I recognize that my amendment is not going to reach that end. If the amendment suggested by me should be agreed to, the employees would pay 34.52 per cent. That is the average percentage for the 77 years. If, however, the retirement ages of 60, 62, and 65 should be retained, the Government employees would pay but 21.48 per cent.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. I do.

Mr. THOMAS. I am satisfied that the Senator's statement is true that his amendment will not be agreed to.

Mr. SMOOT. No; I did not say that.

Mr. THOMAS. I understood the Senator so to say.

Mr. SMOOT. No; I think it will be agreed to.

Mr. THOMAS. I was going to suggest that as far as one can ascertain from surrounding conditions, only eight Senators will have ever heard it.

Mr. SMOOT. I am fearful that that is so, Mr. President; but the condition is such that I do not know what is going to change it. I know that the Senators are tired out, and I know that we have only about 49 or 50 Senators in the city, and I know that nothing will keep them in the Chamber, and I know that legislation which is coming up at this time is passed not because of the fact that they have studied the same or listened to the discussion upon it, but because they have confidence in the committee reporting it to the Senate. It is, however, a very unfortunate way to pass legislation, whether it be in the year 1920 or any other year.

I know that it will make no difference if we stand here and discuss this question for hours. It will not change the situation; and I want to say at this time that I want the estimated cost to go into the RECORD, so that if the House desires to make an examination of it it will be there, so that Members can all get it, or anyone else that is interested in this proposition can see it.

It has been stated to me time and time again in the last few years that if the bill passed as it was, it would cost the Government of the United States $100,000 the first year, and the next 10 years it would not cost the Government of the United States anything. I can not imagine, of course, why any such statement as that is made, and it can be made only upon one hypothesis, and that is this: If an individual goes to the bank and deposits 2½ per cent of all his income, to be drawn out of the bank some future day, and if there are 100 such depositors, the amount of the deposits might run the affairs of the bank, providing they used all of the money deposited; but when the depositor wanted his money, it having been expended for the purpose of running the bank, it would not have the money on hand to pay the depositor, and the only thing for the bank to do would be to borrow the money or close its doors.

Now, the 2½ per cent paid by the employee of the Government each year for 10 years or for any length of time is given to the

Government as the trustee for that employee, and if he serves the Government until he reaches the age of retirement he not only receives all that was deposited by him but the interest upon it, with the hope that with what the Government of the United States gives he can be paid $720 per annum as long as he lives thereafter. That is all there is to it; and if the Government of the United States takes the money that is deposited by the employees for the purpose of receiving an annuity at the age of retirement, and spends it for any purpose whatever during the first 10 years or the first 20 years, the Government would not have to raise revenue during that time to meet that amount; but when the time comes for payment it will have to raise it, and it will have to raise it in a lump sum, not only the amount that they paid in but interest at the rate of 4 per cent besides, if the employees draw it out before 15 years. So we had better not deceive ourselves. The figures will show just exactly what it will cost the Government and what it will cost the employees year by year, beginning with the first year and ending with the seventy-seventh year.

Mr. President, in reference to this estimated cost, it has been checked and rechecked by the very best actuaries there are in the United States, and I have not any doubt but that it is right. It makes no difference to me just what little differences there may be in the estimates. What I am more interested in is the kind of legislation, the plans that we are undertaking, because this is a new undertaking on the part of the Government, and I am frank to admit that if a greater number of employees enter the Government service it will cost more as the number increases; and these estimates, as I stated, are based upon the employment of 263,152 people.

Mr. DILLINGHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Vermont?

Mr. SMOOT. I do.

Mr. DILLINGHAM. Will the Senator tell us under whose supervision these estimates were made?

Mr. SMOOT. I asked the Efficiency Bureau to make them up, and I told Mr. Brown of the Efficiency Bureau to get them up just as quickly as possible and to take the very best help that there was in the United States to do it. I said I did not know how soon the bill was coming up, and I wanted to be prepared to submit the figures at the time that I intended to offer the amendment.

Now, Mr. President, I think perhaps it would be just as well, unless the chairman of the committee desires to say something, to offer my amendment; or I can offer it at this time, and then the chairman of the committee can speak upon the amendment.

Mr. STERLING. The Senator can offer the amendment.

Mr. SMOOT. Before I offer it, however, I want to call attention to the fact that if the proposed amendment that I shall offer is adopted the balance of the bill will be left just as it is, and all the relief provisions of the bill will be in it, and the changes made will be as to the age of retirement. I call attention to section 5 of the pending bill to show how carefully the relief provisions have been provided for, and no employee can object to them.

Section 5 reads as follows:

SEC. 5. That any employee to whom this act applies who shall have served for a total period of not less than 15 years, and who, before reaching the retirement age as fixed in section 1 hereof, becomes totally disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his or her own application or upon the request or order of the head of the department, branch, or independent office concerned, be retired on an annuity under the provisions of section 2 hereof: *Provided, however,* That no employee shall be retired under the provisions of this section until examined by a medical officer of the United States or a duly qualified physician or surgeon or board of physicians or surgeons designated by the Commissioner of Pensions for that purpose and found to be disabled in the degree and in the manner specified herein.

Mr. President, this amendment simply means this, that if an employee reaches the age of 60 or the age of 62 or the age of 65, following out the classes in the bill as it is now before the Senate, and is still in full vigor of life, the Government of the United States can say, "You are to serve until you are 70 years old." If he is disabled for usefulness by reason of disease or injury, he can retire, even though he has not reached the ages named.

The difference between the costs lies in the fact that from the age of 60 to 70 there are 10 years that the employee pays his contribution and the Government pays him his salary. Not only that, Mr. President, but the interest compounded upon all his former payments makes a difference in the cost not only to the Government but to the employee himself.

Is there anything, or could there be anything, fairer? I know that there are hundreds of men who will not serve the Government of the United States until they are 70. I know there will be hundreds of cases of employees being disabled, perhaps physically, perhaps by accident, who will not even reach the age of 60, whose annuity will be paid under this bill.

I am not objecting to that, Mr. President. If an employee is not able to do the work, if he is in no physical condition to do it, if his mental condition is such that he can not do it, and he has served the Government of the United States faithfully for 15 years or more, I am willing that he should draw his annuity. But I am not willing, after having paid an employee who has reached the age of 60 years the salary which the Government would be compelled to pay him all that time, to allow him to leave the Government service, draw $720 from the Government, and give all of his energy and service, which ought to be given to the Government of the United States, to some outside concern. That is the whole matter in a nutshell, and I offer the following amendment.

On page 1 of the bill, line 7, I move to strike out "sixty-five" and insert "seventy." Then, Mr. President, I will follow that amendment with another, to strike out, on page 1, line 10, after the word "hereof," the following proviso:

Provided, That mechanics, city and rural letter carriers, and post-office clerks shall be eligible for retirement at 62 years of age, and railway postal clerks at 60 years of age.

In other words, Mr. President, the age of the retirement is 70, irrespective of the classes, and section 5 of the bill, known as the relief section, will apply to them all. If there is a post-office clerk who is ineligible at the age of 60, or 58, or 56, or any other age, if he has been in the service of the United States 15 years he will receive the annuity. But, Mr. President, if they are able physically and mentally when they reach the age of 60, under the amendment they must serve until they are 70 years of age; or if not 70, until they are disqualified by physical disability or mental disability.

APPENDIX.

Estimated cost by years of retiring employees in the classified civil service at ages 60, 62, and 65, under the provisions of the Sterling bill (S. 1699), and at age 70, with the same benefits. (Based on 263,152 employees.)

Years.	Total costs.		Cost to Government.		Per cent of cost to Government.		Cost to employees.		Per cent of cost to employees.		Total cost of retirement at age 70 expressed as per cent of cost to Government of retirement at ages 60, 62 and 65.
	Retirement ages 60, 62, and 65.	Retirement age 70.	Retirement ages 60, 62, and 65.	Retirement age 70.	Retirement ages 60, 62, and 65.	Retirement age 70.	Retirement ages 60, 62, and 65.	Retirement age 70.	Retirement ages 60, 62, and 65.	Retirement age 70.	
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
0	$4,584,871	$2,051,389	$4,584,871	$2,051,389	100.00	100.00					44.74
1	5,030,420	2,270,591	5,026,256	2,268,163	99.92	99.89	$4,164	$2,428	0.08	0.11	45.17
2	5,558,782	2,449,662	5,547,303	2,443,245	99.79	99.74	11,479	6,417	0.21	0.26	44.16
3	6,220,023	2,636,992	6,193,959	2,622,720	99.58	99.46	26,064	14,272	0.42	0.54	42.57
4	6,890,559	2,832,472	6,843,152	2,807,261	99.31	99.11	47,407	25,211	0.69	0.89	41.39
5	7,629,299	3,006,582	7,553,885	2,971,694	99.01	98.84	75,414	34,888	0.99	1.16	39.80
6	8,429,037	3,206,293	8,316,096	3,152,425	98.66	98.32	112,941	53,868	1.34	1.68	38.56

Estimated cost by years of retiring employees in the classified civil service at ages 60, 62, and 65, etc.—Continued.

Years.	Total costs.		Cost to Government.		Per cent of cost to Government.		Cost to employees.		Per cent of cost to employees.		Total cost of retirement at age 70 expressed as per cent of cost to Government of retirement at ages 60, 62 and 65.
	Retirement ages 60, 62, and 65.	Retirement age 70.	Retirement ages 60, 62, and 65.	Retirement age 70.	Retirement ages 60, 62, and 65.	Retirement age 70.	Retirement ages 60, 62, and 65.	Retirement age 70.	Retirement ages 60, 62, and 65.	Retirement age 70.	
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
7	$9,288,172	$3,454,971	$9,126,863	$3,376,900	98.26	97.74	$161,309	$78,071	1.74	2.26	37.85
8	10,155,866	3,732,247	9,933,671	3,621,802	97.81	97.04	222,195	110,445	2.19	2.96	37.57
9	11,106,843	4,034,813	10,809,244	3,887,207	97.32	96.34	297,599	147,606	2.68	3.66	37.33
10	12,070,624	4,388,062	11,685,218	4,193,105	96.81	95.56	385,406	194,957	3.19	4.44	37.55
11	13,031,234	4,831,050	12,541,676	4,579,519	96.24	94.79	489,558	251,531	3.76	5.21	38.54
12	14,066,265	5,366,783	13,457,386	5,041,838	95.67	93.95	608,879	324,945	4.33	6.05	39.88
13	15,258,676	5,920,950	14,505,743	5,507,275	95.07	93.01	752,933	413,675	4.93	6.99	40.82
14	16,560,992	6,533,956	15,641,402	6,022,428	94.45	92.17	919,590	511,528	5.55	7.83	41.77
15	17,987,266	7,146,618	16,875,478	6,524,098	93.82	91.29	1,111,788	622,520	6.18	8.71	42.35
16	19,350,101	7,704,886	18,027,923	6,964,855	93.17	90.40	1,322,178	740,031	6.83	9.60	42.74
17	20,694,703	8,273,228	19,144,720	7,414,560	92.51	89.62	1,549,983	858,668	7.49	10.38	43.21
18	22,162,843	8,825,292	20,353,337	7,831,005	91.84	88.73	1,809,506	994,287	8.16	11.27	43.36
19	23,770,154	9,432,283	21,672,936	8,289,774	91.18	87.89	2,097,218	1,142,509	8.82	12.11	43.52
20	25,297,838	10,122,487	22,895,409	8,794,231	90.50	86.88	2,402,429	1,328,256	9.50	13.12	44.21
21	26,876,601	10,911,414	24,144,825	9,367,474	89.84	85.85	2,731,776	1,543,940	10.16	14.15	45.19
22	28,569,097	11,746,573	25,471,139	9,962,501	89.16	84.81	3,097,958	1,784,072	10.84	15.19	46.12
23	30,146,830	12,624,313	26,676,132	10,564,000	88.49	83.68	3,470,698	2,060,313	11.51	16.32	47.32
24	31,625,026	13,570,455	27,764,880	11,198,813	87.79	82.52	3,860,146	2,371,642	12.21	17.48	48.88
25	33,064,667	14,344,735	28,798,664	11,675,856	87.10	81.39	4,266,003	2,668,879	12.90	18.61	49.81
26	34,522,890	15,160,319	29,829,822	12,167,752	86.41	80.26	4,693,068	2,992,567	13.59	19.74	50.82
27	35,761,612	16,057,252	30,652,578	12,756,230	85.71	79.44	5,109,034	3,301,022	14.29	20.56	52.38
28	36,934,145	16,896,830	31,406,355	13,234,316	85.03	78.32	5,527,790	3,662,514	14.97	21.68	53.80
29	38,095,501	17,707,769	32,143,948	13,673,246	84.38	77.22	5,951,553	4,034,523	15.62	22.78	55.09
30	39,168,775	18,576,206	32,798,554	14,130,026	83.74	76.07	6,370,221	4,446,180	16.26	23.93	56.64
31	40,003,757	19,408,016	33,250,504	14,536,480	83.12	74.90	6,753,253	4,871,536	16.88	25.10	58.37
32	40,784,257	20,082,215	33,647,346	14,801,054	82.50	73.70	7,136,911	5,281,161	17.50	26.30	59.68
33	41,428,608	20,694,940	33,934,245	15,029,639	81.91	72.62	7,494,363	5,665,301	18.09	27.38	60.99
34	41,938,515	21,351,265	34,107,252	15,244,900	81.33	71.41	7,831,263	6,106,365	18.67	28.59	62.60
35	42,429,271	21,821,095	34,255,011	15,337,741	80.73	70.29	8,174,260	6,483,354	19.27	29.71	63.70
36	42,768,720	22,204,383	34,271,466	15,363,669	80.13	69.19	8,497,254	6,840,714	19.87	30.81	64.79
37	42,873,784	22,608,139	34,104,374	15,404,943	79.55	68.14	8,769,410	7,203,196	20.45	31.86	66.29
38	42,920,989	22,993,399	33,894,988	15,393,322	78.97	66.95	9,026,001	7,600,077	21.03	33.05	67.84
39	42,902,616	23,221,093	33,640,823	15,316,079	78.41	65.96	9,261,793	7,905,014	21.59	34.04	69.03
40	42,780,162	23,418,405	33,307,688	15,209,794	77.86	64.95	9,472,474	8,208,611	22.14	35.05	70.31
41	42,561,126	23,550,602	32,906,372	15,076,233	77.32	64.02	9,654,754	8,474,369	22.68	35.98	71.57
42	42,270,853	23,613,513	32,460,488	14,920,752	76.79	63.19	9,810,365	8,692,761	23.21	36.81	72.74
43	41,927,095	23,686,443	31,987,822	14,760,524	76.29	62.32	9,939,273	8,925,919	23.71	37.68	74.05
44	41,618,907	23,647,397	31,555,455	14,561,865	75.82	61.58	10,063,452	9,085,532	24.18	38.42	74.94
45	41,299,243	23,451,217	31,127,089	14,260,597	75.37	60.81	10,172,154	9,190,620	24.63	39.19	75.34
46	40,980,565	23,239,423	30,722,079	13,989,049	74.97	60.20	10,258,486	9,250,374	25.03	39.80	75.64
47	40,669,874	23,020,076	30,328,791	13,717,393	74.57	59.59	10,341,083	9,302,683	25.43	40.41	75.90
48	40,363,002	22,752,863	29,960,626	13,426,435	74.23	59.01	10,402,376	9,326,428	25.77	40.99	75.94
49	40,077,679	22,402,677	29,622,658	13,110,842	73.91	58.52	10,455,021	9,291,835	26.09	41.48	75.63
50	39,810,490	22,007,725	29,302,424	12,786,506	73.60	58.10	10,508,066	9,221,219	26.40	41.90	75.11
51	39,560,593	21,609,663	29,024,021	12,462,689	73.37	57.67	10,536,572	9,146,974	26.63	42.33	74.45
52	39,329,676	21,243,917	28,760,195	12,180,048	73.13	57.33	10,569,481	9,063,869	26.87	42.67	73.87
53	39,119,075	20,903,576	28,523,121	11,919,572	72.91	57.02	10,595,954	8,984,004	27.09	42.98	73.29
54	38,928,935	20,588,454	28,311,678	11,682,371	72.73	56.74	10,617,257	8,906,083	27.27	43.26	72.72
55	38,759,167	20,304,967	28,122,258	11,474,118	72.56	56.51	10,636,909	8,830,849	27.44	43.49	72.20
56	38,609,369	20,052,118	27,949,570	11,293,506	72.39	56.32	10,659,799	8,758,612	27.61	43.68	71.74
57	38,479,113	19,829,178	27,807,680	11,134,139	72.27	56.15	10,671,433	8,695,039	27.73	43.85	71.31
58	38,367,349	19,634,652	27,677,528	10,999,980	72.14	56.02	10,689,821	8,634,672	27.86	43.98	70.94
59	38,272,507	19,466,779	27,569,427	10,884,109	72.03	55.91	10,703,080	8,582,670	27.97	44.09	70.61
60	38,193,032	19,323,573	27,479,197	10,787,995	71.95	55.83	10,713,835	8,535,578	28.05	44.17	70.32
61	38,128,446	19,202,926	27,405,513	10,707,902	71.88	55.76	10,722,933	8,495,024	28.12	44.24	70.07
62	38,076,260	19,102,620	27,356,249	10,642,336	71.85	55.71	10,720,011	8,460,284	28.15	44.29	69.83
63	38,034,762	19,020,372	27,315,501	10,589,277	71.84	55.67	10,719,261	8,431,095	28.16	44.33	69.63
64	38,002,395	18,953,927	27,282,746	10,546,895	71.79	55.64	10,719,649	8,407,032	28.21	44.36	69.47
65	37,977,711	18,901,116	27,256,685	10,513,640	71.77	55.62	10,721,026	8,387,476	28.23	44.38	69.34
66	37,959,321	18,859,833	27,242,174	10,487,769	71.77	55.61	10,717,147	8,372,064	28.23	44.39	69.23
67	37,945,960	18,828,137	27,232,058	10,468,071	71.77	55.60	10,713,902	8,360,066	28.23	44.40	69.14
68	37,936,556	18,804,268	27,225,190	10,453,246	71.77	55.59	10,711,366	8,351,022	28.23	44.41	69.07
69	37,930,095	18,787,276	27,220,464	10,442,803	71.77	55.58	10,709,631	8,344,473	28.23	44.42	69.02
70	37,925,831	18,774,315	27,216,970	10,434,974	71.76	55.58	10,708,861	8,339,341	28.24	44.42	68.98
71	37,923,145	18,765,189	27,214,997	10,429,488	71.76	55.58	10,708,148	8,335,701	28.24	44.42	68.95
72	37,921,498	18,758,914	27,213,785	10,425,600	71.76	55.58	10,707,713	8,333,314	28.24	44.42	68.93
73	37,920,562	18,754,707	27,213,094	10,423,049	71.76	55.58	10,707,468	8,331,658	28.24	44.42	68.92
74	37,920,059	18,751,965	27,212,721	10,421,331	71.76	55.57	10,707,338	8,330,634	28.24	44.43	68.91
75	37,919,821	18,750,221	27,212,543	10,420,168	71.76	55.57	10,707,278	8,330,053	28.24	44.43	68.90
76	37,919,690	18,749,145	27,212,445	10,419,367	71.76	55.57	10,707,245	8,329,778	28.24	44.43	68.90
77	37,919,645	18,748,494	27,212,410	10,418,801	71.76	55.57	10,707,235	8,329,693	28.24	44.43	68.90
	2,475,299,798	1,228,462,661	1,943,281,146	804,406,769	78.51	65.48	532,018,652	424,055,892	21.49	34.52	.....

The PRESIDING OFFICER. The Senator from Utah [Mr. SMOOT] offers an amendment, which the Secretary will report.

The READING CLERK. On page 1, line 7, strike out the word "sixty-five" and insert the word "seventy," so that it will read:

Or shall have on any date thereafter reached the age of 70 years and rendered at least 15 years of service," etc.

Also on the same page, line 10, after the word "hereof," strike out the colon and the proviso down to and excluding the period on line 13.

The PRESIDING OFFICER. The Chair understands that the Senator from Utah has offered two amendments, and the question will be first taken on the first amendment which was read by the Secretary.

Mr. McCUMBER. Mr. President, the Senator from Utah, at the beginning of his address, made a statement that was rather startling to one who understands that the Senator will vote for this bill. The Senator from Utah stated, in substance, that so long as he remained a Member of Congress he would handle the money of the Government exactly the same as he would if the funds were his own. I understand that when this amendment is agreed to the Senator from Utah intends to vote for the bill.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Utah?

Mr. McCUMBER. Certainly.

Mr. SMOOT. I want to say to the Senator and to the Senate very frankly that I am just as sure as that I live that if the amendment were not offered the bill would pass with the ages fixed at 60, 62, and 65, and I am going to do the very best I can for the Government of the United States, and it was with that in view that I offered the amendment.

Mr. McCUMBER. I understand, Mr. President, but I think I can convince the Senator, if he remains in his seat, that he is not going to do anything like what he says he would do.

Mr. SMOOT. I am generally here.

Mr. McCUMBER. I am not particularly opposed to an old-age pension. I do not know that I would be greatly opposed to the Government becoming an insurer of the health or longevity of all its citizens. I do not know that there would be anything greatly inequitable if the Government should say that it will take care of every man and woman who reaches the age of 70, and when they can no longer take care of themselves, provided it works honestly and equitably and is fairly applied to every one of the citizens of the United States.

Mr. SMOOT. Mr. President——

Mr. McCUMBER. I yield to the Senator.

Mr. SMOOT. Mr. President, I simply want to say to the Senator that if I had an employee in my service who had served me for 30 or 40 or 50 years and had been a faithful servant all of that time, if I had a dollar left on earth I would never allow him to suffer.

Mr. McCUMBER. Certainly, Mr. President; we would all do that.

Mr. SMOOT. That is how I would feel about an employee who worked for me. I would give my money for that purpose, and I think a reasonable bill ought to be passed by the Congress of the United States for Government employees.

Mr. McCUMBER. But the Senator forgets—and that is the whole trouble with this class legislation—that the bill has to be paid by those who are not singled out for Government benefits. It is not the Senator who is paying. Let us give a parallel case, and see whether the Senator would follow the same rule that he is applying here. Let us suppose that the Senator, as an employer, employs 110 people; that to 10 of those he pays $1,400 a year and that to the other hundred he pays $700 a year. That is about the fair difference between the average earnings of like employment in the country as compared with Government employment, at least that was the condition before the war and undoubtedly it will be the condition when we return to normal conditions.

Now, the question is this, Would the Senator say to those to whom he is paying $700 a year, "I will tax you to give a pension to those to whom I am paying $1,400 a year"? I do not think the Senator would do so; and if he attempted to do it, I think he would have a strike of the hundred in less than 24 hours. That is what the Senator is doing in voting for this bill.

But that is not all, Mr. President. Suppose those to whom he is paying $1,400 a year are working 7½ hours and those to whom he is paying $700 a year are giving him service 10 hours a day. Would he go to those who are working 10 hours a day for $700 a year and say, "I propose to tax you to pay a pension to those who are laboring 7½ hours a day and who are receiving $1,400 a year"? Again, I do not think the Senator would use his own funds as he now proposes to use the funds of the Government. But let us not stop there——

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Utah?

Mr. McCUMBER. I yield.

Mr. SMOOT. It is very easy to state a hypothetical case and make an argument upon it.

Mr. McCUMBER. These are not hypothetical cases; they are the facts.

Mr. SMOOT. I know what the Senator is trying to arrive at.

Mr. McCUMBER. Of course.

Mr. SMOOT. And I know it can be answered. But I do not know that I want to take the time of the Senator to interject what I would say in reply. However, I think the statement made by the Senator can be answered very easily, indeed.

Mr. McCUMBER. Mr. President, I know the answer. There is just one answer. The answer is that the Government will get better service. It has been stated over and over again. I do not think the Government will get any better service. The answer is that you will get rid a little earlier of the men who are unfit, because you can pension them and get those who are better qualified. That does not apply. On the contrary, exactly the opposite will result, and I will tell the Senator why. Here is a person who has labored for so many years. Perhaps he is unfit now. If he can stay a year or two or three or four years longer he can get a pension, and so the bureau will keep him there, because it will struggle on with the knowledge that in a few years it will get rid of him anyway, and he will be employed when otherwise his services might be dispensed with.

Mr. SMOOT. Of course, the Senator has not read the bill, or he would not have made a statement of that kind. The provisions of this bill are so liberal that if an employee is disqualified, physically or mentally, after serving 15 years, he is entitled to his annuity, and therefore if he is 54, or 55, or 52, even, under the provisions of the bill he can be retired. I called particular attention to section 5 of the bill, providing for the relief measures, and stated to the Senate that I thought they were most liberal; and I do think so. As to the other part, I will say to the Senator, though I dislike to interrupt him——

Mr. McCUMBER. No, the Senator can go on; and I will answer him when he gets through. I do not object to interruptions, and I am very glad to have them; I have read the bill and understand it. I understand what it means, I understand what its effect is going to be, and from my knowledge of human nature, I do not think it is going to benefit the service. If the Senator thinks so, he is entitled to his own convictions. I am trying at this very moment to convince the Senator that the bill does not do what he would do in his own private business, notwithstanding the fact that he asserts that he would handle Government funds exactly the same as he would handle his own under like conditions, because it is inequitable to the people who have to foot the bill, and I have enough confidence in the sense of justice of the Senator from Utah to know what he would do were the power in his hands under like conditions.

Mr. SMOOT. If I had 110 employees and they served me for 40 or 50 years, as the case may be, or if the proposition was less than that, but over 15 years, whatever I gave them, no matter whether they received a salary of $700 or $1,400, I would have to foot the bill, if I had the money or property to do so. If I could do it I would do it, and if I could not do it that would be another question.

Mr. McCUMBER. The peculiarity of the case is that in this instance the Senator would not be paying the bill. He has got to shift the bill on the public, and the public are those whose earnings are not $1,400 a year, and yet they have to go into their pockets and make the payment. So the Senator can not say, "Oh, well, I would suffer the loss." No; the Senator would have to charge the expenses to the hundred to take care of the ten. That is the actual operation of the law.

Mr. SMOOT. Of course, the Senator can make any kind of statement he wants to, but all that I would have to do, so far as the Government was concerned, would be to pay my share of taxes. I recognize that. The Senator compared the Government with myself, and said that I would not carry out in my own life a provision like this if I instead of the Government were employing people. The Government is not employing all the people of the United States. This applies to the employees of the Government, just as my position would apply to the 110 men he spoke of as employed by me. I would take care of the 110 men, and I would do exactly the same with my 110 employees as I have asked the Government of the United States to do with its employees. No matter what the Senator may say, that is my position.

Mr. McCUMBER. The Senator is very far afield from the real question. The Government does not employ all these, but the people of the Government pay the bill, and that is the thing that the Senator does not look at.

Mr. SMOOT. I do look at it.

Mr. McCUMBER. I say that those who are receiving far less, working as honestly and as faithfully, are the ones who are called upon to pay the bill, and the Senator can not by any kind of argument get away from those premises. That is the whole thing in a nutshell.

Mr. SMOOT. It is very easy to get away from the premises, because the money that I have to take care of my employees, if I have the money, was not made by my labor; it was made out of the profits of the goods that I sold to some one else. Some one else furnishes the money to me to pay, just the same as the taxpayers furnish the money to the Government of the United States to pay its employees. So the analogy is perfect, notwithstanding the Senator says otherwise.

Mr. McCUMBER. Yes; the analogy is perfect, that if you tax one class of people to pay a benefit to another class the loss is going to be upon the class that is taxed. That is a little proposition in mathematics that neither the Senator from Utah nor anyone else can possibly escape. The money must come from somewhere. The people have got to pay the money. The Congress distributes that money in its appropriations. It ought

to attempt to distribute it equitably and it ought not to provide for any distribution that would take it out of the pockets of one class for the special benefit of another class.

Mr. SMOOT. Oh, Mr. President——

Mr. McCUMBER. I will give the Senator all the time he wants. I yield.

Mr. SMOOT. I agree with the Senator's statement as a principle of business. There is no doubt about that at all. But the same thing applies to the individual. If I make any profits at all in selling the goods, those profits would be made through the employment of the 110 employees. I tax the people who buy the goods, and the people who buy the goods tax the people who buy from them, and that profit then is in my hands, and I can do as I please with it.

The Government gets it by taxation, and when it is in the possession of the Government the Government does with it as Congress says. If it is wrong to pay money for this purpose, then we are all wrong who vote for it or believe in the principle. It seems to me that there is quite a difference between paying an annuity by the Government to its own employees and paying an annuity by the Government to the employees of REED SMOOT or anyone else.

Mr. McCUMBER. Let us see where the Senator's argument leads him. He says that as an employer necessarily if he pays anyone an excessive price, or whether it is excessive or not, he must make it out of the profits, therefore the public to whom he sells goods must really be the parties who are paying it, because they are paying his profits, and therefore he concludes that the officials of the Government and the Congress of the United States are perfectly justified in levying an unequal tax upon one class for the benefit of another class. I will have to disagree with the Senator upon that character of conclusion.

But this is not the only feature of the case. The Senator says that he would handle the funds of the Government exactly the same, and that means upon the same principle as he would handle his own private funds. Let us carry this matter a step further, and let us suppose that the 10 persons whom the Senator employs and who get $1,400 a year also get one month's absence with pay. The other 100 do not get any absence with pay; they have to work, and work for a less sum of money in order to make ends meet. Again the Senator turns around and charges those who work 12 months out of the year for $700 for the benefit of those who work 11 months for $1,400. That strikes me as being a little bit inequitable. It may be that it does not so strike the Senator.

Nor does it end there. If those who are working 12 months in the year for $700 get sick, they must lose their time; but the Senator would give those who are receiving $1,400 a year another month of sick leave without any loss of salary, and again he will turn around and load the burden upon the poor fellow who has to pay his own sick bills, who has to lose his time, and who gets but half the pay for the full 12 months of the year.

I say it is inequitable, and I for one will not vote a tax upon this other class of people to help out a class that is receiving far more than they are. If the question comes up to pension every one in the United States who works honestly and fairly until he can work no more, that will raise entirely a different question, because then we could apply a rule of pensions that would at least approximate fairness. You can not do it in this case.

Again, the Senator from Utah spends some time here in convincing the Senate that the Government in a few years will pay 64 per cent, or about that, of this cost of pension, while the individual will pay, we will say, 36 per cent. The Senator is mistaken there, too. Just wait two years from now. There will be a demand to increase the salaries of these clerks. Part of the demand will be based upon the sum of money that is retained to pay pensions, and the Senator, I think, and probably the rest of us, will vote to increase the pay, so that in effect the Government will be paying every cent of it. They will be backed by all the labor unions in the country and we will bow just as we are bowing now to a united demand of the few against a disunited sense of justice of the many.

Mr. SMOOT. I do not want the Senator to infer that I shall take the position that the amount that is deducted from the employees monthly, which is 2½ per cent of the salary, shall ever be taken into consideration in fixing a salary. I shall take the opposite view and say that all that the Government pays shall be counted as a part of his salary.

Mr. McCUMBER. Oh, it will pass; and that additional salary will take care of the amount that will be necessary to pay the pension. I am not at all doubting that that will be the final result. So we do not need to waste a great deal of time in asserting who is going to foot the bill. The Government is going to foot the bill, the taxpayers are going to foot the bill, and the people who work the hardest and longest and get the least pay will be the people who are going to take care of this pension. That is the whole thing in a nutshell, and that is why there will be one vote against the proposition.

Mr. STERLING. Mr. President, just a word or two relative to the proposed amendment of the Senator from Utah [Mr. SMOOT], which amendment I have about concluded to accept. There has been more or less of exaggeration, however, in regard to the subject of ages of retirement, and I wish to call attention, as I think I should call attention, to two or three matters in connection with the age limit.

Figures have been given as to what it would cost the Government to retire its employees at the age of 60 years. We grant, of course, that the cost to the Government will be much greater if it retires its employees at a lower age than if it retires them at a more advanced age, but it ought to be remembered, Mr. President, that the age of 60 years as the age of retirement applies only to the railway postal clerks, of whom there are about 21,000, as against at least 300,000 who are now in the Government service. Why should the age limit have been fixed at 60 years for employees in that class? Because of the more exacting nature of the work they perform, because of both the physical and mental strain upon workers in that class, and because of the conditions under which they work they are apt to break down and become inefficient at the earlier age. That is why the age limit was put at 60 years, though it may be a little low.

Then, why do we make another class which will retire at the age of 62 years? That class includes rural letter carriers, city letter carriers, and mechanics. From the physical standpoint, the work of the carriers and the mechanics is hard and difficult, and a man will not stand up, perhaps, under the exercise and strain of that work as well as he will if his work is simply clerical and therefore less laborious and difficult. We make 65 years the age of retirement for employees generally. The railway postal clerks, the rural carriers, the city carriers, and the mechanics constitute a decided minority of the employees in the Government service.

What, however, did we do in addition? The bill provides that, having reached the age of retirement in any one of these classes, there may be, if the employee is still efficient, an extension of time during which he may serve the Government for two years, and that may be again repeated if the employee desires to serve longer and the head of the department or the bureau certifies to his efficiency in the service. So we thought we had fairly well covered that question.

I appreciate, however, the fact, Mr. President, that scores and hundreds of men in the Government service are perfectly fit and efficient for the work they do at the age of 75 years and over.

Mr. POMERENE. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Ohio?

Mr. STERLING. I yield to the Senator from Ohio.

Mr. POMERENE. In view of what the Senator has just stated, I am prompted to ask him this question: When the committee of employees was before the Civil Service Committee of the Senate asking for this legislation and asking that the ages be fixed at 60, 62, and 65, did they look upon the chairman of the Senate committee as a decrepit old man?

Mr. STERLING. I do not think they did.

Mr. POMERENE. I thought not.

Mr. STERLING. I think they sized up the chairman of the committee as one who would not retire until this civil-service retirement bill had passed.

But, Mr. President, as I said a while ago, there are those who are 70 years of age and over who are able to render efficient service, and their continued services are sought to be provided for in the bill itself. However, as stated by the Senator from Utah, section 5 of the bill—the section relating to disability and retirement on an annuity for disability after 15 years' service—will, I think, cover many employees who through disease or through injury would be retired, and in view of that section and in view of my belief, too, in regard to the ability of very many who have reached the age of 70 years to still render efficient service, I am disposed to accept the amendment of the Senator from Utah, and I do now accept that amendment.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Utah [Mr. SMOOT].

The amendment was agreed to.

Mr. SMOOT. Mr. President, the other amendment follows in connection with the one which has just been agreed to and is on page 1, line 10, after the word "hereof," to strike out the proviso ending in line 13.

The PRESIDENT pro tempore. Without objection, the amendment will be agreed to. The bill is still before the Senate as in Committee of the whole and open to amendment.

Mr. POMERENE. Mr. President, before this measure is put to a final vote there are a few additional observations which I desire to make. Before proceeding may I ask the Senator from Utah a question?

Mr. SMOOT. Certainly.

Mr. POMERENE. Did I understand that the Senator from Utah had incorporated in the RECORD the detailed report showing the difference in cost to the Government and the employees as a whole and to the Government and employees separately as between the retirement ages of 60, 62, and 65 on one hand and the age of 70 years on the other?

Mr. SMOOT. I asked unanimous consent to do so, and it was granted.

Mr. POMERENE. Mr. President, some weeks ago when this bill was pending before the Senate a colloquy occurred amongst the Senators, in which I participated, as between the experts called before the committee who were supporting the so-called Sterling bill and Dr. Brown, who was the actuary who has been constantly consulted by the Senator from Utah [Mr. SMOOT], the Senator from Iowa [Mr. CUMMINS], and myself. I may say, in view of the fact that Dr. Brown was referred to as one of the men who had been lobbying against the pending bill, that animadversion was wholly unjustified, because Dr. Brown, as the head of the Bureau of Efficiency, several years ago began the investigation of this subject under a Senate resolution which I myself presented to the Senate, which was unanimously adopted by the Senate, and under which it became his duty to investigate this subject from beginning to end. While I was chairman of the Committee on Civil Service and Retrenchment we used his services very freely; those of us who have been interested in this subject have used them since; and I very much regret that this one man in the Government service who knows more about this subject than all the other operatives in the Government service together was not called before the committee, so that they might have had the benefit of his information.

I regret, too, that this bill was not referred back to the committee when we challenged the correctness of the figures which were given by the alleged expert, Mr. Beach, so that Mr. Beach could have had an opportunity to cross-examine Dr. Brown, and Dr. Brown an opportunity to cross-examine Mr. Beach. But sometimes we do not want information; and that is what some Senators are afraid of on this subject. I am willing to undertake the task of persuading any set of men who will sit and listen to some facts and figures as to the substantial correctness of Dr. Brown's estimate, and my belief is that I could persuade some Senators, if they would sit in the Chamber; but I pray to be delivered from the task of persuading empty benches as to the correctness of my position.

Mr. President, I am of plain speech. I always have been and always expect to be, but I can not persuade myself that it is right to deceive ourselves or to deceive the public as to the cost of this retirement proposition.

Let me go back a little. I wish to say that some days ago I asked to have reprinted the substitute which I had offered and which was lying on the table. I had instructed the clerks in my office to change the maximum rate of assessment from 8 to 6 per cent. I do not know where the mistake occurred, but suffice it to say that a mistake did occur, and the reprint made the maximum assessment 8 per cent; it should be 6 per cent. I had expected to offer that amendment, but in view of conditions in the Senate I believe it will be useless to offer it now. However, I want Senators and Representatives, even after this passes the Senate, to give a little more attention to its details.

With an assessment limitation of 8 per cent for a period of 70 years I believe the bill which I proposed would have cost about $173,000,000. Reducing the assessment to 6 per cent, it would have cost probably between a million and two million dollars a year in addition to the $173,000,000. At the end of that time the system would have been absolutely self-sustaining. To those who are favoring the pending legislation, if it passes, I want to make the prediction that, although the employees of the Government will get under the amended bill their annuity, for which they will pay on the average about 34.51 per cent of the total cost, and the Government will pay the balance, that balance will be taken into consideration by the Congress when it comes to fixing their salaries afterwards. That has been the experience in Great Britain, in Canada, and in every country where the contributory plan has been adopted.

When we try to deceive ourselves as to the cost of these various propositions I want to call the attention of Senators to this fact: Probably two years ago the McKellar bill was presented. It was the famous fifty-fifty plan—50 per cent of the cost payable by the Government and 50 per cent by the employees, it was claimed. Under it, remember, the retirement ages were 65 and 68, and the maximum annuity was $600. That was called a fifty-fifty plan, though Dr. Maddrill, one of the experts, who favored one of the first drafts of the bill, said that the annuities as therein provided would cost about 6 per cent of the salaries—as he put it, a few tenths of 1 per cent below 6 per cent—but the advocates of the bill struck off all of the tenths over and above 5 per cent, 2½ per cent to be paid by the employees and 2½ per cent by the Government. For convenience they called it a fifty-fifty plan. The real purpose, in my judgment, was to deceive the public.

Then we come to the pending bill. The lobby get busier, and they come in with another plan. They decide that they will make a limitation of 2½ per cent; that the old and the young shall pay the same rate. The young man and young girl entering the service at the age of 20 must pay the 2½ per cent whether they get $1,000 or two or three or four or five thousand dollars, and they must pay it until they arrive at the retirement age. They continue to pay the 2½ per cent on their salaries, whatever they are, for all these years, and the elderly employees who have been feasting at the public crib all their lives only pay the 2½ per cent for a few years. They get the same annuity that the young and ambitious man and woman who enter the service get, and no more. The young employees with a little more than the average salary can go out and buy their annuities cheaper than they could get them from the Government.

Now, observe the influence of this fifty-fifty plan, which seems to be a sort of magic wand that is waved before the eyes of everybody who wants to inquire into the cost. Now, note: Under the pending bill they reduce the ages to 60, 62, and 65, and they increase the annuity from $600 as a maximum to $720, and the assessment is only 2½ per cent, so notwithstanding the fact that the years of retirement are reduced and the annuities are increased our good friend the chairman of the committee was induced the other day by these lobbyists or somebody to say that he believed eventually it would be a fifty-fifty plan. There are some "innocents abroad."

Let us now inquire what this is going to cost. The Senator from Utah [Mr. SMOOT] discussed the table which he introduced. It is the result of the most careful investigation, covering a period of several years, by Dr. Brown and some of the ablest actuaries in the country. Mr. Beach will not dare to question the correctness of these figures, and Mr. Beach was one of the experts before the McKellar committee and before the Sterling committee. The first plan—the McKellar plan—was called the fifty-fifty plan, and the last plan is referred to—it is true with some hesitation—as a fifty-fifty plan, though there are all these different elements materially changing and increasing the cost to the Government.

The committee refused to call Dr. Brown before them. They did not want his expert knowledge. It might have undeceived them.

The total cost, under the bill as it was before the amendment, to the employees and to the Government together for 77 years would be $2,475,299,798; and now, since the retirement age has been increased to 70, this $2,475,299,798 total cost for the 77 years is reduced to $1,228,462,661.

Well, it is a pretty good afternoon's work to save to the Government and the people of the United States over $1,200,000,000; and if nothing more comes out of this debate, I shall always congratulate myself that I had a little something to do with this, and I want to congratulate the Senator from Utah and the Senator from Iowa that by reason of the fight we have made, if we have not accomplished anything more, we have saved to the American people over $1,200,000,000.

Now, let us see further.

Under the old plan, with the retirement ages of 60, 62, and 65, it would have cost the Government alone $1,943,281,146. Under the amended bill, making the retirement age 70 years, it will cost the Government only $804,406,769. The percentage of cost to the Government under the lower ages to which I have just referred was 78.51 per cent of the whole. Under the amended bill, the retirement age being 70, it will cost the Government 65.48 per cent. The cost to the employees under the first bill during these 77 years would be 21.49 per cent. Now, it will be 34.52 per cent. It will take some stretching of the imagination to say that where the employees pay only 21.49 per cent of the cost of the annuities it is a fifty-fifty plan.

Mr. President, I am still as firmly convinced as I ever was that the right system to be adopted is the one which will place a limitation upon the amount of the assessment, with the intention of ultimately making it self-sustaining. I believe that the experience of future years will demonstrate that that would be

the wisest plan to adopt, both from the standpoint of the Government and from the standpoint of the employees themselves; but I can not persuade empty benches that that is so. My information is that with a great many Senators away from the city, and with others who have been under the influence of this magic wand that I have referred to, it is useless to talk this afternoon about adopting the substitute measure which I proposed, and which I should like to see adopted, and which would be adopted if I could bring it about; but at the present time it seems to me that I would be somewhat derelict in my duty if I did not accept the compromise which has been offered, rather than to run the risk of having the original bill pass the Senate. For that reason I am going to ask, not that my substitute be presented to be voted upon, but that it be incorporated in the RECORD.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. POMERENE. I do that so that the Members of the House and other Members of the Senate who may perhaps arrive at the point where they will think it is necessary to give a little attention to the matter of an expenditure of $1,200,000,000 may have the benefit of an examination of the two bills, and an opportunity to study them and to compare them; and if there is anyone who is not satisfied with the report of the expense of these two bills in this comparative statement, he can at any time invite these actuaries before them for an investigation, and they will be glad to place all of the information they have at the disposal of any committee that wants to investigate the subject.

Mr. President, I do not know that it is necessary for me to repeat what I have said at different times. I feel deeply the necessity for some plan of retirement, for the good of the public service and for the benefit of those who have served the Government faithfully, and that means, I hope, a majority of these men; I know that it does not mean all of them.

Mr. President, the Senator from North Dakota [Mr. MCCUMBER] usually has a very cogent way of putting a point, and he has so spoken this afternoon. Many of the arguments which are produced in support of this retirement plan are equally worthy of consideration when it comes to the general question of an old-age pension, and there is some merit in it when it comes to those who are old and feeble. Whether there is a pension system or not, the old and feeble, during their declining years, ought to be cared for, as a matter of humanitarianism, if for no other reason. I do not know whether this will come before the Congress of the United States or not; I do not know whether it should be dealt with here or in the States separately. I have come to no conclusion in that behalf, but it is one of the questions that are going to be presented for decision, and perhaps not in the very far future.

Now, Mr. President, for the reasons thus perhaps briefly stated, I shall submit this matter to the candid consideration of the Senate.

Amendment intended to be proposed by Mr. POMERENE to the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, viz: Strike out all after the enacting clause and insert the following:

"That beginning with the 1st day of July next following the passage of this act there shall be deducted and withheld from the monthly salary, pay, or compensation of every officer or employee of the United States to whom this act applies an amount computed to the nearest tenth of a dollar that will be sufficient, with interest thereon at 4 per cent per annum, compounded annually, to purchase from the United States an annuity, payable quarterly throughout life, for every such employee on arrival at the age of retirement, as herein provided. The deductions herein provided for shall, in the case of employees who are in the service of the Government at the time this act goes into effect, not to exceed 6 per cent of the said salary, pay, or compensation; and shall be based on such annuity tables as the Secretary of the Treasury may direct, and interest at the rate of 4 per cent per annum, compounded annually, and shall be varied to correspond to any change in the rate of salary, pay, or compensation of the employee: *Provided, however,* That the deductions made from the salary, pay, or compensation of persons hereafter entering the service shall not exceed 6 per cent thereof, and such persons shall be entitled to such annuities only as said deductions with accumulations of interest thereon will purchase.

"SEC. 2. That the amounts so deducted and withheld shall be deposited in the Treasury of the United States and credited, with interest thereon, to an individual account of the officer or employee from whose salary, pay, or compensation the deduction is made, and the Secretary of the Treasury is hereby directed to invest and reinvest such funds or any portion of usch funds in any of the following securities, namely: Bonds of the United States, bonds issued under the provisions of the Federal farm-loan act, bonds or other interest-bearing obligations of any State of the United States, or any county or municipal bonds which may be approved by the board of investments hereinafter provided for.

"The moneys deducted from salaries and the income derived therefrom shall be held and invested, as above described, by the Secretary of the Treasury until paid, as is hereafter provided. Any deficiency in the fund hereby created to carry out the provisions of this act shall be paid out of any money in the Treasury not otherwise appropriated.

"For the purpose of aiding the Secretary of the Treasury in investing the funds and enforcing the provisions of this act, a board of investment is hereby created, composed of the Treasurer of the United States, one person to be appointed by the Secretary of the Treasury from his department and one person to be designated by the President from among the employees of the classified civil service. The members of the board of investment shall be sworn and shall hold office until others are appointed and qualified in their stead.

"SEC. 3. That all those engaged in the classified civil service shall be retired at 70 years of age and shall be entitled to the annuities and benefits herein defined: *Provided, however,* That if within 30 days before an officer or employee reaches the retirement age, the head of the department or independent office in which he is employed certifies to the Secretary of the Treasury that by reason of his efficiency and willingness to remain in the service the further continuance of such officer or employee would be advantageous to the public service, he may be retained for a further period not exceeding two years, and at the end of two years, by similar certification, he may be continued for another period not exceeding two years. Upon the failure of the head of the department or independent office to make the above-described certificate, it shall be the duty of the Secretary of the Treasury to place such employee upon the retired list.

"SEC. 4. That upon absolute separation from the classified civil service prior to the age of 60 years, and only upon such separation, the officer or employee may withdraw his savings then credited to his account, with the accumulations thereon, in one sum. In case of the death of an officer or employee while in the service the amount of his savings and accumulations thereon shall be paid to his legal representatives.

"SEC. 5. That upon separation from the classified civil service at any time within 10 years prior to the age of retirement the officer or employee shall receive such life annuity as his accumulated earnings, including the interest credited thereon, may purchase: *Provided, however,* That if said employee should die before receiving in annuities a sum equal to his accumulated savings, including the interest credited thereon, together with the compound interest thereon as herein provided, then the balance remaining to his credit over and above the annuities received by him shall be paid to his legal representatives.

"SEC. 6. That in case of reinstatement in the classified service of any person who at the time of his separation therefrom received a refund under section 4 of this act, he shall be deemed to be a new entrant to the service, and the monthly deductions from his salary shall be computed from his age at the date of such reinstatement unless he shall within 90 days after reinstatement pay to the Treasurer of the United States the amount refunded to him, which shall be applied toward the purchase of the annuity herein provided for and the deductions from his salary thereafter shall be only for such sums as may be necessary to pay for the balance of said annuity.

"SEC. 7. That beginning with the 1st day of July next following the passage of this act every officer or employee then or thereafter in the classified civil service who at that time or thereafter shall have reached the retirement age shall be retired, and if in the service of the United States for 20 years or more shall receive from the United States during the remainder of his life an annuity, payable quarterly, equal to one-half of the average annual salary, pay, or compensation received during his entire period of service after July 1, 1912, such annuity not to exceed a maximum of $600, and to cease at his death. Those who have served less than 20 years shall be entitled to one-twentieth of such annuity for each year of said service: *Provided, however,* That if such officer or employee at his death shall not have received annuities equal to the amount of the savings and deductions from his salary, pay, or compensation, with compound interest, as hereinbefore provided, the United States shall pay to his legal representatives the balance remaining to his credit.

"SEC. 8. That any employee to whom this act applies who shall have served for a total period of not less than 20 years, and who, before reaching the retirement age as fixed herein, becomes totally disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall, upon his or her own application or upon the request or order of the head of the department, branch, or independent office concerned, be retired on an annuity under the provisions hereof: *Provided, however,* That no employee shall be retired under the provisions of this section until examined by a medical officer of the United States or a duly qualified physician or surgeon or board of physicians or surgeons designated by the Commissioner of Pensions for that purpose and found to be disabled in the degree and in the manner specified herein.

"Every annuitant retired under the provisions of this section, unless the disability for which retired is permanent in character, shall, at the expiration of one year from the date of such retirement and annually thereafter until reaching the retirement age as defined in section 1 hereof, be examined under direction of the Commissioner of Pensions by a medical officer of the United States, or a duly qualified physician or surgeon or board of physicians or surgeons designated by the Commissioner of Pensions for that purpose, in order to ascertain the nature and degree of the annuitant's disability, if any; if the annuitant recovers and is restored to his or her former earning capacity before reaching the retirement age, payment of the annuity shall be discontinued from the date of the medical examination showing such recovery; if the annuitant fails to appear for examination as required under this section, payment of the annuity shall be suspended until continuance of the disability has been satisfactorily established. The Commissioner of Pensions is hereby authorized to order or direct at any time such medical or other examination as he shall deem necessary to determine the facts relative to the nature and degree of disability of any employee retired on an annuity under this section.

"Fees for examinations made under the provisions of this section by physicians or surgeons who are not medical officers of the United States shall be fixed by the Commissioner of Pensions, and such fees, together with the employee's reasonable traveling and other expenses incurred in order to submit to such examinations, shall be paid out of the appropriations for the cost of administering this act.

"In all cases where the annuity is discontinued under the provisions of this section before the annuitant has received a sum equal to the total amount of his or her contributions with accrued interest, the difference shall be paid to the retired employee, or to his or her estate, upon application therefor in such form and manner as the Commissioner of Pensions may direct.

"No person shall be entitled to recive an annuity under the provisions of this act, and compensation under the provisions of the act of September 7, 1916, entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," covering the same period of time; but this provision shall not be so construed as to bar the right of any

claimant to the greater benefit conferred by either act for any part of the same period of time.

"SEC. 9. That upon the retirement of officers and employees as herein provided during any fiscal year, the funds appropriated for their salaries which remain unexpended shall be applied as follows:

"First. To the payment of their annuities;

"Second. Ten per cent thereof shall be covered back into the Treasury; and

"Third. The balance shall be available in the department or independent office from which said employees are retired for the appointment of other officers or employees in the lower grades. Except as herein provided all annuities shall be paid out of appropriations specially made for that purpose.

"SEC. 10. That every officer and employee in the classified civil service after this act takes effect shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt in full for the salary, pay, or compensation which may be paid monthly or at any other time, and such payment shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all services rendered by such person during the period covered by such payment, except his claim for the benefits to which he may be entitled under the provisions of this act, notwithstanding the provisions of sections 167, 168, and 169 of the Revised Statutes of the United States and of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons employed in the classified civil service to whom this act applies.

"SEC. 11. That the Secretary of the Treasury shall prepare and keep all needful tables, records, and accounts required for carrying out the provisions of this act, including data showing the mortality experience of the officers and employees in the service and the rate of withdrawal from such service, and any other information that may serve as a guide for future valuations and adjustments of the plan for the retirement of officers and employees. The Secretary of the Treasury shall make a detailed comparative report annually to Congress showing all receipts and disbursements, together with the total number of persons receiving annuities and the amounts paid them.

"SEC. 12. That this act shall apply only to persons in the competitive classified civil service of the United States, including the District of Columbia, the Canal Zone, and the island possessions, whose salaries, pay, or compensation is paid from moneys of the United States and shall not apply to postmasters or to persons serving in positions excepted from examination, as defined in the civil-service rules. Whenever any person shall become separated from the classified civil service by reason of appointment in the unclassified service, such separation shall operate to take him out of the provisions of this act, except as to payment of any amount that may be due him. The President shall have power, in his discretion, to exclude from the operation of this act any group of employees whose tenure of office is intermittent or of uncertain duration.

"SEC. 13. That none of the moneys mentioned by this act shall be assignable either in law or equity, or be subject to execution or levy by attachment, garnishment, or other legal process or to the payment of taxes, local, State, or Federal; nor shall any money paid to any employee or to the legal representative of a deceased employee be subject to the payment of the debts of such employee.

"SEC. 14. That for the clerical and other service and all other expenses necessary for carrying out the provisions of this act during the fiscal year 1917, including salaries and rent in the District of Columbia, there is hereby appropriated the sum of $20,000 out of any money in the Treasury not otherwise appropriated. No officer of employee receiving a regular salary or compensation from the Government shall receive any additional salary or compensation for any service rendered in connection with the system of retiring employees provided for by this act.

"SEC. 15. That the Secretary of the Treasury is hereby authorized to perform or cause to be performed any or all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect; and his decision as to the amount to be deducted, the amount of interest to be credited, the amount of an annuity or refund to be paid, in any case, shall be final and conclusive and shall not be subject to review by any officer or authority."

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARMY REORGANIZATION.

Mr. WADSWORTH. Mr. President, I move that the Senate proceed to the consideration of Senate bill 3792, known otherwise as the Army reorganization bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes.

Mr. McKELLAR. The Senator from New York does not expect to go on with the bill this afternoon?

Mr. WADSWORTH. No, Mr. President; in connection with the action just taken by the Senate, I beg leave to give notice that on or about 2 o'clock on Monday I shall ask the indulgence of the Senate to address the Senate upon the pending bill and the question of the military policy of the country.

Mr. POMERENE. My attention was diverted. What is the bill that was made the unfinished business?

Mr. WADSWORTH. The Army reorganization bill; and I was about to move that the Senate adjourn.

Mr. POMERENE. Very well.

Mr. WADSWORTH. I now move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, April 5, 1920, at 12 o'clock meridian.

SENATE.

MONDAY, *April 5, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, at this season, when the thought of the Christian world has been turned to the glorious doctrines of the resurrection, we lift our hearts to Thee. We do not think of the living among the dead but turn our thoughts to the source of life, to the author of our being, to the giver of all good and perfect gifts. We pray Thee to bestow upon us that life that will endure forever. Our little systems have their day. They have their day and pass away, but Thou art God from everlasting to everlasting. Thy kingdom shall have no end. Give us a part in the triumphs of Thy grace in the service to which Thou dost send us in the world. For Christ's sake. Amen.

On request of Mr. NELSON, and by unanimous consent, the reading of the Journal of the proceedings of Saturday last was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that Mr. BRITTEN had been appointed one of the managers of the conference on the part of the House on the bill (H. R. 11927) to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation, in the place of Mr. Browning, deceased.

ENROLLED JOINT RESOLUTIONS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled joint resolutions, and they were thereupon signed by the President pro tempore:

S. J. Res. 134. Joint resolution to readmit Augusta Louise de Haven-Alten to the status and privileges of a citizen of the United States; and

S. J. Res. 148. Joint resolution authorizing the Department of Commerce to participate in the National Marine Exposition to be held in New York in April, 1920.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a petition of sundry citizens of Winona, Minn., praying for the enactment of legislation providing for the public protection of maternity and infancy, which was referred to the Committee on Public Health and National Quarantine.

Mr. PHELAN presented a petition of the Bay Cities Physical Education and Recreation Association, of San Francisco, Berkeley, Oakland, and Alameda, all in the State of California, praying for the enactment of legislation providing for the promotion of physical education, which was referred to the Committee on Education and Labor.

He also presented a petition of the Foreign Trade Club, of San Francisco, Calif., praying for the establishment and operation of foreign trade zones in ports of entry of the United States, which was referred to the Committee on Finance.

Mr. CAPPER presented a memorial of sundry citizens of Marion County, Kans., remonstrating against the passage of the so-called Smith-Towner bill providing for the establishment of a Department of Education, which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. KIRBY, from the Committee on Military Affairs, to which was referred the bill (S. 3139) for the purchase of land adjoining Fort Bliss, Tex., reported it without amendment and submitted a report (No. 506) thereon.

Mr. KELLOGG, from the Committee on the Judiciary, to which was referred the bill (H. R. 6025) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto, reported it with an amendment and submitted a report (No. 507) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and by unanimous consent the second time, and referred as follows:

By Mr. FERNALD:

A bill (S. 4188) granting a pension to Earle H. Philbrick (with accompanying papers); to the Committee on Pensions.

By Mr. HARRIS:

A bill (S. 4189) for the relief of the Gadsden Contracting Co. (with accompanying claims); to the Committee on Claims.

By Mr. SUTHERLAND:

A bill (S. 4190) to acquire a site for a public building at Parsons, W. Va.; to the Committee on Public Buildings and Grounds.

A bill (S. 4191) granting a pension to James Wiley; to the Committee on Pensions.

THE PANAMA CANAL.

Mr. JONES of Washington submitted an amendment intended to be proposed by him to the bill (H. R. 7015) providing that the Panama Canal rules shall govern in the measurement of vessels for imposing tolls, which was referred to the Committee on Interoceanic Canals and ordered to be printed.

AMENDMENTS TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. JONES of Washington submitted an amendment proposing that one half of certain sums be appropriated out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia in full for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. KEYES submitted an amendment proposing to appropriate $1,500,000 to authorize the Commissioners of the District of Columbia to enter into a contract or contracts for the construction of the Gallinger Municipal Hospital in the District of Columbia, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CHAMBERLAIN submitted an amendment proposing to appropriate $3,127.85 to authorize the Commissioners of the District of Columbia to pay to Edith B. Macon, daughter and sole heir of the estate of David W. and Elizabeth L. W. Bailey, deceased, being in full settlement of the award to the estate of Davis W. Bailey against the District of Columbia, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

THE CALENDAR.

The PRESIDENT pro tempore (at 12 o'clock and 15 minutes p. m.). The morning business is closed and the calendar under Rule VIII is in order.

Mr. WARREN. As we are about to take up the calendar, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Hitchcock	Moses	Smith, Md.
Chamberlain	Jones, Wash.	Nelson	Smoot
Comer	Kendrick	New	Spencer
Culberson	Kenyon	Nugent	Sterling
Cummins	Keyes	Page	Sutherland
Curtis	Kirby	Phipps	Thomas
Fernald	Lenroot	Pomerene	Townsend
Frelinghuysen	Lodge	Ransdell	Trammell
Gronna	McCormick	Sheppard	Wadsworth
Hale	McCumber	Sherman	Warren
Harris	McKellar	Simmons	Watson
Henderson	McNary	Smith, Ariz.	

Mr. McKELLAR. The Senator from North Carolina [Mr. OVERMAN], the Senator from Alabama [Mr UNDERWOOD], the Senator from Kentucky [Mr. BECKHAM], the Senator from Virginia [Mr. GLASS], the Senator from California [Mr. PHELAN], and the Senator from South Carolina [Mr. SMITH] are absent on official business.

Mr. GRONNA. I desire to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Forty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Members.

The names of the absent Senators were called, and Mr. GAY, Mr. NORRIS, and Mr. SWANSON answered to their names.

Mr. CAPPER, Mr. FRANCE, Mr. HARRISON, Mr. EDGE, Mr. POINDEXTER, Mr. DILLINGHAM, and Mr. GERRY entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Fifty-six Senators have answered to their names. There is a quorum present, and the calendar under Rule VIII will be proceeded with.

Mr. WARREN. As we finished with Order of Business 362, Senate joint resolution 151, when the calendar was last considered, I ask that we may begin with Order of Business 363, House bill 8314.

The PRESIDENT pro tempore. The Senator from Wyoming asks unanimous consent to proceed with the consideration of the calendar, beginning with Calendar No. 363, House bill 8314. Is there obpection? The Chair hears none, and it is so ordered.

AERONAUTIC ENGINEERING.

The bill (H. R. 8314) to provide for the training of officers of the Army in aeronautic engineering and the issue of equipment and materials therefor was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of War be, and he hereby is, authorized to detail such officers of the Army as he may select, not exceeding 25 at any one time, to attend and pursue courses of aeronautic engineering or associate study at such schools, colleges, and universities as he may select.

SEC. 2. That the Secretary of War is authorized to pay tuition for the officers so detailed and to provide them with necessary textbooks and technical supplies from any moneys available for the Air Service of the Army not otherwise specifically appropriated.

The amendment was agreed to.

Mr. SMOOT. I should like to know just what change the bill makes in the existing arrangement which provides for the teaching of these men in the War Department. Evidently from the reading of the amendment of the committee the training of these officers in aeronautic engineering and the issue of equipment and materials therefor will be outside of the War Department. I wish to know if there is any good reason why that should be done?

Mr. WADSWORTH. This is a bill to authorize the Secretary of War to detail officers of the Army as he may select them, not to exceed in the aggregate 25 officers at any one time, to attend aeronautical engineering courses at schools, colleges, and universities in the country.

The Senator from Utah, of course, will understand that the Army educational institutions, commencing at West Point and going to the service schools, do not and can not at present provide courses in aeronautical engineering to any extent like institutions such as the Massachusetts Institute of Technology or perhaps the scientific school at Cornell University and schools of that character which exist in State and private universities over the country.

It is hoped by permitting not to exceed 25 officers of the Army to attend these courses the Army will be able to keep pace with the enormous stride being made in aeronautical engineering. The committee felt that an Army officer who has been detailed to the Air Service and who ought to know about aeronautic engineering, designing machinery and motors, should have an opportunity to keep pace with the advances that are being made.

The Senator will notice that the expenses are kept down as much as possible; indeed, the Secretary of War is authorized only "to pay tuition for the officers so detailed and to provide them with necessary textbooks." This is a measure which I think will tend to the better education of the service.

Mr. SMOOT. I wish to ask the Senator where is the training of officers of the Army in aeronautical engineering carried on to-day upon the part of the Government? How many places are there in the United States under the direct charge of the Government where this work is being conducted?

Mr. WADSWORTH. I do not think it can be said that there is any institution under the direct charge of the Government that can carry on this work as it is carried on by some of the private institutions. I do not know of any institution in the Army or any place under the jurisdiction of the Army where courses of this kind can be given; in other words, the Army has not set up a school for aeronautical engineering or a school for flying except for training the fliers in the actual art of flying, but in the technical sense, I think, the Army has no such school.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill to provide for the training of officers of the Army in aeronautic engineering."

ARMY POST SCHOOLS AND LIBRARIES.

The joint resolution (S. J. Res. 128) relating to schools and libraries at Army posts was announced as next in order.

The joint resolution was read.

Mr. GRONNA. Let that resolution go over, Mr. President.

The PRESIDENT pro tempore. The joint resolution will be passed over.

DISPOSAL OF SURPLUS DENTAL OUTFITS.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 222) authorizing the Secretary of War to dispose of surplus dental outfits, which was read, as follows:

Resolved, etc., That the Secretary of War is hereby authorized and directed to sell at public or private sale, under such rules and regulations as he may prescribe, all dental outfits in excess of the needs of the Government, preferentially to persons who served in the Army, Navy, Marine Corps, Coast Guard, or the American Red Cross of the United States during the recent war and who are at the time of such sale licensed to practice dentistry; but not more than one set of dental supplies shall be sold at private sale to any one person.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FORT DOUGLAS MILITARY RESERVATION.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 98) to authorize the Secretary of War to grant revocable licenses for the removal of sand from the Fort Douglas Military Reservation for industrial purposes, which had been reported from the Committee on Military Affairs with an amendment, in line 7, after the word "purposes," to insert "at such reasonable prices as may be fixed by the Secretary of War," so as to make the joint resolution read:

Resolved, etc., That the Secretary of War is hereby authorized to grant revocable licenses for the removal of sand from the Fort Douglas Military Reservation, Utah, to persons and corporations within said State, to be used for industrial and manufacturing purposes, at such reasonable prices as may be fixed by the Secretary of War.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

CRATER LAKE NATIONAL PARK, OREG.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2797) to add certain lands to the Crater Lake National Park, Oreg., which was read as follows:

Be it enacted, etc., That the south, west, and north boundary lines of the Crater Lake National Park, Oreg., are hereby changed as follows: Beginning at the southwest corner of Crater Lake National Park; thence west on the continuation of the present south boundary line, approximately three-quarters of a mile, to its intersection with the boundary line between Jackson and Klamath Counties; thence north along the said county line between Jackson and Klamath Counties and continuing north on the county line between Douglas and Klamath Counties to its intersection with the hydrographic divide on Bear Butte, elevation 7,027 feet, between Rough and Bear Creeks; thence northerly along the said hydrographic divide, now between Dog Prairie and Watson Creeks and Bear Creek, passing over United States Geological Survey bench mark, 6,057 feet, to its intersection with the continuation west of the surveyed section line, township 27 south, range 6 east, 2 miles north of the sixth standard parallel south; thence east along the continuation of said section line and along said section line through township 27 south, range 6 east, between sections 19 and 30, 20 and 29, 21 and 28, 22 and 27, 23 and 26, and 24 and 25, and continuing east along the section line between sections 20 and 29, township 27 south, range 6½ east, to its intersection with the county line between Douglas and Klamath Counties, which is on the hydrographic divide between the headwaters of Thirsty and Thielsen Creeks and Marsh Creek; thence south along the said county line to Howlock Mountain, elevation 8,351 feet; thence east along the main hydrographic divide between Marsh and Sink Creeks to its intersection with the continuation north of the east boundary line of Crater Lake National Park; thence south along the continuation of the said east boundary line of Crater Lake National Park to the present northeast corner of the Crater Lake National Park; and all of those lands lying between the boundary lines of the Crater Lake National Park are hereby added to and made a part of the Crater Lake National Park, Oreg.

SEC. 2. That the provisions of the act of May 22, 1902, entitled "An act reserving from the public lands in the State of Oregon as a public park for the benefit of the people of the United States and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land therein described, etc."; the act of August 21, 1916, entitled "An act to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced in the Crater Lake National Park, and for other purposes"; and the act of August 25, 1916, entitled "An act to establish the National Park Service, and for other purposes"; and all acts supplementary to and amendatory of said acts are made applicable to and extended over the lands hereby added to the park.

SEC. 3. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land.

Mr. SMOOT. Mr. President, I notice in the report of the Acting Secretary of the Interior that certain amendments have been suggested to the pending bill, and I can not see that there is any amendment embodied in the bill as reported to the Senate. I wonder whether the bill as reported includes the amendments suggested in the letter of November 29, 1919, of the Acting Secretary of the Interior. If the Senator from Oregon [Mr. MCNARY], who reported the bill, will examine the letter referred to he will see that certain amendments are therein recommended to the bill, the first being on page 1, line 3, after the word "east," to add the word "west," and the second, on page 3, line 5, after the word "between," to insert the words "the boundary line above described and." I have not had time to examine the bill in order to ascertain whether or not the bill has been changed to correspond to those suggestions. If they have not been embodied in the bill, I will say to the Senator that the description contained in the bill would be incorrect.

Mr. MCNARY. Mr. President, when the Committee on Public Lands authorized a favorable report, the report was prepared by the clerk of the committee, and I assume that the amendments have been incorporated in the bill. If not, I ask that they may be made at this time.

Mr. SMOOT. Would it not be better to ask that the bill go over temporarily?

Mr. MCNARY. I should prefer that that be not done.

Mr. SMOOT. I say "temporarily," and then the Senator can ascertain whether the amendments have been embodied in the bill. If they are in the bill, then we can return to the bill and pass it; but I am sure the Senator does not wish the bill to pass if the description is wrong.

Mr. MCNARY. That is true; but that can be ascertained in just a moment without passing it over.

Mr. SMOOT. Very well, if the Senator desires that course and the fact can be ascertained without waiting too long. I merely made the suggestion in the interest of saving time.

Mr. CHAMBERLAIN. I suggest to my colleague that he allow the bill to be passed over temporarily, so that it can be ascertained whether the amendments have been incorporated in the bill.

Mr. MCNARY. Very well. I will ask that the bill be passed over temporarily for the purpose of ascertaining if certain amendments have been embodied in the bill.

The PRESIDENT pro tempore. The bill will be passed over temporarily.

SALE OF GRAIN.

The bill (S. 3844) to provide for discontinuing the purchase and sale of grain by the Government, and for other purposes, was announced as next in order.

Mr. NELSON. I ask that that bill may be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

CIVILIAN EMPLOYEES AT LANGLEY FIELD, VA.

The bill (S. 3516) to authorize the Secretary of War, in his discretion, to furnish quarters at Langley Field, Va., to the civilian employees of the national advisory committee for aeronautics, and for other purposes, was considered as in Committee of the Whole. It authorizes the Secretary of War, in his discretion, to furnish living quarters at Langley Field, Va., to the civilian employees of the national advisory committee for aeronautics, to supply them with heat, fuel, and light for such quarters at the actual cost thereof to the Government, and to extend to them the privilege of purchasing subsistence stores and commissarial supplies at cost plus 10 per cent.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

KATHRYN WALKER.

The bill (S. 2371) for the relief of Katheryn Walker was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments, in line 4, after the word "to," to strike out "Katheryn" and insert "Kathryn"; in line 5, after the word "formerly," to strike out "Katheryn" and insert "Kathryn"; and, in line 7, after the word "meridian," to insert: "*Provided*, That the said Kathryn Walker pay the lawful price of the land within six months after the approval of this act," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to issue patent to Kathryn Walker (formerly Kathryn McKnight) for the northeast quarter of section 12, township 29 south, of range 7 west, New Mexico meridian: *Provided*, That the said Kathryn Walker pay the lawful price of the land within six months after the approval of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Kathryn Walker."

LANDS WEST OF SALT LAKE MERIDIAN, UTAH.

The bill (H. R. 5213) for the relief of occupants and claimants of unsurveyed public land in township 8 north, range 2 west, of Salt Lake meridian, Utah, was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That on the survey of any areas of public land in sections 10, 15, 22, and 27, in township 8 north, range 2 west of the Salt Lake base and meridian, in the State of Utah, which may be found to have been erroneously omitted from the official survey, plat of which is now on file in the General Land Office, the Commissioner of the General Land Office be, and he is hereby, authorized to cause such areas to be surveyed and platted in such a manner as will segregate the several holdings of the bona fide occupants of such areas as shown by their occupation and improvements.

SEC. 2. That under such rules and regulations as the Secretary of the Interior shall prescribe all such bona fide occupants as shall have had adverse possession by themselves or their grantors for seven years prior to the approval of the plat of survey provided for herein shall have a preferred right at any time within six months after the approval of such plat of survey to purchase at the rate of $2.50 per acre the lands so occupied and improved in such parcels as the same are so held and possessed by each of them, not to exceed in any one case 160 acres.

SEC. 3. That in lieu of any portion of such areas which may be found to lie within the limits of a grant to any railroad company and to have been for the period of seven years mentioned in the preceding section in the possession of a bona fide occupant or occupants claiming otherwise than through such company, such railroad company shall be entitled to select other lands in accordance with the terms and restrictions of the act of Congress approved June 22, 1874: *Provided*, That the land described in one certain patent of the United States dated September 16, 1884, to the Central Pacific Railroad Co. as lot 5 of the northwest quarter of section 15 of the township and range aforesaid, containing 33.19 acres, shall not form the basis for any such lieu selection; but the survey hereinbefore provided for shall be so made as to identify said tract; and title to said tract is hereby confirmed in said railway company and its grantees.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALARIES OF UNITED STATES ATTORNEYS AND MARSHALS.

The bill (S. 3430) fixing the salaries of certain United States attorneys and United States marshals was considered as in Committee of the Whole.

The bill had been reported from the Committee on the Judiciary with amendments. The first amendment was, on page 3, line 18, after the name "Maryland," to strike out "$5,000" and insert "$6,000," so as to read:

For the district of the State of Maryland, $6,000.

The amendment was agreed to.

The next amendment was, on page 3, line 21, after the name "Michigan," to strike out "$4,500" and insert "$5,000," so as to read:

For the eastern district of the State of Michigan, $5,000.

Mr. JONES of Washington. I inquire what calendar number we are now considering?

The PRESIDENT pro tempore. Calendar No. 376.

Mr. JONES of Washington. I will have to ask that that bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

CONFINEMENT OF JUVENILE OFFENDERS.

The bill (S. 3875) to amend sections 5549 and 5550 of the Revised Statutes of the United States was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the provisions of sections 5549 and 5550 of the Revised Statutes of the United States be, and they are, extended so as to apply, in the discretion of the trial judge, to the cases of women or girls over the age of 16, as follows: Whenever a woman or girl shall be convicted of lewdness, prostitution, or similar offenses, under circumstances rendering such offense punishable by imprisonment under the laws of the United States, such woman or girl may be confined, during the term of sentence, in some home of refuge to be designated by the Attorney General, in the manner provided in the case of juvenile offenders, by said sections 5549 and 5550, when, in the opinion of the presiding judge, that course seems justified by the circumstances of the case and the intelligence and previous character of the offender: *Provided, however*, That this act shall not apply to the case of any woman who has previously been twice convicted of similar offenses in the courts of the United States, or who, at the time of her arrest, was conducting or managing a house of prostitution.

SEC. 2. This shall take effect and be in force from and after its passage and approval.

The PRESIDENT pro tempore. The Chair suggests that on page 2, line 10, the word "act" be inserted. It has evidently been omitted through a typographical error.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. POINDEXTER. Mr. President, I will ask the author of the bill what the object of the bill is.

Mr. NELSON. I can briefly state the object of the bill. I may say, in the first instance, that it is a bill recommended by the district judge in Texas.

The object of the bill is that in cases where women have been convicted of improper offenses, if they are not what you might call professional women, but have gotten into it accidentally, the United States judge may suspend sentence. That, in brief, is the object of the bill. If the Senators will read the bill—it is a very short bill—they can see the object of it. It is to overcome a decision of the Supreme Court, rendered, I think, about a year ago, which held, contrary to the practice that had prevailed before that time, that no Federal judge had a right to suspend a sentence of conviction. It had been the custom, in the case of minor offenses, or offenses that were not of a serious character, or where there was likely to be a reform in the near future, for the Federal judge to impose a sentence and then, in his discretion, suspend the sentence practically during good behavior. The Supreme Court of the United States held that that was unwarranted and unconstitutional; that the judges had no such right. The object of this bill is to allow suspension of sentences to occur in certain cases of the women referred to in the bill. I will read it. The provision is very brief:

That the provisions of sections 5549 and 5550 of the Revised Statutes of the United States be, and they are, extended so as to apply, in the discretion of the trial judge, to the cases of women or girls over the age of 16, as follows: Whenever a woman or girl shall be convicted of lewdness, prostitution, or similar offenses, under circumstances rendering such offense punishable by imprisonment under the laws of the United States, such woman or girl may be confined, during the term of sentence, in some home of refuge to be designated by the Attorney General—

And so forth. There is a long letter here from the district judge down in Texas. These are cases that occur on the border, and they relate to a large extent to poor Mexican women who come over the border.

Unless there are some questions to be asked, I shall not take up the time of the Senate in further discussion of the bill. As I said, the district judge sent his recommendation up to the Attorney General, and the Attorney General forwarded the letter with his indorsement and recommendation to the Committee on the Judiciary, and the committee were unanimous in favor of the bill.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

The bill was passed.

SALARIES OF UNITED STATES ATTORNEYS AND MARSHALS.

Mr. POMERENE. Mr. President, a little while ago Senate bill 3430, which relates to the increase of salaries of certain United States attorneys and United States marshals, was reached on the calendar.

Mr. NELSON. If the Senator will allow me, on the objection of the Senator from Washington [Mr. JONES] that bill went over.

Mr. POMERENE. I so understood; but I wanted to ask the chairman of the committee a question for information with regard to it.

I notice, for instance, that in the State of Ohio, where we have 5,000,000 people, these salaries have been increased from $4,500 to $5,000. In the State of Oklahoma in one district the salary is $6,500 and in another $5,000. In the State of Texas, with four districts, there is one salary of $4,500, two of $5,500, and one at $6,000. Now, why these larger increases——

Mr. NELSON. I will explain the situation briefly to the Senator from Ohio.

We have received from time to time certain bills, which have been sent to the Judiciary Committee, to increase the salary of a United States attorney or a United States marshal somewhere. We got so many of those bills that the committee finally considered that we had better revise the whole list and make such changes as were necessary. The committee then referred the question to the Department of Justice, and the Department of Justice prepared a lengthy report, which has been printed, giving the amount of business in each judicial district throughout the entire country and the salaries paid to the attorneys and the marshals and recommending a slight increase. In this bill, with the exception of one or two cases—I do not at this moment recall them, and the Senator from North Carolina [Mr. OVERMAN], who had direct charge of the bill, is not in his seat—except in one or two cases we followed the recommendation of the Department of Justice. We gave increases to the extent and in all cases where the Department of Justice recommended them; and inasmuch as the bill has gone over I would suggest to the Senator that he get a copy of the report that was sent in to us, which has been printed, and he can see the basis on which the bill is framed. The committee felt that it was better to have a general bill than to take up from time to time isolated cases, where it might happen, if we passed the bills, that they were discriminatory as to other districts. We thought it was fairer to make an increase all around where it was necessary; and the bill is based not upon the population of the States at all but upon the amount of business done in the respective districts.

If the Senator will examine the report, he will find the whole matter set out. Inasmuch as the bill has gone over, however, I will say nothing more about it at this time.

Mr. POMERENE. Mr. President, my attention was attracted to the difference in the allowances to these several districts. I know that the business in the State of Ohio has grown tremendously; and while they may have in one State a certain class of cases, in another State they have a certain other kind of litigation, and because of our enormous industrial life in Ohio as well as because of the prosecutions under the liquor and antivice laws, the business of the officers there has enormously increased. I could not quite understand, therefore, why the salaries should only be increased to $5,000 in Ohio and in Oklahoma to $6,000 and in some of these other districts to $6,500.

Mr. NELSON. I might say, in reference to Oklahoma, that they have had an enormous amount of business growing out of the distribution of lands among the Five Civilized Tribes. The litigation in that direction has been enormous and unusual.

The PRESIDENT pro tempore. The Secretary will state the next bill on the calendar.

SHORTAGE OF CARS.

The resolution (S. Res. 302) instructing the Committee on Agriculture and Forestry to investigate the alleged lack of supply and failure to supply an adequate number of stock cars and cars for transporting grain and other farm products was announced as next in order.

Mr. GRONNA. Mr. President, at the time this resolution was introduced there was a demand from all parts of the country for an investigation with reference to the car shortage. At that time the railroads were in the hands of the Federal Government. Of course, a change has now been made, and I do not know that it would serve any good purpose to have this investigation made at this time. Therefore I ask that the resolution may be indefinitely postponed. As it was objected to at that time, we were unable to have it passed and have the investigation made.

The PRESIDENT pro tempore. The question is on the indefinite postponement of Senate resolution 302.

The resolution was indefinitely postponed.

LANDS IN TERRITORY OF HAWAII.

The bill (S. 3461) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii was announced as next in order.

Mr. GRONNA. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

THE DYE INDUSTRY.

The bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes," was announced as next in order.

Mr. McCUMBER. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

THOMAS SIMMONS.

The bill (S. 302) for the relief of Thomas Simmons was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, in line 10, after the word "regiment," to insert "*Provided*, That no back pay, bounty, or other allowances shall accrue by reason of the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, their widows, and dependent relatives, Thomas Simmons, who was a private in Company F, One hundred and sixteenth Regiment Ohio Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment: *Provided*, That no back pay, bounty, or other allowances shall accrue by reason of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENSION BILLS.

Mr. McCUMBER. Mr. President, as there will be a meeting of the Committee on Pensions to-morrow to consider a general pension bill relating to the veterans of the Civil War, which will probably be reported out, I ask at this time that all the pension bills upon the calendar may be passed over as they are reached to-day.

The PRESIDENT pro tempore. It will be so ordered.

LAND IN HURON COUNTY, MICH.

The bill (H. R. 202) to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public park purposes, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent in fee simple to the county of Huron, in the State of Michigan, for the following tract of land, to wit: Lots 1 and 2, section 17, and the northeast quarter of the northeast quarter of section 20, township 18 north, range 11 east, in Michigan, upon the payment of $1.25 per acre: *Provided*, That there shall be reserved to the United States all oil, coal, or other mineral deposits found in the land, and the right to prospect for, mine, and remove the same: *And provided further*, That this grant shall be subject to all prior, valid existing rights under the land laws of the United States, and that if the grantee shall fail to use the land for public-park purposes or shall devote the same to other uses the title thereto shall revert to the United States: *And provided further*, That said grantee shall, within two years from the approval of this act, file its application and make entry and use of the land under this act, for the purposes herein specified, and the grant herein is made upon the express condition that, within 30 days of the receipt of any request therefor from the Secretary of the Interior, the county clerk shall submit to the said Secretary of the Interior a report as to the use made of the land herein granted the county during the preceding period named in such request, showing compliance with the terms and conditions stated in this act, and that in the event of his failure to so report, or in the event of a showing in such report to the Secretary of the Interior that the terms of the grant have not been complied with, the grant shall be held to be forfeited, and the Attorney General of the United States shall institute suit in the proper court for the recovery of said lands.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARMY POST SCHOOLS AND LIBRARIES.

Mr. GRONNA. Mr. President, a few moments ago I objected to the consideration of Calendar No. 364, Senate joint resolution 128, relating to schools and libraries at Army posts. I have since conferred with the chairman of the Military Affairs Committee, and I have also read the report. I was under the impression that it would involve considerable expense, but I find that it is only an authorization to the War Department to purchase newspapers for camps outside of military posts and schools. I therefore withdraw my objection to it.

Mr. SMOOT. Mr. President, before I agree to the consideration of the joint resolution I want to have it distinctly understood that it will not authorize the War Department to print newspapers or periodicals or documents of any kind. The joint resolution provides—

but also those schools and libraries that may be established at such other stations or camps as the Secretary of War may, in his discretion, designate, and said provision shall be construed to authorize the furnishing of newspapers and periodicals to troops at such other stations or camps.

If the word "furnishing" means that they are going to publish, as they have in the past in many cases, then I shall seriously object to the passage of the joint resolution. If it is for the mere purpose of purchasing the newspapers and periodicals, that is a different proposition, and I have no objection to it.

The reason I speak at this time, Mr. President, is because the Joint Committee on Printing has stopped a large number of the publications at the Army posts, and there has been every endeavor on the part of the War Department to evade the order. They have been issuing some of the publications by multigraphing, and in one case they have lithographed the periodical, claiming that the law did not prevent the multigraphing or lithographing, and therefore that they were at perfect liberty to go on publishing them. The other day the Senate agreed to an amendment to the legislative, executive, and judicial appropriation bill which will prevent that practice in the future.

But the committee had two objects in view: One was to conserve paper and the other was to conserve the money of the United States; and particularly where there were two or three periodicals published at one post we thought it was not only a wicked waste of money but of paper. Instead of complying with the order of the committee, the department began to issue the same publications by using the multigraph and by issuing them in a lithographed form, costing a great deal more than if they had been printed and taking more paper.

So, Mr. President, I want it distinctly understood that if this joint resolution is passed it will not authorize the War Department to print, lithograph, mimeograph, or multigraph any document or newspaper for the purposes provided for in the joint resolution; and if it is not so understood, I want to have the joint resolution go over.

The PRESIDENT pro tempore. The Secretary will continue the call of the calendar.

SCHOOL LANDS IN FREMONT COUNTY, WYO.

The bill (H. R. 6136) authorizing the Secretary of the Interior to sell certain lands to school district No. 21, of Fremont County, Wyo., was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell to school district No. 21, of Fremont County, Wyo., the west half, southwest quarter, southwest quarter, southeast quarter, section four, township one south, range one west of the Wind River meridian, containing 1¼ acres, the same being a part of the Shoshone Agency reserve on the Shoshone or Wind River Indian Reservation.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SCHOOL LAND IN LAPWAI, IDAHO.

The bill (H. R. 6772) authorizing and directing the transfer approximately of 10 acres of land to rural high-school district No. 1, Lapwai, Idaho, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to rural high-school district No. 1, Lapwai, Nez Perce County, Idaho, the following-described land:

Beginning at a point which is 30 feet west, 113.6 feet south, and 696 feet south, 86° 6′ west of the northeast corner of lot 27, section 2, township 35 north, range 4, West Boise meridian, which is the northwest corner of the present Lapwai School grounds; thence south 86° 6′, west 483 feet; then south 40° 20′, east 1,174 feet; thence north 43° 54′, east 598 feet; thence north 264 feet to southeast corner present school grounds; thence south 86° 6′, west 696 feet to southwest corner present school grounds; thence north 300 feet to place of beginning, excepting eighty-nine one-thousandths acre as shown on plat "Reserved cemetery," containing 10.747 acres: *Provided, however*, That there is hereby reserved from said grant any buildings that may be on the property, and the Secretary of the Interior shall cause such buildings to be removed at the expense of the said rural high-school district No. 1, of Nez Perce County, Idaho: *Provided further*, That the said rural high-school district shall pay to the Secretary of the Interior for the credit of the Nez Perce Tribe of Indians in full compensation in the amount of $1.25 per acre: *Provided further*, That in the event the said rural high-school district No. 1, Nez Perce County, Idaho, shall cease to use the lands herein granted for the purpose of experimental agricultural demonstrations, then, and in that event, the lands shall revert to the United States for the use and benefit of the Nez Perce Indians.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FEDERAL LIVE-STOCK COMMISSION.

The bill (S. 3944) to create a Federal live-stock commission was announced as next in order.

Mr. FERNALD. I ask that the bill may go over.

The PRESIDENT pro tempore. The bill will be passed over.

SHIPS ACQUIRED FROM GERMANY.

The bill (S. 3928) relating to the ships acquired from Germany, and for other purposes, was announced as next in order.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 6, to insert the words "establishing a definite shipping policy"; and on page 1, line 9, after the word "delay," to insert the words "in such manner as will in its judgment make them most serviceable for profitable operation or sale."

The amendments were agreed to.

Mr. THOMAS. I ask to have the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

MILWAUKEE BRIDGE CO.

The bill (S. 2921) for the relief of the Milwaukee Bridge Co. was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Milwaukee Bridge Co., of Milwaukee, Wis., a corporation of the State of Wisconsin, out of any money in the Treasury not otherwise appropriated, the sum of $640, the same being the amount of liquidated damages deducted from the contract price for failure to complete within the stipulated time the work of constructing and erecting lock gates at Hurricane Shoals, Trinity River, Tex., under contract dated December 22, 1913, between the Milwaukee Bridge Co. and the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RUDOLPH H. VON EZDORF.

The bill (S. 3205) for the relief of the widow of Rudolph H. von Ezdorf, deceased, was considered as in Committee of the Whole, and was read, as follows:

Whereas Rudolph H. von Ezdorf, late surgeon and a commissioned officer in the United States Public Health Service, contracted myocarditis as a sequel to an attack of yellow fever, incurred in line of duty while an assistant surgeon engaged in the special work of suppressing an epidemic of yellow fever in the State of Mississippi during the year 1898; and

Whereas said myocarditis so contracted was the approximate cause of the death of the said Rudolph H. von Ezdorf while he was actually engaged in the special work of investigating the suppression and control of malarial fever in the county of Lincoln, N. C., on September 7, 1916: Therefore

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of Rudolph H. von Ezdorf, deceased, the sum of $4,500, being the amount of salary and allowances for two years.

Mr. SMOOT. The rule has always been to pay one year's salary on the death of employees in the Government service, and I think that that rule has been strictly adhered to with this exception. It provides for salary and allowances for two years. The Senator from North Dakota [Mr. GRONNA] reported the bill, and I ask him why that rule should be set aside in this case?

Mr. GRONNA. As the Senator from Utah knows, a similar bill was considered by the Senate at the last session of Congress, and I think it passed the Senate once or twice, carrying the amount which the committee recommended. The bill provided originally for an allowance of $9,000, and the committee reduced it to $4,500. The committee were unanimous in making this allowance.

I know that the Senator from Utah is correct in stating that as a rule the Committee on Claims allows one year's salary. There are, however, a few exceptions, and I will say to the Senator from Utah I believe I am correct in stating that those exceptions have applied to the cases where Army officers have died. This is a very meritorious case and the bill ought to pass.

Mr. SMOOT. Of course, that may be the case, but I wanted to know the reason why. It does not seem to me that there is very much difference between the case of the widow of an Army officer and the widow of a civilian. I think that losing a husband is just as bad in one case as in the other; in fact, I think it is a little worse in the case of the widow of the civilian. But as this is a unanimous report, and I recognize the fact that there ought to be some compensation granted, I will not object.

Mr. SPENCER. May I say to the Senator from Utah that the amount provided in the bill is one year's salary of the man, according to the information before the committee?

Mr. SMOOT. The bill does not say so.

Mr. SPENCER. But it is as a matter of fact. The bill originally called for $9,000. It was reduced to $4,500, which was the salary of the man. There is provision for only one year's salary. That statement is made in the report.

Mr. SMOOT. If that is the case, then we ought to amend the bill.

Mr. GRONNA. I move that the bill be amended to read "salary and allowances for one year," instead of "two years."

The PRESIDENT pro tempore. The proposed amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 5, strike out the words "two years" and insert in lieu thereof the words "one year."

Mr. SMOOT. That conforms to the rule of the Senate.

Mr. SPENCER. The original amount was for two years' salary. The amount provided for in the bill is one year's salary. So there is no objection to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

CRATER LAKE NATIONAL PARK, OREG.

Mr. McNARY. Mr. President, awhile ago Calendar No. 367, the bill (S. 2797) to add certain lands to the Crater Lake National Park, Oreg., was temporarily passed over. I ask that the Senate may revert to it.

The PRESIDENT pro tempore. Without objection, that will be done.

The bill (S. 2797) to add certain lands to the Crater Lake National Park, Oreg., was considered as in Committee of the Whole.

Mr. McNARY. The Secretary of the Interior has suggested amendments, which I have sent to the desk.

The PRESIDENT pro tempore. The proposed amendments will be reported.

The ASSISTANT SECRETARY. On page 1, line 3, after the word "west," insert the word "east"; and on page 3, line 5, after the word "between," insert the words "the boundary lines above described and," so as to make the bill read:

Be it enacted, etc., That the south, west, east, and north boundary lines of the Crater Lake National Park, Oreg., are hereby changed as follows:

Beginning at the southwest corner of Crater Lake National Park; thence west on the continuation of the present south boundary line, approximately three-quarters of a mile, to its intersection with the boundary line between Jackson and Klamath Counties; thence north along the said county line between Jackson and Klamath Counties and continuing north on the county line between Douglas and Klamath Counties to its intersection with the hydrographic divide on Bear Butte, elevation 7,027 feet, between Rough and Bear Creeks; thence northerly along the said hydrographic divide, now between Dog Prairie and Watson Creeks and Bear Creek, passing over United States Geological Survey bench mark, 6,057 feet, to its intersection with the continuation west of the surveyed section line, township 27 south, range 6 east, 2 miles north of the sixth standard parallel south; thence east along the continuation of said section line and along said section line through township 27 south, range 6 east, between sections 19 and 30, 20 and 29, 21 and 28, 22 and 27, 23 and 26, and 24 and 25, and continuing east along the section line between sections 20 and 29, township 27 south,

range 6½ east, to its intersection with the county line between Douglas and Klamath Counties, which is on the hydrographic divide between the headwaters of Thirsty and Thielsen Creeks and Marsh Creek; thence south along the said county line to Howlock Mountain, elevation 8,351 feet; thence east along the main hydrographic divide between Marsh and Sink Creeks to its intersection with the continuation north of the east boundary line of Crater Lake National Park; thence south along the continuation of the said east boundary line of Crater Lake National Park to the present northeast corner of the Crater Lake National Park; and all of those lands lying between the boundary lines above described, and the boundary lines of the Crater Lake National Park are hereby added to and made a part of the Crater Lake National Park, Oreg.

SEC. 2. That the provisions of the act of May 22, 1902, entitled "An act reserving from the public lands in the State of Oregon as a public park for the benefit of the people of the United States and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land therein described, etc."; the act of August 21, 1916, entitled "An act to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced in the Crater Lake National Park, and for other purposes"; and the act of August 25, 1916, entitled "An act to establish the National Park Service, and for other purposes"; and all acts supplementary to and amendatory of said acts are made applicable to and extended over the lands hereby added to the park.

SEC. 3. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARTHUR WENDLE ENGLERT.

The bill (H. R. 795) for the relief of Arthur Wendle Englert was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 7, to strike out "$500" and insert in lieu thereof "$749.50," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Arthur Wendle Englert, late of Albion, Mendocino County, Calif., out of any money in the Treasury not otherwise appropriated, the sum of $749.50, being the value of work done and improvements made by him in good faith during the year 1911 on lands then shown by the records of the San Francisco land office to be unpatented, and for which lands patent was issued to said Englert in accordance with law, but which patent was a nullity, said lands having, a long time previously, been patented by the United States to other persons.

Mr. SMOOT. Mr. President, I wanted to find out whether there is a report from the Department of the Interior, as this is entirely a land matter. I see that the Claims Committee asked the Secretary of the Interior for a report upon the bill, and while I have not had time to examine the report I take it for granted that the report will show that that amount of money was expended upon the land. I call attention to the fact that there are other similar claims, I understand, before the Committee on Claims. I do not know whether they intend to act upon them or not.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

W. L. ROSE.

The bill (H. R. 1275) for the relief of W. L. Rose was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. L. Rose, of Sacramento, Calif., late of the United States Navy, the sum of $66.12 to indemnify him for clothing and property lost on the United States ship *Yosemite*, November 13, 1900.

Mr. SMOOT. Mr. President, I desire to ask the chairman of the Committee on Appropriations if he recalls whether this particular claim was ever submitted to the Appropriations Committee and went into an appropriation bill? I will say to the chairman of the Committee on Claims that such claims are generally reported from the Claims Committee and appropriated through deficiency bills. I want to know whether the chairman of the Appropriations Committee knows about this particular bill.

Mr. LODGE. It surely will not be paid the second time if it has once been paid.

Mr. SMOOT. I do not know whether we have paid it or not.

Mr. WARREN. These claims may come in appropriation bills at times, but almost invariably they go out in conference, objection being made by the conferees of another place on the ground that they ought to go to the Committee on Claims. We have certified up nearly every year to the military branches claims which on their face show that they should be paid, but they are claims nevertheless. Many of these are asked in order to close the account of some officer, and they are sent up as though they were to go in deficiency bills, when as a matter of fact they should be certified up and go in a body to the Committee on Claims.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

E. T. THING AND S. A. THING.

The bill (H. R. 1853) to reimburse E. T. Thing and S. A. Thing for losses and damages sustained by them by the negligent dipping of their cattle by the Bureau of Animal Industry, Department of Agriculture, was considered as in Committee of the Whole and read, as follows:

Be it enacted, etc., That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $698.40, to reimburse E. T. Thing and S. A. Thing, of the county of Imperial, State of California, for losses and damages sustained by them through the negligence of one of the veterinary inspectors employed by the Bureau of Animal Industry, Department of Agriculture, in dipping cattle belonging to said E. T. Thing and S. A. Thing, in Imperial County, Calif., on or about the 8th of July, 1915, said sum to be paid to said E. T. Thing and S. A. Thing in full for all losses and damages so sustained by them.

Mr. JONES of Washington. I should like to ask what was the character of the negligence of this representative of the Government?

Mr. GRONNA. Mr. President, let me call the Senator's attention to the provisions of this bill. The Department of Agriculture in dipping and treating cattle used a solution which was too strong, and of course it killed the cattle. The reports in reference to the matter have been printed, but they are rather too lengthy to read. The committee, however, is unanimous in its report that the claim ought to be allowed.

Mr. JONES of Washington. Is the Department of Agriculture keeping this agent in its employ to continue this work?

Mr. GRONNA. I do not know whether it is or not. Of course, it was an experiment, I will say to the Senator. There are a great many of these dips which have been experiments, and this is not the first time that such a thing has happened.

Mr. JONES of Washington. Did the owner of the cattle understand that this was simply an experiment?

Mr. GRONNA. Of course, it was an experiment so far as this man's cattle were concerned.

Mr. WARREN. Mr. President, I do not think it was an experiment. I think it occurred in this way: Certain tracts of country are quarantined because of scabies or some other similar disease, and cattle owners inside of the confines of the quarantined area are required to dip their cattle. If there is an owner who is absent and nobody is authorized to act for him, or an owner who is a little contrary and does not propose to dip his cattle, oftentimes the Government or State officials take charge and dip the cattle, and accordingly collect the amounts for so doing. Or this may have been a case of some importation, where dipping became necessary.

In most localities, however, they have committees acting under State authority to perform this work instead of the Government being compelled to carry out its own orders.

Mr. GRONNA. Mr. President, the Senator from Wyoming misunderstood what I said. I said that it was an experiment with the solution which was being used in this particular case. The solution was so strong that instead of eradicating the ticks or whatever the cattle might be infected with, it killed the cattle. So it was an experiment as to that solution. Of course, the agent was at fault, and the Federal Government is responsible for the resulting damages.

I agree with the Senator from Wyoming that the dipping of cattle is not an experiment, but it was an experiment so far as the solution which was used in this particular case was concerned.

Mr. WARREN. And if the department was at fault, then the United States should pay for it. Its agent was somewhat incompetent.

Mr. SMOOT. Let us see what Mr. Francis G. Coffey says about this. His letter reads:

There is no act of Congress authorizing the payment of claims of the character of the one presented by Mr. Thing. The claim is unliquidated and does not grow out of any contract between the claimant and the Government. The cattle were dipped by Mr. Thing to meet a requirement of the Government necessary to entitle him to import them.

In other words, Mr. Thing did the dipping, and the Government of the United States had nothing whatever to do with it; but the cattle had to be dipped before they could be imported in order to comply with the law.

Mr. WARREN. The Government, however, was represented there.

Mr. SMOOT. The letter continues:

If, as alleged by him, the cattle were dipped under the supervision of a United States officer or employee in a solution prepared under his direction and they were injured because of its improper preparation or the failure of the officer to test it, the most that can be said is that the injury occurred through the negligence of the Government employee and for such an injury the Government can not be held responsible.

In my opinion, the payment of the claim is not authorized, and Mr. Thing should be advised accordingly.

Therefore I object to the consideration of the bill.

Mr. SPENCER. Mr. President, may I inquire of the Senator from Utah from what he is reading?

Mr. SMOOT. I am reading from a letter which is signed by Mr. Francis G. Coffey, solicitor of the Department of Agriculture, office of the solicitor, dated Washington, October 15, 1915.

Mr. SPENCER. On May 23, 1918, the Secretary of Agriculture wrote to the committee that "the department believes that the object of the bill is meritorious."

Mr. SMOOT. I have read from the letter of the solicitor of the department, who had the whole matter in charge; and I ask that the bill go over.

Mr. GRONNA. Of course, the Senator from Utah has the right to object to the consideration of the bill, but I want the RECORD to show that it is conceded by the Department of Agriculture that the agent of the department was at fault; that the treatment of these cattle was under the supervision of an official of the Government, who used this solution, as the result of which the Messrs. Thing either lost their cattle or the cattle were injured; and that the claim is a just one and ought to be paid.

The PRESIDENT pro tempore. Being objected to by the Senator from Utah [Mr. SMOOT], the bill will be passed over.

E. WILLARD.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6291) for the relief of E. Willard. It proposes to pay E. Willard, of Willard, Wash., $60 to compensate him for damages and losses sustained by reason of the negligence of employees of the United States Forest Service.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLARA KANE.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6413) granting the sum of $549.12 to Clara Kane, dependent foster parent, by reason of the death of William A. Yenser, late civil employee, killed as a result of an accident at the navy yard, League Island, Philadelphia, Pa., March 5, 1915, William A. Yenser being the adopted son of the said Clara Kane.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT C. BURGESS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6773) for the relief of Albert C. Burgess. It proposes to pay $1,200 to Albert C. Burgess for the loss of his eye, sustained while performing his duties as keeper at the National Zoological Park.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEAVENWORTH BRIDGE CO.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2934) for the relief of the Leavenworth Bridge Co., of Leavenworth, Kans. It proposes to pay to the Leavenworth Bridge Co., of the city of Leavenworth, State of Kansas, $30,843.45, in settlement of their claim on account of the extra expense in the building of the bridge across the Republican River at Fort Riley, Kans., such extra expense being the increased cost of labor due to direct Government competition in the local labor market and overhead costs during the period subsequent to the original completion date, which extra was required because such labor as was available was incompetent.

Mr. SMOOT. Mr. President, I should like to have some Senator explain this bill and why the Government of the United States is asked to pay $30,843.45 in this case. I make a request for an explanation of the bill because of the fact that there is a general law which takes care of contractors under the Government, and I wish the Senator who introduced the bill to explain why this particular claim does not fall within the jurisdiction of that law.

Mr. CURTIS. Mr. President, if the contract involved in this bill had been made a little later the general law to which the Senator from Utah refers would have applied, and, I believe, it does apply, anyway, but the War Department, when the claim was presented, after having considered it for some time, had a doubt about it. The original claim was for the sum of forty-odd thousand dollars actual loss, but after it was submitted to the department they went over the case item by item, allowed the amount carried by the bill, and recommended its payment. After consultation with the departmental officers about it, I introduced the pending bill, calling for the payment of precisely the amount which they found the company should have.

The contract was taken for $45,000. The contractors were employing men and paying them from $3.50 to $4 per day. When we entered the war, however, Camp Funston was established and the Government took the men away from the contractors and paid them $8 or $9 a day. The contractors were then compelled to increase the wages of the men who had agreed to work for them for a smaller sum, in order to meet the wages which were paid by the War Department at Camp Funston.

They were compelled to buy additional material and pay a higher price for it. The itemized statement furnished to the War Department showed a total loss of $45,000, but, after carefully investigating the case, the War Department only recommended that there be paid the amount proposed to be appropriated by the bill. If that amount is paid the company will still lose about $15,000, and, if the claim is not allowed, and allowed very soon, some of the contractors or subcontractors who did work will go into bankruptcy. I hope there will be no objection to the consideration of the bill.

Mr. PHELAN. Mr. President, I should like to ask the chairman of the Committee on Claims, from which this bill comes, whether it is the policy of the committee in all such cases to make good the losses of contractors on account of extraordinary labor conditions during the war? What is the policy of the committee? Will they treat with equal consideration all other contractors who have lost money by making estimates which necessarily were insufficient on account of the rise in the cost of labor during the war period?

Mr. CURTIS. Let me state to the Senator before the chairman of the Committee on Claims answers his question that in other instances the conditions would probably not be like the conditions in this particular case. The bridge was built upon the property of the Government at Fort Riley. Camp Funston was established at the east end of the military reservation and the bridge was built at the west end. In building the camp employees engaged to do the work on the bridge were deliberately taken away from the contractor by being offered higher wages, and likewise the material which the bridge construction company had to use cost it more money.

Mr. PHELAN. May I ask if during this period the contractors asked for relief from such practices?

Mr. CURTIS. They did; they presented their complaint to the department, but the department said they needed the men to build the encampment and for the contractors to proceed with the building of the bridge and that the extra cost involved would be made good to them. The claims were presented to the department in the regular way and on the regular forms provided, and the officers of the department have held that there was due the contractors the amount stated in the bill. It appeared for a time that the claim would be paid under the existing law, but some officer raised a technical objection to that. The department then stated they would prefer to have the contractors come to Congress for relief.

Instead of asking for the full amount of loss, when I introduced the bill I merely asked for the amount that was found due by the officers of the department. I did not include the additional $15,000 claimed on account of loss incurred, but covered simply the items that were approved by the department.

Mr. PHELAN. The department itself has been adjusting such losses in most cases.

Mr. CURTIS. I think that is true, but only in the case of contracts made later than the Leavenworth Bridge Co. contract was entered into. That contract was made with the Government a short time before we entered the war, but the work was not commenced until after the war began.

Mr. PHELAN. Doubtless this case, as explained by the Senator, is meritorious, but is it the policy of the Committee on Claims, or is it the policy of the Senate to be established by this precedent, to allow contractors compensation for work done under such circumstances, where the cost of labor and material has gone up after the awarding of the contract?

Mr. SPENCER. Mr. President, so far as I am able personally to explain to the Senator from California, I should say that the general policy that influenced the committee was in no case to allow for a loss which the contractor might have suffered, except where the loss was occasioned either directly by the act of the Government or was occasioned under such circumstances as made the Government responsible, and where,

in addition to one of those two conditions, the department of the Government under which the work was done, after examining the facts, recommended that there was such a loss as the Government ought, in good conscience, to compensate for. Where those three conditions combine in a case the committee generally looks with favor upon it; but, as the Senator from California puts the question, certainly a contractor who suffers a loss under his contract instead of a profit is not entitled to compensation.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. SMOOT. Mr. President, if this amount is to be paid, it seems to me we ought to strike out all after the word "market" in line 11, down to and including line 3 on page 2, so that there will be no question about the basis upon which the claim is paid, namely, for "extra expense being the increased cost of labor due to direct Government competition in the local labor market." I think the bill should stop there.

Mr. CURTIS. I have no objection to the remainder of the bill being stricken out.

Mr. SMOOT. I think that would be preferable to inserting the clause:

and overhead costs during the period subsequent to the original completion date, which extra was required because such labor as was available was incompetent.

The PRESIDENT pro tempore. The amendment will be stated.

The ASSISTANT SECRETARY. On page 1, line 11, after the word "market," it is proposed to strike out:

and overhead costs during the period subsequent to the original completion date, which extra was required because such labor as was available was incompetent.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

O. W. LINDSLEY.

The bill (H. R. 1791) for the relief of O. W. Lindsley was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury of the United States not otherwise appropriated, to O. W. Lindsley the sum of $300 as compensation for the loss of poles owned by him which were destroyed by a slash-burning fire on August 19, 1915.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAVALRY HORSES.

The bill (S. 3609) to amend an act of Congress approved April 27, 1914, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 2, line 2, after the word "hereby," to strike out "repealed" and insert "amended so as to read as follows: 'That no part of this or any other appropriation shall be expended for defraying expenses of officers, enlisted men, or horses in attending or taking part in horse shows, fairs, exhibitions, and so forth, except by specific order of the Secretary of War and under such regulations as he may prescribe,'" so as to make the bill read:

Be it enacted, etc., That so much of the act of Congress approved April 27, 1914 (38 Stat., pp. 363, 364), as provides as follows: "That no part of this or any other appropriation shall be expended for defraying expenses of officers, enlisted men, or horses in attending or taking part in horse shows or horse races; but nothing in this proviso shall be held to apply to the officers, enlisted men, and horses of any troop, battery, or company which shall, by order or permission of the Secretary of War, and within the limits of the United States, attend any horse show or any State, county, or municipal fair, celebration, or exhibition," be, and the same is hereby amended so as to read as follows: "That no part of this or any other appropriation shall be expended for defraying expenses of officers, enlisted men, or horses in attending or taking part in horse shows, fairs, exhibitions, and so forth, except by specific order of the Secretary of War and under such regulations as he may prescribe."

Mr. SMOOT. Mr. President, I will ask the Senator whether there is any real reason why these officers should go to these horse races or fairs?

Mr. SHEPPARD. The amendment strikes out the words "horse races."

Mr. SMOOT. No; it says, "except by specific order of the Secretary of War and under such regulations as he may prescribe." Under that language he can still allow them to attend these places of amusement, so called.

Mr. SHEPPARD. Not races. The act that this bill repeals contains the words "horse races," but the amendment proposed by the committee uses the expression "horse shows, fairs, exhibitions, and so forth."

Mr. SMOOT. But the words "and so forth" may cover not only horse races but everything else that a horse can do, and I think the amendment is even broader than the original act.

Mr. SHEPPARD. The Secretary of War requested that this amendment be adopted, in order that it might be possible for Army horses to take part in exhibitions and fairs where it would be to the advantage of the service for them to do so. I have no personal interest in the measure. I was directed by the committee to report it.

Mr. SMOOT. Oh, I recognize that; but, Mr. President, the words "and so forth" in a law seem to me rather peculiar.

Mr. SHEPPARD. I suggest that the Senator move to strike them out.

Mr. SMOOT. Yes; I move to strike out the words "and so forth," in line 6, page 2.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. On page 2, line 6, in the committee amendment, it is proposed to strike out the words "and so forth," and after the word "fairs," on line 5, it is proposed to insert the word "and."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend an act of Congress approved April 27, 1914."

PORTRAIT OF ABRAHAM LINCOLN.

The resolution (S. Res. 292) directing the Committee on the Library to have painted an oil portrait of Abraham Lincoln, to be placed in the Senate wing of the Capitol, was considered by the Senate and agreed to, as follows:

Resolved, That the Committee on the Library of the Senate is hereby authorized and directed to engage an artist of reputation and ability to paint an oil portrait of the late Abraham Lincoln, former President of the United States, and to place the same in the Senate wing of the Capitol Building, at a cost not to exceed $2,000, which sum shall be paid out of the contingent fund of the Senate.

SARAH SHELTON.

The bill (S. 3530) for the relief of Sarah Shelton was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on line 6, to strike out "$5,000" and insert "$1,643.25," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Sarah Shelton, of Granite City, Ill., the sum of $1,643.25 for the death of her husband, William Shelton, who was killed by being run down by a launch under the charge and control of the deputy collector of customs at St. Louis, Mo., while said deputy collector was in the exercise and discharge of his duties.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAPT. DAVID M'D. SHEARER.

The bill (S. 3725) authorizing the Court of Claims to adjudicate the claim of Capt. David McD. Shearer for compensation for the adoption and use and acquisition by the United States Government of his patented inventions was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

Mr. SHEPPARD. Mr. President, I want to say to the Senator from Utah that I understand a similar bill passed the Senate a few days ago authorizing the Court of Claims to adjudicate the right of an officer to a patent. I will ask the Senator from Missouri if that is not true?

Mr. SMOOT. Mr. President, this bill relates to the claim of Capt. David McD. Shearer. No doubt he was in the United States Army. If he was in the United States Army, even though he was the original discoverer, under the law he has no right whatever to receive compensation from the Government of the United States.

Mr. SHEPPARD. No; he was only in the Army as an officer after 1917, during the war with Germany. He developed his patent while he was working as a civilian engineer with the Mississippi River Commission.

Mr. SMOOT. Of course, he was in the employ of the Government at the time, then.

Mr. SHEPPARD. The law says that an employee of the Government is entitled to compensation for the patent if he made

the invention outside of working hours and not while he was in the employ of the Government.

Mr. SMOOT. I ask to have the bill go over.

The PRESIDING OFFICER (Mr. WATSON in the chair). There being objection, the bill will be passed over.

EMMA J. SPEAR.

The bill (H. R. 3211) for the relief of Emma J. Spear was considered as in Committee of the Whole. It proposes that Emma J. Spear, mother of Henry W. Spear, late of Troop M, Second Regiment United States Cavalry, shall be regarded as the duly designated beneficiary of the late Henry W. Spear under the act approved May 11, 1908, as amended by the act approved March 3, 1909.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHICAGO, MILWAUKEE & ST. PAUL RAILWAY CO., ETC.

The bill (S. 132) for the relief of the Chicago, Milwaukee & St. Paul Railway Co., the Chicago, St. Paul, Minneapolis & Omaha Railway Co., and the St. Louis, Iron Mountain & Southern Railway Co. was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That, any statute of limitations to the contrary notwithstanding, the Court of Claims is hereby given jurisdiction to hear and determine the claims of the Chicago, Milwaukee & St. Paul Railway Co., in accordance with the decisions of said court in causes Nos. 28,272, 29,636, and 30,159, and the claims of the Chicago, St. Paul, Minneapolis & Omaha Railway Co., in accordance with the decision of said court in cause No. 29,875, which was affirmed by the Supreme Court of the United States, and the claim of the St. Louis, Iron Mountain & Southern Railway Co., in accordance with the decision of said court in cause No. 24,409: *Provided*, That said court in rendering judgment shall enforce the provisions of section 3477, Revised Statutes of the United States, prohibiting the assignment of claims against the United States, and shall render judgment for said claimants only for the amounts in which they, and not any predecessors of theirs, were underpaid, it being the purpose of this act to waive only the statute of limitations and not any other legal defense the United States may have to said claims: *Provided further*, That the same right of appeal to the Supreme Court of the United States as exists in other cases in the general jurisdiction of said court is hereby granted.

Mr. WARREN. Mr. President, I should like the Senator who reported this bill to tell us something about it.

Mr. WADSWORTH. Mr. President, the committee report describes the situation adequately, and perhaps the best way for me to explain it is to read a little from the report:

This bill authorizes the several railway companies mentioned therein to bring suit in the Court of Claims for certain underpayments by the Post Office Department for mail transportation, without regard to the statute of limitations, but does not waive any other of the legal rights of the United States in said court.

The reason why the statute of limitations was permitted to run is because it was not until the decision in the Alabama Great Southern case, which had to be carried to the United States Supreme Court, that it was made clear that the roads were entitled to payment at the full postal rate along such portion of the lines as had not been actually land aided, following which decision the roads brought suit, but which suits could not go further back than six years from date thereof.

Some of the railways brought suit to recover payment, because their suits had not been debarred by the statute of limitations.

Mr. WARREN. I do not see anything here that gives any idea of the amount of the claims. Has the Senator any information on that point?

Mr. WADSWORTH. Yes, Mr. President; I have. The report states further:

According to the Post Office Department reports, the amounts properly due to these claimants are as follows.

It seems that the Post Office Department understands that the roads should receive these amounts:

Chicago, Milwaukee & St. Paul Ry. Co	$6,315.00
Chicago, Milwaukee & St. Paul Ry. Co	40,034.76
Chicago, St. Paul, Minneapolis & Omaha Ry. Co	5,449.19
St. Louis, Iron Mountain & Southern Ry. Co	912.02

The total amount would be $53,000, if the Court of Claims allows it. They must prove their case before the Court of Claims. This merely waives the statute of limitation and gives them an opportunity to sue as other railways sue and to claim the action of the Supreme Court of the United States in the case referred to in the report.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AGRICULTURAL ENTRIES ON COAL LANDS.

The bill (S. 1257) to amend an act approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands," was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, on page 2, line 6, after the word "same," to insert the words "but no desert entry made under the provisions of this act shall contain more than 160 acres," so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to provide for agricultural entries on coal lands," approved June 22, 1910, be, and the same is hereby, amended to read as follows:

"SECTION 1. That from and after the passage of this act unreserved public lands of the United States, exclusive of Alaska, which have been withdrawn or classified as coal lands, or are valuable for coal, shall be subject to appropriate entry, selection, or sale under any of the nonmineral public-land laws applicable to the particular lands desired if not containing coal, and to withdrawal under the act approved June 17, 1902, known as the reclamation act; whenever such entry or withdrawal shall be made with a view of obtaining or passing title with a reservation to the United States of the coal in such lands, and of the right to prospect for, mine, and remove the same, but no desert entry made under the provisions of this act shall contain more than 160 acres: *Provided*, That those who have initiated nonmineral claims under the public-land laws in good faith prior to the passage of this act on lands withdrawn or classified as coal lands may perfect the same under the provisions of the laws under which said claims were initiated, but shall receive the limited patent provided for in this act.

"SEC. 2. That any person, State, or corporation desiring to make entry or selection under any nonmineral public-land law of lands withdrawn or classified as coal lands, or which are valuable for coal, shall state in the application for entry or selection that the same is made in accordance with and subject to the provisions and reservations of this act, and the Secretary of the Interior, in withdrawing under the reclamation act lands of this character, shall state in the notice of withdrawal that such withdrawal is made subject to the provisions and reservations of this act.

"SEC. 3. That upon satisfactory proof of full compliance with the provisions of the laws under which the entry or selection is made, and of this act, the entryman or selector shall be entitled to a patent or to a certification, as the law may require, to the land entered or selected, which patent or certificate shall contain a reservation to the United States of all the coal in the lands so patented or certified, together with the right to prospect for, mine, and remove the same. The coal deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal-land laws in force at the time of such disposal. Any person qualified to acquire coal deposits or the right to mine and remove the coal under the laws of the United States shall have the right at all times to enter upon the lands selected, entered, or patented, as provided by this act, for the purpose of prospecting for coal thereon upon the consent of the surface entryman or owner, or upon the approval by the Secretary of the Interior of a bond or undertaking to be filed with him as security for the payment of all damages to the crops and improvements on such lands by reason of such prospecting. Any person who has acquired from the United States the coal deposits in any such lands, or the right to mine or remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining and removal of the coal therefrom, and mine and remove the coal, upon payment of the damages caused thereby to the owner thereof, or upon giving a good and sufficient bond or undertaking in an action instituted in any competent court to ascertain and fix said damages: *Provided*, That the owner under such limited patent shall have the right to mine coal for use upon the land for domestic purposes at any time prior to the disposal by the United States of the coal deposits: *Provided further*, That nothing herein contained shall be held to deny or abridge the right to present and have prompt consideration of applications to locate, enter, or select, under the land laws of the United States, lands which have been classified as coal lands with a view of disproving such classification and securing a patent without reservation."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THE SEQUOIA NATIONAL PARK, CALIF.

The bill (S. 1391) to add certain lands to the Sequoia National Park, Calif., and to change the name of said park to Roosevelt National Park was announced as next in order.

Mr. SMOOT. Since this bill was reported from the Committee on Public Lands a question has arisen as to the boundary lines of the park, and there has been a dispute between the Forestry Service and certain interests of California. The report that was made, as given in the bill, is hardly correct. The whole question is under investigation at this time, and the report will be made to the committee in a very little while, with a hope that all parties interested may come to an agreement as to the actual quantity of lands involved. Therefore I ask that the bill may go over for the present.

The PRESIDING OFFICER (Mr. NEW in the chair). The bill will be passed over.

REMOVAL OF CAUSES FROM STATE COURTS.

The bill (H. R. 10207) providing for service of process in causes removed from a State or other court to a United States court was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That hereafter, in all cases removed from any State court to any United States court for trial in which any one or more of the defendants has not been served with process or in which the same has not been perfected prior to such removal, or in which the process served upon the defendant or defendants, or any of them, proves to be defective, such process may be completed by the United States court through its officers, or new process as to defendants upon whom process has not been completed may be issued out of such United States court, or service may be perfected in such court in the same manner as in cases which are originally filed in such United States court: *Provided*, Nothing in this act shall be construed to deprive any defendant upon whom process is so served after removal of his right to move to remand the cause to the State court, the same as if process had been served upon him prior to such removal.

The bill was reported to the Senate without amendment, was ordered to a third reading, read the third time, and passed.

JOSEPH W. SKILL.

The bill (S. 1457) for the relief of Joseph W. Skill was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and to insert:

Be it enacted, etc., That the provisions of the act approved September 7, 1916, entitled "An act to provide compensation for employees of the United States receiving injuries while in the performance of their duties, and for other purposes," are hereby extended to Joseph W. Skill, who was permanently disabled while employed by the Department of the Interior at Imperial Valley, Calif., and that he be paid such sums as would properly be due him within the provisions of section 4 of the said act of September 7, 1916. The United States Employees' Compensation Commission is hereby authorized and directed to make payments in compliance with the terms of the said act of September 7, 1916, and in accordance with the rules and regulations of said commission.

Any money in the United States Treasury not otherwise appropriated is hereby appropriated for the purpose of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MAGNESITE ORES.

The bill (H. R. 5218) to provide revenue for the Government and to establish and maintain the production of magnesite ores and manufactures thereof in the United States was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

GLASSWARE, ETC.

The bill (H. R. 7785) to provide revenue for the Government, to establish and maintain in the United States the manufacture of laboratory glassware, laboratory porcelain ware, optical glass, scientific and surgical instruments, was announced as next in order.

Mr. SMOOT. I have been requested to ask that these tariff bills shall go over for the day. There are only five minutes left of the morning hour, and it would be impossible to obtain the consideration of them to-day.

The PRESIDING OFFICER. The bill will be passed over.

THE PHILIPPINE SCOUTS.

The joint resolution (S. J. Res. 124) granting a bonus to enlisted men of the Philippine Scouts who have accepted or may accept their discharge in order to reenlist in said Philippine Scouts was considered as in Committee of the Whole, and was read, as follows:

Resolved, etc., That enlisted men of the Philippine Scouts, a component part of the Army of the United States, who enlisted prior to April 2, 1917, and who, prior to expiration of the period of their enlistment contracts, have accepted or may accept their discharge from such enlistment in order to reenlist in said Philippine Scouts, shall be entitled to the payment of $60 as provided in section 1406 of the act entitled "An act to provide revenue and for other purposes," approved February 24, 1919.

Mr. POMERENE. Let us have some explanation of the joint resolution. I do not know anything about it.

Mr. WADSWORTH. I will be very glad to give an explanation, Mr. President. The Senator from Ohio will remember that Congress, toward the end of our participation in the war, or immediately after the armistice date, passed an act providing for the payment of a bonus of $60 to every soldier who was honorably discharged. That applied to the Regular Army, to the National Army, and to the National Guard, as it was then composed, in the service of the United States.

There has always been a question as to whether the Philippine Scouts belong to the Regular Army or not. It has been a matter of doubt as to whether they were covered by that legislation. The War Department has been unable to make up its mind to pay to the enlisted men of the Philippine Scouts, as they take their discharges, this bonus of $60, and as those men enlisted with the same idea with which the white troops enlisted, this joint resolution is to permit the payment of the $60 bonus to the enlisted men of the Philippine Scouts as they are discharged and reenlist.

Mr. POMERENE. In other words, it simply treats them as if they were a part of the Regular Army?

Mr. WADSWORTH. Exactly as if they were Regulars. I think, myself, they are entitled to it.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOINT COMMISSION ON RECLASSIFICATION OF SALARIES.

The joint resolution (S. J. Res. 160) to provide for the preservation and maintenance of the records of the Joint Commission on Reclassification of Salaries was announced as next in order.

Mr. SMOOT. I ask that that may go over.

Mr. SPENCER. Mr. President——

The PRESIDING OFFICER. The joint resolution will be passed over.

ARMY POST SCHOOLS AND LIBRARIES.

Mr. WADSWORTH. Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar No. 364, Senate joint resolution 128, relating to schools and libraries at Army posts. The Senator from North Dakota [Mr. GRONNA] objected to it when it was brought up, but since that time has indicated his approval of it, and the Senator from Utah [Mr. SMOOT] made a suggestion with respect to it which I think can be met very easily.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent that the Senate return to the consideration of Senate joint resolution 128.

There being no objection, the Senate, as in Committee of the Whole, proceeded to the consideration of the joint resolution (S. J. Res. 128) relating to schools and libraries at Army posts.

Mr. SPENCER. Mr. President, I want to ask that the number on the calendar which we have just passed over on the objection of the Senator from Utah [Mr. SMOOT] be not considered as passed over. Let the consideration of the calendar be considered as having stopped before we reached that, before we took up this other matter.

Mr. SMOOT. It has been passed over, Mr. President.

Mr. SPENCER. There is something that ought to be said on the subject of the preservation of those records of the Reclassification Commission, and I had no opportunity to say anything because of the request for unanimous consent on the part of the Senator from New York [Mr. WADSWORTH]. I do not desire to interfere with what the Senator from New York wants to have done, but I do not wish the joint resolution in regard to the Reclassification Commission records to lose its place on the calendar. Evidently the Senator from Utah desires to have that go over.

Mr. SMOOT. I asked that it go over, and that was ordered, and so it is over.

Mr. WADSWORTH. Mr. President, may I suggest to the Senator from Utah his objection will be met if we strike out the word "furnishing" and insert the word "purchasing," on page 2 of the joint resolution, and after the word "periodicals" strike out the word "to" and insert in lieu thereof the word "for," so as to make it read:

Shall be construed to authorize the purchasing of newspapers and periodicals for troops.

Mr. SMOOT. With those amendments I have no objection to the joint resolution.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

ARMY REORGANIZATION.

The PRESIDING OFFICER (Mr. WATSON in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 3792.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which had been reported from the Committee on Military Affairs with amendments.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Beckham	Jones, Wash.	Myers	Smith, Ariz.
Chamberlain	Kellogg	Nelson	Smith, Md.
Curtis	Kendrick	New	Smoot
Dillingham	Kenyon	Norris	Spencer
France	Keyes	Nugent	Swanson
Frelinghuysen	Lenroot	Page	Trammell
Gay	McCumber	Poindexter	Wadsworth
Gore	McKellar	Pomerene	Warren
Harris	Moses	Sheppard	Watson

The PRESIDING OFFICER. Thirty-six Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Reading Clerk called the names of absent Senators, and Mr. CAPPER, Mr. HENDERSON, Mr. MCCORMICK, Mr. MCNARY, Mr. PHIPPS, and Mr. SUTHERLAND answered to their names when called.

Mr. PHELAN, Mr. BALL, Mr. RANSDELL, Mr. GRONNA, Mr. KIRBY, Mr. CULBERSON, Mr. HALE, and Mr. HITCHCOCK entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to their names. There is a quorum present. The Senator from New York [Mr. WADSWORTH] is recognized.

Mr. WADSWORTH. Mr. President, I imagine that no Senator will deny the assertion that the United States has never had a military policy. Perhaps some Senators may not agree with me in the next assertion, and that is that it is time we had one.

Some few days ago I had an estimate made in my office of the amount of money which the Federal Government has expended since 1789, the year of its establishment, and an estimate also as to what share of that aggregate of expenditures since 1789 down to 1920 had been spent for war, or in paying the bills of war. I found, roughly estimated, that two-thirds of all the money spent by the Federal Government since its establishment has been spent for war and in paying the bills left over from wars.

I think no Senator will deny that it has been the practice—I do not use the word "policy"—of the United States, the uniform practice of the United States, to prepare for war after the war has commenced, and I think a perusal of our history and a perusal of our appropriation bills and of our tax laws will indicate very clearly the terrific burden which has been placed upon the people by reason of that practice. It indicates very clearly the fearful and inexcusable extravagance not only in money but in lives.

Members of this body, of course, recollect quite clearly the last two wars in which the United States was engaged, the Spanish War of 1898 and the great World War into which we entered on April 6, 1917. I need not relate the unfortunate experience of our men in the Spanish War. I need not recite the conditions in the camps where thousands of raw recruits were thrown together, fresh from the factories and the offices and the farms, and where thousands of them died like flies because the Government was not prepared, and indeed had not had an opportunity to prepare, for receiving those men and giving them a decent chance to live and fight as soldiers.

Senators must know, of course, the terrific cost of our last essay in war. The Congress of the United States on April 6, 1917, declared a state of war to exist with the Imperial German Government. At the moment when we declared war the Regular Army of the United States numbered about 120,000 men and the National Guard of the States included about the same number. It was instantly apparent to all sensible men that, in order that the country might defend itself and vindicate its honor, it would be necessary to organize, train, and operate with an infinitely larger force. So in the month of May, if my recollection is correct, the selective draft law was passed, with the provisions of which the Senate is familiar.

In the meantime volunteering was invited by the Federal Government, and the Regular Army was somewhat filled up by volunteers, and the National Guard also was somewhat filled up in the same manner. Try as hard as it could the Government of the United States, presiding over the destinies and responsible for the protection of 100,000,000 people, was not able until the middle of June, two months after the declaration of war, to muster together and send abroad one division of troops, the famous First Division of the Regular force. That division contained 50 per cent of green, raw recruits, a fact that is not generally understood by the public. When it reached France it had to go into training. Not one of its enlisted personnel and very few of its commissioned personnel had had any training in this country with some of the more modern weapons of warfare.

It was not until September, 1917, five months after the declaration of war, that the National Guard was sent to the concentration camps, and it was not until the month of October, six months after the declaration of war, that the first selective service detachments reached the cantonments.

By that time it had become apparent to everybody that this country of ours had entered into an enormous undertaking with practically no preparation in advance, and that the great burden of at least the first year of our participation in the war would be that of training the youth of America to defend the country, to vindicate its honor, and to bring it victory. Thank Heaven, Mr. President, the youth of America did bring us the victory, as the youth of America has brought us the victory upon many other occasions; but I invite the attention of the Senate to the staggering cost of that way of doing business. Later on in the discussion I shall invite the attention of the Senate to the cost not only in money but in the lives of our young men; and I shall ask the Senate whether it believes that the young American who is expected to defend his country in time of war, the young American whom the country calls upon to take his place in the ranks, shall have a decent chance for his life when thus called forth.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Washington?

Mr. WADSWORTH. I yield to the Senator from Washington.

Mr. POINDEXTER. I have had information, which seemed to be entirely reliable, that during the course of the German war, and for many months after we had been engaged in it, American troops were sent into battle without knowing how to fire a rifle, without any training in the use of a rifle. I should like to ask the Senator from New York if that is correct?

Mr. WADSWORTH. There were instances of that kind. The condition was not general, but there were some glaring instances of it.

Mr. LENROOT. Mr. President, will the Senator from New York yield to me?

Mr. WADSWORTH. I yield.

Mr. LENROOT. I should like to ask the Senator if the evidence was not that that was wholly unnecessary?

Mr. WADSWORTH. No; that is not the testimony.

Mr. LENROOT. That there were trained troops that might have been sent to the front, but were kept in the United States because the officers did not want to lose their trained troops, and, therefore, sent untrained men across the sea?

Mr. WADSWORTH. I can not agree with the Senator from Wisconsin.

Mr. President, I have said that we have never had a military policy, and I think that statement is correct. I know full well that there is a suspicion and a fear in the minds of many people that the adoption of a military policy necessarily means the establishment in this country of a great militaristic machine. I would never support any such proposal, nor would the Committee on Military Affairs do so. There is, however, a kind or a type of military policy which is in sympathy with our institutions, which can be maintained and operated without violating the principles of the American people or their traditions, which can be so maintained and operated as to make this country absolutely secure and at the same time avoid the creation and the favoring of a caste of any kind or description.

I think no Senator will deny that we should have learned a great deal, and undoubtedly we have learned many tremendously valuable lessons, as the result of this last great war; and I find a disposition in the Army and in the Navy and in the Congress and among the people to take advantage of some of those lessons and to see to it that some of the handicaps that we experienced during this war shall not again be met with if we shall in the future be driven into war.

With the idea of taking advantage of the lessons of the war, the War Department prepared a bill, and to a consideration of some of its more important features I invite the attention of the Senate. The War Department bill was introduced last July in the Senate, and, I think, also in the House of Representatives, and was announced as representing the matured opinion of the War Department in the matter of the national defense and the establishment of a military policy. It provided for the maintenance of a Regular Army of 576,000 officers and men, at an annual cost of $800,000,000. It provided also for a system of universal military training, under which each young man on reaching the age of 19 would go to an intensive training camp and there be trained for three months.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. WADSWORTH. I yield.

Mr. POMERENE. May I ask the Senator if the expense of the universal military training provided for would be in addition to the $800,000,000 to which he has referred?

Mr. WADSWORTH. It would; the $800,000,000 was to be for the maintenance of the Regular Army alone, in time of peace.

At the expiration of the three months' period the young man was to return to his home and resume his civilian occupation. He was not to be attached to a reserve unit of any sort; his name and number were to be kept by the War Department, and in the event of war that young man would be summoned to the colors under a draft law, and, with his associates, was to be used to fill up the units of the Regular Army. In other words, the citizen soldier, as contemplated by the War Department bill, was really meant to be a high private in the rear rank of the Regular Army in time of war; he was to be the "replacement" of the professional soldier; the Regular Army or professional soldier was to dominate the entire situation under such a pro-

posal, and the citizen soldier was simply to fill in the places which could not be filled in or could not be taken care of by the Regular personnel.

Mr. President, this brings up to my mind one of the most important and vital elements of the question of national defense. A study of our wars indicates very clearly, beyond all possibility of doubt, that it is utterly impossible in time of peace to maintain a Regular Army large enough to defend the country in time of war. The cost of such a force, if we could recruit it, would be absolutely prohibitive. Even 576,000 men would not be enough in a great war, and the cost of 576,000 men, at $800,000,000 a year, is prohibitive.

A study of our wars will also indicate that when we have been confronted with a national crisis, or a state of affairs worthy of that name, the country has been compelled to rely upon citizen soldiers for its defense. So it was in the Civil War; so it was in the Spanish War, and had that contest lasted a few more months it would have been increasingly so; and, above all, it was so in the last war, for, whereas we went into the war with a Regular Army of 120,000 men, which was recruited somewhat above that figure during the first two or three months of the war, the burden of the strife, the great weight of the burden and the responsibility fell upon the shoulders of the citizen soldier. In this last war we had over 3,500,000 citizen soldiers.

The Senate committee rejected the War Department's bill because the committee believed that it was in violation of the traditions and the democratic institutions of the United States, in that it attempted to make the citizen soldier subservient to the professional soldier; in that it attempted to establish in this country a very large regular or professional army in time of peace and to make that army, through its officers and its machinery, dominate completely the entire military policy and national defense of the country.

The Senate committee rejected that bill because it did not believe in that type of army, and it did not believe in an army of that size, so far as the Regulars were concerned. The Senate committee believes that it is entirely possible and entirely economical—and upon that I will venture to lay some emphasis later on—to have a democratic system under which an army can be raised and maintained.

Mr. POMERENE. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Ohio.

Mr. POMERENE. Do I understand that the bill of the department had been framed and approved by the Army Staff?

Mr. WADSWORTH. It was framed in the War Department; it had the approval of the Chief of Staff and his principal assistants and the qualified approval, at least, of the Secretary of War. It was therefore incumbent upon the Military Affairs Committee, through a subcommittee which was appointed, to go to work and draft a bill which would, in its judgment, result in the establishment of a great democratic system for the defense of the United States.

The hearings commenced, as I recall, about the 1st of August, 1919. They continued practically every day until about the 1st of November. With the hearings closed, the committee went into conference and started the preparation of the bill, with the assistance, I may say, of two officers of the War Department who were given permission to assist us—Col. John McA. Palmer and Col. John W. Gulick. And I take this opportunity to express, on behalf of the committee, our great gratitude to those two officers, who have worked with us for weeks and for months, day after day, well on into the night on a good many occasions, in a most unselfish, patriotic, and intelligent way, and have been of tremendous assistance to us.

The bill now before the Senate is the bill drafted by that subcommittee and reported by the full committee to the Senate. We believe that it provides an automatic, adequate, democratic, and economical defense, and that if enacted into law it will constitute the first example in our history of this country establishing a military policy in sympathy with its institutions, its traditions, and its peculiar make-up, geographically and otherwise.

There are two exceedingly important, indeed fundamental, features of this bill.

The first fundamental change made in our military system by this bill as contrasted with the system of to-day is that this bill provides that all the military forces of the United States shall be organized into one army. Senators will remember, of course, that to-day we have a Regular Army and a National Guard. This bill merges the Regular Army and the National Guard into one army. It is done under the so-called Army clause of the Constitution, which reads, in section 8 of Article I, as follows:

> The Congress shall have power * * * to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years.

This one Army, under the terms of this bill, is divided into two classes of personnel. The first class is the permanent personnel, otherwise commonly known as the Regulars. The second class is the reserve personnel, otherwise commonly known as the citizen soldiers, designated in this bill as the reservists. The permanent personnel are the full-time soldiers, men who, in the commissioned personnel, make the military art a profession for life. The citizen or reserve personnel are the part-time soldiers. The reserve personnel, the part-time citizen-soldier personnel, is infinitely the larger of the two in our bill, as it should be in time of peace, and as it must be in time of war.

We encountered some stumbling blocks, which perhaps the Senate will permit me to describe, in merging the National Guard as it exists to-day into the Army of the United States under the Army clause. Senators will recollect that the National Guard is at present organized under the militia clause of the Constitution, which provides:

> The Congress shall have power * * * to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

And in another paragraph the Constitution provides that—

> the Congress shall have power * * * to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

Under the militia clause the National Guard soldiers, who have been our citizen soldiers of the past in time of peace, have suffered a very severe handicap. They have not belonged to the Army. They have been in a category and in a class by themselves. The recognition which could be given them by the Federal Government has been limited, and upon many occasions those limitations have worked to the detriment of the guard. Senators will remember that at the outbreak of the Spanish War there were National Guard units in existence, but that as the Spanish War did not involve the "suppression of insurrection" or the "repelling of invasion" the Federal Government could not call the National Guard or Organized Militia into the Federal service during that war. The result was that volunteers had to be called for, and men and officers were invited to volunteer as individuals from the guard and go into the United States volunteer service. That means the breaking up, in whole or in part, of those old, and some of them very famous, units in the National Guard. It means a change of status upon the threshold of war, a disruption, a disturbance. It means that they must all be mustered in over again, and a vast amount of paper work required. It means that under the new status they occupy a position not very secure. The units of which they were members were in many instances broken, and the guard coming from the States proud of those old units were helpless in preventing the breaking up of the units.

That happened in the Spanish War. Let us come to the Mexican border trouble. The President called for the National Guard when the border trouble became acute, and, in the end of June, 1916, about 10 days after the national defense act became a law, the guard went to the border, called out by the President under that provision of the Constitution which authorizes him, in effect, to call it out to repel invasion. They went to the border as militia in the service of the Federal Government. They could not have been sent across the Rio Grande, had that been necessary, for a military purpose, as militia. They would have had to volunteer or else be drafted as individuals into the Federal service in accordance with that provision of the national defense act which we inserted in order to enable the guard to get over that obstacle or hurdle which has confronted it at the outbreak of every war.

I have just referred to that provision in the national defense act which authorizes the President, when war has been declared by Congress, to draft the individual officers and soldiers of the National Guard into the Army of the United States. That was done at the outbreak, or shortly after the outbreak, of the German war. The result was that by drafting those men under that provision into the Army of the United States, their whole connection with the State from which they came was severed; they were deemed to have been discharged from the military service of the State. They were then solely and purely soldiers of the United States; and when they had finished their term of duty during this war as soldiers of the United States and were discharged from the service of the United States, they went back to civil life with their old units, in which they had taken such great pride, dispersed, in large measure destroyed, and no National Guard or Organized Militia left in the country. The militia clause for years has stood in the way of the recognition of the citizen soldier of the National Guard.

The militia clause has been a handicap to him and to his units and organizations. It has been a handicap to the country in so far as it fails to provide for the country at large a citizen force which can be used promptly upon the outbreak of war; for so long as the citizen soldiers are organized and maintained under the militia clause of the Constitution, and are thereby prevented in time of peace from being members of the Army of the United States, reserve or otherwise, just so long will it be impossible to have one Army whose personnel shall be transferable back and forth among all its elements; and just so long will it be necessary to repose upon the Regular officer the entire responsibility for conducting the military activities of the country; and just so long will it be impossible for the citizen officer, the officer of the National Guard, to secure recognition and take part in the councils of the War Department and the Army itself. So this bill provides that the National Guard of the United States shall be a part of the reserve personnel of the Army of the United States, and that the officers of the National Guard of the United States shall be primarily reserve officers in the Army of the United States, and secondarily shall assume an obligation to their respective States to protect those States severally against disorders which may spring up within their borders, and which, in the judgment of the governor of the State, require the assistance of those units of the National Guard of the United States stationed within the borders of his State.

In other words, this bill leaves to the State the same degree of protection against internal disorders as the States enjoy to-day with the Organized Militia or National Guard as it exists to-day, and it leaves to the officers and men of the National Guard the great privilege and opportunity of belonging to the Army of the United States and being consulted and conferred with from time to time, as is provided in this bill, upon all important matters affecting the citizen soldiers of the country.

So much for his one-army idea. I have not developed it completely nor at the length, perhaps, which the subject justifies, but I must hasten along.

I have said that the one Army is to consist of two classes of personnel—the permanent personnel, commonly called the Regulars, and the reserve personnel, commonly called the citizen soldiers.

The permanent personnel or Regular Army is first dealt with in the bill. Before the Spanish War the Regular Army consisted of about 25,000 men. Since that time it has grown steadily in accordance with acts of Congress until at the outbreak of the German war it consisted of about 120,000. The national defense act, however, having been passed in 1916, authorized the increase of the Regular Army to 236,000 men and eleven thousand and odd officers, that increase to be attained in five annual increments. Upon entering the German war the Congress authorized the War Department to take those increments in one year and raise the Regular Army up to the national defense figures without further delay.

So the present law authorizes the maintenance of a Regular Army of 236,000 men, roughly speaking, and 11,000 officers. Temporary legislation, brought about through the appropriation bill last summer and good only until next July 1, authorized the maintenance of a somewhat larger force, but existing and permanent law is reflected in the national defense act at the figures I have given.

Mr. President, the House of Representatives has passed an Army reorganization bill calling for a Regular Army of 300,000 men and 17,200 officers. This bill provides for a Regular Army or permanent personnel of 280,000 men and 18,000 officers. The enlisted strength under the Senate bill, in the matter of the permanent personnel, is 20,000 less than that under the House bill. The commissioned strength is slightly in excess of that provided for in the House bill. But this feature I want the Senate to understand, to wit, that if those provisions of our bill which have to do with universal military training are enacted, our bill further provides that, following the year in which the military training program is first put into effect, the Regular Army, or permanent personnel, shall thereafter be decreased in its enlisted strength at the rate of 5 per cent per year for five years, and in its commissioned strength at the rate of 2 per cent per year for five years, so that at the end of six years from the date of the passage of this act, if it should pass in approximately its present form, the Regular Army will consist of 210,000 men instead of the House figures of 300,000 men, and the commissioned personnel of the Regular Army will consist of 16,200 officers instead of 17,200, as provided in the House bill. Let me say to the Senate that the money we save by thus progressively decreasing the Regular Army, or permanent personnel, almost exactly offsets the cost of universal military training, other assertions to the contrary notwithstanding.

Let us remember, when we are considering the size of the permanent personnel and the relative costs of different kinds of soldiers in time of peace, that a regular soldier at present prices costs annually about $1,800 to maintain, and the most accurate figures obtained, after the most exhaustive investigations which the committee and its assistants can make, indicate that at the end of six years, with the system installed, as suggested in this bill, the citizen soldier, the product of the training system, organized either into the National Guard of the United States or in the organized reserves, as provided in this bill, will cost the Federal Government only $176 per year to maintain; and, instead of having for the defense of your country a Regular Army alone, with a somewhat indefinite National Guard, as under present law, a Regular Army alone of 300,000 men, as provided in the House bill, to cost $540,000,000, plus the cost of the National Guard, you will have a great citizen army, composed of men reasonably well trained, living the life of civilians in time of peace in their home communities; you will have a great citizen reserve army of 3,000,000 men for the same money. That is the point I want to drive home to the Senate and to the country.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator yield to the Senator from Ohio?

Mr. WADSWORTH. I yield.

Mr. POMERENE. The Senator has just stated that the cost to the country is $1,800 per capita per annum.

Mr. WADSWORTH. For a soldier in the Regular Army.

Mr. POMERENE. Is that on a peace basis or on a war footing?

Mr. WADSWORTH. A peace basis.

Mr. POMERENE. What is the size of the Army included in that computation?

Mr. WADSWORTH. It does not make very much difference what the size is. That is what a soldier costs us annually, except the smaller the Army the greater the proportionate cost, because the overhead can not be reduced proportionately.

Mr. POMERENE. Do I understand that the cost is substantially the same whether you have an Army of 120,000 or an Army of 500,000?

Mr. WADSWORTH. Mr. President, I think if you had an Army of 120,000 Regulars the cost per man would be a little higher than in an Army of 300,000 Regulars, because the overhead can not be reduced proportionately as you reduce the enlisted strength; but this figure of $1,800 per annum is what an Army of between 250,000 and 300,000 Regulars would cost per man per year.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Nebraska?

Mr. WADSWORTH. I yield.

Mr. HITCHCOCK. The Senator's report recommends an Army of 280,000 men now——

Mr. WADSWORTH. To begin with.

Mr. HITCHCOCK. Subject to reductions until it reaches 210,000.

Mr. WADSWORTH. Yes; enlisted men.

Mr. HITCHCOCK. Can the chairman explain why an Army of 210,000 would not be sufficient now?

Mr. WADSWORTH. Mr. President, the answer to that question would involve a review of world conditions. One man's judgment is about as good as another's. I would not care to be responsible for a bill which would reduce the available military force of the United States—I do not care whether you call it Regulars, or volunteers, or National Guard—below the figure of 250,000 at this moment of history. It is all we have now. Two hundred and eighty thousand is a safer figure.

Mr. HITCHCOCK. The Senator deems 280,000 as required now, and 210,000 sufficient five or six years from now, for what specific reason? How can he justify the reduction during the next five years?

Mr. WADSWORTH. Because during those five years we shall be building up our citizen reserve.

Mr. HITCHCOCK. Does the Senator mean by that the National Guard?

Mr. WADSWORTH. In part.

Mr. HITCHCOCK. In part?

Mr. WADSWORTH. Yes.

Mr. HITCHCOCK. The Senator does not contemplate that this training of these young men a few months a year will constitute them a part of the Regular Army?

Mr. WADSWORTH. Of course not. That is the very thing we do not want.

Mr. HITCHCOCK. But does the Senator estimate that that training, given to this so-called citizen Army, makes it possible to reduce the number from 280,000 to 210,000?

Mr. WADSWORTH. Exactly so.

Mr. HITCHCOCK. Is it not a fact now that we have several million young men who have already gone through that training?

Mr. WADSWORTH. Mr. President, I wonder how long we are going to ask those men to bear the burden.

Mr. HITCHCOCK. The Senator has stated that that reserve of trained citizen soldiers, occupied with civilian pursuits, would enable us to get along with an Army of 210,000 six years from now. If it would enable us to get along with a Regular Army of 210,000 six years from now, why can we not get along with an Army of 210,000 now, when we already have young men trained?

Mr. WADSWORTH. But, Mr. President, those young men are not members of the reserve army now; they are not organized and they are not equipped. And the question is, Is it fair to ask these men, who either volunteered or went cheerfully under the draft, to continue being responsible for the defense of the United States indefinitely? It seems to me, Mr. President, that their successors in age should commence to assume a little bit of that responsibility, and that is the purpose of this bill, in part. It is to establish a system which shall automatically provide the country with an adequate defense at all times and against any emergency. I want to emphasize this: I do not think it is fair to contend, Mr. President, that because we have three or four million men who have just gone through a terrific war and have now returned to civil pursuits, have been honorably discharged from the service, have gone back and are now trying to make up for the time they lost in civil life, we need do nothing about establishing a citizen army. They have done their share, and there are men of 18, 19, 20, 21, and 22 years of age who are available, and increasingly available from now on, to act as their successors; and surely there is no more honorable undertaking for a young man of to-day than to act as the successor of the young men who went into the war against Germany.

Mr. HITCHCOCK. Mr. President, I have not any disposition to antagonize the Senator's argument at this point; I am simply seeking for information. He argues, then, that it is possible to reduce an Army of 280,000 to 210,000 during the next five years by reason of this education of young men who are coming into manhood. I ask him what hold the Government has upon those young men whom it is proposed to subject to compulsory training?

Mr. WADSWORTH. I had intended to come to that later in my remarks, Mr. President; but, as the Senator asks it now, I will answer the question.

Mr. HITCHCOCK. I would like to have that explained.

Mr. WADSWORTH. That involves a discussion of the military-training features of the bill, which I had not expected to discuss until I had finished discussing the permanent personnel. Would the Senator mind if I postpone an answer to his question, or would he prefer to have it now?

Mr. HITCHCOCK. Certainly I should not object to the Senator postponing the answer. My impression was that the Government did not have upon those young men whom it proposes to train any greater hold than it would have upon young men already trained. If I am mistaken in that, I would like to be enlightened.

Mr. WADSWORTH. Mr. President, the provisions of the bill bring about this state of affairs: A young man upon reaching the age of 18 becomes, under the provisions of the bill, liable to military training. He may take that training in either one of the three following years, his nineteenth, twentieth, or twenty-first. The period of training is four months, and in each of those years there are two such four-month periods provided for; so that in the three years there are six available periods of training for each young man who reaches the age of 18. He has six choices. He can elect to take it in his nineteenth year, in either of the four-month periods of that year, or in his twentieth year, in one of those two periods, or in his twenty-first year, in one of those two periods.

Upon the completion of his four months' training he goes back to his home and resumes his civilian pursuits, but is assigned to a reserve unit organized in the locality of his residence. He is a reservist in the Army of the United States. He remains a reservist for a total of five years, including the four months of his training. During that five years he may be called upon by the Government to attend two maneuver periods, not to exceed two weeks each; so that during that period of his term as a reservist his liability for training in maneuvers can not exceed an aggregate of one month, which, added to the four months of his intensive training, gives him five months' training. And that is all—five months out of his entire life. But while he is a member of that reserve unit organized in his own locality, composed of his own neighbors, officered by his own neighbors, citizen officers, he is liable, in the event that Congress declares war against some country, to go to the front with his unit. That is all. That is what the reserve of the Army of the United States amounts to under this bill. There is no element of compulsory military service in time of peace. Only in time of war, declared by Congress, proclaimed by the President, are these reservists liable to military service.

Then they may be called out by the President to defend the country after a declaration of war by Congress. Our theory is that these young men, having had an aggregate of five months of training, will have a better show for their lives in defending their country and in going into battle than if they had not had any training. That is the purpose of the bill.

Mr. HITCHCOCK. They can be called out then in such an emergency without any draft applying to them?

Mr. WADSWORTH. Yes.

Mr. HITCHCOCK. They are then in effect drafted for the military service at the time they are subjected to the compulsory military training. Am I correct?

Mr. WADSWORTH. That is, for the training.

Mr. HITCHCOCK. In other words, when the Government puts its hand upon them and takes them for compulsory military training, they are subjected then possibly to military service without any form of draft specially enacted by Congress?

Mr. WADSWORTH. No; they are not subjected to military service in time of peace. Military service involves, primarily, fighting. They can not be compelled to fight; they can not be used as policemen; they can not be used in the exercise of military power or force anywhere in time of peace.

Mr. HITCHCOCK. The Senator has stated that in the event of war they would be subject to military service without any draft?

Mr. WADSWORTH. That is true.

Mr. HITCHCOCK. Then they are in effect subjected to possible military service under compulsion at the time the Government puts its hands upon them for compulsory training?

Mr. WADSWORTH. Yes; and so is every man between 18 and 45 alive in the United States to-day.

Mr. HITCHCOCK. Oh, no; except by a draft no man is subjected to military service.

Mr. WADSWORTH. They are subject to the draft.

Mr. HITCHCOCK. Yes; subject to the draft; yet those young men who are taken for compulsory military training are in effect subject to military service without any draft specially enacted by the Congress.

Mr. WADSWORTH. That is true. If we were thrust into a great war, if we were dragged into a great war as we have been in the past, those same young men, whether this bill be enacted into law or not, would have to go. Somebody must go.

Mr. HITCHCOCK. I think there is a distinction. They would only have to go in the event that Congress enacted a draft law.

Mr. WADSWORTH. Yes.

Mr. HITCHCOCK. But it would not be necessary for Congress to enact a draft law in order to force those millions of young men into the Army.

Mr. WADSWORTH. How could they be forced in without a draft law?

Mr. HITCHCOCK. They could not be forced in ordinarily. The American citizen can only be forced into the military service by a draft law. What I am seeking to develop is that in the guise of compulsory military training we are, in effect, subjecting to compulsory military service several millions of young men. I think the Senator had admitted that.

I am not antagonizing that. I only want to develop the fact, because if we are taking up now a plan for compulsory military service we might as well know it and not delude ourselves into the idea that compulsory military training does not involve compulsory military service, because it may.

Mr. WADSWORTH. My assertion was that it did not involve compulsory military service in time of peace. That is what I said.

Mr. RANSDELL. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Louisiana?

Mr. WADSWORTH. I yield.

Mr. RANSDELL. I would like to know what service these reservists would owe to the States in case it was necessary to call out troops for any State function?

Mr. WADSWORTH. None. The National Guard of the United States takes care of that.

Mr. RANSDELL. That would be taken care of entirely by the National Guard of the United States?

Mr. WADSWORTH. Yes. I can explain that in just a moment. I said these young men upon reaching the age of 18 would have six choices as to the period in which they should take the training. There is, however, a seventh choice provided by the bill. If those young men live in a community where there are adequate facilities, they may take their training in the National Guard of the United States.

Mr. RANSDELL. That would be provided for, then, in addition to what the Senator has already discussed?

Mr. WADSWORTH. Not in addition, but as an alternative. In other words, a young man living in New Orleans, if he did not want to go to the four months' training camp, could enlist, we will say, in the famous Washington Artillery of that city, and take his training with them instead, except that that training period would cover an enlistment period of three years.

Mr. RANSDELL. Would that subject him to the same enforced military service in case of war that service in the reserve would?

Mr. WADSWORTH. Yes; and that subjects him to an additional obligation as compared with a man who takes the four months' training and merely joins the organized reserve. The man who elects to take his training with the National Guard, on becoming a member of the National Guard, agrees not only to perform all the duties of a reserve soldier, a citizen soldier of the United States, but also to respond to the call of the governor of the State in which his unit is situated, if that State needs his service in suppressing disorder. That man will be liable to that degree of military service in time of peace.

Mr. RANSDELL. In his own State only?

Mr. WADSWORTH. In his own State, and also for the suppression of insurrection in the United States. But he has undertaken that obligation voluntarily. He is a volunteer in that category. He need not join the National Guard and take the training that way unless he wants to. He can take it in the four months' training camp. But if he does join the National Guard he does it voluntarily and he agrees to protect his State against internal disorder and to protect the United States in the suppression of insurrection and the repelling of invasion; and in time of war, declared by Congress and proclaimed by the President, the National Guard soldier has the same obligation as a soldier of the organized reserve.

Mr. RANSDELL. I thank the Senator from New York.

Mr. WADSWORTH. So the two groups are part of the great citizen reserve. We merely assign a mission to the National Guard of the United States which we do not assign to the organized reserve. The National Guard of the United States will be almost exactly like the present National Guard, organized locally, officered by its own people, available for State uses under the guise of State troops, and available for Federal Government uses just as they are to-day, except it will not be necessary to muster them into the Federal service while trying to hop over that obstacle of the militia clause of the Constitution.

Mr. RANSDELL. That organization would provide for taking care, I take it, of all the famous National Guard units which exist in the country to-day?

Mr. WADSWORTH. The bill specifically provides that those names and designations and numerals shall be preserved. The bill specifically provides that in the designation of the location and the allocation of National Guard units in the several States, a committee shall have charge of the drawing of the regulations and that on that committee there must be a majority of citizen officers who will sit with the representatives of the War Department and work out those regulations.

Mr. RANSDELL. I think that would be very satisfactory.

Mr. WADSWORTH. Upon that point may I say——

Mr. KIRBY. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Arkansas.

Mr. KIRBY. I know that the Senator from New York has the bill well in mind and well in hand. I believe his statement of the provisions of it and the necessity for its enactment in the law would be better if he were not interrupted so much. I do not agree with him on some features of the measure, but if he is allowed to make his statement throughout, I believe we can get a better view of the bill.

Mr. WADSWORTH. I have but a sentence or two more to say along the line of this last discussion.

A perusal of the bill will show that in this entire organization of the one Army of the United States, the citizen officer—be he a National Guard officer or officer in the organized reserve—his status is just the same. He is admitted into the councils of the Army and given his proportionate influence. We have decentralized the authority as far away from Washington as we can do so, or as far away as we can do it with safety and with due regard to cohesion.

All of the regulations having to do with military training itself are to be drawn up by committees of officers in which the citizen officer, the civilian expert, the teacher, the doctor, the expert on hygiene, public health, and education, are to have their proportionate representation and in some of them they are to be in the majority. All of the regulations to be drawn up governing the organization of the organized reserves, deciding, for example, whether or not there shall be located at Newark, N. J., a regiment of infantry of the organized reserve composed of the young men of Newark who have gone through the four months at the training camp and gone home to live, will be decided by a committee, and the majority of that committee is to be composed of citizen officers residents of the locality and of the State of New Jersey.

Through the entire bill the citizen officer is elevated to a plane and position he has never occupied before. He is put on an equality with the Regular officer. He is made eligible for the General Staff. He is made eligible for service with the Regular troops at any time, with his own consent. If he wants to serve, he can be sent to the Philippines and serve with the Regular troops there. He can go to Panama; he can go to Leavenworth to take the course there, but only with his consent.

Mr. GORE. Some soldiers can be sent to Leavenworth without their consent.

Mr. WADSWORTH. No; they can not. I will say to the Senator from Oklahoma that that is the very thing we do not permit.

Mr. GORE. But there are soldiers now serving at Leavenworth without their consent. [Laughter.]

Mr. WADSWORTH. Yes; I acknowledge that; but that is under another provision of law.

All through this bill we have injected at every opportunity that has occurred this idea of the citizen being counseled with, being consulted about his Army, and we are trying to make this an Army of the people of the United States, to let it be understood that this is the people's army, in the control of the people, and that these things which are so important to localities, with their varying traditions and their peculiar conditions, shall be taken care of so far as possible by the intelligent opinion of the localities represented, on those committees that are to draw the regulations, by officers who live in the several localities.

Some time ago I started to discuss the permanent personnel or Regulars. I had stated that the plan was to start with 280,000 enlisted men and 18,000 officers, to be decreased through a five-year program to 210,000 enlisted men and 16,200 officers. The war has shown us some lessons about the Regular Army. The men who have learned the lessons best are the Regulars themselves. As a result, several important provisions in the bill having to do with the Regular Army or permanent personnel, which I desire merely to touch upon, are important. Some of them, one might say, are fundamental.

The Regular Army or permanent personnel has two distinct missions at present. In this bill we give it three. Its first mission is to garrison the overseas possessions. It garrisons the Philippine Islands, Hawaii, Panama, and Porto Rico. The bill provides for the overseas garrisons, consisting entirely of the permanent personnel, except when reserve officers, with their consent, are sent with them.

The second mission of the Regular Army in time of peace is to garrison the seacoast defenses of the United States and to constitute what might be termed a small expeditionary force, for example, for protection of the Mexican border. That portion of the Regular Army, or permanent personnel, we designate the home forces.

Then the bill also provides for the training forces, which are to consist in large part, in the first instance, of the permanent personnel, or Regulars. They are to be in charge of the training of recruits under the military training program, but it is important to remember that they must rely in quite a large measure upon reserve officers who, having become thoroughly experienced as the result of this war and who in the future will get their training under the training forces, can help the training forces of the permanent personnel in conducting the training program.

So to the permanent personnel we assign three missions—overseas garrisons, home forces, and training forces—and 280,000 men and 18,000 officers can do it all at the beginning, and we believe that five or six years from now 210,000 men and 16,200 officers can do it all, so far as the efforts of professional soldiers may be needed.

At this time, Mr. President, the officers of the Regular Army are commissioned in the several branches of the Army and their

promotion runs inside those branches. This bill establishes what we call a single list for promotion. Instead of having officers dependent upon the expansion of their respective arms in order to secure promotion, we provide that the promotion for officers all through the permanent personnel of the Army shall be uniform in all branches and in all services. In other words, we arrange all the officers of the Army, with the exception of the officers of the medical service and the chaplains, upon one single list for promotion. The list is made up, in the first place, by the War Department taking the present records of service and, with a few special modifications, which have to be made in order to straighten out some of the kinks which have occurred as the result of special legislation in years past, that list is made up and contains the names of all the officers of the Army, except those in the medical service and the chaplains. Promotion runs along that single line and not along the lineal list of Field Artillery officers for field artillerymen, not along the list of Infantry officers for infantrymen, and not along the list of Cavalry officers for cavalrymen, and so forth.

By that change we expect to accomplish an important reform. Senators undoubtedly know that up to this very moment there has been constant jealousy and friction and wirepulling between the different branches of the Regular Army, each trying to get ahead of the other. Officers, we will say, of one branch are constantly coming to Congress and asking Congress to pass a piece of legislation to the advantage of that particular branch of the service, and the Congress, if the argument seems good, is very apt to act accordingly. The instant that that is done, the officers from some other branch of the service come to Congress and ask that their branch may secure similar advantageous treatment in legislation. Consequently we find that there is friction and jealousy between the two; and, of course, men being human, the element of promotion and rank is one of the strongest incentives on the part of the officers of a given branch of the service to come to Congress to secure special advantageous treatment for their branch; for if they are able to obtain special advantageous treatment for their branch, it may mean and probably does mean promotion for them. The result is that the Army seldom if ever in the past has presented a concerted opinion or what might be termed a unanimous report to Congress as to what is good for the whole Army. Instead of getting such a concerted or unanimous opinion from the whole Army as to what will be good for it in the matter of legislation, we get the scattered, conflicting opinions of the different branches of the Army. We want to stop that. We want to eliminate from the minds of officers who are in the Infantry or the Cavalry or the Ordnance Department or the Signal Corps or the Engineers or any other branch all thought of promotion indirectly brought about by legislation. If we put all the officers upon one single list and have the promotions run uniformly from the bottom to the top of that list, we shall have eliminated the very element which has constantly kept the Army split up into conflicting cliques and factions.

Mr. McKELLAR. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Tennessee.

Mr. McKELLAR. If it will not interrupt the Senator, I should like to ask him a question. I agree with the Senator about desirability of a single list; I think that change should be made; but does not the Senator think that promotion should be based absolutely on the principle of length of service? I call attention to page 52 of the bill, where there is an apparent exception to the principle of promotion because of length of service, which principle I think ought to be adopted at this time.

Mr. WADSWORTH. Mr. President, there are one or two instances in the provisions of the bill in regard to the single list for promotion which may in part violate the principle of the length of commissioned service. When that point is reached in the consideration of the bill I shall be glad to discuss it; but I will say to the Senator from Tennessee that it is almost impossible to adopt a blanket rule and make it apply everywhere without hitting some heads that rise above the surface. We shall find, as we discuss the pending bill, that here and there there are little points in it to which some officer or little group of officers raise objection. It will also be found that it is going to be absolutely impossible to please everybody. It simply can not be done. We have tried our best to please the majority, and I think we have pleased the overwhelming majority.

Mr. POMERENE. Mr. President, I am not entirely clear that I understood the statement of the Senator from New York a moment ago. Do I understand him to mean that promotions would be made in accordance with priority of service or the length of time in service?

Mr. WADSWORTH. No, Mr. President; that is qualified in the bill. The Senator from Tennessee [Mr. McKELLAR] was a little inaccurate in his description of that provision. We have not adopted the straight seniority system, but we have adopted a modified seniority and eligibility provision combined for promotion.

Mr. POMERENE. I was merely wondering how that rule would have applied in the case of Gen. Grant.

Mr. WADSWORTH. Under this bill there is no limit to the rank which a man may attain if he shows the merit and the brilliancy which a man like Gen. Grant showed.

Developing a little further the matter of a central pool of officers, let me call the attention of the Senate to the fact that for the first time in army legislation the bill provides in one section for the entire permanent personnel of the Army. That will be found in section 12, under which—

The President is authorized to maintain not to exceed the following permanent personnel: The General of the Army, during the tenure of office of the present incumbent—

With the retirement of Gen. Pershing from active service the office of General of the Army ceases to exist—

20 major generals of the line, 50 brigadier generals of the line, 609 colonels, 685 lieutenant colonels—

And so on down the list of majors, captains, first lieutenants, and second lieutenants. Then follows the provision—

and 280,000 enlisted men in their appropriate grades, as hereinafter provided for.

There in one section is recited the entire commissioned and enlisted strength of the permanent personnel or Regular Army; and this bill permits the President of the United States to organize that Army as set forth in that section into tactical units and into services within certain very elastic or generous limitations provided throughout the bill.

The national defense act of to-day attempts by legislation to say, for example, how many regiments of Infantry shall be maintained in the Regular Army, how many companies there shall be in a regiment, how many sergeants in a company, how many corporals in a company, how many first-class privates, and how many privates; in other words, the Congress has attempted in years past to prescribe rigidly the entire tactical organization of the Army. Of course, the Congress is incompetent to do such a thing and never should have attempted to do so. I may say in passing that it would not have attempted to do so if the Army itself had not asked it, and one reason why Congress was asked from time to time to fix the strength of the Infantry, the Cavalry, and the Field Artillery, and other branches, and to raise the strength of the Infantry, of the Field Artillery, or of the Cavalry, and other branches, was that very matter of the promotion of officers running in the lineal lists inside the branches. If officers could persuade the Congress to fix the Field Artillery at a certain number of officers and men as a minimum and that minimum was larger than that provided by existing law, that meant promotion for the officers in that arm of the service. So we put the whole Army into one great pool, and we permit the President to organize it into tactical units to meet the changing conditions and demands of modern warfare.

When we went into the German war the tactical organization of the Army as defined and prescribed in the national defense act was utterly out of date; it was perfectly useless; and yet the Army was organized by the command of Congress into that kind of tactical units. We had to authorize the President at the beginning of the war to break the whole thing up and organize it over again. We did that by act of Congress, and we might just as well let the War Department officials do that from now on, because the invention of a new weapon may change completely the organization of a tactical unit or the tactical value or use even of a certain branch of the service. Congress can not keep pace with such developments; and we believe that soldiers who know how many men ought to be in a company and how many men ought to be in a regiment are better equipped to decide such questions. So, Mr. President, we have organized the whole Army into one pool of officers and men, with promotion for the officers upon a single list.

Now comes the General Staff, a portion of the military machine which is not very well understood. There is a great deal of suspicion about the General Staff in the public mind and in the Congress; there is a great deal of misunderstanding about it. Sometimes I think that the Congress and the public are not entirely to blame for that misunderstanding or for that suspicion, because, due to the fact that we have never had in this country prior to the outbreak of the last war a General Staff worthy of the name in a modern sense, we have had very few officers in the Army who understood General Staff duty; in fact, they misunderstood it in some instances just about as thoroughly as the civilians misunderstood it. It has been our effort in this bill to provide a General Staff system

which shall be efficient, which shall be responsive, and which shall be a real aid not only to the Army and its permanent personnel but to the citizen reserve army and to the Congress itself. We have tried to drag aside the veil of mystery that has apparently been thrown in front of the General Staff. We have tried to make it understood by the Congress and the public; we have tried in a sense to democratize it. I am not entirely certain that it needs that; perhaps it does; but, in any event, we have inserted clauses in the bill which tend to democratize the General Staff and to prescribe its functions in such a way that not only the staff officers themselves but all the officers and men of the Army will understand what the General Staff is for.

Mr. President, you can not have a good modern General Staff until the officers composing that General Staff understand General Staff duties; and it is on that line that we have learned a great deal out of this war, particularly after coming into contact with the French, who, I think it fair to say, were the most superbly skillful in their staff work of any of the allied armies. As I recollect, it is provided in the rules or regulations governing the French Army, or perhaps by French statute, that no officer may serve upon the French general staff unless he has secured a place upon a list of eligibles for such service; and you may meet a French officer, we will say, only of the rank of captain, and if he wears the insignia showing that he is a staff officer, you can make up your mind that he is one of the brightest men of his grade, and in some instances I imagine you can make up your mind that he would rather be a captain and be on the French general staff than a major and not be there, for that sign of eligibility to general staff duty is a sign of honor. It means, in a sense, that he is a member of the intellectual aristocracy of the French Army; and it is that very system of carefully educating the staff officers so that they will know how to perform their functions, so that they will know what staff work means, that makes it possible for a Government or a commanding general to operate an army of two, three, or four million men, as was the case in this last war. You can have the finest kind of private soldiers and the finest lieutenants and captains and majors in the world, but if you have not got a well-trained and educated General Staff, which will see to it that the soldiers get to the right place at the right time, and that their ammunition, their clothing, their supplies, and the hundred and one things that an army needs also get there at the right time, your army is no good. You are simply wasting your splendid material, you are wasting your splendid soldiers, you are wasting your splendid subordinate officers.

The staff must be the head center of the brains of an army that shall manage a great force of men with all its impedimenta, all its equipment, and do it in such a way that the army will meet the enemy at the point where the commanding officer wants it to meet the enemy.

So we have established in this bill a provision for an eligibility list for General Staff officers, and until an officer of the permanent personnel can, by going through the schools provided in the Army, secure a position as an eligible on the General Staff list, he can not be detailed for duty with the General Staff. In the first instance, of course, in order to start the eligible list, we provide that officers who during this last war distinguished themselves as General Staff officers shall continue as General Staff eligibles; but from now on no new officer can serve upon the General Staff of the Army of the United States until he has been trained and educated to that particular duty. Furthermore, we provide that when those officers are detailed to the General Staff, one out of each seven years must be served in command of troops. We do not allow a General Staff officer to continue indefinitely on General Staff duty. He must serve one year out of seven in command of troops, so that he will be in constant touch with the needs of troops in the field. Then, if the department so wants it, he may go back to the General Staff and resume his work there.

I think there is nothing more important than this matter of the General Staff. It has been mystified. It has been misunderstood. Some of it is due to the fact that it is new to this country. Other countries have had educated and trained general staffs for some years. Prior to this war we had few officers in our Army who understood what a general staff really was and what it was supposed to do.

Another reform which we intend to suggest in this bill is one which will result in the elimination of unfit officers. There has been a good deal of contention about that. It has been contended that you can not eliminate officers; that a board of officers convened to examine into the efficiency of an officer in the Army hesitates to order his discharge and to send him back to civil life. We provide for promotion and elimination in this way:

All the officers in each grade, for instance, all the colonels or all the majors or all the captains in their respective grades of the entire permanent personnel, are to be grouped annually into three groups.

Class A, the first group, are those officers who, in their grade, are deemed fit for promotion to the next higher grade; and when a vacancy in the next higher grade occurs upon that single list of promotion, the ranking officer in class A will be promoted. That is by seniority.

Class B, the next one, is the group which will contain those officers whom the examining boards decide are not yet fit for promotion. In other words, they may be said to be on probation.

Class C are those officers in the grades whom the examining boards decide should be eliminated. Then we provide in this bill that those officers who are recommended for elimination shall be eliminated upon a graded retirement system—2½ per cent of their pay multiplied by the number of years that they have been in the service, the maximum not to exceed 70 per cent of the full pay of the grade. In other words, by such a system as this we do not ask a board of officers to eliminate one of their fellow officers and throw him out on the cold world without a cent, or perhaps only with one year's pay. We provide that if he is to be eliminated he shall be placed upon the graded retirement list and get a certain percentage of his former full pay, based upon the number of years of service he has spent in the Army. In that way we believe that the unfit officers can be gotten off the active list and their places taken by younger and more enterprising officers from the lower grades.

Mr. DILLINGHAM. Mr. President, is that pay for life?

Mr. WADSWORTH. That graded retirement pay is for life, of course.

To-day, as the result of years of legislation, it is astounding what a fearfully complicated machine we have in the Regular Army, particularly in the matter of the enlisted grades. We have 49 grades of enlisted men in the Army to-day. That number has been piled up through the years by little special acts adding a sergeant here, a quartermaster sergeant there, a special electrical sergeant there, a technical sergeant in some other place, all with different ratings, all with different insignia, complicating the pay schedules, complicating the whole administration of the service. This bill, by consolidating these different noncommissioned grades, reduces the number from 49 down to 7 and simplifies the whole administration of the service in doing so; and in order to give pay to men who become skillful mechanics, electricians, telephone operators, and telegraph operators, we establish a series of specialist ratings, where the man instead of being given a noncommissioned rank or grade is given a little extra pay to reward him for the skill which he has acquired in these mechanical and technical operations. By that we eliminate a large number of noncommissioned officers who should not by rights be wearing chevrons, but are to-day wearing chevrons in order that they may get the pay that goes with the chevrons. We want to wipe those out and give them the pay for the work they do, and we call them enlisted specialists, and the ratings are fixed in the bill. There is no difference in the cost one way or the other, but the proposal under our bill is infinitely more simple.

Senators, I have no doubt, remember the fearful time we had at the outbreak of this war, and during the first six or eight months of the war, in solving the problem of production in the War Department. Certainly the Senate Committee on Military Affairs will never forget it. We went through some very trying days, and indeed some very trying months, in our efforts to prepare to fight after the fight commenced; and one of the biggest efforts, of course, was producing the equipment for this great Army of 4,000,000 men. The problems of production were enormous. Some of the people who were in charge of it had spent 30, 40, or 45 years in the Army, had never come in contact with industrial life or with big business undertakings, did not know the language of the business man, and found it very difficult to sit down with a business man or a group of business men and talk business, and, as they say in business, legitimately make a deal and put it through and get the goods. Of course, there was a good deal of red tape and a good deal of restriction and a good many regulations which tied the hands of the officers of the War Department. There was a good deal of inefficiency—we might just as well say so, because there was a good deal of it—and within six months the whole thing broke down. We spent billions and billions of dollars, and it was not until within one month of the armistice itself that the industries of the United States had finally been mobilized and were turning out the goods for our Army. Prior to that time they had turned

out a great deal, to be sure, but we had to borrow from the French and the British, and buy goods in France and in Spain and in Holland, and anywhere we could get them.

This bill attempts, for the first time in the history of military legislation, to inject into the War Department the civilian business mind, and to do it by statute, and yet to do it in such a way as not to make it too rigid, not to make it too binding upon the Secretary of War or the Army itself; in a word, to do it in such a way that the typical business and industrial mind can come into intimate contact with this problem of production in the War Department.

So we establish the office of Undersecretary of War, and we charge him with the general supervision of all the procurement and production activities of the Army. He will have general supervision of the Ordnance Department in its procurement and production activities, the same for the Quartermaster Department, the same for the Signal Corps, the same for the Engineers, and all those branches of the service whose duty it is to go out and buy goods and make contracts. We experienced during the first six months of the war a horrible condition of affairs because of the fact that those different procurement branches were competing with each other in the market. There was no teamwork between them. Finally the President, by strong-arm methods which he was authorized to exercise under the terms of the Overman Act, managed to weld them together under the chairman of the War Industries Board; but the delay was so great that we lost millions of dollars and months of time before our Army was fit to fight and equipped with its own equipment.

We hope by this provision to organize the business end of the War Department in such a way that when the strain of war comes and a tremendous volume of goods and equipment is needed to fit out an army or to supplement the equipment on hand, the War Department can easily expand and meet the crisis. The Undersecretary of War, in a sense, is given equal prestige with the Chief of Staff. As a matter of fact, we make him the immediate successor of the Secretary of War himself in the event of the absence of the Secretary from his duties. He is to meet with the Secretary of War, as the presiding officer, the Chief of Staff, and the General of the Army, in what is known as the war council. That war council will be presided over by the Secretary of War. On one side of the table will sit the strictly military chief of the Army, the Chief of Staff, and on the other side of the table will sit the industrial and business chief of the Army in the person of the Undersecretary of War. The General of the Army, in this case Gen. Pershing, will act as a sort of balance wheel between the two. That council of war will decide upon the general business problems and policies of the War Department, and the Secretary of War, after advising with the council, will issue his instructions as to how the millions and millions of dollars are to be spent in the procurement of rifles, of cannon, of clothes, of shoes, of hand grenades, of wagons, of carts, of automobiles, of trucks, of horses, of mules, and of everything needed to equip a great army.

It is the business end that has never been systematized in the Army of the United States, and it is in the business end, Mr. President, where the billions are spent.

I doubt if there is anything more in connection with the permanent personnel that is important enough to touch upon at this time. If there is, it probably will be brought out in the discussion which will undoubtedly take place on the bill from now on.

We have contrived a system of filling vacancies in the Regular Army created by this act. It may interest the Senate to know that we provide that at least half of all the vacancies created in the Regular Army, or the permanent personnel, by this act shall be filled by the appointment of citizen officers who have seen service in the recent war and have done creditable service. In other words, we are seeing to it that the splendid type of citizen officer that has been evolved in this war shall be injected in as great numbers as is possible into the permanent personnel or Regular Army of the future. We are trying to make a great combination of them—to make it more and more an Army which in its commissioned strength, and especially in its staff and services, shall represent the best of both the former Regulars and the recent emergency or citizen officers.

We provide also, Mr. President, that reserve officers of the Army of the United States generally shall be appointed with reasonably liberal provisions as to examinations. Any person practically is eligible, and if a citizen living the life of a civilian cares to become a reserve officer in the Army of the United States, especially if he has been an officer in this recent war or an officer in the National Guard, he may do so. His record will show whether he is fit to be a reserve officer. The entrance into the reserve army in the commissioned personnel is made as easy as it is safe to make it, in order that we may get this great piece of machinery started quickly and promptly upon the passage of this bill or any kind of bill which establishes a citizen army in reserve of the Regular Army.

I have already discussed, I think, Mr. President, the National Guard and our treatment of the guard in this bill. I want to refer to it again just for a moment, because I am perfectly well aware that there are some adjutant generals of the States who do not view with enthusiasm this proposal of ours to take the guard out of the militia clause and put it under the Army clause of the Constitution. Adjutant generals in some of the States in effect command the National Guard of the State. They do it in the name of the governor, but in many cases it is actually the adjutant general in command. It is quite natural that some of the adjutant generals of the States do not like to lose command of the guard.

Mr. President, we discussed this matter, in fact, we discussed this whole bill, with two committees named by the American Legion—two separate committees of the legion. We spent many, many hours with the first committee, and on that committee there were four National Guard officers, all veterans of the war, and on the second committee there were four other National Guard officers, all veterans of the war. They were a unit in saying that the National Guard would never become an effective force, to the extent that its progressive members wanted it to be effective, until it was brought in under the Army clause of the Constitution and the personnel put upon an equal status with the officers of the Regular Army. The guard can never have its day in court until it is made a part of the same Army to which the Regular belongs. So long as the guardsman is a militiaman he does not "belong to the club."

Those officers to whom I have just alluded were unanimous in saying that it will be of tremendous benefit to the guard to bring it under the Army clause, and to do it under this bill, without depriving the States of the protection which the States must have against internal disorder.

I was intensely interested in an incident which occurred a week ago last Monday. I think I am justified in saying that the National Guard of the State of New York is larger than that of any other State, and certainly there is none more efficient. It contributed an entire division in this war, a division which was under the command of a National Guard major general, who was the only non-Regular major general in command of troops in France; and it is fair to say that the records of the Army show that that National Guard division distinguished itself in a very high degree.

Those men have come home. They, like the other national guardsmen in the Forty-second or Rainbow Division, the Thirty-fifth—Kansas and Missouri troops—and many of the other splendid National Guard divisions, are exceedingly proud of what they accomplished. Their faith in the citizen soldier is higher and deeper than ever before.

The National Guard Association of the State of New York met in its annual convention at Albany a week ago last Monday, with about 400 officers present. The overwhelming majority of them are veterans who have been through the thick of the fighting. With only three or four dissenting votes, they passed a resolution begging the Congress to put the National Guard under the Army clause, and get it away from the militia clause; and they give their reasons. No man who has read the reasons given by that group of officers can deny that such a change would be for the benefit of the guard itself, and that without such a change the guard can never come into its own.

This bill, Mr. President, provides that 25 per cent of the General Staff here in Washington shall be composed of reserve or guard officers. I doubt very much whether that can be done if the guard officer remains a militiaman, if he is liable to only one kind of service, to wit, to repel invasions and to suppress insurrections. At least, there is a grave question whether you can assign a militia officer to active duty with the Regular Army in time of peace. But there is no question that you can assign an officer of the reserve army of the United States to active duty in time of peace, because that officer holds and wields his authority, flowing downward from the President, under the Army clause of the Constitution, which authorizes and empowers the Congress to raise and support armies.

Nor do I believe it is entirely clear that you can put a National Guard officer, a militiaman, as head of the National Guard Bureau of the War Department. You may be able to do it, but it is a close legal question which I would prefer to leave to the Senator from Colorado [Mr. THOMAS] or the Senator from Oregon [Mr. CHAMBERLAIN]. While he is a militiaman, you can not invest him with the authority of an officer of the United States and authorize him to give orders. If you

can, it is a peculiar situation and, to say the least, his is an anomalous position. But under this bill, by bringing the guard officers into the Army of the United States and making them a part of the reserves, in full standing, you can take any guard officer, with his consent, and assign him to any kind of duty, in peace or war. You can send him anywhere, with his consent, and there is no doubt about it that when he reaches his post of duty and displays upon his shoulder, we will say, the oak leaf of a major of the reserve army of the United States, he is on an equal footing and has equal authority with the man who is a major of the Regular Army. And until you bring the guardsman into the Army he can never operate on an equal footing with the Regular Army officer. He will always be known as a militiaman, in a separate category, as only half a soldier of the United States; and what the progressive guard officers want to-day is to be known as soldiers of the United States. When you give them that privilege and bring them into intimate contact with the General Staff, and permit them to go to the schools of the Army at Fort Riley, at Fortress Monroe, and the other schools, on an equal footing with Regular officers, you are not only going to help the guardsmen, but you are going to help the Regulars, for there is nothing that will more surely help both of these factions—and they have been divided into factions—there is nothing that will do them more good than to come into intimate contact on equal terms.

Mr. President, I think that covers my description of the salient features of the bill.

Let me suggest once more that this bill sets up a military policy which emphasizes the dependence of the country upon the citizen soldier. It would not seem that such emphasis were necessary, in view of the history of our past wars. And as past wars have proved that it is the citizen soldier who must compose at least seven-eighths of the fighting Army of the United States, the Senate Committee on Military Affairs suggests that the citizen soldier be given a chance by his Government and his country to train himself and to organize with his fellows in his local community in such a way as that when he is compelled by circumstances to go into battle in defense of his country he will have a decent chance for his life.

Mr. NELSON and Mr. POMERENE addressed the Chair.

The PRESIDING OFFICER (Mr. WATSON in the chair). Does the Senator yield; and if so, to whom?

Mr. WADSWORTH. I yield first to the Senator from Minnesota.

Mr. NELSON. May I ask the Senator a question? Are the officers of the National Guard who are thus to be transferred and put under control of the Federal Government, as the Senator has so ably described, to be appointed by the governors of the States or by the President of the United States?

Mr. WADSWORTH. They are to be appointed by the President of the United States in this way: They must be primarily reserve officers, appointed by the President. If a reserve officer desires to become an officer of the National Guard of the United States, he assumes the additional obligation of obeying the commands of the governor of the State in which he lives, for the specific purposes set forth in the bill, and he accepts a commission from the governor secondary in importance to the commission which he has from the President, and reserve officers who are to officer the units of the National Guard of the United States stationed within a given State must be recommended by the governor of the State.

Mr. NELSON. As I understand it, if the Senator will allow me, the appointment of officers of State guards, or national militia, or whatever you might call it, is, under the Constitution, vested in the States and not in the Federal Government.

Mr. WADSWORTH. That is true to-day.

Mr. NELSON. Your plan, accofding to your statement, contemplates that these Federal Guard officers will have a double set of commissions; they will be commissioned first by the President of the United States, and, in the second place, they will have commissions from the governors of their States. Will not that lead to some embarrassment, and is not that contrary to the spirit of the Constitution?

Mr. WADSWORTH. No; I think not. I think I can give instances to show how this is in line with the present practice. The Senator undoubtedly remembers that upon more than one occasion an officer of the Regular Army has in effect been loaned to a State and has accepted a commission as colonel of a State regiment. That has happened upon several occasions. I know that Col. Haskell, of the Regular service, who at the time of the Mexican border mobilization was a captain in the cavalry of the Regular Army, was permitted by the War Department to accept a commission as coloned of the Sixty-ninth New York Infantry. This bill is in line with that practice.

Mr. NELSON. That was by mutual consent of the War Department and the governor of the State or the State authorities?

Mr. WADSWORTH. Yes; and this is by mutual consent, likewise. That is what the bill provides—mutual consent. It is all voluntary. The reserve officer in the Army of the United States is a United States officer in the first instance, deriving his commission from the President. If Congress so authorizes, that officer can accept a secondary or subsidiary commission from the governor of a State and thereby assume an obligation permitted by the act of Congress itself. That is the idea.

Mr. NELSON. May I ask the Senator from New York another question? The Senator speaks of the fine and creditable record of the New York division of the National Guard.

Mr. WADSWORTH. There were many others, too.

Mr. NELSON. It was a fine division and they deserve all the praise the Senator has given to them. Were all the officers of that division appointed by the governor of the State or were they appointed by the President? My understanding is they were all appointed by the governor of the State of New York.

Mr. WADSWORTH. Those who had been in the National Guard for any considerable length of time prior to the German war were so appointed, but they all lost their commissions in the National Guard as soon as they were drafted into the Federal Army. They came back and found themselves belonging to nothing because they were originally included in that absurd militia clause. They were all drafted at the outbreak of the German war under that provision of the national defense act; they had to be drafted, or they could not be sent out of the United States, because they were militiamen.

Mr. NELSON. That is, they were transferred from the State guard or the State militia and brought directly into the same category as the drafted men who had never been in the National Guard?

Mr. WADSWORTH. Exactly.

Mr. NELSON. And they then ceased to be members of the National Guard?

Mr. WADSWORTH. Yes; and when they got back they found themselves belonging to nothing, their units broken up, and all their traditions gone. That is one of the most cruel experiences that could be inflicted upon brave soldiers.

Mr. KIRBY. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Arkansas?

Mr. WADSWORTH. Certainly.

Mr. KIRBY. Under the dual character of the National Guard as proposed, if the President appoints an officer—and he has the right clearly to appoint an officer—suppose the governor shall not consent and does not appoint the same officer, or does not appoint any officer, then the National Guard would become practically and exclusively under the control of the Government-appointed officer?

Mr. WADSWORTH. Not under the terms of the bill.

Mr. KIRBY. That is the point I want to get at. The guardsman owes a duty both to the Government and to the State. If the President has the right to appoint an officer, and the governor may appoint an officer, too, and does not appoint the same officer or refuses to appoint any officer, it would be exclusively an organization in the Regular Army? Would it not amount to that?

Mr. WADSWORTH. No; there could not be any organization. The bill does not work that way.

Mr. KIRBY. That is what I wanted to bring out.

Mr. JONES of Washington. I should like to ask the Senator a question. I have just received a letter from a man in my State who was a captain in the Army during the late war. I have not had time to examine the bill to see whether it covers the point to which he refers. There are some matters to which he refers and in which he gives page and section that do not appear in the Senate bill. So I am inclined to think he has gotten hold of the wrong bill.

Mr. WADSWORTH. He may have a copy of the House bill.

Mr. JONES of Washington. That may be. This is what he says:

> Veterans want to see State units organized and recognized. We think that in reorganizing the Army the first 10 divisions, numbered from 1 to 10, inclusive, should be assigned to the Regular Army. Then every State to have a division named for the State, such as the Washington Division; the Idaho Division; the Oregon Division, etc., the strength of the divisions would vary with the population.
>
> This gives 10 divisions to the Regular Army, 48 divisions to the States.

Is there anything along that line in the bill?

Mr. WADSWORTH. The bill contemplates that very thing. The bill contemplates the reestablishment of the famous divisions that came out of this war. The bill invites the veterans of these famous divisions to "take on," as they say in the Army,

for a year in the reserve. They will not have to do much but to get the old crowd together, and then around them will gather the young men who are trained and who will be assigned to those famous divisions. Out in the Senator's country I think one of the famous divisions was the Forty-first. Out in that section of the country, under the terms of the bill, the veterans of the Forty-first Division are invited to get together and take on for one year in the organized reserve. They will not have to do much; they are all trained men anyway, and they are only invited to do that in order to start the game. Then the young men who are trained from time to time in that part of the country are assigned to the famous old Forty-first Division, and that division will live down through history with its traditions, made up of citizen soldiers, all leading the lives of civilians in Seattle, Tacoma, Spokane, and other cities and towns in that great northwestern country.

Mr. THOMAS. I may suggest that the use of the names of the respective States for different divisions might prove very impracticable in the smaller States of the Union, since they would not be able to furnish a sufficient quota.

Mr. WADSWORTH. The matter of names of the units in this citizens' army, whether they be National Guard units or organized reserve units, the matter of their location, and all that sort of thing, are left to be determined by committees formed in different parts of the country, and on those committees must be a majority of veteran citizen officers.

Mr. JONES of Washington. Does the bill provide that there shall be first a certain number of divisions of Regular troops?

Mr. WADSWORTH. It does not. It merely provides for 280,000 enlisted men.

Mr. JONES of Washington. This correspondent writes with reference to another provision regarding promotion, that he calls the promotion list, and he says:

In the Army bill section 24a provides for a promotion list. This section should be added.

I do not find any section 24a that covers the matter. So I assume he is referring to the House bill. However, he says:

In the Army bill section 24a provides for a promotion list; to this section should be added: "On declaration of war by the President of the United States all officers of the Regular Army up to the rank of lieutenant colonel shall be promoted one grade, such promotion to apply exclusively to officers on active duty at the time of the declaration of war. They shall then, after such promotion, occupy their proper number on the promotion list. All promotions on this list shall be made without discrimination between Regular Army, National Guard, and reserve officers, all officers regardless of the origin of their commissions being considered equal. No citizen shall be commissioned into the Army in time of war with a rank higher than that of major." If this section can not be added the bill affords no real protection to the National Guard and reserve officers. Please note that no civilian is to be commissioned at a higher rank than major.

Then he says, further on:

The Senate should see that section 24a is made a rigid rule in time of war, and that lines 17 to 20 in section 127a be stricken; 127a, lines 17 to 20, if allowed to stand, officers will be promoted temporarily from lieutenant to colonel under this clause. This clause is the "nigger in the woodpile," and, of course, is inserted at the end of the bill, where it has a very harmless appearance.

I would like to know whether there is anything like that in this bill?

Mr. WADSWORTH. He is talking about a different woodpile. This is the Senate woodpile, and he is talking about the House woodpile.

Mr. JONES of Washington. The Senate woodpile has no provision of that kind in it?

Mr. WADSWORTH. No.

Mr. JONES of Washington. I think this matter has been called to my attention before where it was claimed that under the bill a Regular Army officer, a lieutenant, for instance, could be promoted to a colonelcy outright, and I take it this is to cover and prevent anything of that sort. Is there anything in the Senate bill that, at the outbreak of war, permits a lieutenant, for instance, of the Regular Army to be promoted to a colonelcy?

Mr. WADSWORTH. He can be given the temporary rank, but not the permanent rank.

Mr. JONES of Washington. A temporary rank as colonel?

Mr. WADSWORTH. There is no limit.

Mr. JONES of Washington. Or that of a brigadier general?

Mr. WADSWORTH. Yes. In time of war that has always been the case.

Mr. JONES of Washington. I know there is a good deal of opposition to that proposition because of the way it worked out in the last war, especially on the part of the guard organization and the citizen soldiers. It seems to me that the Senator ought to put something in the bill which would take care of a situation like that.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. WADSWORTH. Certainly.

Mr. POMERENE. Will the Senator please give me his estimate of the cost of this system?

Mr. WADSWORTH. I had hoped to have a chart large enough to be seen by the Senate, and that I could hang it on the rear wall of the Chamber, but it is not finished. I hope to have it here to-morrow or the next day, but I can give the Senator the approximate figures.

Mr. POMERENE. What I want particularly to know is the cost of the Army itself as constituted, plus the cost of the system of universal training.

Mr. WADSWORTH. The permanent personnel of the Regulars, starting in the year 1921, with 18,000 officers and 280,000 men, will cost $503,000,000. I am going to give merely the round figures. At the end of six years, through which period it will suffer a reduction of 5 per cent a year for five years, it will cost $399,000,000. That is the permanent personnel reduced to 210,000 enlisted men and 16,200 officers six years from date.

Now, for the training. To train 100,000 men for four months in a military training camp will cost $26,000,000, and we will have approximately 500,000 to train in that way. That does not cover them all, but I just want to get that item. That will make in the neighborhoood of $135,000,000 per year. Then we estimate that 100,000 men will be trained annually in the National Guard. They will cost $42,000,000.

Mr. POMERENE. Will that expense be paid by the Federal Government?

Mr. WADSWORTH. Yes; the National Guard is going to be under the Federal Government in the matter of training for the first time.

Then there will be the men who serve in the National Guard in addition to those who are taking their training in the guard. Therefore the total estimated expense of the National Guard, which we figure will reach a maximum strength of 350,000 men, will be $124,000,000 per year. That, however, includes the $42,000,000. Now, if the Senator will add the $399,000,000 for the Regulars and the $135,000,000 for the four months' training camps——

Mr. POMERENE. But $399,000,000 is the cost after the expiration of six years, as I understand?

Mr. WADSWORTH. After six years; but it is the ultimate cost that we are working to.

Mr. POMERENE. The Senator's statement, as I understand, was that the first year's expense would be $503,000,000?

Mr. WADSWORTH. Yes; but there will not be any training expense then, because we shall not be able to train any men in the next year. I am speaking of the time when the training system gets in working order—when it is in full operation. Then the expense will be $399,000,000 for the Regulars, $135,000,000 for the four months' training, and $124,000,000 for the National Guard, and we shall have $654,000,000 as the total cost. That may be further reduced, Mr. President, I may say, if Congress thinks it wise.

Mr. POMERENE. Mr. President, I think I saw a statement purporting to come from one of the House leaders some time ago to the effect that this plan would cost the Government about $1,250,000,000.

Mr. WADSWORTH. I have never been able to get the authority for those figures.

Mr. POMERENE. And though I have read rather casually the report submitted by the minority, I find it gives the total figures as running about $1,314,000,000. I refer to page 19 of the report. I should like to have the Senator from New York explain why there is this very great difference in the estimated cost. What are the elements constituting this difference?

Mr. WADSWORTH. I will tell the Senator all I know about it. The figures presented by the committee were worked out after weeks of exhaustive effort in the offices of the General Staff in the War Department and with the assistance of the finance department under Gen. Lord. They have given us these figures after a long study, all based on present prices. They include, let me say, items such as these: The cost of transportation of the men to go to and return from training camps; the per diem allowance for subsistence of the men while in course of transportation; the cost of subsistence while undergoing training. Then, again, the cost of clothing while undergoing training; the cost of their laundry while undergoing training; the cost of medical attendance; the cost of the upkeep of quarters, and for heat and light; for equipment at an annual cost figured out in advance; and their pay as provided in the bill; then the extra cost for the additional 15 days which are permitted under the terms of the bill. Then the cost of administration through the local boards of registration in connection with the registration of these young men. That is all included. In fact, the estimates which we have are itemized with the

greatest care and they have been presented to us as the very best figures the War Department can give us. I have given them to the Senator from Ohio. Where the Senator from Tennessee got his figures, I do not know, so that I can not explain the difference between the two estimates.

Mr. THOMAS. Mr. President, I think it can be explained in this way: In all probability the young men whom we train will put in a claim for a bonus of $50 per month for service. That would run it up to the amount which is mentioned.

Mr. McKELLAR. Mr. President——

Mr. LENROOT. Mr. President, if the Senator will yield to me, I should like to ask a question.

Mr. McKELLAR. Mr. President, I should like to make a statement and then I will yield to the Senator. I merely wish to say that the basis of estimate that is contained in the minority report was obtained in this way: We estimated that the cost for the young men who go into the Army for four months would be just about the cost of keeping a regular soldier for the same length of time, and that is what it is going to cost. If there is any difference, to train the recruit for four months, to take him from his home and carry him back, it will cost more rather than less than to keep a soldier in the Army for the same length of time; in other words, the expenditure per man will be $600 for four months, estimating the cost of a soldier for a year as being $1,800, which is undisputed.

Mr. WADSWORTH. Mr. President, I merely have to say that that is an utterly fallacious way to estimate the cost of anything.

Mr. LENROOT. Mr. President, I should like to ask the Senator from New York whether in the estimate which he has given there is taken into consideration the maintenance of the cantonments and camps?

Mr. WADSWORTH. There is.

Mr. LENROOT. On what basis?

Mr. WADSWORTH. On the basis of the upkeep as estimated by the department.

Mr. LENROOT. I do not mean the running of the camps, but the depreciation.

Mr. WADSWORTH. Maintenance and repairs are included in this estimate.

Mr. LENROOT. At 8 per cent?

Mr. WADSWORTH. I do not know at what percentage. Eight per cent of what?

Mr. LENROOT. I have not found from the testimony that that item has been included at all in the estimates, I may say to the Senator.

Mr. WADSWORTH. I put the whole table in the RECORD some time ago, and one of the items was maintenance, repairs, and upkeep.

Mr. LENROOT. Does the Senator from New York know what the 16 cantonments cost the United States?

Mr. WADSWORTH. I can not remember, Mr. President; but may I say to the Senator that the cantonments are not the only places that may be used for the purpose of traihing men?

Mr. LENROOT. We should have to use the present cantonments or build others.

Mr. WADSWORTH. Oh, no; we should not have to build others.

Mr. LENROOT. Why not.

Mr. WADSWORTH. We have a large number of Army posts that can be used and Coast Artillery posts near great centers of population at which not a penny of money will have to be spent for extensions for the purpose of training troops as planned by the department. We would not have to use all the cantonments to their full capacity.

Mr. LENROOT. The plan contemplates using 16 of them, does it not?

Mr. WADSWORTH. Not necessarily. The plan does not say what shall be used.

Mr. LENROOT. I was referring to the plan for universal training, submitted by the department; the plan as to how they should be trained. They would be put into 16 or 20 divisions, I think it was.

Mr. WADSWORTH. That was in the original War Department bill.

Mr. LENROOT. Is not that inevitable if we are going to have a system of universal training?

Mr. WADSWORTH. Mr. President, I merely want to say, in connection with that, that the Government is now possessed of a tremendous establishment. Some of it, it is true, is of comparatively temporary construction, and the cost of maintenance and repair is much greater than that of permanent construction; but people are constantly thinking that the 16 cantonments are the only places which we possess where men may be trained; as a matter of fact, there are many other places. Right in the vicinity of New York City there are three or four—at least three—large Army posts which for purposes of training can take care of some thousands of men.

Mr. LENROOT. Permanent Army posts?

Mr. WADSWORTH. Yes; and the coast fortifications. All the men who are going to be trained for the seacoast artillery can be trained at the present seacoast fortifications. Fortress Monroe could accommodate large numbers, and the forts at Boston, forts at the entrance of Long Island Sound, forts at San Francisco, including the Presidio, can take large numbers. It will not be necessary to use the wooden cantonments for all these men. Army posts, like Fort Sheridan outside of Chicago and Fort D. A. Russell in Wyoming, which are brigade posts, can accommodate a good many men and relieve the strain on the cantonments.

Mr. LENROOT. Fort Sheridan has been greatly enlarged and is now in the same position as a cantonment.

Mr. WADSWORTH. Yes; but before it was enlarged it was a large post.

Mr. FRELINGHUYSEN. Mr. President, will the Senator from New York yield?

Mr. WADSWORTH. I yield.

Mr. FRELINGHUYSEN. I think some of the largest cantonments, such as Camp Dix and some of the camps in the South, originally had a much better class of buildings than other camps, and they have been improved under subsequent appropriations, so that they contain a great many permanent improvements that could be utilized. If they had to be reconstructed under present conditions it would cost an extreme amount of money for such improvements, for instance, as roads, artesian wells, and the ordinary equipment of a cantonment. I think the Senator will find that there is an adequate number of these cantonments sufficiently well constructed to house the number of men annually that would be called out for training under this bill, and I do not think that the cost of repair will be excessive if the War Department assigns the men to be trained to those points. I have made no study of the cost of maintenance.

Mr. LENROOT. I should like to ask either the Senator from New York or the Senator from New Jersey this question: Is it not true that with universal training we will not be able to abandon anything like the number of posts that we would be able to abandon if we did not have it?

Mr. FRELINGHUYSEN. No; I do not think that we will.

Mr. LENROOT. Of course, that will be a very heavy item of expense. Then I wish to ask the Senator from New York, on another branch of the matter, whether in the estimated cost of this system there has been taken into consideration and estimated for the equipment, the ordnance, the aeroplanes, and everything that will be necessary as a preparedness measure on the basis of an Army of 3,000,000 men?

Mr. WADSWORTH. In part, yes. And that brings up a rather interesting matter. If we do not have that material in time of peace, we will have to have it in time of war. So why not have it in time of peace and be ready for war? There is a great deal of it which will continue——

Mr. LENROOT. Mr. President——

Mr. WADSWORTH. Just a moment.

Mr. LENROOT. I wish to ask the Senator does he, then, take the position, as to the equipment necessary to put an Army of 3,000,000 men into action, that in time of peace we shall be so prepared as to immediately go into war?

Mr. WADSWORTH. With that entire Army, no; I do not insist upon that. I do not think we would ever put such an army in the field.

Mr. LENROOT. Then, so far as preparedness is concerned, military training is not necessary except to such extent as we have equipment, artillery, ordnance, and everything that is necessary to put an army into action? It is not necessary except in so far as we provide those things.

Mr. WADSWORTH. Yes; Mr. President.

Mr. LENROOT. I speak from the preparedness standpoint; I am not speaking from other very important standpoints.

Mr. WADSWORTH. Of course, I want to be fairly understood. Men can not be trained without equipment.

Mr. LENROOT. There is no estimate here for heavy ordnance, for instance, in connection with universal training.

Mr. WADSWORTH. It is not necessary to have an estimate for heavy ordnance, for we have over 5,000 pieces of such ordnance now.

Mr. LENROOT. Oh, yes; but, as the Senator knows, perhaps in three years or five years that ordnance will be obsolete, as our airplanes are obsolete to-day.

Mr. WADSWORTH. No; I do not know anything of the sort.

Mr. LENROOT. I say it may be obsolete. The Senator knows that is true as to airplanes.

Mr. WADSWORTH. I was speaking about ordnance. We have not any airplanes, anyway; so what is the use of talking about them?

Mr. NELSON. We ought to have a billion dollars worth.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. SMOOT in the chair.) Does the Senator from New York yield to the Senator from Tennessee?

Mr. WADSWORTH. Yes.

Mr. McKELLAR. The Senator from New York stated that the estimates of the minority as to the expense of universal military training were fallacious. With the exception of the pay of the Regular soldier and the pay of the man in training, as to which there is a difference, will the Senator object to explaining what other differences there are between the cost of training a man to be a soldier and in the cost of keeping a soldier after he is trained?

Mr. WADSWORTH. Yes, Mr. President, I will.

Mr. McKELLAR. I will be very glad to have the Senator do so.

Mr. WADSWORTH. In the first place, the overhead is very much less. It does not require as many officers to train 100,000 young men as it does to command the same number of men in the Army of the United States, including the overhead. There is a tremendous difference there; and then, in addition, the training will take place at a time of the year in the different parts of the country when the buildings will not have to be heated to the same extent that the buildings in which the Regular Army lives the year round are heated; the heat and light bills will be much less in proportion per thousand of men trained—infinitely less.

The Senator has referred to the difference in pay. That difference is greater than appears upon its face. The men in training are to receive while taking the four months' training $5 per month. People are apt to compare that with $30 per month for the Regular soldier, but as a matter of fact the Regular soldier gets more than $30 per month on the average. The average pay of the Army will run closer to $38 per month or $40 per month, to say nothing of the pay of the officers. There are elements of that sort that work in.

If the Senator denies the substantial accuracy of the estimates made by Gen. Lord and the committee of the General Staff, after weeks of preparation, I wish he would point out the inaccuracies.

Mr. McKELLAR. I do not think it is necessary to do that, for this reason: I have never seen any estimates that were not always exceeded by actual expenditures. We see that every day. That, however, is not what I rose to say. I wanted to ask the Senator this question:

Is it not a fact that the difference in the cost of just clothing a man four months of the year—or four months in three years, it would be—would more than account for the difference in the heat and light, for instance, and would not the increased cost of putting a man into service—his railroad fare into service and out of service every four months—be very much greater? When it comes to inducting him into the service for the three years or for just four months, my figures are based on the proposition that one-third of the admitted cost of maintaining a soldier is $600. My belief is that the cost of training a recruit for four months would be certainly as much as $600 and perhaps more. This is relatively the same as the cost of keeping the soldier.

Mr. WADSWORTH. This estimate includes the railway fares to and from the camps and all the clothing. That is all I can say.

Mr. McKELLAR. The answer to that is that it costs the Regular Army $1,800 a year, and, of course, for four months it would be $600.

The PRESIDING OFFICER (Mr. SMOOT in the chair). The Secretary will read the bill.

The Assistant Secretary proceeded to read the bill, and read to line 19 on page 2.

Mr. WADSWORTH. Mr. President, I do not know what the disposition of the Senate is in handling a bill of this size and length. I had anticipated asking that the bill be read first for committee amendments.

The PRESIDING OFFICER. Does the Senator ask that the formal reading of the bill be dispensed with?

Mr. McKELLAR. Mr. President, I will ask the Senator from New York if he will not let the bill go over until to-morrow? There are certain matters that I want to look into, and it is getting late now.

Mr. WADSWORTH. I am not disposed to bring to the attention of the Senate and press for adoption any important amendments. There are some committee amendments printed in the bill, and there are quite a few that have been found necessary since the bill was reported, to correct errors and to fill in little places where the meaning of the language is not entirely clear. It will not involve anything in which the Senator from Tennessee is interested.

Mr. McKELLAR. I have no desire whatever to delay the bill at all.

The PRESIDING OFFICER. Does the Chair understand that the Senator from New York asks unanimous consent that the formal reading of the bill be dispensed with?

Mr. WADSWORTH. Yes; I make that request.

The PRESIDING OFFICER. The Senator from New York asks unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, the committee amendments to be first considered. Is there objection?

Mr. WARREN. Mr. President, I assume, of course, that it will be read in full, with opportunity for offering amendments afterwards to the text.

Mr. WADSWORTH. Oh, yes.

The PRESIDING OFFICER. The Chair hears no objection, and the order will be so made.

Mr. McKELLAR. Mr. President, I send to the desk three amendments to the pending bill that I ask to have printed and lie on the table.

The PRESIDING OFFICER. The amendments will be received and printed and lie on the table.

Mr. STERLING. Mr. President, I submit an amendment intended to be proposed to the pending bill, which I ask may be printed and lie on the table.

The PRESIDING OFFICER. It is so ordered.

Mr. McKELLAR. Mr. President, I should like to ask the chairman of the committee a question. About how many officers will be required for handling the compulsory universal military training?

Mr. WADSWORTH. That number has not been estimated separately from the others. As I explained in my remarks, the commissioned personnel of the Army are all put in one pool, and assigned to duty by the President and Secretary of War where they are most needed. I might give the Senator this comparison: The House bill provides for 17,200 officers. This bill provides for 18,000 officers. This bill also contemplates that number being reduced to 16,200, 1,000 less than the House, and still having the training.

Mr. McKELLAR. I understood that the House bill provided for the necessary officers for training, and that the House committee appointed a subcommittee to examine into the question of training so as to report a subsequent bill, and that the officers necessary for putting it in force another year would be on hand and already appointed.

Mr. WADSWORTH. I was not aware that the House had provided in their bill for anything for military training. That may be so, but I was not aware of it.

Mr. McKELLAR. They have not. The House did not estimate for the cost of military training, but it did put in such a sufficient number of officers as would be able to take care of the military training when it was adopted, if it should be adopted another year.

Mr. WADSWORTH. I was not aware of that.

Mr. HITCHCOCK. Mr. President, do I understand that the Senator states that no estimate has been made of the number of officers necessary to provide for the compulsory military training?

Mr. WADSWORTH. Mr. President, they are not definitely allocated in this bill. I have heard several different suggestions made as to the number of officers it would take to train 100 men, but it depends so largely upon the assistance in that training that is received from the enlisted strength itself and from reserve officers that it is almost impossible to make a definite and final estimate as to how many officers there must be in the training forces.

Mr. HITCHCOCK. I was going to inquire how you could possibly arrive, then, at 18,000 officers as the proper number.

Mr. WADSWORTH. Mr. President, we have arrived at that number by taking 280,000 enlisted men, and, allowing for their normal organization into normal tactical units according to modern military practice, they will require 18,000 officers.

Mr. HITCHCOCK. Yes; but the House bill, which is 20,000 larger in enlisted men, is nearly 1,000 officers less. How do you reconcile those figures?

Mr. WADSWORTH. Eight hundred officers less. I shall have to confess I have not examined all the different provisions of the House bill which would account for the difference in officers. I may say to the Senator that the difference in officers in its effect upon the cost of the bill is infinitesimal compared with the difference in enlisted men.

Mr. HITCHCOCK. I am rather surprised that no estimate has been made of the number of officers required for this im-

portant work of compulsory training. Certainly that is an item which has to be taken into account; and I can not understand the discrepancy between the two bills—why this bill, with a smaller enlisted personnel, should require 800 more officers.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Wyoming?

Mr. WADSWORTH. I do.

Mr. WARREN. I will say to the Senator that the number of officers, except medical officers, in the House bill is 15,030, and in the Senate bill it is 15,293.

Mr. HITCHCOCK. Then the discrepancy between the two bills is almost wholly in medical officers?

Mr. WARREN. That makes no discrepancy. There is a difference here of about 250 men. That is the difference.

Mr. HITCHCOCK. On the face of the estimates made, the Senate bill, with a smaller number of enlisted men by 20,000, has 800 more officers. Now, the Senator from Wyoming gives figures showing that there is little difference in the number of officers, exclusive of medical officers.

Mr. WARREN. There is a difference of about 250 in officers, aside from medical men, and I do not think there is very much difference in that line. They very nearly offset each other.

Mr. HITCHCOCK. Well, wherein does this difference of 800 officers consist?

Mr. WARREN. Where does the Senator get the figures of 800?

Mr. HITCHCOCK. The Senator from New York gave the figures.

Mr. WARREN. I take the bill as it finally passed the House, and, as it lies before me here, the bill of the Senate; and unless I have made some error—and I have the particulars as to every grade right down through—the figures will be as I have given them. As to the medical officers, I have not estimated them, and there may be some difference there which, added to this, might enlarge the number.

Mr. McKELLAR. About 17,200 are provided for in the House bill and 18,000 in the Senate bill.

Mr. WARREN. The Senator means, including all of the medical officers?

Mr. McKELLAR. There is a difference of 800. The House bill provides for 17,200 and the Senate bill for 18,000.

Mr. WARREN. Of course, it is difficult to calculate on the medical officers, because that is usually done by percentage of the number of enlisted men.

Mr. HITCHCOCK. What I am trying to discover is what is the cause of the discrepancy between the House bill and the Senate bill? There certainly is a big discrepancy there. The Senate bill provides for a smaller Army than the House bill, and yet it provides for 800 more officers.

Mr. WARREN. The Senator must remember that they might make a difference in the computation as to what they would allow for the officers of each subdivision, such as the adjutants and quartermasters, and so forth, and, on the other hand, there is a certain number—a quite larger number—of extra officers, and I am not certain that that number is the same in the two cases. I have not investigated the matter that far, but it is not unusual that there might be that difference. Of course, in this bill undoubtedly the number has been made liberal enough to cover the details necessary for the training, and on the House side they provide also for officers' training and for officers to train officers, and so forth.

Mr. HITCHCOCK. Does not the Senator think that if we were increasing the number of officers by 800 we ought to know where the increase comes and why it comes? Certainly we are in no condition to plunge into an unnecessary expense and not be able even to explain why it is done.

Mr. WARREN. If the Senator will take the figures as they appear in the bill and compare them, he will be able to discover that.

Mr. HITCHCOCK. I am taking the figures given by the chairman of the committee. He states that his bill, as reported here, provides for 800 more officers than the House bill, although the House bill provides for an Army 20,000 larger than this bill. There must be some reason for that, and I was seeking, first, to ascertain whether the reason was to be found in the provision for compulsory training, and the Senator indicates that it is not to be found in that. Now, I ask, where is it to be found?

Mr. WADSWORTH. Mr. President, I did not quite indicate it that way. This bill, of course, as the Senator will see in reading it, does not allocate the numbers of officers to the combatant arms or to the training forces. If the Senator will be patient, to-morrow I will give him an estimate of the number of officers it is expected will be assigned by the President, when the times comes, to the training forces.

Mr. McKELLAR. That is the question I expected to ask.

Mr. WADSWORTH. I can not give the Senator the information now. I can not lay my hand on the figures now.

Mr. McKELLAR. Those figures will be given to-morrow, I understand.

The reading of the bill was continued to line 8, page 4, the last paragraph read being as follows:

The reserve personnel shall include reserve officers, reservists, and recruits. The reserve officers shall include all persons who, on the date of the passage of this act, held commissions or appointments in the Reserve Officers' Corps or, subject to the provisions of section 62 of this act, in the National Guard, and such other persons who shall hereafter be commissioned or appointed therein as hereinafter provided for in this act.

Mr. WADSWORTH. There is a correction to be made in that last paragraph, which might as well be made now. On page 4, line 4, the term "Reserve Officers' Corps" is used. The words "Reserve" and "Officers'" should be transposed, and it should read "Officers' Reserve Corps."

The PRESIDING OFFICER. Without objection, that change will be made.

Mr. WADSWORTH. I move to amend also in line 5, on the same page, to strike out the words "section 62" and insert in lieu thereof "sections 45 or 64."

The amendment was agreed to.

The reading was continued to the end of section 3, line 16, page 4.

Mr. HITCHCOCK. I want to ask the chairman of the committee with relation to the Officers' Reserve Corps, what is the number of officers now in that corps?

Mr. WADSWORTH. My information is that there are about 60,000 officers who have accepted reserve commissions. Of course, the Senator will remember that they are not attached to any units or organizations. They have no commands anywhere. They have no reserve units to command, but they hold those commissions.

The reading of the bill was continued to the end of section 5, line 18, page 5.

Mr. LENROOT. I would like to ask the Senator from New York whether there is any limit anywhere in the bill upon the number of officers who may be assigned under the provisions of this and the preceding section?

Mr. WADSWORTH. Only the limitations imposed by appropriation bills.

Mr. LENROOT. May I ask the Senator, then, if there be no limitation in appropriation bills, there being certain lump-sum appropriations, whether there would be any limitation on their coming in with a deficiency?

Mr. WADSWORTH. My own opinion is that they have no right to create deficiencies in that way. The annual Army appropriation bill will state how much money can be paid to reserve officers serving temporarily with the permanent force.

Mr. LENROOT. That would be provided for separately?

Mr. WADSWORTH. Yes; it ought to be. I will say to the Senator that it is about the cheapest way to educate soldiers.

The reading of the bill was continued, and section 6 was read, as follows:

SEC. 6. The training forces: The training forces shall consist of such commissioned officers, enlisted men, and civilians of the permanent personnel and such reserve officers and reservists as may consent to serve for limited periods under regulations to be established by the President as shall be required to train and provide for the recruits called out annually for military training, and, together with the recruits so called out, shall be organized into such training units as the President may direct in accordance with the requirements of the service: *Provided*, That nothing herein contained shall be construed to prevent the assignment of such of the permanent or reserve personnel of the training forces as the President may direct in accordance with the requirements of the service to units of the National Guard of the United States to train or to assist in the training of reservists enlisted in such units as hereinafter provided: *Provided further*, That until the system of military training hereinafter provided for shall become effective, the President is hereby authorized to organize the training forces into such units as he may direct and to employ such units in accordance with the requirements of the service.

Mr. WADSWORTH. Mr. President, a sentence was left out of the section just read, which it was the full intention of the committee to insert. It has been suggested that if it is inserted it would make the meaning entirely clear, in connection with other provisions of the bill, and so I offer the amendment with that idea in mind.

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. On page 6, line 9, after the word "provided," insert:

But no officer of the permanent or reserve personnel assigned to a unit of the National Guard of the United States under the provisions of this section shall command such units unless assigned to such command with the approval of the governor of the State concerned, as provided in section 64 of this act.

Mr. WADSWORTH. We believe that that really is covered by section 64 and other provisions, but this makes it absolutely clear.

The amendment was agreed to.

Mr. WADSWORTH. Mr. President, that finishes section 6. I understand that an executive session is desired, and I am perfectly willing to yield for that purpose.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 6, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 5, 1920.

CHIEF JUSTICE OF THE SUPREME COURT, PHILIPPINE ISLANDS.

Victorino Mapa, of the Philippine Islands, vice Cayetano S. Arellano, resigned.

UNITED STATES ASSAYER.

Hugh T. Rippeto, of Salt Lake City, Utah, to be assayer in charge of the United States assay office at Salt Lake City, in place of Charles Gammon, resigned.

COAST GUARD.

First Lieut. Fletcher W. Brown to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. Henry Coyle to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. Robert Donohue to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. Frank J. Gorman to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. Loyd V. Kielhorn to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. Gordon W. MacLane to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. Earl G. Rose to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. Edward H. Smith to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. Elmer F. Stone to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. Carl C. von Paulsen to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

First Lieut. John E. Whitbeck to have temporarily the rank of captain in the Coast Guard of the United States, to take effect September 25, 1919.

PUBLIC HEALTH SERVICE.

Surg. Gregorio M. Guiteras to be senior surgeon in the Public Health Service, to take effect March 11, 1920, in place of Senior Surg. J. H. White, promoted.

Asst. Surg. Royd R. Sayers to be passed assistant surgeon in the Public Health Service, to take effect January 1, 1920.

Asst. Surg. Edward C. Ernst to be passed assistant surgeon in the Public Health Service, to take effect January 10, 1920.

Asst. Surg. Peter J. Gorman to be passed assistant surgeon in the Public Health Service, to take effect January 10, 1920.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Edward P. Morton, Corps of Engineers, from September 19, 1919, subject to examination required by law.

First Lieut. George J. Nold, Corps of Engineers, from September 21, 1919, subject to examination required by law.

First Lieut. John P. Dean, Corps of Engineers, from September 21, 1919.

First Lieut. Patrick H. Timothy, jr., Corps of Engineers, from September 23, 1919.

First Lieut. Hugh J. Casey, Corps of Engineers, from September 25, 1919.

First Lieut. Robert E. Hamilton, Corps of Engineers, from September 27, 1919.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Joseph Kennedy, Field Artillery, from September 13, 1919.

First Lieut. George D. Shea, Field Artillery, from September 17, 1919.

First Lieut. John V. D. Hume, Field Artillery, from September 24, 1919.

COAST ARTILLERY CORPS.

Second Lieut. Lee E. Gray, Coast Artillery Corps, to be first lieutenant from October 15, 1919.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 5, 1920.

COMMISSIONER OF IMMIGRATION.

Edward White to be commissioner of immigration, San Francisco, Calif.

COLLECTOR OF INTERNAL REVENUE.

Scott Reed to be collector of internal revenue, second district of Texas.

CONSULAR SERVICE.

CONSULS OF CLASS 7.

Charles H. Cunningham.
Maurice Brulay.
William P. Blocker.
Randolph Robertson.

UNITED STATES ATTORNEY.

James R. Clark to be United States attorney, southern district of Ohio.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

To be majors.

Capt. John R. D. Matheson.
Capt. Charles J. Taylor.
Capt. Edwin H. Marks.
Capt. Earl North.
Capt. Gilbert Van B. Wilkes.
Capt. John C. H. Lee.
Capt. Frank S. Besson.

To be captains.

First Lieut. Bennet H. Bowley, jr.
First Lieut. Robert D. Ingalls.
First Lieut. Walter L. Medding.
First Lieut. Warren A. Lyon.
First Lieut. Albert C. Lieber, jr.
First Lieut. Robert K. Munroe.
First Lieut. Eugene F. Gaebler.
First Lieut. William C. Atwater.
First Lieut. John A. Strang.

To be first lieutenants.

Second Lieut. David W. Griffiths.
Second Lieut. Bernard S. Stearns.
Second Lieut. Arthur W. Pence.
Second Lieut. Leslie R. Groves, jr.
Second Lieut. Henry C. Lodge.
Second Lieut. Lemuel Pope, 3d.
Second Lieut. James L. Rhoads.
Second Lieut. Frederic B. Butler.
Second Lieut. Leverett G. Yoder.
Second Lieut. Harry A. Montgomery.

MEDICAL CORPS.

To be majors.

Capt. Horace S. Villars.
Capt. Patrick F. McGuire.
Capt. Tom S. Mebane.
Capt. Edmund B. Spaeth.
Capt. Philip L. Coulter.
Capt. James B. Montgomery.
Capt. Percy E. Duggins.
Capt. Brown S. McClintic.
Capt. Henry K. B. Hufford.
Capt. Joseph G. Fernbach.
Capt. Charles W. Sale.
Capt. Robert H. Lowry, jr.
Capt. Hertel P. Makel.

Capt. Ward S. Wells.
Capt. Seymour C. Schwartz.
Capt. Burgh S. Burnet.
Capt. Karl F. Kesmodel.
Capt. Ross Golden.
Capt. Curtis D. Pillsbury.
Capt. Nelson A. Myll.
Capt. Roy L. Scott.
Capt. William W. Southard.
Capt. George H. Dorsey.
Capt. Laurent L. LaRoche.
Capt. Henry C. Dooling.
Capt. Frank S. Matlack.
Capt. Cleon J. Gentzkow.
Capt. James P. Crawford.
Capt. Robert A. Hale.

INFANTRY.

To be colonels.

Lieut. Col. Edward A. Shuttleworth.
Lieut. Col. Ralph H. Van Deman.
Lieut. Col. Joseph C. Castner.
Lieut. Col. Peter E. Marquart.

To be lieutenant colonels.

Maj. Alexander T. Ovenshine.
Maj. James N. Pickering.
Maj. William A. Burnside.
Maj. Reynolds J. Burt.
Maj. Russell C. Langdon.
Maj. Harry H. Tebbetts.
Maj. George S. Goodale.
Maj. Frank C. Bolles.

To be majors.

Capt. Benjamin H. Pope.
Capt. Herman Glade.
Capt. Frank S. Bowen.

To be first lieutenants.

Second Lieut. Paul B. Malone, jr.
Second Lieut. Ernest W. Gruhn.
Second Lieut. Edwin H. Crouch.
Second Lieut. William C. Coogan.
Second Lieut. John Haleston.
Second Lieut. Robert H. Offley.
Second Lieut. John P. Zachman.
Second Lieut. Elton T. Cobb.
Second Lieut. Richard G. McKee.
Second Lieut. Joseph C. Kovarik.
Second Lieut. Wynot R. Irish.
Second Lieut. Royal A. Machle.
Second Lieut. Leonard R. Nachman.
Second Lieut. Clark H. Mitchell.
Second Lieut. William M. Miley.
Second Lieut. Duncan Hodges.
Second Lieut. Alfred A. McNamee.
Second Lieut. Francis J. Achatz.
Second Lieut. Harold S. Kelley.
Second Lieut. Leon C. Boineau.

CAVALRY ARM.

Capt. Verne La S. Rockwell to be major.

FIELD ARTILLERY ARM.

To be first lieutenants.

Second Lieut. Richard B. Madigan.
Second Lieut. James V. Carroll.
Second Lieut. Eugene G. Miller.

PROFESSOR OF DRAWING.

Maj. Roger G. Alexander, Corps of Engineers, to be professor of drawing at the United States Military Academy.

APPOINTMENT, BY TRANSFER, IN THE ARMY.

CAVALRY ARM.

Second Lieut. Robert W. Child, Coast Artillery Corps, to be second lieutenant of Cavalry.

POSTMASTERS.

ALABAMA.

William L. Jones, Parrish.

COLORADO.

Cora B. Mordica, Springfield.

FLORIDA.

Columbus B. Smith, Madison.

KANSAS.

William N. Hamill, Grenola.

LOUISIANA.

William G. Stinson, Benton.
Edward G. Stuart, Columbia.
Herbert F. Adey, McNary.
Nathan Ratcliff, Shreveport.

MICHIGAN.

C. Clyde Beach, Deerfield.

MISSOURI.

Harvey E. Averill, Caruthersville.

OKLAHOMA.

William T. Bratton, Guymon.
John W. Orendorff, Henryetta.
Lloyd Thomas, Holdenville.
Cora M. Austin, Tyrone.

TEXAS.

Rosa E. Cherry, Cleveland.
Josephine W. Earnest, Cotulla.
Clarence S. Braswell, DeKalb.
Francis O. Drake, Donna.
Julia L. Browder, Gordon.
William H. D. Thomas, Kirkland.
Eugene B. Bryant, Kosse.
Edwin H. Todd, Marathon.
Claude H. Hamilton, Marlin.
John W. Patterson, Pecan Gap.
Merrell M. Jester, Round Rock.
Marvin A. Morris, San Augustine.
Nellie L. Weber, San Juan.
James A. Hilburn, Shamrock.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 5, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Eternal God our Father, for that push from within which has ever been moving Thy children onward and upward to a larger conception of Thee, of life and its eternal values.

O sometimes gleams upon our sight,
Through present wrong, the eternal Right;
And step by step, since time began,
We see the steady gain of man.

Through the harsh noises of our day
A low sweet prelude finds its way;
Through clouds of doubt and creeds of fear
A light is breaking calm and clear.

So we pray that that push may continue until the song of angels shall be heard and the light of heaven shine in every man's heart; that selfishness, greed, profiteering, and unholy discontent shall pass away; fatherhood, brotherhood, reign supreme, through the spiritual leadership of Thy son Jesus Christ. Amen.

The Journal of the proceedings of Thursday, April 1, 1920, was read and approved.

PENSION APPROPRIATION BILL.

By direction of the Committee on Appropriations, Mr. CANNON reported the bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes, which was read a first and second time, and, together with the accompanying report, ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. CANNON. Mr. Speaker, I give notice at this time that at the earliest opportunity, considering business pending or to be pending before the House, I shall call the bill up for consideration.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4173. An act to amend section 69 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1918; and

S. 1699. An act for the retirement of employees in the classified civil service, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the joint

resolution (S. J. Res. 134) to readmit Augusta Louise de Haven-Alten to the status and provileges of a citizen of the United States.

The message also announced that the Senate had passed with amendments the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed without amendment the bill (H. R. 12711) to amend the act approved December 23, 1913, known as the Federal reserve act.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1699. An act for the retirement of employees in the classified civil service, and for other purposes; to the Committee on Reform in the Civil Service.

S. 4173. An act to amend section 69 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1918; to the Committee on Military Affairs.

ENROLLED JOINT RESOLUTIONS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolutions of the following titles, when the Speaker signed the same:

S. J. Res. 148. Joint resolution authorizing the Department of Commerce to participate in the National Marine Exposition to be held in New York in April, 1920; and

S. J. Res. 134. Joint resolution to readmit Augusta Louise de Haven-Alten to the status and privileges of a citizen of the United States.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. To-day is unanimous-consent day, and the Clerk will call the Calendar for Unanimous Consent.

AQUEDUCT BRIDGE, POTOMAC RIVER.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 10328) to amend an act approved May 18, 1916, entitled "An act to provide for the removal of what is known as the Aqueduct Bridge, across the Potomac River, and for the building of a bridge in the place thereof."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the bill may be passed over without prejudice. Is there objection?

There was no objection.

NATIONAL BANKING ASSOCIATION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11307) to amend section 5146 of the Revised Statutes of the United States, in relation to the qualifications of directors of the National Banking Association.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts objects.

BRIDGE ACROSS PEARL RIVER, MISS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11877) granting the consent of Congress to Madison and Rankin Counties, in the State of Mississippi, to construct a bridge across the Pearl River between Madison and Rankin Counties.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Madison and Rankin Counties, State of Mississippi, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Pearl River, at a point suitable to the interests of navigation, one end of said bridge being in Madison County and the other in Rankin County, State of Mississippi, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 9, after the word "Mississippi," insert the words "at or near Meeks Ferry."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. COLLIER, a motion to reconsider the vote by which the bill was passed was laid on the table.

UNITED STATES DISTRICT COURT, ILLINOIS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10187) to change the place of holding the United States district court for the western division, northern district of Illinois, and for maintaining the clerk's office therein.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, I ask unanimous consent that this bill may be recommitted to the Committee on the Judiciary. It is not in the form which the committee has followed in reporting similar bills, and it should be materially amended so as to provide for amending the Judicial Code.

Mr. GARD. Mr. Speaker, reserving the right to object, does the gentleman intend to amend the section of the Judicial Code?

Mr. WALSH. Yes; that has been the practice of the committee, and this was inadvertently reported in this form.

Mr. GARD. If the gentleman wishes to do so, that could be done by amendment to the bill on the floor.

Mr. WALSH. I prefer to have it done in the other way.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the bill may be recommitted to the Committee on the Judiciary. Is there objection?

There was no objection.

CHALMETTE NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5918) with reference to a national park on the plains of Chalmette, below the city of New Orleans.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I do not see the gentleman from Louisiana present who answered some questions in respect to this the other day.

Mr. GARD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

REQUIRING CEREMONIAL MARRIAGE IN GRANTING OF CIVIL-WAR PENSIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12012) concerning the administration of the pension laws with respect to pensions of persons who served in the Army, Navy, or Marine Corps of the United States during the Civil War, and the widows of such persons.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, I would like to get some information respecting the bill from the chairman of the committee. This bill was discussed some time ago with very intelligent observations by the gentleman from Texas [Mr. BLACK], particularly with reference to section 2 of the bill.

Mr. FULLER of Illinois. Mr. Speaker, this bill is reported in different form from the committee. There is a committee amendment which covers the objection then made, which amendment provides that there must have been a ceremonial marriage in addition to cohabitation for the period of seven years.

Mr. GARD. Then the committee proposes to amend the bill by inserting on page 2 a provision requiring ceremonial marriage. Is that the amendment the gentleman refers to?

Mr. FULLER of Illinois. Yes.

Mr. GARD. I presume the purpose of that amendment is not to leave the section open to the imputation that what is known as a common-law marriage would be sufficient.

Mr. FULLER of Illinois. That is correct.

Mr. GARD. I think it is very proper that we should include in the bill a provision for a ceremonial marriage. But if you do that in the form in which it now is you make the bill, on page 2, after the word "claimant," read "lived and cohabited with the soldier, sailor, or marine for a period of seven years or more." If there be a ceremonial marriage, why is it necessary that she should live with the soldier, sailor, or marine seven years or more?

Mr. FULLER of Illinois. Perhaps there ought to be an amendment as to the length of time of cohabitation. I do not know that there should be a limitation, but that was in the original bill.

Mr. GARD. The original bill was intended to provide that a practical recognition of marriage would be sufficient to establish the fact that they were married. Unfortunately that might be characterized by some as a mere common-law marriage. I think

the ceremonial amendment which the gentleman proposes to put in the bill is a proper amendment, but I call attention to the additional language that, notwithstanding the ceremonial marriage, you have the requirement that they shall live together seven years and have been recognized as man and wife all that time. If the marriage was ceremonial it seems to me that there should be no limitation needed to establish the claim of widowhood.

Mr. FULLER of Illinois. It was not intended that they should be required to live together for seven years if there was other proof establishing a legal marriage; but it is difficult to prove a marriage or divorce that took place 40 or 50 years ago, and the bill proposes to do away with the necessity for making such proof to establish legal widowhood.

Mr. BEE. Will the gentleman yield?

Mr. GARD. I will.

Mr. BEE. Let me ask the gentleman if this condition might not arise, that if you have a ceremonial marriage the ceremonial marriage might take place to-day and a separation the next day, and then the widow would have a pensionable status?

Mr. FULLER of Illinois. That could not occur under this bill.

Mr. GARD. The old law provided that the marriage must have taken place before a certain time, which had the purpose of making the marriage more than a mere form of marriage, which the gentleman from Texas very properly calls attention to.

Mr. BEE. Suppose the marriage was one which is commonly denominated a forced marriage. The widow would be pensioned for the rest of her life by a marriage forced upon the soldier not necessary to detail. It occurred to me that there ought to be a limitation of time in which the woman would be entitled to claim a pension beyond the mere fact that a ceremony was performed.

Mr. BLACK. Mr. Speaker, reserving the right to object, I have just read the bill, and the gentleman from Illinois will recall the objection I made at a prior time. I understand it is the purpose of the gentleman from Illinois to offer an amendment that in order to prove widowhood it shall be necessary to establish a ceremonial marriage. With that understanding, I shall not object. I agree with the observation, however, of the gentleman from Ohio [Mr. GARD] that if that amendment is offered it will be unnecessary to have this language in the bill which requires the husband and wife to live together for a certain number of years.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. BLACK. Certainly.

Mr. BLAND of Indiana. I may be in error, but it was my understanding that the committee amendment should have been "was ceremonially married to or."

Mr. BLACK. If that is the understanding, I should object to the bill, because that would take in a common-law marriage.

Mr. FULLER of Illinois. The amendment proposed by the committee is as I have stated, and requires that there must have been a ceremonial marriage as well as cohabitation.

Mr. BLACK. I believe that would be placing a more burdensome condition than ought to be placed, and I do not insist on that language, but if I understand that you are to make this a mere ceremonial marriage I should object because that would be a recognition of a common-law marriage.

Mr. GARD. Does the gentleman think it desirable to carry any term of years as to which the husband and wife must live together. This carries the term of seven years. That seems to me too long.

Mr. FULLER of Illinois. I do not think it was the intention that they must live and cohabit for seven years, but that that would be sufficient. I do not think it would prevent granting a pension to anyone legally married. But this does away with the rule of the Pension Department that they must have been legally married according to the laws of the State where they reside.

Mr. GARD. But here you propose to say that they must have been ceremonially married and lived together for seven years. If they did not establish the fact that they were ceremonially married, but that they had lived together seven years, it would not be sufficient proof, as I take it.

Mr. FULLER of Illinois. No; it would not. There would have to be a ceremonial marriage, in addition to living together as husband and wife.

Mr. GARD. And they would have to live together seven years——

Mr. FULLER of Illinois. The bill would do away with the proof now required by the bureau, which is that they must have been legally married, and that there was no impediment to such marriage. It is almost impossible for a widow to prove the divorce or death of a former wife 50 years or more ago.

Mr. GARD. I think it is too great a burden to require them to prove that they lived together seven years.

Mr. FULLER of Illinois. It is not intended to do that.

Mr. GARD. Does not the gentleman think that he should offer an amendment making it two years?

Mr. FULLER of Illinois. I will accept an amendment of that kind, or without any limitation whatever—simply show that they have been ceremonially married.

Mr. BLAND of Indiana. I think there ought to be a limitation as to time in which they have lived together.

Mr. GARD. Would the gentleman be willing to amend by making it two years?

Mr. BEE. I believe I shall be impelled to object if it is limited to seven years. I would not object to five.

Mr. FULLER of Illinois. Five would cover any possible case where there is now a claim for a pension, because they are not pensionable unless married before June 27, 1905.

Mr. BEE. I shall not object.

Mr. ASHBROOK. Mr. Speaker, I think it would be hardly fair to the widows who under existing law are denied a pension because they were not married previous to June 27, 1905, whereas the Fuller bill, pending in the Senate, raises the limit to 1915.

Mr. FULLER of Illinois. Make this five years and it will be all right. This bill would not change existing law where legal widowhood was otherwise proved. It only waives the necessity of requiring proof that no impediment existed at the time of the marriage.

Mr. ASHBROOK. I hardly think it is right or fair to treat widows having established marriage relations to soldiers better than widows who were legally married, but are barred by reason of the law.

Mr. BEE. I do not think so, either. I will not object if they make it five years.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House.

The SPEAKER. The Chair will rule that it will be considered in the House as in Committee of the Whole House. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws in claims for pension of persons who served in the Army, Navy, or Marine Corps of the United States during the Civil War, and in claims for pensions of widows of such persons, the term honorable discharge shall be held to mean an honorable discharge from the latest service during said war, and such honorable discharge, the service having been for 90 days or more, shall be held to be an honorable discharge from any former service, during said war, in the Army, Navy, or Marine Corps of the United States.

SEC. 2. That in any claim for pension by any person claiming to be the widow of a person who served in the Army, Navy, or Marine Corps of the United States during the Civil War it shall constitute sufficient proof of widowhood to establish by competent testimony that the claimant lived and cohabited with the soldier, sailor, or marine, on account of whose service she claims, for a period of seven years or more and continuing until his death, during all that time being recognized as the wife of the soldier, sailor, or marine: *Provided*, That there is no other person claiming to be the legal widow of the soldier, sailor, or marine.

Mr. FULLER of Illinois. Mr. Speaker, I offer the following committee amendment: Page 2, line 7, after the word "claimant," insert the following: "Was ceremonially married to and."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 7, after the word "claimant," insert "was ceremonially married to and."

Mr. BLAND of Indiana. Does the gentleman offer that in lieu of the committee amendment?

Mr. FULLER of Illinois. That is the committee amendment.

The question was taken, and the amendment was agreed to.

Mr. GARD. Mr. Speaker, I offer a further amendment. Page 2, line 9, strike out the word "seven" and insert the word "five."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 9, strike out the word "seven" and insert in lieu thereof the word "five."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FULLER of Illinois, a motion to reconsider the vote by which the bill was passed was laid on the table.

INQUIRY INTO COMBED COTTON YARN.

The next business in order on the Calendar for Unanimous Consent was the resolution (H. Res. 451) requesting the Federal Trade Commission to make certain inquiries into the prices of combed cotton yarn.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, I make the reservation of the objection to this resolution for the purpose of learning first if it comes from the Committee on Interstate and Foreign Commerce with a unanimous report?

Mr. WINSLOW. It does, after a hearing.

Mr. GARD. What hearings were had on the bill? How extensive were the hearings had under the bill?

Mr. WINSLOW. One hearing.

Mr. GARD. One hearing?

Mr. WINSLOW. One hearing.

Mr. GARD. I note that the communication made by the gentleman from Connecticut [Mr. TILSON] very frankly states:

> As I stated to the committee on yesterday, I do not anticipate that any action you may take upon this resolution or that Congress may take as a result of your recommendation will of itself materially change or affect the condition complained of. Neither will an investigation by the Federal Trade Commission or any possible proceeding on the part of the Government itself prevent profiteering or bring down the high cost of living, but I do hope that by reason of all these several activities a certain amount of publicity may be given and public opinion aroused, which, after all, is the most potent factor in a self-governing community.

So it seems to me there is very little to be gained by the proposed legislation, but I would like to ask the gentleman from Massachusetts, who I know can inform the House, of the necessity and proposed benefit from this joint resolution?

Mr. WINSLOW. Mr. Speaker, the committee, after a hearing on the joint resolution introduced by the gentleman from Connecticut [Mr. TILSON], came to the conclusion, regardless of whatever he may have said to them, that the evidence ought not to be overlooked. The public should have the benefit of an investigation of the claim which he set forth. I believe I am not incorrect in stating that the committee was of a mind that a demonstration could be easily made of the fact that the prices of cotton yarns have been advanced all out of proportion to the price of raw cotton. Further, they concluded that if this was one of many possible instances where unusually high prices were being charged for commodities it was well worth while for the Federal Trade Commission to investigate and know the facts in order that they may establish here one instance where an extremely high rate of profit was probably being made on an article of general consumption.

Mr. GARD. The committee thought this, with other bills of like character, would create at least a public sentiment of protest which may knock old high cost of living on the head.

Mr. WINSLOW. I think the idea of the committee was that the evidence seemed to be so reasonable and so well founded that an investigation would be valuable and would be worth while, that the public generally might know whether or not in this instance excessive profits were being made.

Mr. WELLING. Was an inquiry made of the Federal Trade Commission as to when they could begin this inquiry?

Mr. WINSLOW. The gentleman refers to the committee?

Mr. WELLING. Yes.

Mr. WINSLOW. Not as far as I know.

Mr. WELLING. I happen to know the Federal Trade Commission was directed last fall to investigate the price of sugar and the report of that investigation had not yet reached the point where it could be acted upon, and I am wondering if they have the force to go ahead and make an investigation in time to do any good.

Mr. WINSLOW. Really, I am not prepared to answer the question. It is to be hoped they can attend to this business.

Mr. SIMS. Reserving the right to object, although I do not expect to do so, I wish to say that I am a member of the committee and was present when the gentleman from Connecticut [Mr. TILSON] offered the resolution and made a statement of facts as to the necessity for the investigation provided in the resolution, and I want to say that I never heard a stronger presentation made in support of what many cotton growers have already claimed, to the effect that the manufactured product from cotton was extremely high in proportion to the cost of the raw material. The gentleman from Connecticut showed that during a period, I think, of six months the advance in cotton out of which cotton yarn is manufactured was relatively small, almost inconsiderable compared to the advance in the price of cotton yarns during the same period, showing clearly that the contention of cotton growers is true—that the spinners have always made a profit out of all proportion to the cost of raw cotton. It will not take the Federal Trade Commission very long to show that the cost of cotton out of which cotton yarn is manufactured is relatively very low compared with the prices of cotton goods. There is not a bit of doubt that cotton mills, so far as the cost of cotton is concerned, have not been embarrassed or hampered in the slightest, and that they have made wonderful profits during the time that the cotton has been high by reason of getting a much higher price for the yarn or the manufactured product than is warranted by the cost of the material. I hope no gentleman, especially from the cotton-growing States, will have the slightest objection to the passage of this resolution. I want to compliment the author of it. He comes from New England, and he is showing that he does not want to stand in the way of presenting the facts, even when his own constituents, or some of them, may be shown to be making a pretty large profit so far as they are concerned. I hope there will be no objection to the consideration of the resolution and that it will be passed by a unanimous vote.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 451.

> Whereas the prices of combed cotton yarns have increased several hundred per cent during the years 1914 to 1919, inclusive, more than 100 per cent of which was during the last six months of the year 1919; and
>
> Whereas this increase has been greatly in excess of the increase of the cost of the raw cotton and the labor entering into the manufacture of such yarns and can not therefore be attributed to such increases: Therefore be it
>
> *Resolved*, That the Federal Trade Commission is hereby requested to inquire into the increase in the price of combed cotton yarns during the years 1914 to 1919, inclusive, and especially during the last six months of the year 1919; to ascertain the cause or necessity for and the reasonableness of such increase; to ascertain the difference between the increase in the price of the yarn on the one hand and the increase in the cost of raw cotton and the labor entering into the cost of the manufacture of such yarn and to report to the House at the earliest practicable date the result of the investigation, together with such recommendations as the commission may deem advisable and proper.

Also the following committee amendment was read:

> Page 2, line 5, after the word "investigation," strike out the words: "together with such recommendations as the commission may deem advisable and proper."

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

On motion of Mr. TILSON, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

SANDPOINT, IDAHO, WATER-SUPPLY SYSTEM.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9702) granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, I note from a reading of the report on this bill that the proposition is to authorize the city of Sandpoint, Idaho, to purchase some 2,846.34 acres of land located in four townships, as a protection of the water supply of the city of Sandpoint, which has a population of approximately 5,000 people, this purchase at an agreed price of $1.25 per acre. I note further that the same gentleman has another bill, possibly two other bills, one for the village of Downey, which provides for the purchase of something like 100 acres of watershed, I believe. I would like to ask the gentleman's opinion as to why so large a tract as 2,846 acres of land is necessary to protect the watershed to secure water from creeks known as Sweitzer Creek and Little Sand Creek?

Mr. SMITH of Idaho. In the case of the bill authorizing the sale of land to the city of Downey, to which reference is made, there are 640 acres required instead of 100 acres, as suggested by the gentleman. In the vicinity of Sandpoint the country is less mountainous, and for that reason the watershed is larger and more land is required as a basin for the water supply. The proposed reservoir for the village of Downey is situated in the mountain and covers a smaller area and not nearly so much land is required. It is because of the difference in the topography of the country that less land is required for Downey than Sandpoint.

Mr. GARD. Is that watershed of 2,800 acres necessary for the city of Sandpoint?

Mr. SMITH of Idaho. Undoubtedly so.

Mr. GARD. How far is the watershed from the city of Sandpoint?

Mr. SMITH of Idaho. I think in the neighborhood of 12 miles, and the country up there is more level than down in the southern section, where the village of Downey is located.

Mr. GARD. Does the acreage in question take in all the territorial limits of Sandpoint to the watershed?

Mr. SMITH of Idaho. No.

Mr. GARD. What means of access is there from the watershed to Sandpoint?

Mr. SMITH of Idaho. The water comes down in the natural channel to the reservoir near the city.

Mr. GARD. What is the name of the channel?

Mr. SMITH of Idaho. I do not recall just the name.

Mr. GARD. It comes down the Little Sand Creek or Sweitzer Creek. How does it come?

Mr. SMITH of Idaho. It comes down from both creeks, according to the statement contained in the bill and in the report.

Mr. GARD. Is there an artificial flume created or does it come down through the natural course?

Mr. SMITH of Idaho. It comes down through a natural channel near to Sandpoint, where it is delivered to the city through pipe lines.

Mr. GARD. Has the channel any name?

Mr. SMITH of Idaho. Sand Creek and Sweitzer Creek. Those creeks come together near the city of Sandpoint.

Mr. GARD. And from these creeks the water is diverted into the reservoir?

Mr. SMITH of Idaho. Yes.

Mr. GARD. How far is the reservoir from the city of Sandpoint?

Mr. SMITH of Idaho. I am not able to say. This is in my colleague's district, and I am not very well acquainted regarding the location of the reservoir there, but I presume it is within a few miles.

Mr. GARD. I do not want to stand in the way of affording an ample supply of pure, clean, fresh water to the people of any community. I would suggest, however, an amendment, on page 1, line 5, after the word "issue," inserting the words "in his discretion."

Mr. SMITH of Idaho. The amendment will be accepted, Mr. Speaker.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9702) granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to issue patent to the city of Sandpoint, Idaho, for certain public lands in the Sand Creek and Sweitzer Creek Basins for the protection of the watersheds furnishing the water supply for the said city, the lands being described as follows: Lots 6, 7, and the south half of the north half of section 4; lots 1, 2, 3, 4, 5, 6, 7, 8, and the south half of the north half of section 5; lots 1, 2, 3, and 8 in section 6, all in township 57 north, range 2 west, Boise meridian; also lots 3, 4, 5, 7, and 8 in section 2, township 57 north, range 3 west, Boise meridian; also the east half of section 34, the southeast quarter of the southeast quarter of section 28; the west half of the southwest quarter and the southeast quarter of the southwest quarter of section 28; the east half of the southeast quarter, the east half of the northeast quarter, the northwest quarter of the northeast quarter, the east half of the northwest quarter, the southeast quarter of the southwest quarter, and lot 1 in section 30; the south half of the southwest quarter, the north half of the northwest quarter of section 20; the east half of the southeast quarter of section 18, all in township 58 north, range 2 west, Boise meridian; also all of section 36 (unless this be school land); the southwest quarter of the northwest quarter of section 35, all in township 58 north, range 3 west, Boise meridian.

With committee amendments as follows:

Page 1, line 3, after the word "That," insert "the city of Sandpoint, Idaho, is hereby authorized to purchase, and."

In line 9, after the word "six," insert the word "and," and after the word "seven," strike out the word "and."

In line 10, after the word "the," where it first occurs, strike out the words "north half" and insert the words "northwest quarter and the southwest quarter of the northwest quarter."

On page 2 strike out all of lines 18, 19, 20, and 21 and insert the following:

"SEC. 2. That the said conveyance shall be made upon the payment by said city for lands purchased at the rate of $1.25 per acre: *Provided*, That the conveyance hereby authorized shall not include any lands which at the date of the issuance of patent shall be covered by a valid existing bona fide right or claim initiated under the laws of the United States: *Provided further*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found on the lands so granted and the right to prospect for, mine, and remove the same: *And provided further*, That said city shall not have the right to sell or convey the land herein granted, or any part thereof, or to devote the same to any other purpose than as hereinbefore described; and if the said land shall not be used for such municipal purpose, the same, or such parts thereof not so used, shall revert to the United States; the conditions and reservations herein provided for shall be expressed in the patent: *And provided further*, That the grant herein is made upon the express condition that within 30 days of the receipt of any request therefor from the Secretary of the Interior, the mayor of said city shall submit to the said Secretary of the Interior a report as to the use made of the land herein granted the city, during the preceding period named in such request showing compliance with the terms and conditions stated in this act, that in the event of his failure to so report or in the event of a showing in such report to the Secretary of the Interior that the terms of the grant have not been complied with, the grant shall be held to be forfeited, and the Attorney General of the United States be instructed to institute suit in the proper courts for the recovery of said lands."

Mr. GARD. Mr. Speaker, I offer an amendment to the committee amendment as it appears in section 2 by inserting, on line 23 of page 2, after the word "of," at the end of the line, the words "not less than." I do that, Mr. Speaker, because I realize that $1.25 per acre is what is called the agreed minimum price. I should think that should not be less than the arbitrary price.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 2, line 23, after the word "of," at the end of the line, insert "not less than."

Mr. SMITH of Idaho. Mr. Speaker, I have no objection to the amendment. That $1.25 is the usual price.

Mr. GARD. That is the minimum?

Mr. SMITH of Idaho. That is the price at which public land of this character is sold. I have no objection to the amendment.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, I offer an amendment, on page 1, line 5, after the word "issue," to insert the words "in his discretion."

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 1, line 5, after the word "issue," insert "in his discretion."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BLANTON. Mr. Speaker, I demand a division.

The SPEAKER. The gentleman from Texas demands a division.

The House divided; and there were—ayes 82, noes 0.

So the bill was passed.

On motion of Mr. SMITH of Idaho, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS LAKE CHAMPLAIN.

The next business on the Calendar for Unanimous Consent was the bill (S. 3813) to authorize the construction of a bridge across Lake Champlain, between the towns of Shoreham, Vt., and Ticonderoga, N. Y.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill,

Mr. WALSH. Reserving the right to object, Mr. Speaker, I would like to ask the reason for the committee amendment, in line 6, striking out the word "railroad." Is this to be a joint railroad and highway bridge?

Mr. ESCH. No. We have made it the practice in the committee not to designate the character of the bridge, because that would be left anyhow to the Chief of Engineers in administering the general bridge act.

Mr. WALSH. In fact, it will be a railroad bridge?

Mr. ESCH. Yes. It is really a reconstruction.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Addison Railroad Co., a corporation organized under the laws of the States of Vermont and New York, its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across Lake Champlain, at a point suitable to the interests of navigation between the town of Shoreham, in the State of Vermont, and the town of Ticonderoga, in the State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With a committee amendment, as follows:

On page 1, line 6, strike out the word "railroad."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

VILLAGE OF DOWNEY, STATE OF IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11004) to grant certain lands to the village of Downey, State of Idaho, for the protection of its water supply.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. WALSH. Reserving the right to object, Mr. Speaker, I notice that this bill makes a grant subject to the legal rights heretofore acquired. Are there legal rights heretofore acquired that are subject to this grant?

Mr. SMITH of Idaho. No. There are no legal rights heretofore acquired, but a gentleman by the name of Day attempted to have this land designated under the 640-acre homestead law; but that attempt on his part did not give him any right or claim to the land. Later the Secretary of the Interior withdrew the land from entry in order to protect the water supply of this village of Downey. There are no legal rights or claims to this land.

Mr. WALSH. What was that language in the bill intended to safeguard?

Mr. SMITH of Idaho. It is the usual phraseology of bills of this character. There are no rights there, so far as I know, and no one is attempting to get any except the individual I have mentioned.

Mr. WALSH. Does the gentleman state that this first proviso, which is found at the top of page 2, is the usual language carried in bills of this sort?

Mr. SMITH of Idaho. That is my understanding; that it is the usual phraseology in legislation of this character.

Mr. WALSH. I suppose the gentleman would have no objection to an amendment in line 11 of page 1, after the word "of," to insert the words "not less than," the same as was carried in the previous bill as an amendment?

Mr. SMITH of Idaho. As I remarked to the gentleman from Ohio [Mr. GARD] when the other bill was being considered, I have no objection to that amendment. It will not do any harm. The $1.25 is the usual price for land sold by the Government to towns and villages that desire to use it for water supply purposes.

Mr. WALSH. Yes; but the price of Government land, when we are practically giving it away, is one of the few things which have not advanced. The price has not changed in 30 years.

Mr. SMITH of Idaho. We are not giving the land away.

Mr. WALSH. We are giving it away for $1.25 an acre.

Mr. SMITH of Idaho. Over a thousand people are to be benefited, as the bill provides a reservoir site for water for their village.

Mr. WALSH. That is all right. Other cities have to buy at the market price.

Mr. SMITH of Idaho. No; they do not, except where they buy from individuals.

Mr. WALSH. I say other cities that are not so fortunately situated as to have Government land in the vicinity that they can get for little or nothing have to purchase at the market price, and it would seem that perhaps some of these cities ought to be able and willing to pay the Government more than $1.25 an acre for land. If this is particularly valuable land for Government purposes, I thought with these words included they might be willing to pay a little more.

Mr. SMITH of Idaho. The people who are attempting to build up the western country and establish homes and communities are a good deal less able to pay for land than people living in the more populous and prosperous sections of the country.

Mr. WALSH. Oh, yes——

Mr. SMITH of Idaho. And the Government is not being injured by selling this land to them at this price or even giving it away.

Mr. WALSH. I doubt, however, if that is the class of people who are building up the great West. There may be a few of them.

Mr. SMITH of Idaho. You do not find the prosperous people leaving this section of country to go out West. Most of the people who go West are those who go there to better their condition.

Mr. WALSH. The prosperity of those people is pretty well known and recognized. They are prosperous, thrifty people.

Mr. SMITH of Idaho. They are thrifty, undoubtedly.

Mr. WALSH. And they have built up a great country and are doing it. Now, it would seem that if the land which is sought to be granted to them may have some peculiar value for other governmental activities, they ought to be willing to pay for it.

Mr. SMITH of Idaho. It has been the policy of the Government for the last hundred years to give public land to people who want to make homes upon it, and here we propose to pay for the land in order that the people living in the village of Downey may have the benefit of an uncontaminated source of water supply.

Mr. WALSH. If we should listen to some of these gentlemen it would continue to be the policy of the Government for the next hundred years to give away the land that it owns.

Mr. SMITH of Idaho. If they make homes on it, yes.

Mr. WALSH. I think it is time that policy was changed a little.

Mr. MONDELL. Will the gentleman yield?

Mr. WALSH. I yield to the gentleman.

Mr. MONDELL. I notice that in lines 10 and 11 the area described is referred to as 160 acres. I will ask the gentleman from Idaho if there are not more than 160 acres described.

Mr. SMITH of Idaho. I think there is a mistake in the bill in that regard.

Mr. MONDELL. There are much more than 160 acres described.

Mr. SMITH of Idaho. The amount is 640 acres.

Mr. MONDELL. Then it seems to me it will be necessary to amend the words "160 acres" in line 10, page 1.

Mr. SMITH of Idaho. Yes; it will be necessary to amend that. I thought it had been amended.

Mr. WALSH. The first class in fractions will stand up.

Mr. MONDELL. Mr. Speaker, if the gentleman from Massachusetts [Mr. WALSH] will allow me, reserving the right to object—and I shall not object—I do not know that the particular form of this grant is important, but I should hope that the Committee on the Public Lands would not get in the habit of passing bills containing grants in this language. I think it would be necessary to set forth in the patent all the language beginning with line 11, page 1, down to line 13, page 2, in order to describe the character of the transfer. I do not recall the use of just that language in any transfer that we have ever made heretofore. It is not a fee. It is not even a fee conditioned on use. It is a fee conditioned on use and conditioned on prior claims, and it goes to patent notwithstanding a prior claim, and a tract covered by a prior claim might go to patent with a fee and still leave this patent covering the land to which such unconditional patent was issued. It is a very peculiar form, and as a general practice I would not say that it was a good form. I do not know but what it is all right to use it in this particular case.

Mr. SMITH of Idaho. It is the language of other bills of this character.

Mr. MONDELL. I do not think we have ever made just such a transfer as this, beginning with the good old words "to have and to hold," and providing that the grant shall be expressed in a patent but shall be subject to existing legal rights. We ordinarily make a grant of all the lands within a certain area, excepting from them those to which some legal right may be found to have attached; but this is a patent of the entire area described, with the provision that the grant shall be subject to other legal rights. In other words, if there is any of this land held under a title that can not be defeated by this legislation, eventually a patent would issue to that tract notwithstanding this grant, and it creates a confusing condition in patents.

Mr. SMITH of Idaho. I think one reason this amendment was suggested was because of the fact that occasionally land reverts because it is not used for the purpose for which it was intended to be used when conveyed by the Government.

Mr. MONDELL. I was not referring to the limitation on the use contained in the second proviso. I have reference to the first proviso that limits the grant; that is, it is a grant made subject to the legal rights that may have been acquired, but it is a grant nevertheless. If the language used had been "hereby grant all of this described land except land to which legal rights have attached," then the situation would be very different, and the patent when it issued would have described only the land to which there was no legal right. The question of the legal right would be determined before the patent was issued. In this case the patent could issue at once to this entire area, and then later, under the terms of the first proviso, the claimant holding a legal right which attached prior to the enactment of this legislation could assert and through that right secure a patent.

Mr. SMITH of Idaho. Strike out that proviso. I will accept such an amendment.

Mr. MONDELL. I think it would be better to have the first proviso stricken out, because if there are legal rights there they could not be affected by any grant we make. We could not grant land to which a legal homestead right had attached. We might presume and assume to do it, but we have not the power to do it.

Mr. GARD. Further reserving the right to object, it seems to me that this bill is not properly safeguarded, and I am glad to have the word of the gentleman from Wyoming about the

matter. I note, in addition to that already mentioned, that the Sandpoint bill that we passed had a proviso that there was reserved to the United States all of the coal, oil, and other mineral deposits. There is no such a reservation in this bill. When we had the Sandpoint bill up the gentleman told me on inquiry that the Downey bill was for 640 acres, and yet in the bill it carries 160 acres.

Mr. SMITH of Idaho. The land described aggregated 640 acres, and that is a mistake in the bill making it 160 acres.

Mr. GARD. I think the bill should be rereferred.

Mr. SMITH of Idaho. There is no occasion for sending it back to the committee.

Mr. GARD. There are several amendments that ought to be made besides the reservation for the protection of the mineral deposits.

Mr. SMITH of Idaho. Those amendments can be offered from the floor. There is no possibility of any oil being on this mountain top.

Mr. GARD. I know nothing personally about the country; have never been there and am in entire ignorance about it.

Mr. SMITH of Idaho. I am willing to accept the amendment reserving the oil and mineral deposits.

Mr. GARD. Did the gentleman accept the suggestion of the gentleman from Massachusetts about the minimum cost of $1.25 per acre?

Mr. SMITH of Idaho. Yes.

Mr. GARD. Did the gentleman also agree to an amendment after the word "directed," in line 4, "in the discretion," page 1?

Mr. SMITH of Idaho. Yes; I will accept that amendment.

Mr. GARD. And it is intended to correct the 160 acres, making it 640 acres?

Mr. SMITH of Idaho. Yes.

Mr. PARRISH rose.

The SPEAKER. Does the gentleman from Texas desire to offer an amendment?

Mr. PARRISH. No, Mr. Speaker; the gentleman from Ohio has covered the suggestion I was about to make as to oil and gas.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to the village of Downey, in the county of Bannock and State of Idaho, the northeast quarter, north half southwest quarter, southeast quarter, section 8, west half southwest quarter and northwest quarter, section 9, in township 11 south, of range 38 east, Boise meridian, in said county and State, containing 160 acres, in consideration of $1.25 per acre, to have and to hold said lands for the protection and promotion of the water supply and waterworks system of said city: *Provided*, That the grant hereby made is, and patent issued thereunder shall be, subject to all legal rights heretofore acquired by any person or persons in or to the above-described premises or any part thereof and now existing under and by virtue of the laws of the United States: *Provided further*, That the lands hereby authorized to be conveyed as hereinbefore set forth, and all portions thereof, shall be held and used by or for the said grantee for the purpose herein specified; and if the said lands shall cease to be so used they shall revert to the United States, and this condition shall be expressed in the patent to be issued under the terms of this act.

The following committee amendments were read:

Page 1, line 4, after the word "the," insert the words "board of trustees of the."

Page 2, line 13, after the word "act," insert the following:

": *And provided further*, That the grant herein is made upon the express condition that, within 30 days of the receipt of any request therefor from the Secretary of the Interior, the chairman of the board of trustees of said village shall submit to the said Secretary of the Interior a report as to the use made of the land herein granted to the village during the preceding period named in such request showing compliance with the terms and conditions stated in this act; that in the event of his failure to so report or in the event of a showing in such report to the Secretary of the Interior that the terms of the grant have not been complied with, the grant shall be held to be forfeited, and the Attorney General of the United States be instructed to institute suit in the proper courts for the recovery of said lands."

Amend the title so as to read: "A bill to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply."

Mr. WALSH. Mr. Speaker, I move to strike out the last word to get some information from the gentleman from Idaho. What is the difference between issuing a patent to the village of Downey and authorizing the Secretary of the Interior to convey to the village of Downey certain land?

Mr. SMITH of Idaho. I do not know that there is any difference, simply the choice of words.

Mr. WALSH. In the Sandpoint bill we directed the Secretary of the Interior to issue a patent to the city of Sandpoint for certain public lands. In this bill you authorize him to convey to the board of trustees certain public lands.

Mr. SMITH of Idaho. The Sandpoint bill was introduced by my colleague and is in different phraseology, but it means the same thing.

Mr. WALSH. I think the usual phraseology in this class of bills is that the Secretary of the Interior is hereby authorized and directed to issue a patent to the board of trustees of the village of Downey for the northeast quarter, and so forth. That is the language used in this class of bills. I wondered if the gentleman would have any objection to modifying the language in that respect.

Mr. SMITH of Idaho. No; it means the same thing.

Mr. WALSH. But we usually authorize the Secretary of the Interior to issue a patent when we are getting rid of land in this way. Mr. Speaker, I offer the following amendment, line 4, page 1. I will wait until after the committee amendments are agreed to.

The SPEAKER. The question is on agreeing to the first committee amendment.

The first committee amendment was agreed to.

The SPEAKER. The question now is on the second committee amendment.

Mr. GARD. Mr. Speaker, I offer the following amendment, page 3, line 2, strike out the period after the word "lands" and insert a colon and the following words: "*Provided further*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found on the land so granted and the right to prospect for, mine, and remove the same."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 3, line 2, after the word "land" strike out the period and insert a colon and add the following: "*Provided further*, That there shall be reserved to the United States all oil, coal, and other mineral deposits that may be found on the land so granted and the right to prospect for, mine, and remove the same."

The SPEAKER. The question is on agreeing to the amendment.

Mr. GOODYKOONTZ. Mr. Speaker, I rise to oppose the amendment. The matter of these western lands is one that I have given considerable thought to as regards the proposition that they are liabilities instead of assets to the United States Government. The sooner the Government makes an express grant of all these so-called public lands, within the boundaries of the several States in the western country, to the States wherein they lie, the better off the people of the United States will be. I am informed that when we undertake to sell some of these lands the cost and expense of disposing of them far exceed the sale price, and the quicker we get rid of the land the better off the Treasury will be.

We have coal and oil lands out there and when they are subjected to lease disposition the people in those communities get the benefit of them and the Government of the United States never gets any return for them. The rentals derived are absorbed by cost of maintenance and expenses of sale. The quicker we dispose of them by donation, by granting them in fee simple absolute, and without conditions of reversion, the better off we are going to be. Therefore I oppose the amendment offered by my distinguished friend from Ohio [Mr. GARD]. I feel that an absolute gift to the States—if they can be induced to accept the gift—is the thing to do. I am even opposed to the covenant providing for a defeasance, the terms being that if the land shall not be used for the purpose for which the grant is made there shall be a reversion back to the Government. The quicker we dispose of all these lands the better off this country will be. The cost of maintaining the so-called forest reserves, which in many cases are mountains that are as bleak and as barren as any that ever existed, is money that is thrown away. Men are employed from month to month and year to year fighting fires, building roads, doing police work, surveying, prospecting for minerals, protecting game, exterminating bugs and grubs, looking up bootleggers, and at the same time taking out of the coffers of the Government of the United States not only thousands but millions of dollars. The sooner this kind of business is ended the better off we will be. I am in favor of the great bill to give the Western States everything. [Applause.]

Mr. BEGG. Mr. Speaker, I want to call attention to the amendment offered by the gentleman from Ohio in this respect. I do not know a thing about the situation with respect to the water for this town, but I am advised that there is a reservoir there, and we are reserving the mineral and oil rights to the United States, with the express provision that any man can go in there and prospect. Of what value is that reservoir or of what value is this land as a water supply for this city if some man can go in and dig an oil well? I do not believe in doing anything in that way. I believe there ought to be a grant giv-

ing this land to this city for water purposes unreservedly, with an express provision that it can not be prospected for oil or minerals.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. BEGG. Yes.

Mr. BEE. Does not the gentleman think there ought to be a reservation in case it is abandoned as a water reservoir that it shall revert to the Government?

Mr. BEGG. That is already in the bill.

Mr. BEE. That the gentleman does not object to?

Mr. BEGG. No; but this amendment expressly provides that I or any other person can go in there and prospect and dig around and do anything I want to under the pretense that I am prospecting for minerals or oil. Let us assume that I do strike oil. You will have absolutely ruined the water supply for a city of a thousand people, and there will be more people come to that city as time goes on.

Mr. GARD. Does not the gentleman know that the gentleman from Idaho [Mr. SMITH] himself sponsored a bill containing this same thing for a city of 5,000 people?

Mr. SMITH of Idaho. The bill to which the gentleman refers was introduced by my colleague [Mr. FRENCH].

Mr. GARD. It is in the same territory.

Mr. BEGG. Whether it is in the same territory or in another community does not make any difference. Here is a bill to take care of a water supply for a village, and then we turn around and give the gentleman, or myself, or any other citizen the right to go in there and muss around under the guise of prospecting for minerals, and if we should find oil we will have damaged the water supply. I understand they have made quite an investment in that city already, and I think it would be unwise to adopt the amendment.

Mr. MONDELL. Mr. Speaker, I am sure the gentleman from Ohio [Mr. GARD] means well in the amendment that he offers. Here is the great State of Idaho with 84,000 square miles. There is not a coal mine or an oil well within the boundaries of the State. There is not one chance in ten thousand that minerals would be found on these lands, and yet the mineral reservation is a constant and continuous menace, as has been suggested by the gentleman from Ohio [Mr. BEGG]. We can very easily go too far in our desires to protect whatever rights or interests all the people have in the public domain. Let us see what it is we are doing. We are not making a grant to an individual. We are saying to a community, consisting now of 1,500 or 1,000 people, which may eventually be a community of five or six thousand, "Here is a piece of rough, rocky, broken land which no one has ever thought worth while to settle upon and assert a claim to, although for years anyone could have acquired a right to 640 acres of it by simply settling there." It is land of purely nominal value. We are granting a community the right to use it for the protection of their water supply and rather foolishly, I think, making provision that if for any reason they should abandon it for that purpose it shall revert to the Federal Government. Just what the Federal Government would want with it I do not know; but, at any rate, that provision is in the bill. The gentleman from Ohio now comes in with another provision which further limits the title, which authorizes anyone to go in and prospect, dig for any purpose, good or bad. I think if we are to make these grants at all we should make them more freely than we do. If we grant them to protect the water supply of the communities we should grant them without restriction, and particularly without such restrictions as are proposed here.

Mr. WALSH. Mr. Speaker, it is interesting to note the impression created upon the gentleman from Wyoming [Mr. MONDELL] by the very thrilling speech by the gentleman from West Virginia [Mr. GOODYKOONTZ], namely, that now that we are granting these lands to cities of a thousand people in the great West we would better let down the bars and turn over the land and establish a new precedent. But a few moments ago we passed a bill for a similar purpose containing this very reservation, and the gentleman from Wyoming says there is not one chance——

Mr. WELLING. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. WELLING. The gentleman knows that these communities are 350 or 400 miles apart and that an entirely dissimilar situation exists in respect to them. There must be oil on the Sandpoint location, but everyone who knows the community of Downey would know that there is no conceivable possibility of obtaining oil there.

Mr. WALSH. Well, there might be minerals there, might there not?

Mr. WELLING. Oh, yes.

Mr. WALSH. Well, that is what this reservation is for, to reserve to the Government the oil and minerals and the other usual rights that are retained in the Federal Government, and I do not think we ought to establish a precedent for a city of a thousand people that we are going to continue to grant these lands, especially when they are taken up by unanimous consent, and pass legislation without the usual reservations until the Committee on the Public Lands has a chance to investigate and look into the matter and determine upon the exact method.

Mr. BEGG. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. BEGG. Does the gentleman believe it is possible to be too careful of the water supply of the city, and if this amendment be adopted it is absolutely thrown open to anybody to go in there under the guise of prospecting.

Mr. WALSH. I do not think the gentleman is correct there. The city will have the control of this land in that if this grant is made the city will have control of its water supply, and before anybody can go in there and acquire any rights it will have to be done under some regulations of the Interior Department, just the same as it is always done. This is a 640-acre tract. That is a pretty good sized village in some sections of the country. Of course, it is nothing but a playground out in the West in this great State, which is progressing and prospering, and in which we are all willing to help.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. WALSH. I will.

Mr. SUMMERS of Washington. Does the gentleman consider more important the water supply of a thousand people or the possibility of finding some coal or oil down under a certain little tract of land?

Mr. WALSH. Well, the gentleman asks a question that is rather perplexing. There may be times when the coal is more important and the oil more important, because if the water supply is frozen up they can get the coal and keep it warm and pump it out.

Mr. SUMMERS of Washington. The gentleman realizes the consumption of water is greatly increasing?

Mr. WALSH. Yes; it is increasing every day.

Mr. SUMMERS of Washington. Increasing every day, and it must be provided for.

Mr. WALSH. Oh, certainly; I will agree to that.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. WALSH. I will.

Mr. TAYLOR of Colorado. I want to ask the gentleman if he does not feel that this thought is worth considering: Every time the House adds a nagging, unnecessary, and unwise amendment it puts an unjust cloud upon the title to property out there, and especially where it pertains to a whole community. People feel that Congress is not giving them the plain rights that the city ought to have. This kind of an amendment invites some irresponsible fellow to come along and make trouble. And the Government has not really reserved anything that is of any value or consequence or substance. I am not much concerned about this particular amendment. It is this harsh, incredulous, superstitious, and utterly inexcusable and unwarranted policy of the House toward every little bill that affects the West. That ought not to be the policy of Congress toward the Western States that are a part of its great western public portion of our country. I have repeatedly remonstrated and complained about this critically skeptical and cruelly unfair attitude toward nearly all western measures and its people and they bitterly resent it.

Mr. WALSH. I appreciate that the people interested——

Mr. TAYLOR of Colorado. They have that feeling.

Mr. WALSH. Of course, when they are going to get something practically for nothing, they do not want to have any conditions attached to it; that is natural; and they ought not to have any unnecessary conditions attached. Now, if this is not a necessary condition, it ought not to be put on.

Mr. TAYLOR of Colorado. Let me suggest that if this land were worth anything at all for any other purpose it would not now be vacant, unoccupied public domain. Some one would be on it. Hundreds and possibly thousands of people have traveled over it for 75 years and nobody has ever wanted it. Now, this little city asks to have this land set aside for the purpose of protecting its water supply against pollution and against irresponsible persons trying possibly to hold up the town for something. This piece of worthless land will allow them to protect their town water rights, and there can be no higher use for worthless land than to protect a city's water supply from pollution and assist the town in getting and forever holding pure, wholesome water for its inhabitants. How can any sensible or decent person want to prevent that?

Mr. WALSH. I agree with the gentleman.

Mr. TAYLOR of Colorado. I have had a great many of these same kinds of bills, and have nearly always been harassed this

same way by various kinds of obstructive amendments and objections. Now, it does seem to me that this policy of Congress toward such matters is not only unwise and unfair but wholly uncalled for, and it is naturally exasperating to the people of that country. Congress ought to take a new tack. We ought to court the good will instead of the ill will of the pioneers on the public domain and try to build up that country rather than retard its growth, as Congress has done by this course for a number of years in the past. It is not only this bill. It is these petty, nagging, restrictive, and useless amendments that are put on practically all such bills that come from the Public Lands Committee affecting the West.

Mr. BEE. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. BEE. I understood the gentleman from Massachusetts to say that the city would have control of the question of prospecting for mineral or oil if this property were turned over by the Government?

Mr. WALSH. No; I did not say that. I said that a prospector for coal or oil or mineral would have to come under the regulations of the Interior Department.

Mr. BEE. Does the gentleman understand that anybody would have the right to go onto this land if it had been set aside by this act under authority of the Interior Department and commence prospecting for oil or minerals on that identical spot? Does not the gentleman think under these circumstances in order to protect these people against that sort of condition that the question of mineral rights ought to be so protected as not to put them in danger of having the Government issue a permit so that they themselves would have no control in reference to protecting themselves in this water right?

Mr. WALSH. No; I do not think so, because this establishes a new precedent and departs from any of the usual conditions attached, and unless the proponents of this legislation can give some particular reason——

Mr. TAYLOR of Colorado. Will the gentleman permit another suggestion?

Mr. WALSH. I will.

Mr. TAYLOR of Colorado. It seems to me that objection to bills of this kind overlooks the fact that this little or any city is part of the people of the United States, part of the whole population that compose this country. Now, I do not care much what amendment you put on bills pertaining only to a corporation or individuals, or to prevent a person from abusing a right or infringing upon the Government; but when you are dealing with a State or a county or city or any public part of this country of ours, it seems to me that they are entitled to due respect and to be treated as if they were honest and law-abiding citizens of our country and given credit with being an integral portion of our country, a part of "its people," and ought to be treated accordingly, even when they live out in that arid country. You gentlemen should also remember that those people are 2,000 miles from the markets which you have here at your doors; that we are handicapped all the time by frightfully high freight rates, great shrinkage, and all kinds of adverse conditions, and I can not resist a feeling that the fair-minded Members of this House ought to exhibit more of a spirit of encouragement rather than the obstructive course so much exhibited here in regard to the most self-evident, plain, honest, and necessary matters. I hope some day to see some administration in power in Washington and some membership of this House, regardless of what party it may be, that will be broadgauge enough in its statesmanship to treat the pioneer builders of the West much more humanely and fairly than they have been treated during the past 15 or 20 years.

I am appealing only for a square deal, only for fair play. I resent any sentiment that savors of sectional animosity.

That country has not developed during that period the way it should have done, and it has not developed as it would have done if the Government had exhibited a more liberal and encouraging spirit toward its development.

Mr. WALSH. I have heard the gentleman make that argument several times. It is a stock argument of his. If anybody gets up here and even asks a question about one of these bills from the Public Lands Committee, he is "nagging" and "trying to discourage the development of that country." Congress could not develop it. The people there only can do that. If you encourage these people who are going out and taking up these lands in this program of development, if you encourage them to keep coming to Congress and begging and asking for special legislation all the time, you will not encourage the development of the country but discourage it.

Mr. MONDELL. Will the gentleman yield?

Mr. WALSH. Yes.

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that the time may be extended for five minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. The gentleman complains because the people come to Congress to secure land titles. Where would they go, inasmuch as the Government is the proprietor of the land?

Mr. WALSH. I did not mention land titles. But the people are running here for special legislation.

Mr. MONDELL. The only way a town can secure this land is either by "skullduggery" and the violation of some law in collusion with some entrymen, which no one would justify, or come to Congress and ask for a grant of a sale, as in this case. Uncle Sam, unfortunately from some standpoints, is still the owner of a little more than half of the land of the great State of Idaho, and if the people who are developing that State, or the communities, need some of that land for the development of the community, of course they must come to the owner and make a purchase, which they are proposing to do in this case. And certainly no one should complain of that.

Mr. REAVIS. I would like to ask the gentleman from Idaho if there is not a large lake there at Sandpoint?

Mr. SMITH of Idaho. Lake Pend Oreille adjoins the city of Sandpoint.

Mr. REAVIS. Is not the water in that lake sufficient for human consumption?

Mr. SMITH of Idaho. It is not as pure as the water from the mountain tops, and, in addition, it would be more expensive to pump the water than to bring it down by gravity from the mountains.

Mr. KNUTSON. The chances are that this land is not worth a dollar an acre.

Mr. SMITH of Idaho. It is not.

Mr. KNUTSON. And we have taken up a thousand dollars' worth of time talking about it.

Mr. PARRISH. Mr. Speaker, I would like to say that I am in favor of the amendment offered by the gentleman from Ohio [Mr. GARD]. While I am a friend of the West, and I want to see them given every advantage and opportunity that is justly theirs and will throw nothing in the way of their progress, prosperity, and development, yet at the same time I believe, in view of the fast diminishing supply of oil, gas, and other minerals, it is time for the United States Government to retain the oil, gas, and mineral interests in all the land it now owns, and in making these conveyances, such as is attempted to be made here, I feel it would be unwise for us to set a precedent that would forfeit our right to these minerals. If you waive it on this particular tract—and you have not waived it on the one you passed a moment ago of 2,600 acres—if you waive it on this tract, the next man that comes along will say, "You waived it on the other tract and you should waive it on mine," and the next thing you know you will be waiving the reservation on behalf of the Government for the retention of these minerals. It is true that there may not be any prospecting for minerals. If so, it will do no harm to make the reservation. The gentleman from Ohio has said that it will throw open the door for people to come in and to file on the land and make investigations with reference to speculating for oil or gas right in the town site we are granting, which is covered by a pool of water. It would seem very strange, where no oil or gas has been found in any part of the State, that a man would come along and prospect under a pool of water that had been saved up for the benefit of the city. I do not believe in practical operation that this reservation will hurt the good people of that city. I do not believe it will interfere with the use by the city of the reservoir. I do not believe it will do any more than protect the Government. If perchance in the distant future it should be discovered, as has often been done in unexpected territory, that there was a large oil, gas, or mineral field, the Government would have this valuable deposit there which would probably mean thousands and thousands of dollars to the Government, and the Government would be protected by making this reservation. I believe in all such grants as this the reservation should be made as suggested by the amendment of the gentleman from Ohio [Mr. GARD].

Mr. DYER. Mr. Speaker, may we have the amendment of the gentleman from Ohio again reported?

The SPEAKER. Without objection, the amendment will be again reported.

The amendment was read.

Mr. DYER. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. GARD].

The amendment was agreed to.

The SPEAKER. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. WALSH. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

Mr. WALSH. Line 4, strike out the word "convey" and insert the words "issue patents," and in line 5, after the word "Idaho" insert the word "for."

The SPEAKER. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WALSH: Page 1, line 4, strike out the word "convey" and insert in lieu thereof the words "issue patents," and in line 5, after the word "Idaho" insert the word "for."

The SPEAKER. The question is on the amendment of the gentleman from Massachusetts.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, I desire to offer an amendment on page 1, line 4. After the word "directed" insert the words "in his discretion."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. GARD: Page 1, line 4, after the word "directed" insert the words "in his discretion."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH of Idaho. Mr. Speaker, I wish to offer an amendment. On page 1, line 10, after the word "containing" strike out "160" and insert "640."

The SPEAKER. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SMITH of Idaho: Page 1, line 10, after the word "containing" strike out the words "one hundred and sixty" and insert in lieu thereof "six hundred and forty."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARD. Mr. Speaker, I offer an amendment on page 1, line 11, to insert after the first word "of" the words "a sum not less than."

The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GARD: Page 1, line 11, after the word "of" insert the words "a sum not less than."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. Without objection, the title will be amended in accordance with the text.

There was no objection.

On motion of Mr. SMITH of Idaho, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RELIEF OF HOMESTEADERS ALONG SNAKE RIVER, IDAHO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12626) for the relief of certain persons to whom, or their predecessors, patents were issued to public lands along the Snake River in the State of Idaho under an erroneous survey made in 1883.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. GARD. Reserving the right to object, Mr. Speaker, I note from the reading of this bill what seems to me to be a twofold purpose. One is to authorize the commissioner of the General Land Office to sell certain lands for $1.25 per acre, and the other purpose is to adjust the title to lands heretofore claimed, occupied, and improved under surveys which are found to be erroneous. The report which I have—and I shall be glad to have the gentleman's word about it, because he is no doubt much better advised than I—seems to indicate that the character of legislation recommended by the department is legislation which would correct the erroneous survey. I do not know that it refers especially to the first part of the bill H. R. 12626, relative to the sale of this land.

Mr. SMITH of Idaho. My attention was diverted and I did not understand that this bill had been reached. Will the gentleman please restate the inquiry?

Mr. GARD. The inquiry I made was for the gentleman's information as to what seems to me to be a twofold character of the bill. I note from the report that the department—that is, the General Land Office in the Department of the Interior—favors legislation correcting what is said to be an erroneous survey. That is right, is it not?

Mr. SMITH of Idaho. Yes.

Mr. GARD. The second part of the bill, as it appears on page 2, after the semicolon on line 5, seems to carry out that purpose, but I do not see the necessity of authorizing the sale of 4,000 acres of land at $1.25 an acre.

Mr. SMITH of Idaho. It is simply this: When the resurvey was made it was discovered that the land which was occupied by the owners was outside of the land described in the deed under the resurvey, and in view of the fact that those people had been occupying this land, most of them for 30 years, and supposed they were on the land described in that patent, it was necessary, in order to protect them, that they be permitted to purchase any excess land that may be found to be in the public domain which they are occupying.

Mr. GARD. I do not gather that from the bill.

Mr. SMITH of Idaho. As the report indicates, this land is in a canyon 600 or 800 feet deep. The walls are very precipitous, and when the survey was made in 1883 it was done under a contract with private surveyors. It was in such a remote section of the country that these surveys evidently were never checked up by the Government surveyors.

Mr. GARD. From reading the report I gathered that this is what occurred: When the survey was made they ran what they call a meander line.

Mr. SMITH of Idaho. Yes.

Mr. GARD. And the meander line was supposed to run along the river edge, I expect?

Mr. SMITH of Idaho. Yes.

Mr. GARD. Because the lands immediately next to rivers are commonly called bottom lands, and are usually of greater value than other lands. I do not know whether that is true out there or not.

Mr. SMITH of Idaho. Yes.

Mr. GARD. If that is true and the survey had been erroneously made, then it would seem to me, as stated here, a resurvey was made showing that the area between the recorded line and the river would be 4,000 acres?

Mr. SMITH of Idaho. Yes. But this land extends along the river for 24 miles; a narrow strip of land along the river, which is embraced in probably 20 different homestead entries, and this land is now ascertained to be public land under this resurvey.

Mr. GARD. What I am trying to arrive at—and I am seeking information—is this: Has not the Commissioner of the General Land Office the power under the second section of this bill—if it may be called a second section, beginning on line 5—to correct by a resurvey the old survey and make rules and regulations necessary to carry out the justice of the situation, as applicable to what was the apparent intent of the persons who settled on the land?

Mr. SMITH of Idaho. That was a suggestion that I made to the Commissioner of the General Land Office when the matter was first called to my attention a year ago. I thought that he could issue amended patents under existing law so as to properly describe the land under the resurvey. But he thought that he should have direct authority from Congress, and require these people who are living on this land to pay for that portion of it which appeared to be in the public domain, regardless of the fact that some of it is very much improved and many of them have their houses on this land that is now thrown out of the area described in the former deeds under the new survey and is public land.

Mr. GARD. That authority that he seems to have had conferred upon him by legislative action, is not that authority sufficiently conferred in the language following, in line 5 on page 2, and is the other part, about the purchase of the land at $1.25, necessary for the proper consideration of the entire situation?

Mr. SMITH of Idaho. I think so. This report was drawn by the legal officers of the Interior Department with a view to meeting these conditions.

Mr. GANDY. Will the gentleman yield there?

Mr. GARD. Surely; I shall be glad to yield.

Mr. GANDY. It has been the policy of Congress in all of these matters, whether passing title to cities for waterworks purposes or doing what we are doing in this case, to place a requirement of payment at $1.25 an acre in the bill. If that has not been done when a bill is introduced, it has been done on the floor.

Mr. GARD. That is what is called a minimum price?

Mr. GANDY. Yes. That is what is called a minimum price, and that is the reason why it was placed in this bill.

Mr. GARD. I understand about that; but what I want to know is why there is any necessity for putting in any authorization for sale if we confer the authorization upon the General Land Office to correct the surveys in accordance with the facts?

Mr. FRENCH. Because there is a little bit larger area included in some of these subdivisions to which patents have been issued than the patents themselves would show, but it is land that the Government supposed it had parted title with and did part title with. The owners acquired the lands under the various land laws some thirty-odd years ago, and they and their successors have been occupying and improving those lands ever since; but, in view of the fact that the lands in some instances are in excess of the lands described in the patents, it seems that it is necessary to confer this additional authority.

Mr. GANDY. Will the gentleman yield on that point?

Mr. GARD. Yes; surely.

Mr. GANDY. This river lies very low as compared with the mesa or the hills on each side, and it appears that the surveyor estimated the distance from the top of the mesa to the river below, for there is no other way under which you can account for the mistake having been made. When the settler came upon the land the plat in the United States Land Office showed that this tract was the only tract between the hill and the river. The settler took the United States Land Office plat for it. Afterwards when this resurvey was made and they really got down into this valley, which the former surveyor evidently did not do, it was found that there is a discrepancy in the survey, leaving out a narrow strip that runs up that valley, as has been explained, for about 24 miles.

Now, as the gentleman from Idaho [Mr. FRENCH] stated, some of these tracts on the resurvey will have a larger acreage in them than they had in the old survey; so that it is but right and proper, inasmuch as the people who settled on the land have been occupying it for 30 or 40 years, that the title pass as the Government originally intended it should pass, as the settlers thought they were getting it, and as they have occupied and improved it.

Mr. GARD. Would the gentleman from Idaho have any objection to the incorporation of the language that we have put in these other bills? For instance, in line 5, before the words "one dollar and twenty-five cents," put in the words "not less than"?

Mr. SMITH of Idaho. I do not think that should be accepted, Mr. Speaker. As a matter of fact these people should not be required to pay anything for this land, because they have been living on it for 30 years under the impression that they owned it.

Mr. GARD. I do not think so myself.

Mr. SMITH of Idaho. They had title to the land, but on the resurvey it is found their patents do not properly describe the land according to the new survey.

Mr. GARD. If it is simply a readjustment of a survey, I do not think they should pay anything; but why is it carried at $1.25 an acre?

Mr. SMITH of Idaho. Simply because, as has been explained by the gentleman from South Dakota [Mr. GANDY], that is the policy of the Government—to require that payment when public land is offered for sale.

Mr. GARD. Yes; that is the minimum price that the department has set in the matter of transfers, or the matter of sales of arid and desert lands, but it is not an arbitrary price in any way.

Mr. FRENCH. I hope the gentleman will not insist on that. These people ought not to pay anything additional, because they have complied with the original requirement for the acquiring of the land.

Mr. GARD. It says $1.25 an acre. I think it ought to carry the language of the other bills. If it does not mean anything, at least it establishes a precedent and shows that we are playing fair with the other bills when we put in the language "not less than," as we have in other bills.

Mr. SMITH of Idaho. If the gentleman insists on that amendment, I will not object.

Mr. GARD. I do not think they ought to pay anything.

Mr. FRENCH. Why not strike it out and provide that the owners shall not pay anything? If they acquired the land under certain of the United States land laws they have already paid for it, or if they did not pay for it, they have lived on it the required number of years that the law specified. In either event they ought not to have to pay anything more.

Mr. GARD. Why would it not be better to amend this bill by leaving out that provision and providing for the transfer of the land in accordance with the facts on this resurvey.

Mr. SMITH of Idaho. That is what I suggested to the commissioner, but he seemed to be under the impression that we should not change the policy of the Government to charge $1.25 per acre.

Mr. GARD. The gentleman from Idaho says that language is apparently not acceptable to the lawyer of the department in the General Land Office who drafted the bill. I myself do not see, if a man is suffering from an erroneous survey, why the survey should not be corrected without additional cost to him.

Mr. FRENCH. It ought to be, and there ought not to be any charge.

Mr. GARD. That is what I think.

Mr. FRENCH. On the other hand, these settlers are willing to do almost anything in order to have this problem settled.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. GARD. Yes.

Mr. EVANS of Nebraska. As I understand, there are 4,000 acres of this land outside of the meander line. Is that correct?

Mr. GARD. In the line along the river that was not included in the old survey.

Mr. EVANS of Nebraska. And that that land never has been paid for by anybody. I understand the meander line was back from the river bank.

Mr. FRENCH. But if it had not been for that little amount of bottom land, and if the land that the settlers were trying to take had been correctly described, they would never have taken the land on the canyon sides. The land that induced them to go there was the land that does not seem to have been surveyed. That is the land that the settlers actually entered upon, and upon which they made their improvement, so as a fact the more worthless land on the canyon sides is what would be in the nature of the surplus land. They are not the surplus lands; the surplus lands are the ones that did not induce them to go there at all. They were on the canyon sidehill.

Mr. EVANS of Nebraska. They are getting 4,000 acres of land in addition.

Mr. FRENCH. Four thousand acres of land they settled on; built improvements upon 30 years ago. If you hold the settlers to the survey made 30 or 40 years ago, it would show that they acquired land on the deep canyon side.

Mr. EVANS of Nebraska. What is this land worth?

Mr. FRENCH. It is worth nothing at all; you could not give it away.

Mr. EVANS of Nebraska. Is it not used in connection with the bottom lands to some extent?

Mr. FRENCH. It could not be used, except here and there a pocket that might be used for agricultural purposes. As to the most of it, I doubt if it could be used for satisfactory pasturage.

The SPEAKER pro tempore (Mr. TILSON). Is there objection?

Mr. GARD. Reserving the right to object, I have two amendments that I want to offer.

Mr. SMITH of Idaho. If the gentleman from Ohio insists on his amendment of inserting the words "not less than," I have no objection to it.

Mr. GARD. I wish also to amend by inserting after "the Commissioner of the General Land Office," the words "in his discretion."

Mr. SMITH of Idaho. I will accept that amendment.

Mr. PARRISH. Mr. Speaker, reserving the further right to object, I want to ask if this land has been occupied as claimed by these people as individual lands for how long?

Mr. SMITH of Idaho. Over 30 years, most of it.

Mr. PARRISH. Does the gentleman think, in view of the fact that they claim this particular land under the impression and belief which was justified that it is their own land, it would be unfair to make a reservation for oil, gas, and mineral rights?

Mr. SMITH of Idaho. Yes; because the patent to the land was issued to them 30 years ago, and it would certainly be unfair to put that restriction on land that they have been occupying for 30 years and cultivated for 30 years.

Mr. GANDY. If the gentleman will yield, I want to say that this land was proved up under the quarter-section homestead law and a patent issued, and no man in the history of this Government who ever got a quarter section under the homestead law before oil and gas was known to exist at the time they proved up has had the mineral rights reserved. There has never been a mineral reservation on one of those patents. These lands were proved up a long time ago.

Mr. PARRISH. I only wanted to bring out the difference between this case and the other two cases that preceded this.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, subject to the supervisory authority of the Secretary of the Interior, the Commissioner of the General Land Office is authorized to sell for cash, for $1.25 per acre, any unsurveyed public land which may, on resurvey, be found to exist in townships 9 south of range 14 east, 9 south of range 15 east, 9 south of range 16 east, and 9 south of range 17 east of the Boise meridian along Snake River in the State of Idaho, to those persons who in good faith, by themselves and their predecessors in interest have heretofore acquired, occupied, and improved under the public land laws in accordance with a Government survey made in 1883; and said commissioner may, in like manner, on principles of equity, adjust, settle, and confirm by patent the title to any lands in said townships heretofore claimed, occupied, and improved under descriptions which on resurvey are found to be erroneous; the Secretary of the Interior is authorized to make any rules and regulations necessary to carry out and effect the purpose of this act, and any person claiming the benefits hereof shall make the required payments and perform such other acts as may be required within the time fixed by the Land Department, otherwise any right or advantage claimed under this act shall be forfeited.

The committee amendment was read, as follows:

Page 2, line 14, strike out the words "by the Land Department."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. GARD. Mr. Speaker, I offer the following amendment:

Line 4, page 1, after the word "office," insert a comma and the words "in his discretion."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 4, after the word "office," insert a comma and the words "in his discretion."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARD. I also move to insert, in line 5, after the word "for," the words "not less than."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 5, after the word "for," insert the words "not less than."

The amendment was agreed to.

Mr. SMITH of Idaho. Mr. Speaker, I wish to offer an amendment, on page 2, line 14, after the word "fixed," insert the words "in the regulations."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 14, after the word "fixed," insert the words "in the regulations."

Mr. GARD. Does that refer to the Department of the Interior?

Mr. SMITH of Idaho. Yes. The regulations of the department referred to in lines 9 and 10.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SMITH of Idaho, a motion to reconsider the vote whereby the bill was passed was laid on the table.

SALE OF LANDS IN GREGORY COUNTY, S. DAK.

The next business on the Calendar for Unanimous Consent was the bill (S. 2786) authorizing the sale of lands in Gregory County, S. Dak.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, in his discretion, be, and he is hereby, authorized to sell for cash, under such rules and regulations as he may prescribe, the unallotted, unreserved, and unentered lands in Gregory County, S. Dak., formerly in the Fort Randall Military Reservation.

Mr. GANDY. Mr. Speaker, in line 5 the word "prescribe" is misspelled. I move to amend by making it "prescribe."

The SPEAKER pro tempore. Without objection, the Clerk will correct the spelling.

There was no objection.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question now is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 32 ayes and 3 noes.

So the bill was passed.

On motion of Mr. GANDY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS PENTWATER RIVER, MICH.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12869) for the construction of a bridge across the Pentwater River, or Pentwater Lake, Mich.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, I reserve the right to object for the purpose of learning whether this grant is to be made to the township or to the Pere Marquette Railroad Co. The bill recites that it may be made to either. Does anyone know about the conditions up there, and who is going to build this bridge?

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I do not know who is going to build the bridge. Negotiations are going on now between the people of the village and the Pere Marquette Railroad Co. Agreement will be reached as to who shall build the bridge, but it depends somewhat on the kind of a bridge the Corps of Engineers will demand and also upon the expense. This bill, if it becomes law, will simply permit and enable that community to have a bridge to be constructed as the people and the railroad company may determine, subject, of course, to the direction of the Engineers.

Mr. GARD. The reason I ask that is not to put myself in an attitude of opposition to the bill, but what I particularly want information about is as to whether it is proper in a bill of this kind to couple up these grants, one to a township and the other to a railroad corporation?

Mr. McLAUGHLIN of Michigan. They are working together, and my impression is that if the character of bridge demanded by the Corps of Engineers is such that the railroad company will feel justified in building it and incurring the expense, the company will build it. If, however, a more expensive bridge is demanded by the engineers, it will be necessary for the people there to cooperate in some way with the railroad company, and it was for the purpose of leaving open the opportunity to those two interests to cooperate that the bill was drawn in this way.

Mr. GARD. Then the idea primarily is for the railroad company to build the bridge?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. GARD. And if the company does not wish to expend the entire amount of the money to build the kind of a bridge the engineers say should be built, it may wish to call on the township for help?

Mr. McLAUGHLIN of Michigan. That is the situation.

Mr. GARD. What is the use of associating the township in the grant? Why do you not make it to both by striking out the word "or" and inserting the word "and"?

Mr. McLAUGHLIN of Michigan. It may be that the railroad company will feel, on account of the expense and conditions imposed by the engineers, that it will not do it, and that the people themselves will take it up under this permission and do the work and pay the expense themselves.

Mr. GARD. If that be true, would there then be any danger of the railroad company coming in at a later time under the alternative provisions of the grant in building another bridge?

Mr. McLAUGHLIN of Michigan. I think one bridge only can be constructed under this grant. If one of the parties builds a bridge, I think the other will not claim the privilege of spending its money to build another.

Mr. GARD. Mr. Speaker, the gentleman is satisfied with this language?

Mr. McLAUGHLIN of Michigan. I prepared it myself, knowing the situation and believing it is the only thing that will meet the situation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the township of Pentwater, Mich., or the Pere Marquette Railroad Co., a corporation, to construct a bridge, with approaches thereto, across Pentwater River or at the outlet of Pentwater Lake in the State of Michigan, at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. McLAUGHLIN of Michigan, a motion to reconsider the vote by which the bill was passed was laid on the table.

AUTHORIZING CERTAIN TRIBES OF INDIANS TO TAKE CLAIMS TO THE COURT OF CLAIMS.

The next business on the Calendar for Unanimous Consent was the bill (S. 157) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, this matter has been up once or twice before, and I do not think the measure ought to be considered by unanimous consent. I will reserve the right to object if the gentleman from Pennsylvania [Mr. KELLY] desires to make a statement.

Mr. KELLY of Pennsylvania. I do not desire to make any statement, except to say that this bill has been up on four different occasions, when we have been asked to get further information, and each time that information has been brought back. It seems to me that all the information possible on the bill is now before the House, and I would like to have the bill acted upon.

Mr. WALSH. Has the gentleman some additional information in his possession at this time?

Mr. KELLY of Pennsylvania. I have a statement that has not as yet been presented upon this question, which seems to me to sum up the whole situation with reference to these tribes, made by R. H. Milroy, superintendent of Indian affairs for Washington Territory, in his annual report for 1872. He describes the situation as follows:

These tribes when first discovered by the white men were in peaceable possession of and had the just right to all the country around Grays Harbor and from about 10 miles north of that bay south 60 miles along the Pacific coast to the mouth of the Columbia River, the rich valley of the Chehalis and all the country south of that valley to the Columbia River, the valley of the Cowlitz and all the country west of it to the Pacific, embracing the present counties of Pacific, Wahkiakum, Cowlitz, west half of Lewis, south half of Chehalis, and the southwest quarter of Thurston, in all nearly 2,000,000 acres of land, which our Government, without treaty, purchase, or contract, or right of any kind save that which is governed by might, took from these weak, powerless barbarians and appropriated to her own use. After years of complaining the protest against the injustice of this wholesale absorption of their country was so far heeded that, in 1860, Supt. Geary directed to be set apart to them a tract of about 5,000 acres, then a country justly their own, which constitutes the present Chehalis Reservation. The Cowlitz, Chinook, Showalter Bay, and Humboldts have never recognized this reservation as their home and refuse to come and reside on it, nor have they ever consented to receive any presents of any kind from the Government which might be construed into payment for their lands.

That is from the agent in charge of the affairs of the Indians of Washington Territory at that time. This bill provides that we shall allow these Indians to go into the Court of Claims and present their claim for adjudication, and that it shall be decided by the Court of Claims. The Secretary of the Interior has requested that such action be taken, and the Commissioner of Indian Affairs, also. Every party concerned has said that the only possible way to get settlement is to have the whole matter referred to the Court of Claims. This bill is unanimously reported by the Indian Affairs Committee of the House, as well as the Indian Affairs Committee of the Senate.

The SPEAKER pro tempore. Is there objection?

Mr. GARD. Mr. Speaker, I object.

KLAMATH TRIBE OF INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5163) authorizing the Klamath Tribe of Indians to submit claims to the Court of Claims.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. I object.

Mr. HERNANDEZ. Mr. Speaker, the gentleman from Washington, who introduced the bill, is not here, and I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I object to that, but I have no objection to the bill going to the foot of the calendar.

The SPEAKER pro tempore. Does the gentleman so modify his request?

Mr. HERNANDEZ. I do.

The SPEAKER pro tempore. Is there objection to the bill going to the foot of the calendar?

There was no objection.

BRIDGE ACROSS RED RIVER OF THE NORTH, MINN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12581) granting the consent of Congress to the village and township of Shelly, Norman County, Minn., and the township of Caledonia, Traill County, N. Dak., and their successors and assigns, to construct a bridge across the Red River of the North on the boundary line between the said States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk reported the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the village and township of Shelly, Norman County, Minn., and the township of Caledonia, Traill County, N. Dak., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red River of the North at a point suitable to the interests of navigation, at or near the section line between sections 13 and 24, township 146 north, range 49 west, fifth principal meridian, on the boundary line between Minnesota and North Dakota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. STEENERSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

YOSEMITE, SEQUOIA, AND GENERAL GRANT NATIONAL PARKS, CALIF.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 12044) to accept the cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, this is quite a comprehensive bill, consisting of 10 or 11 pages and as many, if not more, sections, and it seems to me that the legislation should require a little more time and attention than can be devoted to it under unanimous consent.

Mr. RAKER. Mr. Speaker, I trust the gentleman will permit this statement to be made. In 1914 we passed similar legislation for the Glacier National Park, Mont., and this bill is practically the same except that it relates to California. It refers to the act of the legislature and then provides a provision relative to allowing the Secretary of the Interior to enforce the rules and regulations in the various parks. Similar legislation was passed June 30, 1916, in regard to Mount Rainier, Wash., and later, on August 24, 1916, we passed similar legislation for Crater Lake, Oreg. The Legislature of California, at the request of the Department of the Interior, National Park Service, asked this legislation ceding jurisdiction to the Federal Government. I want to call attention to this: At one time we find as high as 6,000 people in Yosemite National Park. It is a sort of municipality, people coming in there from all parts of the world, and under the present rules and regulations there is no method by which you can properly police and protect the lives of the people and protect their health, and this is for the sole purpose of preventing infractions of law, the enforcement of proper sanitary and automobile regulations, as well as other regulations relating to the various parks.

Mr. WALSH. Will the gentleman permit a question?

Mr. RAKER. I do.

Mr. WALSH. The previous legislation to which the gentleman has referred touching the Glacier National Park, Mount Rainier Park, and Crater Lake—do they carry police jurisdiction?

Mr. RAKER. May I say to the gentleman this, that on all three of these bills I was chairman of the subcommittee that went over them carefully, and it was through my suggestion that we put in this regulation as to the commissioner, so we might get a real enforcement of the regulations promulgated.

Mr. WALSH. So this bill, as near as circumstances will permit, is identical?

Mr. RAKER. As near as possible it is drawn the same as the other three bills.

Mr. WALSH. I withdraw the reservation of the right to object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Clerk will report the bill.

The Clerk read as follows:

SEC. 5. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals, when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said parks; or shall any fish be taken out of any of the waters of the said parks, or either of them, in any other way than by hook and line, and then only at such seasons and such times and manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits

other than those legally located prior to the passage of the respective acts creating and establishing said parks, natural curiosities or wonderful objects within said parks, and for the protection of the animals in the park from capture or destruction, and to prevent their being frightened or driven from the said parks; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said parks or either of them. Possession within said parks, or either of them, of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that person or persons having same are guilty of violating this act. Any person or persons, of stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other provisions of this act, or any rule or regulation that may be promulgated by the Secretary of the Interior, with reference to the management and care of the said parks, or either of them, or for the protection of the property therein from the preservation from injury or spoliation of timber, mineral deposits, other than those legally located prior to the passage of the respective acts creating and establishing said parks, natural curiosities, or wonderful objects within said parks, or either of them, or for the protection of the animals, birds, or fish in the said parks, or either of them, or who shall within said parks commit any damage, injury, spoliation to or upon any building, fence, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits other than those legally located prior to the passage of the respective acts creating and establishing said parks, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be subject to the penalty provided for the violation of rules and regulations of the Secretary of the Interior authorized by section 3 of the act of Congress approved August 25, 1916 (39 Stat., p. 535), entitled "An act to establish a National Park Service, and for other purposes," which section is hereby amended by striking therefrom the words "and any violations of any of the rules and regulations authorized by this act shall be punished as provided for in section 50 of the act entitled 'An act to codify and amend the penal laws of the United States,' approved March 4, 1909, as amended by section 6 of the act of June 25, 1910 (36 U. S. Stat. L., p. 857)," and inserting in lieu thereof the words "and any violation of any of the rules and regulations authorized by this act shall be punished by a fine of not more than $500 or imprisonment for not exceeding six months, or both, and be adjudged to pay all cost of the proceedings": *Provided*, That nothing herein shall be construed as repealing or in any way modifying the authority granted the Secretary of the Interior by said section 3 of the said act approved August 25, 1916, to sell or dispose of timber in national parks in those cases where, in his judgment, the cutting of such timber is required in order to control the attacks of insects or diseases or otherwise conserve the scenery of the natural or historic objects in such parks and to provide for the destruction of such animals and such plant life as may be detrimental to the use of any of said parks, or the authority granted to said Secretary by the act approved April 9, 1912, entitled "An act to authorize the Secretary of the Interior to secure for the United States title to patented lands in the Yosemite National Park, and for other purposes," as amended by the act approved April 16, 1914.

Mr. BARBOUR. Mr. Speaker——

The SPEAKER pro tempore. The Chair understands the bill is being read by sections for amendment.

Mr. RAKER. It is being read now.

The SPEAKER pro tempore. This section has been read.

Mr. RAKER. Mr. Speaker, I wish to offer an amendment. In line 16, page 4, strike out the word "of" and insert the word "or." This is just a clerical error, which I desire to have corrected.

Mr. WALSH. The gentleman's colleague has been recognized.

The SPEAKER pro tempore. The gentleman will be recognized later.

Mr. BARBOUR. Mr. Speaker, I was going to call the attention of the gentleman from California, the author of the bill, to the very matter that he has just mentioned. The word "of" apparently had been used in place of the word "or." I also would like information relative to the language used on page 5, lines 10, 11, and 12, where it refers to mineral deposits, as follows:

Other than those legally located prior to the passage of the respective acts creating and establishing said parks.

We have another bill on this calendar, No. 195, I believe, affecting Sequoia National Park and enlarging its boundaries. It provides that mineral claims and mining shall be permitted in the proposed enlarged park. It seems to me that the language in the bill under consideration would restrict mining in all parks affected to such claims as were located at the time the parks were created. The other bill, Calendar No. 195, does not create the Sequoia National Park, but proposes simply to extend or enlarge it, and it occurs to me that the language should be amended so as to permit——

Mr. RAKER. Where does the gentleman find that particular language?

Mr. BARBOUR. I stated it was at page 5, lines 10, 11, and 12, where, with reference to mineral deposits, it says, "other than those legally located prior to the passage of the respective acts creating and establishing said parks."

Mr. RAKER. Now, the purpose of that is, like the other acts, that all applications for locations that were made prior to the establishment of those parks, they could go on and complete——

Mr. BARBOUR. But if this language is maintained in this bill will it permit the location and development of mining claims in the future? Under the language of the Roosevelt or Sequoia National Park bill——

Mr. RAKER. It will prohibit the filing of mineral claims because they are all prohibited under the present law.

Mr. BARBOUR. Yes; but under the Roosevelt Park bill, which follows right along on this calendar, it is provided that the mineral and coal land laws shall be in force as to the additional lands that are being taken into the park. This bill seems to tie up all mining to the act which created the park. Calendar No. 195 permits the filing and development of mineral claims in the added area. I offer an amendment so as to bring the matter directly to the attention of the House.

The SPEAKER pro tempore. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARBOUR: Page 5, line 10, after the word "than," strike out "those legally located prior to the passage of the respective acts creating and establishing said parks" and insert in lieu thereof the following: "proper development work thereon and removal of minerals therefrom."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

Mr. RAKER. I get the connection.

Mr. BARBOUR. I will admit that it is a little involved.

Mr. RAKER. The idea of the gentleman is to permit, by virtue of another bill pending, the enlargement of the Sequoia National Park by changing its name to the Roosevelt National Park, and enlarging its territory to include about a million more acres, and to permit the mining in that territory?

Mr. BARBOUR. Yes. And it seems that this language would restrict mining in all these parks, including the Sequoia National Park, to claims located prior to the creation of the parks. The bill referred to does not create the Sequoia National Park. It merely extends the boundaries or enlarges the area.

Mr. JOHNSON of Washington. Why should not the gentleman have excluded from it mining operations if it is going to be a national park?

Mr. BARBOUR. Because it is reported that some of the greatest copper deposits in America are located in this great area that it is proposed to add to Sequoia National Park. The idea of providing for the future development of those valuable deposits was determined to be practicable and feasible.

Mr. JOHNSON of Washington. Why should not the bill leave out Sequoia Park and have it attended to separately, as was done with the other national parks?

Mr. BARBOUR. With the exception of the matter I have mentioned and one other the same condition, so far as this bill is concerned, prevails in the Sequoia as in the General Grant National Park and in the Yosemite National Park.

Mr. JOHNSON of Washington. You want the park, but you want the mining, too?

Mr. BARBOUR. I want the mining if the mining is more valuable for public purposes than the park. If there are valuable mineral deposits there and it is in the interest of the public to have them developed and more in the public interest to have the minerals developed than it is to have this great area preserved for scenic purposes, then I want the minerals developed.

Mr. JOHNSON of Washington. Who will determine whether or not it is to the public interest? You say it is to the public interest. In some States you lock up the great parks in a forest reserve, and the commissioner or some one in charge says how it shall be used, and then you come along and increase the number of the parks and increase the area. California comes forward with a proposition different from the other States, and wants not only the parks but the mineral deposits, too.

Mr. BARBOUR. Certainly, if there are valuable mineral deposits locked up in the parks, the public should have the right to develop those deposits.

Mr. JOHNSON of Washington. I do not believe such parks should have their areas extended at all.

Mr. RAKER. So far as the minerals are concerned, they are in the parks now and under the park law, and so we are not attempting to change any of that. The gentleman is trying to cover something that may occur in the future, and I see no objection to it.

Mr. JOHNSON of Washington. The gentleman had best take it out, if he wants to carry the next bill.

Mr. EVANS of Nebraska. Will the gentleman from California yield?

Mr. BARBOUR. Yes; I yield.

Mr. EVANS of Nebraska. If I understand the full purport of your amendment, it will permit them to prospect for anything—coal, oil, copper, iron, or any other minerals? It will become a common preserve, over which the Government furnishes police protection, but you can mine for anything you want?

Mr. BARBOUR. You can go in there and prospect for minerals. Now, what I am trying to do is this: I am trying to prevent the tying up of great valuable mineral deposits in national parks, where they will not do anybody any good, and preventing their future development and then providing that you shall protect all claims filed prior to the creation of the parks. You will permit one class of mineral claims to be developed but no others, no matter how valuable they may be.

Mr. EVANS of Nebraska. The territory the gentleman seeks to open to the public is principally in this territory the gentleman seeks to open up as parks?

Mr. BARBOUR. Yes.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. EVANS of Nebraska. I ask unanimous consent to proceed for five minutes.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. BARBOUR. It is in the area that it is proposed to add to the Sequoia National Park by another bill.

Mr. EVANS of Nebraska. Why not leave the law that is satisfactory to the present park as it is, and when you add the territory make the bill to suit the territory included?

Mr. BARBOUR. In the proposed bill it is provided that the existing mineral land laws and coal land laws shall apply to the area that is added to Sequoia National Park. Now, if that permits the development of valuable mineral deposits that may be in Sequoia National Park, and I believe it does, that is all I want. However, if in this bill you tie up all mineral deposits except those on which claims have been filed prior to the act creating the park, then you simply prevent all future mineral development and permit mining without restriction on the old claims.

Mr. EVANS of Nebraska. Is not this the situation: Your legislation provides that the territory will be specially in your care and will protect you against the general provision, while if you adopt the amendment you now suggest you open up parks for prospecting for all kinds of minerals?

Mr. BARBOUR. I am interested, as I stated a moment ago, in these reported large copper deposits in the area which it is proposed to annex to the Sequoia National Park.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. BARBOUR. Yes.

Mr. JOHNSON of Washington. They have not been attached yet?

Mr. BARBOUR. No; they have not been attached yet, but there is a bill following along this afternoon which has that purpose in view.

Mr. JOHNSON of Washington. I am inclined to think that this proposed amendment fixes it just as has been indicated here, so that the Federal Government may have the right to go after people for fishing and other things in a national park, but makes certain regulations as to mining, and makes endless confusion that will permit the department to haul men before commissioners for everything under the sun, and in addition to all its bad features it is trying to fix a very careful provision to prepare the way for another bill that is coming up soon.

Mr. BARBOUR. It is simply an endeavor to make the two bills consistent. That is all.

Mr. JOHNSON of Washington. I am thoroughly opposed to the amendment.

The SPEAKER. The question is on agreeing to the amendment of the gentleman from California.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will read.

Mr. RAKER. Mr. Speaker, on page 4, line 16, before the word "stake," I move to strike out the word "of" and insert the word "or." It is a clerical mistake.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 4, line 16, strike out the word "of" and insert the word "or."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

SEC. 9. That any such commissioner within his jurisdiction shall also have the power to issue process as hereinbefore provided for the arrest of any person charged with commission within said boundaries of said parks, or either of them, as specified above in this act, of any criminal offense not covered by the provisions of section 5 of this act, to hear the evidence introduced, and if he is of the opinion that probable cause is shown for holding the person so charged for trial, he shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States district court in and for the judicial district to which he belongs, and certify a transcript of the record of his proceedings and testimony in the case to the court to which the park is attached as above specified in this act, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State.

Mr. GOODYKOONTZ. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from West Virginia moves to strike out the last word.

Mr. GOODYKOONTZ. Mr. Speaker, a little while ago we had before us a bill which provided that the Federal Government should grant to a municipality in Idaho a section of land—640 acres—for water purposes. I directed the attention of the House then to the fact that these public lands were liabilities instead of assets, and that this public domain in the western country ought to be turned over to the States wherein it was situated, for the reason that it was continually, persistently, everlastingly, and eternally involving this National Government in great expense.

Now, here we have another bill somewhat different in its line. This is a bill authorizing and requiring the Federal Government to accept the cession by the State of California of the exclusive jurisdiction of lands embraced within certain parks situated in that State. Having carefully read this bill, I can not find that the State of California is proposing to grant to the Federal Government these properties, but that the simple scheme is to enable the Federal Government to extend its jurisdiction over that country, to keep down crime, and to be at a continual cost and expense in preserving law and order in those territories. In other words, this is the case of a State reserving the property rights, but simply conveying to the Federal Government the right of jurisdiction, which carries with it the complement of enforcing the law. In other words, we propose for the use and benefit of the State of California to appoint a commissioner to take charge of these properties, and to be at the charge and expense of keeping them up for the benefit of the people of the State.

I do not know, but I have an idea that these national parks, the Sequoia and the General Grant and the Yosemite, are all contiguous to one or more big cities, and that the people in those municipalities expect the Federal Government to police the parks, to build roads in them, to beautify them, to keep them up, and to protect their forests against fire, and all that sort of thing, just simply for the private use and benefit of the people of these municipalities.

I am thoroughly opposed to our Government assuming mere jurisdiction over certain territory and being at the cost and expense of keeping it in order for the exclusive use and benefit of some particular community.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. GOODYKOONTZ. Yes.

Mr. JOHNSON of Washington. The gentleman will understand that there are a number of national parks whose areas have been turned over to the Federal Government, and the Federal Government has the title to those parks and is given the privilege of building roads there, controlling the parks, charging admission, and taking care of them. This bill from the State of California purports to be a cession by the State of jurisdiction to the Federal Government, which will result in conferring upon the Federal Government the duty of policing the parks and acting through a Federal commissioner.

Mr. GOODYKOONTZ. If this domain be the property of the Federal Government, I am unable to see why it is necessary for the State of California to undertake to confer any jurisdiction on the United States, because the latter's jurisdiction would be plenary and exclusive.

Mr. JOHNSON of Washington. Some years ago an effort was made to enforce the liquor laws in a certain western State which had voted itself "bone dry." The national parks and forest reserves belonged to the United States and at that time the United States was still "wet." That involved an intricate problem which has now been happily solved.

A MEMBER. Unhappily solved. [Laughter.]

Mr. GOODYKOONTZ. The Volstead enforcement act by its own express terms applies to the national parks and forest reserves. This legislation, I think, has some other object in view. The only point that I have to make here now is this: I think it is a well-known fact that these western lands constitute a great burden of expense upon the Federal Government. The rents and royalties accruing from lands which are leased, say, for oil

and coal development are absorbed by salaries of officials. A lot of the lands are barren and poor; perfectly useless and utterly worthless. The Federal Government has nothing to gain by holding these properties, and should therefore surrender them to the States wherein they are situate and let the States take, use, and dispose of them and pay the expense of maintaining them.

The appropriation bills carry millions of dollars annually to cover the expense of policing these lands, protecting the forests against fire, protecting the game, prosecuting timber thieves, surveying, and finally, when the Government undertakes a sale of the property, the costs of selling exceeds the sale price.

The SPEAKER. The Clerk will read.

The Clerk resumed and completed the reading of the bill for amendment.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE TO PRINT.

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent to print in the RECORD a speech delivered by my colleague, Hon. CHARLES C. KEARNS, of Ohio.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing therein a speech made by his colleague [Mr. KEARNS]. Is there objection?

Mr. DYER. What is it about?

Mr. THOMPSON. Reminiscences—a speech delivered at a McKinley Day banquet at Canton, Ohio, on January 29.

Mr. GARD. January 29 last?

Mr. THOMPSON. Yes; January 29, 1920.

Mr. DYER. It must be a good speech.

The SPEAKER. Is there objection?

There was no objection.

Mr. IGOE. I ask unanimous consent to extend my remarks in the RECORD on the peace resolution.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD on the peace resolution. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill on the Calendar for Unanimous Consent.

TRANSMISSION OF POISONS THROUGH THE MAILS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9781) to amend section 217 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Reserving the right to object, I think there ought to be more explanation of this measure than is contained in the report. If the gentleman from Minnesota [Mr. STEENERSON] will kindly clarify the situation, that may be satisfactory.

Mr. STEENERSON. I will be very glad to explain the purpose of the bill. It reenacts word for word the existing law as found in section 217 of the penal code except that it adds the words in italics in lines 10, 11, and 12, on page 2—

From the manufacturer thereof or dealer therein to licensed physicians, surgeons, dentists, pharmacists, druggists, and veterinarians.

The original act contained after the word "prescribe" in line 13, the words—

As to preparation and packing.

Those words are omitted from this bill. Those words were construed in Two hundred and second Federal Reporter, in the case of United States against Bruce, in such a way as to make the section ineffective. The section itself prohibits the transmission of poisons and other dangerous substances in the mails, but the original act provided that—

The Postmaster General may permit the transmission in the mails, under such rules and regulations as he shall prescribe as to preparation and packing.

It was supposed by the department that the section authorized the Postmaster General to prescribe who might mail these articles and to whom, and he issued rules and regulations to the effect that they might be mailed by manufacturers or dealers to physicians, surgeons, dentists, pharmacists, druggists, and veterinarians; but when a man was indicted for a violation of these regulations the court held that the authority to prescribe rules and regulations related only to preparation and packing and not to the persons to whom they might be mailed. Therefore it was defective.

Mr. WALSH. What was the idea of the Post Office Committee—whose jurisdiction of this bill I doubt, although it has now jurisdiction because it took it—in further restricting the persons from whom these articles might be shipped and to whom they might be sent?

Mr. STEENERSON. In order to carry out the idea of the Postmaster General, which he prescribed in his regulations originally. The statute is proposed to be amended so as to include manufacturers and dealers.

Mr. WALSH. Yes; that is in the committee amendment; but this would exclude a physician from mailing a remedy to his patient if it contained some poisonous drug.

Mr. STEENERSON. The section excludes that now.

Mr. WALSH. I do not think so.

Mr. STEENERSON. Oh, yes; absolutely.

Mr. WALSH. The section now gives the Postmaster General authority to make rules and regulations as to the preparation and packing of the medicines?

Mr. STEENERSON. Yes.

Mr. WALSH. Now, you have limited the persons who may mail them and the persons to whom they may be sent.

Mr. STEENERSON. But the section itself prohibits the transmission of any of these articles in the mail. Nobody can ship or send these articles in the mails.

Mr. WALSH. The Postmaster General could permit the mailing under such rules and regulations as to packing and preparation as he might prescribe.

Mr. STEENERSON. Yes; and he made the regulations just exactly as we have them in the bill, in the words in italics, permitting the mailing from manufacturers or dealers to licensed physicians, dentists, and so forth, and the court held that the words "as to preparation and packing," after the word "prescribe," in line 13, in the original law, limited the power of the Postmaster General to prescribe rules and regulations as to the packing and preparation, and that he could not say that they might be mailed by a manufacturer or dealer to a physician or dentist. So that unless this is enacted into law these articles are absolutely excluded from the mails.

Mr. WALSH. As long as you are going to tinker with it at all, why should not a licensed physician be permitted to send a medicine by mail to a patient if the medicine contains a poisonous substance? For instance, if he wanted to send a country patient some strychnine tablets, why should he not be permitted to do so?

Mr. STEENERSON. This is as far as the department desires to go. It applies to manufacturers and dealers in those articles. Of course, we could broaden it so as to allow physicians to mail them, but there is no call for that. The Post Office Committee have received a large number of letters concerning this bill, and not a single protest. These letters are all from physicians, dentists, surgeons, and veterinarians living in smaller places, where they can not go and buy these articles but have to get them by mail. Dentists, especially, have written several letters. I do not think there is any necessity for the change that the gentleman suggests.

Mr. SUMMERS of Washington. Beginning with line 7, on page 1, the law now specifies that all kinds of poisons and all articles and compositions containing poison, and so forth, are excluded whether sent in sealed or unsealed mail. So that part is already taken care of, as the gentleman has explained. But why should this be carried further? That is the question which the gentleman asks. Now, the report shows that the Postmaster General undertook to make a regulation. The gentleman understands that?

Mr. WALSH. Yes.

Mr. SUMMERS of Washington. This is to do the thing the Postmaster General undertook to do, but was not permitted to do under existing law. It is extremely important. A physician may not be convenient to the express company, and the only way he can receive drugs without great inconvenience is by their going through the mail from the manufacturer or the druggist in some of the larger towns. So it is a great convenience that the law should be amended as herein indicated, and there is every reason why we should not go beyond that.

Mr. WALSH. That is from the physician's point of view. Now, I am speaking for the patient who may not be convenient to the express office or the drug store and who may have been visited by a physician who may wish to send back medicine he has prescribed for his patient. We are amending this law, and I am suggesting that we submit this amendment to be made.

Mr. SUMMERS of Washington. There is considerable force in the argument of the gentleman from Massachusetts, for sometimes in the country districts it would be very convenient, but

the disadvantages are so many that I believe the average physician, or the great majority of physicians and veterinarians, would rather have the law remain as it is.

Mr. WALSH. Yes; so that he can charge for another visit when he carries the medicine back.

Mr. SUMMERS of Washington. I hardly think the physician would visit the patient for that purpose.

Mr. STEENERSON. There would be more danger under the gentleman's proposal that the drug addicts might get it from physicians that were not particularly careful. That is the theory of the department in not extending it further to druggists.

Mr. WALSH. Unscrupulous physicians could get drugs from manufacturers under this amendment.

Mr. STEENERSON. They could not get them by mail; they have got to be sent by the manufacturers and dealers, and these manufacturers and dealers are already regulated in sending habit-forming drugs.

Mr. WALSH. I am not talking about dealers. The gentleman said that unscrupulous physicians might send these drugs through the mails.

Mr. STEENERSON. I beg the gentleman's pardon; I did not say that; I said that a physician might get the drug from the dealer and then he might send it by mail, and therefore we have not extended it. This is an extension that the department, in its experience, has found necessary.

Mr. SUMMERS of Washington. An unscrupulous druggist in some city may desire to send out to the public some preparation which is a habit-forming drug. He may send it 3,000 miles away, and perhaps could get a large patronage for the article. If you amend this in the way suggested by the gentleman from Massachusetts there would be no way to prevent his building up such a trade.

Mr. WALSH. This would only permit it to be done where the regulations of the Postmaster General would prevail, and a single complaint would result in withdrawing the permit from this unscrupulous druggist. But in view of the explanation made by the chairman of this committee and the gentleman from Washington, familiar with drugs and medicines and the practice of physicians, I will enter no objection.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 217 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stats. L., p. 1131), is hereby amended to read as follows:

"SEC. 217. That all kinds of poison, and all articles and compositions containing poison, and all poisonous animals, insects, and reptiles, and explosives of all kinds, and inflammable materials, and infernal machines, and mechanical, chemical, or other devices or compositions which may ignite or explode, and all disease germs or scabs, and all other natural or artificial articles, compositions, or materials, of whatever kind, which may kill or in any wise hurt, harm, or injure another or damage, deface, or otherwise injure the mails or other property, whether sealed as first-class matter or not, are hereby declared to be nonmailable matter, and shall not be conveyed in the mails or delivered from any post office or station thereof, nor by any letter carrier; but the Postmaster General may permit the transmission in the mails, under such rules and regulations as he shall prescribe, of any articles hereinbefore described which are not outwardly or of their own force dangerous or injurious to life, health, or property: *Provided*, That all spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind are hereby declared to be nonmailable, and shall not be deposited in or carried through the mails. Whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be delivered by mail, according to the direction thereon or at any place at which it is directed to be delivered by the person to whom it is addressed, anything declared by this section to be nonmailable, unless in accordance with the rules and regulations hereby authorized to be prescribed by the Postmaster General, shall be fined not more than $1,000 or imprisoned not more than two years, or both; and whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be delivered by mail, according to the direction thereon or at any place to which it is directed to be delivered by the person to whom it is addressed, anything declared by this section to be nonmailable, whether transmitted in accordance with the rules and regulations authorized to be prescribed by the Postmaster General or not, with the design, intent, or purpose to kill or in any wise hurt, harm, or injure another, or damage, deface, or otherwise injure the mails or other property, shall be fined not more than $5,000 or imprisoned not more than 10 years, or both.

With the following committee amendment:

Page 2, line 10, after the word "mails," insert "from the manufacturer thereof or dealer therein to licensed physicians, surgeons, dentists, pharmacists, druggists, and veterinarians."

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. STEENERSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

IOWA TRIBE OF INDIANS.

The next business on the Calendar for Unanimous Consent was the bill (S. 806) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Iowa Tribe of Indians against the United States.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

Mr. McKEOWN. Will the gentleman reserve his objection until I can state the pressing necessity of this claim?

Mr. WALSH. I am willing to concede the pressing necessity without any explanation.

Mr. McKEOWN. This bill has passed the Senate. It has been reported favorably in other Congresses several times. The amendments suggested by the Interior Department have been agreed to. If the gentleman has examined the report he will see that it has great merit and is not one of the usual class of claims that have been designated here as claims without merit sent to the Court of Claims.

In 1890 the United States made an agreement with these Indians. They wanted to procure their surplus lands, and in order to get an agreement that would induce other tribes to come in they told the Iowa Indians that if they would agree to it as an entering wedge to get other agreements, they would be accorded the same treatment as they would give the adjacent tribes of Kickapoos and Sacs and Fox. Relying on that agreement, the Indians agreed to an allotment of 80 acres of land, and the United States Government paid them 38 cents an acre for their surplus land, amounting to 207,000 acres.

After securing an agreement with the Indians as an inducement to the adjoining Indians, they allowed the Kickapoos 160 acres allotment and $1.25 an acre for the surplus lands. And the same treatment was accorded to the Sacs and Fox; they were likewise allotted 160 acres and paid $1.25 an acre for their land. All that the Iowa Indians are asking is opportunity to go into the courts to establish their rights to the difference; that they may be treated as the United States agreed they should be treated in the first instance; that they should be given amounts equal to those given the other tribes adjoining them. This bill has had the closest scrutiny of the Committee on Indian Affairs of the House, and it was reported out favorably in the Senate.

Mr. HASTINGS. It passed the Senate. This is a Senate bill.

Mr. McKEOWN. Yes; and was reported out on the recommendation of Senator CURTIS, who, I think, scrutinizes the Indian claims very carefully, and who would not have given us this report if it was not a claim of merit, and one that appeals to the fairness of Congress. I hope the gentleman will reconsider his objection to the consideration of this bill at this time.

Mr. MORGAN. Mr. Speaker, I hope the gentleman will reserve his objection on this bill. I have had hopes that the bill might be allowed to pass. The territory affected does not lie within my congressional district, but I have some personal knowledge of the situation that exists. I call the attention of the gentleman to the fact that on March 3, 1889, a bill in the form of a rider on an appropriation bill was passed providing for the opening of the first land settlement in Oklahoma. It provided that a certain area of land, comprising about three or four counties in the center of Oklahoma, should be opened on the proclamation of the President within 30 days. Those lands had no Indians settled upon them at that time. I settled at Guthrie, Okla., at the first opening on April 22, 1889. I call the gentleman's attention to the fact that this was the beginning of Oklahoma, it was the birthday of Oklahoma, and from that little beginning we have now a state of 2,000,000 people with eight Representatives in this House and a representation equal to that of the other States in the Senate. There are few States that contribute more to the support of the National Government than does Oklahoma. More than half of them are contributing less in national taxes than the State of Oklahoma. That great State has grown in that way. All of the other lands in the State, now comprising, as it does, a large area, belonged to the Indians or were possessed in some title by the Indians. It was impossible to build a State there unless those Indians would enter into some kind of an agreement by which their surplus lands should be given to the white settlers. Congress by this same act authorized a commission of three men to go down into this territory and negotiate with these various tribes of Indians to surrender their surplus lands and make allotments. There was one tribe of Indians called the Iowa——

Mr. WALSH. How many in that tribe?

Mr. MORGAN. I think only about 100 or more. They were a docile tribe of Indians, good natured, pretty well developed. Here was this great commission, appointed by the authority of the United States Government to go into that terriory and plead with these Indians to get them to consent to give up their surplus lands in order that we might build a great State there and add to the strength of the Union. To whom did that commission first go, to what tribe? Not to the hostile and the backward tribes, but to the tribes they thought they could deal with most easily. They went to the Sac and Fox Tribes, within 2 miles of Guthrie, where I lived at that time. The gentleman knows the advantage the United States had over those Indians, untrained as they were. They said to the Iowa Indians, "We have come from the Great Father, who has sent us down here to ask you to give us your surplus land." They had 200,000 acres.

The commission gave them only 80 acres to each individual, and gave them 38 cents an acre for the surplus land. Those Indians, in their simplicity and innocence and their lack of training, entered into such an agreement. The Indians claim that there was certain talk outside of the written contract or agreement they made, by which, if the commission did better by other Indians, they would afterwards make recompense to them. I do not know how true that is, but necessarily there was much talk on the side, which the Indians, in their innocence, accepted as part of the contract.

Mr. WALSH. Much Indian talk.

Mr. MORGAN. I expect so; and I imagine also that the commissioners talked a great deal. I was personally acquainted with them, and I know they wanted to make a beginning, and they were in a situation where they could take advantage of the Indians. After they had made the start they went to the Sac and Fox Indians, living just beside them, and later on gave them a dollar and a quarter an acre for their land, with an allotment of 160 acres each. Then there are the Kickapoo Indians, living to the south, and some other tribes with whom they did likewise, though I think they gave the Kickapoo $1.50 an acre. Then, on the north were the Pawnees, and they treated them in the same way. Years go by, and these lands which the white settlers, citizens of the United States, obtained by paying a dollar and a quarter an acre, for which the Government gave 38 cents an acre, are now worth from $50 to $100 an acre. Those people have built up great institutions, equal, perhaps, to any in this Union, all because of the fact that the Government was capable of inducing this little Indian tribe to dispose of their lands at the ridiculous sum of 38 cents an acre. I know it is true that the Indian Department claims that the Iowa Indians did not have the same title to their lands that the Sac and Fox Indians had, but I do not think there is anything in that. These Indians had been induced to go from one of the Northern States, and had been transferred by the Government down into the Indian Territory, and a tract of 200,000 acres had been set apart for them.

This bill simply provides that a court of the United States—not a court of the Indians—can take this case and do what is right and equitable with these Indians. I hope the gentleman from Massachusetts [Mr. WALSH], in view of all of these facts, will reconsider his decision to object to this bill. I have no interest in the matter; it is not in my district. I was living there at the time, and I know these men, and I did business with the people who settled that country. I think the gentleman would be doing an injustice to put this bill off the calendar and not allow it to be considered. I appeal to him in all sincerity and earnestness not to object to the present consideration of this bill.

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman from Massachusetts withhold his objection for an additional moment or two?

Mr. WALSH. Certainly.

Mr. CAMPBELL of Kansas. Mr. Speaker, broadly viewing the situation, the white man has just about got the Indian's scalp. Now, when we started the Indian held as his own practically everything in the United States. By chicanery, by force, and by treaty to-day the white man has practically everything the Indian had. We finally made a settlement with him, put him down into the Indian Territory, and said, "Now, here is where you have a final home. You are now in a country where the climate is fine, where the prairies are splendid, where there is plenty of game and plenty of water. Everything is just right for the Indian." That has not been so very many years ago, and to-day the Indians are practically euchered out of every foot of land in the Indian Territory. The Indian has no more right down there now than the white man. He has been beaten out of practically everything that he had except in isolated cases. In this particular instance the Indians have such a case that if any white litigant had it against the Government of the United States or against another State he would have had an opportunity to litigate it long ago. I think they should have a chance to litigate their rights in respect to this matter in a court of competent jurisdiction. There ought not to be any objection to this bill.

Mr. HARRELD. Mr. Speaker, will the gentleman from Massachusetts withhold his objection for a few moments?

Mr. WALSH. I will withhold for the gentleman from Oklahoma to offer a suggestion.

Mr. HARRELD. Mr. Speaker, I suppose I voice the sentiment of almost all Oklahomanians when I say they very much desire these Indian matters shall be settled with the Indians, but nothing is settled until it is settled right. A part of the land in controversy here is in my district and I have taken particular pains to investigate this claim. I guess there have been 20 sets of people approaching me asking me to advocate and urge that certain claims of this nature be submitted to the Court of Claims of the United States for settlement. I have uniformly refused to do so, but in this case after a making a full investigation I am of the opinion it is one case in which there ought to be an exception made. When such a man as Horace Speed, formerly United States attorney of my State, a man whom I know personally——

Mr. MORGAN. And Horace Speed was secretary of this commission that went down there and knows all about the facts.

Mr. HARRELD. Knows all about the facts, and was afterwards United States attorney for that State. I am personally acquainted with Mr. Speed, and I do not believe he would misrepresent anything, and in this report there is a letter from him, in which he says that these representations outlined here by Mr. MORGAN and by Mr. MCKEOWN were actually made in his presence in order to induce that tribe to sell its lands for 38 cents an acre; and when a man like that, without any interest in the controversy, makes such a solemn statement of fact like that it convinces me there is something right and righteous about this claim, and I believe it is the one claim that ought to be excepted from the general rule.

Mr. HASTINGS. Does not the gentleman think, too, that this claim ought to be adjudicated when a man like Horace Speed, who was secretary of the commission, is still alive, and when his testimony can be secured? Most members of the commission, if not all, are dead, and pretty soon it will be urged that this is an old, stale claim. It is not the fault of the Indians, because they have been knocking at the doors of the Congress for a number of years trying to get the right to go into their own court for the purpose of having the matter adjudicated. Hence it is not the fault of the Indians that the claim has not been adjudicated, and it is not the fault of the Indians that the claim is stale, because they have been trying to have it adjudicated ever since these lands have been disposed of. I also desire to say, in my colleague's time, if he will permit, that this is a bill favorably reported by the Secretary of the Interior. They made some suggestion of an amendment when it was pending in the Senate, and that amendment was added to the Senate bill. So the bill now reported by the House Committee on Indian Affairs is the bill that passed the Senate with the amendment added which was suggested by the Secretary of the Interior. If I may be permitted one moment further, to say that this little tribe of western Oklahoma Indians was treated with by this commission in 1890, and they asserted from that time down to the present time that the representatives of the Government of the United States only gave them approximately 38 cents an acre, but promised to give them whatever it gave to the other tribes around them, and those adjacent tribes were paid $1.25 an acre. That is what they really want to have adjudicated. That is what they want to take to the Court of Claims. I thank my colleague for permiting me to inject these remarks in his time.

Mr. HARRELD. Mr. Speaker, I simply desire to add this word. Mr. MORGAN has had more experience, perhaps, in this particular instance than many of us. Mr. HASTINGS had had a varied experience in Indian Affairs.

Mr. WALSH. Mr. Speaker, of course no claim against the United States is ever settled right until it is settled in favor of the claimant in the full amount of the claim, whether there is any justice to the claim or not and——

Mr. BLANTON. Will the gentleman from Massachusetts yield?

Mr. WALSH. I will yield for a question or an observation.

Mr. BLANTON. If the gentleman is only almost persuaded, I want to suggest that there are other distinguished gentlemen from Oklahoma who could probably furnish whatever else that is necessary to convince the gentleman from Massachusetts that this bill ought to pass.

Mr. WALSH. Mr. Speaker, I am very glad to know the gentleman is interested in the matter. I object.

The SPEAKER. The gentleman from Massachusetts objects.

BRIDGE ACROSS MAHONING RIVER, YOUNGSTOWN, OHIO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12889) granting the consent of Congress to the city of Youngstown, Ohio, to construct a bridge across the Mahoning River, at or near Division Street, in the city of Youngstown, Ohio.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of Youngstown, Ohio, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River at a point suitable to the interests of navigation, at or near Division Street, in the city of Youngstown, in the county of Mahoning, in the State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent that the gentleman agree to allow the bill S. 806 to pass to the foot of the calendar, so that we may make further investigation.

Mr. WALSH. I will permit it to go to the foot of the calendar, but it is not necessary for me to make any further investigation.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the bill objected to go to the foot of the calendar. Is there objection? [After a pause.] The Chair hears none.

VACANCY ON BOARD OF REGENTS, SMITHSONIAN INSTITUTION.

The next business on the Calendar for Unanimous Consent was Senate joint resolution 167, providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. BLANTON. Mr. Speaker, I want to ask the purpose of this bill of whomever has it in charge.

Mr. LUCE. Mr. Speaker, this is a resolution to provide for the reelection of a gentleman, Mr. Charles F. Choate, jr., now a member of the Board of Regents of the Smithsonian Institution, who, I think, has served for 12 years. He was unanimously chosen by the Committee on the Library.

Mr. BLANTON. It merely reelects him?

Mr. LUCE. Yes.

Mr. BLANTON. It does not provide for the filling of future vacancies?

Mr. LUCE. No. It is just a reelection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, that will occur on March 19, 1920, by reason of the expiration of the term of Charles F. Choate, jr., Massachusetts, be filled by the reappointment of the said Charles F. Choate, jr., for the ensuing term.

The SPEAKER. The question is on the third reading of the resolution.

The resolution was read a third time and passed.

On motion of Mr. LUCE, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

UNITED STATES DAUGHTERS OF 1812.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10104) to renew patent No. 25909.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, I ask that the bill be reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date August 11, 1896, being patent No. 25909, is hereby renewed and extended for a period of 14 years from and after the passage of this act, with all the rights and privileges pertaining to the same as of the original patent, being generally known as the badge of the United States Daughters of 1812.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, how long has this patent lapsed?

Mr. WALSH. It does not lapse until August 11, 1920.

Mr. GARD. There has been no lapse of the patent? It does not expire until August, 1920?

Mr. DYER. This is to prevent a lapse.

Mr. GARD. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The bill was again reported.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

LANDS FOR POOR FARM, JOHNSON COUNTY, WYO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13157) authorizing the issuance of patent to Johnson County, Wyo., of lands for poor-farm purposes.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I just want to ask the gentleman from Wyoming if this tract of 1,904 acres will be the only poor farm in the great State of Wyoming if this patent is authorized?

Mr. MONDELL. Mr. Speaker, I do not know that I can accurately answer that, but I think this is one of the very few poor farms in the State.

Mr. WALSH. I am a little bit surprised, because in the great industrial States it has been claimed, and I think with some justice, that one of the beneficent results of the Volstead law has been to close up some of the poor farms, and we find now that as the result of the enactment of that legislation we must create a 2,000-acre poor farm in the State of Wyoming.

Mr. DYER. Wyoming has been prohibition for many years.

Mr. WALSH. Possibly that explains it. [Laughter.]

Mr. MONDELL. That explanation is satisfactory.

Mr. GARD. Reserving the right to object, I note in the report from the Secretary of the Interior he states that the northwest quarter northwest quarter section 7, as described in the bill, was sold and patent issued and could be eliminated from the description of this bill.

Mr. MONDELL. After the Secretary's report was received it was discovered there was an error in including that 40-acre tract, and also an error which the commissioner had not called attention to in the description of another 40-acre tract, and in order to make the descriptions agree a new bill was introduced.

Mr. GARD. Has this bill, H. R. 13157, been so amended in the description as to meet the approval of the Secretary of the Interior?

Mr. MONDELL. It has.

Mr. GARD. What is the purpose of making an addition to a poor farm? I presume by that term you mean a farm connected with the county infirmary—what is the purpose of putting an addition of something like 1,904 acres, more or less, to a poor farm, and how much acreage has the present poor farm?

Mr. MONDELL. I think the present acreage is perhaps upwards of 200 acres, possibly as much as 300 acres. The county has a tract adjacent to a little mountain stream, something less than 100 acres of which is worked. The land which they now desire to acquire is the rough, rocky, broken, brush-covered hill land lying back of this little mountain stream, land which they have used as a grazing ground for the small herd of cattle they have had in connection with this farm.

Mr. GARD. How are these poor, lame, and halt people who have met with adversity in the State of Wyoming going to get the cattle in on this reservation of 1,904 rocky acres?

Mr. MONDELL. It is not a difficult thing to drive the cows home.

Mr. WALSH. They will roll down hill. [Laughter.]

Mr. MONDELL. If the gentleman had had the great good fortune, as most of us did have, of having been born on a farm, he would know that the cows come home in the evening.

Mr. GARD. Is it the purpose to pasture the cows on this reservation?

Mr. MONDELL. Yes; to pasture the stock and some sheep that are kept in connection with the poor farm.

Mr. GARD. Is there anything on these 1,900 acres that the cows can eat?

Mr. MONDELL. Yes; grass. While it is sparse, it is good.

Mr. GARD. Have you to arm each cow with a searchlight to find the sparse grass?

Mr. MONDELL. No. They find it.

Mr. WALSH. The gentleman from Ohio does not think that the State of Wyoming would want this land if it were useless.

Mr. MONDELL. It is not useless. It will make an excellent pasture for these cows, but it takes a good many acres to support one of them.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLANTON. If the gentleman will permit me, I will state to the gentleman from Wyoming that the cows, as well as the politicians in Wyoming, are energetic and vigilant, and if there is any grass there they will find it. [Laughter.]

Mr. GARD. I will suggest to the gentleman along the same line, that we have adopted amendments to other bills providing certain amendments relative to the price of $1.25 per acre. Has the gentleman any objection to incorporating such a provision here?

Mr. MONDELL. Relative to what?

Mr. GARD. Other bills that we have passed fix the nominal price at $1.25 an acre. Amendments have been offered to other bills by adding the words "not less than."

Mr. MONDELL. This land was appraised by the Government appraisers. It was part of an old military reservation that was abandoned some 35 years ago, and some years ago appraised formally. These lands were appraised at $1.25 per acre. They could be bought by an individual at $1.25, and the bill simply provides that the county shall pay the appraised price, the price at which the gentleman from Ohio can buy these lands.

Mr. GARD. If I had the money I would. The report says, "It appears that Congress has been liberal in the disposal of land within the Fort McKinney Military Reservation to the city of Buffalo and county of Johnson in the State of Wyoming, but if Congress sees fit to authorize the sale of 1,500 acres additional land on this reservation to Johnson County I have no objection to such action provided the bill is amended," so and so.

Mr. MONDELL. He knew he could not have any objection to selling to the county what any individual could buy at the same price.

Mr. WALSH. Of course, individuals are not running around buying poor farms.

Mr. GARD. That amendment that I spoke of, and an additional amendment providing that that discretion shall be vested in the Secretary of the Interior, as we have adopted heretofore on other bills, would make the bill satisfactory to me. Has the gentleman any objection to that?

Mr. MONDELL. I do not object to that; but I do not know how the Secretary would interpret the words "not less than." If Congress does not expect him to sell at $1.25, which is the appraised price which his agents have placed upon it, then I think Congress should put in some other price.

Mr. GARD. That is the minimum price that is paid.

Mr. MONDELL. No. That is the sale price. That is the price at which this land can be bought. It is the price they fixed upon it. I do not know just how the Secretary would construe that language.

Mr. GARD. I do not think there would be any trouble in the construction of the language. I have no objection to the passage of the bill if these two amendments are agreed to.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue to Johnson County, Wyo., upon said county paying to the United States the sum of $1.25 per acre, patent conveying the following lands contiguous to the county poor farm, containing 1,904 acres, more or less, to wit: Southeast quarter southeast quarter section 2; south half southwest quarter, southwest quarter southeast quarter, and lot 4, section 1; east half northeast quarter, section 11; northwest quarter, west half northeast quarter, west half southeast quarter, and lots 1, 2, 3, and 4, section 12; lot 3, section 13, all in township 50 north, range 83 west; south half southwest quarter section 6; northeast quarter northwest quarter, south half northwest quarter, southwest quarter northeast quarter, southwest quarter, northwest quarter southeast quarter, south half southeast quarter, section 7; north half northwest quarter, north half northeast quarter, and lots 7, 8, 9, and 10, section 18; southwest quarter southwest quarter, south half southeast quarter, section 8; southwest quarter southwest quarter section 9; north half northeast quarter and lots 5, 6, and 8, section 17, all in township 50 north, range 82 west, sixth principal meridian, containing 1,904 acres, more or less.

Mr. GARD. Mr. Speaker, on line 3, page 1, of the bill, after the word "hereby," I offer to amend by inserting the words "in his discretion."

The SPEAKER. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 1, line 3, after the word "hereby," insert the words "in his discretion."

Mr. MONDELL. Mr. Speaker, just what is the gentleman's purpose in offering that sort of an amendment?

Mr. GARD. Why, the purpose in that sort of an amendment is to provide discretionary action to be vested in the Secretary of the Interior.

Mr. MONDELL. But the Secretary is directed by this bill to sell this land. You can not direct the Secretary to sell the land and then say the direction shall be in his discretion.

Mr. GARD. I realize that it is a direction, and that there may be certain——

Mr. MONDELL. But it is confusing to say that "the Secretary in his discretion is hereby directed." It does not seem to me the logical thing to do. I think the Secretary would have a hard time determining just what it was that the Congress expected of him. Here are lands that the agents of the department have said were worth $1.25 an acre. The Congress has concluded to sell them to this county, which can not go into the market and buy them as an individual could. We have directed him to sell them. It does not seem to me it is logical to use the words which the gentleman has suggested.

Mr. GARD. Well, if I am mistaken about it, I will be very glad to have it corrected. I do not desire to offer anything that would be illogical or confusing to the Secretary. Mr. Speaker, I withdraw my amendment.

The SPEAKER. Without objection, the amendment will be withdrawn. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

ROOSEVELT NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5006) to add certain lands to the Sequoia National Park, Calif., and to change the name of said park to Roosevelt National Park.

The title of the bill was read.

Mr. JOHNSON of Washington. Mr. Speaker, I reserve the right to object.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent that this bill be passed over and remain on the calendar without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be passed over without prejudice. Is there objection?

Mr. WALSH. I object. It ought to go to the foot of the calendar if it is passed over at all. If the gentleman will consent to its being placed at the foot of the calendar, I shall not object.

Mr. ELSTON. I am in rather a helpless position.

The SPEAKER. Is there objection to its going to the foot of the calendar?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

STREET PAVING, ETC., IN FIVE CIVILIZED TRIBES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11024) to amend an act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914," approved June 30, 1913.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to pay, out of any funds of the Creek, Cherokee, Choctaw, Chickasaw, and Seminole Nations on deposit in the Treasury of the United States, the proportionate cost of street paving, construction of sidewalks and sewers abutting on unsold lots belonging to any of said tribes and as may be properly chargeable against said town lots, said payments to be made upon submission of proof to said Secretary of the Interior showing the entire cost of the said street paving, sidewalk, and sewer construction, and that said improvement was duly authorized and undertaken in accordance with law: *Provided,* That the Secretary of the Interior shall be satisfied that the charges made are reasonable and that the lots belonging to the above-mentioned tribes against which the charges were made have been enhanced in value by said improvement to not less than the amount of said charges.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. HOWARD, a motion to reconsider the vote by which the bill was passed was laid on the table.

PRICES OF OIL AND GASOLINE.

The next business on the Calendar for Unanimous Consent was House resolution 501, authorizing and directing the Attorney General to investigate the price of oil and report to the House of Representatives.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. HOWARD. Mr. Speaker, I object.

Mr. DYER. Will the gentleman withhold his objection?

Mr. HOWARD. I will reserve it.

Mr. DYER. This is not a resolution directing the Attorney General to investigate. It has been amended so as to provide that the Federal Trade Commission shall make the investigation.

Mr. HOWARD. That is the reason I object. I have not seen any results from these investigations, and I think that business has been harassed about enough by some of these investigations. Therefore I object.

Mr. DYER. There is great need of this investigation.

The SPEAKER. The gentleman from Oklahoma objects. The Clerk will report the next bill.

CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12502) providing for a report on the cost of improving and maintaining the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That for the purpose of ascertaining the cost of improvement and maintaining in proper condition for travel the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park, from the north end of said road, near East Chattanooga, in Hamilton County, Tenn., to Rossville, in Walker County, Ga. (a distance of 7 or 8 miles), the Secretary of War is hereby authorized and directed to cause an examination of said road to be made, and a report to be made by the Chickamauga and Chattanooga National Military Park Commission of the approximate cost of such improvement and the manner in which it can be and should be done. The said commission shall report estimates of the cost of said improvement by concrete surface, and other proper methods. The cost of concrete surface, gutters, excavations, and fills wherever necessary shall be reported, and the cost of graveling excavations and fills, if that method shall be deemed best; and the maintenance of such road, per annum, by oiling and other means, shall also be reported.

No material change shall be made in the line of the road as now established, nor shall the cost of any excavations or fills be considered except where it may be absolutely necessary for a first-class boulevard; but estimates for the cost of widening the road wherever it shall be necessary shall be made.

It shall also report what the cost of concreting the road in its present condition, without additional fills or excavations will be; and the cost of graveling and maintenance per annum would be, including oiling and the difference between the cost and maintenance of a concrete road per annum and the graveled and oiled road.

The commission shall report to the Secretary of War, as herein provided, within four months from the passage of this act, and the Secretary of War shall transmit this report to Congress with his recommendations in the premises.

The cost of such examination and report shall not exceed $1,000, and so much of said sum as is necessary to make such examination and report is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. MOON, a motion to reconsider the vote by which the bill was passed was laid on the table.

YELLOWSTONE NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12466) authorizing the granting of certain irrigation easements in the Yellowstone National Park, and for other purposes.

The Clerk read the title of the bill.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent that this bill be passed without prejudice.

The SPEAKER. The gentleman asks unanimous consent that the bill be passed without prejudice. Is there objection?

Mr. WALSH. Unless it goes to the foot of the calendar, I shall object.

The SPEAKER. Does the gentleman modify his request?

Mr. SMITH of Idaho. I modify my request.

The SPEAKER. The gentleman from Idaho asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

There was no objection.

WOMEN'S BUREAU IN THE DEPARTMENT OF LABOR.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the Women's Bureau.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. I object.

Mr. CAMPBELL of Kansas. Will the gentleman withhold his objection?

Mr. WALSH. I will withhold it; yes.

Mr. CAMPBELL of Kansas. Mr. Speaker, I do not want to use any strong-arm methods to secure the passage of a bill that ought to pass by unanimous consent.

Mr. BLANTON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. In a moment. This bill simply provides authority of law for the establishment of a bureau which is now carried in the Department of Labor by the Committee on Appropriations from year to year. The appropriations for the maintenance of this bureau can be objected to by any Member of the House and must go out of the bill on a point of order.

When the Congress finally adjourns this bureau will be provided for by the Committee on Appropriations. The bureau should be established and secured under authority of law. There are many thousands of women now engaged in the active industries of the country. This bureau was created during the war.

It was found that it could and did do a work that was worthy of its creation. The fact developed that there was much to be done at that time by the bureau. Thousands of women employed in the industries of the country during the war are continuing in their employment, and as the years come and go in the future more and more women will be employed in the industries of the country. It is hardly compatible with the attitude of the American people toward those engaged in the industries of the country that they should not have some sympathetic way of reaching the authorities and of bringing to the attention of the country any special needs they may have. It is for that purpose that this bill was introduced and reported favorably by the Committee on Labor.

Mr. BLANTON. Now will the gentleman yield?

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. BLANTON. The gentleman might help the situation some by mentioning the almost unanswerable arguments made by Mrs. Bass in the hearings on this bill.

Mr. CAMPBELL of Kansas. Yes. I had not thought of going into all the details of this bill at this time. It is inconceivable that Congress will not enact this bill into law. It should be done by unanimous consent. If it is not, it will be enacted. I wish the gentleman from Massachusetts would withdraw his objection.

Mr. SMITH of Michigan. Will the gentleman withhold his objection?

Mr. WALSH. I will withhold it for a minute.

Mr. SMITH of Michigan. I want to say that there are 12,000 women engaged in industry. The bureau was established in 1918, and has been carried along by the Appropriation Committee, and there is no extra expense involved further than what we appropriate from year to year. I will say that among the associations and orders that are asking for this appropriation is the Russell Sage Foundation, the director of the industrial study——

Mr. WALSH. I have read those names; they are all in the report, including the Republican national committee.

Mr. SMITH of Michigan. And the Democratic national committee.

Mr. WALSH. The woman's bureau of the Democratic national committee.

Mr. SMITH of Michigan. Women are asking for it all over the country, and as long as they have this organization for men it occurs to me that, inasmuch as the sun is shining a little and the clouds are clearing away for the women, this little small bureau, without any extra expense to the Government, ought to receive this recognition.

Mr. BLANTON. And Delaware might reconsider.

Mr. SMITH of Michigan. It might be that they would see the light.

Mr. RAKER rose.

Mr. WALSH. I am afraid that somebody will say something that they might hereafter regret, and I think we had better not prolong this debate. I do not know what the gentleman from Kansas referred to when he alluded to strong-arm methods. I felt rather secure, however, because the majority leader happened to be sitting between us. [Laughter.] But if there is anything ferocious in that action I would probably be persuaded to yield, although this is not the first time that strong-arm methods have been threatened, and in fact used in connection with the demand of the women of this country. They got suffrage through Congress by strong-arm methods, as is well known, to which many sensible and calm gentlemen yielded. But I am opposed to continuing these bureaus that were created during the war. Now, the 12,000 women in industry——

Mr. HERSEY. Twelve million women.

Mr. WALSH. The gentleman from Michigan said 12,000. Well, we will admit it is 12,000,000, which is overstating the number—they can get along without this bureau.

Mr. RAKER. Will the gentleman yield for a question?

Mr. WALSH. I will yield for a question if the gentleman asks a question, which he usually does not.

Mr. RAKER. If—and it can be done—— [Laughter.]

Mr. WALSH. I do not think it can be done in the way the gentleman is starting out. [Laughter.]

Mr. RAKER. Would not it be better to let this go through by unanimous consent rather than to bring all the people up before the Committee on Rules and get a rule to put it through?

Mr. WALSH. Does the gentleman from California think that is what the gentleman from Kansas meant by strong-arm methods?

Mr. RAKER. I do not speak for the gentleman from Kansas. I am asking a question of the gentleman from Massachusetts.

Mr. WALSH. It might be better to let it go through by unanimous consent if you get the unanimous consent, for those interested in it, including the women, rather than to make those interested in it, including the women, go before the Committee on Rules and insist on getting a rule.

Mr. BLANTON. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. BLANTON. I imagine that is what the distinguished gentleman from Kansas meant when he referred to the strong-arm methods—that he probably had a rule in his hip pocket, as he usually does.

Mr. WALSH. The gentleman from Texas has a vivid imagination which is working and in good running order. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts objects, and the Clerk will report the next bill.

CONSTRUCTION OF CERTAIN FLOOD CONTROL WORK.

The next business on the Calendar for Unanimous Consent was the bill (S. 3263) to authorize the construction of flood control and improvement works in Minnesota River and Big Stone Lake between the States of Minnesota and South Dakota.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. GARD. Reserving the right to object, I understand this bill is the beginning of authorization of work by the Committee on Flood Control in the matter of controlling the flood waters of the Minnesota River and rivers in the Northwest, and that this project is to be without Government expense.

Mr. VOLSTEAD. There is no Government expense connected with it; it is simply an authorization permitting the States through various drainage districts to carry out certain improvements.

Mr. GARD. I think this is one of the best bills I have seen. It recognizes not alone the rights of the States but the duties of States in protecting their own territory.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Minnesota Valley Drainage and Flood Control District, organized and existing under the laws of the State of Minnesota, and the Big Stone Lake Drainage and Flood Control District, organized and existing under the laws of the State of South Dakota, are hereby authorized to construct a dam across Minnesota River at the foot of Big Stone Lake, together with such dikes, spillways, diversion channels, and other works in said river and lake as the said districts may agree upon as necessary for the prevention and control of floods, the improvement of navigation, and the drainage of land: *Provided*, That plans for the works hereby authorized shall be submitted to the Secretary of War and the Chief of Engineers for their approval, and unless, and until, approved by them no part of the said works shall be built or commenced.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DRAINAGE OF INDIAN ALLOTMENTS, FIVE CIVILIZED TRIBES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 517) amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310; Public, No. 77).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, can the gentleman from Oklahoma [Mr. MCKEOWN] give me a little more explanation than is covered in the letter of the Acting Secretary of the Interior?

Mr. McKEOWN. This simply amends the present act and permits an increase from $15 to $25. It permits drainage districts to be created, which is the present law, but on account of the increased cost of material and labor, and because under the present circumstances no drainage district can be formed at the price of $15, this permits an increase to $25. There is no charge against the United States.

Mr. WALSH. It is an enlarged assessment against the members of the drainage of the district?

Mr. McKEOWN. Yes.

Mr. WALSH. And that is the only change in existing law?

Mr. McKEOWN. Yes.

Mr. WALSH. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That public act No. 77 (38 Stats., 310), approved March 27, 1914, an act to provide for drainage of Indian allotments of the Five Civilized Tribes, be and is hereby amended so as to read as follows:

"That whenever a drainage district is organized in any county in the Five Civilized Tribes of the State of Oklahoma, under the laws of that State, for the purpose of draining the lands within such district, the Secretary of the Interior is authorized, in his discretion, to pay from the funds or moneys arising from any source under his control or under the control of the United States, and which would be prorated to such allottee, the assessment for drainage purposes against any Indian allottee or upon the lands of any allottee who is not subject to taxation, or whose lands are exempt from taxation or from assessment for taxation under the treaties or agreements with the tribes to which such allottee may belong, or under any act of Congress; and such amount so paid out shall be charged against such allottee's pro rata share of any funds to his credit under the control of the Secretary of the Interior or the United States: *Provided*, That the Secretary of the Interior, before paying out such funds, shall designate some person with a knowledge of the subject of drainage, to review the schedules of assessment against each tract of land and to review the land assessed to ascertain whether such Indian allottee, or his lands not subject to taxation, have been assessed more than their pro rata share as compared with other lands located in said district similarly situated and deriving like benefits. And if such Indian lands have been assessed justly when compared with other assessments, then, in that event, said funds shall be paid to the proper county in which said drainage district may be organized, or, in the option of the Secretary of the Interior, to the construction company or bondholder shown to be entitled to the funds arising from such assessment: *Provided further*, That in any event such assessment on any Indian allotment shall not exceed $25 per acre, and no such assessment shall be made unless the Indian allottee affected, or his legal guardian, shall consent thereto: *And provided further*, That nothing in this act shall be so construed as to deprive any allottee of any right which he might otherwise have individually to apply to the courts for the purpose of having his rights adjudicated."

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. MCKEOWN, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS WHITE RIVER, ARK.

The next business on the Calendar for Unanimous Consent was the bill (S. 3779) to authorize the Ozark Forest road improvement district of Baxter County, Ark., to construct and maintain a bridge across the White River near Norfork, Ark.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That authority is hereby granted to the Ozark Forest road improvement district of Baxter County, Ark., created by act No. 570 of the General Assembly of the State of Arkansas of the session of 1919, its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the White River at a point suitable to the interests of navigation, near Norfork, Ark., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. TILLMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

SALE OF ISOLATED TRACTS, FORT BERTHOLD INDIAN RESERVATION, N. DAK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13139) for the sale of isolated tracts in the former Fort Berthold Indian Reservation, N. Dak.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Mr. Speaker, reserving the right to object, what is the amount of land proposed to be included in this bill, and just what does the bill mean by extending the provisions of section 455 of the Revised Statutes to land within a portion of the Fort Berthold Indian Reservation?

Mr. SINCLAIR. Mr. Speaker, I will say to the gentleman that the Fort Berthold Indian Reservation has been all allotted, and also all of the surplus land after the Indian allotments were made has been disposed of under the homestead, mineral, and town-site act, a special act; but it did not provide for the disposal of isolated tracts. This reservation being cut by the Missouri River, there are left small tracts of 40 acres or less, and the purpose of the bill is to dispose of these small meandered tracts. The bill has been recommended by the Department of the Interior, and it was at their suggestion that it has been introduced.

Mr. McKEOWN. Is any of this land occupied by the settlers?

Mr. SINCLAIR. No; the tracts affected are too small to be homesteads and nobody wants them for that purpose. It is merely to clean up all of the remaining lands of the reservation.

Mr. McKEOWN. Just little odds and ends.

Mr. SINCLAIR. Yes; that is the purpose of the bill.

Mr. GARD. These small pieces are supposed to be purchased by people who own lands contiguous thereto?

Mr. SINCLAIR. Yes.

Mr. GARD. They are not large enough to make homestead tracts of them?

Mr. SINCLAIR. No.

Mr. GARD. And the purpose of this bill is to enable the General Land Office to sell these small tracts to people who may own land immediately adjacent thereto?

Mr. SINCLAIR. Yes.

Mr. BLANTON. Mr. Speaker, I suggest to the gentleman that the number of the faithful here has dwindled now down to 23. Does the gentleman want to go on with that number?

Mr. SINCLAIR. I would like to pass this to-night.

Mr. BLANTON. The gentleman understands that 23 is a rather ominous number.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of section 2455 of the Revised Statutes of the United States as amended by the act of March 28, 1912 (37 Stat. L., p. 77), relating to the sale at public auction of isolated tracts of the public domain, be, and the same are hereby, extended and made applicable to lands within the portion of the Fort Berthold Indian Reservation, N. Dak., opened under the act of June 1, 1910 (36 Stat. L., p. 455): *Provided*, That the provisions of this act shall not apply to lands which are not subject to homestead entry: *Provided further*, That purchasers of land under this act must pay for the lands not less than the price fixed in the law opening the lands to homestead entry.

With the following committee amendments:

Page 1, line 6, after the word "sale," insert the words "at public auction."

Page 2, line 2, after the word "act," strike out the word "must" and insert the word "shall."

Page 2, line 4, strike out the word "the" and insert the word "such."

The SPEAKER. The question is on agreeing to the committee amendments..

The committee amendments were agree to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SINCLAIR, a motion to reconsider the vote by which the bill was passed was laid on the table.

DISPOSITION OF CERTAIN CROW INDIAN LANDS IN MONTANA.

The next business on the Calendar for Unanimous Consent was Senate joint resolution (S. J. Res. 30) to permit the disposition of certain lands in Montana ceded by the Crow Indians.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WALSH. I object.

CALL OF THE HOUSE.

Mr. DYER rose.

Mr. HOWARD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] There is no quorum present.

Mr. DYER. Mr. Speaker, I move a call of the House.

The SPEAKER. The question is on ordering a call of the House.

The question was taken; and on a division (demanded by Mr. HOWARD) there were—ayes 17, noes 3.

So a call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Doughton	Kreider	Rodenberg
Andrews, Md.	Drane	Langley	Rose
Anthony	Dunn	Lazaro	Rowan
Bankhead	Eagan	Lee, Ga.	Rowe
Bee	Eagle	Lesher	Rucker
Bell	Edmonds	Lonergan	Sabath
Black	Ellsworth	McAndrews	Sanders, La.
Bland, Ind.	Fess	McArthur	Sanders, N. Y.
Bland, Mo.	Flood	McCulloch	Scott
Booher	Fuller, Mass.	McFadden	Scully
Bowers	Gallivan	McKenzie	Sears
Brinson	Ganly	McKiniry	Sherwood
Brooks, Ill.	Garrett	McKinley	Shreve
Brooks, Pa.	Goldfogle	McLane	Siegel
Browne	Goodall	McLaughlin, Mich.	Sims
Brumbaugh	Goodwin, Ark.	McPherson	Sinnott
Burdick	Gould	MacCrate	Slemp
Burke	Graham, Pa.	Maher	Smith, Ill.
Butler	Greene, Vt.	Mann, Ill.	Smith, N. Y.
Campbell, Pa.	Griest	Martin	Smithwick
Cannon	Griffin	Mason	Snell
Cantrill	Hamill	Mead	Steagall
Caraway	Hamilton	Merritt	Steele
Carew	Hardy, Tex.	Moore, Ohio	Stiness
Carter	Harrison	Moore, Va.	Strong, Pa.
Casey	Haugen	Morin	Sullivan
Clark, Fla.	Hays	Nicholls, S. C.	Sweet
Cleary	Heflin	Nichols, Mich.	Tague
Cooper	Hersey	O'Connell	Towner
Costello	Hicks	Olney	Upshaw
Crago	Hill	Padgett	Vare
Cramton	Hoey	Paige	Venable
Cullen	Humphreys	Peters	Voigt
Curry, Calif.	Husted	Platt	Ward
Darrow	Hutchinson	Porter	Wason
Davey	Johnston, N. Y.	Pou	Watson
Davis, Minn.	Jones, Tex.	Quin	Williams
Dempsey	Kahn	Rayburn	Wilson, Ill.
Denison	Kelley, Mich.	Reavis	Wilson, La.
Dent	Kendall	Reed, N. Y.	Young, Tex.
Dewalt	Kennedy, Iowa	Riddick	
Dooling	Kennedy, R. I.	Riordan	
Doremus	Kettner	Robinson, N. C.	

The SPEAKER. Two hundred and fifty-five Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

PRICE OF GASOLINE.

Mr. DYER. Mr. Speaker, I move to suspend the rules and pass House resolution 501 with a committee amendment.

The SPEAKER. The gentleman from Missouri moves to suspend the rules and pass House resolution 501 with a committee amendment, which the Clerk will report.

The Clerk read as follows:

House resolution 501.

Resolved, That the Federal Trade Commission be, and it is hereby, authorized and directed to make an immediate inquiry and investigation into the causes of the recent advances in the price of fuel oil, kerosene, gasoline, and other petroleum products and to report to the House not later than June 1, 1920; and in reporting the foregoing the Federal Trade Commission is requested to take into consideration and to report the sources of oil supply for the United States and the profits of said business, and what, if any, combinations in restraint of trade exist between those engaged in this business, and what effect, if any, the same have upon the market price of fuel oil, kerosene, gasoline, and other petroleum products with reference to the price charged to the ultimate consumer.

The SPEAKER. Is a second demanded?

Mr. HOWARD. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Oklahoma demands a second.

Mr. DYER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from Missouri is entitled to 20 minutes and the gentleman from Oklahoma to 20 minutes.

Mr. DYER. Mr. Speaker, this is a resolution presented from the Committee on the Judiciary unanimously, and asks that the Federal Trade Commission be requested to make an investigation with reference to the increased price of gasoline, fuel oil, kerosene oil, and other petroleum products. During the past few months these products have increased very greatly, and they have become a burden to thousands of people of the United States.

Mr. Speaker, I reserve the balance of my time.

Mr. HOWARD. Mr. Speaker and gentlemen of the House, I want to apologize to the Members of the House for having called them back here at this time of the evening, and I should not have done so had I not considered that the resolution which is now attempted to be considered by this House, without very much consideration elsewhere, was of greater importance, perhaps, than many of us realized. I want a full and fair consideration

of this matter, Mr. Speaker, for the reason that it has been my observation that for the last four or five years there has been in this country too much handicapping of business by interfering with it for political and every other reason that some one might surmise to bring forth to harass people who are engaged in legitimate business. The resolution which you are asked to consider at this time will bring about, gentlemen, no further result than possibly some political benefit that might accrue to some few Members of this House in the fact that they had part in an investigation that will bring to one of the most extensive industries of this country harassment and probably depreciation of stocks and properties, and might result in financial misfortune to many of our citizens. I would have no objection to a legitimate investigation of a business which would bring us some results, but I say to you that it has been my observation that such proposed investigations amount to nothing more nor less than harassment to business for a few months and an expenditure of a large amount of the people's money. I want to pause to suggest here, my friends, that if you want an investigation of profiteering, if you want to go into matters that are not luxuries but matters which are necessities to every man and woman and child in this country, come and go with me into the district of the author of this resolution who is seeking to harass the oil business and you will find that the shoe for which you used to pay $1.55 a pair manufactured in his district now sells for $4 a pair, when there are just as many hides, just as much material, and many less people to wear them.

Mr. HASTINGS. Did my colleague say $4 or $14?

Mr. HOWARD. Four dollars at wholesale.

Mr. HASTINGS. I thought you made some mistake. I thought you meant $14.

Mr. HOWARD. They probably sell at that at retail.

But, Mr. Speaker and gentlemen of the Congress, I am confident that you will pass this resolution. It has been a great habit for years to talk against the oil business. I want it understood in my discussion of this matter and in my position on it that I represent in my own district over a thousand independent oil companies who, in a liberal, honest manner, are carrying on their business. In the State of Oklahoma are over 125 little refineries that have been almost choked to death already by these political investigations and by political legislation. And I say to you as business men, as Members of the Congress of the United States, that the time has about arrived in the history of this country for us to extend some relief to legitimate business instead of hampering it with high taxation and harassing it with such investigations as this, and let business move, and let the world get back to normal conditions.

Let us see what has been the condition of this oil industry, which has been such a bugaboo to some of our friends. The oil industry, I want to emphasize, my friends, has no fear of a legitimate investigation, and I am not objecting by reason of fear but objecting in the interest of business and in the interest of letting this country get back to normal conditions as quickly as possible.

Yet, to those most familiar with that business, the question presents itself, "Why an investigation of the one industry which distinguished itself above all others during the war and up to the present time in efficiency, promptitude, and patriotic endeavor to supply the petroleum needs of the allied world, when other industries, not so distinguished, are permitted to pursue their unpatriotic course of profiteering through manipulation of prices and deliberate limitation of production?"

Whatever may be said of the oil men, it can not be successfully maintained that they have ever loafed on the job. When we entered the war and the Government was hurriedly taking over one industry after another, great anxiety was expressed concerning the supply of gasoline and oil for the allied armies at the western front. Representatives of the oil industry were called in to see what could be done to secure such a supply. There was talk of taking over the oil business. But the prompt answer of the oil representatives was that already, and in advance of the American Army, in advance of Government action, there was an adequate supply of American gasoline and oil at the western front and more of it was on its way across the Atlantic in American-owned tankers, while a continuous further supply was being transported across the continent to the Atlantic seaboard in tank cars and pipe lines owned and operated by American oil men.

Never during the great World War did the American petroleum industry fall down, lag behind, nor bicker nor bluster about prices, nor whine for special privilege. You will recall the true statement that we "floated to victory on a sea of oil."

During the war the oil industry, in order to maintain the supply, underwent many sacrifices. At its own expense it organized and maintained committees to stabilize the price and apportion crude oil equitably among the refiners. Many producers gave up premiums and advantageous contracts in order to serve the governmental requirements by sending their oil elsewhere. Responsive to the demand for more oil, Oklahoma operators, with large tracts of likely oil land under lease but undeveloped, called in their drillers from "wildcat" territory in order to concentrate their activities on what is called "inside drilling." That is to say, at the request of the Government they abandoned or postponed initial wells necessary to hold their undeveloped acreage against the forfeiture clause in the leases in order to use all their equipment in drilling those small but sure oil wells on tracts already producing.

This was considered a surer way of maintaining the supply than the other, because such a large percentage of wildcat wells are failures. But the result of this, particularly in the Osage Nation in Oklahoma, is a loss to operators who are required to begin development on leases in a certain time or suffer forfeiture. Many such forfeitures have taken place and will occur during the year.

With the armistice signed and the operators at liberty to return to exploration and discovery work on new leases, they were confronted with a scarcity of oil-field tubular goods, with prices of all materials and labor mounting skyward. To-day it is almost impossible for oil producers to obtain pipe and casing through the usual distributing agencies or at published prices. But the oil fields are swarming with brokers, ex-bookkeepers, and clerks representing unknown profiteering syndicates and offering pipe at unheard-of prices. The operator must pay the extortionate price or lose his properties. Why not investigate the supply of pipe?

The oil producers and refiners are not profiteers. The average cost in 1912 and 1913 of drilling and equipping a 2,500-foot well in Oklahoma was $12,500; in 1919 it was $35,000 to $40,000. Now it is $40,000 to $50,000. In the deeper fields in Texas the cost is around $75,000 per well, many of which deplete 100 per cent in 12 to 15 months. When you add to this cost the large number of dry holes you must realize that, owing to causes not within the control of the oil operator, it is exceedingly expensive as well as hazardous to attempt to produce oil.

I have given you the initial cost of drilling wells, but do not get the impression that when an operator has drilled a well his troubles are over. He must proceed to operate his property, drill other wells, build tanks, acquire new acreage, and so forth. Likely oil land close to production costs from $1,000 to $10,000 per acre; derricks, machinery, supplies, and labor cost many times what they did in prewar times.

Another thought. The primary consideration is how to get more oil to satisfy the ever-increasing demand. In order to keep up the supply we must continue to pump and operate the small well. By the small well I mean the one producing from a fraction of a barrel to 10 barrels per day. There are thousands of these. They collectively produce much more than half of the total supply of crude oil in this country to-day. You do not hear of these. You hear of the gushers. But they are few and far between. Furthermore, they soon subside. Thereafter, by careful handling and much expensive cleaning out and pumping, they may produce a barrel or two a day for a number of years. But the point is that these small wells can not be drilled and operated at a profit when the price of oil is low, especially while the prices of labor and materials remain where they are now. The inevitable result of reducing the price of oil will be an abandonment of the small well and a consequent material reduction of the supply of oil. While the operators were patriotic enough to operate many of these small wells at a loss during the war, you can not expect them to do it to-day. Rather than maintain them at a loss they will be forced, if interfered with in their legitimate operations, to pull the casing and sell it to some other operator at the outrageous prices now prevailing for oil-field pipe and tubular goods.

Finally, let me impress upon you that the oil industry is no longer in the hands of one company or coterie of operators, but is owned largely by a great number of independent, legitimate, and energetic American business men and thousands of investors throughout the United States. This industry has been legislated against, taxed at every turn, regulated without reason, villified, discriminated against, misrepresented, and now it is proposed to investigate it!

Gentlemen, this is the record of the industry that you now propose to harass by an investigation. I have already recalled, my friends, that over a year ago a distinguished Member of this Congress said that we floated to victory on a sea of oil. This oil was produced by these producers and these little refiners, who will be harassed by this kind of an investigation.

Mr. SNYDER. Will the gentleman yield?

Mr. HOWARD. Yes, sir.

Mr. SNYDER. Now, the gentleman is well posted on this oil question. There is no doubt about that. What I would like him to explain is whether or not the consumption of crude oil is as great as it was during the period of which he speaks, when the oil men were ahead of the game and had the oil and gasoline on the west front in time? And, if it is no greater now than it was then, why is it that during the period since the armistice has been signed fuel oil dropped from 12 cents to 4½ and is now back to 11, and the increase in the last 30 days in the question of fuel oil is greater than 60 per cent? In other words, 25 days ago we paid 6½ cents for fuel oil delivered on the sidetrack and to-day it is 11 cents. Those are things I would like to have explained. While the time for taking off restrictions from business has come, there are certain reasons that make me think an investigation of this kind might be of advantage.

Mr. HOWARD. I am glad the gentleman asked me that question, and I will state in reply thereto——

Mr. HASTINGS. Will the gentleman yield?

Mr. HOWARD. Yes, sir.

Mr. HASTINGS. This is a very important question that the gentleman is discussing, and I think we ought to have a quorum present. Mr. Speaker, I make the point of no quorum.

Mr. DYER. I make the point of order that a quorum has already been determined by a call of the House.

The SPEAKER. The Chair thinks the gentleman is entitled to make a point of no quorum. The Chair will count. [After counting.] One hundred and sixty-three Members are present; not a quorum.

Mr. HASTINGS. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. HASTINGS. Mr. Speaker, I call for a division.

The House divided; and there were—ayes 12, noes 140.

So the motion was rejected.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Andrews, Md.	Edmonds	Lesher	Rodenberg
Anthony	Ellsworth	Lonergan	Rose
Barkley	Fess	McAndrews	Rowan
Bell	Fuller, Mass.	McArthur	Rowe
Bland, Ind.	Gallivan	McCulloch	Rucker
Bland, Mo.	Ganly	McFadden	Sabath
Booher	Garrett	McKenzie	Sanders, La.
Bowers	Godwin, N. C.	McKinlry	Sanders, N. Y.
Brinson	Goldfogle	McKinley	Scott
Brooks, Ill.	Goodall	McLane	Scully
Brumbaugh	Goodwin, Ark.	McLaughlin, Mich.	Sears
Burdick	Gould	McPherson	Shreve
Burke	Graham, Pa.	MacCrate	Siegel
Butler	Griest	Maher	Sims
Campbell, Pa.	Griffin	Mann, Ill.	Sinnott
Cantrill	Hamill	Martin	Slemp
Caraway	Hamilton	Mason	Smith, N. Y.
Carew	Hardy, Tex.	Mead	Smithwick
Carter	Harrison	Montague	Snell
Casey	Haugen	Moore, Ohio	Steagall
Clark, Fla.	Hays	Moore, Va.	Steele
Cooper	Heflin	Morin	Stephens, Miss.
Copley	Hersey	Neely	Stiness
Costello	Hersman	Nicholls, S. C.	Strong, Pa.
Crago	Hicks	Nichols, Mich.	Sullivan
Cramton	Hill	O'Connell	Tague
Cullen	Hoey	O'Connor	Upshaw
Curry, Calif.	Humphreys	Olney	Vare
Darrow	Husted	Padgett	Venable
Davey	Hutchinson	Paige	Ward
Dempsey	Johnston, N. Y	Pell	Wason
Denison	Jones, Pa.	Peters	Watkins
Dent	Kahn	Platt	Watson
Dewalt	Kelley, Mich.	Porter	Wheeler
Dooling	Kendall	Pou	White, Kans.
Doremus	Kennedy, Iowa	Quin	Williams
Doughton	Kennedy, R. I.	Radcliffe	Wilson, Ill.
Drane	Kettner	Reavis	Wilson, La.
Dunn	Kiess	Reber	Wood, Ind
Dupré	Kreider	Reed, N. Y.	
Eagan	Langley	Riordan	
Eagle	Lazaro	Robinson, N. C.	

The SPEAKER. On this roll call 261 Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from Oklahoma [Mr. HOWARD] has 12 minutes remaining.

Mr. HOWARD. Mr. Speaker, proceeding further along the line of my argument, that the investigation of this question is useless, that it only tends to harass business and add to the difficulties of legitimate business, I want to answer the question of the gentleman from New York [Mr. SNYDER] by stating that the statistics show that during the month of February the stocks of oil on hand decreased 1,500,000 barrels, notwithstanding the fact that for the month of February, 1920, the production of oil was over 200,000 barrels daily more than it was during February, 1919.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. MONDELL. Why does the gentleman object to an official statement of an official body of the administration as to the facts that he is now stating?

Mr. HOWARD. Simply and solely because the statistics, if studied by anyone, would demonstrate that an investigation of this subject is not necessary, and during the pendency of that investigation it is only harassing American business, which, to my mind, is already too much harassed at the present time.

Mr. MONDELL. Mr. Speaker, will the gentleman yield further?

The SPEAKER. Does the gentleman yield?

Mr. HOWARD. I can not yield further, as I have only five minutes.

In further answer to the question propounded by the gentleman from New York [Mr. SNYDER], I want to say that the consumption of fuel oil has increased during the last few months very materially. For instance, there have just been turned out at the Government shipyards at Hog Island 97 freight ships which are burning oil. On every hand the consumption of fuel oil is increasing. Just a few days ago the Missouri, Kansas & Texas Railroad, in Texas and Oklahoma, converted their coal-burning engines into oil burners.

The SPEAKER. The gentleman will suspend one moment. The Chair wishes to notify the gentleman that he was mistaken when he said the gentleman had 12 minutes remaining. He had only 9 minutes remaining.

Mr. HOWARD. The facts are, as I said before, that the stocks of oil on hand have decreased 1,500,000 barrels since last February. The consumption of oil to-day amounts to 61,000 barrels more per day than is being produced daily.

Now, these statistics, I say, tend to show why the price of oil has advanced, and why it will continue to advance, until in a very short time, if the industry is to be hampered on every hand, we will be looking in this world for something to use as a substitute for the gasoline that we are now producing; and this, my friends, in the face of the fact that in over 100 counties in Texas and in Kansas and Oklahoma the drills are running night and day in the attempt to keep up the supply.

Now, in conclusion, I want to submit to you what the chief geologist of the United States has to say relative to the oil situation. I read:

Now, listen to this:

But while the United States has contributed far more than half (61 per cent) of the oil that the world has used for nearly 60 years, we have already reached the point where we are consuming more oil than we produce. Is this position of the world's greatest user of petroleum as safe as it is spectacular?

We are the world's greatest consumers of petroleum, but, impressive as are the 1918 figures of consumption—413,077,113 barrels—no mind can easily grasp the idea of that quantity. Truly it is a flood of oil, for if spread over the 60 square miles of the District of Columbia these 413,000,000 barrels would cover the area to a depth of nearly a foot and a half.

HUGE NETWORK OF PIPES.

Beginning with 4 miles of iron pipe laid down in western Pennsylvania at the close of the Civil War, this system now embraces a huge network of buried pipes from 4 to 8 inches in diameter, trunk lines and laterals, aggregating nearly 30,000 miles.

When most of us were in school "oil" meant kerosene, and gasoline or benzine was something to be bought in a bottle at the drug store or the paint shop.

To-day oil has become the premier motive power, not only on land and sea but even in the heavens above and the depths below—truly the best servant of Mars and Mercury.

Marshal Foch is quoted as saying that "a drop of gasoline was worth in war a drop of blood."

The number and variety of uses of petroleum and its products are continually increasing, but even more striking is our increased dependence upon a few of the products of the oil refinery, notably gasoline, kerosene, the many types of lubricating oils, and fuel oil.

PRODUCTS OF PETROLEUM.

There are said to be 300 or more products of petroleum, each with its own use. Some of these products serve merely our convenience, such as the artificial "vanilla" flavoring or the cover of paraffin on the jar of jelly or marmalade; others were found during the war period to be absolutely essential to industry on a large scale; for example, the heavy oil used in tempering steel plates.

It is when we think of the marvelous growth of the automotive industry that we realize a future demand for lubrication that staggers even the prophetic statistician. With more than 6,000,000 pleasure automobiles operated in the United States alone we have an annual consump-

tion estimated, by the officials of the foremost company manufacturing high-grade lubricants, at 120,000,000 gallons of lubricating oil, where 20 years ago the demand for this purpose was practically nothing.

A few years ago the amount of lubricating oil used in this country was almost insignificant. Last year we used 120,000,000 gallons of lubricating oil alone. From every factory come the automobile, the tractor, the aeroplane, the oil-burning boat, and the oil-burning railroad, calling upon the pioneers who go out and wildcat, if you please, to secure oil, to produce more.

The oil industry fears nothing so far as this investigation is concerned except the hampering of business during its pendency; but it is now hampered, it is now loaded down with high taxes and high cost of material, and after you make this investigation, after you have spent at least $200,000 of the people's money in doing so—and this is one of the main reasons why I am opposing this resolution—you will have learned nothing more than you can know to-day if you will call upon any of several of the departments which now have the available statistics at hand. The amount of money expended will have been wasted; again the taxpayer will be called upon to pay the bill; some few may have benefited politically, and you will know, as you should know now and can know if you will take the time to inquire, that the price of oil has increased and will increase by reason of the law of supply and demand, the demand being very much greater, and growing greater each day, than the available supply. [Applause.]

Mr. DYER. I yield two minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, if I were to cast a selfish vote for the interest of my district alone, I would vote against this resolution, for in my district there flow from only two counties over 100,000 barrels of oil every day. But in casting my vote I am going to vote for this resolution, because it is in the interest of all the people of the United States. [Applause.] In reaching a conclusion on every vote I have cast in Congress I have been guided only by one principle—what is best for all of the people of my country?

Ten years ago gasoline sold for 8 and 10 cents a gallon. Now, in the city of Washington, it sells for 30 cents a gallon, having only recently been advanced from 25 cents, and within less than 200 miles of Washington it costs 35 cents a gallon, notwithstanding the fact that new fields have been discovered all over the United States. In the district of my friend Mr. PARRISH there are now flowing 150,000 barrels of oil a day.

Mr. HOWARD. Will the gentleman yield?

Mr. BLANTON. I can not, because I have only two minutes, and the gentleman from Oklahoma has 20 minutes. I am sure he does not want to be hoggish. What I am speaking against now is hoggishness, a thing which ought not to prevail among the oil refineries and producers who are bringing in so many big, new oil fields all over the United States. They ought not to raise the price of gasoline just because they find a ready market for it. They ought not to impose upon the people of the United States simply because gasoline must be had and the people must have it and have to pay whatever the big oil companies ask for it. I am speaking in behalf of all the people of the United States, who do not want gasoline sold for 32 and 35 cents a gallon when it ought to be sold for 20 cents, in comparison with present prevailing prices of crude oil, and still give a good profit to the promoters of these industries. I want every oil field in my State and every other State of this Nation developed, but I do not want to see these big oil companies find out where the oil is and then cap up development and only bring the oil to the surface as they can sell it at advanced prices. I want to see wells developed and not new fields capped up. [Applause.]

This resolution will not harm the citizens in oil fields who are now drawing their one-eighth royalties from the oil taken from underneath their lands. If the oil companies and refineries are not making too great a profit, they will not be disturbed. But if they are making too great a profit, in comparison with the price of crude oil, then the people of the land should be protected.

Mr. DYER. Mr. Speaker, I do not wish to use any more of my time, and I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from Missouri to suspend the rules and pass the bill.

The question was taken, and two-thirds having voted in favor thereof the rules were suspended and the resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 5213. An act for the relief of occupants and claimants of unsurveyed public land in township 8 north of range 2 west of Salt Lake meridian, Utah;

H. R. 10207. An act providing for service of process in causes removed from a State or other court to a United States court;

H. R. 6773. An act for the relief of Albert C. Burgess;

H. R. 6772. An act authorizing and directing the transfer approximately of 10 acres of land to Rural High School District No. 1, Lapwai, Idaho;

H. R. 6413. An act granting the sum of $549.12 to Clara Kane, dependent parent, by reason of the death of William A. Yenser, late civil employee killed as a result of an accident at the Philadelphia Navy Yard;

H. R. 6291. An act for the relief of E. Willard;

H. R. 6136. An act authorizing the Secretary of the Interior to sell certain lands to School District No. 21, of Fremont County, Wyo.;

H. R. 3211. An act for the relief of Emma J. Spear;

H. R. 1791. An act for the relief of O. W. Lindsley;

H. R. 1275. An act for the relief of W. L. Rose;

H. R. 202. An act to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public park purposes; and

H. J. Res. 222. Joint resolution authorizing the Secretary of War to dispose of surplus dental outfits.

COTTON.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter from the campaign director of the American Cotton Association on the Comer amendment to the Agricultural bill. This is a matter in which the southern Representatives are interested.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

The letter is as follows:

AMERICAN COTTON ASSOCIATION,
MEMBERSHIP CAMPAIGN HEADQUARTERS,
Senate Chamber State Capitol, Atlanta, Ga., March 27, 1920.

Hon. B. B. COMER, United States Senator,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: I was very much gratified to note in the press this morning reference to a Senate resolution introduced by you requiring the delivery on contracts purchased through the exchange of at least 50 per cent of good spinnable cotton. The price of spot cotton will always be artificially depressed so long as these contracts can be filled on basis the average of the lower grades.

It is a pernicious system of manipulation which is totally unfair to both the cotton growers and the spinners. Any exchange which can not comply with the legitimate rules and regulations of fair dealings between both the purchaser and the seller has no legal right of existence.

I beg, therefore, in behalf of the American Cotton Association, to thank you fully for the splendid and efficient service you are rendering to the entire cotton industry of this country through the proposed legislation.

We certainly expect you to be with us during the cotton convention to deliver your promised address and will be greatly disappointed if you fail us.

With cordial good wishes,
Yours, very truly,

HARVIE JORDAN,
National Campaign Director.

EXTENSION OF REMARKS.

Mr. HARRELD and Mr. DYER were given leave to extend their remarks in the RECORD on the resolution just passed.

LEAVE OF ABSENCE.

Mr. HICKS, by unanimous consent, was given leave of absence for Monday and Tuesday, on account of important business.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 6, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of bar in Lake Michigan in front of the naval training station, Great Lakes, Ill.; to the Committee on Rivers and Harbors.

2. A letter from the general secretary of Near East Relief, transmitting report in duplicate of the proceedings of the Near East Relief, names and addresses of its officers, report of receipts and expenditures, and copies of the by-laws; to the Committee on the Judiciary.

3. A letter from the Secretary of the Treasury, transmitting draft of requested paragraph for appropriation legislation required for the Bureau of War Risk Insurance for the current

fiscal year (H. Doc. No. 711); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Public Health Service for the fiscal year 1920 (H. Doc. No. 712); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Library of Congress for distribution of card indexes, fiscal year 1920 (H. Doc. No. 713); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting deficiency estimate of appropriation required by the Treasury Department for "Wages of workmen, Mint at Denver," fiscal year 1920 (H. Doc. No. 714); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting estimate of appropriation required by the United States Tariff Commission for printing and binding, fiscal year 1921 (H. Doc. No. 715); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Director General of Railroads, submitting a supplemental estimate of appropriation required by the United States Railroad Administration, to be expended in the same manner and for the same purposes as the appropriation provided in section 202 of the transportation act of 1920 (H. Doc. No. 716); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CANNON, from the Committee on Appropriations, to which was referred the bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes, reported the same without amendment, accompanied by a report (No. 788), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SNYDER, from the Committee on Indian Affairs, to which was referred the bill (S. 2890) to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes, reported the same with amendments, accompanied by a report (No. 789), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KELLY of Pennsylvania, from the Committee on Indian Affairs, to which was referred the bill (H. R. 6296) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims, reported the same without amendment, accompanied by a report (No. 790), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 12955) to further define nonmailable matter, and for other purposes, reported the same with an amendment, accompanied by a report (No. 792), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 13144) granting an increase of pension to William Griffith; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13237) granting an increase of pension to James R. Compton; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CANNON: A bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes; to the Committee of the Whole House on the state of the Union and ordered printed.

By Mr. HASTINGS: A bill (H. R. 13417) for the purchase of a post-office site at Wagoner, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 13418) authorizing the use of Mexican land warrants in States other than those to which they were originally confined; to the Committee on the Public Lands.

By Mr. JOHNSON of Washington: A bill (H. R. 13419) increasing the pay of printers employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. WRIGHT: A bill (H. R. 13420) to repeal an act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war, approved March 8, 1918; to the Committee on the Judiciary.

Also, a bill (H. R. 13421) to repeal an act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government, approved May 20, 1918; to the Committee on the Judiciary.

Also, a bill (H. R. 13422) to repeal an act to prohibit the manufacture, distribution, storage, use, possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes, approved October 6, 1917; to the Committee on Mines and Mining.

Also, a bill (H. R. 13423) to repeal an act to authorize the President to increase temporarily the Military Establishment of the United States, approved May 18, 1917, and amendments thereto; to the Committee on Military Affairs.

Also, a bill (H. R. 13424) to repeal an act to authorize the President to provide housing for war needs, approved May 16, 1918; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13425) to repeal the War Finance Corporation act, approved March 8, 1918; to the Committee on Ways and Means.

Also, a bill (H. R. 13426) to repeal an act to amend the act to regulate commerce, as amended, and for other purposes, approved August 10, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. MAPES (by request): A bill (H. R. 13427) to amend section 115A of an act entitled, "An act to establish a code of law for the District of Columbia," as amended; to the Committee on the District of Columbia.

Also, a bill (H. R. 13428) to provide traffic and other regulations for the Conduit Road along the Washington Aqueduct, together with the procedure for their enforcement; to the Committee on the District of Columbia.

By Mr. KELLER: A bill (H. R. 13429) authorizing the Secretary of War to donate to the town of White Bear, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13430) authorizing the Secretary of War to donate to the town of North St. Paul, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13431) authorizing the Secretary of War to donate to the city of St. Paul, Minn., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. GREEN of Iowa: A bill (H. R. 13432) to regulate dealing in leaf tobacco; to the Committee on Ways and Means.

By Mr. BLACKMON: A bill (H. R. 13433) for the purchase of a post-office site at Piedmont, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13434) for the purchase of a post-office site at Clanton, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. HENRY T. RAINEY: A bill (H. R. 13435) to promote interstate commerce, agriculture, and the general welfare by providing for the development and control of waterways and water resources, for water conservation, for flood control, prevention, and protection, for the application of flood waters to beneficial uses, and for the cooperation in such work with States and other agencies, and for other purposes; to the Committee on Flood Control.

By Mr. WASON: A bill (H. R. 13436) for the purpose of improving the facilities and service of the Bureau of War Risk Insurance, and of further amending and modifying the war-risk insurance act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGEE: Resolution (H. Res. 510) to appoint a select committee to inquire into the cause of the depreciation of

the market value of Liberty bonds and to recommend legislation thereon; to the Committee on Rules.

By Mr. GALLIVAN: Joint resolution (H. J. Res. 328) authorizing the use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Massachusetts, favoring retention in House bill 12275 of provision permitting one-year militia enlistments; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Massachusetts, favoring reappropriation of funds for completion of the records of the draft; to the Committee on Military Affairs.

By Mr. CAREW: Memorial of the Legislature of the State of New York, urging Congress to keep in operation the Watervliet Arsenal with a force of at least 1,500; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 13437) granting an increase of pension to John M. Mathena; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13438) granting an increase of pension to Joseph H. Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13439) granting an increase of pension to John Kern; to the Committee on Invalid Pensions.

By Mr. BEGG: A bill (H. R. 13440) granting a pension to Nora E. Billstein; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13441) granting a pension to George P. Barker; to the Committee on Pensions.

By Mr. DYER: A bill (H. R. 13442) granting an increase of pension to Edward Dodsworth; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 13443) granting a pension to Taylor Hensley; to the Committee on Pensions.

By Mr. FLOOD: A bill (H. R. 13444) granting a pension to Harriet E. Brown; to the Committee on Pensions.

By Mr. HARRELD: A bill (H. R. 13445) granting an increase of pension to Sherman E. Jackson; to the Committee on Pensions.

By Mr. HAUGEN: A bill (H. R. 13446) granting an increase of pension to Benjamin F. Schriver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13447) granting an increase of pension to Alvin S. Dean; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 13448) granting a pension to Nora Waters and her two minor children, Raymond A. and Michael J. Waters; to the Committee on Pensions.

By Mr. JACOWAY: A bill (H. R. 13449) granting an increase of pension to Franklin C. Bartlett; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 13450) for the relief of the dispossessed allotted Indians of the Nisqually Reservation, Wash.; to the Committee on Indian Affairs.

By Mr. KAHN: A bill (H. R. 13451) granting an increase of pension to Margaret J. Harvey; to the Committee on Pensions.

Also, a bill (H. R. 13452) granting a pension to Mary E. Turner; to the Committee on Pensions.

Also, a bill (H. R. 13453) for the relief of Anna L. Meyers; to the Committee on Claims.

By Mr. KIESS: A bill (H. R. 13454) granting an increase of pension to John M. Kline; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 13455) granting a pension to Joseph H. Mayo; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 13456) granting a pension to Henry Allen; to the Committee on Pensions.

Also, a bill (H. R. 13457) granting a pension to Galen Back; to the Committee on Pensions.

By Mr. OGDEN: A bill (H. R. 13458) granting a pension to Amelia Skinner; to the Committee on Pensions.

Also, a bill (H. R. 13459) granting a pension to Fritz Dentler; to the Committee on Pensions.

By Mr. HENRY T. RAINEY: A bill (H. R. 13460) granting an increase of pension to Sarah Hill; to the Committee on Pensions.

Also, a bill (H. R. 13461) granting a pension to E. W. Johnson; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 13462) granting an increase of pension to Arabella J. Farrell; to the Committee on Pensions.

By Mr. SELLS: A bill (H. R. 13463) granting an increase of pension to Elizabeth Peters; to the Committee on Pensions.

By Mr. VAILE: A bill (H. R. 13464) granting an increase of pension to Maria S. Newman; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 13465) granting an increase of pension to Jacob W. Perkins; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 13466) granting an increase of pension to Henry C. Mulvey; to the Committee on Pensions.

Also, a bill (H. R. 13467) granting a pension to Sumner Bumgarner; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2760. By Mr. ASHBROOK: Petition of Abner McCoy and 59 other citizens of Coshocton County, Ohio, in favor of the pure-fabric bill; to the Committee on Agriculture.

2761. By Mr. CARSS: Petition of sundry citizens of Minnesota, urging the passage of House bill 1112; to the Committee on the Judiciary.

2762. By Mr. DYER: Petition of the Campbell Iron Co., of St. Louis, Mo., urging the 1-cent postage; to the Committee on the Post Office and Post Roads.

2763. Also, petition of the Chappelow Advertising Co., the Gardner Advertising Co., and the Inland Machine Works, of St. Louis, Mo., protesting against House bill 12976; to the Committee on Ways and Means.

2764. Also, petition of the King Brinsmade Merchant Co., the J. M. Anderson Grocer Co., and the Dorris Motor Car Co., all of St. Louis, Mo., opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2765. Also, petition of the Old Glory Council, No. 6, Daughters of America, of St. Louis, urging the passage of House bill 12320; to the Committee on Immigration and Naturalization.

2766. By Mr. ESCH: Petition of bankers of northeast Wisconsin, relating to the Federal Reserve System; to the Committee on Banking and Currency.

2767. Also, petition of New York City Federation of Women's Clubs, favoring the Smith-Kenyon bill, providing for a department of education; to the Committee on Education.

2768. Also, petition of New York City Federation of Women's Clubs, urging legislation necessary to establish official regulation of moving-picture films; to the Committee on Education.

2769. Also, petition of La Crosse Trades and Labor Council, protesting against the reduction in appropriation for Division of Conciliation and Bureau of Labor Statistics, Department of Labor; to the Committee on Appropriations.

2770. Also, petition of La Crosse Trades and Labor Council, urging an investigaton of the activities of the Bureau of Immigration; to the Comnfittee on Immigration and Naturalization.

2771. Also, petition of common council of city of Milwaukee, Wis., favoring the manufacture of beer and light wines; to the Committee on the Judiciary.

2772. By Mr. FULLER of Illinois: Petition of the Label Manufacturers' Association, urging the repeal of the excess-profits tax, etc.; to the Committee on Ways and Means.

2773. Also, petition of the Upper Michigan Development Bureau, favoring House bill 11641, known as the "truth-in-fabric" bill; to the Committee on Interstate and Foreign Commerce.

2774. Also, petition of the Illinois Association, American Society of Civil Engineers, favoring universal military training; to the Committee on Military Affairs.

2775. Also, petition of the Illinois Bankers' Association, concerning the post-office service in Chicago and Illinois; to the Committee on the Post Office and Post Roads.

2776. Also, petition of Cooperative Marketing Co. and the District Mill Producers' Association, of Sycamore, Ill., favoring the Capper-Hersman bills, amending the law against unlawful restraints and monopolies; to the Committee on Agriculture.

2777. By Mr. GALLIVAN: Petition of F. A. Foster & Co., of New York and Boston, opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2778. Also, petition of Albert W. Bemis, of Boston, Mass., urging an increase in salary for the customs examiners at the port of Boston, etc.; to the Committee on Appropriations.

2779. Also, petition of the Lever Bros. Co., of Cambridge, Mass., opposed to House bills 12646 and 12379; to the Committee on Banking and Currency.

2780. Also, petition of William N. De Berry, D. D., of Springfield, Mass., relative to certain provisions in the sundry civil appropriation bill; to the Committee on Appropriations.

2781. Also, petition of the Roxbury Post No. 44, Roxbury, Mass., urging adjusted compensation for the ex-service men and women; to the Committee on Ways and Means.

2782. Also, petition of the Boston Molasses Co., opposed to House bills 12646 and 12379; to the Committee on Banking and Currency.

2783. By Mr. GOODALL: Petition of Ernest L. Merrill and 1,615 others, for daylight saving; to the Committee on Interstate and Foreign Commerce.

2784. By Mr. HAWLEY: Petition of William B. Follett, state commander, American Legion, Portland; Carl B. Fenton, Post No. 20, American Legion, Dallas; Post No. 58 of the American Legion, Gold Hill; Capital Post, No. 9, American Legion, Salem; Post No. 14, Ashland; Clatsop Post, No. 12, American Legion, Astoria; American Legion Post, Medford; American Legion Post No. 48, Dufur; American Legion Post No. 10, Albany; Post No. 1, American Legion, Portland; American Legion Post, Tillamook; American Legion Post, Wallowa; American Legion Post, Hillsboro; American Legion Post, Grants Pass; American Legion Post, Corvallis; Post No. 6, Hillsboro; American Legion Post, Hillsboro, all in the State of Oregon, favoring fourfold optional plan of beneficial legislation for ex-service men of recent war; to the Committee on Ways and Means.

2785. By Mr. LINTHICUM: Petition of the Davis-Hemphill Co., of Elkridge, Md., protesting against House bill 12379; to the Committee on Banking and Currency.

2786. Also, petition of Schloss Bros. & Co. and the Monumental Custom Tailoring Co., of Baltimore, Md., protesting against the reduction of the appropriation in the Bureau of Labor Statistics; to the Committee on Appropriations.

2787. Also, petition of citizens of Baltimore, Md., urging the passage of House bill 1112; to the Committee on the Judiciary.

2788. Also, petition of volunteer soldiers of the late World War, protesting against the proposed bonus except to disabled soldiers or sailors; to the Committee on Ways and Means.

2789. Also, petition of the Maryland Color Printing Co., of Baltimore, Md., urging the repeal of the excess-profits tax, etc.; to the Committee on Ways and Means.

2790. Also, petition of the American Wholesale Corporation, of Baltimore, Md., protesting against Senate bill 4089; to the Committee on Interstate and Foreign Commerce.

2791. Also, petition of the Merchants & Miners' Transportation Co., of Baltimore, Md., opposing House bill 12997; to the Committee on Ways and Means.

2792. Also, petition of H. A. Gillespie, president, and employees of the Central Metal & Supply Co., of Baltimore, Md., favoring the daylight-savings law; to the Committee on Interstate and Foreign Commerce.

2793. By Mr. O'CONNELL: Petition of Harvey & Outerbridge, opposing House bills 12379 and 12646, amending the Federal reserve act; to the Committee on Banking and Currency.

2794. Also, petition of C. J. Tagliabue Manufacturing Co., Brooklyn, N. Y., opposing House bill 12976; to the Committee on Ways and Means.

2795. Also, petition of William Graham, New York City, urging action on House bill 12266; to the Committee on Education.

2796. Also, petition of Nicholas Rolden, New York City, urging immediate action on House bill 12266; to the Committee on Education.

2797. Also, petition of Silk Association of America, urging the adjustment of the present internal-revenue laws; to the Committee on Ways and Means.

2798. Also, petition of H. J. Heinz Co., New York City, opposing House bills 12379 and 12646, amending the Federal reserve law; to the Committee on Banking and Currency.

2799. Also, petition of Purina Mills, St. Louis, Mo., opposing House bills 12379 and 12646, amending the Federal reserve act; to the Committee on Banking and Currency.

2800. Also, petition of East Side Business Men and Taxpayers' Association, Buffalo, N. Y., favoring 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

2801. By Mr. PAIGE: Petition of employees of the Thorndike Co., of Thorndike, Mass., in favor of daylight saving, etc.; to the Committee on Interstate and Foreign Commerce.

2802. By Mr. RAKER: Petition of the American Gold Dredging Co., by R. Leo Van Der Naillen, vice president, of San Francisco, urging the passage of the McFadden gold excise bill; to the Committee on Ways and Means.

2803. Also, petition of Shasta County Promotion and Development Association, indorsing and urging the passage of House bill 12706; to the Committee on Military Affairs.

2804. Also, petition of Berkeley Teachers' Association, of Berkeley, Calif., indorsing the Smith-Towner bill and the Fess-Capper bill; to the Committee on Education.

2805. Also, petition of G. J. Rector, president of the Nevada County Bank, Nevada City, Calif., favoring the passage of the McFadden gold excise bill; to the Committee on Ways and Means.

2806. Also, petition of George W. Starr, managing director Empire Mines, president of California Metal and Mineral Producers' Association, urging the passage of the McFadden gold excise bill; to the Committee on Ways and Means.

2807. Also, petition of Richard Townsend Post, No. 84, American Legion, of Auburn, Calif., urging support of a $50 bonus for every month of service; to the Committee on Ways and Means.

2808. Also, petition of Schaw-Batcher Co., of Sacramento, Calif., indorsing the 1-cent drop-letter postage legislation and urging its passage; to the Committee on the Post Office and Post Roads.

2809. Also, petition of Building Construction Employers' Association of Pittsburgh, protesting against the passage of House bill 12320; to the Committee on Immigration and Naturalization.

2810. Also, petition of Pittsburgh Builders' Exchange, protesting against the passage of House bill 12320; to the Committee on Immigration and Naturalization.

2811. Also, petition of board of directors of Orland, Calif., indorsing House bill 4758; to the Committee on Appropriations.

2812. Also, petition of mayor of the city of Berkeley, Calif., indorsing the Fess-Capper bill; to the Committee on Education.

2813. Also, petition of Langley & Michaels Co., wholesale druggists of San Francisco, Calif., indorsing and urging the passage of the 1-cent drop-letter postage bill; to the Committee on the Post Office and Post Roads.

2814. Also, petition of California Corrugated Culvert Co., of West Berkeley, Calif., urging the passage of the 1-cent drop-letter postage bill; to the Committee on the Post Office and Post Roads.

2815. Also, petition of members of the sewing class of the Anderson Union High School, of Anderson, Calif., urging the passage of the Barkley misbranding bill, House bill 2855; to the Committee on Interstate and Foreign Commerce.

2816. Also, petition of Fred M. Hunter, superintendent of Oakland public schools, indorsing the Smith-Towner bill; to the Committee on Education.

2817. By Mr. TAGUE: Petition of the Brown-Durrell Co., of Boston, Mass., urging the passage of House bill 10835; to the Committee on Interstate and Foreign Commerce.

2818. Also, petition of the Boston Varnish Co., protesting against House bill 12976; to the Committee on Ways and Means.

2819. Also, petition of N. J. Reilly & Co., Boston, protesting against House bills 12646 and 12379; to the Committee on Banking and Currency.

2820. Also, petition of the New England Cotton Buyers' Association, of Boston, Mass., urging the defeat of the Comer amendment to the Agriculture bill; to the Committee on Agriculture.

2821. Also, petition of the Clark Manufacturing Co., of Boston, Mass., protesting against the passage of House bills 12379 and 12646; to the Committee on Banking and Currency.

2822. Also, petition of William A. Thebodaen, of Boston, Mass., urging an investigation of the increased price in gasoline, etc.; to the Committee on Interstate and Foreign Commerce.

2823. By Mr. TILLMAN: Petition of citizens of Marion County, Ark., opposed to the water-power bill; to the Committee on Water Power.

2824. By Mr. TINKHAM: Petition of the Roxbury Post, No. 44, American Legion, Roxbury, Mass., favoring the $50 per month bonus for the ex-service men and women; to the Committee on Ways and Means.

2825. By Mr. VAILE: Petition of the Fritz Benson Post, No. 86, American Legion, Collbran, Colo., relative to compensation for the ex-service men and women; to the Committee on Ways and Means.

2826. Also, petition of the Darden Pomona Grange, No. 1, of Wheatridge, Colo., relative to the Kenyon-Kendrick bill; to the Committee on Agriculture.

2827. By Mr. YOUNG of North Dakota: Petition of Arthur Johnson and 20 other citizens of Sheyenne, N. Dak., and vicinity, protesting against universal military training; to the Committee on Military Affairs.

SENATE.

TUESDAY, *April 6, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, by Thy grace we come to the discharge of the duties of this day. By Thy grace alone have we erected our form of government, and by Thy grace we continue it to this day. We desire only to fulfill Thy will and to measure up to the commission that Thou has placed in our hands and pass on with the splendid institutions that have come to us from the past, and ever go forward accomplishing the divine purpose in us as a Nation. Grant us this day Thy blessing and guidance. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

PRESIDENT PRO TEMPORE,
Washington, D. C., April 6, 1920.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. JAMES E. WATSON, a Senator from the State of Indiana, to perform the duties of the Chair during my absence.

ALBERT B. CUMMINS,
President pro tempore.

Mr. WATSON thereupon took the chair as Presiding Officer for the day.

The Reading Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALLING THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Brandegee	Harris	McKellar	Smoot
Capper	Henderson	McLean	Spencer
Chamberlain	Hitchcock	McNary	Thomas
Comer	Jones, Wash.	Moses	Townsend
Culberson	Kellogg	Nelson	Trammell
Curtis	Kendrick	New	Wadsworth
Edge	Kenyon	Norris	Warren
Frelinghuysen	Kirby	Nugent	Watson
Gay	Knox	Phipps	
Gronna	McCumber	Sheppard	

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. The Senator from Kentucky [Mr. BECKHAM], the Senator from Mississippi [Mr. HARRISON], the Senator from North Carolina [Mr. OVERMAN], the Senator from Louisiana [Mr. RANSDELL], and the Senator from Oklahoma [Mr. GORE] are absent on official business.

Mr. SIMMONS. The Senator from South Carolina [Mr. SMITH] is detained by illness in his family.

The PRESIDING OFFICER. Thirty-eight Senators have responded to their names. There is not a quorum present. The Clerk will call the roll of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. PAGE, Mr. SIMMONS, Mr. SMITH of Maryland, and Mr. SWANSON answered to their names when called.

Mr. LODGE, Mr. GERRY, Mr. PITTMAN, Mr. LENROOT, Mr. KEYES, Mr. BALL, Mr. DILLINGHAM, Mr. HALE, Mr. MCCORMICK, Mr. FRANCE, Mr. FERNALD, and Mr. PHELAN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-four Senators have responded to their names. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills and joint resolution:

S. 2786. An act authorizing the sale of lands in Gregory County, S. Dak.;

S. 3263. An act to authorize the construction of flood control and improvement works in Minnesota River and Big Stone Lake between the States of Minnesota and South Dakota;

S. 3779. An act to authorize the Ozark Forest road improvement district of Baxter County, Ark., to construct and maintain a bridge across the White River, near Norfork, Ark.; and

S. J. Res. 167. A joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

The message also announced that the House had passed the bill (S. 3813) to authorize the construction of a bridge across Lake Champlain, between the towns of Shoreham, Vt., and Ticonderoga, N. Y., with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WOOD of Indiana, Mr. WASON, and Mr. SISSON managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 517. An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stat., 310; Public, No. 77);

H. R. 9702. An act granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city;

H. R. 9781. An act to amend section 217 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909;

H. R. 10104. An act to renew patent No. 25909;

H. R. 11004. An act to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply;

H. R. 11024. An act to amend an act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914," approved June 30, 1913;

H. R. 11877. An act granting the consent of Congress to Madison and Rankin Counties, in the State of Mississippi, to construct a bridge across the Pearl River between Madison and Rankin Counties;

H. R. 12012. An act concerning the administration of the pension laws in claims for pension of persons who served in the Army, Navy, or Marine Corps of the United States during the Civil War, and by the widows of such persons;

H. R. 12044. An act to accept the cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes;

H. R. 12502. An act providing for a report on the cost of improving and maintaining the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park;

H. R. 12581. An act granting the consent of Congress to the village and township of Shelly, Norman County, Minn., and the township of Caledonia, Traill County, N. Dak., and their successors and assigns, to construct a bridge across the Red River of the North on the boundary line between the said States;

H. R. 12626. An act for the relief of certain persons to whom, or their predecessors, patents were issued to public lands along the Snake River in the State of Idaho under an erroneous survey made in 1883;

H. R. 12869. An act for the construction of a bridge across the Pentwater River or Pentwater Lake, Mich.;

H. R. 12889. An act granting the consent of Congress to the city of Youngstown, Ohio, to construct a bridge across the Mahoning River at or near Division Street, in the city of Youngstown, Ohio;

H. R. 13139. An act for the sale of isolated tracts in the former Fort Berthold Indian Reservation, N. Dak.; and

H. R. 13157. An act authorizing the issuance of patent to Johnson County, Wyo., of lands for poor-farm purposes.

PETITIONS AND MEMORIALS.

Mr. PHIPPS presented a petition of Jefferson County Post, No. 21, American Legion, of Golden, Colo., praying for the enactment of legislation providing a bonus for ex-service men and women, which was referred to the Committee on Finance.

Mr. McLEAN presented a resolution of the Graduate Nurses' Association, of New Haven, Conn., favoring rank for Army nurses, which was ordered to lie on the table.

He also presented petitions of Corporal Frank Coyle Post, No. 1, American Legion, of Waterbury; of the Corcoran-Sandquist Post, No. 83, American Legion, of Branford; and of Naugatuck Post, No. 17, American Legion, all of the State of Connecticut, praying for the enactment of legislation providing four optional benefits for ex-service men, which were referred to the Committee on Finance.

He also presented a petition of the Girls' Friendly Society, of West Haven, Conn., praying for the enactment of legislation providing for daylight saving, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Chamber of Commerce of New Haven, Conn., and a petition of the Manufacturers' Association of Hartford, Conn., praying for the enactment of legislation to simplify the present method of collecting Federal income taxes, which were referred to the Committee on Finance.

He also presented a petition of C. P. Kirkland Camp, No. 18, United Spanish War Veterans, of Winsted, Conn., praying for the passage of the so-called Sells bill granting pensions to Spanish War veterans, which was referred to the Committee on Pensions.

He also presented a memorial of the Polish Citizens' Club, of Norwich, Conn., remonstrating against the enactment of legislation excluding certain foreign publications from second-class mailing privileges, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Chamber of Commerce of Hartford, Conn., and a petition of the Chamber of Commerce of New Haven, Conn., praying for the enactment of legislation providing for a readjustment and reclassification of the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. TOWNSEND presented a petition of the Board of Commerce of Detroit, Mich., praying for the enactment of legislation providing increased compensation for engineers in the Federal service, which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Battle Creek, Mich., praying for the enactment of legislation providing increased salaries for postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Kiwanis Club, of Detroit, Mich., praying for the repeal of certain provisions of the so-called Lever Act, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by George W. Myers Post, No. 132, American Legion, of Alma, Mich., favoring an adjusted compensation for ex-service men, which was referred to the Committee on Finance.

He also presented a resolution adopted by Charles A. Larned Post, No. 1, American Legion, of Detroit, Mich., favoring increased pay for the Army, Navy, Marine Corps, and Coast Guard Service, which was referred to the Committee on Military Affairs.

He also presented a petition of Grange No. 293, Patrons of Husbandry, of Rome, Mich., praying for the passing of the so-called pure-fabric bill, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. McLEAN, from the Committee on Banking and Currency, to which were referred the following bills, reported them each without amendment:

A bill (S. 3421) for the relief of Mabel L. Noble; and

A bill (S. 3774) to authorize the coinage of a Roosevelt 2-cent coin.

Mr. SMOOT, from the Committee on Pensions, to which was referred the bill (S. 447) to amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917, reported it without amendment.

Mr. NEW, from the Committee on Military Affairs, to which was referred the bill (S. 3908) to amend section 1 of the act entitled "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions," approved February 28, 1919, reported it with amendments and submitted a report (No. 508) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEW:

A bill (S. 4192) granting an increase of pension to Gilliam L. Craven (with accompanying papers); and

A bill (S. 4193) granting a pension to Thomas C. Kessler (with accompanying papers); to the Committee on Pensions.

By Mr. WATSON:

A bill (S. 4194) for the payment of certain soldiers' claims for back pay growing out of service in the Army of the United States, as reported by the Court of Claims; to the Committee on Claims.

By Mr. MOSES:

A joint resolution (S. J. Res. 188) to investigate Harriman geographic code system, now in use by War Department, with a view to adopting said system in other executive departments and administrative branches of the Government, and to render a just compensation to the owner thereof; to the Committee on Appropriations.

By Mr. SMOOT:

A joint resolution (S. J. Res. 189) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Finance.

ARMY REORGANIZATION.

Mr. McKELLAR submitted eight amendments intended to be proposed by him to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which were ordered to lie on the table and be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SWANSON (by request) submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

LEGISLATIVE, ETC., APPROPRIATIONS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN conferees on the part of the Senate.

FEDERAL FARM-LOAN ACT—CONFERENCE REPORT.

Mr. McLEAN submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9065) to amend sections 3, 8, 10, 12, 20, and 21 of the act approved July 17, 1916, known as the Federal farm-loan act, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 8 and 9, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "And may appoint a deputy registrar who shall during the unavoidable absence or disability of the registrar perform the duties of that office"; and also, by adding after "registrars," in the sixth line of said paragraph, the words "deputy registrars"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "And may appoint a deputy registrar who shall during the unavoidable absence or disability of the registrar perform the duties of that office"; also on page 1, line 15, of the engrossed bill strike out "the period and insert a comma"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Omit the matter proposed to be stricken out and also the matter proposed to be inserted by the Senate; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 2. That the first paragraph of section 10 be amended to read as follows:

"'That whenever an application for a mortgage loan is made through a national farm-loan association, the loan committee provided for in section 7 of this act, shall forthwith make, or cause to be made, such investigation as it may deem necessary

as to the character and solvency of the applicant, and the sufficiency of the security offered, and cause written report to be made of the result of such investigation, and shall, if it concurs in such report, approve the same in writing. No loan shall be made unless the report is favorable, and the loan committee is unanimous in its approval thereof.

"'The written report required in the preceding paragraph shall be submitted to the Federal land bank, together with the application for the loan, and the directors of said land bank shall examine said written report when they pass on the loan application which it accompanies, but they shall not be bound by said appraisal.'

"SEC. 3. That the third paragraph of section 11 be amended to read as follows:

"'Third. To fix reasonable initial charges to be made against applicants for loans and to borrowers in order to meet the necessary expenses of the association: *Provided*, That such charges shall not exceed amounts to be fixed by the farm-loan board, and shall in no case exceed 1 per cent of the amount of the loan applied for, and to acquire and dispose of property, real and personal, that may be necessary or convenient for the transaction of its business.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following: "and inserting in lieu thereof the words 'incurred for agricultural purposes, or incurred prior to the organization of the first farm-loan association established in and for the county in which the land is situated,'"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following: "incurred for agricultural purposes, or incurred prior to the organization of the first farm loan association established in and for the county in which the land is situated"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "$40"; and the Senate agree to the same.

Amend the title so as to read: "An act to amend certain sections of the Federal farm-loan act, approved July 17, 1916."

GEORGE P. MCLEAN,
ASLE J. GRONNA,
Managers on the part of the Senate.

EDMUND PLATT,
MICHAEL F. PHELAN,
Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 9702. An act granting certain lands to the city of Sandpoint, Idaho, to protect the watershed of the water-supply system of said city;

H. R. 11004. An act to grant certain lands to the board of trustees of the village of Downey, State of Idaho, for the protection of its water supply;

H. R. 12044. An act to accept the cession by the State of California of exclusive jurisdiction of the lands embraced within the Yosemite National Park, Sequoia National Park, and General Grant National Park, respectively, and for other purposes;

H. R. 12626. An act for the relief of certain persons to whom, or their predecessors, patents were issued to public lands along the Snake River in the State of Idaho under an erroneous survey made in 1883;

H. R. 13139. An act for the sale of isolated tracts in the former Fort Berthold Indian Reservation, N. Dak.; and

H. R. 13157. An act authorizing the issuance of patent to Johnson County, Wyo., of lands for poor-farm purposes.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 11877. An act granting the consent of Congress to Madison and Rankin Counties, in the State of Mississippi, to construct a bridge across the Pearl River between Madison and Rankin Counties;

H. R. 12581. An act granting the consent of Congress to the village and township of Shelly, Norman County, Minn., and the township of Caledonia, Traill County, N. Dak., and their successors and assigns, to construct a bridge across the Red River of the North on the boundary line between the said States;

H. R. 12869. An act for the construction of a bridge across the Pentwater River or Pentwater Lake, Mich.; and

H. R. 12889. An act granting the consent of Congress to the city of Youngstown, Ohio, to construct a bridge across the Mahoning River at or near Division Street, in the city of Youngstown, Ohio.

The following bills were severally read twice by their titles and referred to the Committee on Indian Affairs:

H. R. 517. An act amending an act to provide for drainage of Indian allotments of the Five Civilized Tribes, approved March 27, 1914 (38 Stats., 310; public, No. 77); and

H. R. 11024. An act to amend an act entitled "An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1914," approved June 30, 1913.

H. R. 9781. An act to amend section 217 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, was read twice by its title and referred to the Committee on the Judiciary.

H. R. 10104. An act to renew patent No. 25909 was read twice by its title and referred to the Committee on Patents.

H. R. 12012. An act concerning the administration of the pension laws in claims for pension of persons who served in the Army, Navy, or Marine Corps of the United States during the Civil War, and by the widows of such persons, was read twice by its title and referred to the Committee on Pensions.

H. R. 12502. An act providing for a report on the cost of improving and maintaining the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park, was read twice by its title and referred to the Committee on Military Affairs.

RURAL HOMES.

The PRESIDING OFFICER (at 12 o'clock and 18 minutes p. m.). Morning business is closed.

Mr. SMOOT. I move that the Senate proceed to the consideration of Senate bill 3477.

Mr. McKELLAR. Will the Senator state what that bill is?

Mr. SMOOT. It is what is known as the rural-homes bill, I will say to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Utah moves that the Senate proceed to the consideration of the bill named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3477) to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes.

Mr. SMOOT. Mr. President, the bill has heretofore been read, and I think the amendments which were reported to it by the committee have all been agreed to. The bill has been discussed, and if no Senator desires any further information in reference to it I ask that it now proceed to passage.

The PRESIDING OFFICER. The Chair is informed that the bill has been heretofore read and that the committee amendments have been agreed to.

Mr. SMOOT. That is correct.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no amendment, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THE CALENDAR.

Mr. SMOOT. Mr. President, I ask unanimous consent that the calendar under Rule VIII be now taken up, beginning with Order of Business No. 422, and that bills to which there is no objection may be considered.

The PRESIDING OFFICER. The Senator from Utah asks unanimous consent that the Senate proceed to the consideration of bills on the calendar to which there is no objection, beginning with Order of Business No. 422. Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

MINERAL LANDS IN CHOCTAW AND CHICKASAW NATIONS.

Mr. CURTIS. Mr. President, before the calendar is proceeded with, I should like to ask the Senator from Utah if he will consent that Calendar No. 297 be now considered by unanimous consent? That is a measure which is recommended by the

Interior Department, and which, if passed, will save the parties interested about $300,000, as the property therein referred to has been authorized to be sold. If the bill, which provides for a reappraisement of the property, is going to pass, it should pass now. The bill was drawn by the Secretary of the Interior and has been introduced at the request of the Interior Department. I ask unanimous consent that the bill may now be taken up.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that the Senate proceed to the consideration of Order of Business 297, being Senate bill 3391. Is there objection?

Mr. HITCHCOCK. I should like to have the bill first read.

The PRESIDING OFFICER. The Secretary will read the bill.

The Assistant Secretary read the bill, as follows:

A bill (S. 3391) to amend an act entitled "An act providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla.," approved February 8, 1918 (40 Stat. L., p. 433).

Be it enacted, etc., That the act of Congress approved February 8, 1918 (40 Stat., p. 433), being "An act providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla.," be, and the same is hereby, amended by striking out all that proviso following the words "preferential right" in line 8, page 434, down to and including the words "above provided," beginning on line 14, and inserting in lieu of that proviso the following:

"*Provided*, That the same is exercised within 90 days after the approval of the completion of the appraisement of the surface as herein provided, to purchase any or all of the surface of the lands lying within said lease held by him and heretofore reserved by order of the Secretary of the Interior, who is hereby authorized to reappraise said reserved surface for the purpose of sale to said lessees under said preferential right at an appraised value to be fixed by a reappraisement of said reserved surface, and any purchaser of any tract of said reserved surface shall pay in addition to the appraised value of the land the value of individual improvements thereon belonging to the Choctaw and Chickasaw Nations, including any equity of said tribes in improvements erected thereon by mining lessees, and in addition thereto the value of improvements placed thereon by private individuals and not purchased by the Indian Nations: *Provided* further, That all sales of surface under this act shall be subject to the conditions, limitations, reservations, and provisions of section 3 of the act of Congress approved February 19, 1912, entitled 'An act to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations, and for other purposes.'"

Mr. CURTIS. Mr. President, I will say to the Senator from Nebraska and to the Senate that this bill was drawn by the department. Under the existing law the surface would have to be sold under the old appraisement, which I think was made about 1912. In the letter recommending the passage of this bill the Secretary says that the property has increased in value, and that a reappraisement will afford to the Indians an increase of about $300,000. The department insists that they have a right to reappraise and sell, but some of the parties who are in possession of the property insist that they have a right to buy under the old appraisement. I repeat, the bill was prepared by the department and has been favorably recommended by the committee. If the property is to be reappraised, it should be reappraised immediately.

Mr. HITCHCOCK. Will the Senator from Kansas kindly state what the proviso which it is proposed to strike out of the act of February 8, 1918, provided for?

Mr. CURTIS. The proviso stricken out of the old measure provided for the sale of the land at the then appraised value, which, according to my recollection, was made in 1912, or, at any rate, several years ago. In passing the act of 1918 there was nothing said about a reappraisement. The then chairman of the committee, the Senator from Arizona [Mr. ASHURST], in a letter to the department stated that he understood they had a right to reappraise at any time, and for that reason nothing was put in the act providing for reappraisement. If they sell under existing law, they must sell at the old appraisement, although the value of the land since it was appraised has increased, as I said a moment ago, according to the figures of the Secretary of the Interior, about $300,000; in fact, similar land sold to others than those having preferred rights, as my recollection runs, according to the letter of the department, brought to the Indians about $30,000 over and above what the property would have brought had it been sold under the old appraisement of 1912 or 1913, or whenever it was made.

Mr. HITCHCOCK. The purpose of the proposed legislation is to enable the Indian owners to secure a larger amount from the sale of their lands?

Mr. CURTIS. The object of the bill is to permit the Secretary of the Interior to appraise the surface and sell it at not less than its appraised value.

Mr. HITCHCOCK. Otherwise he would have to sell it under the old appraisement?

Mr. CURTIS. Otherwise he would have to sell it under the old appraisement.

Mr. HITCHCOCK. How does it happen that the land has not been sold prior to this time?

Mr. CURTIS. The sale has been delayed from time to time by acts of Congress, and then, under the act of 1918, which provided for the sale of the land, the Secretary of the Interior insisted that he had a right to reappraise, while some of those with preferential rights contended that it should be sold to them under the old appraisement, which would give it to them at a less amount than they could obtain it under the new appraisement.

Mr. HITCHCOCK. Does this bill change existing law in any other respect?

Mr. CURTIS. It changes existing law in no other respect.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELINQUISHMENT OF UNITED STATES PROPERTY IN SAN FRANCISCO.

The PRESIDING OFFICER. The Secretary will state the first bill on the calendar, which it has been agreed by unanimous consent shall be taken up.

The bill (S. 3995) providing for the relinquishment of certain described property by the United States to the city and county of San Francisco, State of California, was announced as first in order, and the Assistant Secretary read the bill.

Mr. SMOOT. Mr. President, the Senator from California [Mr. PHELAN], who introduced the bill, is not present, nor is the Senator who reported the bill in his seat. I desire to ask a question about the bill, but evidently there is no Senator present who could answer it, and therefore I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CUSTOMHOUSE BUILDING, KENNEBUNKPORT, ME.

The bill (H. R. 11175) for the public sale of customhouse building and site at Kennebunkport, Me., was considered as in Committee of the Whole.

It directs the Secretary of the Treasury to sell at public sale the present customhouse building and site at Kennebunkport, Me., after proper advertisement, and at such time and upon such terms as he may deem for the best interests of the United States, to execute and deliver to the purchaser the usual quitclaim deed therefor, and to deposit the proceeds derived from such sale in the Treasury of the United States as a miscellaneous receipt.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HEALY.

The bill (S. 2278) for the relief of John Healy was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on line 8, to strike out the word "pension" and insert "back pay, pension, or other emoluments," so as to make the bill read:

Be it enacted, etc., That in the administration of the pension laws John Healy shall be hereafter held and considered to have been honorably discharged from the military service of the United States as a private in Company H, Fourteenth Regiment United States Infantry, on August 15, 1865: *Provided*, That no back pay, pension, or other emoluments shall accrue prior to the passage of this act.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I notice that the report from The Adjutant General makes this statement:

Application for removal of the charge of desertion and for an honorable discharge in the case of this soldier has been repeatedly denied, and now stands denied, on the ground that he did not complete his term of service and that it has not been established that he was prevented from completing it by reason of disability incurred in the line of duty, and because the case does not come within any of the other provisions of the act of Congress approved March 2, 1889, the only law in force governing the subject of removal of charges of desertion.

I can not find any recommendation here by the department that this bill pass, and I wondered if there was any Senator who knew of circumstances that would justify favorable action on the bill. I see that the Senator from Arkansas [Mr. KIRBY] reported the bill, and I should like to ask the Senator what reasons were given to the committee, outside of the reports from the War Department, that justified reporting the bill favorably.

Mr. KIRBY. Mr. President, this bill was referred to me as a subcommittee, and I finally reported it back. There were several reasons given; and if I have the matter correctly in mind, there was testimony showing that while this man had been away from the Army and had not, in fact, gone back, the con-

dition was such that he had a right to think that the war was ended and that he was not expected to return; and because of conditions over which he had no real control, they thought he ought not to be continued on the list as a deserter. There were two or three affidavits in this particular case. I have made no special written report about it. I reported it back to the committee, and the full committee agreed that the bill ought to be passed, and on that account I returned it here.

Mr. SMOOT. I shall not object to the consideration of the bill, but I should have been glad to know some reason why it was favorably reported.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN LYONS.

The bill (S. 2600) for the relief of John Lyons was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, at the end of line 10, to insert: "*Provided*, That no back pay, bounty, or other emoluments shall accrue by reason of the passage of this act," so as to make the bill read:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, their widows, and dependent relatives, John Lyons, who was a private in Company E, Forty-eighth Pennsylvania Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment: *Provided*, That no back pay, bounty, or other emoluments shall accrue by reason of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

M'CLINTIC-MARSHALL CONSTRUCTION CO.

The bill (S. 1353) for the relief of the McClintic-Marshall Construction Co. was announced as next in order.

Mr. POMERENE. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. KNOX. Mr. President, a parliamentary inquiry. Does the bill go over on one objection, under the rule?

The PRESIDING OFFICER. It does, under the rule.

Mr. KNOX. I ask the Senator from Ohio to withhold his objection and give me an opportunity, or give the chairman of the Military Affairs Committee an opportunity, to explain the bill.

Mr. POMERENE. Mr. President, I have no objection to that. I will say to the Senator very frankly that my reason for objecting to the consideration of the bill is this: I think I have in mind the right claim. Very serious objection was made to this bill a couple of years ago by a manufacturer from my own State, and my recollection now is that it was some one who had been a competitor in this business. I hesitate about stating the facts as I have them in mind without verifying my recollection; but my present memory about it is that in the system of bidding this bid was very materially lower than the others, and now they are seeking to recoup their loss, in part, practically in violation of the rights or equities that the other bidders may have had.

Mr. KNOX. The Senator has been misinformed if he has such an idea as that in his mind, because the amount that has been awarded by the commission that was directed to investigate this matter is all for extra work that was done by reason of the peculiar situation existing in Panama while the work was going on. In 1914 Congress passed a law directing Gen. Goethals to make a thorough investigation of this claim, either personally or through a commission. He appointed a commission consisting of Gen. Rousseau and other eminent scientific men who were engaged in the work of constructing the Gatun Dam, and they unanimously made a report recommending the payment of this money as being justly and equitably due to the McClintic-Marshall Co. because of this extra work and because of the delays occasioned by plans and specifications not being prepared in time and causing tremendous shop delays in the factories of the McClintic-Marshall Co. This report was approved in toto by Gen. Goethals. It has been before the Committee on Claims of the House of Representatives twice and unanimously favorably reported by that committee. It has been before the Committee on Claims of the Senate, and has been unanimously reported favorably by that committee, and I think it is just and proper that this matter should be brought to the attention of the Senate.

The PRESIDING OFFICER. Objection is made. Does the Senator from Ohio withdraw his objection?

Mr. HENDERSON. Mr. President, will the Senator yield a moment?

Mr. KNOX. Certainly.

Mr. HENDERSON. I have here the report that was rendered by the commission of which the Senator speaks. It is Document No. 906 of the Sixty-fourth Congress, first session. H. H. Rousseau, the engineer of terminal construction, was chairman of the committee; H. A. A. Smith was a member of the committee; and B. F. Harrah, another member of the committee, was the special counsel and examiner of claims. The Committee on Claims went into this matter very carefully. I have examined this report and also the hearings before the House committee; and I think the Senator must be mistaken in regard to this matter, because, as the Senator from Pennsylvania says, this report was approved by Gen. Goethals in toto, and while the claim was for nearly $2,000,000 it was only approved for seven hundred and fourteen and some odd thousand dollars.

Mr. POMERENE. Mr. President, as I stated a moment ago, my recollection about the facts is rather hazy. At the same time, as I have had some correspondence on this claim—I think this is the one—I will ask that it go over now, and I will examine my files. I have no disposition to interfere unduly in the matter, but I feel that under the circumstances I ought to look into it.

Mr. KNOX. I should only like to add that if any such rumor as that came to the ears of the Senator from Ohio, it did not materialize before either of these committees. Whoever was responsible for it either abandoned it because there was nothing in it or for some other reason. There is nothing on the files of the Senate to indicate that there is any objection whatever.

Mr. POMERENE. I promise the Senator that I will look into it very promptly and advise with him further.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Pennsylvania if this is not the same claim that was submitted to the Committee on Appropriations, passed upon favorably by that committee, and incorporated in one of the deficiency appropriation bills, but in conference it went out?

Mr. KNOX. This is the same claim.

Mr. SMOOT. I remember very well Gen. Goethals testifying as to the fairness and justice of the claim, and it was on Gen. Goethals's testimony that the Committee on Appropriations acted favorably upon the claim.

The PRESIDING OFFICER. The bill will go over, under objection.

TH. BROVIG.

The bill (S. 3662) for the relief of Th. Brovig, as owner of the bark *Bennestvet*, was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the claim asserted by Th. Brovig, owner of the Norwegian bark *Bennestvet*, for damages alleged to have been suffered in a collision which occurred in Hampton Roads on the 29th day of June, 1919, between the United States barge *F. W. Babcock* and the bark *Bennestvet* by reason of said collision, may be submitted to the United States District Court for the Eastern District of Virginia, the district in which said collision occurred, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the damages sustained, either for or against the United States, upon the same principles and measures of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the said Th. Brovig, owner of the said bark *Bennestvet*, the amount of the final decree or decrees therefor shall be paid to those entitled thereto or their proctors of record, out of any money in the United States Treasury not otherwise appropriated: *Provided*, That appropriate proceedings to determine such liability and damage shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

Mr. SMOOT. Mr. President, I think there are upon the calendar some 10 or 12 bills similar in character to this one.

Mr. SWANSON. Three bills. I think most of them have passed.

Mr. SMOOT. No; they have not passed. They have been objected to, every time they have been brought up, on the ground that there ought to be general legislation covering all cases, if any action whatever is to be taken. I think myself that would be the best way to deal with legislation of this character. There is no doubt there are many claims similar in character, and no doubt there will be many claims yet to come. I agree with those who have objected to the considera-

tion of the bills passed over that it would be far better to have general legislation covering the whole subject than to take up every case in Congress, and to take up the time of the Senate and the House, with the expense attached thereto.

I believe that the bill ought to go over, Mr. President, for that reason, and then that a general bill should be introduced and passed. I think that would be very much more satisfactory to the Navy Department as well. In fact, I know that the Navy Department has recommended legislation covering the general question, and it ought to be passed. I do not think these individual cases ought to be acted upon unless we are going to act upon them all.

Mr. SWANSON. Mr. President, I think that one or two bills I have introduced in these cases have been passed. I will say, in this connection, that I understand these are foreign ships, and it is impossible to get the witnesses to stay here to testify unless action is taken immediately. This bill is recommended by the Secretary of the Navy, and Mr. Roosevelt, the Assistant Secretary of the Navy, wrote a long letter giving the facts. The chairman of the committee in the House recommended the passage of the bill. It simply gives these people the right to litigate in court. If they litigate, and the Government is found not to be liable, it saves the damage, but if the private vessel is held to have been responsible for the damage the Government is not responsible, and the owners of the ship pay the damage. No general legislation has ever been passed, and it seems to me if we had a general statute authorizing them to sue, it would subject the Government to a lot of litigation.

Mr. SMOOT. The Senator is wrong when he says there is no general legislation. The general legislation which was passed authorizes the settlement of such claims up to the amount of $500. But of late $500 seems so insignificant an amount as compared with what the cost of repairing the damaged vessels would be that the Navy Department thinks that there should be general legislation raising the amount. I forget now just what amount was suggested. I agree with the Navy Department that it ought to be done.

Mr. SWANSON. I will say to the Senator that it should not be limited to $500. There are a great many suits in connection with aircraft, and the Committee on Naval Affairs limited recovery in those cases to $500. It has been the general policy with respect to aircraft that the amount should be limited to $500, and I think that is a wise provision. We used to give an opportunity to settle in all these cases, without any amount stated. This simply allows the owners of foreign vessels to go into our courts and litigate as to whether they or the Government was at fault. The Secretary of the Navy recommends the passage of this bill.

Mr. SMOOT. The Secretary of the Navy has recommended the passage of the one that was introduced by the Senator from Massachusetts [Mr. WALSH], May 29, 1919, and following that there were a number introduced by the Senator from Massachusetts [Mr. WALSH], and also other Senators introduced bills similar in character. There is no doubt but that the Navy Department will recommend the consideration of all of such bills, because that is all they can do under the existing law, when they think it is a just claim. The law does not apply alone to foreign ships, but it applies to domestic ships as well.

Mr. SWANSON. But this is a case where the foreign ships are held here and the witnesses have to remain here. It is a little different from ships at home, for the simple reason that the witnesses can be obtained here. It does seem to me to delay this matter in connection with these ships that are here trading with us and let them fail to get legislation for the settlement of their claims is not in accordance with fair dealing. All they ask is the privilege of going into our courts.

Mr. SMOOT. Of course, that is all they ask in all the other cases. If, as the Senator says, the owner of this bark is tied up here at the port of New York and the witnesses are held here so as to testify in the United States courts as to the damage done, then I shall not object.

Mr. SWANSON. I could not say that positively. All I can say is that if it is a foreign ship its owners can not come back here and wait for general legislation pertaining to all vessels. It does seem to me we ought to be prompt in settling with foreigners who come to our shores. It seems to me it would be very hard to cause a delay in this case by waiting three or four years for general legislation to have the question of damages settled.

Mr. SMOOT. Based on the statement made by the Senator from Virginia, I shall not object to the consideration of the bill, although I do hope that the recommendations of the Navy Department will be carried out by appropriate legislation and that all bills of this character will not be forced through the Congress.

Mr. SPENCER. Mr. President, consistent with the action of the Senate the other day in connection with a similar bill, the provision of the bill which appropriates money for the payment of the judgment ought to be eliminated.

Mr. SWANSON. That ought to be eliminated. Congress always requires that the judgment shall be sent back here.

Mr. SPENCER. Then, I move that commencing with section 2, page 2, line 6, to the word "appropriated," in line 11, the language be eliminated.

Mr. SWANSON. I think that ought to be eliminated.

Mr. SMOOT. Then, Mr. President, the word "*Provided*," on line 11, should be stricken out.

Mr. SPENCER. Yes; I will include that in my amendment.

The PRESIDING OFFICER. The Assistant Secretary will state the amendment.

The ASSISTANT SECRETARY. Strike out all on page 2, beginning with line 6, down to and including the word "*Provided*" and the comma on line 11, so that section 2 will read:

SEC. 2. That appropriate proceedings to determine such liability and damage shall be brought and commenced within four months after the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ITALIAN BARK "DORIS."

The bill (S. 3663) for the relief of Gaetano Davide Olivari fu Fortunato, as managing owner of the Italian bark *Doris*, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim asserted by Gaetano Davide Olivari fu Fortunato, managing owner of the Italian bark *Doris*, for damages alleged to have been suffered in a collision which occurred in Chesapeake Bay on the 17th day of October, 1916, between the *Doris* and the United States collier *Jupiter*, by reason of said collision, may be submitted to the United States District Court for the Eastern District of Virginia, the district in which said collision occurred, under and in compliance with the rules of said court sitting as a court of admiralty; and that said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the damages sustained by reason of said collision, either for or against the United States, upon the same principles and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the said Gaetano Davide Olivari fu Fortunato, as managing owner of said bark *Doris*, the amount of the final decree or decrees therefor shall be paid to those entitled thereto or their proctors of record, out of any money in the United States Treasury not otherwise appropriated: *Provided*, That appropriate proceedings to determine such liability and damage shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

Mr. SWANSON. The same amendment ought to be made. The provision making an appropriation ought to be stricken out.

Mr. SPENCER. I move, on page 2, beginning with line 8, to strike out:

That should damages be found to be due from the United States to the said Gaetano Davide Olivari fu Fortunato, as managing owner of said bark *Doris*, the amount of the final decree or decrees therefor shall be paid to those entitled thereto or their proctors of record, out of any money in the United States Treasury not otherwise appropriated: *Provided*.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LINK-BELT CO.

The bill (S. 3664) for the relief of the Link-Belt Co., of Philadelphia, Pa., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the Link-Belt Co., of Philadelphia, Pa., a corporation organized under the laws of the State of Pennsylvania, for damages alleged to have been sustained by a certain coal chute under construction by said Link-Belt Co. for the Norfolk & Western Railroad on its coal pier No. 3 at Lamberts Point, in the city of Norfolk, Va., by reason of collision therewith by the U. S. S. *Buitenzorg* on the 1st day of March, 1919, may be submitted to the United States District Court for the Eastern District of Virgina, at Norfolk, which court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the legal damages sustained by reason of said collision either for or against the United States, upon the same principles and measure of liability as in like cases in admiralty between private parties.

SEC. 2. That should damages be found to be due from the United States to the Link-Belt Co., the amount of the final decree or decrees therefor shall be paid to those entitled thereto, or their proctors of record, out of any money in the United States Treasury not otherwise appropriated: *Provided*, That appropriate proceedings to determine such damage shall be brought and commenced within four months after the passage of this act.

SEC. 3. That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

Mr. SPENCER. Mr. President, I move that the following words, beginning with line 7, page 2, down to and including the word "*Provided*," in line 12, be stricken out:

That should damages be found to be due from the United States to the Link-Belt Co., the amount of the final decree or decrees therefor shall be paid to those entitled thereto, or their proctors of record, out of any money in the United States Treasury not otherwise appropriated: *Provided*.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KING COAL CO., OF SAN FRANCISCO.

The bill (S. 3883) for the relief of the King Coal Co., of San Francisco, Calif., was announced as next in order.

Mr. HENDERSON. I ask unanimous consent to substitute H. R. 6077, Order of Business 650, for Senate bill 3883.

Mr. GRONNA. I object. I do not happen to have the House bill in my file. I ask that it may go over.

The PRESIDING OFFICER. Objection is made, and the bill will be passed over.

DREDGE "MARYLAND."

The bill (S. 3941) for the relief of the owners of the dredge *Maryland* was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of John Emile, of Duval County, Fla., and People's Bank of Mobile, a corporation under the laws of the State of Alabama, owners of the dredge *Maryland*, against the United States for damages alleged to have been caused by a collision betweeen said dredge and the United States ship *O–4*, in the Cooper River, at Charleston, S. C., may be sued for by said owners against the United States, in the District Court of the United States for the Southern District of Florida, sitting as a court of admiralty, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree therein for the amount of lawful damages sustained by reason of said collision, if any shall be found to be due either for or against the United States upon the same principles and measure of liability and damage, with costs, as in like cases in admiralty between private parties with the same rights of appeal.

SEC. 2. That should damages be found to be due from the United States to the owners of said dredge *Maryland*, the amount due under the final judgment or decree therefor shall be paid out of any money in the United States Treasury not otherwise appropriated.

SEC. 3. That such notice of the suit shall be given to the Attorney General of the United States as may be required by order of said court, and it shall be the duty of the Attorney General to cause the United States attorney in said district to appear and defend for the United States: *Provided*, That said suit shall be commenced within six months of the date of the passage of this act.

Mr. SPENCER. I move that the bill be amended by striking out section 2, in the following words:

SEC. 2. That should damages be found to be due from the United States to the owners of said dredge *Maryland*, the amount due under the final judgment or decree therefor shall be paid out of any money in the United States Treasury not otherwise appropriated.

And to renumber section 3 so as to make it section 2.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KING COAL CO., OF SAN FRANCISCO.

Mr. PHELAN. Mr. President, I am in attendance upon the Committee on Naval Affairs and was therefore absent when Calendar No. 431, Senate bill 3883, for the relief of the King Coal Co., of San Francisco, Calif., was passed over under objection made by the Senator from North Dakota [Mr. GRONNA]. His objection, I understand, was simply due to the fact that there is an identical House bill, H. R. 6077, on the same subject. It is a bill authorizing the company to sue the United States in the Federal courts for damages done to their barge by a submarine. I therefore move that House bill 6077 be substituted for Senate bill 3883.

Mr. SMOOT. I desire to say to the Senator from California that we are now working under a unanimous-consent agreement.

The PRESIDING OFFICER. The Chair rules that the motion of the Senator is not now in order. He can ask unanimous consent.

Mr. PHELAN. I ask unanimous consent that the bill H. R. 6077 be substituted for Senate bill 3883.

Mr. GRONNA. I objected to the consideration of the House bill for the reason that I did not have the House bill before me at the time, but I find it now in my file. If I can have an opportunity to make a comparison of the two bills and find that there is no difference between the two measures, I shall have no objection.

Mr. PHELAN. There is no difference. They are identical bills.

Mr. GRONNA. Very well.

The PRESIDING OFFICER. The Senator from California asks unanimous consent to proceed to the consideration of H. R. 6077. Is there objection?

There being no objection, the bill (H. R. 6077) for the relief of the King Coal Co., of San Francisco, Calif., was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the claim of the King Coal Co., of San Francisco, Calif., owner of the barge *Ruth*, against the United States for damages alleged to have been cause by collision between the said barge and the United States submarine *R–19* in San Francisco Harbor, may be sued for by the said King Coal Co. in the District Court of the United States for the Northern District of California, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the King Coal Co., or against the King Coal Co. in favor of the United States upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PHELAN. I move the indefinite postponement of the bill (S. 3883) for the relief of the King Coal Co., of San Francisco, Calif.

The motion was agreed to.

MRS. MAMIE DUFFER.

The bill (H. R. 1266) for the relief of Mrs. Mamie Duffer, of Shannon, Miss., was next in order, and was read.

Mr. SMOOT. Mr. President, this whole subject has been before the Finance Committee and was considered by that committee when we reported the so-called Sweet Act. I think if legislation of this kind is going to be passed it ought to be at least considered by the committee that has had the legislation in charge from the beginning until the present time. I know of no reason why an amendment should be made to the Sweet Act in this way.

Mr. SPENCER. May I ask the Senator from Utah whether it is his opinion that the Sweet Act, so far as this feature is concerned, takes care of cases precisely like this? Here was a case where a child 8 months old was adopted by a woman, but not legally adopted. She cared for him until he was 20 years old. He knew no other mother. When he went into the Army he made his insurance payable to his mother, naming this woman, who as a matter of fact was his foster mother and not his actual mother. The soldier died, and when they came to pay his insurance they found that the woman whom he had called his mother was his foster mother, and therefore the Treasury Department reported that, while the money ought to be paid to the foster mother, because of the provision of the law as it then was she was not of kin to whom the insurance could be paid. My understanding is that for future cases the Sweet Act provides that those who are in loco parentis shall be regarded as the proper payees.

Mr. SMOOT. The Senator is correct in that.

Mr. SPENCER. This is merely to equalize a case that happened before the Sweet Act, which is, of course, not retroactive in its provisions, and by all reasons in equity the bill ought to be passed.

Mr. SMOOT. I will say to the Senator from Missouri that the question of the amount involved under the retroactive feature of the Sweet Act was considered. I have not the figures here as to the number, but if we had made it retroactive there would have been many cases that would have been considered very unjust, indeed—in fact, so unjust that the insurance would have gone to persons whom the soldier did not want to have it go, and to whom he would have objected. That is the reason why the retroactive feature was not included and the Sweet Act was applied only in certain cases. This may be one of the cases that the Sweet Act would apply to. I have not studied it. I have just heard the bill read.

Mr. NORRIS. I would like to make an inquiry of the Senator from Missouri. When he speaks of the retroactive provision there is no probability that a bill that is not retroactive would do any good.

Mr. SPENCER. The Senator from Nebraska is quite right, and the very reason which the Senator from Utah announced is a strong reason why bills of this character should be passed.

Mr. NORRIS. In this case the soldier named this particular person?

Mr. SPENCER. As his mother.

Mr. SMOOT. If the soldier named this particular person in the insurance policy as the beneficiary, I think the Sweet Act itself will cover it.

Mr. NORRIS. It ought to cover it, but I do not believe it will do so.

Mr. SMOOT. I think it will.

Mr. SPENCER. Because of a suggestion just made to me by the Senator from Mississippi [Mr. HARRISON], who desires to look into this matter a little further, I ask that the bill may go over.

Mr. HARRISON. In this connection may I state that after this bill passed the House it is my impression I took it up with the Director of the Bureau of War Risk Insurance, and he said it would in all probability be covered by the Sweet Act. I am glad the Senator will let it go over for that reason.

Mr. NORRIS. Mr. President, I would like to make this statement in connection with it. I have knowledge of one case very similar to this one where I understand the department has held that the Sweet Act does not cover it, and where the soldier named in his will, as well as in his insurance policy, he having a little property, a certain person, designated as his mother or his sister—I have forgotten which—who, as a matter of fact, as in this case, was only a foster mother or foster sister. As I remember it, they held that the Sweet Act did not apply to it; I have had the case in mind ever since. I think we should correct that situation.

Mr. SMOOT. If the person was a foster sister, under the Sweet Act I do not believe she would be covered.

Mr. NORRIS. Such a case ought to be covered.

Mr. SMOOT. But that is not this case.

Mr. NORRIS. The objection the Senator from Utah made in the consideration of the amendment to the Sweet Act by the committee was that if we made it general and retroactive it would often go to persons to whom the soldier, if he were alive, would not want it to go; but that objection can not apply when the soldier himself has designated the person. It seems to me when he has done so the insurance ought to be held good, particularly when the Government has taken the money.

Mr. SMOOT. I think the Senator from Missouri, if he will make an investigation into this particular case, will find that the Sweet Act covers it, and that the amount of insurance will be paid by the War Risk Insurance Bureau.

Mr. SPENCER. If the Senator from Utah is right, there is no need of this bill. Does the Senator from Utah agree with me that, if the Sweet Act does not cover it, this bill ought to be passed?

Mr. SMOOT. I have no objection whatever to it, under the explanation given by the Senator from Missouri. If the Senator from Missouri has outlined the case exactly as it is, I am in favor of the bill, if the Sweet Act does not cover it.

The PRESIDING OFFICER. The bill will be passed over.

LAWRENCE BENDICH AND ANTHONY VEZICH.

The bill (H. R. 8645) for the relief of Lawrence Bendich and Anthony Vezich was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the claim of Lawrence Bendich and Anthony Vezich, citizens of the United States, and residents of the city of New Orleans, State of Louisiana, and joint owners of the gasoline freighter *Protector*, against the United States for damages alleged to have been caused by collision between the said freighter and the United States submarine chaser *No. 336*, in the Mississippi River about 35 miles below New Orleans, on the 2d day of February, 1919, may be sued for by the said Lawrence Bendich and Anthony Vezich in the district court of the United States for the eastern district of Louisiana, sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the said Lawrence Bendich and Anthony Vezich, or against the said Lawrence Bendich and Anthony Vezich in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 685) for the relief of Frank S. Ingalls was announced as next in order.

Mr. GRONNA. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over under objection.

The bill (H. R. 687) for the relief of Frank Pinkley was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over under objection.

The resolution (S. Res. 334) referring the claims of Edward W. Owens and others to the Court of Claims was announced as next in order.

Mr. GRONNA. I find no report on this resolution, so I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over under objection.

The bill (H. R. 7705) to amend section 339 of the tariff act of October 3, 1913, in respect to the tariff on buttons of shell and pearl was announced as next in order.

Mr. SMOOT. Mr. President, it was agreed that during the morning hour there was no chance whatever of passing any tariff bills. This is one of a series of such bills upon the calendar, and I ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4437) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States was announced as next in order.

Mr. SMOOT. Let that bill go over also.

The PRESIDING OFFICER. The bill will be passed over.

COST OF SHOES.

The resolution (S. Res. 317) for investigation into the cost of shoes, which had been submitted on March 2, 1920, by Mr. MCNARY, was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Manufactures is hereby authorized and directed, by subcommittee or otherwise, to ascertain in every practicable way the causes for the increased price of shoes in the United States, the labor, material, and other costs, and the profits of manufacturers, wholesalers, jobbers, and retailers of shoes, and of the manufacturers, wholesalers, and distributors of leather, thread, shoe machinery, and other articles required for the manufacture of shoes, with a view to determining who or what may be responsible for such increased prices. For this purpose such committee, or any subcommittee thereof, may sit during the recess and sessions of the Senate, at such times and places as they deem advisable during the Sixty-sixth Congress, and may employ a stenographer, at a cost of not to exceed $1 per printed page, and such other clerical assistance as may be necessary. A report of the results of such investigation shall be made to the Senate, together with such recommendations for legislation as may be deemed necessary and practicable. The expense of such investigation shall be paid out of the contingent fund of the Senate.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 7657) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was announced as next in order.

Mr. GRONNA. Mr. President——

Mr. SMOOT. Mr. President, I ask that that bill and the five other pension bills immediately following it on the calendar may be passed over.

The chairman of the Committee on Pensions, the Senator from North Dakota [Mr. MCCUMBER], yesterday asked that all pension bills go over until it is definitely decided whether the general pension bill, which is known as the Fuller bill, shall be considered. That bill will be reported to the Senate, I think, to-morrow.

The PRESIDING OFFICER. The pension bills referred to by the Senator from Utah will be passed over.

Mr. KENYON. Mr. President, is the Senator from Utah a member of the Committee on Pensions?

Mr. SMOOT. Yes.

Mr. KENYON. I should like to ask the Senator, because I have very many inquiries in reference to the matter, as to the situation relative to the Fuller bill in the Committee on Pensions.

Mr. SMOOT. Mr. President, at a meeting of the Committee on Pensions, I will say to the Senator, the bill was ordered to be reported to the Senate, and no doubt will be reported to the Senate to-morrow.

Mr. GRONNA. Mr. President, I do not wish it understood that I have made objection to the consideration of any pension bill. I am on record as being in favor of pension bills. I do not know whether the Senate Committee on Pensions will approve the Fuller bill or will report some other bill, but I believe it is important that some general pension bill shall be passed at an early date.

BOUNDARIES OF OREGON NATIONAL FOREST.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2792) to enlarge the boundaries of the Oregon National Forest, which had been reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, page 1, line 4, after the word "include," to strike out "in addition to the lands within said boundary as defined by diagram accompanying the Executive order of the President of the United States, dated July 1, 1908"; in line 9, after the word "section," to strike out "seven" and insert "six; that part of"; in line 10, after the word "east," to strike out "all" and insert "lying"; and in line 11, after the words "Columbia River," to insert "not now included in said forest," so as to make the section read:

That the boundary of the Oregon National Forest, in the State of Oregon, is hereby changed to include the following lands, subject to all the laws and regulations governing the national forests: Township 1 south, range 6 east, section 6; that part of township 1 north, range 6 east, lying south of the Columbia River not now included in said forest; township 2 north, range 6 east, all of sections 34, 35, and 36 south of the Columbia River: *Provided*, That this action shall, as to all lands which are at this date legally appropriated under the public-land laws or reserved for any public purpose, be subject to and shall not interfere with or defeat legal rights under such appropriation, nor prevent the use for such public purpose of lands so reserved so long as such appropriation is legally maintained or such reservation remains in force.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 12, after the word "value," to insert "nonmineral lands or"; in the same line, after the word "timber," to strike out "or lands"; in line 15, after the word "and," to insert "that"; and, in line 17, after the word "forest," to insert "and the Secretary of the Interior shall issue patents to the selected lands," so as to make the section read:

SEC. 2. That the Secretary of the Interior be, and he hereby is, authorized and empowered, upon the recommendation of the Secretary of Agriculture, to exchange, upon the basis of equal value, nonmineral lands or timber belonging to the United States in the Oregon National Forest for privately owned lands lying within the exterior limits of the Oregon National Forest, and that upon the consummation of such exchanges the lands deeded to the United States shall become parts of the Oregon National Forest, and the Secretary of the Interior shall issue patents to the selected lands.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARRIAGES OF HOMESTEAD ENTRYMEN AND ENTRYWOMEN.

The bill (S. 3225) for the relief of bona fide settlers who intermarry after having complied with the homestead law for one year was considered as in Committee of the Whole. It proposes to amend the act entitled "An act providing that the marriage of a homestead entryman to a homestead entrywoman shall not impair the right of either to a patent, after compliance with the law a year, to apply to existing entries," approved April 6, 1914 (38 Stat., p. 312), by adding thereto the following: "*Provided further*, That in the administration of this act the terms 'entryman' and 'entrywoman' shall be construed to include bona fide settlers who have complied with the homestead law for at least one year next preceding such marriage."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

KATHERINE MACDONALD.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3102) for the relief of Katherine Macdonald. It proposes to appropriate $9,819 to be paid to Katherine Macdonald, of Butte, Mont., for and on account of unpaid claims held by her on account of work and services performed on or supplies furnished for the construction of the Corbett Tunnel, a part of the Shoshone reclamation project in the State of Wyoming.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IMPERIAL VALLEY IRRIGATION DEVELOPMENT.

The bill (H. R. 12537) to provide for an examination and report on the condition and possible irrigation development of the Imperial Valley in California was announced as next in order, and the bill was read.

Mr. McNARY. Mr. President, I reported this bill favorably a few days ago. To-day, however, two representatives of the interests in the Imperial Valley in southern California have asked that the bill be temporarily passed over and not considered until a future date, on account of a hearing which is to be had before the Secretary of the Interior on Thursday next. I therefore ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

BACA FLOAT NO. 3, ARIZONA.

The bill (S. 2728) for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona, was considered as in Committee of the Whole.

The bill was read, as follows:

Be it enacted, etc., That where prior to June 22, 1914, patents or patent certificates have issued under the homestead laws or preemption laws for land within the limits of a tract known as Baca Float No. 3, in the State of Arizona, and the patentees, their assigns and legal representatives, have been evicted by the local courts by reason of the prior grant to the legal representative of Luis Maria Baca, the patentee or his legal representative, who under the laws and regulations would be entitled to the return of the purchase money, fees, and commissions, shall be entitled to select in lieu thereof an equal quantity of nonmineral, unoccupied, surveyed public land subject to homestead entry.

SEC. 2. That where any person has made homestead entry for land within Baca Float No. 3, and had fully complied with the homestead laws thereon as to residence and cultivation prior to June 22, 1914, in the bona fide belief that the land was public land, and has been evicted therefrom or prevented from making final entry by reason of the prior grant, said homestead entryman, or, in the case of his or her death, the successor to the right of entry under the homestead laws shall be permitted to make second homestead entry, if otherwise qualified, for other land, subject to the conditions, limitations, and benefits of the homestead laws applicable to such land; and upon submission of proof under his original entry that he had fully complied with the law as to residence and cultivation shall, on approval of such proof and payment at the office of second entry for the final fees and commissions due on a final entry for the land entered, receive a final certificate and patent without further residence and cultivation of the land embraced in the second entry.

SEC. 3. That the right of selection and second entry hereby granted shall not be assignable, directly or through irrevocable power of attorney, and must be exercised within three years after the passage of this act by the persons entitled to such relief, or, in the case of the death of a homestead entryman who has not submitted final proof and received his final certificate, by the person or persons succeeding to his right of entry under the homestead laws: *And provided*, That no persons acquiring said land by sale or conveyance subsequent to June 22, 1914, shall be recognized, and the applicant shall submit proof that he has not sold, assigned, nor relinquished his homestead nor entered into any contract or agreement to sell, assign, or relinquish the same, nor abandoned the land for a valuable consideration; also that the land sought to be selected is for applicant's own exclusive use and benefit, and that he has not sold or contracted to sell, directly or indirectly, said selected land: *And provided further*, That the entire right of reselection under each entry shall be exercised at the same time, under such rules and regulations as the Secretary of the Interior may prescribe, and on approval of the selection patent shall issue as on other entries.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

J. G. SEUPELT.

The bill (S. 1280) for the relief of J. G. Seupelt was considered as in Committee of the Whole. It authorizes the Secretary of the Interior to permit J. G. Seupelt to enter under the homestead laws, at the appraised price, a certain unsurveyed island in the Colville Indian Reservation, Wash., known as "Hog Island," containing about 152 acres, located in the Columbia River, and within sections 26 and 35, township 30 north, range 36 east, of the Willamette meridian, in the State of Washington; but the proceeds arising hereunder shall be subject to the provisions of section 6 of the act of March 22, 1906 (vol. 34, United States Stat. L., p. 81); the right of entry by the said Seupelt shall be exercised within 90 days after the execution and acceptance of the survey of the island; and the land disposed of shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country, until otherwise provided by Congress.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IRRIGATION EASEMENTS IN YELLOWSTONE NATIONAL PARK.

The bill (S. 3895) authorizing the granting of certain irrigation easements in the Yellowstone National Park, and for other purposes, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That there is hereby granted to any canal or ditch company, association, or district formed for the purposes of irrigation, and duly organized under the laws of any State or Territory, such necessary rights of way, within the Falls River Basin, Yellowstone National Park, in the States of Idaho and Wyoming, for water plants, dams, reservoirs, canals, ditches, pipes, and pipe lines, or other water conduits used to promote irrigation, as, in the judgment of the Secretary of the Interior, may be required for the purposes of this act and may be granted without detriment to or interference with the occupation and use by the United States of the land for park purposes.

SEC. 2. That the Secretary of the Interior may also grant a right of way for a road through said park from the park boundary to the site of any dam or reservoir which may be granted under the provisions of this act, upon condition that the grantee shall construct and perpetually maintain said road and any bridges constructed in connection therewith in good repair, and the grantee may also construct and maintain, subject to the approval of the Secretary of the Interior, telephone and telegraph lines necessary for the operation of its business, upon condition that said lines may be freely used by officials of the Government and by the public, and that the grantee shall permit officials of the Government, for official business only, the free use of any telephone or telegraph lines that it may construct and maintain within said park or on the public lands, together with the right to connect with any such telephone and telegraph lines, private telephone lines for the exclusive use of said Government officials.

SEC. 3. That all reservoirs, dams, conduits, and other works constructed or maintained by the grantee not of a temporary character shall be sightly and of suitable exterior design and finish so as to

harmonize with the surrounding landscape and the use of the land as a park.

SEC. 4. That all timber within the limits of any reservoir, canal, ditch, road, or other works constructed by the grantee shall be cut and removed under supervision of the Secretary of the Interior and paid for by grantee in such amounts as shall be determined to be just and equitable by said Secretary: *Provided*, That no other timber or other things or objects in said park outside of such rights of way shall be cut, removed, destroyed, or damaged by said grantee.

SEC. 5. That all plans and specifications for the construction, operation, and maintenance of any works, roads, structures, or lines authorized by this act shall be submitted to and approved by the Secretary of the Interior before construction, and the Secretary of the Interior is hereby further authorized and directed to make and enforce all rules and regulations necessary to carry into force and effect the purposes of this act, and to protect and preserve, in so far as consistent herewith, the beauty and purposes of said park.

Mr. NUGENT. Mr. President, I rise to a parliamentary inquiry. I introduced the bill that is now under consideration. A similar bill was introduced in the House, was referred to the Committee on the Public Lands of that body, was reported with certain amendments from that committee, and is now on the House Calendar. According to my information, when a bill is passed by the Senate identical with a House bill the Senate bill may be considered at once by the House after it has passed the Senate and been sent to that body. I desire to know whether or not I can substitute the House bill as amended by the committee of the House for the bill now under consideration, or whether it will be necessary to offer the amendments reported by the House committee as amendments to the Senate bill?

The PRESIDING OFFICER. The Chair understands that the Senator from Idaho proposes an amendment by substituting the House bill for the Senate bill on the calendar.

Mr. SMOOT. I should like to ask the Senator from Idaho if the House bill is identical with the Senate bill?

Mr. NUGENT. No; that is the reason why I desire to substitute it. According to my understanding—I was so advised by a Member of the House—if a Senate bill identical with a House bill favorably reported by a House committee and on the House Calendar passes the Senate, that bill may be immediately taken up in the House.

Mr. SMOOT. I do not quite catch the Senator's statement. Do I understand the House has passed a similar bill?

Mr. NUGENT. No. I introduced the bill now pending in the Senate. The day after I introduced it a Representative from Idaho introduced a similar bill in the House, except for the change of a few words. The bill introduced in the House was referred to the Committee on the Public Lands of that body and was later reported favorably by that committee, with certain amendments, and is now on the House Calendar for consideration.

The PRESIDING OFFICER. As the Chair understands, the Senator from Idaho proposes to strike out all after the enacting clause and to insert different language.

Mr. SMOOT. Will the Senator let the bill go over until we can see what the House bill provides?

Mr. NUGENT. The House bill is at the desk, and I have a copy of it in my possession, if the Senator desires to see it.

Mr. SMOOT. I know the Committee on Public Lands authorized a favorable report on Senate bill 3895, but I do not know what the House bill is.

Mr. NUGENT. I will say to the Senator that, in my judgment, the amendments which have been proposed to the bill introduced in the House and favorably reported to the House by the Committee on the Public Lands are in large measure—I will not say altogether—immaterial.

Mr. SMOOT. If they are immaterial——

Mr. NUGENT. I think many of them are.

Mr. SMOOT. I shall offer no objection to the substitution.

Mr. MYERS. Mr. President, I will say to the Chair and to the Senator that I believe I will have to object to the substitution of the House bill, because I do not know what is in it; I have had no opportunity to learn; but I shall not make any objection to the Senate passing the Senate bill as it stands.

Mr. SMOOT. I will say to the Senator from Idaho that if the Senate bill passes to-day it can go to the House and whenever the House bill is taken up in the House they can substitute the Senate bill for it.

Mr. NUGENT. The one thing, Mr. President, that is exercising me is to secure early action; but, in view of the objection raised by the Senator from Montana, I withdraw the motion to substitute, and will ask that the bill as originally introduced by me may be considered.

Mr. JONES of Washington. Mr. President, I have not had an opportunity to examine the bill, and I merely wish to ask the Senator from Idaho, What does it propose to accomplish? It does not transfer any property of the Government, does it?

Mr. NUGENT. It merely gives the Secretary of the Interior the discretion to grant certain easements in the extreme southwestern portion of the Yellowstone Park for reservoir site purposes, and so forth, in order that water may be stored which can be utilized in the irrigation of about 200,000 acres of land.

Mr. JONES of Washington. As I understand, a similar bill has been reported by the House Committee on the Public Lands.

Mr. NUGENT. A similar bill has been reported by the House committee.

Mr. JONES of Washington. I wish to say to the Senator from Idaho—and the point he made a while ago calls it to my attention—that if the House bill has gone on the House calendar, when the Senate bill is passed it will go to the House and lie on the Speaker's table, and can then be taken from the Speaker's table and passed without waiting for unanimous consent, and without any special delay.

Mr. NUGENT. That is what I am desirous of bringing about.

Mr. JONES of Washington. Then this bill, if it passes here, can be taken from the Speaker's table.

Mr. NUGENT. The difficulty lies in the fact that the bills are not identical. As the bill was reported to the House from the Committee on the Public Lands, it contains certain amendments that are not contained in the bill which I introduced; so that they are not identical bills.

Mr. JONES of Washington. Would the Senator have any objection to amending the bill here so as to make it identical with the House bill when it goes over there?

Mr. NUGENT. That was what I proposed to do, but the Senator from Montana [Mr. MYERS] objected.

Mr. JONES of Washington. Very well. I was trying to help the Senator out.

The PRESIDING OFFICER. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OLYMPIC GAMES AND INTERNATIONAL COMPETITIONS.

The joint resolution (S. J. Res. 179) authorizing use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions, was considered as in Committee of the Whole and was read, as follows:

Resolved, etc., That authority be, and is hereby, given to the Secretary of War to use such Army transports as may be available for the free transportation of teams, individuals, and their equipment representing the United States in Olympic games and other international competitions.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ENTRIES ON PUBLIC LANDS.

The bill (S. 3994) validating certain applications for and entries on public lands, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, on page 7, at the end of section 9, to insert a new section, as follows:

SEC. 10. That upon the survey of an island, locally known as "Island Park," situated in the North Fork of Snake River in section 1, township 7 north, range 40 east, Boise meridian, Idaho, the city of St. Anthony, through its proper representative, shall have the right to purchase said island so surveyed for park and memorial purposes, for a period of 60 days after the filing of the official plat of such survey in the United States local land office, at the rate of $1.25 per acre: *Provided*, That the island herein mentioned shall be used by the city of St. Anthony for park and memorial purposes only, and should the city abandon its use for such purposes, said island shall revert to the United States: *Provided further*, That nothing herein contained shall have the effect of defeating the rights of any person or persons which may have attached to the island or any part thereof: *And provided further*, That the Secretary of the Interior is authorized to make all necessary rules and regulations to carry this act into effect.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue patents upon the entries hereinafter named upon which proof of compliance with law has been filed:

Adjoining farm homestead entry, Eureka, Calif., No. 02188, made by Warren Henry Leach on February 19, 1914, for a tract of land containing 137.77 acres, described by metes and bounds, within sections 2 and 35, townships 30 and 31 north, range 11 west, Mount Diablo meridian.

Homestead entry, Timber Lake, S. Dak., No. 05023, made by Andrew W. Strommer on March 27, 1911, for the northeast quarter of section 9, township 12 north, range 19 east, Black Hills meridian, such patent to be issued to Charlotte Strommer.

Homestead entry, Glasgow, Mont., No. 036403, made by Elizabeth H. Boucher on June 7, 1916, under the act of May 30, 1908 (35 Stat. L., p. 558), and February 19, 1909 (35 Stat. L., p. 639), for the southeast quarter of section 15 and the southwest quarter of section 14, township 31 north, range 46 east, Montana principal meridian.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to issue patent to the party named, and for the lands described, as follows:

Robert W. Stroud, for the southwest quarter of the northwest quarter, section 26, township 151 north, range 103 west, fifth principal

meridian, in the State of North Dakota, upon the payment of $1.25 per acre within six months after the approval of this act.

SEC. 3. That the entries hereinafter named be, and the same are hereby, validated, and the Secretary of the Interior authorized to issue patents thereon upon submission of satisfactory proof of compliance with the laws under which such entries were allowed:

Additional homestead entry, Helena, Mont., No. 017219, made by Charlotte Daniels, widow of Hugo Peter Weirig, deceased, on April 16, 1918, under section 7 of the act of July 3, 1916 (39 Stat. L., p. 344), for lots 4 and 5, section 3, township 8 north, range 1 west, Montana principal meridian.

Homestead entry, Miles City, Mont., No. 036842, made by Benjamin B. Gross on March 14, 1917, under the act of February 19, 1909 (35 Stat. L., p. 639), for the north half of the north half, section 32, northeast quarter of the northeast quarter, section 31, south half of the southwest quarter and northwest quarter of the southwest quarter, section 29, township 2 south, range 60 east, Montana principal meridian.

Homestead entry, Glenwood Springs, Colo., No. 013234, made by Roseberry G. Ridgway on October 9, 1917, for the south half of the southeast quarter, section 32, township 10 north, range 91 west, and the northeast quarter and north half of the southeast quarter, section 5, township 9 north, range 91 west, sixth principal meridian.

Homestead entry, Glasgow, Mont., No. 048226, made by John H. Cavanaugh on July 6, 1917, under the act of February 19, 1909 (35 Stat. L., p. 639), for the east half of the northwest quarter and the west half of the northeast quarter, section 18, township 33 north, range 50 east, Montana principal meridian.

SEC. 4. That the Secretary of the Interior be, and he is hereby, authorized to allow the following applications to make entry:

Additional homestead application, Glasgow, Mont., No. 043452, filed by Lawrence Benson for the northeast quarter of the northwest quarter, north half of the northeast quarter and southeast quarter of the northeast quarter, section 13, township 29 north, range 41 east, Montana principal meridian.

Homestead application, Salt Lake City, Utah, No. 014998, filed by Arthur Lawrence Whitmore for the east half of the southeast quarter, northwest quarter of the southeast quarter, northeast quarter of the southwest quarter, section 32, township 11 south, range 14 east, Salt Lake meridian, effective May 29, 1915, the date filed, and that the State of Utah through its proper officers be, and it is hereby, authorized to select 160 acres of surveyed, nonmineral, unappropriated, and unreserved public land in lieu of the above-described tract.

SEC. 5. That the allotment application made by Johnny Steele (Bull) for and on behalf of his minor child, Ed Steele (Bull), under the fourth section of the act of February 8, 1887 (24 Stat. L., p. 388), as amended, for the south half of the south half, section 27, township 43 north, range 12 east, Mount Diablo meridian, be, and the same is hereby, validated: *Provided*, That such allotment is to exhaust any right in the minor when he becomes of age to make entry under the provisions of the general homestead laws.

SEC. 6. That the Secretary of the Interior is hereby authorized and directed to sell to S. S. Markley, within a period of 90 days from and after the passage of this act, at the original purchase price of $1,800 the southeast quarter of section 2, township 3 south, range 12 west, Indian meridian, Cotton County, Okla., and issue to him a patent therefor.

SEC. 7. That Mattie R. Mayer, of Shreveport, La., be, and hereby is, authorized to enter at the minimum price of $1.25 per acre, the north fractional half of the south half of section 21, township 17 north, range 13 west, Louisiana meridian, Caddo Parish, La., in virtue of her long settlement, bona fide title and possession, and valuable improvements thereon: *Provided*, That the entry made hereunder shall be subject to a reservation under the act of July 17, 1914, of all rights in the oil deposits that may be found therein.

SEC. 8. That the soldiers' additional homestead application No. 01693, Juneau, Alaska, filed on July 8, 1914, by Thomas H. Holland, assignee of Clark S. Bemis, for a tract of land embraced in United States survey No. 941, duly approved, containing 6.50 acres, described by metes and bounds, on which final certificate issued December 18, 1914, be, and the same is hereby, validated, and the Secretary of the Interior authorized to issue patent thereon.

SEC. 9. That the soldiers' additional homestead application No. 01694, Juneau, Alaska, filed on July 8, 1914, by Thomas H. Holland, assignee of George Fritzinger, for a tract of land embraced in United States survey No. 942, containing 3.99 acres, described by metes and bounds, on which final certificate issued December 18, 1914, be, and the same is hereby, validated, and the Secretary of the Interior authorized to issue patent thereon.

SEC. 10. That upon the survey of an island, locally known as Island Park, situated in the North Fork of Snake River, in section 1, township 7 north, range 40 east, Boise meridian, Idaho, the city of St. Anthony, through its proper representative, shall have the right to purchase said island so surveyed for park and memorial purposes, for a period of 60 days after the filing of the official plat of such survey in the United States local land office, at the rate of $1.25 per acre: *Provided*, That the island herein mentioned shall be used by the city of St. Anthony for park and memorial purposes only, and should the city abandon its use for such purposes said island shall revert to the United States: *Provided further*, That nothing herein contained shall have the effect of defeating the rights of any person or persons which may have attached to the island or any part thereof: *And provided further*, That the Secretary of the Interior is authorized to make all necessary rules and regulations to carry this act into effect.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WALTER I. WHITTY.

The bill (S. 2989) for the relief of Walter I. Whitty was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

FRANK SCHOBLE, JR., AND RAYMOND E. DAY.

The bill (S. 3896) for the retirement of Frank Schoble, jr., and Raymond D. Day, first lieutenants in the United States Army, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on line 5, to strike out "D." and insert "E.," so as to make the bill read:

Be it enacted, etc., That First Lieut. Frank Schoble, jr., formerly of the Three hundred and eighteenth Infantry, and First Lieut. Raymond E. Day, formerly of the One hundred and forty-sixth Infantry, are each hereby retired with the grade of captain, to take rank next after the last name on the retired list of captains of Infantry at the date of the enactment of this measure into law, to receive the pay and allowances in all respects as to retired officers of similar grades in the Regular Army.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the retirement of Frank Schoble, jr., and Raymond E. Day, first lieutenants in the United States Army."

Mr. POMERENE. Mr. President, accompanying the bill just passed there is a report from the Committee on Military Affairs. These two young officers were wounded in the Battle of the Argonne, and both were totally blinded; and I want to commend the Committee on Military Affairs for favorably reporting this bill. It is the least that we could do for these young officers.

In order that the House and others that may be interested shall be fully informed, I ask unanimous consent that the report from the committee on Military Affairs be incorporated in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and that will be the order.

The report, submitted by Mr. SUTHERLAND April 3, 1920, is as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 3896) for the retirement of Frank Schoble, jr., and Raymond D. Day, first lieutenants in the United States Army, having considered the same, report favorably thereon, with the recommendation that the bill do pass with the following amendments:

In the title of the bill, change the middle initial of Raymond D. Day to "E." so that the name will read "Raymond E. Day."

In line 5 of the bill, after the name "Raymond," strike out the initial "D" and insert in lieu thereof "E."

These changes are made in accordance with information received from the War Department.

Your committee is informed that First Lieut. Frank Schoble, jr., Three hundred and eighteenth Infantry, and Raymond E. Day, One hundred and forty-sixth Infantry, are the only two American officers who were totally blinded as a result of wounds received in the war with Germany. Both of these men are, of course, absolutely helpless and must look to the Government for support. The amount of money these men might receive from their war-risk insurance would not be sufficient to meet the needs of men in their distressing condition. It is estimated that the retired pay of a captain would be the least that these men could maintain themselves on.

A report from the Secretary of War to the chairman of the Committee on Military Affairs, dated March 9, 1920, reads, in part, as follows:

"I have received a copy of S. 3896, with a request for a report thereon. This bill provides for the appointment of Frank Schoble, jr., and Raymond D. Day to be captains on the retired list of the Army.

"The two beneficiaries of this bill both hold commissions as first lieutenants of Infantry for the period of the emergency and both are now under treatment for disabilities incurred while in the service. Their cases are fully covered by the compensation provisions of the war-risk insurance act, and as that act has just been thoroughly revised by Congress, it must be supposed that its provisions are considered adequate in all respects. Even if it were otherwise, however, the proper remedy would be a new revision granting impartial treatment to all instead of special legislation singling out a few individuals for particular favors.

"I find no justification for such partiality, even if the discrimination contemplated were very small. But in this case it is enormous, whether comparison be made with other emergency officers or with officers of the Regular Army. This bill proposes to advance its beneficiaries one grade above that which they attained in the service. An officer of the Regular Army, as you are aware, is retired upon his actual permanent rank, regardless of the emergency grade he may have attained. If the principle of this bill were applied to Regular Army officers, there are hundreds of lieutenants who would be entitled to retire with the rank of lieutenant colonel, or even in higher grades, and hundreds of captains who would retire as general officers."

Your committee does not agree with those parts of the report of the War Department which states that these two cases are fully covered by the compensation provisions of the war-risk insurance act; that this measure can be considered as a show of favoritism to a few individuals, and that there is no justification for such partiality. Your committee wishes to emphasize the fact that these two men are totally blind, which will require the constant presence of an attendant and makes it impossible for them to ever take part in work of any character in order to help themselves along. They are the only officers in the entire Army in this condition, and the committee believes that the additional assistance proposed by this bill is absolutely necessary in order that their living expenses may be met. It is urgently requested that favorable action be taken on the bill.

The military records of Lieuts. Schoble and Day are as follows:

MILITARY RECORD OF FIRST LIEUT. FRANK SCHOBLE, JR., THREE HUNDRED AND EIGHTEENTH INFANTRY.

Commissioned October 15, 1917, second lieutenant, Cavalry.
Commissioned December 12, 1917, second lieutenant, Artillery.
Commissioned November 7, 1918, first lieutenant, Infantry.
Wounded October 5, 1917, Meuse-Argonne offensive.
Totally blinded as result of wound.

MILITARY RECORD OF FIRST LIEUT. RAYMOND E. DAY, ONE HUNDRED AND FORTY-SIXTH INFANTRY.

Enlisted Company B, Eighth Ohio Infantry, at Akron, Ohio, March, 1907.
Discharged March 11, 1909, on account of nonresidence.
Enlisted Machine Gun Company, Eighth Ohio Infantry, Akron, Ohio, August 1, 1915.
Called into Federal service for Mexican-border duty June 19, 1916.
Appointed corporal July 15, 1916.
Appointed sergeant August 1, 1916.
Appointed first sergeant September 1, 1916.
Mustered out of Federal service March 22, 1917.
Discharged June 13, 1917.
Appointed second lieutenant June 14, 1917.
Called into Federal service in war with Germany July 15, 1917.
Appointed first lieutenant May 10, 1918.
Arrived in France June 22, 1918.
Entered the Argonne drive September 26, 1918.
Wounded and totally blinded by a high-explosive shell while in action September 27, 1918.
Returned to this country November 29, 1918.
Am at present stationed at General Hospital No. 7, Baltimore, Md., and taking vocational training at the Red Cross Institution.
I was born July 28, 1883, at Columbus, Pa.

LAND AT FORT BLISS, TEX.

The bill (S. 3139) for the purchase of land adjoining Fort Bliss, Tex., was announced as next in order.

Mr. SMOOT. I object to the consideration of that bill.

The PRESIDING OFFICER. The bill will be passed over, under objection.

Mr. SHEPPARD. Mr. President, I ask unanimous consent that the report on Senate bill 3139 be published in the RECORD at this point for the information of the Senate.

The PRESIDING OFFICER. Is there objection? Without objection, that order will be made.

The report, submitted by Mr. KIRBY on April 5, 1920, is as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 3139) for the purchase of land adjoining Fort Bliss, Tex., having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

Your committee found that the present military reservation consists of a little over 1,200 acres of land purchased by the citizens of El Paso and donated to the Government and of this 1,200 acres of land there is now available for drill and recreation purposes less than 200 acres of ground, the balance being occupied by barracks, quarters, and stables for two regiments of Cavalry and one of Artillery, as well as a battalion of mounted Engineers, a battalion of Signal Corps, Motor Transport Corps, motor transport repair shops, storage warehouses, wireless station, waterworks, incinerator, and military cemetery.

The land proposed to be purchased under this bill was appraised by a board of civilians named by Gen. Cabell, in command of the Southern Department, who appraised the 300 acres immediately adjoining the post at $350 per acre and 1,700 acres farther to the east (adjoining the 300 acres) at an average of $180 per acre. The option price to the Government of this latter is $150 per acre.

The land proposed to be purchased under this bill is the only land at present available in this vicinity as a landing field for aviation or drill ground for troops necessary to be kept at Fort Bliss under the present disturbed conditions on the border.

The city of El Paso is built out to the present military reservation, and all land to the south and west is laid out in city lots, most of the streets paved, sewerage, water, and electricity put in; to the north is the city waterworks, so that the only available land for military purposes is to the east. Your committee found that the 300 acres now used as a landing field for aviation has been used for a number of years free of expense to the Government, and the owner of this ground declines to permit further use of it, neither will he lease it, as he is 85 years of age, and does not care to tie this land up in a lease with the city already built to the same.

The acquisition of additional land for drill and aviation purposes is an urgent and imperative necessity with a garrison of approximately 8,000 men, of which nearly all are mounted, and all the present reservations covered by buildings with the exception of 180 acres available for drill ground, which is just enough for the two battalions of mounted Engineers and Signal Corps, and leaves no drill or maneuvering ground for practically 7,000 mounted troops, nor does it leave a landing field for units of the Air Service of approximately 40 machines.

The bill is recommended by the War Department in two letters which are appended hereto and made a part of this report. These letters explain the necessity for its purchase and the situation at Fort Bliss, and are as follows:

DECEMBER 26, 1919.

The CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

SIR: The War Department recommends the enactment of legislation as contained in bill S. 3139, appropriating $356,700 for the purchase of 2,000 acres of land adjoining and to the east of the present military reservation at Fort Bliss, Tex.

Of the present reservation, less than 200 acres are available for drill purposes, which is not a sufficient area upon which to properly drill and instruct the troops necessary to be maintained at that place.

Due to the conditions existing on the Mexican border, it is not deemed advisable to reduce the garrison now maintained at Fort Bliss.

At the present time two regiments of Cavalry and one of Field Artillery, besides complements of the Engineer Corps, Signal Corps, Motor Transport Corps, aviation units, etc., are stationed at this post in connection with Mexican border service.

Practically all of the existing reservation is taken up by construction, excepting a small area estimated at less than 200 acres, and it is deemed most necessary in the interests of military activities at this post that the proposed 2,000 acres be purchased in order that sufficient ground shall be available to properly drill and instruct the troops which of necessity must be maintained at this station.

In the past the land which it is proposed to purchase has been in part held under lease; the remainder has been used by the Government, through sufferance, by consent of the owners. The landowners now object to continuing the lease to the Government of these areas thus held, and the owner of the other area objects to the further use of his land by the Government; neither will the owner consent to a lease; it becomes necessary therefore for the Government to purchase the necessary land.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

MARCH 23, 1920.

The CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

DEAR SIR: I beg to call to your attention and urge the enactment of S. 3139 with reference to the purchase of additional land at Fort Bliss, Tex.

This land which it is desired to purchase is largely a part of the Ascarate lease, the legality of which is disputed by the lessors. The War Department has been advised that the El Paso Chamber of Commerce, the lessors, who acquired this land from the various owners under lease, and in turn leased same to the Government, find the owners extremely anxious as to final settlement, and consider that it will be necessary to serve notice on the Government to vacate this land unless settlement is reached within the next 30 days.

It is impossible for the War Department to maintain and conduct the necessary military activities at Fort Bliss, Tex., indispensable for the proper and reasonable safeguarding of the interests of this Government on that sector of the Mexican border, unless sufficient real estate is available at Fort Bliss upon which to maintain the troops and the utilities incident thereto. It is believed that the minimum land requirements are met if S. 3139 is enacted, which provides for the purchase of 2,000 acres of land at a cost of $356,700. In view of the extreme situation which will confront the War Department by nullification of the Ascarate lease, it is urgently recommended that early and favorable consideration be given to the pending measure.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

DISTRICT OF COLUMBIA CODE.

The bill (H. R. 6025) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto, was considered as in Committee of the Whole.

Mr. KELLOGG. Mr. President, this is a bill to revise the Code of the District of Columbia. It has been pending, in one form or another, for three or four years in either the House or the Senate. The House had hearings upon the bill. It was framed by a committee of the bar of the District of Columbia, and is recommended by all of the judges of the Supreme Court of the District of Columbia and the Court of Appeals of the District of Columbia. It was unanimously recommended by the Judiciary Committee of the House and passed the House without objection. It came to the Senate committee, and a hearing was had upon the bill, and on the recommendation of the judges and the bar association, it was unanimously recommended for passage.

I will explain two or three features of the bill and ask unanimous consent that the reading of the bill be dispensed with, because if it is read I do not think it can be passed before 2 o'clock. There is one amendment on page 3.

The PRESIDING OFFICER. Without objection, the reading of the bill will be dispensed with. The Secretary will state the amendment reported by the committee.

The READING CLERK. On page 3, line 20, it is proposed to strike out:

Provided, That said rules be posted or published not less than 30 days prior to the date when they are to become effective—

And to insert:

Provided, That said rules shall not become effective until 30 days after the date when they are adopted and spread upon the minutes of the said general term: *And provided further*, That said court in general term shall not have power to make or establish rules regulating pleading, practice, or procedure in equity which are inconsistent with the rules in equity heretofore or hereafter adopted by the Supreme Court of the United States.

So as to make section 65 read:

SEC. 65. The general term of said court shall be open at all times for the transaction of business; and said court, by orders passed in general term, may regulate the periods of holding the special terms, fix the number of said terms, and alter the same from time to time, as public convenience may require; may direct as many terms of any of the special terms to be held at the same time as the public business may make necessary; may assign the several justices from time to time to the respective special terms; may establish written rules regulating pleading, practice, and procedure, and by said rules make such modifications in the forms of pleading and methods of practice and procedure prescribed by existing law as may be deemed necessary or desirable to render more simple, effective, inexpensive, and expeditious the remedy in all suits, actions, and proceedings: *Provided*, That said rules shall not become effective until 30 days after the date when they are adopted and spread upon the minutes of the said general term: *And provided further*, That said court in general term shall not have power to make or establish rules regulating pleading, practice, or procedure in equity which are inconsistent with the rules in equity heretofore or hereafter adopted by the Supreme Court of the United States; may appoint a clerk, an auditor, and also a crier and a messenger for each court in special term, and all other officers of the court necessary for the due administration of justice, with the exception of all officers and employees in any manner connected with the probate term, and also United States commissioners; may hear charges of misconduct against any judge of the municipal court and remove him from office for cause shown; may admit persons to the bar of said court and censure, suspend, or expel them; and may pass all other orders not inconsistent

with existing laws which may be necessary to the effective administration of justice in said court, but said court shall not hear any cause in general term: *Provided*, That the general term may assign more than one justice to a special term for the trial of a given case.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PENSIONS TO SURVIVORS OF INDIAN WARS.

The bill (S. 447) to amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the second section of the act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved *March 4, 1917*, be so amended as to read as follows:

"SEC. 2. That the period of service performed by beneficiaries under this act shall be determined: First, by reports from the records of the War Department, where there are such records; second, by reports from the records of the Treasury Department showing payment by the United States, where there is no record of regular enlistment or muster into the United States military service; and, third, when there is no record of service or payment for same in the War Department or the Treasury Department, by satisfactory evidence from muster rolls on file in the several State or Territorial archives, or by congressional documents embodying memorials from States or Territories to Congress or furnished by States or Territories or by executive departments of the Government at the request of Congress, or by records compiled under State authority duly accepted by such States as a basis for appropriations or reimbursement to Indian war survivors and their widows: *Provided*, That the want of a certificate of discharge shall not deprive any applicant of the benefits of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RETENTION OF UNIFORMS.

The bill (S. 3908) to amend section 1 of the act entitled "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions," approved February 28, 1919, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with amendments, on page 2, lines 17, 18, and 19, to strike out "or a uniform, any part of which is similar to a distinctive part of the duly prescribed uniform of the United States Army, Navy, or Marine Corps"; on page 3, line 4, to strike out "$1,000" and insert "$300"; and on page 3, line 5, to strike out "one year" and insert "six months," so as to make the bill read:

Be it enacted, etc., That section 1 of the act entitled "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions," approved February 28, 1919, be, and the same hereby is, amended to read as follows:

"SECTION 1. That any person who served in the United States Army, Navy, or Marine Corps in the present war may, upon honorable discharge and return to civil life, permanently retain one complete suit of outer uniform clothing, including the overcoat, and such articles of personal apparel and equipment as may be authorized, respectively, by the Secretary of War or the Secretary of the Navy, and may wear such uniform clothing for four months after such discharge, and not thereafter except on reunion, ceremonial, or memorial occasions: *Provided*, That the uniform above referred to shall include some distinctive mark or insignia to be prescribed, respectively, by the Secretary of War or the Secretary of the Navy, such mark or insignia to be issued, respectively, by the War Department or Navy Department to all enlisted personnel so discharged: *Provided further*, That no such person or other civilian shall wear either the uniform aforesaid, or the duly prescribed uniform of the United States Army, Navy, or Marine Corps, or any distinctive part of such uniform while engaged in or participating on either side of a labor controversy, strike, or industrial disturbance, whether as striker, labor leader, picket, strike breaker, guard, watchman, employer, representative of an employer, policeman, bailiff, sheriff, or other public officer, or while engaged or participating in a riot or similar public disturbance; and any person who shall violate the provisions of this proviso, and any person who shall procure, advise, aid, counsel, or abet another so to do, shall, upon conviction, be punished by a fine of not more than $300 or by imprisonment not exceeding six months, or by both such fine and imprisonment. The word 'Navy' shall include the officers and enlisted personnel of the Coast Guard who have served with the Navy during the present war."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANK S. INGALLS.

Mr. ASHURST. Mr. President, I did not wish to interrupt the course of the calendar by discussing two small bills, but I wish to ask unanimous consent that the Senate return to Orders of Business 437 and 438. The first is a claim bill, which provides for the payment of $36.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 685) for the relief of Frank S. Ingalls.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK PINKLEY.

Mr. ASHURST. I thank the Senate. I wish also to ask the Senate to recur to House bill 687, for the relief of Frank Pinkley. This bill has passed the House, I think, once or twice. It provides for the payment of a claim of $350, long ago ascertained to be due to Mr. Pinkley.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 687) for the relief of Frank Pinkley.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARMY REORGANIZATION.

Mr. WADSWORTH. I move that the Senate proceed to the consideration of Senate bill 3792.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gerry	McCormick	Sheppard
Ball	Gronna	McKellar	Smith, Md.
Beckham	Hale	McLean	Smoot
Borah	Harris	McNary	Spencer
Brandegee	Henderson	Myers	Swanson
Capper	Hitchcock	Nelson	Thomas
Chamberlain	Jones, Wash.	New	Townsend
Culberson	Kellogg	Norris	Trammell
Curtis	Kendrick	Nugent	Wadsworth
Dillingham	Kenyon	Page	Warren
Edge	Keyes	Phelan	Watson
Fernald	Knox	Phipps	
Frelinghuysen	Lenroot	Pittman	
Gay	Lodge	Ransdell	

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Fifty-three Senators having answered to their names, a quorum of the Senate is present.

Mr. WADSWORTH. Mr. President, on yesterday the Senate had reached section 7 of the pending bill in the process of reading it for action on the committee amendments. Before we proceed to a consideration of further amendments I would like to have unanimous consent to insert in the RECORD a copy of a statement adopted and made public by the National Guard Association of the State of New York having to do with the proposal contained in the bill to bring the National Guard under the Army clause of the Constitution, as contrasted with its present status under the militia clause.

Mr. SMOOT. I ask that the statement may be read.

The PRESIDING OFFICER. The Senator from Utah asks for the reading of the statement. The Secretary will read as requested.

The Reading Clerk read as follows:

The National Guard Association of the State of New York, assembled in convention in the city of Albany this 20th day of March, 1920, having considered at length the problems affecting the reorganization of the National Guard of the United States, believe and declare its conviction to be that the National Guard, as a national body of citizen soldiery, can not be organized under the militia provisions of the Federal Constitution so as to perform adequately and constitutionally the national functions which should be performed by the citizen soldiery of the Nation, and therefore urge upon the Congress that it provide for the reorganization of the National Guard under the Army clause of the Constitution, providing in connection therewith a subordinate State status sufficient to meet the military needs of the States.

The National Guard Association has been moved to adopt this recommendation because the recent history of the country shows that the national emergencies which have required the use of troops in excess of the Regular Army have not been among those prescribed by the Constitution as occasions when the militia may be called for and used by the President. Because, further, it is apparent that the future will present similar occasions when the President, in need of troops to meet a national emergency, can not, under the Constitution, employ any force of citizen soldiery which suffers the limitations imposed by the militia status.

The National Guard Association of the State of New York concurs in the recommendation of the National Guard Association of the United States that the future efficiency of the National Guard demands that it have its own representation overhead in Washington as a part of the War Department, and believes that such overhead can not constitutionally be appointed by the President nor constitutionally be given authority and jurisdiction to perform their functions in time of peace if the National Guard is continued under the militia provisions of the Constitution, which deny the President the authority to appoint officers of the militia in time of peace.

The National Guard Association invites the attention of the Congress to the fact that in the Spanish War the National Guard could not constitutionally be employed as such because of its militia status, and so it became necessary to create a Volunteer Army, and although the National Guard constituted the mass of such Army, they were compelled to enter it as individuals, and the esprit and morale of their units were dissipated in the process of reorganization.

That when the Philippine insurrection necessitated the use of troops in excess of the Regular Army, so obvious was it that the National Guard could not be employed as such by reason of their militia status that the War Department was compelled to organize regiments of United States Volunteers to meet that emergency.

That upon the occasion of the Mexican border disturbance, although the Federal Government employed the National Guard as such for the purpose of repelling invasion, nevertheless even for such purpose the experience conclusively showed the confusion and delay inseparable from the transfer of men, property, and organization from a State status to an active Federal status, and that in any event before the National Guard could have been employed for the purpose of entering Mexico its officers and men would have had to be drafted as individuals so as to be relieved of their militia status.

That the experience of the World War showed that the National Guard could not be employed therein as a national force until its officers and men were divested of the militia status by being drafted into the Federal Army and discharged from the militia, and that process resulted in delay, confusion, and the impairment of the efficiency of units at a time when their efficiency should have been at the best.

That the termination of the Federal service of the National Guard in the World War necessitated the absolute discharge without any military status and this at a time when its units were at the zenith of their efficiency and esprit as a result of their magnificent battle service abroad.

That in the opinion of the National Guard Association of New York a repetition of this experience in the future can not be prevented by recourse to an amendment of the national-defense act providing for a reinvestment of the militia status immediately upon discharge from the Army for the reason that a voluntary militia status from which men have been released by discharge can not constitutionally be re-created and arbitrarily imposed by statute upon men without their consent and voluntary action given anew.

That only by reorganizing the National Guard under the Army clause of the Constitution can Congress invest in the Federal Government in time of peace the power to train the National Guard which is essential if the National Guard is to be something more than an aggregation of State forces and is to assume the rôle of a national body of citizen soldiery.

Mr. WADSWORTH. Now, let the reading of the bill be proceeded with.

The reading of the bill was resumed on page 6, line 15, and the Reading Clerk read as follows:

SEC. 7. The National Guard of the United States: The National Guard of the United States shall consist of such commissioned officers, enlisted men, and civilians of the permanent personnel as shall be assigned thereto under regulations to be prescribed by the President and of such reserve officers and reservists as may be appointed, commissioned, or enlisted therein as hereinafter provided.

Mr. WADSWORTH. There are two amendments that are corrective in their nature which I want to offer to section 7. On page 6, line 18, after the words "personnel as," I move to strike out the word "shall" and insert in lieu thereof the word "may"; and on the same page, line 19, after the word "under," I move to strike out the words "regulations to be prescribed by the President," and to insert in lieu thereof the words "the provisions of this act," so that it will read:

as may be assigned thereto under the provisions of this act.

The amendments were agreed to.

The reading of the bill was continued to line 22, page 8, the last clause read being as follows:

SEC. 10. The initial organization of the National Guard of the United States and the organized reserves: In the initial organization of the National Guard of the United States and of the organized reserves the names, numbers, and other designations, flags, and records of the divisions and subordinate units thereof that served in the World War between April 6, 1917, and November 11, 1918, shall be preserved as such as far as practicable. Subject to revision and approval by the Secretary of War, the plans and regulations for the initial organization and territorial distribution of the organized reserves shall be prepared by a committee of the branch or division of the War Department General Staff, hereinafter provided for, which is charged with the preparation of plans for the national defense and for the mobilization of the land forces of the United States.

Mr. WADSWORTH. An omission has occurred in line 18, on page 8, and I suggest this amendment. In line 18, after the words "organized reserves," I move to insert the words "and the National Guard of the United States."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was continued.

The first amendment of the Committee on Military Affairs was, in section 12, page 9, line 23, to strike out the word "eleven" and insert "nine" before "colonels"; in line 24, before "lieutenant colonel," to strike out "eighty-eight" and insert "eighty-five"; in line 25, before "majors," to strike out "ninety-two" and insert "eighty-three"; on page 10, line 1, before "captains," to strike out "eighty-four" and insert "sixty-six"; in line 2, before "first lieutenants," to strike out "fifty-five" and insert "thirty-nine"; in line 3, before "second lieutenants," to strike out "fifty-two" and insert "forty"; in line 4, to strike out "and enlisted men"; in line 6, after the word "Academy," to insert the word "and"; in line 7, to strike out the words "and the flying cadets of the Air Corps"; in line 8, to strike out "sixty-three thousand two hundred" and insert "eighty thousand"; and in line 10, to strike out "exclusive" and insert "inclusive," so as to make the paragraph read:

SEC. 12. Composition of the permanent personnel: For the purpose of carrying out the provisions of this act the President is authorized to maintain not to exceed the following permanent personnel: The General of the Army, during the tenure of office of the present incumbent; 20 major generals of the line; 50 brigadier generals of the line; 609 colonels; 685 lieutenant colonels; 2,283 majors; 4,566 captains; 4,339 first lieutenants; and 2,740 second lieutenants; the officers of the Medical Service, the Corps of Chaplains, professors of the United States Military Academy, and the warrant officers, all as hereinafter provided for; and 280,000 enlisted men in their appropriate grades as hereinafter provided for, inclusive of the enlisted strength of the Medical Service and the Philippine Scouts.

Mr. LENROOT. Mr. President, I ask the Senator from New York whether he would not be willing to pass over all of the amendments proposed in section 12, because whether all these officers shall be retained I think will depend in some degree upon what action is taken with reference to universal military training. I think they ought to be considered together.

Mr. CURTIS. May I add further the suggestion to the chairman of the committee that we have a vote first on the compulsory military training clause, because it will affect several provisions of the bill, as I understand it. If it is adopted, then certain provisions will have to be made, and if it is defeated, which I hope it will be, then another situation will arise, and certain provisions now found in the bill can be eliminated.

Mr. WADSWORTH. I thank the Senator from Kansas for his kind wishes. I may speak only for myself. Of course, the Senate has complete charge of the bill. I am not willing at this time to have a vote on the provision which relates to universal military training.

Mr. CURTIS. I did not ask that a vote be taken now.

Mr. LENROOT. I had in mind merely passing over such amendments as would be affected by the action the Senate might take on the matter of universal military training.

Mr. WADSWORTH. May I call the attention of the Senator from Wisconsin to the fact that the committee amendments, commencing near the bottom of page 9, reduce the number of officers?

Mr. LENROOT. I understand, but I think they would be very much further reduced if universal military training is not adopted.

Mr. WADSWORTH. Certainly there is nothing to prevent the Senate from further reducing them later on.

Mr. LENROOT. Yes; there is the parliamentary situation. If we once adopt an amendment, it is not open to further amendment.

Mr. CURTIS. It would have to be reconsidered.

Mr. WADSWORTH. The Senate would be master of the situation.

Mr. CURTIS. May not these amendments on pages 9 and 10 be passed over?

Mr. WADSWORTH. I am perfectly willing to pass them over as requested.

Mr. LENROOT. I think the amendments contained in section 12 ought to be passed over.

Mr. McKELLAR. Mr. President, the greater portion of the proposed amendments and the greater portion of the bill itself is so interwoven with the question of universal military training that it seems to me manifestly the part of wisdom to determine first whether we are going to have universal military training. Of course, if the Senator from New York does not want to vote on that now, then I suggest that we let it go over. We do not want to have any great delay over the matter; but it does seem to me that we would be in a very much better position to discuss the other provisions of this reorganization bill if we knew whether we were going to have universal military training, because substantially the greater part of the provisions of the bill, I believe, will be dependent, certainly as to the number of officers throughout the bill, upon what is done with that provision in the bill.

I merely suggest that we might have an agreement that we vote on the military-training feature first, and then take up such other amendments as there may be. I do not mean the committee amendments which the Senator desires to have agreed to in order to perfect the bill. I see no objection to doing that, unless we are precluded in the future from offering amendments, and I think the Senator from New York will not insist on that, one way or the other. I see no objection to going ahead and perfecting the bill.

Mr. WADSWORTH. That is all I ask.

Mr. McKELLAR. I think, when it comes to a vote, we ought to vote on the universal military training feature first and then proceed with the remainder of the bill. I think the Senator from

New York will agree to that course, and, if he has no objection, I ask unanimous consent that when we vote we shall vote on the universal military training first and then proceed to such other amendments to the bill as may be necessary.

Mr. WADSWORTH. It would be rather difficult to prescribe such a unanimous-consent agreement without ascertaining just what the amendments to carry it out would amount to. I understand there are at least two amendments already pending, introduced by Senators, to strike out section 51. I do not know what other amendments are pending that depend on the question of universal military training. It seems to me it would be rather difficult to get a unanimous-consent agreement to vote on that question until we see in what form it is going to be presented.

Mr. NORRIS. I would like to suggest that we proceed with the reading of the bill, and when any Senator, like the Senator from Wisconsin [Mr. LENROOT] has already done, finds an amendment that he thinks would depend for or against its support on the provision as to military training that he ask to have it go over, and that it shall go over. There are a great many amendments which have nothing to do with universal military training, like section 15, for instance.

Mr. LENROOT. There are very few cases where the committee amendments affect that question. If we can pass over those, we can go on with the reading of the bill.

Mr. WADSWORTH. That is all I want. Any amendment that Senators believe is connected with that question can be passed over.

Mr. LENROOT. I ask unanimous consent that the committee amendments to section 12 be passed over temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Reading Clerk continued the reading of the bill to line 24, page 13, the proviso, beginning on line 21, reading as follows:

Provided further, That no enlisted man may be rated for extra pay as a specialist unless he be in the grade of private, first class, or private.

Mr. WADSWORTH. In line 24, after the word "private," I offer the following amendment as an insertion at that point. May I say that this is to correct a situation which was not anticipated to be brought about by the meaning of the text of the bill in a comparatively minor particular, but it should be corrected.

The PRESIDING OFFICER. The proposed amendment will be stated.

The READING CLERK. On page 13, line 24, after the word "private," insert a comma and the following words:

Except as hereafter specified, to wit, upon the promotion of any rated specialist to the grade of corporal or sergeant he may be given such lower rating as specialist as will make the pay of his new grade, increased by the extra pay fixed for such lower rating, equal to that received by him prior to his promotion: *Provided further*, That such promotion shall not increase the total number of specialists hereinbefore authorized.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was continued to the end of line 4, page 18, the last section read being as follows:

SEC. 18. The Cavalry: The permanent personnel of the Cavalry shall consist of one chief of Cavalry, with the rank of major general, and 750 officers and 14,000 enlisted men, in their appropriate grades, all of whom shall be detailed or assigned from the permanent personnel as provided for in this act. The reserve personnel shall consist of all reserve officers and reservists of the organized reserves and National Guard of the United States assigned to Cavalry units as provided for in this act.

Mr. WARREN. Mr. President, I desire to address myself to the provision of the bill which has just been read as reported by the committee. As the Senator from New York knows, I was unable to act as a member of the subcommittee on the bill, but I was present in committee at the meeting which finally accepted the bill. In some way my attention was not drawn to the number of cavalrymen and Cavalry officers provided for in the bill. I desire to say that I think we shall make a very serious mistake if we do not enlarge the number of cavalrymen and Cavalry officers—of course, taking the numbers from the other arms of the service. Perhaps it would be best to take them from the Infantry.

The situation is this: When we had in our Army only fifty or sixty thousand men we had 10,000 and then 15,000 Cavalry, and when we passed the national-defense act we raised the number of cavalrymen to 25,000. The Cavalry has been organized on that basis. If we should have trouble and become involved in war it is likely to be more or less a guerrilla warfare, which must be conducted on horseback. The strengthening of Cavalry by the mounting of Infantry is difficult, because it requires men who are used to the training and riding of horses and to drilling and fighting on horseback. Cavalry can be and often is engaged on foot; in fact, our Cavalry abroad in the late war were usually employed in that way. So I should be glad to have the chairman of the committee consent that an amendment be offered to increase the number of cavalrymen to at least 20,000 and the number of officers to 950 and reduce the Infantry or other arms of service by an equal number.

Mr. WADSWORTH. Is the Senator from Wyoming sure that the Infantry is the best place to take them from?

Mr. WARREN. I will say to the Senator that it would seem to me so, because while it is true that this bill gives great authority and liberty in forming tactical units, in fact it is left entirely, we might say, with the President, yet in a service like the Cavalry, the requirements of which are greater than those of the Infantry, perhaps it would be well to make up the number from the Infantry, for that branch can be more easily enlarged, if necessary, than any other branch. However, if there is any other branch from which the chairman prefers to take the whole or a part of this increase for the Cavalry, it will be entirely agreeable to me, for I am speaking only in the interest of what appears to me to be a very serious matter, namely, the reduction of the number of our Cavalry as low as this bill reduces it—to 14,000.

Mr. WADSWORTH. Let me call the attention of the Senate and of Senators to the provisions of section 16, which will be found on page 15, and reads as follows:

The President is hereby authorized, in accordance with the requirements of the service, except when otherwise specifically prescribed in this act, to increase or to decrease the number of officers, enlisted men, or civilians of the permanent personnel herein provided for any arm, corps, or service: *Provided*, That no arm, corps, or service shall be so decreased by more than 20 per cent.

Under that provision the President can do the very thing which the Senator from Wyoming suggests.

Mr. WARREN. Mr. President, following that logically, why do we put any limit upon any branch of the military service? Why do we say so many for the Infantry, and so forth, if we choose to leave it to the President?

Mr. WADSWORTH. Because we want to strike a minimum, at least, and we do strike a minimum by saying that none of these arms of the service may be reduced below their stated strength more than 20 per cent.

Mr. WARREN. I think as to the Cavalry it would be very serious to fix the number at 14,000 and then leave it subject to be decreased. I think we should increase the number not to 25,000, as the law now provides, but to 20,000. I think that should be the very least. As to the taking of them from other arms of the service, I am not at all particular. They might be taken from wherever the chairman thinks best.

Mr. WADSWORTH. My only fear is that this offhand way of taking from one arm of the service and adding to another on the floor of the Senate without studying the effect upon the whole situation is rather dangerous. I am not certain that the Infantry could spare 6,000 men.

Mr. WARREN. Possibly it would be better to take the number from another place. Would the chairman prefer that I reserve the privilege of offering an amendment later and that the matter go over until he can further study it?

Mr. WADSWORTH. I should, Mr. President.

Mr. WARREN. Then, these two sections, being sections 17 and 18, relating to this matter may go over, and there may be reserved also the right to reconsider the number of men in the other branches.

Mr. WADSWORTH. There are no amendments which have been proposed to these two paragraphs, anyway. So it does not make any difference for the time being.

The reading of the bill was resumed and continued to line 13, on page 19, the last clause read being as follows:

Provided, That not to exceed 10 per cent of the officers of the permanent personnel herein provided for the Air Corps who fail to qualify as aircraft pilots or as observers within one year after the date of such detail or assignment shall be permitted to remain detailed or assigned to the Air Corps.

Mr. WADSWORTH. On line 8, after the words "per centum," I offer an amendment to insert the words "in each grade below that of Chief of the Air Corps," so that it will read:

That not to exceed 10 per cent in each grade below that of Chief of the Air Corps of the officers of the permanent personnel herein provided for the Air Corps—

And so forth.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, in section 21, page 19, line 22, after the word "hundred," to insert "and shall be counted and included in the total number of enlisted men herein authorized," so as to read:

Provided further, That the total number of flying cadets so enlisted or appointed in the Air Corps shall not at any time exceed 2,500, and shall be counted and included in the total number of enlisted men herein authorized.

The amendment was agreed to.

Mr. POMERENE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ball	Fernald	Lenroot	Pomerene
Beckham	France	Lodge	Ransdell
Borah	Gay	McKellar	Sheppard
Brandegee	Gerry	McLean	Smoot
Chamberlain	Gore	Moses	Swanson
Comer	Hale	New	Thomas
Culberson	Harris	Norris	Wadsworth
Curtis	Henderson	Phelan	Warren
Dillingham	Kellogg	Phipps	
Edge	Kenyon	Pittman	

Mr. McKELLAR. The Senator from Arizona [Mr. ASHURST], the Senator from Arkansas [Mr. KIRBY], and the Senator from North Carolina [Mr. OVERMAN] are absent on official business.

The PRESIDING OFFICER. Thirty-eight Senators having answered to their names, a quorum of the Senate is not present. The Secretary will call the names of absent Senators.

The Reading Clerk called the names of the absent Senators, and Mr. CAPPER, Mr. HITCHCOCK, Mr. KIRBY, Mr. PAGE, Mr. SIMMONS, and Mr. SMITH of Maryland answered to their names when called.

Mr. McCUMBER and Mr. KEYES entered the Chamber and answered to their names.

Mr. LENROOT. I desire to announce the absence of the Senator from Washington [Mr. JONES], the Senator from Montana [Mr. MYERS], and the Senator from Minnesota [Mr. NELSON] on public business.

Mr. TRAMMELL, Mr. McNARY, Mr. KENDRICK, Mr. FRELINGHUYSEN, Mr. NUGENT, Mr. HARRISON, Mr. McCORMICK, Mr. SPENCER, and Mr. KNOX entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, a quorum of the Senate is present.

EARL B. GADDIS.

Mr. HITCHCOCK. Mr. President, I observe in the CONGRESSIONAL RECORD of March 25 that my colleague [Mr. NORRIS] has again taken occasion to attack my secretary, Mr. Gaddis. This performance is gradually taking on the appearance and character of a fixed habit on the part of my virtuous but rather oversensitive colleague. I have, however, only one thing to say in reference to the matter at this time, and that is with reference to a statement made by my colleague which bears on its face the stamp of unreliability as well as of absurdity.

The Senator recklessly says that in the community where Mr. Gaddis is best known his uncorroborated testimony would not be taken even as prima facie evidence of a fact. This particular slander is very easily disproved.

Mr. Gaddis is best known in Nebraska. When he left the State to come to Washington he was given a farewell banquet at Lincoln, the capital of the State. The occasion was honored by the presence of the governor of the State, the chief justice and two associate justices of the supreme court, 50 members of the legislature, many other State officers, a large number of business and professional men of Lincoln, and a number of newspaper men. My colleague must know that such an honor would only be paid to a newspaper man of high repute. Yet the Senator uses his position on the floor of the Senate under the privilege of a Senator to attack this young man's character.

My colleague must of necessity know of the high standing of my secretary in Nebraska. He knows, or he ought to know, that for several years Mr. Gaddis reported the sessions of the State legislature for the World Herald of Omaha, and that when I named him as my secretary and called him to Washington the legislature of 1917 adopted complimentary resolutions on his splendid work as a legislative reporter and congratulated me on selecting him for my secretary.

I mention these facts, which are well known in Nebraska, in order that those who heard or read the reckless statements of my colleague may also know the truth about Mr. Gaddis.

ARMY REORGANIZATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes.

Mr. McKELLAR. Mr. President, in the reading of the bill we have now reached section 24. That has to do with the reorganization of the General Staff Corps.

Mr. President, the General Staff, as now authorized by law, is composed of 52 officers of grades and ranks fixed by the law. There is also an inhibition in the present law against over half of the members of the General Staff being detailed here in Washington. I will read the provision, which is found in section 5 of the national defense act of 1916:

> Not more than one-half of all the officers detailed in said corps shall at any time be stationed or assigned to or employed upon any duty in or near the District of Columbia.

Mr. GORE. How many are there?

Mr. McKELLAR. There are 52 in all, and 26 of them only may be assigned in Washington—not more.

The provisions of this bill in relation to the General Staff make rather sweeping changes. The bill divides the General Staff into a General Staff here at the seat of Government and a General Staff in the various departments. It increases its number very largely. There are to be 126 here in Washington, because no restriction is made such as is made in the national defense act. The powers and duties of the General Staff are very greatly added to, as Senators will see by reading sections 24, 25, and 26 of the bill.

Mr. President, I want to say that in opposing the enactment of these three sections of the bill into law I do not want my opposition construed in the slightest degree as a reflection upon the present Chief of Staff, Gen. March. He is an officer for whom I have the highest admiration. I think he has been one of the very best officers in the entire war. I think our success in the war is in quite a large measure due to the splendid ability, the vigor, the activity, the good sense, and many other sterling qualities of Gen. March. My objections, therefore, to these provisions of the bill are not in any sense in criticism of anybody, but they are against the policy of creating here in Washington an immense General Staff, as compared with the General Staff now provided for by law. I have already stated that the law in regard to the present staff provides only for 52 men, 26 of whom may be stationed here in Washington. The bill as passed by the House provides, as I recall, for 93 members of the General Staff, and the House bill likewise does away with any restriction upon where the General Staff shall be, and, of course, that means that they will be here in Washington.

This bill adds tremendously to the General Staff. It makes the General Staff the center of the Army and provides for grouping all the rest of the Army around the General Staff. The General Staff is given enormous powers. The General Staff, under this bill, is given the same kind of powers that the General Staff in the Prussian Army held.

Some time ago an Army officer whose name I do not know, though I have tried to find out, prepared a criticism of these provisions for the Army and Navy Register, a journal devoted to the Army and Navy, and here is what that officer had to say about these provisions of the bill. I ask the Senate carefully to consider what this officer says, because he analyzes the provisions in a way that makes it perfectly evident that we ought not to adopt this legislation. I read from the officer's statement, incorporated in the minority report filed on this bill:

> This section provides for an indeterminate, but certainly enormous, increase in the peace-time allowance of officers of the General Staff Corps as now fixed by law. And it proposes that all of the present restrictions of law as to the rank of such officers shall be swept away, leaving that very important matter entirely to the discretion of the Executive, which, in practice, means the Chief of Staff.

I pause long enough to interpolate here for the benefit of the Senate an explanation of how the General Staff is now constituted by law. I read from section 5 of the national-defense act, which is the present law:

> The General Staff Corps shall consist of one Chief of Staff, detailed in time of peace from major generals of the line; two assistants to the Chief of Staff, who shall be general officers of the line, one of whom, not above the grade of brigadier general, shall be the president of the Army War College, 10 colonels, 10 lieutenant colonels, 15 majors, and 17 captains, to be detailed from corresponding grades in the Army, as in this section hereinafter provided.

There is no such restriction in this bill. The 126 could all be made up of brigadier generals, if they were handy; they could all be captains, or colonels, or majors. There are no restrictions as to the rank; but the bill provides that a board shall determine it, as I will read just a little later.

Now, I continue to read from the article in the Army and Navy Register:

> All this is in accord with the firm purpose, manifest throughout the entire bill, to keep to the utmost all power and authority in or within reach of military hands, and to an equal extent to avoid all other limitations or restrictions, especially those imposed by law. In this respect the proposed bill as a whole evidences a spirit fully as militaristic and intolerant of civilian control as that manifested by the remarkable bill (S. 2715) lately submitted to the Senate by the War Department.

That was a bill, as Senators will recall, which was introduced, perfunctorily, I believe, at the request of the War Department. It was such a remarkable exhibition of desire for power on the part of those in control of the Army that it was abandoned, and

this bill substituted. I will say that, in my judgment, some of the most objectionable features of that War Department bill, Senate bill 2715, are in this bill, and let Senators not make any mistake about it, this bill if passed will build up a military system in this country equal to any that has ever been in existence under any government at any time in the world's history. I am going to read the provisions of the bill in a moment to prove that what I say is correct.

Now, I continue to read from the article:

Section 24 provides for 101 Army officers, rank not specified, in the War Department General Staff, plus at least 25 reserve officers, rank not specified, plus as many more of such officers as it may become desirable to furnish with nominal but highly paid employment for personal, social, or political reasons.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New York?

Mr. McKELLAR. I yield.

Mr. WADSWORTH. Is the Senator quite sure that this bill provides for 126 officers for the War Department General Staff?

Mr. McKELLAR. I will take pleasure in quoting what I believe upholds that. I read from page 23 of the bill:

The War Department General Staff shall consist of one Chief of Staff, selected by the President from the Army of the United States, and 100 officers detailed from General Staff eligibles in the Army of the United States in grades not below that of captain.

That is 101.

Provided, That in the event of the selection of a Chief of Staff whose grade is below that of major general, that officer, in time of peace, shall hold the rank of major general.

There is another provision which states that reserve officers not exceeding 25 per cent of this number shall be added.

Mr. WADSWORTH. Let the Senator read that provision, and I will show that he is mistaken. It will be found on page 24, line 13.

Mr. McKELLAR. It reads:

Provided further, That not less than 25 per cent of the authorized strength of the War Department General Staff and the general staff with troops shall consist of reserve officers eligible for such detail, and who, with their consent, may be ordered into active service for this purpose under the provisions of this act and shall be distributed among and shall serve in all divisions, branches, or sections of the General Staff Corps.

Mr. WADSWORTH. Now, I want to know if the Senator will not admit his error?

Mr. McKELLAR. I will if I made one.

Mr. WADSWORTH. The Senator said there were 126 officers on this War Department General Staff.

Mr. McKELLAR. Yes.

Mr. WADSWORTH. There are 100 officers provided for on page 23, and 101, including the Chief of Staff. Of those, 25 per cent must be reserve officers, under the provision on page 24. You do not add 25; you include 25.

Mr. McKELLAR. I think the language will have to be changed.

Mr. WADSWORTH. No, Mr. President; we will read the language and have this straightened out right now. It reads:

That not less than 25 per cent of the authorized strength of the War Department General Staff and the general staff with troops shall consist of reserve officers.

That means that 25 per cent of the 100 officers shall be reserve officers. You do not add 25; you include 25.

Mr. McKELLAR. Quite the contrary, because if the Senator will look at line 15, page 23, he will see it provides that—

The War Department General Staff shall consist of one Chief of Staff, selected by the President from the Army of the United States, and 100 officers detailed from General Staff eligibles in the Army of the United States in grades not below that of captain.

Mr. WADSWORTH. Mr. President, the Army of the United States, under this bill, includes all reserve officers. The 100 must come from the Army of the United States. The Army of the United States is classified into two personnel provisions, the permanent personnel and the reserve personnel. They are all in the Army. Seventy-five of these officers may be in the permanent personnel, and 25 must be in the reserve personnel.

Mr. McKELLAR. Mr. President, if this language has that meaning, then, like the language of the Delphic oracle, it may be considered either way, because if an officer who has discussed this matter, and who certainly knows what he is talking about——

Mr. WADSWORTH. Does the Senator know the officer's name?

Mr. McKELLAR. I do not. I made the statement in the beginning that I had tried to get his name from the Army and Navy Register.

Mr. WADSWORTH. I tried also, and I could not get it.

Mr. McKELLAR. I was unable to get it. But there is one thing sure, that the officer who wrote that article understands this bill and understands Army legislation.

Mr. WADSWORTH. He does not understand the English language.

Mr. McKELLAR. I must say that I can not understand the language myself if the language means what the Senator says, because it looks to me as if it is in addition and not in subtraction.

I continue to read from the article:

Section 24 provides for 101 Army officers, rank not specified, in the War Department General Staff, plus—

Not minus—

at least 25 reserve officers, rank not specified, plus as many more of such officers as it may become desirable to furnish with nominal highly paid employment for personal, social, or political reasons. The possibilities of the measure in this respect are vast and must be entrancing to the proponents of the scheme. As will be seen later in this paper, many more possibilities of the same kind are provided for in other sections of the proposed bill.

But assuming, without hope or expectation, that the War Department General Staff will be kept down to the limit of 126 officers, that number will be more than four times the number permitted by section 5 of the national defense act of June 3, 1916, to be employed or stationed in or near the District of Columbia. And it will be more than four times the number of officers for whom, in time of peace, appropriate General Staff work can be found in Washington.

Mr. WADSWORTH. Mr. President, does the Senator still insist that that officer was right?

Mr. McKELLAR. I think it is subject to doubt, but I know that the Army will resolve that doubt in favor of creating the offices if we pass this bill as the Senator has prepared it.

Mr. WADSWORTH. I simply want the Senator to be fair in this matter.

Mr. McKELLAR. I have read both provisions, and I differ with the Senator.

Mr. WADSWORTH. The Senator is reading into the RECORD a statement by an alleged officer of the United States Army, whose name is a mystery, in which a distinct misstatement is made about the bill. If the Senator will bear with me just a moment, I want to call that officer to account. He has written this article in an Army periodical, and he is wrong. If I could find out who he is, I would give his name to the Senate. I have my suspicions.

Mr. McKELLAR. I would do the same thing if I knew. I tried to get his name, but could not get it.

Mr. WADSWORTH. If the Senator will look in section 2, on the first page of the bill, he will find the Army of the United States defined, and that it includes all the permanent personnel, the National Guard of the United States, and the organized reserves. Now, turning again to page 23, we find this language:

One hundred officers detailed from General Staff eligibles in the Army of the United States.

On page 24 the provision exists that of that 100, 25 per cent must come from the reserve personnel of the Army of the United States. The total is 100. The officer is wrong.

Mr. McKELLAR. Then, if the officer is wrong, the Senator from New York would have no objection to an amendment, which I shall certainly offer, providing that in no event shall the General Staff here in Washington be permitted to have more than 101 officers. In other words, as I understand the Senator, his position is that the bill provides for 101 officers. I am glad the Senator believes that way, because I think even a smaller number than this will be ample. The Senator does not believe that this language provides for 125 officers?

Mr. WADSWORTH. I know it does not.

Mr. McKELLAR. The Senator says it provides for 101. Then the Senator would be willing, as I take it, to agree to an amendment which will definitely and beyond the peradventure of a doubt provide for 101 staff officers, and I shall so seek to amend, if this amendment should be adopted. Now I continue reading from the article:

The disorganization and demoralization that has been constantly increasing in the great bureaus of the War Department since the creation of the General Staff Corps in 1903 has been chiefly, if not wholly, due to the fact that there have always been so many General Staff officers under assignment to duty in Washington that enough appropriate General Staff work to keep them employed and out of mischief could not be found for them, so that naturally they busied themselves, with great injury to the public service, by taking to themselves and mishandling much work of an administrative nature that belongs to the various bureaus and can not be handled properly elsewhere.

If the activities of the War Department General Staff be confined to its own appropriate work, as required by section 5 of the national defense act, the number of General Staff officers authorized by that section to be employed in or near the District of Columbia will be ample for that work.

Right there I ask again, What is going to be done by these 101 officers, as we will put it now? One of their duties might be looking after the National Army which will be created under

the provision for universal military training, if that is adopted, and that was one of the reasons I had a while ago when I stated that I thought the question of universal military training ought to be determined first. If we are going to have universal military training, we will need more General Staff officers here in Washington. If we are not going to adopt universal military training, we do not need so many General Staff officers here in Washington. You permit the appointment of 101 General Staff officers here in Washington, and no lobby that we have here will be comparable to that lobby which we will constitute by law, and when I say that I mean no reflection upon these gentlemen. That is their profession. Naturally they are devoted to it. Naturally they are going to stand up for it. But, Senators, this provision is fraught with danger to this Republic, because we know whenever trouble has come from within any Republic it has come from militarism, and militarism of the kind that is engendered by the creation of a powerful general staff.

With regard to the General Staff with troops—

Mind you, the General Staff we have been talking about up to this date is the General Staff here in Washington increased from 26 members here in the city to 101 members, nearly four times.

With regard to the general staff with troops, it is impossible to make even a good guess as to the number of officers, from and including generals down to and including captains, that would be assigned to that service if the proposed bill were to become a law. The bill proposes to authorize 5 such officers for each division, 12 for each Army corps, 19 for each Army and territorial department, and reserve officers to the extent of not less than 25 per cent of the whole number plus as many more as it may be found desirable to furnish with light and lucrative employment for personal, social, or political reasons.

Section 9 of the bill provides that there shall be established not less than 12 corps areas, each of which shall contain one or more divisions; also that the President may organize all or any number of "such Army corps into armies" and "group corps areas into Army or department areas."

Assuming, optimistically, that under this extremely elastic provision there will be established, presumably in skeleton form, only 12 Army corps, 24 divisions, 3 armies, and 2 departments, the total number of General Staff officers for those organizations will be 359. If no more than the minimum number of reserve officers required by the bill shall be detailed—that is, 25 per cent of the total number of General Staff officers—the whole number of General Staff and accompanying reserve officers with those organizations will be 449. Adding to this number the 126 officers in or with the War Department General Staff—

Under the construction of the bill given by the distinguished chairman of the committee, it will have to be reduced 25 from this number—

gives for the entire General Staff Corps a total of 575 officers of all grades from and including generals down to and including captains.

In this connection it is interesting to note that the wildly extravagant bill (S. 2715) recently sent to the Senate by the War Department proposed for an Army of about 500,000 men a General Staff personnel of 231 officers, much less than half of the like personnel made more than probable by the measure now under consideration for an Army of less than 300,000 men. In this and various other respects as well the proposed bill is even more objectionable than the severely and justly criticized S. 2715.

I want to make a statement about that. Here is the War Department providing for 500,000 men and providing for a General Staff of 231, and here is the bill providing for 280,000 men and a General Staff of 570 all told. What are these 570 officers going to do in time of peace? Ever since I have been in Congress, since 1911, while I was a member of the Committee on Military Affairs in the House, as well as in the Senate, there has been a tremendous fight and there has been a persistent effort upon the part of the General Staff to increase the number of officers that they would have here in this city. There was a big fight to increase the number in 1916, when we passed the national-defense act. There was a bigger fight to do away with that provision in it that provided that only one-half of them could remain in Washington.

Section 25 gives the duties of the General Staff, and here is what this officer says about that:

At the commencement of this section is a specification of the duties of the General Satff Corps, which is substantially the same as that embodied in the organic General Staff act of February 14, 1903, and which by direct reference thereto, was made a part of section 5 of the national-defense act of June 3, 1916. Why this particular matter should have been included in the proposed bill and other very important restrictive provisions of said section 5 should have been omitted can only be explained by assuming, as is doubtless the fact, that this was done for the purpose of thereby effecting the repeal of those other provisions of a restrictive nature. It is more than likely that that purpose could and would be accomplished in this way, in effect at least, in view of the well-known attitude of the War Department and the General Staff toward those other provisions.

There can be no objection to the reenactment, with the slight changes now proposed, of this part of the organic General Staff act, but surely this ought not to be done without adding to that part the other highly important provisions of section 5 of the national-defense act, unless, of course, it is the desire of Congress to destroy those provisions and thus to make certain the future continuance of the injurious practices that are now prohibited by them, somewhat vainly at the present time, it is true, because of the defiant refusal of the present Secretary of War to obey and enforce those provisions of law.

In another provision of the bill the so-called Manchu law is so modified as to be made useless in my judgment. That provided that every four years an officer would have to serve with the troops. This bill modifies it in such way that, in my judgment, it can be avoided. The law that required officers to serve with troops was based on a situation somewhat like this: It was found here in 1911 or 1912—I remember it was one of the first cases that came up after I came to Congress—that an officer, I believe a lieutenant general in the Army, had risen almost, if not quite, from the ranks and gone through every grade of office in the United States Army and had become a lieutenant general and had never served a day with troops in his life. As a consequence of that condition that law was enacted. It was restrictive, and it was a good law.

The idea of an Army officer not serving with troops! He should be required to serve with troops, and that modification of the general law is in line with this modification of the General Staff act. In the future officers of the General Staff may stay here virtually as long as the board so determines.

I am going to read some of the very remarkable provisions of the bill:

SEC. 24. The General Staff Corps: The General Staff Corps shall consist of the War Department General Staff and the general staff with troops.

That means 550 officers, I may say by way of parenthesis.

Except in time of actual or threatened hostilities, all officers detailed in the General Staff Corps shall be detailed therein from the Army of the United States for periods of four years, subject to the provisions of this act, unless sooner relieved.

That allows the Manchu law to be disregarded.

Provided, That no officer shall be detailed as a member of the General Staff Corps unless he shall appear on the General Staff eligible list as hereinafter provided for: *Provided further*, That officers serving as members of the General Staff Corps upon the passage of this act who are not eligible for detail to the General Staff Corps under the provisions of this section may, at the discretion of the Secretary of War, be retained on such duty until the expiration of their present details.

The Secretary of War shall cause to be prepared and published a list of officers eligible for duty as General Staff officers with troops, and hereafter no officer shall be detailed to the General Staff Corps unless his name appears on said eligible list. The initial eligible list shall be prepared by a board consisting of the general of the Army, the commandant of the General Staff College, the commandant of the General Staff School, and two other general officers of the line to be selected by the Secretary of War. This board shall select and report the names of all officers of the following classes who are recommended by them as qualified by education, practical military experience, and character for duty as General Staff officers with troops: (a) Those officers graduated from the Army Staff College or the Army War College prior to July 1, 1917, who upon graduation were specifically recommended for duty as commander or chief of staff of a division or higher tactical unit or for detail in the General Staff Corps; (b) those officers who since April 6, 1917, have demonstrated by actual service in war that they are qualified for duty as commander of a brigade or higher unit or as chief of staff or assistant chief of staff of a division or higher unit; (c) those officers who, as permanent or emergency members of the General Staff since April 6, 1917, have demonstrated by actual service that they are qualified for assignment and detail to the General Staff Corps. After the preparation of the initial eligible list no officer shall be added thereto unless such officer upon graduation from the General Staff School has been specially recommended as qualified for duty as a General Staff officer with troops: *Provided*, That the eligible list as herein provided for shall be revised annually by a board consisting of the senior general officer on the active list, the commandant of the General Staff College, and the commandant of the General Staff School: *Provided further*, That hereafter no officer shall be detailed as a student officer at the General Staff College unless he is a General Staff eligible specially selected for further training for duty in the War Department General Staff or for high command. But nothing herein shall be construed as preventing the detail of officers of the several corps and services as special students in courses designed to inform such corps and services as to their proper duties and functions in carrying out the approved plans and policies of the Department of War: *Provided further*, That whenever any General Staff eligible, including those on the initial list, is classified below class A by any board of general officers provided for in section 44 of this act, his name shall forthwith be dropped from the list of General Staff eligibles. The Secretary of War shall publish annually the list of officers eligible for General Staff duty, and the fact of such eligibility in the case of each eligible officer shall be noted in the annual Army Register.

I wonder how much chance an officer out in the field has under these circumstances? How much chance has he got to get an important command? I read further:

The War Department General Staff shall consist of 1 chief of staff, selected by the President from the Army of the United States, and 100 officers detailed from General Staff eligibles in the Army of the United States in grades not below that of captain: *Provided*, That in the event of the selection of a chief of staff whose grade is below that of major general, that officer, in time of peace, shall hold the rank of major general during his continuance in office.

The general staff with troops shall consist of the number of general officers, colonels, lieutenant colonels, majors, and captains, detailed from General Staff eligibles in corresponding grades in the Army of the United States, and such enlisted men or reservists as may be necessary to perform the general staff duties of the headquarters of the various territorial departments, armies, army corps, and divisions of the Army of the United States, and as military attachés abroad: *Provided*, That in time of peace the number of officers of the general staff with troops that may be detailed under the provisions of this act for duty with the headquarters of tactical and territorial commands shall not exceed the following: For a division, 5; for an army corps, 12; for an army or

territorial department, 19: *Provided further*, That not less than 25 per cent of the authorized strength of the War Department General Staff and the general staff with troops shall consist of reserve officers eligible for such detail, and who, with their consent, may be ordered into active service for this purpose under the provisions of this act and shall be distributed among and shall serve in all divisions, branches, or sections of the General Staff Corps.

I desire at this point to pause long enough to say that evidently the detail of so large a number of officers is in view of the adoption of the universal military training provisions to be found in subsequent sections of the act. Otherwise, it could not be justified, because we shall have no such departments, army corps, and other organizations as are provided for in the bill. The bill further reads:

Provided further, That when the number of General Staff eligibles in the Army of the United States is not sufficient to fill the necessary details in the War Department General Staff and in the general staff with troops, selected officers of the permanent and reserve personnel in the aforesaid proportions may be detailed thereto as acting General Staff officers: *And provided further*, That reserve officers not generally qualified for enrollment in the eligible list herein established, but who since April 6, 1917, shall have efficiently performed special duties as members of a branch or division of the General Staff, or as assistants therein—.

Providing for all of them—

may be enrolled as reserve General Staff officers for assignment to duty in the General Staff for the performance of such kind of special duty.

I now reach a social provision of the bill:

Military attachés and assistant military attachés at American embassies and legations abroad shall be detailed from the officers of the permanent or reserve personnel in the grades from major to colonel, inclusive, in accordance with the provisions of this act. Whenever officers of suitable qualifications and of the rank herein prescribed are not available for such detail, the President is authorized, by and with the advice and consent of the Senate, to detail officers of lower rank, with temporary rank of colonel, lieutenant colonel, or major; and officers so detailed shall have the pay and allowances of such temporary rank during the duration of such detail: *Provided*, That the number of officers so detailed shall not exceed three at any embassy or two at any legation.

That provides some very nice foreign berths for a number of officers.

SEC. 25. Duties of the General Staff—

Remember, there are 550 of them, 101 or 120, whichever way the bill reads, being here in Washington—

The duties of the War Department General Staff shall be to prepare plans for national defense and the use of the military forces for that purpose, both separately and in conjunction with the naval forces, and for the mobilization of the manhood of the Nation and its material resources in an emergency; to investigate and report upon all questions affecting the efficiency of the Army of the United States, and its state of preparation for military operations; and to render professional aid and assistance to the Secretary of War and the Chief of Staff in the performance of their functions.

The duties of the General Staff with troops shall be to render professional aid and assistance to their commanding generals, and to act as their agents in coordinating the plans, duties, and operations of the various organizations and services under their command.

SEC. 26. Duties of the Chief of Staff: The Chief of Staff shall preside over the War Department General Staff and, under the direction of the President, or of the Secretary of War under the direction of the President, shall cause to be made, by the War Department General Staff, the necessary plans for recruiting, organizing, supplying, equipping, mobilizing, training, and demobilizing the Army of the United States and for the use of the military forces for national defense. He shall transmit to the Secretary of War the plans and recommendations prepared for that purpose by the War Department General Staff and advise him in regard thereto; upon the approval of such plans or recommendations by the Secretary of War, he shall act as the agent of the Secretary of War in carrying the same into effect, and shall supervise all parts of the Army of the United States in such manner as to secure harmonious action. Whenever any plan or recommendation involving legislation by Congress affecting national defense or the reorganization of the Army is presented by the Secretary of War to Congress, or to one of the committees of Congress, the same shall be accompanied, when not incompatible with the public interest, by a study prepared in the appropriate division of the War Department General Staff, including the comments and recommendations of said division for or against such plan, and such pertinent comments for or against the plan as may be made by the Secretary of War, the Chief of Staff, or individual officers of the division of the War Department General Staff in which the plan was prepared.

Mr. President, it will be seen from the reading of these provisions that one of the principal duties will be to organize and cause to function the great conscript army that we are going to raise by means of universal military training. By the way, while I am not going to discuss that question at this time, it was mentioned yesterday, and I think it is proper to say now that while the bill provides that American boys shall be inducted into the Army only for the purpose of training, nevertheless, precisely the same machinery that we used to force them into the Army during the war is to be used to put them in the Army, and they will not have to be again conscripted. They are simply held in the Army; they are required to appear at two subsequent periods during the five years for further training, and they can be called out at any time without any further act of Congress.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. WADSWORTH. I hope the Senator does not make that statement advisedly. These boys can not be called unless the Congress acts, which is exactly the opposite of what the Senator states.

Mr. McKELLAR. Well, they may be called when Congress declares war.

Mr. WADSWORTH. That is the act of Congress.

Mr. McKELLAR. We declared war here on April 6, 1917, and we passed the act of conscription on May 18—a separate act—and called the boys out. It will not be necessary to do that under this proposed act. They are conscripted when they are called for training; they are put into the Army of the United States. Do not let us make any mistake about it; we must understand just exactly what this bill means; and when Senators vote for the provisions of the bill they vote for the conscription of the young men of the country in times of peace.

Mr. President, the reason why I have taken the time to discuss the General Staff Corps is because I have introduced an amendment to strike out those three provisions of the bill. If we have universal military training it will be necessary to increase the General Staff; there is no doubt about that; but if we do not have universal military training it will be wholly unnecessary, in my judgment, to increase the General Staff; and surely there ought to be restrictions whether we increase it or not as to the number of men on the staff who are permitted to remain in Washington. I hope that when we come to vote on the bill we may vote on the universal military training proposition before we vote on the provisions regarding the General Staff; otherwise we can not vote intelligently, as it seems to me, on those sections of the bill.

The reading of the bill was resumed and continued to the end of line 1, on page 25.

Mr. WADSWORTH. Mr. President, on page 25, line 1, after the words "General Staff officers," I offer an amendment in the form of a further proviso.

Mr. McKELLAR. Mr. President, I do not object to the Senator offering the amendment, with the understanding that it is not to preclude us from offering amendments to strike out or otherwise to amend the bill.

Mr. WADSWORTH. Of course not.

The PRESIDING OFFICER. The amendment proposed by the Senator from New York will be stated.

The ASSISTANT SECRETARY. After the words "General Staff officers," on page 25, line 1, it is proposed to insert a colon and the following:

Provided further, That in order to insure intelligent cooperation between the General Staff and the several noncombatant services, officers of such services may be detailed as additional members of the General Staff Corps, under such special regulations as to eligibility and redetail as may be prescribed by the President; but not more than two officers from each such service shall be detailed as members of the War Department General Staff.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. WADSWORTH. There is one other amendment on line 9, of the same page, which I desire to offer. I move at that point to strike out the words "and assistant military attachés."

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. On page 25, line 9, after the word "attachés," it is proposed to strike out the words "and assistant military attachés," so as to read:

Military attachés at American embassies and legations abroad shall be detailed—

And so forth.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed and continued to the end of line 17, on page 27, the next section being section 27, relative to the Undersecretary of War.

Mr. McKELLAR. Mr. President, I wish to discuss the next section of the bill for just a moment. I am going to read the section, and I am perfectly willing that my reading of it may be taken as the reading by the Secretary, if it is so desired, in order to save time. I read as follows:

SEC. 27. The Undersecretary of War: There shall be in the Department of War the office of the Undersecretary of War. The Undersecretary of War shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary of $10,000 a year, payable monthly, and in the absence of the Secretary of War shall become Acting Secretary of War and shall exercise all of the powers and perform the duties of the Secretary of War. Under regulations approved by the Secretary of War he shall be charged with the direction of the procurement of all munitions, commodities, supplies, and equipment for the Department of War and the Army. He shall, under said regulations, exercise such supervision and direction of the financial and business activities of the Department of War as may be necessary in order to standardize procurement and to assure adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs. In the performance of the duties herein

assigned he shall exercise such supervision of the several bureaus, corps, and services and shall cause such distribution and redistribution of functions among them as may be prescribed by said regulations.

I call special attention to the last sentence:

In the performance of the duties herein assigned he shall exercise such supervision of the several bureaus, corps, and services and shall cause such distribution and redistribution of functions among them as may be prescribed by said regulations.

Two or three years ago in this body we had probably one of the greatest fights that ever occurred in this body over what was known as the Overman bill. The bill was violently fought. It was regarded by some Senators—some Senators who are now favoring this bill, as I understand—as an Executive usurpation of power, as the exercise of powers that were to be exercised only by the Congress. It was charged that it was the exercise of powers that only tyrants used. We remember the expressions that were used about the exercise of these powers. Our Republican friends, especially, fought with vigor the exercise of the power of distribution and redistribution of the functions of the various officers in the various departments. It was claimed that President Wilson was demanding autocratic power, because that bill gave him such a power; and yet in this bill our Republican friends propose, in so far as the War Department is concerned, to give the Undersecretary of War the same powers in that department that the President had exercised in war time.

Mr. President, the Overman bill could be defended only on the ground that we were in war; and here, in peace time, we are giving a new officer—unknown to the forms of our Constitution and laws up to this date, a copy of the English law and custom on this subject—these supposedly autocratic powers. Certainly they are powers that no Undersecretary of War ought to have.

Mr. FRELINGHUYSEN. Mr. President——

Mr. McKELLAR. I will yield to the Senator in just a minute. I might pause here long enough to say that I do not believe in divided authority in any department of the Government. If this bill is passed, the Secretary of War will be hardly more than a knot on a log. The Undersecretary of War will have the power under this bill, subject to some slight overcontrol, to redistribute the functions of the department, and it ought not to be granted to him.

I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. Mr. President, is there not this distinction: The Senator from Tennessee has cited the Overman Act. As I remember, the Overman Act gave the Chief Executive power practically to consolidate departments, to reorganize them, and to change their functions; but this bill simply provides that the Undersecretary of War shall "exercise such supervision * * * and shall cause such distribution and redistribution of functions" as may be necessary in relation to the mobilization of industries to provide munitions. It does not give him any powers to change the department; it does not give him any powers to consolidate them, and then only under regulations to be prescribed by the President or by the Secretary of War. They are limited. They are far different from the Overman Act. In fact, there is no parallel, in my opinion.

Mr. McKELLAR. I read from the bill itself, on page 28:

Under regulations approved by the Secretary of War—

He establishes the regulations now, and then he proceeds to act.

He shall be charged with the direction of the procurement of all munitions, commodities, supplies, and equipment for the Department of War and the Army. He shall, under said regulations, exercise such supervision and direction of the financial and business activities of the Department of War as may be necessary in order to standardize procurement and to assure adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs.

Now, here is where he gets the power:

In the performance of the duties herein assigned he shall exercise such supervision of the several bureaus, corps, and services——

All of them—

And shall cause—

He does not have to submit that to anybody—the Secretary of War or anybody else—

And shall cause such distribution and redistribution of functions among them—

That is, among all of the services and the corps and the departments—

As may be prescribed by said regulations.

Mr. WADSWORTH. Mr. President, are not "the said regulations" to be issued by the Secretary of War?

Mr. McKELLAR. I stated that in the beginning—that when the regulations are issued then the Undersecretary of War has absolute control of them.

Mr. WADSWORTH. The Secretary of War can change the regulations at any time.

Mr. McKELLAR. Where is the provision about that? As I remember the bill, in a subsequent part of it there is a council provided for, in which they vote.

Mr. WADSWORTH. There is nothing provided about a vote at all.

Mr. McKELLAR. The three are to have certain powers.

Mr. WADSWORTH. There is nothing about voting at all.

Mr. McKELLAR. Well, I will read it, and let us see about it.

There shall be in the office of the Undersecretary of War not more than three assistants, to be appointed by the Secretary of War from civil life or detailed from among the commissioned officers of the Army.

Right there I will pause long enough to say that we are putting the civilian part of the War Department into the hands of Army officers here. We are permitting it to be done. From time immemorial it has been the habit—not uniformly, but almost uniformly—to have the Secretary of War and his assistants appointed from civilian life.

Mr. WADSWORTH. Mr. President, are not these appointments from civil life?

Mr. McKELLAR. They can be, or they can be from military life. It says here:

Three assistants, to be appointed by the Secretary of War from civil life or detailed from among the commissioned officers of the Army.

Mr. WADSWORTH. Mr. President, does not the Senator know that under the Assistant Secretary of War to-day officers of the Army are detailed? Is there any change in principle involved in this?

Mr. McKELLAR. I do not know. Is not the Assistant Secretary of War an Army officer now?

Mr. WADSWORTH. Not at all. The Assistant Secretary of War is a civilian, and under him are detailed Army officers, just as this provides.

Mr. McKELLAR. Well, it is a new provision in the law. It is not in the law now. It has some meaning, and it can have but one, and that is to militarize the War Department.

I read:

If appointed from civil life, they shall receive a salary equivalent to the pay and allowances of a brigadier general of the Army. There shall also be in the office of the Undersecretary of War a chief clerk, who shall receive a salary of $4,000 per year, and who shall perform such duties as the Undersecretary of War may prescribe. There shall be detailed to the office of the Undersecretary of War from the corps and services engaged in procurement such number of officers and civilian employees as may be authorized by regulations approved by the Secretary of War.

In that connection I want to read from a subsequent provision of this bill, if I may, for just a moment. [A pause.] I shall have to add that later on. I do not find it here.

Mr. FRELINGHUYSEN. Mr. President, will the Senator suffer an interruption?

The PRESIDING OFFICER (Mr. PHIPPS in the chair). Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. I yield.

Mr. FRELINGHUYSEN. May I understand the nature of the Senator's criticism? Do I understand that he objects to these powers being conferred upon an Undersecretary or a Secretary of the War Department upon the ground that they are too broad and too extensive?

Mr. McKELLAR. I object to this provision because it establishes a new office wholly without reason for it. We have had a Secretary of War and an Assistant Secretary of War throughout our history. To undertake now to create an officer virtually on an equal footing with the Secretary of War, called an Undersecretary of War, and give him these vast powers over industry as it comes in contact with the Army, is something that I see no reason for. I do not understand why it should be in this bill. I see no reason for it, and I do not believe that the War Department ought to be made a committee.

I read now the war council provision.

Mr. FRELINGHUYSEN. Mr. President, will the Senator permit me to answer that statement?

Mr. McKELLAR. Of course, I will.

Mr. FRELINGHUYSEN. Of course, in the preparation of this bill, which has taken practically a year, in an effort to reorganize our Army for national defense in order that we might learn the lessons to be derived from this war certain provisions have been inserted in the bill which are based upon the experience of the past.

Mr. McKELLAR. The provision for an undersecretary of war is not based on the experience of the past.

Mr. FRELINGHUYSEN. Yes; I will show the Senator, if he will bear with me, why that provision is in the bill. The Military Affairs Committee have had in mind, in the preparation of this bill, a reorganization of the Army in such a manner that we will never again be caught in the plight that we were caught in when we declared war against Germany; that we will not

only have a skeleton standing Army, capable of expansion, but that we will have a preparation in those things which we had lost sight of prior to this war, namely, the mobilization of industry in peace times for war.

It was found, as the Senator will admit, that the Assistant Secretary of War, Mr. Crowell, practically had to take over the mobilization of the industries of the country which were manufacturing munitions of war, and it was necessary that he should have broad powers and authority during the war, which were conferred upon him from time to time by designation of the Secretary of War. Now, the committee have had in mind that the Undersecretary of War should be an official who would mobilize these industries, who would keep statistics as to the facilities, as to the necessities of the Army, as to the necessities of preparation, and therefore it was felt that an Undersecretary of War with these powers would be a necessary provision and a very advantageous provision and a wise provision for future preparedness, should we have to meet the emergency that we had to meet at the beginning of this war.

Mr. McKELLAR. Mr. President, will the Senator yield for a question?

Mr. FRELINGHUYSEN. I am interrogating the Senator. He has the floor.

Mr. McKELLAR. The Senator has made a good speech, and I just want to ask him a question. The Senator admits, I suppose, that Mr. Crowell had authority during the war to mobilize the industries and to otherwise conduct his portion of the department to the best interests of the country?

Mr. FRELINGHUYSEN. Yes.

Mr. McKELLAR. The Senator will also admit that Mr. Crowell as Assistant Secretary has made a good record, I suppose?

Mr. FRELINGHUYSEN. Yes.

Mr. McKELLAR. Then why make a change, and give the power to some one else? Why give it to another officer?

Mr. FRELINGHUYSEN. I will answer the Senator. Because in peace times the function of the Assistant Secretary of War is not to mobilize these industries. He has no such power or authority, and in our effort to have a proper bill we thought that possibly an officer with these powers should be provided for in this bill. I think it is highly advisable.

Mr. McKELLAR. Mr. President, the argument of the Senator confirms the objection that I have to this provision of the bill. Why is it necessary, in times of peace, to confer these remarkable powers over the industries of the country, and put the powers in the hands of an Undersecretary of War? We did not do that in war times. In the bill that was passed giving power for Mr. Crowell to act, we gave it to the President of the United States; we did not even give it to the Secretary of War. But here in this bill, in time of peace, it is proposed to give the officer who is graded under the act as Undersecretary of War powers just as vast over the industries of the country as those given to the President during times of war. It is wrong in principle. It is impossible in policy, in my judgment.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from New York?

Mr. McKELLAR. I yield.

Mr. WADSWORTH. The Senator is very courteous in yielding to me. He has just made an astounding statement. Will he point out in the bill where the powers over the industries of the United States are given to the Undersecretary of War?

Mr. McKELLAR. I read again from section 27:

> Under regulations approved by the Secretary of War he shall be charged with the direction of the procurement of all munitions, commodities, supplies, and equipment for the Department of War and the Army. He shall, under said regulations, exercise such supervision and direction of the financial and business activities of the Department of War as may be necessary in order to standardize procurement and to assure adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs.

He is instructed to so control such industries of our country in time of peace as that they may be used in time of war.

Mr. WADSWORTH. Mr. President, I am astounded to hear the Senator put that meaning on that language. There is nothing of the sort there. If the Senator will read it again, he will find that he has under his direction such "financial and business activities of the Department of War as may be necessary in order to standardize procurement" of the things which the War Department buys. He has no control over industries at all.

Mr. McKELLAR. The Senator just left off the last part of the sentence, "and to assure adequate provision for the mobilization of the matériel and industrial organizations essential to war-time needs." Why is he given power over these war-time organizations, and why does he procure the matériel or produce the matériel through the industrial organizations, if it is not intended to do something with it? That language has some meaning. In my judgment, it has a most powerful meaning, a meaning that is not helpful to the industries of the country.

Mr. WADSWORTH. All the Undersecretary of War can do is to make plans for the procurement of matériel needed in time of war. He has no control over the factories of the United States in time of peace. Any such construction is utterly outside of the text. In connection with the Senator's question of the Senator from New Jersey [Mr. FRELINGHUYSEN] as to why we should change the position of Mr. Crowell, as now constituted in the Department of War, it may interest the Senator to know that Mr. Crowell is the principal author of this section.

Mr. McKELLAR. If that is the case, I doubt the wisdom of giving the gentleman who proposes to be the Undersecretary in peace times the control of these organizations. I regret to know that Mr. Crowell is undertaking to create an office for himself. I do not think Congress ought to be guided by Mr. Crowell's advice, although I think Mr. Crowell has made an excellent officer under the law as it is.

Mr. FRELINGHUYSEN. Mr. President, I am very much afraid the Senator has not read the testimony of Mr. Crowell in this regard.

Mr. McKELLAR. I have not; but I would like to hear it.

Mr. FRELINGHUYSEN. I know Mr. Crowell is not trying to create an office for himself. Mr. Crowell has personally stated to me that he has been very anxious to get back to civilian life. He has simply stayed in the department in an effort to liquidate present contracts, and settle the intricate problems of the War Department that have been created by the war.

On page 1760, volume 2, of the hearings before the Committee on Military Affairs of the Senate, Mr. Crowell advocates the creation of the office of Undersecretary of War. In his testimony he said:

> I am to-day presenting to you two more charts. The first shows the War Department organization as it exists to-day, and the second shows this organization as it should be when fully completed.
>
> With the large group of men, such as the War Department has called upon to carry a greatly increased load, any change of organization must be accomplished slowly, and this is the reason that the reorganization work was done gradually, and I believe it could not have been otherwise accomplished.
>
> Proceeding now to the permanent organization of the War Department, I believe that in a general way certain broad principles should be followed. First of all, we should profit by the experience of the war we have just gone through and should permanently maintain such departments as were found necessary during that war. In other words, we should organize the War Department so that it will function in time of war. I therefore believe that it is necessary to maintain during time of peace such departments as are necessary in time of war, even if their personnel is cut down to a handful of officers. To merge these necessary departments into other departments in time of peace is, in my opinion, an error.
>
> All the functions of the War Department can be divided into two main groups, the military function and the munition and supply function. At the head of the War Department stands the Secretary of War, and he should naturally have two chief advisers. The head of the Military Establishment should advise the Secretary of War on all military matters, and the head of the munitions department should advise the Secretary of War on all matters relating to munitions and the supply of the Army.
>
> All orders of the Secretary of War relating to military matters should be handed down from the Secretary of War, through the head of the Military Establishment, to the proper departments. All orders of the Secretary of War relating to munitions should be handed down, through the Chief of Munitions, to the proper departments. The head of the Military Establishment would, therefore, have charge of all military matters, such as the training of troops, the operation of troops, etc. He should have no authority whatever over industrial matters. The Chief of Munitions, on the other hand, should, with his staff, have charge of all matters relating to the munitioning of the Army but should have no voice in military matters.
>
> When munitions must be provided in the quantities necessary for a major war, the questions of procurement and production become of tremendous importance. It is not too much to say that the industrial stability of the Nation depends upon the ability and skill with which the problems of procurement and production are handled. It is believed that the ability, experience, and skill for this kind of work can be found only among the industrial leaders who have spent their lifetime in the study and solution of industrial problems. The organization of the War Department should, therefore, be such that the services of men of this type may be immediately availed of.
>
> The actual reorganization of the War Department to meet these general principles is very simple; in fact, requires very little change from the organization which we found when we entered the war. The Director of Munitions should, of course, be a civilian, since it is very rare that an officer of the Army is temperamentally fitted to head a huge supply organization. The military mind and the industrial mind are entirely different. Since he must be a close adviser of the Secretary of War and have large authority, he should fill the position of Assistant Secretary of War. The duties of the Assistant Secretary previous to 1918 could profitably be handed over to other officials.
>
> Under the Director of Munitions in this connections would be grouped all problems of purchase and procurement, of storage and transportation. To the corps and bureaus of the War Department as they now exist would fall the duty and function of the problems for which they were severally created. However, in order that bureau competition should be eliminated in the matter of purchases, storage, etc., the Director of Munitions should be vested by law with authority to standardize procurement and distribute and redistribute the function of purchase as applied to specific articles, especially where they are common to the operation of two or more bureaus, as best experience would dictate. With this strong supervisory power in the Director of Munitions I believe will be found the solution of the much-criticized condition of purchases in the War Department prior to the operation of the Overman Act.

Mr. POMERENE. Mr. President, I have been trying to learn something about this bill. I am not a member of the committee, and I may ask some questions which perhaps are primary in character. In view of the testimony of Mr. Crowell to which the Senator from New Jersey has referred, I desire to ask this question: Am I to understand, from what has been said, that under this bill the Undersecretary is independent of or is a subordinate to the Secretary of War?

Mr. FRELINGHUYSEN. He is subordinate, because he is acting under regulations prescribed by the Secretary of War, or the President through the Secretary of War.

In conclusion, I simply submit to the Senator from Tennessee the testimony of Mr. Crowell, showing the reasons for the recommendation which he made, that a Director of Munitions named Undersecretary should be provided in order that we might gain from the experience of this war the knowledge that it is necessary in time of peace to have in order to prepare for war, so as to have the industries of the country under a separate head from the military authority. That is the reason why we believed that it was wise and advisable, in the reorganization of the Army, to provide that an Undersecretary of War, or Director of Munitions, should be provided for in this act. I hope the Senator will read all of the testimony, and if so he will find other reasons in addition to those which I have cited, and they will, I think, convince him.

Mr. McKELLAR. I am much obliged to the Senator from New Jersey for his contribution to the subject by offering the testimony of Mr. Crowell. I want to say for Mr. Crowell that I think he has made a most excellent officer in this war. I have no criticism to make of him so far as carrying out the duties of the office which he held is concerned. I take great pleasure in testifying to the high character and ability of Mr. Crowell. I have no criticism of any kind to make of him. He has made a good officer.

But that is not the question here, and I regret that Mr. Crowell has recommended a bill or a provision of a bill that would give to an Undersecretary of War war powers that a great many people doubted whether they ought to be conferred even on the President of the United States at a time when this country was at war with a powerful enemy. Great criticism was made of many Members of the Senate who voted for that legislation. Here it is in peace time when our Republican friends have reported out a bill that will give these extraordinary powers to an Undersecretary of War.

In answer to a question from the Senator from Ohio [Mr. POMERENE] the Senator from New Jersey said that the Undersecretary of War was subject to the Secretary of War. That is correct in a way, but a reading of the two provisions of the bill, sections 27 and 28, indicates very strongly that the Undersecretary of War is given a most important part of the duties of the Secretary of War. I read from section 28.

SEC. 28. The War Council: The Secretary of War, the Undersecretary of War—

And there is a proposed amendment to include "the General of the Army," who was not included in the original bill—

and the Chief of Staff shall constitute the war council of the Department of War, which council shall from time to time meet and consider policies affecting both the military and munitions problems of the Department of War.

I stop long enough to say that apparently it was the purpose of the person who drafted the bill to confer large powers as to industrial matters upon the Undersecretary of War and then give to the Chief of Staff a rather deciding vote when it came to a conference.

I read further:

Questions of policy affecting both the military and munitions problems of the Department of War shall be presented to the Secretary of War in the war council, and the decision of the Secretary of War with reference to such questions of policy, after consideration of the several recommendations thereon by the Undersecretary of War and the Chief of Staff, shall constitute the policy of the War Department with reference thereto.

Now, the Senator from New York says that is not a vote. Well, it looks to me like it is. The Undersecretary and the Secretary differ, or the Chief of Staff or the General of the Army and the Undersecretary differ, and the Secretary of War passes on it.

Mr. FRELINGHUYSEN. Will the Senator suffer an interruption?

Mr. McKELLAR. Oh, certainly.

Mr. FRELINGHUYSEN. I should like to ask the Senator what his criticism is of that provision?

Mr. McKELLAR. This is my criticism: I would not be Secretary of War under any circumstances with this provision giving to the Chief of Staff and the General of the Army and the Undersecretary of War a portion of my duties. If it is a good policy for the War Department, why is it not a good policy for the State Department or the Treasury Department? Why not divide into independent departments the Treasury Department, for instance? Would that make for efficiency or inefficiency of government? The Secretary of War can not pass on a matter either in regard to munitions or military matters, according to the terms of the bill, until he has a conference with the Undersecretary of War, the General of the Army, and the Chief of Staff and receives recommendations from them, and then when they pass the question up to him he decides upon their differences. The Secretary of War ought to have the right to control his own department, and these men ought to be subject to him and under his control.

Mr. FRELINGHUYSEN. They are.

Mr. McKELLAR. The bill does not so provide.

Mr. FRELINGHUYSEN. Yes, it does, under regulations.

Mr. McKELLAR. I do not read it that way.

Mr. FRELINGHUYSEN. Let me ask the Senator what objection there is to a council? Is not a council a wise provision, particularly when it is necessary for them all to cooperate, to ascertain what is necessary to fight a war or what is necessary to provide, we will say, for the defense of the border in peace times, because we have had to defend the border under this administration in peace times. Is it not wise to have the cooperation of all of these officers?

We fought against red tape during the war and we tried to break it down. The Overman Act was one of the results of the protest of the Military Affairs Committee. Now the Senator wants to go back to that old disorganized system. What the Committee on Military Affairs have attempted to do is to organize it properly. I do not think very much of the criticism of the Senator from Tennessee when he objects to a policy of council. Did the Senator vote for the Overman Act?

Mr. McKELLAR. Oh, I did, absolutely.

Mr. FRELINGHUYSEN. Does the Senator believe it did any good?

Mr. McKELLAR. It did some good, but nothing like the amount of good that was claimed for it.

Mr. FRELINGHUYSEN. I was opposed to it, but I believe that it did great good.

Mr. McKELLAR. We had to have something of the kind during the war, but that is a very different proposition from what is contained here. By this provision of the bill we divide the War Department into at least two parts, the one to be controlled by the Secretary of War and the other to be controlled by the Undersecretary of War.

Mr. FRELINGHUYSEN. That is not so.

Mr. McKELLAR. The Senator says it is not so. That is his opinion. The Senator does not want to be offensive in the matter at all.

Mr. FRELINGHUYSEN. Not at all.

Mr. McKELLAR. He ought not to use that kind of language.

Mr. FRELINGHUYSEN. I will show to the Senator why it is not so. While there is a divided authority over two policies, one the policy of the purchase of munitions and the other the military policy, nevertheless they are all subject to the control of the one head under regulations by the Secretary of War. That is why I say it is not true that there is a divided authority.

Mr. McKELLAR. The regulations are not made by the Secretary of War. They are simply approved by the Secretary of War under the Senator's bill.

Mr. FRELINGHUYSEN. They are made by the President.

Mr. McKELLAR. They are not made by the President. They are made by the officers that the Senator's bill is going to coordinate and put in the office of the Secretary of War. Let us read from a man who certainly knows about it, and it does not make any difference whether his name is disclosed or not. There is one thing about the man who wrote the article in the Army and Navy Register—he understands this bill:

This section is one of the most dangerous and objectionable features of the entire bill. Its principal purpose is exactly what was sought by the War Department to accomplish in Senate bill 2715. That purpose was, and still is, to establish as permanent law some of the worst features of the Overman Act. The enactment of this section 27 in its present form would fully accomplish that purpose. It would create that despotic, unrestricted control over powers, duties, and functions, lawfully and properly pertaining to the great staff corps and departments, that it was vainly sought to create by means of the universally condemned Senate bill 2715.

There appears to be no objection to that first part of the section, which provides for an Undersecretary of War (why adopt this British title instead of our own title of Assistant Secretary of War?)——

Mr. FRELINGHUYSEN. I wish to state to the Senator that that is not a British title, but is already employed at the present time here. There is an Undersecretary of State named in the statute.

Mr. McKELLAR. We copied that from England. I am not much of a copier after England or any other nation. I think that the less copying and the more Americanism we put in our laws the better it is for our country.

For my part, I see no reason in it. I say I see no reason in it, but there is reason in it. It is the purpose to divide the functions and duties of the War Department and put them under two men instead of one, which does not make for efficiency.

I continue to read:

There appears to be no objection to that first part of the section, which provides for an Undersecretary of War (why adopt this British title instead of our own title of Assistant Secretary of War?) who shall have "direction of the procurement of all munitions, commodities, supplies, and equipment of the Department of War and the Army," and who "shall exercise such supervision and direction of the financial and business activities of the Department of War as may be necessary in order to standardize procurement and to assure adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs."

I am going to stop long enough to say that the war regulations as to the business of the country and as to the industries of the country ought to be removed. There are complaints coming from every part of the country, protesting against the keeping of these war-time restrictions on the statute books. They ought to be removed and business ought to have a free hand. Instead of that, however, an Undersecretary of War, under the provisions of this bill, is to have his hand on the industries of the country in so far as they affect his department and the materials used in the industries that may be necessary. It is an improper restriction on the business of the country. It will lead to favoritism and it ought not to be adopted. He continues:

But the most dangerous, unnecessary, and therefore objectionable proposal is embodied in the last sentence of the first paragraph of the section; it is this——

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield further to the Senator from New Jersey?

Mr. McKELLAR. Oh, surely.

Mr. FRELINGHUYSEN. Will the Senator point out wherein the Undersecretary of War, by the power conferred upon him in this bill, is given any power to interfere with any of the business interests of the country?

Mr. McKELLAR. I have read the section two or three times.

Mr. FRELINGHUYSEN. I know; but it gives him no authority or power over the business interests of the country.

Mr. McKELLAR. Listen to this. The Senator can understand what language means:

He shall, under said regulations—

I do not know who adopts those regulations under the bill. The Senator spoke of them a while ago. It does not say, and I do not know who adopts them, but they are adopted. Let us suppose they are adopted out of the clouds.

Mr. WADSWORTH. The Senator says he does not know who adopts them. If the Senator does not know, perhaps I can——

Mr. McKELLAR. They are approved by the Secretary of War, but who adopts them or who creates them under the provisions of the bill?

Mr. WADSWORTH. I suppose the Senator imagines that they may come out of the air?

Mr. McKELLAR. I was just wondering if they do.

Mr. WADSWORTH. Of course, they are made by the Secretary of War.

Mr. McKELLAR. Then why say "regulations approved by the Secretary of War"? If they had been regulations created by the Secretary of War and prescribed by the Secretary of War, that is all right, but it does not say that. The approval of the Secretary of War is of something that has already been created. For instance, when we approve a treaty that has been created by the President, we approve the treaty; we do not create it.

Mr. WADSWORTH. But we did not approve it!

Mr. McKELLAR. We are not referring to the League of Nations or the treaty of peace yet. We are referring to a great many other treaties that have been approved by the Senate. Every Senate has not been a recalcitrant Republican Senate that declines to approve. There are some Senates, and even some Republican Senates, that have approved treaties.

Mr. FRELINGHUYSEN. The Senator himself voted against the approval of the treaty of peace.

Mr. McKELLAR. No; I voted against its nullification, not against its approval.

Mr. FRELINGHUYSEN. The Senator voted against it, did he not?

Mr. McKELLAR. I voted against the nullification of the treaty by the Republicans of the Senate.

Mr. FRELINGHUYSEN. The Senator voted against its ratification, did he not?

Mr. McKELLAR. I voted against its nullification, as the Senator well knows.

The Senator asks for a specific statement, and I read for the third or fourth time:

He—

Meaning the Undersecretary of War—

shall, under said regulations, exercise such supervision and direction of the financial and business activities of the Department of War as may be necessary in order to standardize procurement and to assure adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs.

If the Secretary is given power to mobilize matériel and to mobilize industrial organizations, he has considerable power under the terms of this bill.

Mr. FRELINGHUYSEN. They have to buy, do they not?

Mr. McKELLAR. Of course, but when an officer of the Government has to buy what he needs to carry out the purposes of the Government, it does not mean that that officer ought to have power to mobilize the matériels and the industries, too.

Mr. FRELINGHUYSEN. What does the Senator understand by mobilizing the matériel?

Mr. McKELLAR. I imagine if it was boiled down the Senator and I would not disagree about it.

Mr. FRELINGHUYSEN. I do not think we would. My reading of the bill is that it authorizes the Undersecretary of War to arrange contracts, to provide for purchases, to ascertain the facilities for munitions and other supplies necessary for the War Department, but that it does not in any way give him authority over any of the business interests of the country or any of the manufacturing interests of the country. The Senator himself is lawyer enough to know that that section does not provide for that.

Mr. McKELLAR. Mr. President, I thank the Senator for the compliment of being lawyer enough to know that, but I doubt if I am lawyer enough to know his construction is correct.

Mr. FRELINGHUYSEN. Possibly I am mistaken in paying the compliment.

Mr. McKELLAR. I think the Senator passed too great a compliment. I now read:

In the performance of the duties herein assigned he (the Undersecretary of War) shall exercise such supervision of the several bureaus, corps, and services and shall cause such distribution and redistribution of functions among them as may be prescribed by said regulations.

There can be no objection to the supervision proposed in this section. The exercise of such supervision is both necessary and desirable. The dangerous, unnecessary, and therefore objectionable feature is to be found in the 10 words "shall cause such distribution and redistribution of functions among them." It is seldom if ever that 10 short words express greater potentialities for evil than those 10 words do.

The enactment of any such legislation as this would permanently make it possible to do all that the Overman Act has temporarily made possible in the way of endless transferring and retransferring of "functions," which, of course, include powers and duties, throughout most of the bureaus of the War Department and the staff corps and departments of the Army.

The Senator knows that the departments and divisions have been transferred and retransferred, and some of the employees of the Government have been busier being transferred or retransferred under the provisions of the Overman Act since the war ended than they ever have been busy at work.

Surely no such power as that, fraught as it is with such possibilities of harm, should ever, in time of peace, be placed in the hands of any one man or of any group of men.

And there is not the slightest necessity for any such legislation as that in question. The broad powers of supervision and direction, which mean full control and which are proposed to be conferred upon the Undersecretary of War by the unobjectionable first part of section 27, are ample to secure good administration, coordination of action, economy, and efficiency throughout the organization subject to such supervision and direction. If experience under this system should demonstrate the necessity or even the desirability of transferring any functions, including powers and duties, from one bureau, corps, or department to another, the result of that experience could and should be communicated to Congress with the request for appropriate legislation; but no such transfer by arbitrary executive action should ever be made possible, at least in time of peace.

The last sentence of the first paragraph of section 27 should be stricken out entirely.

The last paragraph of section 27 is open to two serious objections. The first of these lies against the first sentence of the paragraph, by which it is proposed to empower the Secretary of War to appoint three assistants from civil life, who shall have salaries equivalent to the pay and allowances of a brigadier general of the Army, or, as an alternative, to obtain these assistants by detail from among commissioned officers of the Army.

The proposed civilian assistants are to be important, permanent, and highly paid officials of the War Department. No such officials should ever be appointed by any executive officer alone. They should only be appointed by the President by and with the advice and consent of the Senate.

Mr. FRELINGHUYSEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. I will yield in just a moment. Let me be certain whether or not there has been an amendment to that effect, for I wish to call the attention of the Senate to this provision.

Mr. FRELINGHUYSEN. Will the Senator state from what authority he is reading?

Mr. McKELLAR. I have stated a number of times that I am reading from an article which appeared in the Army and Navy Register, presumably written by an Army officer, though it does not say so.

Mr. FRELINGHUYSEN. Does the Senator know the author?

Mr. McKELLAR. No; I do not. I have asked the name both by telephone and in person; I have tried to find out the name of the officer, because he certainly understands this bill, and having a respect for his views I undertook to get his name.

Mr. FRELINGHUYSEN. The Senator means a respect for "the views," because if he does not know the name of the officer he can not have a respect for "his views."

Mr. McKELLAR. Not for his views, but for the views which he expresses.

Mr. FRELINGHUYSEN. I hope the Senator from Tennessee will continue his search and ascertain the character and reputation of this officer who criticizes a bill of this character and yet withholds his name.

Mr. McKELLAR. I have not withheld his name; I do not know his name. I hope the Senator from New Jersey will ascertain it.

Mr. FRELINGHUYSEN. He withholds it if the Army and Navy Register refuses to give it.

Mr. McKELLAR. The Army and Navy Register is one of the most reputable publications of the kind in the country. It is absolutely responsible when it publishes a statement; it is as responsible as an officer who could possibly sign the article. Surely the Senator will not doubt the reponsibility of a paper of this sort.

Mr. FRELINGHUYSEN. But I understood that they withheld the name of the author of this article.

Mr. McKELLAR. I never so understood; but I did not get the name.

Mr. FRELINGHUYSEN. Oh, the Senator has not asked for the authorship?

Mr. McKELLAR. I did ask them for the name of the author and I have stated that it was denied me. It may not be denied the Senator from New Jersey. I will read from the bill in connection with what I have just read.

Mr. FRELINGHUYSEN. May I make an additional observation?

Mr. McKELLAR. Certainly.

Mr. FRELINGHUYSEN. I think when an Army officer openly criticizes a bill of this character he ought to sign his name to the criticism.

Mr. McKELLAR. I am quoting the Army and Navy Register just as I would have quoted the article if it had not been written by an officer. I now read from the bill:

Provided, That the offices of the Assistant Secretary of War, Second Assistant Secretary of War, and Third Assistant Secretary of War, as provided for in existing law, are hereby abolished.

Then, later on, other assistants are provided for.

There is another brief portion of this article which I desire to read and put into the RECORD:

The proposed civilian assistants are to be important, permanent, and highly paid officials of the War Department. No such officials should ever be appointed by any executive officer alone. They should only be appointed by the President by and with the advice and consent of the Senate.

I think it would be better if all officers of this kind, and, indeed, practically all officers of the Government, were appointed by and with the advice and consent of the Senate. I do not believe the Executive should exercise the duty and the right of appointment without the advice and consent of the Senate. It is a valuable restriction that ought to be upheld by the Senate, and we ought not to be legislating to the contrary.

No Army officers should ever be detailed to fill any of these three offices. The office of the Secretary of War, which of course includes the office establishments of all of his assistants, is a purely civilian establishment, and it should be kept so. It should remain beyond the reach of Army influence, jealousies, and intrigues. It can not remain so if Army officers hold high and influential positions in it and are thus in position to do substantial favors for their military friends and equally substantial disfavors for their enemies. Whether they should actually do these things or not, and being human they would certainly do them if they could, they would be suspected throughout the Army of doing them and would be subject to constant importunities to do them, all this to the manifest injury of the military service.

Moreover, these three offices, if created, would be civil offices, and section 1222, Revised Statutes, provides that every officer of the Army on the active list "who accepts or exercises the functions of a civil office shall thereby cease to be an officer of the Army, and his commission shall be thereby vacated."

The second objection lies against the last sentence of section 27. This section proposes to require the detail of an indefinite number of officers and civilian employees from "bureaus and services" to the office of the Undersecretary of War. This proposal reveals plainly the scheme behind the apparently innocent provisions of this section.

I wish to read that provision. Listen to this:

There shall be detailed to the office of the Undersecretary of War from the corps and services engaged in procurement such number of officers and civilian employees as may be authorized by regulations approved by the Secretary of War.

That provides another means of building up the great machine that has to do with the industries and the matériel of the country; it ought not to be countenanced.

Mr. President, these are the objections which I have to the establishment of the office of Undersecretary of War and to the war council. These provisions of the bill ought to be stricken out; they are un-American; they are subversive of our uniform policy in the past. They propose to give war powers not to the President of the United States in time of war, but to an Undersecretary in time of peace. Such powers ought not to be granted, and I hope the Senate when it votes on the question will strike the provision out.

The PRESIDING OFFICER. The Secretary will resume the reading of the bill.

The reading of the bill was resumed, and the Secretary proceeded to read section 27.

Mr. WADSWORTH. I ask unanimous consent, as that section has been read two or three times, that the Secretary be not required to read it again.

The PRESIDING OFFICER. Without objection, it is so ordered.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, in section 28, page 29, line 5, after the words "Undersecretary of War," to insert the words "the General of the Army."

Mr. McKELLAR. With the same understanding had as to other amendments, I shall not now object to the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. WADSWORTH. I do not quite understand the understanding referred to by the Senator from Tennessee.

Mr. McKELLAR. As I understand the rule, there is some doubt about whether we would have the right to amend that section further if the committee amendment is agreed to without objection, and the section as amended is adopted. As I understand, the Senator is willing that——

Mr. WADSWORTH. There is no rule that prohibits the Senate from amending this section further in the event this little amendment is adopted.

The PRESIDING OFFICER. The Chair is so informed.

Mr. McKELLAR. I am not an expert on the rules, but the Senator from Wisconsin [Mr. LENROOT] made a statement a while ago that raised a doubt in my mind, and he is well informed as to the rules.

Mr. WADSWORTH. No; the Senator from Wisconsin suggested the difficulty of amending an amendment which had been adopted.

Mr. McKELLAR. That is exactly the point that is raised here.

Mr. WADSWORTH. Does the Senator from Tennessee contemplate amending this amendment? The amendment merely inserts "the General of the Army." If that can be amended so as to make it mean anything different, I should be glad to know how it can be done.

Mr. McKELLAR. What is intended by "the General of the Army"? There is but one General of the Army now, but there may be other generals. I think bills have been introduced to make other officers generals of the Army.

Mr. WADSWORTH. The Senator had better read this bill. This bill provides that the permanent personnal of the Army of the United States shall consist of "the General of the Army during the tenure of office of the present incumbent," and so forth. That means, in other words, Gen. John J. Pershing.

Mr. McKELLAR. I have no objection to Gen. Pershing being made part of the war council, if it is agreeable to him.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 30, line 3, after the words "said detail" to strike out "The" and insert "the," so as to read:

Provided further, That the Bureau of Insular Affairs as provided for in existing law is hereby abolished and the duties heretofore performed in said Bureau of Insular Affairs are hereby transferred to the office of the Undersecretary of War established under provisions of this act. Until the expiration of his detail as such, the present incumbent of the office of the Chief of the Bureau of Insular Affairs shall retain the rank heretofore prescribed by law and upon the expiration of said detail, the President may, by and with the advice and consent of the Senate, ap-

point said officer to be an officer of the grade that he would have held and to occupy the relative position that he would have occupied if he had not been appointed as Chief of the Bureau of Insular Affairs.

The amendment was agreed to.

The reading of the bill was resumed, and the Assistant Secretary read to line 15 on page 32, the last section read being as follows:

SEC. 31. The Judge Advocate General's Service.—The Judge Advocate General's Department established under existing law and regulations shall hereafter be designated the "Judge Advocate General's Service." Such duty or duties as are now required by law to be performed by any officer or officers of the Judge Advocate General's Department, except when otherwise provided for in this act, shall hereafter be performed by such officer or officers of the Judge Advocate General's Service as the Secretary of War may designate for the purpose. The permanent personnel of the Judge Advocate General's Service shall consist of 1 Judge Advocate General, with the rank of major general, and 80 officers, in grades from major to colonel, inclusive, and 100 enlisted men, in their appropriate grades, all of whom shall be detailed or assigned from the permanent personnel as provided for in this act. The reserve personnel shall consist of all reserve officers and reservists assigned to the Judge Advocate General's Service as provided for in this act.

Mr. WADSWORTH. Mr. President, as many Senators I am sure understand, an amendment is necessary to the Judge Advocate General's Service section. The amendment in which members of the committee have been interested is not yet completed; so I desire to give notice that at a later time during the discussion of this bill, possibly to-morrow or next day, an amendment will be offered to the Judge Advocate General's Service section, No. 31.

Mr. POMERENE. Mr. President, would the chairman of the committee object to stating along what line he will propose the amendment?

Mr. WADSWORTH. I will do so in a word.

The Judge Advocate General's Service of the Regular Army finds itself in a very peculiar position in connection with the general features of this bill. The Senator from Ohio will recollect that this bill puts all the officers of the Army, with the exception of Medical Service officers and chaplains, upon a single list for promotion, using as a principle, wherever it can be used without doing undue violence to present conditions, that the officers shall be placed upon the list in accordance with their length of service, or as nearly so as practicable. That has a peculiar result in the Judge Advocate General's Department. It will result in somersaulting three or four officers over the heads of their present seniors, and in such a way as to disorganize the department to a considerable degree. The Judge Advocate General's Department is peculiar in this respect, that its personnel has been a permanent personnel since 1903. Most of the officers who have served there have served for a considerable length of time, and have had their promotion from time to time under the old system. Then, in addition to that, the Judge Advocate General's Department has an exceedingly heavy burden of work at this time in settling the great legal questions which confront the Army, as it is absolutely necessary for that department to have a very high class of lawyers working with it and in it. The men of the regular service who are there are men of long experience, but they can not possibly do this work alone. In fact, probably half of the personnel will have to be brought in from civil life; and to get the kind of men they want, men who are well grounded in the law and of mature experience in the law, they must get men of comparatively middle age; and in order to get them, they must give them sufficient rank in order to tempt them to come from civil life. The result is that I think we shall have to give what might be termed special treatment to the Judge Advocate General's Service in that regard, for if we do not it will be impossible for the service to carry the tremendous burden that rests upon it to-day.

I may say to the Senator from Ohio that the Judge Advocate General's Department to-day does more legal work than the legal departments of 39 States, and I venture the assertion also that it does more legal work to-day than the Department of Justice of the United States Government.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. WADSWORTH. I do.

Mr. POMERENE. I think this is a very important part of the Army. I think I realize to the full the necessity of having it properly organized, and above everything else the necessity of having the right kind of men in it, and there are some very able men in that department; but I was prompted to ask the question on that point because I was furnished some time ago with a copy of a proposed amendment in which it was provided that all of the staff should be chosen from the men in that department now. In other words, I was impressed with the fact that it was a sort of closed circle. I think it is very wise that a large number of these members of the staff shall be chosen from civilian life, particularly during a time of peace, and I want the very best that we can get. As I said before, there are some mighty good men in that department, but there are also some mighty cheap politicians in it, or were during the war; and if this staff is to be filled from that class of men, then I have a protest against them. I do not care to go into details now, but I can if it is necessary to go into them. I will join hands with the distinguished chairman and other members of the committee to put this department on a high plane and keep it absolutely out of politics; but it has not been done.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 35, line 13, after the word "service," to insert:

Provided, That not more than 5 per cent of the officers of the Medical Corps herein authorized shall have the rank of colonel, and not more than 8 per cent shall have the rank of lieutenant colonel.

So as to make the paragraph read:

The Medical Corps shall consist of commissioned officers in grades from first lieutenant to colonel, inclusive, the total number of whom shall approximately be equal to, but not exceed, six and five-tenths for every one thousand of the total enlisted strength of the permanent personnel authorized from time to time by law. Hereafter, commissioned officers of the Medical Corps shall be promoted, if in class A, as provided for in section 44 of this act, to the grade of captain upon the completion of 3 years' service, to the grade of major upon the completion of 14 years' service, to the grade of lieutenant colonel upon the completion of 20 years' service, and to the grade of colonel upon the completion of 26 years' service: *Provided*, That not more than 5 per cent of the officers of the Medical Corps herein authorized shall have the rank of colonel, and not more than 8 per cent shall have the rank of lieutenant colonel.

Mr. WADSWORTH. Mr. President, a reexamination and reconsideration of that amendment prompts me to say that I believe it is an unwise one. I shall therefore ask the Senate to reject it.

The PRESIDING OFFICER (Mr. WARREN in the chair.) The question is on agreeing to the amendment of the committee.

The amendment was rejected.

Mr. WADSWORTH. I shall make the same request when the amendment on page 36 is reached.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment was, on page 35, line 21, after the word "total," to strike out "enlisted," so as to read:

The Dental Corps shall consist of commissioned officers in the grades from first lieutenant to colonel, inclusive, the total number of whom shall approximately be equal to, but not exceed, one for every 1,000 of the total strength of the permanent personnel authorized from time to time by law.

The amendment was agreed to.

The next amendment was, on page 36, line 5, after the word "service," to insert:

Provided, That not more than 2½ per cent of the officers of the Dental Corps herein authorized shall have the rank of colonel and not more than 5 per cent shall have the rank of lieutenant colonel.

So as to make the paragraph read:

Hereafter commissioned officers of the Dental Corps shall be promoted, if in class A as provided for in section 44 of this act, to the grade of captain upon the completion of three years' service, to the grade of major upon the completion of 14 years' service, to the grade of lieutenant colonel upon the completion of 20 years' service, and to the grade of colonel upon the completion of 26 years' service: *Provided*, That not more than 2½ per cent of the officers of the Dental Corps herein authorized shall have the rank of colonel and not more than 5 per cent shall have the rank of lieutenant colonel.

Mr. WADSWORTH. I ask to have that amendment rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 36, line 19, after the word "service," to insert:

Provided, That not more than 2½ per cent of the officers of the Veterinary Corps herein authorized shall have the rank of colonel, and not more than 5 per cent shall have the rank of lieutenant colonel.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the committee.

The amendment was rejected.

The reading of the bill was resumed and continued to line 20 on page 37.

Mr. WADSWORTH. Mr. President, on the bottom of page 37, line 25, will be found the words "five years." I suggest that the word "five" be stricken out and the word "three" inserted.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. At the bottom of page 37, line 25, before the word "years," the last word in the line, it is proposed to strike out "five" and insert "three," so as to read:

Officers of the medical administrative corps shall be appointed by the President, by and with the advice and consent of the Senate, from among the noncommissioned officers of the Medical Service, of not more than 32 years of age, who shall have served not less than three years therein, including service in the Hospital Corps, the Veterinary Corps, or in the enlisted force of the Medical Department, and not less than three years as noncommissioned officers, and who shall have been found qualified by a board of not less than three officers of the Medical Service, upon such examination as shall be prescribed by the Secretary of War.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 39, line 4, after the word "appointment," to insert "to date from three months after the approval of this act and"; in line 6, after the word "colonel," to strike out "except in the Veterinary Corps"; in line 9, after the words "fifty years," to insert "who shall have been appointed within six months after the approval of this act and," so as to read:

Of the vacancies in the Medical Corps, Dental Corps, and Veterinary Corps created or caused by this act, such number as the President may direct shall be filled by appointment, to date from three months after the approval of this act and subject to such examination as may be prescribed, in the grades of captain, major, lieutenant colonel, and colonel, of persons other than officers of the permanent personnel under the age of 50 years who shall have been appointed within 6 months after the approval of this act and who shall have served as officers of the Medical, Dental, or Veterinary Corps in the United States Army, whether in the Regular Army, the National Guard while in the service of the United States, or in the National Army, or as reserve officers, between April 6, 1917, and November 11, 1918.

The amendment was agreed to.

The next amendment of the Committee on Military Affairs was, on page 39, line 15, after the numerals "1918," to insert:

For purposes of future promotion, persons so appointed shall be considered as having had, on the day of appointment, sufficient prior service to bring them to their respective grades under the rules of promotion established in this section.

Mr. WADSWORTH. Mr. President, the amendment found in the middle of page 39, which has just been read by the Secretary, should be taken out, and the same language inserted at the bottom of page 38, after the words "50 per cent," on line 24.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to transpose the committee amendment found on lines 15, 16, 17, and 18 of page 39, to the foot of page 38, after the words "50 per cent."

Mr. WADSWORTH. It should be preceded by the words "*Provided further.*"

The ASSISTANT SECRETARY. So as to read:

Provided further, That for purposes—

And so forth.

The PRESIDING OFFICER. Without objection, it will be so transposed. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 41, line 2, after the words "acting assistant surgeons," to insert the words "contract surgeons."

Mr. WADSWORTH. Mr. President, I desire to perfect that amendment by inserting between the words "contract" and "surgeons" the word "dental," so that it will read "contract dental surgeons."

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. Amend the committee amendment on page 41, line 2, so that between the words "contract" and "surgeons" there shall be inserted the word "dental," so that the proviso will read:

Provided, That officers of the Medical Corps and Dental Corps shall be credited with their service as contract surgeons, acting assistant surgeons, contract dental surgeons, or as acting dental surgeons, and to officers of the Veterinary Corps shall be credited their governmental veterinary service rendered prior to June 3, 1916.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 41, line 8, to strike out "relative" and in lieu to insert "assimilated"; on line 9 to strike out "relative" and insert "assimilated"; on line 11 to strike out "relative" and insert "assimilated"; on line 12 to strike out "relative" and insert "assimilated"; on line 13, before the word "nurses," to insert "head nurses"; on the same line to strike out "relative" and insert "assimilated"; in line 18, before the word "officers," to strike out "medical" and insert "commissioned"; and in the same line to strike out the word "Army" and to insert the words "Medical Service," so as to read:

The Army Nurse Corps shall consist of the personnel as provided for in existing law. Hereafter the members of the Army Nurse Corps shall have assimilated rank as follows: The superintendent shall have the assimilated rank of major; the assistant superintendents, director, and assistant directors, the assimilated rank of captain; chief nurses, the assimilated rank of first lieutenant; and head nurses, nurses, the assimilated rank of second lieutenant; and as regards medical and sanitary matters and all other work within the line of their professional duties shall have and shall be regarded as having authority in and about military hospitals next after the commissioned officers of the Medical Service, and shall wear the insignia indicative of their relative rank in the Army as may be prescribed by regulations.

Mr. WADSWORTH. I move to amend, on line 19, by striking out the word "relative" and inserting in lieu thereof the word "assimilated."

The amendment to the amendment was agreed to.

Mr. POMERENE. I wish the chairman of the committee would define for me the term "assimilated rank."

Mr. WADSWORTH. It is a military term which, our committee is reliably informed, is more accurate and correct than the term "relative rank." It means really the same thing, but it is the term used in military parlance.

Mr. POMERENE. It is evident that it is used; but what does it mean?

Mr. WADSWORTH. A person holding assimilated rank is one who exercises limited authority of that rank under certain conditions but does not enjoy the full privileges of the rank. This applies to the Army Nurse Corps. If an Army nurse is given what is known as assimilated rank, she may issue orders to the enlisted personnel under her charge in the ward of a hospital. As her rank is merely an assimilated rank, she does not enjoy all the pay and allowances of the rank. Her pay is fixed by the existing provisions of law.

Mr. POMERENE. I have had a number of letters from some people who are interested in this branch of the service, and they and their friends have felt that they have been discriminated against because they were denied rank, just as dentists were formerly denied rank. I confess I have had a good deal of sympathy with the aspirations of the friends of these nurses and have felt that they were entitled to rank—what rank I do not know. I confess that thus far I would be unable to explain to them what privileges were given to them when I say to them that they will have conferred upon them assimilated rank.

Mr. WADSWORTH. That is exactly what they asked for.

Mr. POMERENE. If that is what they want, I am satisfied with it, even if I do not understand it.

The amendment as amended was agreed to.

Mr. SMOOT. I ask the Senator having the bill in charge how long he proposes to have the Senate remain in session?

Mr. WADSWORTH. Only until the section under the subhead "The Ordnance Service" is reached.

The reading of the bill was continued to line 6, on page 42, the end of the sections under the subhead "The Medical Service."

Mr. WADSWORTH. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 7, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 6, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

With profound faith in Thee, our Father in heaven, and in the overruling of Thy providence to the good of all mankind; with a deep and abiding faith in the Constitution of the United States of America, its genius and perpetuity; with confidence in the patriotic loyalty of the vast majority of the American citizens; inspire these, their chosen Representatives, with high resolves, pure ideals, that their enactments may be to the good of the people; that they may thsu render unto Cæsar the things that are Cæsar's and unto God the things that are God's. In the spirit of the world's Great Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12610, the legislative, executive, and judicial appropriation bill, with Senate amendments thereto, disagree to all of the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the legislative, executive, and judicial appropriation bill, disagree to all of the Senate amendments, and ask for a conference. Is there objection?

Mr. MADDEN. Mr. Speaker, reserving the right to object, I wish to ask the gentleman from Indiana if he will bring back to the House for a vote Senate amendment No. 53, for the transfer of the Bureau of Efficiency from the executive branch of the Government to the legislative branch of the Government?

Mr. WOOD of Indiana. I have no objection to doing that.

Mr. MADDEN. If the gentleman agrees to that, I have no objection.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Indiana a question. Can the gentleman state to us just how many million dollars have been added to this bill by the Senate?

Mr. WOOD of Indiana. It is a little less than $2,000,000.

Mr. BLANTON. Is it not approximately about $57,000,000?

Mr. WOOD of Indiana. No.

Mr. BLANTON. Has the gentleman figured it all up?

Mr. WOOD of Indiana. Yes.

Mr. BLANTON. Has the gentleman figured up the $240 bonus for 200,000 employees?

Mr. WOOD of Indiana. I did not figure that, because it was carried in the bill as reported to this House. The amount added to the bill proper, as it was reported to the House, amounts to a little less than $2,000,000.

Mr. BLANTON. Taking the bonus into consideration, it will run up to about $50,000,000?

Mr. WOOD of Indiana. Whatever the calculation shows.

Mr. MADDEN. That was in the bill as it was reported to the House, anyway.

Mr. BLANTON. And outside of that amount how much does the gentleman say has been added to the bill?

Mr. WOOD of Indiana. I say that outside of the bonus, which was originally reported in the bill, and which went out on a point of order in the House, the amount added by the Senate is approximately $2,000,000.

Mr. BLANTON. Following the splendid example and the suggestion that has been made by the majority leader of the House in respect to economy, may we depend upon the conferees to eliminate most of that $2,000,000?

Mr. WOOD of Indiana. We did our best to economize on the amount of the bill as carried in the House, and we will do our best to keep it down in the conference.

Mr. BLANTON. May we depend upon the conferees to hold the amount down to approximately $50,000,000?

Mr. WOOD of Indiana. The gentleman refers to the bonus?

Mr. BLANTON. Yes. There will be no doubling of that proposition.

Mr. WOOD of Indiana. No.

Mr. DYER. There could not be any doubling of that amount. Will the gentleman from Indiana yield?

Mr. WOOD of Indiana. Yes.

Mr. DYER. What has been done, if anything, with reference to the Subtreasuries?

Mr. WOOD of Indiana. The Subtreasuries, by an amendment placed on the bill in the Senate, were put back into the bill. That is, the language abolishing them was stricken out.

Mr. DYER. Is the gentleman able to tell us what the conferees of the House will do in respect to that?

Mr. WOOD of Indiana. No. I can tell the gentleman what I will do with reference to it, but I can not speak for the other conferees.

Mr. DYER. In my opinion, the Subtreasuries should be eliminated. We have been trying to eliminate them for years. I would not be in favor of agreeing to the gentleman's request unless we are going to have an opportunity in the House to vote against the Subtreasuries.

Mr. WOOD of Indiana. I will agree with the gentleman that unless the Senate recedes from the position they have taken, the House will have that opportunity.

Mr. DYER. With that assurance, I have no objection to the gentleman's request. I have a Subtreasury in my district, but I think the Subtreasuries are absolutely needless and useless, and that they should be eliminated.

Mr. WOOD of Indiana. I am very glad to hear the gentleman say that.

Mr. NOLAN. Mr. Speaker, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. NOLAN. Can the gentleman give us some idea of whether we will have a chance to have something to say about the additional $50,000 for the conciliation division in the Department of Labor?

Mr. WOOD of Indiana. I have not given that matter any thought.

Mr. NOLAN. I have no desire to obstruct and will not make any point about it.

Mr. MONDELL. Mr. Speaker, reserving the right to object, one of the items placed in the bill by the Senate is an item of a million and a half, as I recollect the amount, for additional temporary clerks in the War Department. I feel confident that the House provided for all of the temporary clerks in the War Department that are necessary. This seems to be another effort on the part of one of the Government departments to retain indefinitely a very large force of clerks, which may at one time have been necessary, but which, as a matter of fact, are not necessary now. A very considerable number of them ought to have been discharged long ago and allowed to go home, where they are probably needed very much more than they are needed here. I feel confident that as to that item the conferees on the part of the House will insist upon the view of the House in respect to it. The War Department and the other departments of the Government have been more than liberally provided for in the matter of employees, and I think that the time has come when we must insist and shall insist that unnecessary clerks shall no longer be retained on the public pay roll. [Applause.]

Mr. Speaker, there is just one more proposition that I desire to state. There is no Member of this House, there is not a person anywhere who is at all informed with regard to the matter, who has not known all the time that the bonus now being paid to the employees of the Government would continue to be paid the coming fiscal year. Everyone understood that while the item went out on a point of order in the House it would be restored in the Senate and would be agreed to in the House eventually; and yet, while that is a fact, some people here in the city at the head of certain organizations of employees have taken it upon themselves to send broadcast over the country into the districts of Members of this House most erroneous and misleading statements with regard to the matter.

A great many good people have been led to believe that the House of Representatives deliberately set out to reduce the pay of these employees by $240 a year. A lot of clerks have been unnecessarily worried and disturbed about the matter by statements that have been made. Everybody who has taken the trouble to be informed in the matter knows that there has been no question at any time about the bonus, and yet word has been sent broadcast over the country, labor unions all over the country have been appealed to against Members of the House because of some alleged connection with an alleged attempt on the part of the House to deny these employees the bonus. I hope that we have seen about the last of this wholesale misrepresentation of the attitude of Members of Congress. I do not believe the employees of the Government desired to have those who have charge of their affairs in their unions misrepresent the attitude of Members. I believe they knew they were going to get the bonus and were perfectly content, but certain gentlmen, whose pay seems to depend upon keeping up a continual rumpus over this matter, have seen fit to misstate all over the country the attitude of Members.

Mr. BLANTON. Will the gentleman yield?

Mr. MONDELL. I will yield.

Mr. BLANTON. The gentleman speaks of this $240 bonus to civilian employees as being "their bonus" as a matter of right. I would like to ask the distinguished gentleman from Wyoming whether he considers this $240 gratuity which, during the war, was allowed to the 240,000 Government employees is any more their property as a matter of right than the bonus now being demanded of Congress by service men who faced no man's land in France is a matter of right?

Mr. MONDELL. Well, I do not think I have stated that the so-called bonus was a right. The thought I intended to convey was that the sentiment in the House was unanimous, so far as I knew, in favor of retaining the present bonus for the coming fiscal year. The fact is the term "bonus" is not a happy or accurate one. What we have done is to agree that until we can determine what is a fair salary for Federal employees, we are giving them $240 per annum above their prewar pay.

Mr. POU. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. POU. If that is true, I would like to ask the gentleman from Wyoming why the Committee on Rules were not instructed to bring in a rule making the $240 in order? It could not have been a very difficult matter and would have given the House a chance to vote.

Mr. MONDELL. Well, the gentleman is a member of the Committee on Rules and he knows perfectly well that the point of order was made very late in the day, and that it would have been difficult to have secured a meeting of the Committee on Rules at that time. It was practically the last section of the bill, and in any event it was entirely unnecessary to bring in a rule because everyone knew that the bonus would be placed in

the bill eventually, and it would have been a foolish and unnecessary thing to have brought in a rule under those circumstances. The matter of the bonus had been established as the increase of pay for the present.

Mr. POU. Well——

Mr. NOLAN. The gentleman knows the same thing happened when the Democrats were in control of the House, that the bonus went out on the point of order and notwithstanding that they brought in a rule to protect it.

Mr. MONDELL. At the time when the matter of the establishment of the bonus had not become fixed as a policy of the Congress they brought in a rule, as I recall it, that provided for a $240 bonus and did not allow any raise by amendment.

Mr. NOLAN. The gentleman knows that it only provided for $120 bonus at that time, and in the last bill we increased it to $240. The gentleman also knows that it was common rumor around this House for a week that the point of order was going to be raised against this, and the steering committee on this side of the House had an excellent opportunity to take it up with the Committee on Rules and have a rule brought in to protect the matter.

Mr. MONDELL. Everybody knew that nothing of the kind was necessary, as the bonus is for the present agreed to by everyone; furthermore, I am sure the gentleman from California would not have wanted a rule that would have prevented any amendment.

Mr. DYER. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the following conferees.

The Clerk read as follows:

Mr. WOOD of Indiana, Mr. WASON, and Mr. SISSON.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed joint resolutions and bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 128. Joint resolution relating to schools and libraries at Army posts;

S. J. Res. 124. Joint resolution granting a bonus to enlisted men of the Philippine Scouts who have accepted or may accept their discharge in order to reenlist in said Philippine Scouts;

S. 1457. An act for the relief of Joseph W. Skill;

S. 1257. An act to amend an act approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands";

S. 132. An act for the relief of the Chicago, Milwaukee & St. Paul Railway Co.; the Chicago, St. Paul, Minneapolis & Omaha Railway Co.; and the St. Louis, Iron Mountain & Southern Railway Co.;

S. 3530. An act for the relief of Sarah Shelton;

S. 3609. An act to amend an act of Congress approved April 27, 1914;

S. 2934. An act for the relief of the Leavenworth Bridge Co., of Leavenworth, Kans.;

S. 2797. An act to add certain lands to the Crater Lake National Park, Oreg.;

S. 3205. An act for the relief of the widow of Rudolph H. von Ezdorf, deceased;

S. 2921. An act for the relief of the Milwaukee Bridge Co.;

S. 302. An act for the relief of Thomas Simmons;

S. 3875. An act to amend sections 5549 and 5550 of the Revised Statutes of the United States;

S. 2371. An act for the relief of Katheryn Walker;

S. 3516. An act to authorize the Secretary of War, in his discretion, to furnish quarters at Langley Field, Va., to the civilian employees of the National Advisory Committee for Aeronautics, and for other purposes; and

S. J. Res. 98. Joint resolution to authorize the Secretary of War to grant revocable licenses for the removal of sand from the Fort Douglas Military Reservation for industrial purposes.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 795. An act for the relief of Arthur Wendle Englert.

The message also announced that the Senate had passed the bill (H. R. 3211) for the relief of Emma J. Spear.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2921. An act for the relief of the Milwaukee Bridge Co.; to the Committee on Claims.

S. 1457. An act for the relief of Joseph W. Skill; to the Committee on Claims.

S. 3530. An act for the relief of Sarah Shelton; to the Committee on Claims.

S. 3205. An act for the relief of the widow of Rudolph H. von Ezdorf, deceased; to the Committee on Claims.

S. 1257. An act to amend an act approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands"; to the Committee on the Public Lands.

S. 2797. An act to add certain lands to the Crater Lake National Park, Oreg.; to the Committee on the Public Lands.

S. 2371. An act for the relief of Katheryn Walker; to the Committee on the Public Lands.

S. 3516. An act to authorize the Secretary of War, in his discretion, to furnish quarters at Langley Field, Va., to the civilian employees of the National Advisory Committee for Aeronautics, and for other purposes; to the Committee on Military Affairs.

S. 3609. An act to amend an act of Congress approved April 27, 1914; to the Committee on Military Affairs.

S. 302. An act for the relief of Thomas Simmons; to the Committee on Military Affairs.

S. J. Res. 128. Joint resolution relating to schools and libraries at Army posts; to the Committee on Military Affairs.

S. J. Res. 98. Joint resolution to authorize the Secretary of War to grant revocable licenses for the removal of sand from the Fort Douglas Military Reservation for industrial purposes; to the Committee on Military Affairs.

S. 3875. An act to amend sections 5549 and 5550 of the Revised Statutes of the United States; to the Committee on the Judiciary.

S. J. Res. 124. Joint resolution granting a bonus to enlisted men of the Philippine Scouts who have accepted or may accept their discharge in order to reenlist in said Philippine Scouts; to the Committee on Ways and Means.

S. 132. An act for the relief of the Chicago, Milwaukee & St. Paul Railway Co.; the Chicago, St. Paul, Minneapolis & Omaha Railway Co.; and the St. Louis, Iron Mountain & Southern Railway Co.; to the Committee on Claims.

CHANGE OF REFERENCE.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent to rerefer the bill H. R. 263 from the Committee on Interstate and Foreign Commerce to the Committee on the Judiciary.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to rerefer from the Committee on Interstate and Foreign Commerce to the Committee on the Judiciary the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 263) to further protect interstate commerce against bribery and other corrupt trade practices.

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, I would like to ask the gentleman why he wants this rereference made?

Mr. VOLSTEAD. That would be a matter for the committee to determine. We have been urged by the Federal Trade Commission to take up the matter.

The SPEAKER. The Chair understands this is done with the consent of the chairman of the Committee on Interstate and Foreign Commerce.

Mr. VOLSTEAD. And also with the consent of Mr. SIMS, author of the bill.

Mr. CLARK of Missouri. Is the gentleman taking it away from the Committee on Interstate and Foreign Commerce or giving it to it?

The SPEAKER. Taking it from the Committee on Interstate and Foreign Commerce and giving it to the Judiciary Committee, with the consent of Mr. SIMS and Mr. ESCH.

Mr. CLARK of Missouri. Does it furnish any penalties?

Mr. VOLSTEAD. It is a criminal statute.

Mr. CLARK of Missouri. I say, does the bill establish any penalties for violation?

Mr. VOLSTEAD. Yes; it is a criminal statute and properly belongs to the Committee on the Judiciary.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, how long has it been with the Interstate and Foreign Commerce Committee?

Mr. VOLSTEAD. It was introduced on May 19, 1919.

Mr. GARD. And is just being transferred to the Committee on the Judiciary after nearly a year. Has the Committee on Interstate and Foreign Commerce made any report on it?

Mr. VOLSTEAD. It has not.

Mr. GARD. Has it taken it up for consideration?

Mr. VOLSTEAD. Not that I know of.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

PENSION APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13416, the pension appropriation bill, and, pending that motion, I would like to ask the gentleman from Illinois [Mr. MCANDREWS] if we can arrange upon a time for general debate?

Mr. MCANDREWS. I think so.

Mr. CANNON. How much time?

Mr. MCANDREWS. I think we can get through with about two hours on this side.

Mr. CANNON. About two hours. Then I will ask unanimous consent that general debate close in not later than four hours; but I hope we will get through with less general debate than that.

I have not had many applications for recognition upon this side. I ask that the time be divided equally between the gentleman from Illinois [Mr. MCANDREWS] and myself.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] asks unanimous consent that the general debate be limited to four hours, two hours to be controlled by himself and two hours by the gentleman from Illinois [Mr. MCANDREWS]. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Illinois that the House resolve itself into the Committee of the Whole House on the state of the Union.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for consideration of the bill H. R. 13416, the pension appropriation bill, with Mr. MAPES in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. DYER. Mr. Chairman, it is a very short bill, and if there is no objection I would like to hear it read.

The CHAIRMAN. The gentleman from Missouri objects. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1921, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $214,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1921, $20,000.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] is recognized for two hours.

Mr. CANNON. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman and gentlemen of the committee, before I begin what I rose to say I wish to call the attention of the committee to the interesting report that has been submitted by my colleague, the chairman of the committee, the gentleman from Illinois [Mr. CANNON], whose bill is now before us. It is the most interesting report I have read in connection with any bill presented to the House, but it is just exactly what we might expect from the man who is chairman of this committee. With his long years of experience he has been able to give us information which would take us years of study to obtain. And I congratulate him and the country on the lucidity of statement which appears in this report.

The country is fortunate in having a man of the experience of my colleague still willing to serve as a Member of the House. His experience as chairman of the Appropriations Committee and his experience in all the other activities of the Government have given him a fund of information possessed by no other man in the public service. [Applause.] And that information is displayed here in such form as to be of great value not only to the Members of the House for future reference but to the people of the country generally. I thank him for the form of the report, the information it contains, the clearness with which it is presented, and I am sure every Member of the House will feel as I do that this will be classed as a document containing information which they will be glad to have on many future occasions. [Applause.]

Now, Mr. Chairman, I desire to ask the Clerk to read in my time a letter which I received yesterday afternoon from the Bureau for Returning Soldiers, Sailors, and Marines, organized at Chicago, and I beg to say in this connection that the organization is composed of ex-service men, and the purpose of the organization is to care for the men who have returned from the other side who need care and protection, and to help them in every way within their power.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU FOR RETURNING
SOLDIERS, SAILORS, AND MARINES,
Chicago, Ill., April 1, 1920.

Representative MARTIN B. MADDEN,
Washington, D. C.

DEAR SIR: The matter that I am writing about is being taken up officially through the American Legion. The reason for this personal letter is because immediate action is necessary.

I have been with the above Bureau since its opening in an executive position. I have personally interviewed 15,000 returned service men, therefore having grounds for my statements.

During this time I have come across hundreds of cases where men had been discharged from Government hospitals as "cured," but were unable to work, and in most cases complained that they were still ill and unable to work. These reports were investigated at different times, but it appears that the investigations were made simply by walking through the hospitals and finding clean rooms and a disciplined force, and everybody seemed contented, no patient was personally approached, but still the complaints of the men kept coming in.

Men who were homeless, penniless, and in some cases cripples, were turned out of these hospitals to shift for themselves.

Then an example was brought right home to me. My brother, Hyman Margolis, who fought across the seas with the One hundred and thirty-second Infantry, was compelled to go to one United States public-service hospital No. 2, Forty-seventh and Drexel Streets, Chicago, for an operation on his feet caused by the mud and water of the trenches, an injured ear, and suggestion on their part to remove his tonsils. He entered the hospital about the first of the year. About seven weeks later he had his first medical treatment, consisting of an operation removing a bone from each foot. Since he was operated on he had but few visits from a doctor, and each case they simply glanced at his feet. Thus he was compelled to bathe and bandage his own feet. On March 30 he was told he was "cured," and that he must now go home. Dumfounded, he tried to show them that his feet were in no condition to have shoes on them, and that his left toe seemed "paralyzed." They told him that he was wrong and that he had to get out of the hospital the next day. They don't even furnish an ambulance. They offered him a discharge, stating that he was improved, but he refused it, as he knew that he was worse off than when he came in the hospital. They told him that if he wouldn't go out they would call the police. At that stage he called me over the phone and told me the case, and that there were many cases even more serious than his that were to be put out.

He asked me to interview Col. Charles Banks, who he said was the general supervisor of all the hospitals in this district. I interviewed Col. Banks at the Garland Building, Chicago, who I found to be very courteous, but confessed that he was powerless to help men, and that he had several cases like the one I brought before him, but he couldn't do anything for them as Col. Cobb, who has charge of the United States Public Service Hospital No. 2, refused to take orders from him. He has informed the Surgeon General of conditions, but up to time of writing no action was taken.

To-day I personally investigated conditions at the Forty-seventh and Drexel Street Hospital. Col. C. O. Cobb was very discourteous and wouldn't speak to me. The rest of the staff follows Col. Cobb, and it was useless to talk to them. Being visitor's day, I found it possible to talk to several men. Every one was afraid to speak, as the discipline there is "Prussian"; yet I managed to get the following cases for your attention:

1. Frank Iraia, left hand crippled; shot through wrist bones; shattered; bone taken out of leg. Has no home and penniless, unable to work and told he must get out of hospital April 5, and stay out for a few months, then come back for another operation.

2. Joseph Romano, operated on; serious operation two weeks ago; wounds not healed, and discharged as cured. Home in Joliet, Ill.

3. William E. Schmidt; bad case of "rheumatism"; compelled to get out of bed to secure his food; should be in bed, as he can't walk; has to be practically carried downstairs by other patients.

4. Arthur Shoven, operated on both feet; complained that inexperienced men bandaged his feet and that bandages always came off; the cut where he was operated seems to be getting infected, and he is afraid that he may lose his limb, and no attention has been given him by a real doctor.

5. Flory Flowers, in hospital three months, has had no medical treatment whatsoever; is afraid he is growing blind.

6. Hyman Margolis, forcibly discharged to-day from hospital; operated on both feet, unable to put shoes on feet, cuts not yet healed, left toe unable to control owing to operation; nothing done to ear or tonsils, but turned out of hospital; no back pay or compensation received; in hospital over three months.

7. Joe Vaccaro, no treatment for his back since February 24. A Mrs. Eva Benkinga, 6836 Peoria Street, Chicago, who is constantly in the hospital trying to cheer the boys up, says that conditions are terrible and that Col. Cobb and his staff are not treating the boys right. She mentioned one case, a patient by the name of Howard Decker, was forcibly discharged February 22 with a trench mouth, shell-shocked, bad stomach, etc. He had no home and was penniless, unable to work. She took up the case with Col. Cobb, who refused to talk on the subject. Mrs. Benkinga said she would take it up with Congress. Col. Cobb answered, "All the Congressmen in the country couldn't faze him or his staff."

The following men have been mentioned by several patients as not the proper men for hospital work, both from inefficiency and misconduct to men:

Col. C. O. Cobb, Dr. Bell, Dr. Hetenck, Dr. Jacobson, Dr. Byrne, Dr. Hoffnagel, Dr. Steinfelt.

If Col. Banks, Garland Building, is not afraid to talk, he could serve very serious official charges. A suicide occurred in this hospital a few

weeks ago; rumors are that he committed suicide, as during the week he was in the hospital he got no treatment and was in terrible pain.

Mr. MADDEN, you have a duty to perform to your people. Investigate the United States Public Service Hospital in Chicago and give the men who gave all a right to be properly cured so they can be healthy again and fit to work, also see that the men get immediate attention or compensation and back pay. There are cases in this hospital where men haven't received a cent pay for eight months.

I want to hear from you personally, as all the posts of the American Legion are interested in this investigation.

Yours, very truly, H. J. MARGOLIS,
352½ Medill Avenue.

Mr. MADDEN. Mr. Chairman and gentlemen, I do not happen to have a personal acquaintance with the gentleman who wrote this letter, but I know the organization to which he belongs, and I am sure that it is organized for the purpose of doing justice to the men who served their country in its hour of direst need. If any such conditions obtain as are described in this letter it is a crime, and the men who are responsible for the conditions, if they are Army officers, should be court-martialed. [Applause.] The matter should be thoroughly investigated. I take this means of presenting the case to the Public Health Service, because I believe it will have much more influence on them than the mere presentation of the case through a communication or personally, for I am perfectly satisfied that no attention whatever would be paid to any personal appeal that I made or to any communication that I might send, in view of the fact that no attention whatever has been paid to the appeals of the men themselves and their representatives. It seems to me that if such conditions as this can exist, if the Government through its agencies has no more interest in the well-being and the welfare of these men who have been wounded in the country's service, there ought to be some change either in the personnel of the men who are in control or in the service itself.

Mr. McKEOWN. Will the gentleman yield?

Mr. MADDEN. Yes; I yield.

Mr. McKEOWN. Does the gentleman know whether or not this is a——

Mr. MADDEN. It is a public-service hospital under the direction of the Public Health Service.

Mr. McKEOWN. These men have already been discharged from the Army, have they?

Mr. MADDEN. I know nothing at all about the facts except as they appear in this letter.

Mr. McKEOWN. What I wanted to find out was whether or not these men were still under the control of the Army or whether they were going to follow Canada's suggestion and get these men out of the Army hospitals and get them under control of the civil authorities.

Mr. MADDEN. The only information I have is contained in this letter. It speaks for itself. The statement made in the letter is appalling, and I am sure the American people will not submit to this sort of treatment for the men who served the country during the war. These men who were wounded are entitled to be considered the wards of the Nation and entitled to every care and consideration which it is possible for the Government to give them.

They should be made to understand that the Government and its agents in every department are charged with the responsibility of seeing that they are properly cared for, and they should be made also to feel that during the rest of their lives, while they are unable to work, that they need not fear want, and particularly should they be given to understand that while they are suffering from wounds they received while in the service they will have not only the best medical attention but the best of attention of every kind that the Government can give.

Mr. KEARNS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KEARNS. These boys are certainly still in the military service, because they complain they have not received any pay for some five or eight months, according to the reading of that letter, and they ask you to see that they get their pay.

I take it from that that they are still in the military service.

Mr. MADDEN. The pay they are calling to my attention as not having received may be the allotments or allowances on account of their wounds through the Bureau of War Risk Insurance.

Mr. LONGWORTH. If the gentleman will pardon me, as I caught the reading of the letter one of the complaints was that the authorities endeavored to force the man to accept a discharge in order to get rid of him.

Mr. KNUTSON. May I observe that if a man is discharged before he is cured it will militate against his receiving the proper compensation in after years, provided he has incurred a permanent injury?

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. ANDREWS of Nebraska. This bears on a very important matter that is now under consideration before the Committee on Public Buildings and Grounds, to furnish hospital facilities for discharged soldiers. It is quite important that we should know, it occurs to me, and I wanted to ask the gentleman from Illinois whether the record does show that these soldiers are under the charge of the Bureau of War Risk Insurance. If they are, it bears directly on the question of furnishing hospital facilities to the extent of $85,000,000, according to the requests from the Public Health Service.

Mr. MADDEN. I do not know whether these men are under the direct charge of the Bureau of War Risk Insurance or not, but I assume that they are, because I assume that the men have made application for allowances on account of their wounds. Now, if they have not for eight months received any compensation under the allowance, the War Risk Insurance Bureau ought to be called to account. On the other hand, if they are still in the service and have received no compensation for eight months from the War Department on account of their service in the Army, then somebody else ought to be called to account. And if, again, they have not received the sort of medical care to which they are entitled on account of their wounds received in the service, then those who are in charge of the Public Health Service should be called to account. Every man in every department of the public service who is charged with responsibility in the treatment of these men should be called to account, and if they have failed in any particular to give the men the kind of treatment they are entitled to as the heroes of the Nation during the Great War, if they are in the military service they should be at once court-martialed and placed behind the bars. [Applause.]

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. LAYTON. They can not be lacking in medical attention, can they, when there are 2,300 physicians on the rolls of the Public Health Service, costing the country nearly $5,000,000? What are those men doing?

Mr. MADDEN. We are finding difficulty in ascertaining what they are doing. But it must be apparent to everybody, from the statement just read by the Clerk, that they are not giving attention to the men who are wounded and are almost dead for want of care. It is a disgrace to the public service to have a letter of this sort sent in connection with the failure to care for the men who gave themselves to their country. [Applause.]

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. This particular colonel, if I remember the letter aright, made the assertion that all the Congressmen in that county could not faze him or reach him. Does the gentleman from Illinois expect his loud voice to reach this colonel in Chicago, or is he going to pursue other methods to reach him?

Mr. MADDEN. After I get through making this public statement of the case I propose to take up the matter with the Secretary of War. I propose, if necessary, to take the matter up with the President. I propose, if it is necessary then, to take it up with the Surgeon General's office, and if I can get no satisfaction in any other way, I propose to prefer charges against these men and have a military court try them. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. I will say to my colleague from Illinois [Mr. MCANDREWS] that I would like to make a short presentation of the details of this bill, and then I will yield to the gentleman time to dispose of as he desires.

Mr. Chairman, I am going to read for probably 10 or 15 minutes from manuscript, which I have prepared with some care. My eyes are getting old, although my legs are pretty good. [Applause.]

This bill carries appropriations amounting to $214,020,000, but legislation which has already passed this House, if concurred in by the Senate and approved by the President, will increase the appropriations by $77,500,000, according to the estimates of the Pension Office, making a total of $291,520,000, or the largest pension appropriation ever authorized by Congress. The appropriations for the fiscal year 1920 amounted to $215,000,000, and for the year 1919, $223,000,000. No previous appropriation bill for the payment of pensions exceeded $200,000,000. If we add the appropriations for the care of former soldiers in the soldiers' homes, which is estimated at $6,274,000, the appropriations for the care of the survivors of all wars down to that with Germany will amount to practically $298,000,000, or some $80,000,000 greater than for the current year.

But this great appropriation does not tell the whole story of the cost of caring for the men who have served the country in war. This Congress and many succeeding Congresses will have to appropriate for the care of the survivors of the war with Germany as well as for the care of the survivors of all former wars; and we may call these appropriations by other names, made under other titles, but they should all be considered together to understand the obligations on Congress under legislation already enacted with the machinery for their administration. The Bureau of War Risk Insurance estimates the amount necessary to pay compensation for death and disability for the next fiscal year practically $198,000,000; the Federal Board for Vocational Education estimates its expenditures for the next fiscal year at $125,000,000; and the Public Health Service has estimates of $10,000,000; the Public Health Service has estimates before another committee of the House for the building of hospitals for the survivors of the war amounting to about $90,000,000; and the estimates for the administration of the Bureau of War Risk Insurance amount to $11,000,000.

These estimates together amount to $434,000,000 as the appropriations that will be necessary to discharge the obligations of the Government to the survivors of the war with Germany; and add the appropriations carried in this bill when it comes back to the House with appropriations to meet the increases authorized by the Fuller and the Sells bills which have already passed the House, will make a total of $732,000,000 as the appropriations to be made to meet the expenditures for the care of the survivors of all our wars. This grand total can be better understood by comparing it with the total ordinary disbursements of the Government for the fiscal year 1916, which amounted to $724,492,999. It will be seen that this Congress is called upon to appropriate more money for the care of the survivors of all our wars than the entire ordinary disbursements of the Government in the year preceding the declaration of war with Germany.

I do not call attention to these estimates for the purpose of complaining or of magnifying the cost of war, but simply to give the House the probable appropriations that are called for under different estimates, and to meet obligations that have already been incurred under legislation that is already on the statute books. The appropriations to care for the survivors of all the previous wars, carried in the annual pension appropriation bill, will decrease as death thins the ranks of the veterans of the Civil War and the War with Mexico; but those for the care of the survivors of the war with Germany will increase, in my judgment. There are many young men who returned from France, and even from the home camps, their health impaired, and there are others who returned to civil life in apparent health and strength who may in the near or distant future become disabled from the experiences of war.

In 1866, one year after the close of the Civil War, there were 126,722 pensioners on the roll, receiving $15,450,549 in pensions.

Mr. QUIN. Mr. Chairman, will the gentleman state right there how many were on the roll at this late date?

Mr. CANNON. I will give it in a moment. And let it be remembered that there were 2,200,000 men and, counting reenlistments, in round numbers, 2,800,000 men in the Union Army during that war for the preservation of the Union. I repeat, in 1866, one year after the close of the Civil War, there were 126,722 pensioners on the roll, receiving $15,000,000 in pensions annually. Many of them were survivors of the War with Mexico and some of them were survivors of the War of 1812.

There was no service act prior to 1890, and it was not until in 1912, under the leadership of Gen. SHERWOOD, that the act was passed which covered all the honorably discharged soldiers in the Union Army and gave them a service pension. From 40 to 50 years after the close of that great struggle there were no pensions to soldiers except for disabilities contracted in the line of duty.

In 1890, before the service-pension act of that year went into effect, there were 537,944 pensioners on the roll; and in 1902, before the service-pension act, to grant pensions to the survivors of the Civil War, regardless of disability, there were more than a million pensioners on the roll. The pensions in all that time were for disability, and up to the act of 1890 for disability incurred in the service. But the roll increased nearly fourfold in the 25 years following the Civil War, and the appropriations increased in the same or greater ratio.

It is not improbable that the same will be true of this last war. The Surgeon General of the Army, in his report for 1919, shows that in the year 1918 there were 2,422,362 admissions to the hospitals for disease; 182,789 admissions for ordinary injuries, and 227,855 admissions for battle injuries. Here were nearly 3,000,000 admissions to the Army hospitals in the year 1918, and, while some were no doubt duplications or the same men admitted to the hospitals more than once, no one can estimate how many of these men with hospital records may be found totally or partially disabled and the cause traced to their war service. The Surgeon General reports that in that one year the Army lost 40,692,302 days from disease and 12,545,442 days from battle injuries; and that there was an average of 155,957 men in the hospitals for every day in the year. Disease as well as wounds left its mark on these men, and no one can now estimate how many of them will in the future be found suffering from disability which can be traced to the service. The law has been enacted and the machinery created to meet such developments, and Congress will have to appropriate the necessary money to meet the estimates when they come from the various bureaus of the Government which have charge of the machinery to care for the survivors of the war.

No party can escape this obligation if it would, and I do not believe any party would escape these obligations if it could. They are the pledges of the Government, approved by the people, to the men who went out to defend the Government, and there is no more sacred obligation any Government can have. The estimates I have given represent the money cost of meeting the obligation for the next fiscal year. I have no doubt the estimates for the future will be greater, and within 10 years Congress will have to appropriate a billion dollars a year to discharge this obligation to the survivors of all our wars. It is a big obligation but one that the Government has already accepted, the laws enacted, and the machinery created for its discharge. The estimates will come to Congress in accordance with the law and they will have to be considered and the appropriations made. I call attention to the situation that no Member may deceive himself by the division of these various appropriations into a number of bills under different titles and some of them from other commitees than that on appropriations. The only way to understand what will be the necessary appropriations for the care of the survivors of our wars is to group the estimates together, and that I have done that the House may have an estimate of this one great obligation to the men who served the country in war and their dependents and who are the wards of the Nation so long as they live whenever they become disabled from earning a living.

That has been the policy of the Government from the beginning, though the pensions for disability and for service were comparatively small before the Civil War, and much smaller then than now, and smaller even now for the survivors of that and former wars than for the survivors of the war with Germany. As the country has grown and prospered, we have shown a higher appreciation of the men who risked their lives for us all, and we have increased the pay of the soldiers, increased the pensions, and increased the other obligations of the Government to them.

These things are all written into the law and into the contract. We will not try to repudiate any part of the contract, and the best way to carry it out is to understand what it is and prepare to meet it from the revenues of the Government, and to see that this contract is not impaired by other contracts which will call for increasing the public debt and further depreciating the standard of value in purchasing power and thereby reducing the pensions we have written into the laws. We have had the complaint of the veterans of the Civil War that the cost of living during the last war reduced the purchasing power of their pensions and the House has responded with the Fuller bill, and we may create a condition which will bring the same complaint from the disabled survivors of the war with Germany and their dependents, with demands for increases in compensation, which is only another title for pensions. We have seen that the high cost of living is closely associated with the high cost of Government, and these obligations to the men who have or will suffer disability from service in the Army and Navy and their dependents are of such a character that Congress will keep them in spirit as well as in the letter of the law. [Applause.]

Will the gentleman from Illinois consume some time now?

Mr. McANDREWS. I yield 45 minutes to the gentleman from Mississippi [Mr. VENABLE].

The CHAIRMAN. The gentleman from Mississippi is recognized for 45 minutes.

Mr. QUIN. Mr. Chairman, I make the point that there is no quorum here. I think my colleague ought to have a better audience.

The CHAIRMAN. Evidently there is no quorum present. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ackerman	Bland, Ind.	Brinson	Burdick
Andrews, Md.	Bland, Mo.	Britten	Burke
Bacharach	Booher	Brooks, Ill.	Caraway
Bankhead	Bowers	Brumbaugh	Carew
Bell	Brand	Buchanan	Carss

Carter	Goldfogle	McKiniry	Shreve
Casey	Goodall	McKinley	Siegel
Cooper	Gould	MacCrate	Smith, N. Y.
Costello	Graham, Pa.	Maher	Smithwick
Cramton	Griffin	Mann, Ill.	Snell
Cullen	Hamill	Mason	Steagall
Curry, Calif.	Hamilton	Montague	Steele
Darrow	Hardy, Tex.	Moore, Ohio	Steenerson
Davey	Harrison	Morin	Stiness
Davis, Minn.	Heflin	Nicholls, S. C.	Strong, Pa.
Dempsey	Hicks	Nichols, Mich.	Sullivan
Denison	Hill	O'Connell	Tague
Dent	Hoey	Paige	Taylor, Colo.
Dickinson, Iowa	Hull, Tenn.	Pell	Taylor, Tenn.
Donovan	Johnston, N. Y.	Platt	Tillman
Dooling	Kahn	Porter	Treadway
Doughton	Kelley, Mich.	Reber	Upshaw
Drane	Kendall	Reed, N. Y.	Vare
Dunn	Kennedy, Iowa	Reed, W. Va.	Ward
Eagan	Kennedy, R. I.	Riordan	Wason
Eagle	Kinkaid	Robinson, N. C.	Watkins
Edmonds	Kleczka	Rodenberg	Watson
Ellsworth	Kreider	Rowan	Williams
Focht	Langley	Rowe	Wilson, Pa.
Fuller, Mass.	Lonergan	Sabath	Winslow
Gallagher	Longworth	Sanders, N. Y.	Young, Tex.
Ganly	McArthur	Sanford	
Garrett	McCulloch	Scully	
Godwin, N. C.	McFadden	Sears	

The committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the pension appropriation bill, H. R. 13416, found itself without a quorum, whereupon he caused the roll to be called, when 294 Members, a quorum, answered to their names, and he handed in the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

Accordingly the House again resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the pension appropriation bill, H. R. 13416, with Mr. MAPES in the chair.

The CHAIRMAN. The gentleman from Mississippi [Mr. VENABLE] is recognized for 45 minutes.

Mr. VENABLE. Mr. Chairman, we, the House of Representatives, are to-day seeking to negotiate a treaty of peace with Germany, an interesting but tragic procedure—interesting as showing how far the passions of a time may obscure the vision of men, tragic as a commentary upon what has been the slow assassination of the hope of the world.

The peace treaty, as submitted by the President, has been under consideration by the Senate for many weary months and has failed of ratification not only in its original but in any form.

It is now proposed by the Republican majority of House and Senate to negotiate a treaty and make peace, according to terms of their own devising, not in the method of the Constitution wherein two-thirds of the Senators present must concur, but by the method of invoking the legislative function of the House and Senate and passing a joint resolution, to the passage of which, if it be within our jurisdiction, a bare majority only is necessary.

I respectfully submit that such a course is without constitutional warrant.

I wish to examine the grounds for such action and to raise and somewhat discuss the question whether the House has any authority to join in such proceedings, and also to inquire by what authority the Senate may approve a treaty by majority vote, when by the express stipulations of the Constitution a two-thirds concurrence is required.

There are some rules of constitutional law so well settled that citation of authority is unnecessary and discussion is idle. I enumerate them simply that the premises for my deductions may appear.

It is conceded that every part of the Constitution is mandatory unless it clearly appear that a discretion is vested; that the very genius of our Government is the division of power between the several governmental departments; and that the power to do the same thing has never been given to different and unconnected governmental agencies, where by the language of the Constitution it was invested in one with full power of execution.

It is conceded further that the people of the United States are sovereign and that the Government and its departments are but the agencies by which the people execute their will. The charter and delegation of authority and the expression of sovereign will of the people is the Constitution and the Federal Government as a whole, and no department of it has a power the exercise of which is not delegated in express terms, or necessary and proper to the exercise of one so delegated or else implied as being one resident in the General Government as necessary for its existence.

It is also conceded, as a general rule, that the investure of power to deal with a given subject matter in one department excludes its exercise by another.

No one will deny that it was competent for the people to constitute one department of the Government their agent for one thing and another department for another. That this separation of power is the peculiar genius of our Government and one of the bedrock principles of the Constitution has been decided too often and commented upon too freely to be open to debate.

The question then, on the threshold of the discussion, is whether there is anything in the Constitution vesting the treaty-making power in the House of Representatives, either expressly or as necessary to the exercise of some power expressly granted, or necessary to execute some power elsewhere vested in the Government or some department or officer.

In looking to the Constitution for the enumeration of the powers of the Congress, including the House as part thereof, we find only two powers which could even in the remotest degree raise the question. Congress is given the power to declare war and to make all laws which shall be necessary and proper to carry into effect the powers specifically granted to the Congress and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

It thus appears that nowhere is the power to make a treaty or to make peace specifically granted, and if it exists it must do so as being necessary to carry out the specific powers of Congress or some power vested by the Constitution in the Government or officer.

Is it such? The only specfic power having even the remotest relation to making peace or a treaty is the one to declare war. No one can possibly contend that the power to make a treaty of peace or the making of peace is in anywise necessary to the exercise of the power to declare war. It was competent to vest the power to make peace in some other department or agency of Government, and the fact that it is not resident in Congress could in nowise hamper the exercise of the power of declaring war. To argue that it is necessary as accompanying the power to declare war is to argue, assuming that the people had vested the power to make peace in some other agency, that Congress could not exercise the power which it had. This is absurd, and yet we have heard this very argument advanced since this resolution has been under discussion.

In the second place, can the power of the House to pass this resolution be sustained as a law necessary to the exercise of a power vested by the Constitution in the Government of the United States or in some department or officer thereof?

By examining the Constitution it will be noted that the power given to Congress is to pass a "law necessary to the execution," and so forth, "of some power vested in the Government or some department or officer," and the inquiry naturally presents itself, first, whether the doing of what we seek to do is the exercising of the legislative function, the passing of a law, or whether it is the exercise of a power which in its nature is not legislative in character. Let it be noted that the undoubted rule is that in passing upon the question of the exercise of powers in respect to its authorization the unbroken rule is that mere forms will not suffice, that substance only is material, and constitutional limitations can not be eliminated by the use of the vehicle of form.

In the first place, the section we are discussing is found in that part of the Constitution wherein is enumerated the legislative powers of the Congress, and, in the second, it is immaterial that the effort to exercise the power takes a legislative form if it be in fact not the exercise of legislative power.

On the subject of the treaty-making power, permit the patron saint of our Republican friends to enlighten them and visit his condemnation on their course. Alexander Hamilton, Federalist, 75, says:

> The essence of the legislative authority is to enact laws or, in other words, to prescribe rules for the regulation of the society, while the execution of the laws and the employment of the common strength, either for this purpose or for the common defense, seems to comprise all the functions of the executive magistrate. The power of making treaties is plainly neither the one nor the other. It relates neither to the exercise of subsisting laws nor to the enaction of new ones and still less to the execution of the common strength. Its objects are contracts with foreign nations which have the force of law but derive it from the obligation of good faith. They are not rules prescribed by the sovereign to the subject, but agreements between sovereign and sovereign. The power in question therefore seems to form a distinct department and to belong properly neither to the legislative nor to the Executive.

In Foster *v.* Neilson (2 Pet., 253) it is said:

> A treaty is in its nature a contract, not a legislative act.

It would appear, then, that the treaty-making power is not to be classed as legislative in character, and it is not remarkable that the framers of the Constitution with their desire to separate the departments of Government should constitute a special agency for the exercise of it—the Executive, with the concurrence and advice of the Senate.

Is it then "necessary" to pass this resolution that the Government or some department or officer can exercise some power expressly conferred upon it or them? Is this law necessary as ancillary to some other power in Government or department or officer? It certainly can not be contended that it is, if the Government, department, or officer is somewhere else clothed with a power so complete in itself and so broad in its authorization as not to need such assistance.

It will be noted that under the language of the Constitution there must be a power expressly granted to some other agency of government and the law must be necessary to its exercise. The power under discussion is the power to make treaties, and we find it granted to the President, with the advice and consent of the Senate, two-thirds of those present concurring. It certainly can not be contended that any action by the House is necessary to enable this agency to act. The power is full, ample, and unmistakable. So I respectfully submit that nowhere is express power given or is there one by necessary implication.

Again, the treaty-making power is expressly granted to the President and Senate conjointly, and if constitutional provisions are mandatory the agency named was the sole one selected, and we can not take from or add to it. Each provision of the Constitution is supposed to declare the will of the people, and each is presumed to have been adopted with a reason sufficient to the people; the specification of one is the exclusion of the other. For good and valid reasons, confidence was reposed in the President and Senate, with its two-thirds requirement, and in their good judgment, knowledge, patriotism, and discretion. Had the people desired the House to join they would have said so.

Again let me edify my friends across the aisle, who so ardently urge this usurpation. Mr. Hamilton said, in Federalist, 75, discussing the treaty-making power:

Though this provision has been assailed on different grounds with no small degree of vehemence, I scruple not to declare my firm persuasion that it is one of the best digested and one of the most unexceptionable parts of the plan.

Again listen, you defenders of the Constitution:

Another source of objection is derived from the small number of persons by whom a treaty may be made. Of those who espouse this objection a part are of opinion that the House of Representatives ought to have been associated in the business.

And so forth.

Listen, my friends. He is talking to you, his children:

The remarks made in a former number will apply with conclusive force against the admission of the House of Representatives to a share in the formation of treaties. The fluctuating—

And may I say that when you pass this resolution you will begin to fluctuate—

and taking its future increase into account, the multitudinous composition of that body forbids us to expect in it those qualities which are essential to the proper execution of such a trust.

Truly with prophetic vision he must have viewed you now.

Accurate and comprehensive knowledge of foreign politics; a steady and systematic adherence to the same views; a nice and uniform sensibility to national character; decision, secrecy, and dispatch are incompatible with the genius of a body so variable and so numerous. The very complication of the business, by introducing a necessity of the concurrence of so many different bodies, would of itself afford a solid objection. The greater frequency of the calls upon the House of Representatives and the greater length of time which it would often be necessary to keep them together when convened, to obtain their sanction in the progressive stages of a treaty would be a source of so great inconvenience and expense as alone ought to condemn the project.

Mr. Jay said, writing in the Federalist, No. 64:

They who wish to commit the power under consideration to popular assembly, composed of members constantly coming and going in quick succession, seem not to recollect that such a body must necessarily be inadequate to the attainment of those great objections which require to be steadily contemplated in all their relations and circumstances, and which can only be approached and achieved by measures in which not only talents but also exact information and often much time are necessary to concert and execute. It was wise, therefore, in convention to provide, not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place a sufficient time to become perfectly acquainted with our national concerns, and to form and introduce a system for the management of them.

And so forth.

Gentlemen, having been calling loudly upon the name of Washington of late and urging that his position on certain matters was according to their contention, have preached the soundness of his advice. In 1796 the House of Representatives requested of Washington that he send them all papers and information, and so forth, in respect to which the Jay treaty with England, which caused such opposition and popular discontent, was ratified, and in response President Washington wrote the House, of date March 30, as follows:

Having been a member of the general convention and knowing the principles on which the Constitution was formed, I have ever entertained but one opinion on this subject; and from the first establishment of the Government to this moment my conduct has exemplified that opinion—that the power of making treaties is exclusively vested in the President, by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur.

The letter is too long to quote in full, but anyone interested may find it in Richardson's Messages of the Presidents, volume 1, pages 194, 196.

It is also interesting to note that before the writing of the message the President took the opinion of his Cabinet and others prominent in the Government.

After the receipt of this message the House, on April 7, by a vote of 54 to 37, passed a resolution, in part, as follows:

Resolved, That it being declared by the second section of the second article of the Constitution, "That the President shall have the power, by and with the advice and consent of the Senate, to make treaties provided two-thirds of the Senators present concur," the House of Representatives do not claim any agency in making treaties, etc.

I might well quote the positions of Presidents Grant and Polk, but I must not dwell too long on this phase of the question.

It will thus be noted that in the Constitutional Convention at the time of its framing and afterwards, both in the opinion of those who took part in the work and those who presented the constitutional merits of the draft to the people, the opinion was unvarying that the treaty-making power was vested exclusively in the Executive and Senate. For further confirmation as to the correctness of this position see—

Butler Treaty-Making Power, volume 1, chapter 10; Willoughby, on the Constitution; Story on the Constitution; Watson on Constitution; Devlin on Treaty-Making Power.

I have not thought that it would now be seriously contended otherwise had not the present effort been made to substitute for the discretion of the President and Senate, with its two-thirds concurrence, the bare majority judgment of the Senate and unwarranted action of the House.

I will assume, then, that it is conceded that the House has no treaty-making power, and it remains to inquire whether in the case at bar an effort is being made to exercise it as a matter of fact.

The resolution provides that the state of war with Germany is at an end, that all laws passed by Congress to endure during the period of the war are to end when Germany shall signify her acceptance of our offer of peace; that Germany must declare within 45 days that she has terminated her war with the United States; that she must waive and renounce all rights of her nationals to any rights or claims her citizens would have had against the Government or citizens of the United States that would have been obliterated had we joined in the treaty of peace of Versailles; that the United States does not waive any of its rights, privileges, indemnities, reparations, or advantages that the United States has become entitled to under the armistice agreement of November 11, 1918, or which the United States acquired in the progress of the war, and Germany is required further to agree that all fines, forfeitures, penalties, and seizures imposed and made by the United States are ratified, confirmed, and maintained.

Some gentlemen have stated that this does not contain the subject matter of a treaty but is simply an ending of war.

If it were not humorous it would be tragic. Perhaps it is both.

A treaty is a compact made with a view to the public welfare by the superior power. Public treaties can only be made by the supreme power, by sovereigns who contract in the name of the State. See Holmes *v.* Jennings (39 U. S., 540), Edge *v.* Robertson (112 U. S., 580).

Would the above resolution if agreed to in terms by Germany be a compact? A compact is an agreement. Is it an agreement between sovereigns? There can be no dispute as to the sovereignty of the parties, and it will require a moment only, if any time at all, to perceive that it has all the characteristics of agreement.

Agreement means a meeting of minds to do or not to do certain things specified. This resolution requires that Germany agree to certain things; it provides that she will relinquish and waive all rights which she now has as a country at war; she is to agree that certain rights of certain of her citizens now existing shall be extinguished; she is to grant, confirm, and acknowledge certain rights in the United States to certain of her property. In short, she is to write into the resolution all the stipulations of the treaty of Versailles which could in any wise affect her or her citizens or the United States and their citizens in regard one to the other. She is to relinquish rights to property and bind herself to do and not to do many things.

Surely no sane man can or will deny that this resolution is the tender and offer of an agreement binding in honor, if accepted, on the parties, and containing that character of stipula-

tions which have been entered into heretofore exclusively by treaty.

But I have heard it said that this is simply a legislative recognition of a fact that the war is over, and that this is valid even though Germany does not accept. The answers are apparent. Admitting for the present, for the sake of argument, that the mere declaration of a state of peace does not have to be done by treaty and is the exercise of a legislative and not a treaty power, it is impossible to separate this part of the resolution from the other. We surely could not presume that the Congress would pass the one without the other. The fact that we are declared to be at peace, even though Germany rejects the offer, does not help the situation, for the question is whether the House has the power to make the tender at all, and not what consequences would flow if it were accepted.

If the President, by and with the advice and consent of the Senate, should negotiate an agreement with Germany containing these identical terms, would anyone contend that it was not a treaty? If, then, it would be a treaty under these circumstances, it must be likewise when parading through the House under the guise of a resolution, for else we would have the treaty-making power resident in separate agencies, which we have seen can not be.

But it is being urged that Congress has the power to declare peace, since it has it to declare war, and while this is not strictly in issue, since we have seen that the resolution does more than this, yet it might be of some interest to consider this for a brief while.

Wheaton's International Law, fourth edition, says:

> By the forms of the Constitution the President has the exclusive power of making treaties of peace, which, when ratified, with advice and consent of the Senate, become the supreme law of the land and have effect of repealing the declaration of war—

And so forth. I have already endeavored to point out that no such specific power was granted, and none was necessary and proper to be exercised by the Congress in its legislative capacity, but there are a few other observations which I would like to bring to the consideration of gentlemen.

It is interesting to note that the framers of the Constitution did not intend to confer upon and did not understand that the House had any such authority.

When they reached the clause which authorized Congress "to make war" (original draft), Mr. Pinckney opposed the vesting of this power in the Legislature and urged various objections to it. He made remarks indicating a general understanding that the making of peace was a treaty function, vested in the Executive and the Senate, and urged that the power to declare war should be vested in the Senate, for he said:

> It would be singular for one authority to make war and another peace. (Journal, 548.)

The question was squarely presented when Mr. Butler moved to give the Legislature the power to make peace, since it was to be given the power to declare war. This motion was voted down.

It will thus be seen that the question of whether or not the Legislature or Congress, and the House as part of it, should have the power to make peace, and the convention decided that it should not.

It would have been strange, indeed, that the Constitutional Convention, while giving to a given agency the power to initiate a state of war, had not given to some agency the power to make peace, unless it was that the convention thought that this very essential power was sufficiently included in one already conferred. The conclusion is unavoidable that they must have thought that it was comprehended in the power to negotiate treaties, the only one expressly mentioned in the Constitution which could include it.

From that time to this the unbroken practice and interpretation in practice has been to make peace with an existing sovereignty at war with us through treaty and by the constitutional agency, the President and the Senate.

Contemporary interpretation of the Constitution, practiced and acquiesced in for years, conclusively fixes its construction. (Stuart *v.* Laird, 1 Cran., 299; Martin *v.* Hunter, 1 Wheat., 309; Cohen *v.* Virginia, 6 Wheat., 264; West River Bridge Co. *v.* Dix, 6 How., 507; Lithographic Co. *v.* Sarony, 11 U. S., 53; Pollock *v.* Bridgeport Co., 114 U. S., 411.)

But it is said that Congress has the power to declare a state of peace, because if the Senate and President should ever, through willfulness or inability, continuously and continually fail to make a treaty, the state of war would be continuous, with all its limitations, inconveniences, and losses. It has been urged here, and doubtless will be, that the power exists because the President and Senate have not as yet succeeded in effecting a treaty, and the question is asked if we are to wait and how long?

This line of reasoning destroys all constitutional limitations and overturns the Constitution. In short, it is argued that because one agency of the Government has not performed its work to the satisfaction of another separate, coordinate, and independent agency, in nowise concerned, that this fact creates the power in the second to undertake the task exclusively committed to the first. By parity of reason, the Executive might take the position that, Congress having failed to pass necessary laws, he would promulgate them by Executive order, though legislative powers are committed exclusively to Congress. Likewise the judiciary might usurp both Executive and legislative functions, for if Congress can have created for it a power by the failure of the agency to whom committed to exercise it to the satisfaction of the Congress, then any other department of Government can exercise the same prerogative. There is nothing that makes the legislative department inherently superior to others, and if it can pass judgment on whether they are doing their work properly, and if, in opinion, they are not, derive power to deal with the subject itself, other departments may do the same. This would bring governmental chaos and is opposed by every theory of government under written constitution and every reason for the adoption of such a form.

It is further argued that Congress has the power to make peace, because it is conceivable that it is possible for our Government to wage war, to utterly destroy the opposing nation, and to incorporate its people and territory either as a State or as a Territory. It is argued, or may be, that in such cases making peace through the exercise of the treaty power would be impossible, for the reason that a treaty implies necessarily a contract which in turn requires at least two parties, and since the opposing Government no longer exists peace could not be made. From this it is argued that since peace can not be made or declared by the treaty power and must be declared by government in some way, the power to do so must be in some other than the treaty-making agency; that this is the Congress and hence Congress does have power to declare peace under some circumstances and hence can declare it now.

While it is exceedingly difficult to conceive of the state of facts upon which this argument is based ever coming into being, it might prove interesting to examine it and with it the argument based in substance on the reasoning that in cases of civil insurrection successfully put down peace can not be declared through the treaty-making power, since the Government at war with certain of its citizens does not recognize that an antagonistic sovereignty exists and a treaty is a contract between sovereigns.

It is conceded that every consideration of sound policy demands that government have the power to make and declare peace. It is conceded that a declaration of war, of itself, without other legislation, works a change in the legal status of the citizens both toward their own government and also toward the citizens and government of the enemy country. It is also admitted, I suppose, that immediately upon a declaration of war there comes into existence, at least in our own Government, powers which do not exist during a state of peace, affecting most vitally the ability of the Government to defend itself and also the rights, privileges, and immunities of the citizen in person and property and his freedom of action in vital particulars. It is and will be conceded, I suppose, that before the status of the citizen is changed from that of peace to that of war an act of government is necessary declaring either the change of status or else the fact upon which the change depends. This is absolutely necessary that the citizen may avoid giving aid and comfort to the enemy, may know his duties and obligations, and it is equally necessary that officers of government may also know their duties. We work this change from peace to war by a declaration by the Congress. It will be as readily conceded that when once the status of the citizen has been fixed as one of war, some act of government is equally necessary to change it once again to that of peace. The same considerations of policy and good government, and, indeed, the very dictates of self-preservation, demand that government must make the declaration. It is unthinkable that each citizen should have the privilege of deciding for himself when the fighting or negotiating should end or when his peace-time status should be restored.

I take it, then, that it will be admitted by all that it requires some act of government to restore the status of peace when once the Government and its citizens have been given the status of war. How else would the citizen know that the war-time powers of the Government had ceased; that his former enemy had become again his friend? How else could officers of government know their powers and duties? And so I cheerfully

concede that in the cases assumed above there is, and ought to be, a power in government to declare a peace in those cases where the treaty power can not be exercised for the lack of a government with which to contract and agree. But I deny that it follows that it is in any agency other than the treaty-making one, when there is, as a matter of fact, an enemy country toward whom we have assumed the status of war.

We have seen that a condition of war is a status; that is, a certain relationship to the enemy country and its citizens imposed on itself and its citizens by government by the declaration of war. Status means relationship, and this, of course, assumes, as a necessity, the existence of something to which to be related. A man or country can not bear a relationship to something which does not exist. It must follow, then, that in cases where one country completely destroys another with which it is at war and obliterates its sovereignty, the war status of the victor country and its citizens ceases to exist at all, for the reason that there is nothing to which to have the relationship.

So in such circumstances the making of peace is impossible. There is nothing with which to make it. All that is necessary and all that could take place is a notification by the Government to its citizens and to the world, a notification, it is true, made necessary by considerations of good government, but still but a notification that the status of war has been changed or obliterated and no longer exists in fact. Under such circumstances the notification should properly come from a political department of the Government, either by presidential proclamation, as was done by the then President, from time to time as peace was restored in the several States during the Civil War, or else by the Congress, and it is not necessary to inquire here which.

What I have said is applicable to a state of insurrection or civil war where the parent government successfully puts down the insurrection. There is no opposing sovereignty with which to treat, no opposing government or enemy citizenship with which to have a war status, and hence all that is required is some sort of official notification of the facts.

But does it follow where there is in existence an enemy sovereignty capable of continuing war, legally at least, one capable of choosing whether it will continue the status of war as far as itself and citizens are concerned, that a peace status can be restored simply by a declaration of one of the countries that it is so?

It can not if an agreement be necessary, for agreements between this and other countries are committed for their making solely to the treaty-making power, the President, by and with the advice and consent of two-thirds of the Senators present.

We have stated, and certainly it is conceded, that a state of war is a status, and that a state of peace is likewise such. Each has its privileges and its obligations, and a state of war implies not only the attitude of one belligerent but the relation of each to the other. In a peace status the citizen of one country can trade with the citizen of another. In a state of war this can not be done. It is not a state of peace, then, if by the Government of either country trade is prohibited, that country considering itself at war, even though the other country has chosen to say it is at a state of peace.

The making of peace implies that old differences have been settled and are no longer a ground of war under international law. It can not be a state of peace when either of the countries, having never relinquished its attitude of war, may lawfully renew the actual fighting whenever it chooses. In a state of peace it is held to be unlawful under international law to seize the goods and imprison the citizens of a friendly country, but this is permitted when a country is at war; then the citizens of the other country are enemies. It is not a state of peace when, though one country has declared that it is at peace, the other is at liberty to seize the goods and persons of the first. When countries are at war the citizens of each are the enemies of the citizens of the other and intercourse and trade is prohibited. It will be noted that these limitations flow from the fact that one country chooses to retain the war status as far as it is concerned. In short, there is a status of war even though one of the parties assumed to say that it is at peace.

These considerations and illustrations might be multiplied, showing beyond dispute, I submit, that when the status of war has been assumed by warring Governments which continue to exist as sovereignties, with the powers of government and the exercise of governmental will unimpaired, with power to continue the war status, as far as itself and its nationals are concerned, the only way in which a peace status can be obtained is by mutual agreement and consent.

This being true, under our Government it can be attained only by the exercise of the treaty power, since this only has jurisdiction of agreements with other nations with respect to national matters.

This was evidently the intention of the makers of the Constitution. It was so understood by those who preached its merits to the people prior to its adoption. It has received the sanction of uniform practice throughout our history, and surely at this late hour this House will not depart from the teachings of the fathers.

Permit me to call attention to the fact that the sole and only question here is whether the House is seeking to exercise the treaty-making power. Those cases holding that it, when exercised, must not intrude on subject matters solely committed to other agencies, that the power must be exercised subject to constitutional limitations, are in nowise in point or germane here. It may be that the right to levy duties being committed solely to Congress, the treaty-making power can not be exercised to usurp this function. It may be that the power to admit new States to the Union being committed to Congress, the treaty power can not operate upon this subject matter, but these things are beside the question. They have to do with the limitation of the power or the exclusion of subject matters upon which to operate. The question here is not the limits or limitations of the power, but where does it reside?

If to those who agree with me I seem to debate the obvious, let me plead in excuse that the attempted usurpation is as plainly such.

The question is important, not so much in its effects, for the resolution will have none as far as legal efficacy is concerned, but important as an assault on the Constitution. Surely the motive must be powerful to cause gentlemen to take this action.

Do gentlemen opposed to the treaty of peace as drawn, the hope of a suffering world, slowly done to death by reservations of its life, now propose "to cut the head off and then hack the limbs, like wrath in death, and envy afterwards"? Is this poor thing of rags and patches all that America offers to her dead?

Is this to be the substitute for a noble plan, this wastrel from its home, so poor its rightful parent would not nurture it? Or having acted as we have, is this our alibi, done so that it will perhaps appear "our purpose necessary and not envious; which, so appearing to the common eye, we shall be called purgers and not murtherers"?

If the motives of gentlemen be those of political expediency and party advantage, I would remind them that the people will not repose confidence in the party that for party advantage, real or expected, will override the fundamental law of the land. If it be urged that sentiment demands an early peace, I would remind them that it does not demand it at the price of constitutional government. Sentiment does not demand a violation of the Constitution and never will until we are prepared to abandon all respect for law and the orderly processes of government.

If it be assumed that a certain section of sentiment demands this action, I would remind gentlemen that then a certain sentiment is making, knowingly or unknowingly, an assault upon the fundamental law of the land, the very condition which was contemplated when each of us by oath was made its defender and friend. Strange, indeed, if the condition which was to cause us to spring to arms in defense of constitutional government is to be made the excuse for surrender and a joining in the assault.

Grievous days if the guardians of the temple are to sell the golden service to win the favor of those who know not what they ask.

Mr. Chairman, our Constitution was born from the loins of wisdom, which gathered knowledge with the centuries, learned its lessons in suffering and failure, and gave its child to us only in the prime and midday of its strength.

Through the years it has been our guardian, mentor, friend. It served us in infancy, stood beside us in the hour of civil strife, saved the vanquished from the annihilation of revenge, and showed the victor the path of mercy and justice, made possible the reuniting of a severed people, and restored the severed bonds of fraternal love. It has made us great. Living by its rules, we exemplify the greatest liberty, prosperity, and enjoyment of opportunity ever attained by man in government. And now, in the midst of a world torn by war and suffering, with the voices of discontent vocal throughout the earth, some crying for the abolition of all law and some for changes radical and untried, it stands proclaiming those basic principles of government and human right by which our happiness and well-being have been made possible. Will we observe its law? The Constitution stands safe and secure from all enemies without our shores, but in its love it bears no weapon of defense against its children. They only can wound and kill. [Applause.]

Mr. WOOD of Indiana. Will the gentleman yield for a question?

Mr. VENABLE. I am glad to yield to the gentleman from Indiana.

Mr. WOOD of Indiana. Supposing the Congress of the United States should pass a resolution declaring that the war was at an end, and the legislative branch of the German Government should pass a like resolution, would the gentleman still say that the two bodies together had no right to come to a mutual understanding?

Mr. VENABLE. Absolutely, for the reason that under our Constitution the power to make international agreements is vested exclusively in the treaty-making functionary, and the Congress has not the right to speak.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. VENABLE. Yes.

Mr. SMITH of Michigan. I should like to inquire when we would be at peace provided the President at no time would make a treaty?

Mr. VENABLE. I undertook to answer that position. I do not know whether the gentleman was present or not. The gentleman conceives a case where government has totally failed. What sort of position would we be in if Congress should totally fail to function? Would the President have the right to constitute himself the lawmaking authority? [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman and gentlemen, if the gentleman from Mississippi [Mr. VENABLE] is correct, it requires these representatives of 100,000,000 people to involve this country in war; but once it is involved in war God Almighty himself could not get us out of it if Woodrow Wilson did not want us to get out. [Applause.] The gentleman suggests that the idea that this House and the Senate can stop the fight which it and the Senate started would be humorous if it were not tragic, and it might be both. The idea that there is no way to get this country out of war unless the President lets us stop is tragic and is humorous, too. The gentleman bases his entire argument upon a very curious fallacy, which is that it takes a treaty to stop a fight. Under the ordinary laws of nature and of common sense anybody who can start a fight can stop that fight if the other fellow is willing. [Applause.]

In this case Germany has sued for peace, and all that is necessary now is for somebody to tell her that she can quit, and under the Constitution all powers given, not otherwise specifically assigned, can be exercised by Congress, and the time necessary has arrived when the treaty makers failed to function.

The gentleman speaks of this as if we were making a treaty. We are not. Germany sues for peace and we deliver an ultimatum and we say, "Yes; you may quit under certain conditions." If they accept them, then the treaty-making power can go to work and make a treaty. We are not negotiating a treaty. We are announcing an ultimatum. The gentleman's argument flows gracefully on in eloquent and rounded periods just as soon as he leaves his first premise. If his premise were correct, it would be a logical and persuasive speech, but it is all bottomed on the singular and curious fallacy that wars can only be terminated by written treaties; that nations can live in peace only when their agreements to do so have been signed, sealed, registered, and recorded. That fallacy exploded, his brilliant argument hangs wavering in the air without foundation and ceases to be of force or effect. If Germany accepts our ultimatum, then the treaty makers can begin again. Every man with horse sense knows that this war is over, and if is high time that the clock struck officially the hour of its end. We can not afford to have a river of horrors and expenses of war engulfing our Republic till somebody is willing to take advice he does not like. The people have vested in the representatives all reserve powers necessary to preserve the Republic and its citizens. This is a government of checks and balances, and if other departments fail Congress must do its duty. That is what Congress is for and that is why it wields the thunderbolt of the will of a hundred million Americans.

The gentleman from Mississippi instances something that took place in the Constitutional Convention which he evidently has misapprehended, as it demonstrates the opposite to what he had in his mind. I presume he had in his mind the recollection that comes to my mind, that they had under consideration at the moment, not the present Constitution but a proffered one, which had this clause in it, that among the things Congress could do was that it could make war. Mr. Ellsworth, of Connecticut, suggested adding peace, so it would read that Congress could make war and peace. He made a fine argument in support of it. One of his colleagues suggested that he did not understand what that meant, that it did not mean declare war; it meant by making war to carry on war; and if you add to it making peace, you would be making it say that Congress could carry on war and carry on peace. He said that if it said declare war that would be a different thing, which it now does, and Mr. Ellsworth saw the point and voted against his own suggestion.

There is nothing in the Constitutional Convention that I remember to indicate any further than that; there may have been some similar instance on some other day.

Mr. WINGO. Will the gentleman yield?

Mr. LITTLE. Not just yet. Jess Willard, out in my district, was champion of the world a little while ago, and Dempsey and he got involved in war. Dempsey hit him in the jaw and the war ended. [Laughter.] There was no treaty. [Laughter.] Treaties are not necessary between nations in this world any more than it is necessary for you and me to go into partnership. A treaty is requisite if we are to be engaged in business together, and if nations desire to assume relations of such a character that the people can do business and carry on affairs together there must be a treaty. But they can live at peace without a treaty. Because we have peace with Germany it does not follow that we must have a treaty with Germany and go into business with her. The treaty power is lodged in the President and the Senate of the United States.

Mr. JUUL. Will the gentleman yield for a brief question?

Mr. LITTLE. I would rather not, but go ahead.

Mr. JUUL. I want to remind the gentleman that the Congress of the United States abrogated the treaty with Russia because Russia would not recognize passports granted to the Jews. And yet we continue to do business with them.

Mr. LITTLE. And live at peace with them. No treaty is necessary in order to live at peace with another nation. What became of our Mexican treaties? The power that declares war, the power that starts the fight, always, under the laws of God, common sense, and nature, has the implied power to declare peace. [Applause.]

It is true that the Congress of the United States has no right, having declared peace, to follow it with a treaty. The Congress has authority to refuse funds and soldiers and thus cause a cessation of hostilities. Congress can do this without any resolution by mere refusal of appropriation and soldiers. King Charles had the gentleman's constitutional views, that the executive can raise money and keep up war and government without legislative aid, and they cut his head off. The power which starts a fight is inherently granted the power to stop that fight. He that can begin can end. [Applause.]

Ah, but they say the Constitution of the United States indicates otherwise, that the President and the Senate have the sole right to stop the fight. Where in the Constitution is that power granted? They are told that they can make treaties between the different nations and ourselves, but where in the Constitution is the President and the Senate told that they can stop a fight without a treaty? [Applause.]

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. LITTLE. Not at present. They are simply negotiators for the Republic. We have waited for the treaty makers and we have no treaty with Germany. But it does not follow we must keep on at war. As the gentleman so aptly and eloquently says, "It is absurd." It is like a marriage. We do not have to get married to anybody if we do not want to. But when we do somebody must establish the conditions under which the marriage is to be made.

So if the gentleman from Mississippi is correct in his position, he simply puts himself in this position, that if the Presidents should be obstinate, bullheaded, self-willed, fanatical, obsessed by some one idea, and determined they could involve this country in war for a thousand years and nobody could stop it. [Applause.]

Now, gentlemen, I have called your attention to the fact that the whole argument of the gentleman from Mississippi is based on a theory that we are making a treaty, when it is evident that we are merely delivering an ultimatum.

But there is a bigger reason than all these things. We can not handle everything with technicalities. The President has no right to declare war, and yet a few months ago he directed a force of troops into Mexico, sent Gen. Pershing a hundred miles into that country, and established a state of war. The Constitution did not authorize him to do that, but Congress backed him up. Are we going to be told that although we backed up the President of the United States when he violated technically the Constitution, when we try to stop hostilities and save the lives of men and immense sums to the Republic that he is going back on us? He sent a force of troops into Mexico, when Congress might have brought him to account for it, and is he so obstinate and so important that he will refuse to back

up Congress when it tries to save money and the sacrifice of life? Why, certainly not. I have too much confidence in and respect for the President of the United States to think that he would think of doing any such thing. Unconstitutional for the Senate and the House to pass this resolution and say that hostilities which the House and Senate began by resolution are ended by resolution! Why, Pershing on the front could do that very thing. Germany sued for peace. They asked that hostilities cease, and Pershing agreed to the armistice. He had authority under the Constitution and the powers Congress gave to do that. He and our allies did it by an ultimatum of what they should do before we granted peace, and our armies are camped on the Rhine because Pershing could say that the fight shall stop. Can not the Congress of the United States declare an armistice? If Germany turned around and wanted peace, as has been suggested, then the war is ended without a doubt.

The Constitution gives Congress authority to declare war, which carries with it, logically, authority to stop war, unless the Constitution specifically gives that power to somebody else. That venerable document authorizes the President and the Senate to make treaties with nations with whom we are at peace or at war, but no right to stop the war unless a treaty is made. So that authority is still vested in Congress. But the Constitution goes further and says that Congress can make any laws necessary for carrying out the powers previously given and all other powers vested by the Constitution in the Government. Thus there is the blanket authority vested in Congress to stop every gap that has not been met by the Constitution. So when the Senate and the President have failed to come to an understanding we are forced back upon the inherent power and the general authority the Constitution gives Congress to meet the emergencies of the Republic. The Senate of the United States has taken the treaty and given to the Executive, which negotiated it, the advice the Constitution required from that august body. The Constitution supposed, of course, the President would accept the advice the Constitution ordered the Senate to give him and then two-thirds of the Senate would concur and we would have a treaty and peace.

But an extraordinary situation has arisen because the President declines to take the constitutional advice of the Senate. If the gentleman from Mississippi is right, constitutional powers are exhausted and an emergency has arisen for which the fathers of the Republic in all their wisdom failed to provide. The gentleman thinks our resolution is absurd. Is it any more absurd and impossible than the condition that arises when the President scorns the advice the Constitution arranges for him. New ills demand new remedies. Fortunately for America, the Constitution has empowered Congress with whatever authority is necessary, with all powers vested in the Government not otherwise located, as well as the implied authority to cease fighting, which comes with its power to begin fighting. The logic of common sense points the beacon light clear in this seeming midnight darkness of the hour. Men cry for concentration of power in a single pair of hands in great trials of nations. In the days of the French Revolution, the English Revolution, the Austrian Revolution, the German Revolution, the Russian Revolution—every time in history the legislatures have been stronger in emergencies than any single executive. Under the powers given it by the Constitution, the authority lodged nowhere else by the Constitution, when the treaty-making powers fail to treat and war's menace hangs over us, Congress and Congress alone, when the enemy sues for peace, can say, "The war we began by resolution we now declare stopped by the same resolution that started it," and if the President wishes to veto that resolution, admit that he can not stop the war, confess that he will not permit anybody else to terminate it, let him answer on the pages of history for a thousand years in the tribunal where is given the judgment of mankind.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LITTLE. Mr. Chairman, can not the gentleman from Illinois grant me two minutes more?

Mr. CANNON. Mr. Chairman, I yield the gentleman five minutes more time. [Applause.]

Mr. LITTLE. As I suggested, out in Toledo the fight ended without a treaty. This war is over anyway, and what difference does it make if we should pass such a resolution? A friend of mine, a little fellow, an editor out home, was going up the steps and another man hit him in the back, all because of a row about saloons. The little man turned around and leaped down and fell on top of the big fellow. The little fellow was on top, the big fellow falling backward. The big fellow, although he was bigger than the other man, called for help, and some of the crowd around about said, "Heath, had not you better get off?" and Heath said, "Is this fight over? If it is not, I am very well situated." This fight is over, Germany is done, our country won, the fight ended, they cried for quarter, and the power which began this war is in a position to end it right now, if there never is a treaty. So what is the use of getting away from the rules of common sense and talking about technicalities that do not exist? A Roman ambassador at Carthage said to the Carthagenians, "I hold peace and war in the folds of my toga—which will you have?" Has this Congress, the great power which declared this war, sent an ambassador to Paris who is the only man that can announce the termination of a war he could not begin? Has it come to this, my friends, that we send a President of the United States to Paris to sit at a peace conference of the world and say to the universe, for 100,000,000 Americans, "I have peace and war in the pockets of my swallow-tail coat—which will you have?" [Applause.]

Mr. MCANDREWS. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Chairman, I thought the gentleman from Kansas agreed to yield to me when he had finished his statement.

Mr. LITTLE. The gentleman will excuse me, but if they will yield me two minutes I will be very glad to yield to him.

Mr. WINGO. My object was not controversial, for I am sure that the gentleman does not want to make an inaccurate statement. The gentleman is in error when he says that Mr. Ellsworth proposed in the Constitutional Convention the proposal to give Congress, in addition to power to "declare war," the power to "make peace." What the gentleman refers to was the original proposition of vesting in Congress the power "to make war." Then Mr. Ellsworth did call attention to the fact that the Executive was the proper one to "make" war, and that what they should do was to vest in the legislative department the power to "declare" war. For that reason the amendment was adopted changing the word "make" to the word "declare." Mr. Butler, of South Carolina, proposed an amendment to give Congress the right to "make peace," and Mr. Butler and two other gentlemen were the only ones who supported that proposition. If the gentleman from Kansas [Mr. LITTLE] will read the debates in the Constitutional Convention he will realize that the fathers were wise, because they seemed to foresee the present day, when the party in control of Congress might, in a partisan, dictatorial spirit, as does now the Republican steering committee, say to the country, "You will take our kind of peace or you will get none at all."

Mr. LITTLE rose.

Mr. WINGO. Oh, I yield.

Mr. LITTLE. I can not thank the gentleman for his information, because he has not given any. The statements I made about Mr. Ellsworth are accurate. It is true that Mr. Butler did make the motion referred to by the gentleman from Arkansas [Mr. WINGO], but that does not bear on the immediate proposition. Mr. Ellsworth did make the suggestion that I referred to, and if the gentleman would study the debate he would realize it.

Mr. WINGO. I appreciate the advice from the gentleman, but to show him that I have studied the debate I hope that he will keep all of his remarks in the RECORD——

Mr. LITTLE. That is the idea.

Mr. WINGO. And he will find that on the very same day, August 17, 1787, the proposition that I refer to, that of giving Congress the power to "make peace" came immediately after the proposition of giving it power to "declare war." Mr. Ellsworth did not offer the amendment to vest the power to "make peace" in Congress, but that amendment was offered by Mr. Butler, and was unanimously voted down. The gentleman does not seem to catch the point I was trying to call to his attention about which I say that he is in error. If I wanted to make the retort obvious to my sweet-tempered friend, I would state that I can give him information, but I can not give him comprehension.

Mr. LITTLE rose.

Mr. WINGO. My only object in calling the gentleman's attention to this was that I did not want him to fall into a historical inaccuracy, which he did when he stated that Mr. Ellsworth urged that power to "make peace" be vested in Congress. The record of the debates shows that Ellsworth took the opposite view, stating that it should be easier to make peace than to declare war, and supported the proposal to vest the treaty-making power in the President alone. This, too, was rejected, and the provision now in the Constitution vesting this power in the President with advice and consent of the Senate was adopted.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. No; I can not.

Mr. MADDEN. Is the gentleman afraid to yield?

Mr. WINGO. Oh, no. If the gentleman will get me plenty of time, I will be very glad to yield to him.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. WINGO. No. Let us have one at a time.

Mr. LITTLE. If the gentleman will come over to see me some time, I will show him the place in the book, if we can find one.

Mr. WINGO. Oh, I have read it time and again. If the gentleman from Illinois [Mr. MADDEN], who makes the suggestion that I am afraid to yield, desires, I will be very glad to go into the question with him and argue it, and I will grant him two hours to my one, as to whether or not this House has any constitutional power to propose a treaty as proposed by this so-called peace resolution.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. No. If the gentleman will get me time, I will be very glad to do so. Mr. Chairman, I am very glad that this discussion has come up. I trust the Republican steering committee, that undertakes to say to the country that it shall have its particular brand of peace or none at all, will allow us sufficient time to discuss not only our power but the merits of the proposed resolution. I am anxious to restore peace and will do all I can to bring about peace-time conditions, but I decline to be fooled by a political resolution that instead of concluding peace will worse confound the confusion that already exists.

I repeat, I am very anxious to have peace. If the gentleman from Kansas [Mr. LITTLE] is correct, and this House has the power to make peace, why have he and the other Republicans who are in control sat here so many long, weary months and not exercised that power and brought about peace? If he had that power all the time, why has he waited and why has the country waited for peace when he had in the "folds of his toga" the power to declare peace? Why do he and his fellow Republicans continue to make peace the football of partisan politics?

Mr. LITTLE. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McANDREWS. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. AYRES]. [Applause.]

Mr. AYRES. Mr. Chairman, it has been laid down as an unquestionable proposition of international law that there is a legal as well as a moral necessity that with the ceasing of the causes which justified the inception of the war the war itself should cease.

Believing in this doctrine, Mr. Chairman, and also being possessed with an intense desire for peace, I earnestly and conscientiously began to investigate the proposition as to whether or not, under the Constitution of our Nation, we could bring about peace by a joint resolution of the House and Senate. I have made what I consider a thorough investigation. I know I have made an honest investigation.

I have found the great weight of authority holds there are three ways or methods by which war may be concluded and peace again established:

First, by the unconditional submission of one belligerent to another; second, by a de facto cessation of hostilities and a de facto renewal of relations of peace by both belligerents; and, third, by a formal treaty of peace. I have been unable to find any other method than the three enumerated.

I take it we are dealing with the third proposition—that is to say, a formal treaty of peace. If not, then we are dealing with nothing.

Therefore we must assume that the joint resolution under consideration by its phraseology is an attempt to bring about a treaty of peace. Then the question presents itself, in what manner and by what authority can this be accomplished?

The Constitution specifically provides how war may be declared by Congress, and, to my mind, it is just as specific as to making peace.

It is as plain as the English language can make it, that the President shall have the power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. Nowhere in the Constitution, nor anywhere else as for that, is there a provision that when two-thirds of the Senate fail or refuse to concur that the House of Representatives can assume jurisdiction of treaty making.

It has been argued by some that the power to declare war necessarily includes the power to declare peace. That theory was exploded early in the history of our Government. All governments have specifically fixed these powers by constitution or otherwise. Some have placed the power of declaring war, also of making peace, in a single individual. But, as has already been said, our Constitution provides that the President, and he only, with the advice and consent of the Senate, can make a peace treaty. If the framers of the Constitution had intended the real representatives of the people, namely, the House of Representatives, had to give advice and consent to the President in making a peace treaty, then, undoubtedly, that provision of the Constitution would have read, "The President shall have the power, by and with the advice and consent of both Houses of Congress, to make treaties, provided two-thirds of the Members thereof present concur." Also if it had been intended by the framers of our Constitution that the making of peace treaties was a matter of legislation, as contemplated by this resolution, there no doubt would have been a provision in the Constitution to the effect that every treaty which shall have passed the House of Representatives and Senate shall, before it becomes a treaty, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the treaty, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House it shall become a treaty.

That is what is sought to be done by this resolution, without any constitutional provision authorizing such procedure, and in open and flagrant violation of the Constitution.

In view of the fact the makers of the Constitution specifically excluded the House of Representatives from any consideration of peace treaties, I can not understand what prompts the leaders of a great party to drag into our deliberations a matter so foreign to the jurisdiction of this House.

To give this House a voice in the making of peace treaties was no doubt anticipated at several times during the making of the Constitution, as can be ascertained by reading the journal of the Constitutional Convention by Madison.

On August 17, 1787, in the debate on this question in the Federal convention there is this record:

> Mr. Butler moved to give the legislature power of peace, as they were to have that of war.
>
> "Mr. Garry seconds him," he said. "Eight Senators may possibly exercise the power if vested in that body and 14 if all should be present; and may consequently give up part of the United States. The Senate are more liable to be corrupted by an enemy than the whole legislature."
>
> "On the motion for adding the words 'and peace' after 'war,' it was defeated by a good majority."

I am sure that it was unanimous.

Mr. MOORE of Virginia. May I interrupt the gentleman?

Mr. AYRES. Certainly.

Mr. MOORE of Virginia. It was defeated unanimously.

Mr. AYRES. I thought so.

Mr. MOORE of Virginia. The vote was by States. I think there were two or three members of the other opinion, but it was recorded as a unanimous vote. May I suggest this, further, to the gentleman while I am on my feet: The wisest writers on the Constitution discussed that point. Justice Story and Chancellor Kent both take the view which the gentleman now advances, which is different from that which the gentleman from Kansas [Mr. LITTLE] stated a moment ago.

The gentleman who is now speaking is correct, as I read the history of the convention and the commentaire of Story and Kent, and the gentleman from Kansas [Mr. LITTLE] is incorrect.

Mr. AYRES. I want to read what Mr. Justice Story said relative to this matter. This is section 1173:

> In the convention in the first draft of the Constitution the power was given merely "to make war." It was subsequently, and not without some struggle, altered to its present form. It was proposed to add the power "to make peace," but this was unanimously rejected, upon the plain ground that it more properly belonged to the treaty-making power. The experience of Congress under the confederation of the difficulties attendant upon vesting the treaty-making power in a large legislative body was too deeply felt to justify the hazard of another experiment.

Mr. J. I. C. Hare, in his treatise on American constitutional law, says:

> The President is as much the representative of the entire people of the United States as any Member of Congress can be of his district, and should therefore exercise the discretionary powers confided to him by the Constitution in the way he may deem best calculated to promote the welfare of the country, which may not be in the way deemed best by Congress. Take, for instance, the case of a war which Congress thinks unnecessary or unjust and wishes to close on terms that the enemy are willing to accept. Still, it is the right of the President, and not of Congress, to determine whether the terms are advantageous, and if he refuses to make peace the war must go on.

Dr. William Rawle, in his treatise on American constitutional law, says:

> Treaties, by which peace is completely restored, may, as already shown, be made by the President and Senate alone, without the concurrence and against the will of the House of Representatives.
>
> It has been made a subject of doubt whether the power to make war and peace should not be the same, and why a smaller part of the Government should be intrusted with the latter than the former. Sufficient reasons may be assigned for the distinction. Peace is seldom effected without preparatory discussions, often of length and difficulty, the conduct of which, of course, belongs only to the President and Senate. War is always an evil; peace is the cure of that evil.

In Halleck's International Law, volume 1, may be found the following by that author:

By the Constitution of the United States of America, the President has the exclusive power of making treaties of peace, which when ratified with the advice and consent of the Senate become the supreme law of the land, and have the effect of repealing all other laws of Congress, or of States, which stand in the way of their stipulations.

And I will state there are many other authorities sustaining that view, which I will not have the time to recite.

The only manner in which the House of Representatives can interfere with such power would be for Congress to compel the President to make peace by refusing the means to carry on the war. There is no question but what Congress can do that, but that time has passed, and we are now considering a treaty of peace. It is also true that the House can refuse to enact such legislation as is necessary to carry out the provisions of a treaty after it has been ratified by the President and the Senate, but that is not the question we are called upon to decide in this resolution.

I am confident there can not be found a single authority on constitutional law that will sustain the contention of the supporters of this resolution. Simply because the Constitution does not in words prohibit the House of Representatives from taking jurisdiction of such matters and subjects as are to be considered by the President and Senate under its provisions is no reason why it should assume it has such jurisdiction.

If we are justified in taking that position, why not also take the position we have the authority under the Constitution by joint resolution to confirm the appointments of ministers and ambassadors, members of the Cabinet, judges of courts, postmasters, and all other appointments, as there is no provision in the Constitution prohibiting it? It is just as logical in one case as in the other. We have a provision in the Constitution which reads:

All bills for raising revenue shall originate in the House of Representatives.

Why not say, because there is no provision in the Constitution prohibiting the Senate from taking original jurisdiction of revenue bills that it may do so by joint resolution?

I have heard some say, "Oh, well, if both branches of Congress assume jurisdiction in this matter, neither questioning the jurisdiction of the other, but by joint resolution make a declaration of peace which imposes certain conditions on the German Government and which that Government accepts and agrees to carry out, who can find fault or raise the question of it being unconstitutional?"

I think a fair answer to such logic as that is to call attention to another provision of this same Constitution, which provides that all cases affecting ambassadors and other public ministers and consuls, and also in which a State shall be a party, the Supreme Court of the United States shall have original jurisdiction. Is there a lawyer in this House who will contend for a moment that if parties to a legal controversy in which a State should be a party and some district or State court would assume jurisdiction and neither party to the controversy objected, that a judgment rendered by such a court would be valid? I can not conceive of any arrangement whereby the Supreme Court of the land could be ousted of its original constitutional jurisdiction and transfer it to an inferior tribunal and expect a valid decree.

If that be true, can it be said with any greater logic that this House by a joint resolution can take jurisdiction of a subject matter which is clearly by the Constitution lodged exclusively in the President and Senate? Can it be conscientiously and sincerely contended that any action taken by this House in this matter would be valid and binding?

I am just as anxious as any Member of this House to see peace declared, and feel it should have been done long ago, and believe if the Constitution had delegated such power to this body to make a declaration or treaty of peace it would have been accomplished long ago, and I believe the framers of the Constitution made a mistake when they assumed that all the brains and dignity would be lodged in any one branch of this Government, especially in view of what has occurred within the past year; but I can not bring myself to feel that, owing to my desire for peace, I am willing to do an unlawful or unconstitutional act, nor would I, if I disliked—yes, I will say hated—the President as do some of the Members of this House, permit it to cause me to violate the oath I took that I would support and defend the Constitution of the United States against all enemies, foreign and domestic, and would bear true faith and allegiance to the same.

To bear true faith and allegiance to the Constitution does not admit that by reason of intense partisanship, or because of the hatred you might have for the President or the uncontrollable desire you might have to embarrass him, to knowingly vote for a measure which is clearly in conflict with its provisions.

I am willing to go as far as any Member of this House in demanding and upholding all the powers the Constitution has given us. There is no question but the House of Representatives has the right to exercise its judgment as to whether or not it will approve or disapprove a treaty made by the constituted authorities—that is, the President and Senate. The House is not compelled to vote for an appropriation to carry out the provisions of such treaty.

We have the undoubted right to determine for ourselves, upon the merits of a treaty, whether we will or will not enact such legislation necessary to make it operative. This question was first raised early in the history of the Nation—in 1794 and 1795 over the Jay treaty—and has been a subject of much controversy many times since that date. The great weight of authority is in favor of this position I have stated, but to this extent and no further, however, are we a part of the treaty-making power of the Nation. This power can be exercised only after a treaty has been made and submitted to us for the purpose, and sole purpose, of enacting laws to carry out its provisions. That power does not in any sense authorize the House of Representatives to, in the first instance, take part in the deliberations of making a treaty, or as for that matter, by resolution, declare peace.

Judge Cooley, one of the greatest authorities on constitutional law, says:

The full treaty-making power is in the President and Senate, but the House of Representatives has a restraining power upon it, in that it may, at its discretion, at any time refuse to give assent to legislation necessary to give a treaty effect. Many treaties need no such legislation, but when moneys are to be paid by the United States they can be appropriated by Congress alone, and in some other cases laws are needful. An unconstitutional or manifestly unwise treaty the House of Representatives may possibly refuse to aid, and this, when legislation is needful, would be equivalent to a refusal of the Government, through one of its branches, to carry the treaty into effect. This would be an extreme measure, but it is conceivable that a case might arise in which a resort to it would be justified.

President Jefferson, in his message to Congress relative to the purchase of Louisiana, recognized the extent of the authority of this House. He said:

In my communication to you of the 17th instant I informed you that conventions had been entered into with the Government of France for the cession of Louisiana to the United States. These, with the advice and consent of the Senate, having now been ratified and my ratification exchanged for that of the first consul of France in due form, they are communicated to you for consideration in your legislative capacity. You will observe that some important conditions can not be carried into execution but with the aid of the Legislature and that time presses a decision on them without delay.

All the Presidents from Washington up to and including President McKinley have recognized this principle.

If that was the only question it would be easily solved. This question as to whether or not the House of Representatives is a part of the treaty-making power has been before this body many times, and it has gone on record on more than one occasion that it had no jurisdiction in such matters. In 1794 and 1795, in the controversy over the Jay treaty, a resolution was passed by the House as follows:

Resolved, It being declared by the second section of the second article of the Constitution that the President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur, the House of Representatives do not claim any agency in making treaties, but that when a treaty stipulates regulations on any of the subjects submitted by the Constitution to the power of Congress, it must depend for its execution as to such stipulations on a law or laws to be passed by Congress, and it is the constitutional right and duty of the House of Representatives in all such cases to deliberate on the expediency or inexpediency of carrying such treaty into effect, and to determine and act thereon as in their judgment may be most conducive to the public good.

Again on April 3, 1820, Henry Clay, of Kentucky, then Speaker of the House of Representatives, introduced the following resolution:

Resolved, That the Constitution of the United States vests in Congress the power to dispose of the territory belonging to them, and that no treaty purporting to alienate any portion thereof is valid without the concurrence of Congress.

This resolution was debated until April 5, when the House passed to other business without any decision.

May I ask the gentleman in charge of the time that I may have 5 or 10 minutes additional?

Mr. MCANDREWS. I yield the gentleman 10 minutes more.

The CHAIRMAN. The gentleman is recognized for 10 additional minutes.

Mr. AYRES. Again, in 1871, the House of Representatives passed the same resolution, word for word, as was passed by the House in 1794, which I have already recited, showing that 77 years afterwards they were in the same frame of mind relative to their treaty-making power as in the very beginning of our Government.

In 1881, it is said, the House Committee on Foreign Affairs, discussing the treaty-making power, concluded the House had

no share in it and submitted a report on House joint resolution 132, relating to the subject, as follows:

In the opinion of your committee there is no conflict in these provisions. The words "all bills for raising revenue," in section 7 of article 1 of the Constitution, do not embrace treaties; a treaty is not a bill for raising revenue, and the requirement that "all bills for raising revenue shall originate in the House of Representatives" is not a limitation upon the treaty-making power, but is only a condition imposed on the ordinary law-making power of the Government. The President and the two Houses of Congress constitute the ordinary law-making power of the Government; the President and two-thirds of the Senators present constitute the treaty-making power. Neither of these powers has anything to do with the other, and to require the consent of the House of Representatives to make a treaty valid would violate the Constitution by making the House of Representatives a branch of the treaty-making power.

In debate in the United States Senate December 16, 1903, Senator John C. Spooner, who is recognized as authority on the Constitution, said, in answer to Senator Bailey—and I am reciting Republican authority, hoping it may have some effect on my Republican friends on the other side of the aisle. This is what Senator Spooner said:

The point of the Senator's argument was that the House was no part of the treaty-making power. That is true. A treaty which the President and the Senate may lawfully enter into would be no better if it provided for approval by the House, but would be an attempt to confer by contract a power upon the House which under the Constitution it does not possess, which it claimed long ago, in President Washington's day, but which it abandoned then and has never since asserted.

In 1897 Senator Cullom, of Illinois, said in a report he made on a reciprocity treaty:

Section 2 of article 2 of the Constitution provides that the President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur."

The President and the Senate are, under the Constitution, the treaty-making power. The initiative lies with the President. He can negotiate such treaties as may seem to him wise and propose them to the Senate for the advice and consent of that body, which is as free and independent in its action upon the same as the President is in exercising his power of initiative and negotiation.

The power of the President and the Senate is derived from the Constitution. There is under our system no other source of treaty-making power. The Congress is without power to grant to the President or to the Senate any authority in respect to treaties, nor does the Congress possess any power to fetter or limit in any way the President or the Senate in the exercise of this constitutional function. It can not enlarge or in anywise limit or attach conditions to the exercise of the treaty-making power.

Whether the treaty is one which is self-executing or one which requires legislation by the Congress to give it effect, it must first, in any event, be negotiated by the President and ratified by the Senate. Whether he will negotiate a treaty and when and what its terms shall be are matters committed by the Constitution entirely to the discretion of the President, and whether the Senate will advise and consent to it, with or without amendment, is a matter committed entirely to the discretion of the Senate.

If a treaty be such as to require legislative action, and when entered into by the President and ratified by the Senate does not meet the approval of Congress, it has the power to withhold the legislation requisite to give it effect, but with the preliminary steps of negotiation and ratification the Congress has nothing whatever, under the Constitution, to do.

I should judge that Senator Cullom, recognized as a statesman of ability, long service, and vast experience as a legislator and a close follower of the Constitution, ought to be considered fairly good authority.

I want to particularly call attention again to what he said relative to the want or lack of power of the House to deal with treaty matters:

The power of the President and the Senate is derived from the Constitution. There is under our system no other source of treaty-making power. The Congress is without power to grant to the President or to the Senate any authority in respect to treaties, nor does the Congress possess any power to fetter or limit in any way the President or the Senate in the exercise of this constitutional function. It can not enlarge or in any wise limit or attach conditions to the exercise of the treaty-making power.

I want to inquire what are we doing now by considering this resolution if not to fetter and limit the President in the exercise of his constitutional functions? Who of the supporters of this resolution can truthfully say it is not attaching conditions to the exercise of the treaty-making power? Every line and syllable attaches conditions to the exercise of the treaty-making power. The argument of the supporters of this resolution is that they are not seeking to make a treaty, but only by joint resolution to bring about peace between this Nation and Germany. While I do not accept this explanation, as to my mind it is solely an effort to make a treaty with Germany, however, for the purpose of meeting the argument of the proponents of this resolution, I will accept that theory for the moment. It certainly can not be denied that it is an attempt on the part of this House to assume jurisdiction of a foreign relations matter clearly within the prerogative of the President. In support of this position I desire at this time to call to the attention of the House a message of President Grant, delivered to the House of Representatives on January 30, 1877, returning, with his objections, the joint resolution of the House (H. J. Res. 171) in reference to the congratulations from certain other countries. He said:

The Constitution of the United States, following the established usage of nations, has indicated the President as the agent to represent the national sovereignty in its intercourse with foreign powers and to receive all official communications from them. It gives him the power, by and with the advice and consent of the Senate, to make treaties and to appoint ambassadors and other public ministers; it intrusts to him solely "to receive ambassadors and other public ministers," thus vesting in him the origination of negotiations and the reception and conduct of all correspondence with foreign States, making him, in the language of one of the most eminent writers on constitutional law, "the constitutional organ of communication with foreign States."

If this resolution should pass, can it be construed that we are at peace with Germany and Austria? This within itself would not restore diplomatic relations with those countries. It will take more than a joint resolution passed by Congress to do that.

The framers of this resolution must feel proud of the fact that they have provided in it that if these countries do not "renounce" all their rights and privileges which may have been left them, and so notify the President within 45 days after this resolution becomes effective that they have done so, we will have no commercial or financial dealings with them. In other words, we say, "Notwithstanding the fact you surrendered once, surrender again or starve."

I can not conceive of a more humiliating position for a strong nation with a generous and fair-minded people to take than to pass this resolution.

It is not only an admission that we are incapable of making peace as provided by our Constitution and as defined by all constitutional and international law writers, but also because of our position as a powerful Nation we will impose unfair and unconscionable demands. Such proceedings will discredit us as a Nation and ought to destroy any party or organization favoring it.

The House of Representatives has certain duties imposed upon it by the Constitution, and to the Senate there are delegated certain powers which the House does not enjoy and certain duties with which the House has nothing to do. If the Senate has failed in the performance of these duties, it is not the business of this House to undertake to perform them. As for one, I do not intend to be used as a cat's-paw to drag from the coals of fire the chestnuts some one else put there. Let whatever branch of the Government responsible for the condition we are in at this time assume the responsibility and not try to divide it with those in no way responsible. This House never shirked a single responsibility during the war. It met every demand made wherein it was authorized and empowered by the Constitution to do so. It should not now commit an unpardonable blunder by violating the provisions of the document that gives it existence in order to extricate some other branch of this Government from an embarrassing position in which it may be at this time, but for which the House is in no way responsible and over which it has no control or jurisdiction. [Applause.]

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back four minutes.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MASON]. [Applause.]

Mr. MASON. Mr. Chairman, as a member of the Committee on Foreign Affairs I expected to discuss this question as it bears upon international law and upon the power of the Congress. In passing through, however, I heard the statement of the distinguished gentleman who said that we on this side of the Chamber were insisting that unless we had the kind of peace that we wanted we could not have peace at all. If I may be permitted, without at the present time discussing its legal effect, I desire to enter my protest right here and now. I had hoped that there might be full discussion. Indeed, my associates on the committee were kind enough to say that there might be possibility of amendment and suggestion, but the chairman of the Democratic committee came to Washington and announced publicly that his party would vote solidly against this declaration of peace, and that if we passed it the White House would veto it. And I am now replying to the suggestion not by this side of the Chamber, but over there, and your President is saying and has been saying, "You can not have peace until the peace suits me, the President of the United States." The treaty of peace was amended. It was amended by a majority of the body elected by the people. It was defeated by a Democratic minority. The people of this country believe in international arbitration. I stood here before my colleagues and for an hour, after the armistice was signed, begged and pleaded that we stand behind the President on an international compact of arbitration such as meant a league of nations. I expected that he would come back here with the dove of peace. He came back here with a basket filled with the British lion, not with the dove of peace for America. He came back here with a treaty that gave Great Britain in arbitration six votes for our one. He

came back with the proposition which allowed to a superstate the ordering of your boys and my boys again into war to maintain the rape of China by that great democrat, the Mikado of Japan. [Applause on the Republican side.] He came back with a treaty which announced in the language of that old league of nations, the Holy Alliance, that the men to make peace with the world were appointed by God.

He came back with a proposition that we must obey the dictates of a court, and while the President of the United States was speaking in Idaho or somewhere in the West, saying that Canada could not have a place in the council of the League of Nations, it was discovered in another Chamber of this body Canada had an agreement signed by Wilson and Lloyd-George and Clemenceau that Canada should have a representation on the council. That is when he got sick. [Applause on the Republican side.] They uncovered a secret treaty whereby England would have six votes to our one, and you gentlemen are trying just as hard to get rid of him as we are, and you know it. You tried to "bell the cat" here the other day when my distinguished friend from Mississippi [Mr. HUMPHREYS], a real Democrat, spoke, pleading with the President to say that he would not be a candidate for a third term. You were unanimous, and now it was most heartily approved by gentlemen on my side of the House, it must be unanimous. But what is the use of asking him to agree?

He agreed when he ran the first time that he would not run the second time. Your platform pledged him to that. And now our Democratic friends charge us with delaying peace, when an amendment of the Senate under the Constitution has the right to amend the treaty, and then, instead of voting for the treaty prepared by Mr. Wilson and amended by the majority of that body, he controls just enough votes to defeat the treaty, and now says to the people, "If you want peace you must have it on my terms." How did they beat the treaty? By a minority. How did they amend it? By a majority, representing three-fourths of the people of this country. They amended it along American lines. I am a little bit tired of hearing this talk of "You must have peace according to our terms." I say to you, gentlemen, the boot is on the other foot. It is the gentleman in the White House who is holding this treaty for what he thinks is a great partisan political issue, and you know it as well as I do. You know that he expects you to indorse his League of Nations. You know he wants to go to the country on that. And as a Republican I welcome that issue, as to whether this is an American country or whether it is not. If you want to make the issue, we will meet you in November; we will meet you where people know and understand things—and they will understand—and the result in November will convince the world that the Senate did right when they inserted into that treaty the statement that no money should be paid out of our Treasury without an appropriation of Congress and this country should not enter into war without a legal declaration of war.

I wish I had time to answer the suggestion, but I will do it on Thursday, if I live and have my health. There has been this conflict of authority. The United States has always followed the doctrine that the treaty is the supreme power, and the Congress of the United States has always passed laws, has always passed appropriations, in conformity with a treaty made by the President of the United States and confirmed by the Senate. But those treaties following the Revolutionary War and the War of 1812, and following the Mexican War, were all treaties whereby we agreed to pass laws that took money out of the Treasury of the United States. And when the question came up for discussion, some of the Members of Congress said, "We do not want to pass this." But they were told they must pass it, because under international law and international honor they ought to carry out the agreement of the President and the Senate, as they were the treaty-making power. But for the first time in the history of our Government the President of the United States has entered into a treaty that not only involves damages but it involves the proposition that the United States must send our sons, our boys, our brothers——

Mr. MADDEN. The treaties that were ratified by the Senate in years gone by on which appropriations were made did not amend the Constitution, did they?

Mr. MASON. No; they did not amend the Constitution. There have been changes in international law time after time. It has not kept pace with civil and criminal law, but there were never greater strides made in international law than there was when Jefferson became the Secretary of State of the United States, and when he announced certain doctrines that were in strict violation of what had been international law. And yet they have been accepted. For instance, we became a Republic——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MASON. I will take the constitutional question up on Thursday.

Mr. CANNON. I yield five minutes more to my colleague.

Mr. MASON. Thank you.

For instance, as an illustration of the method of international law, before this Republic was founded the recognition of a new State by any other State was a casus belli by the parent State. After Thomas Jefferson announced the doctrine of the United States that we had the right of "recognition without intervention," it was accepted all over the world, and in no less than 12 or 14 cases have the United States in absolute violence of ancient international law recognized new States against the protest from the parent States, but not a cause for war. And the argument has been used all the while whenever this question came up for discussion in Congress to make appropriations to carry out the terms of peace; it has been one of the questions that have always come up; but the Congress of the United States has always yielded, and with high sense of honor, to carrying out the agreement of the President and the Senate, and they have made all those appropriations. But there has never been a treaty of peace attempted before where there was an attempt to give legislative power, resting alone in the Congress, of making war, to a superstate of gentlemen appointed by the rulers and congresses of any other nation in the world. The argument used in those congresses was, "Mr. Congressman, are you going to appropriate to carry out the treaty with Great Britain?" "Sure." "Do you believe in it?" "I do not believe in it." "But your President has agreed to it." Now, recall this, that all of those treaties sounded in money appropriations, but for the first time we are now invited to enter into a treaty of peace that involves the action of Congress in the sacrifice of American lives and American honor. It leaves Congress no power to say whether they will go to war or whether they will commit an act of war, or, if they go, which side they will go with. And the Senate very wisely, representing four-fifths of the people of the United States, has said, "Now is the time we are going to notify Great Britain to the effect, 'You have fooled us nearly a century; you have robbed us right along; you are taking $200,000,000 a year from the people of this country; you do not even pay the interest on your bonds; you are denouncing us in your papers as a Nation of strutters; that we did not go into the war until we knew which side was going to win, and that we did not fight.'" Notwithstanding that, we sit silent.

Now, the Senate answers, "Mr. Great Britain, hereafter when you ask America to do anything under this treaty like going to war, we notify you and the world that Wilson and the Senate can not make war. You can not make an agreement that will drive us into war. You can not make an agreement that will bind us to send our boys to fight the battles of the mikados and the kings. They intend by this notice"——

Mr. VENABLE. Will the gentleman yield?

Mr. MASON. I have only a minute. If you will give me a little time out of yours——

Mr. JUUL. Mr. Chairman, I ask unanimous consent that the gentleman have five additional minutes.

Mr. MASON. I do not want to take it out of the time, for we are really not here to discuss this. I want to use the last half minute to say that we will notify the world that hereafter whenever it is decided to do so we may be willing to go into war, we are willing to have arbitration, but the Senate and the President of the United States can not force us into a position where you can come to Congress and say under international law, "You have got to carry out the agreement made by the President." We have adopted a new rule of international law. It is a rule that comes of Americanism, and it is notice to the world that no power this side of God Almighty can force us into a foreign war until the American Congress, representing the American people, has spoken in favor of that war. [Applause.]

Mr. McANDREWS. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

Mr. BLANTON. Mr. Chairman, I want to say to my Republican friends that, however much it may disappoint them and however much it may chagrin them, they have not got a thing on earth to do with the treaty of peace, because both the Constitution and the law have wisely placed the decision of that matter in the hands of the President and the Senate.

Unanticipated by the Speaker, possibly, otherwise he might have been forbidden, the distinguished blind Chaplain of this House this morning tried to guide you good friends of ours off of the rocks and out of trouble when he implored you to "render to Cæsar the things that are Cæsar's, and to God the things that

are God's." Why do you not let the President of the United States and the Senate settle their own business?

Mr. MASON. Which is he, Cæsar or God? [Laughter.]

Mr. BLANTON. I want to bring you back from wandering afar off to some of your own business sadly needing attention. There is plenty of House business here for you to transact. Why do you not attend to it? Why do you have to leave your business unattended to and go over to the other side of the Capitol to meddle with something that you have got nothing to do with?

Why, every time your majority leader has gotten up on this floor and implored you to begin to economize, I have applauded him, and the newspapers have applauded him. But they have gotten tired of applauding without action. The country has been waiting too long in a state of expectancy. I want to invite your distinguished majority leader to read some of the editorials of your leading Republican papers to-day, which are saying, "Mr. MONDELL, the time now is for action. We are tired of words. We want economy to begin." They are saying to your majority leader, "Mr. MONDELL, we know that you hold the legislation of the House in the hollow of your hand. We know, and the people of this country know, that you can bring about economy if you will do it. We are holding you responsible. If you are in earnest about the matter you can bring it about, because you have got your Republican colleagues whipped into line in such a way that they will obey your orders." Then, why do we not have some of it?

The gentleman from Wyoming spoke about this legislative appropriation bill coming back to the House—with how much unnecessary additional appropriations put in by the Senate for unnecessary idle-clerk hire? A million and a half dollars put into that bill on the other side of the Capitol in addition to many millions of unneeded appropriations already in that bill when it left the House! Do you know what was in that bill when it left this House? It provided for 1,076 messengers. Think of it! Do you know how many watchmen it provided for? Five hundred and fifteen. You know that not a third of them are needed. We recently passed the Agricultural appropriation bill providing for 754 messengers additional, and providing for 76 watchmen for the Secretary's office. That bill, the Agricultural bill, went to the Senate and came back here to the House; notwithstanding the fact that it originally carried over $30,000,000 of appropriations, it came back here to the House with over $2,000,000 added to it, and notwithstanding the fact that at last, in behalf of the people of the country, the people had succeeded in inducing that garden-seed graft to be eliminated from the bill. That saved nearly $300,000 on that one item. And yet the bill comes back to this House with over $2,000,000 additional, and the gentleman from Wyoming admitted here this morning that there has been added by the Senate $1,500,000 in the legislative bill for unneeded clerical hire. It has been admitted here so many times that it is useless to repeat it, by such men as the distinguished gentleman from Illinois [Mr. MADDEN], who is familiar with such matters, and by other men, posted Members, that we still have 40,000 idle, useless, unnecessary clerks on the pay roll in Washington.

Do you know what is going on in the land while you are making so many assertions for economy and taking so little action? The people are becoming disgusted. Here is a whole sheet of 50 different kinds of positions, with numerous clerks to each one, that the Civil Service Commission has just issued and sent broadcast to the country, asking for new people to be examined under the civil service; 50 different kinds of positions and numerous clerkships to each kind of position on that one sheet. Here is another advertisement, a whole sheet with 43 different kinds of positions, with examinations to be held, and here is still another one, of April 5. I ask unanimous consent to place these in the RECORD, to let the people of the country know what really goes on in behalf of economy here in Washington.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by inserting the matter indicated. Is there objection?

There was no objection.

Following are the announcements referred to:

SHEET 1. CIVIL-SERVICE EXAMINATIONS ANNOUNCED FOR SPECIFIED DATES.

Examinations for the following positions in the Federal civil service have been announced. Most of them are for positions in Washington, D. C.; some are for positions in field branches.

In addition to the salaries indicated, a temporary increase of $20 a month is authorized to June 30, 1920, to employees in practically all positions listed who receive not more than $2,500 a year and whose services are satisfactory.

Competitors for positions marked with an asterisk (*) are required to report for examination; those for other positions listed are not assembled at any place, but are rated on their training, experience, etc.

For full information concerning all pending examinations, apply to the secretary United States Civil Service Board, post office or custom-house, any city, or to the United States Civil Service Commission, 1724 F Street NW., Washington, D. C.

(Form 2279; sheet 1; Mar. 29, 1920. Please post conspicuously.)

For professional, scientific, and other technical positions.

Position.	Usual entrance salary.	Date.	Announcement No.
Civilian assistants, Naval War College	p. d. $8	May 4	223
*Teachers of stenography	$1,200–1,500	May 11	220
Extension specialists in canning and drying.	2,200–2,700	May 4	218
Appraisal and assistant appraisal engineers.	1,800–4,800	Aug. 2	216
*Junior economists (farm management)	1,800–2,200	May 5	212
*Artists-illustrators	1,200	do	211
Assistant engineers (experimental ordnance).	2,000	Apr. 27	210
Proof directors (ordnance)	2,000–3,000	do	209
Junior mechanical engineers	1,800–2,000	do	207
Assistant oil and gas inspectors	2,000–2,400	do	205
Assistants in package standardization	1,800–2,760	do	204
Assistant metallurgists	1,400	do	202
Structural-steel draftsmen and designers	2,400	May 11	194
Animal husbandmen	1,800–2,500	Apr. 27	193
Salesmen (telephone and telegraph apparatus).	2,200	Apr. 20	191
*Computers—ordnance	p. d. 7.20–12	Apr. 28	186
Salesmen and appraisers (machine tools)	1,800–4,500	Apr. 20	185
Specialists in cotton classing or marketing.	2,700–3,600	do	179
Engineers—marine, mechanical, and electrical.	2,400–4,000	do	174
Mechanical aids (naval ordnance)	p. d. 10.56	do	173
Technicists (machine-tool experts)	3,000	do	171
Expert designers	4,500	do	168
*Assistant examiners, Patent Office	1,500	Apr. 7–9; May 5–7	164
Assistants in poultry and egg handling	1,200–1,620	Apr. 20	163
Expert drillers, Bureau of Mines	3,000	Apr. 13	162
Fuel research assistants	1,200–1,800	do	158
Assistant specification engineers	1,200–2,000	do	157
Junior mechanical engineers	1,800	do	156
Inspectors and agents, antinarcotic act	1,500–2,000	May 4	153
Nut culturists	2,400–2,760	Apr. 13	150
Investigators in marketing wool	2,400–3,300	Apr. 6	149
*Assistants in marketing wool	1,200–2,400	Apr. 7	147
Inspectors of structural steel erection	p. d. 8.80	Apr. 6	143
*Domestic science teachers, Indian Service.	720	Apr. 7; May 5	142
Fuel engineers and assistant fuel engineers.	1,620–4,200	Apr. 27	141
Assistants in nematology	1,000–1,800	Apr. 6	139
*Assistant field agents, protective social measures.	1,200–2,000	Apr. 21	137
Director of bureau, etc., protective social measures.	3,500–4,500	Apr. 20	136
Supervisors of protective social measures	2,800–3,600	do	133
Field agents, protective social measures	1,800–3,000	do	136
Special assistant agents, protective social measures.	900–1,500	do	136
*Veterinarians, Bureau of Animal Industry.	1,500	Apr. 7; May 5	130
*Lay inspectors, Bureau of Animal Industry.	1,080	do	130
*Teachers, Ordnance Department at large.	p. m. 60–140	Apr. 7	127
Petroleum engineers (oil and gas production).	3,000–4,500	Apr. 27	117
Assistant petroleum engineers (oil and gas production).	2,100–3,000	do	117
*Grazing assistants, Forest Service	1,200–1,500	Apr. 7–8	84
Physicians, Panama Canal Service	p. m. 200	May 5; July 7	15
*Superintendents of forest pathological field stations.	1,440–1,620	Apr. 21	7
*Preparators in entomology	720–900	Apr. 7–8	1

SHEET 2. CIVIL-SERVICE EXAMINATIONS ANNOUNCED FOR SPECIFIED DATES.

Examinations for the following positions in the Federal civil service have been announced. Most of them are for positions in Washington, D. C.; some are for positions in field branches.

In addition to the salaries indicated a temporary increase of $20 a month is authorized to June 30, 1920, to employees in practically all positions listed who receive not more than $2,500 a year and whose services are satisfactory.

Competitors for positions marked with an asterisk (*) are required to report for examination; those for other positions listed are not assembled at any place, but are rated on their training, experience, etc.

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(Form 2279; sheet 2; Mar. 29, 1920. Please post conspicuously.)

For clerical and office positions, etc.

Position.	Usual entrance salary.	Date.	Announcement No.
Telephone auditors	$1,600	May 11	227
*Greek translators	$1,200–1,400	May 5	219
*Telegraph operators	900–1,200	Apr. 28; June 23	215
*Insurance claims examiners	1,800–2,250	Apr. 28	201
*Deputy shipping commissioners	900	Apr. 28; June 23	197

For professional, scientific, and other technical positions—Continued.

Position.	Usual entrance salary.	Date.	Announcement No.
Investigators in office management	$1,400-$3,800	Apr. 27	195
*Radio clerks	1,400	Apr. 28	187
*Automatic 3-A addressograph feeders	1,100- 1,200	Apr. 7; May 19	184
*Automatic 3-A addressograph operators.	1,200- 1,800	Apr. 7; May 19	184
*Posting-machine operators	1,100- 1,320	do	182
*Posting-machine mechanics and experts.	1,400- 1,800	do	182
*Money counters	700- 1,000	Apr. 7	176
Specialists in marketing statistics	3,000- 3,600	Apr. 20	169
*Clerks-translators (qualified in Japanese).	1,000	Apr. 21	160
*Land-law clerks	1,000	do	159
*Translators, qualified as assistant tariff experts.	2,000	Apr. 28	152
*Dictating-machine transcribers	1,100- 1,400	Apr. 21; May 19	148
*Typists and clerks with knowledge of stenography.	900- 1,200	Apr. 9; May 7	140
*F-1 addressograph operators	1,200- 1,400	Apr. 7; May 5	129
*Automatic 3 addressograph operators	1,200- 1,400	do	129
*Calculating-machine operators	900- 1,200	do	120
*Operatives (card-perforating machines)	900- 1,000	do	120
*Administrative assistants, chief clerks or registrars, and property officers.	1,200- 1,560	May 5	23
*Stenographers-typists, and typists	900- 1,200	Every Tuesday	807
FOR MECHANICAL TRADES AND MISCELLANEOUS OTHER POSITIONS.			
Oil gaugers	1,200- 1,500	May 11	238
Map printers	900- 1,200	May 4	237
Metal-working pressmen	p. d. 3.75	Apr. 27	217
Senior inspectors of car equipment	1,680- 2,400	May 4	208
Dairymen	840- 900	Apr. 27	200
Steam-fitters' helpers	p. d. 3.20	do	196
*Apprentice plate cleaners, apprentice transferrers, apprentice picture engravers, and apprentice letter engravers.	600	Apr. 28; June 9	188
Mold makers (optical glass or ceramics)	1,020- 1,680	Apr. 20	172
Laboratory apprentices (temporary)	540	Apr. 6	167
*Local and assistant inspectors of boilers.	2,100- 2,950	Apr. 7-8; May 5-6	161
*Local and assistant inspectors of hulls	2,100- 2,950	do	161
Practical opticians and glass workers	1,320- 1,600	Apr. 13	151
Practical opticians' and glass workers' helpers.	720- 1,200	do	151
*Matrons (Indian Service)	500- 720	Apr. 21; May 19	145
*Reservation wardens (game reservations).	1,200- 1,500	Apr. 7	146
Lithographic transferrers	1,200	Apr. 6	144
*Physical laboratory helpers	600- 900	Apr. 7; May 5	135
*Apprentice fish culturists	600- 960	do	134
*Mechanicians and laboratory assistants	p. d. 5.25	Apr. 28-29	98

UNITED STATES CIVIL SERVICE EXAMINATION, CLERK, BUREAU OF THE CENSUS, BEGINNING APRIL 5, 1920.

The United States Civil Service Commission announces an open competitive examination at Washington, D. C., only, for clerk, Bureau of the Census, on April 5, 1920, and daily thereafter, except Sundays, until further notice, for filling vacancies in the Bureau of the Census, Washington, D. C., at salaries ranging from $900 to $1,020 a year. Promotions through the various grades to $1,080 and $1,380 will be reasonably rapid for those whose services justify advancement.

Appointees whose ability and qualifications justify such action will also be allowed the increase granted by Congress of $20 a month, beginning with the second month of service.

This examination is being held only to secure additional employees for the decennial census force, and the work being temporary, no employee of the Census Office will be admitted.

Applicants must have had at least three months' clerical experience.

Applicants will not be eligible for appointment or transfer to any other bureau or service as a result of this examination.

All citizens of the United States who meet the requirements, both men and women, may enter this examination; appointing officers, however, have the legal right to specify the sex desired in requesting certification of eligibles.

Eligibles will be placed in groups, as follows:

(a) Those who have been graduated from a college or university of recognized standing.

(b) Those who have graduated from a standard high school or completed a course of study equivalent to that required for such graduation, and who have had one year's business experience.

(c) Those who do not qualify under either group (a) or (b).

Competitors will be examined in the following subjects, which will have the relative weights indicated:

SUBJECTS.	Weights.
1. Spelling (20 words of more than average difficulty)	10
2. Arithmetic (fundamental rules, common and decimal fractions, percentage, and their business application)	30
3. Penmanship (the legibility, rapidity, neatness, and general appearance of the competitor's handwriting in the subject of letter writing)	15
4. Letter writing (a letter of not less than 150 words on some subject of general interest. The competitor may select either of two subjects given)	30
5. Copying and correcting manuscript (test in making a smooth, corrected copy of a draft of manuscript, which includes erasures, misspelled words, errors in syntax, etc.)	15
Total	100

Applicants must have reached their eighteenth, but not their fiftieth, birthday on the date of the examination. Age limits do not apply to persons entitled to preference because of military or naval service.

Persons who are addicted to the habitual use of intoxicants, who have been guilty of infamous or notoriously disgraceful conduct, or who are physically or mentally unable to perform the required duties will not be eligible for examination or appointment.

Applicants must submit to the examiner on the day of examination their photographs, taken within two years, securely pasted in the space provided on the admission cards sent them after their applications are filed. Proofs or group photographs will not be accepted. Photographs will not be returned to applicants.

This examination is open to all citizens of the United States who meet the requirements.

Applicants should at once apply for Form 304, stating the title of the examination desired, to the Civil Service Commission, Washington, D. C. Applications should be properly executed, including the medical certificate, and filed with the commission at Washington in time to arrange for the examination.

The exact title of the examination, as given at the head of this announcement, should be stated in the application form.

Issued April 1, 1920.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. JUUL. Will the gentleman also inform this side of the House who these Cabinet officers are who have asked for that help? [Laughter.]

Mr. BLANTON. Oh, these department heads asking for all of these unnecessary clerks have been Republicans, who have been in the jobs for years, even back to the time when the memory of man runneth not to the contrary. [Laughter.]

Mr. JUUL. Do not the heads of the departments have to do with that?

Mr. BLANTON. They are Republicans in these positions, who have been inherited by the Democratic administration, and we can not get rid of them. They hang on like leeches to their jobs, and you Republicans hang on to them now for that reason. You are afraid to jar them loose from the public pay roll, and you know it. [Laughter.]

That is why the country says to Mr. MONDELL, "If you are in earnest, if you are sincere about this economy program, for God's sake wake up and make your Republican colleagues vote to take this money out of the bills and keep it in the Treasury."

It has been suggested here by the distinguished gentleman from Illinois [Mr. CANNON] so many times that it might be tiresome for me to repeat it now, that this Government has no money of its own except what it takes out of the pockets of the people. We keep on taking it out.

Why, do you know that I nearly died this morning laughing to myself when the gentleman from Wyoming [Mr. MONDELL] began to talk about economy. I happened to think about those 13 surveyors general in that bill that has recently come back to the House that he put back into that bill himself after upon his suggestion of economy his colleagues on the committee had cut them out with a snickersnee, doing away with all of such offices and thereby saving money for the people, and then when he found out that Wyoming, his home State, was about to lose a lot of the public money that was being spent there, he could not stand it. No; he could not stand it; he came back here and took the floor, and in that eloquent, persuasive manner of his, which is overpowering in this House in the Committee of the Whole, he put every single one of those 13 surveyors general and their incidental 13 sets of office forces back into the bill, right in the face of the fact that the Commissioner of the General Land Office of the United States of America, Hon. Clay Tallman, had gone before that committee and said, "We do not need them; we should centralize this work in Washington under one head and save this money." Right in the face of that he put them back, costing thousands of dollars to the people of this country unnecessarily.

Then I laughed again when I thought about the military bill that we recently had up here before the House. There was a chance to cut it down and down, as there was once before when Mr. LaGuardia was here and tried to reduce it and the distinguished gentleman from California [Mr. KAHN] overpowered him, beat some of his amendments, although some of them went through, and he failed there. But some of our colleagues were overly persuaded by the big bunch of Army officers who sat in that gallery hour after hour with eagles and stars on their shoulders, the glimmer of which overpersuaded my friends down here, and they provided a new construction corps in the Army, against the advice of the Secretary of War, in order to make new positions for those pet officers with their pet uniforms on, so that they could better attend the various Army and Navy Club functions here in Washington with a little more fashion and on bigger salaries. When the Committee of the Whole voted that extra corps into our Army reorganization bill, after it was all over, after it had been put in, Mr. MONDELL came in here on the floor of the House with tears streaming from his eyes in crocodile fashion, and said, "Oh, I am so sorry it was done. Oh, you Re-

publican colleagues of mine made an awful mistake. You voted against the good of your country." But did he ask you to change it? No; and I had to get up here on the floor with a pitchfork and prod him and stick him and punch him and push him to make him call his colleagues together when the bill got back into the House to vote out that provision, which he did under pressure, if you please. And thus the money for this extra corps was saved for the people. Why can he not get some real economy in this House, economy that is real, upon a business basis, that amounts to something in the way of sure-enough, honest, sincere retrenchment? Why, all retrenchment and all economy means self-denial on the part of some people. When we get into financial stress in our private business affairs we retrench, and to do so we have to make self-denial. With this Government owing $25,000,000,000 now and facing a deficit of $3,000,000,000 more, we have got to make self-denial, all of us. Every department of this Government and every citizen of this country must make some self-denial, and we have got to begin now if we are to rescue this country from bankruptcy. Is the gentleman from Wyoming going to begin? Is he going to get you friends of ours in here and put the whip to you and make you stand up for the country when that bill is finally voted on? The chairman promised to give us a vote on that Senate amendment adding $1,500,000 for unnecessary clerk hire. Is he going to make you stand up here and vote that million and a half dollars out of that bill? Will he do that? If he does not do it, he is not doing the duty he owes to the people of this country. He is not doing the duty he owes to the Republican Party, which is preaching economy from one end of this land to the other. He is not doing the duty which he owes to this House, because the majority leader of this House owes a certain duty to the whole House, not merely to the party which placed him in his position. I hope he will give us a chance to vote that out and keep it out of that bill.

The chairman promised us that he would give us a vote on those Subtreasuries that have been put back into that bill by the Senate. How are you going to vote on that? You know they are useless. You know that this Government does not need them. You know that they are expensive. You know that this Government can save needed money by doing away with them. We ought to do away with them. We did do away with them here in the House, but when the bill went to the Senate they were put back again. How are you going to vote on that? I admired the distinguished gentleman from Missouri [Mr. DYER] when he stood up here this morning, with a Subtreasury in his district and in his city, and told you that he wanted it taken out of the bill, because it would save money that is needed for this Government. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CANNON. Does the gentleman from Illinois [Mr. MCANDREWS] desire to use any further time?

Mr. MCANDREWS. I yield 15 minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, I do not know that I will use all of the 15 minutes that have been yielded to me; but probably when the peace resolution is reached on Thursday the gentlemen in charge of the debate will not have any time at their disposal, and I would like to take this opportunity to express my emphatic disapproval of the resolution and my intention to vote against it when a vote is taken. Also there was a line of argument used by the gentlemen from Illinois [Mr. MASON], to which I would like to make brief reply.

I think I am as desirous of seeing peace made as any man in this body. I think that the Democratic side of this House are desirous that peace be made, but we will not make ourselves a party to an endeavor to make peace in a manner that is not authorized by the Constitution of the United States. The treaty making power is lodged in the President and the Senate, and theirs is the responsibility, and I am hopeful that an agreement will yet be reached before this Congress adjourns. Also it is unthinkable to me that the great Government of the United States, after our splendid cooperation with our allies on the battle fields of France, will undertake in a manner of this sort to make a separate peace with the enemy. Up until this hour the only one of the allies that has endeavored to make a separate peace with the enemy was the Russian Bolsheviki in the treaty of Brest-Litovsk, and I would not be a party, and I dare say that the Democratic side of this House will not be a party, to joining the Bolsheviki in a performance like the treaty of Brest-Litovsk. [Applause.]

I would like to quote for the special benefit of gentlemen on the other side of the House utterances on this point by a very distinguished authority, a very distinguished leader, the senior Senator from Massachusetts, Hon. HENRY CABOT LODGE. If you gentlemen are in a spirit of merriment this afternoon I would like to see what you think of what Mr. LODGE said in June, 1918, with reference to making a separate peace with the enemy.

Here is what Mr. LODGE said in his speech in June, 1918:

> The President who delivered the war message and the Congress who voted for war would be guilty of the blackest crimes if they were willing to make peace on the status quo ante bellum and recreate the situation which existed before the war.

That is what you gentlemen are seeking to do. [Applause on the Democratic side.]

> If we send our armies and our young men abroad to be killed and wounded in northern France and Flanders with no result but this, our entrance into the war with such an intention was a crime which nothing can justify.

So say I. If we get no better results out of this war than the resolution you gentlemen propose to enact, then I say we can not justify our action.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. BLACK. Let me finish reading from Senator LODGE first.

> The intention of Congress and the intention of the President was that there could be no peace until we could create a situation where no such war as this could recur. We can not make peace in the ordinary way. We can not, in the first place, make peace except in company with our allies. It would brand us with everlasting dishonor and bring ruin to us also if we undertook to make a separate peace.

[Applause on the Democratic side.]

If in June, 1918, we could not make peace in the ordinary way, if we could not make peace except in company with our allies, and if to do so, to use the language of Senator LODGE, would be to "brand us with everlasting dishonor and bring ruin to us also if we undertook to make a separate peace," then I would like to inquire what has so changed the situation as to justify the adoption of the resolution now proposed? Now I will yield to the gentleman from Kansas.

Mr. CAMPBELL of Kansas. I desire to ask the gentleman two questions.

Mr. BLACK. Ask one first and we will see about the other. [Laughter.]

Mr. CAMPBELL of Kansas. Was not the statement made by Senator LODGE, with respect to the kind of peace that we should make, an assailment of the position taken by the President that we should have a peace without victory?

Mr. BLACK. No; I think not. The President made his peace-without-victory speech, as I recall it, in January, 1917, and Mr. LODGE made the statement I have referred to as late as June, 1918.

Mr. CAMPBELL of Kansas. May I not call attention to the fact that the speech made by the President for peace without victory was made on the 22d of February, 1918?

Mr. BLACK. Oh, no; it was made before we got into the war and after the President had, in December, 1916, asked of the belligerents to submit the terms on which they would make peace.

The gentleman from Illinois [Mr. MASON], who spoke a short while ago, took the position that the Senate ought not to ratify the peace treaty because in article 10 it commits us as one of the ratifying parties to the recognition and the preservation of the territorial integrity of the signers of the league. In response to a question propounded by the gentleman from Illinois [Mr. MADDEN]—"Is not that undertaking to amend the Federal Constitution?" he said, "Why, certainly, and for that reason I would not favor a treaty of peace of this sort."

Well, now, our Republican friends have been insistent from the very outset that we should have a reservation in that treaty that specifically affirms the integrity of the Monroe doctrine. I would like for any man to point to me the constitutional provision that affirms the Monroe doctrine which says that the Government of the United States shall adopt the policy of preventing the European nations from interfering with the territorial integrity of other Republics on the Western Hemisphere. There is no clause in the Constitution dealing with that subject, and yet it has been the policy of the Nation since the days of President Monroe and there is not the least particle of difference in principle between this and in undertaking to preserve and recognize the sovereignty and territorial integrity of the members of the league. There is, of course, difference in the policy; there is none in the principle. The American people may or may not approve the provisions of article 10 of the league, but certainly it does not repeal any part of our Federal Constitution.

Mr. WINGO. Will the gentleman yield?

Mr. BLACK. Certainly.

Mr. WINGO. The gentleman may have noticed in this resolution which is to come up on Thursday a proposed treaty of peace with Germany which requires Germany in 45 days to agree to certain things, but we have not noticed that our Republican friends have put in any requirement as to the maintenance of the Monroe doctrine. Does that mean that they have abandoned the Monroe doctrine?

Mr. BLACK. They have taken so many diverse positions that no one can tell to-day what stand they took yesterday or will take to-morrow. [Laughter and applause on the Democratic side.]

Mr. KNUTSON. Will the gentleman yield?

Mr. BLACK. In just a moment. Now, gentlemen, I yield to no man in my reverence for the Constitution of the United States. I remember that it is recorded in the New Testament that a lawyer came to the Savior and said, "Master, what is the greatest of all the commandments?" The answer was, "Thou shalt love the Lord thy God with all thy soul, with all thy strength, with all thy heart. That is the greatest commandment, and the next unto it, thou shalt love thy neighbor as thyself. And upon these two," He said, "rest all of the law and the prophets."

And in a similar way, upon the Constitution of the United States and the Declaration of Independence rest our entire system of law and government, and I yield to no man in my reverence for them. [Applause.]

THE LEAGUE OF NATIONS.

I know that these gentlemen who are championing this peace resolution say the League of Nations is a visionary hope. But I recall that one of the greatest of the prophets in the Old Testament said that where there is no vision the people perish. [Applause on the Democratic side.] The trouble with the Republican Party to-day is that it is not a party of vision. For five years now the world has been deluged in blood, and humanity has been passing through its valley of sorrows. Shall this international anarchy give way to peaceful and orderly processes, or shall we fold our hands behind our backs, coolly gaze upon the ruins and devastation of war, and repulse the only great opportunity which is presented? The League of Nations may be a vision and a dream, but humanity has caught the ray of hope which it offers for the settlement of international disputes by mediation and arbitration instead of by fire and sword, and no man or set of men will be able to permanently stifle the great idea.

In a world torn and bleeding from war, where only years can heal the gaping wounds, the United States of America stands as the towering figure of the time.

We have stepped out into the arena of the world's affairs, not as a conqueror with bloody, dripping sword, not as a tyrant flinging the weight of clanking chains at helpless and bewildered peoples, but as a strong and powerful friend seeking to stanch the bleeding wounds of the helpless and repair the wrecks of government which are strewn in the wake of battle fields.

Our motives may not always be properly appraised, and even those we desire to help may at times misjudge us, but if we always keep in mind an unselfish purpose, free from the lure of conquest and imperialism, we are sure to win their confidence in the end and remain for years to come the foremost Nation in the world. [Applause on the Democratic side.]

Mr. CANNON. Mr. Chairman, I yield 20 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I did not think our Democratic friends were going to get so disturbed over what is going to happen on Thursday that they would begin their bombardment on Tuesday. This seems to be just the popping of the pickets, with the roll of the heavy artillery to come later; and then the passage of the peace resolution. [Applause and laughter on the Republican side.] I am not a lawyer, least of all a constitutional lawyer—certainly not an international lawyer. I do not pretend to know all about the Constitution, but I have some ideas in regard to it, and one of these is that the fathers when they framed the Constitution did not establish an autocracy. [Applause on the Republican side.] I think they established a representative democracy, if that is the proper term, a Government of the people representative in its character—a Republic. The Chief Executive and those joined with him in the duty of negotiating peace having failed to agree on a treaty, certainly the fathers did not leave us powerless to declare. This House, representing the people, having declared that in the opinion of its Members a state of war existed, can now, as representing the people, announce the fact, known of all men, that the conditions of war no longer exist. [Applause on the Republican side.]

The gentleman from Texas [Mr. BLACK] says that we on the Republican side lack vision. I think not. Our vision, we think, projects itself as far into the future as his, but we seem to visualize different ideals. His ideal seems to be one in which the great Republic of the west, with its virile people, its wonderful wealth and limitless resources, shall become one of a considerable number of nations, large and small, bound by solemn obligation to become interested in every petty quarrel of any people anywhere on earth, placed under obligation to send its men and its money anywhere and everywhere from Arabia to Cape Horn, from Vladivostok to the Rhine, every time anyone anywhere has a difference of opinion with regard to the geographical boundaries of any one of the provinces, principalities, or nations of the world. Our opinion is that if we start on a policy of that sort, the power and prestige and glory of the Republic that now is the greatest and mightiest in all the world will dwarf and dwindle and diminish until from being the greatest, the mightiest, and best approved we will be the least esteemed and the most thoroughly hated people on the face of the globe. We on the Republican side have another vision and ideal. It is that of a Nation strong, mighty, independent, the master of its own fate and destiny, holding aloft the light of liberty, devoted to justice and righteousness, exerting an influence the world around that shall grow and multiply and become more and more powerful, not because we use our might in interference with the petty, trifling differences of any or all of the peoples of the earth, but rather because, free of entangling alliances or selfish ambition, we reserve to ourselves the right to judge when, where, and how our influence and power shall be exerted. [Applause on the Republican side.]

But, Mr. Chairman, I had not expected to talk on the peace resolution or matters related thereto, and with these few remarks I desire to say a word or two with regard to the bill that is now before us. I want to thank the gentleman from Illinois [Mr. CANNON] and his subcommittee and the full committee for the splendid example they have given to the committees and to the House on the way to bring in an appropriation bill. They have brought in a report of 12 pages, which enlightens one with regard to this measure and all it pertains to—12 pages within which one can find an answer to almost any question that would be likely to be asked with regard to pensions or to pensions and war allowances generally. It is a splendid piece of work. Of course it is just what we would expect from the gentleman from Illinois, who always does whatever he does excellently well. [Applause.]

One of my important duties at this particular juncture is from time to time to call attention to expenditures. I was not particularly startled by the figures on page 3 of this report, because I had conned the various items that make up that table more or less in view of our possible expenditures for the next fiscal year, but I had not realized that the sum total would be as great as is set out. The committee estimates that in the next fiscal year our expenditures on account of pensions, compensation allowances, the Bureau of War Risk Insurance, vocational education for soldiers, and expenditures of that sort, will amount to $630,000,000. I do not see how the amount could be reduced, and I do not think it ought to be reduced, but it is a most striking commentary upon the cost of war and ought to be a solemn warning to the people of this Republic against placing themselves in a position where they are under obligation to engage in every little war and warlette that may occur anywhere on the face of the globe. Six hundred and thirty million dollars is two-thirds of what it cost to run the Government before we went into the European war, and this sum can not well be reduced in the immediate future to any considerable extent; eventually the day will come when it will be likely to expand rapidly. No man can say what its total shall be when the time comes, when we shall be called upon to give aid and comfort and support to the men who bore the standards of the Republic in the late war as they become old and dependent. We will meet them all cheerfully. We will meet all of the charges that may be made on the Treasury in this behalf with cheerfulness, but they should remind us of the price of war and the fearful drain that war is upon the resources of a people for a long period of time. We have already paid to the survivors of the Civil War in pensions a sum in excess of the total cost of the conflict, and we will pay many millions more to these men before they are gathered to their fathers.

Mr. Chairman, I made a statement yesterday, published in quite a good many papers, touching the financial situation. I made it because on Saturday a statement appeared in certain newspapers conveying the very misleading idea that in the month of March we had very greatly permanently reduced the public debt. I think the Treasury of the United States is under most excellent management. I only wish that some of the other departments of the Government were as well managed as the Treasury is and has been; but as I suggested in my statement of yesterday, the Treasury can not perform miracles, and while the Treasury did temporarily reduce the floating debt over $700,000,000 in March it will be called upon to sell certificates in April and in the merry month of May in a sum in excess of the amount by which the debt was temporarily reduced in March.

The statement in question is as follows:

Contrary to popular belief the peak of our war expenditures was not reached during the war but some months after the signing of the armistice and bequeathed us a deficit, or war overhang, not covered by bonds

or provided for by current revenue of upward of two and one-half billions of dollars, which has been carried in short-time certificates running from three months to a year. Such an enormous volume of uncovered indebtedness would be a serious menace at any time. It is particularly so at a time when the country is trying to recover from the abnormal conditions of war.

The increasing gravity of the difficulties arising out of this enormous volume of indebtedness that must be renewed from time to time is indicated by the fact that while all of these certificates that were offered sold readily in the spring and summer of 1917, bearing an interest rate of 3 per cent, less than two hundred millions of a recent Treasury offering of certificates at 4½ per cent were sold and the Treasury will be in the market in the very near future for loans on short-time certificates at 4¾ per cent, with the probabilities that the rate will have to be still further advanced and may go to 6 per cent, or twice the interest rate of the certificates of three years ago.

During the month of March short-time obligations of the Government became due and were paid out of the first installment of the income and excess profit taxes, to an extent that brought a temporary reduction of over seven hundred millions in the outstanding deficit or temporary indebtedness; but, as above stated, the Treasury was immediately in the market for further loans and during the present month must dispose of a further large volume of temporary certificates.

It is very easy, indeed, for one to be misled in this matter of floating indebtedness by the amount outstanding at one date as compared to another, for, of course, these certificates must be paid when they become due. The date when they fall due is so timed as to make the payment possible out of revenue due at that time; but the very next day, week, or month may bring a tremendous increase through a further issue of short-time certificates in anticipation of revenues due at the time of their maturity.

The officials of the Treasury have handled a trying situation most admirably, but the Treasury can not perform miracles and the best management of the Treasury can not avert disaster unless we keep public expenditures within our income. A growing stringency in the money market reflected in increased interest rates rendered the handling of the enormous floating debt increasingly difficult. It must not be increased by a dollar or disaster threatens. On the contrary, we ought in the next fiscal year be able to reduce it somewhat; in fact, we must do that if we are to sustain the national credit.

I am now satisfied that we shall be able to reduce the estimates carried in the Book of Estimates a billion and a quarter, but this great reduction will not save us if we give way to the constant and continuous clamor for expenditures outside of the estimates for increased pay, for rivers and harbors, for new and unnecessary adventures in public expenditure, for excessive appropriations for our Military and Naval Establishments. All these must be kept within bounds or the floating debt will be increased to our peril.

We can not meet further expenditures through the issue of bonds. If anyone had any doubt on this subject, that doubt must have been settled upon hearing the statements recently made by the Secretary and Assistant Secretary of the Treasury and the president of the Federal Reserve Board before the Ways and Means Committee of the House. Further bond issues could only be floated at greatly increased interest rates, at the cost of a considerable reduction in the market value of outstanding Government securities, with the grave danger of wrecking the specie basis of our currency with the certainty of increasing the price of commodities and further enhancing the cost of living. Under these conditions a further bond issue is unthinkable.

Let me repeat in all earnestness and with all the emphasis at my command that we must not increase our floating debt or we shall invite disaster; that we must not issue bonds if we desire to keep on a specie basis and avoid a panic; that we must keep our total expenditure for the fiscal year that begins June 30 next well within our income. If we do not, we are inviting Treasury conditions which, acting upon the financial situation in the country, will bring nation-wide disaster.

We can not, we will not, reduce the public debt out of current revenues this fiscal year; however, we may come within a hundred million of breaking even, let us hope. But we do have the opportunity of keeping within our income in the next fiscal year, and we will accomplish it if we do not give way to extraordinary demands which are made here, there, and everywhere for an increase in payments out of the Public Treasury. [Applause.] One of the most insistent demands which has been made on us for a long time has been on behalf of increased pay for the officers of the Army and the Navy. I do not pretend to say that if we were not paying our officers too much at the outbreak of the war we are probably not paying them as much as we should now, but that is a matter which it seems to me we could best pass upon after we have demonstrated through the passage of our appropriation bills that we are able to keep our expenditures well within our income. If we can demonstrate that when we have passed the last appropriation bill some two or three weeks from now, we shall be in a position to cast up the account for the coming fiscal year and determine how far we can go in the increase of salaries and wages and compensation not only to the men of the fighting establishments but to those of the civil establishments, none of whom receiving more than $2,500 a year have had their Federal income increased since the war began. I do not claim there is not some argument for some increase in Army and Navy pay, but I do very much regret that the splendid men of the fighting forces of the country have been misled into commercializing their claim for increased pay. I hold in my hand a letter at the top of which appears the name Prudden, King & Prudden, incorporated, publishers' representatives, and the address and date, Chicago, March 22, 1920. The letter is addressed to a newspaper man in my State. After the salutation it goes on to say:

Mr. Matteson, chairman of the Western Council of American Association of Advertising Agencies, 140 North Dearborn Street, Chicago, has written them as follows—

Then a page and a half of argument, mostly very exaggerated argument, in favor of an increase of pay for the officers of the Army and the Navy, Public Health Service, and the Coast Guard. The last paragraph runs as follows:

The advertising agencies corporation, composed of 120 of the leading advertising agencies of America, believe it understands the grave situation very thoroughly—

And so forth.

The letter then proceeds to request the editor to whom it was addressed to use his editorial columns in advancing this cause, and advises him that they will be very glad, indeed, to furnish him material in defense of these increases of pay. Now, whatever may be said about the virtue and propriety of an increase of Army and Navy pay, there will be no difference of opinion as to the lack of either in the method thus pursued to secure it.

If the men of these services believe themselves entitled to more pay, they ought not to have commercialized their cause. After receiving a few letters of this sort from paid advertising agencies, gentlemen will better understand the editorials and letters that they receive from hither and yon in behalf of these increases.

Mr. FIELDS. Will the genleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Will the gentleman yield me five minutes additional?

Mr. CANNON. Certainly.

Mr. FIELDS. The page-and-a-half letter that the gentleman refers to in support of an increase of the pay of officers of the Army does not mention the fact, does it, that practically all the officers of the Army received increased compensation during the war by reason of the increase in rank?

Mr. MONDELL. Oh, no. The gentleman knows, because he has given this matter much study, that during the war practically all officers of the Regular Establishments, both military and naval, received compensation in excess of their compensation before the war by reason of the increased rank, overseas pay, and allowances.

Mr. FIELDS. Yes; and further, it does not call attention to the fact that practically all of them will receive increased rank under the Army reorganization bill which passed the House a few weeks ago.

Mr. MONDELL. No; this particular article does not give such information.

Mr. FIELDS. I have noticed that they always overlook that fact.

Mr. GREENE of Vermont. If the gentleman will yield, the gentleman has used the term "increased allowances." What does that amount to specifically?

Mr. MONDELL. I do not know just what the increased allowances would amount to.

Mr. GREENE of Vermont. What are those allowances?

Mr. MONDELL. There were some increased allowances during the war period; some of them have been extended by legislation from the committee of which the gentleman is a distinguished and worthy member.

Mr. GREENE of Vermont. That term "allowances" is used sometimes rather loosely.

Mr. MONDELL. Well, commutation of quarters is one of them.

Mr. GREENE of Vermont. But these allowances vary entirely with the economic situation and——

Mr. MONDELL. I think that the provision for compensation of quarters is an increased allowance. However, the fact remains that during the war nearly every officer in the Regular Establishment had a considerable increase over his prewar pay.

Mr. GREENE of Vermont. I would like to have some opportunity to correct some things in which I think the gentleman is in error.

Mr. MONDELL. Does the gentleman insist that these men have not had increased rank and pay?

Mr. GREENE of Vermont. I insist that the construction the gentleman puts upon increased rank seems to resolve itself into more money than that term really will justify. The fact is, they did not get 20 per cent increase of pay abroad, but they got 10 per cent; and the fact is that they were living under conditions much more expensive than if they had been stationed at home.

Mr. MONDELL. Possibly; but the fact also remains that some officers in the Army received during the war practically double the pay they had before the declaration of war.

Mr. GREENE of Vermont. I think the gentleman will find, if he will look over the list of promotions, that that statement is not accurate.

Mr. MONDELL. That statement is, I think, entirely accurate with regard to some officers.

Mr. GREENE of Vermont. Does that justify not paying the others because a few got it?

Mr. MONDELL. They practically all got increased pay.

Mr. GREENE of Vermont. They did not all get it, if the gentleman will permit me.

Mr. MONDELL. I do not know of any officer in the Regular Establishment who was capable of duty, whose rank or compensation, or both, was not increased by reason of the war. And if there are any exceptions, they are so few they are not worth considering.

Mr. GREENE of Vermont. Take the increase of pay from second lieutenant to first lieutenant, for instance, and it is $300——

Mr. MONDELL. The gentleman can go into that question of increase in his time. I am sorry I have not the time. At any rate, I am not contending that the fact that the officers received increased pay during the war is an argument against considering their claims for increased pay now; it may be a reason for them to possess their souls in patience.

I am not saying now that Congress should not at the proper time consider the matter of increased pay for the officers of the Army and the Navy. I am trying to emphasize the fact that the first duty of this Congress is to see that the Government pays its bills out of its income. [Applause.] Now, that is their first duty. If we can demonstrate that we can do that, there will be no disposition on the part of the Congress to do injustice to any man anywhere in the Federal service.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I yield one minute further to the gentleman.

Mr. MONDELL. I still say that until quite recently most of these gentlemen were receiving very considerably more in pay and allowances of one sort and another than they were before the war. But that is past and gone, and the Congress will, I am sure, in due time be very glad to consider their reasonable requests for increase, but I do regret, in view of my very high regard for their services, that they have taken to the hiring of commercial agencies to advertise their requests and suggestions.

Mr. CROWTHER. I would like to ask the gentleman if the officers do not have an advantage in these times of the high cost of living in greater reduced rates in the purchase of the necessities of life?

Mr. MONDELL. They have opportunities for purchase at wholesale cost which, to a family of five or six persons, is probably worth at least $500 to $600 a year.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1921, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $214,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1921, $20,000.

Mr. CANNON. Mr. Chairman, I move that the committee do now rise and report the bill to the House, without amendment, with the recommendation that it do pass.

Mr. BLANTON. Before the gentleman does that I would like to have five minutes. I move to strike out the last word.

The CHAIRMAN. Does the gentleman from Illinois withdraw his motion?

Mr. CANNON. Oh, yes; I withdraw the motion.

Mr. BLANTON. Mr. Chairman, since the details of this bill have not been discussed any, I want to call the attention of the committee to the fact, so that it may go into the RECORD, that in 1887 our pension appropriation was, in round numbers, $76,000,000; in 1897 it was $141,000,000; in 1909 it was $163,000,000, in round numbers; in 1914, in round numbers, it was $180,000,000; in 1917, counting the deficiency, it was $163,000,000. It had been reduced since 1914 from $180,000,000 to $163,000,000 in 1917. This present bill is, in round numbers, $214,000,000, and then it provides for $20,000 for administration. As the gentleman from Illinois this morning indicated, taking into consideration other appropriations we have made for increases, it runs it up, as I believe the gentleman said, to $297,000,000. That was the figure, I believe?

Mr. CANNON. I think so.

Mr. BLANTON. Around that sum. Something over $290,000,000. And, as he said, it is the biggest annual pension appropriation that Congress has ever proposed to pass.

There have been before the committee for some time several measures to take some of these pensioners off the pay roll. I have had a bill myself before the committee for some time to take from this pension roll every German citizen who has not lived in the United States for 25 years and is still on the pension rolls—German citizens who have given aid and encouragement against our flag. I have a bill here that would remove from the pay rolls every pensioner who does not live in the United States of America.

Are you not in favor of that kind of a measure? Are you not in favor of a person who is pensioned and kept alive by the money of this Government being required to live here and be a citizen of this country? If you are, why do you not insist upon my measure being passed? Otherwise, you will just keep on increasing this pension roll with that kind of cattle kept on the pension roll of this country—people who do not live in this country, who are enemies of this Government, and who gave aid and encouragement against our flag in time of war.

Mr. CANNON. Mr. Chairman, I was in error, and the gentleman from Texas [Mr. BLANTON] was in error, a short time ago in regard to the amount that he stated as the highest total of a pension bill. The largest appropriation that was ever made for pensions of all the wars was in 1919. The amount then was $223,000,000. That was the high-water mark.

Mr. BLANTON. But with the increases in the other bill, placed there by this House, if passed by the Senate, it will run it up to $290,000,000, will it not?

Mr. CANNON. To $291,000,000.

Mr. BLANTON. Then that is to be the biggest annual pension appropriation ever passed by this Congress?

Mr. CANNON. If it passes; yes.

Mr. BLANTON. It undoubtedly will pass, and possibly it may be increased by the Senate. We must call a halt some time. I shall vote against this bill.

Mr. CANNON. Mr. Chairman, I renew my motion, that the committee rise and report the bill to the House without amendment, with the recommendation that it pass.

The CHAIRMAN. The gentleman from Illinois renews his motion that the committee rise and report the bill without amendment to the House, with the recommendation that the bill be passed. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 13416) making appropriations for the payment of invalid and other pensions for the fiscal year 1921, had directed him to report the bill back to the House without amendment, with the recommendation that it do pass.

Mr. CANNON. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 73, noes 2.

So the bill was passed.

On motion of Mr. CANNON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2807. An act to correct the military record of Edward Sigerfoos;

S. 2811. An act for the relief of the York County Savings Bank, of Biddeford, Me.;

S. 3187. An act to dispose of a certain strip of land in Waterville, Me.; and

S. 3610. An act for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army.

MINORITY VIEWS ON PEACE RESOLUTION.

Mr. FLOOD. Mr. Speaker, the report on House joint resolution 327 has just been filed. I ask unanimous consent to file the minority views to-morrow.

The SPEAKER. The gentleman from Virginia asks unanimous consent to file the minority views on the peace resolution to-morrow. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. CANNON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Wednesday, April 7, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting supplemental estimate of appropriation required to cover the estimated deficit in the operation of the waterway transportation systems under the War Department (H. Doc. No. 717), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13253) granting the consent of Congress to the Elmer Red River Bridge Co. to construct a bridge across the Red River, reported the same with amendments, accompanied by a report (No. 793), which said bill and report were referred to the House Calendar.

Mr. GREENE of Vermont, from the Committee on Military Affairs, to which was referred the bill (S. 4082) to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897, reported the same without amendment, accompanied by a report (No. 794), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (S. 729) to amend section 217 of the act of Congress entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, reported the same with an amendment, accompanied by a report (No. 795), which said bill and report were referred to the House Calendar.

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 13329) to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes, reported the same with an amendment, accompanied by a report (No. 796), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ANTHONY, from the Committee on Military Affairs, to which was referred the bill (S. 3706) authorizing the Secretary of War to make settlement with the lessees who erected buildings on a five-year lease on the zone at Camp Funston, Kans., and for other purposes, reported the same without amendment, accompanied by a report (No. 797), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 327) terminating the state of war declared to exist April 6, 1917, between the Imperial German Government and the United States, permitting on conditions the resumption of reciprocal trade with Germany, and for other purposes, reported the same without amendment, accompanied by a report (No. 801), which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EVANS of Nebraska, from the Committee on War Claims, to which was referred the bill (H. R. 7682) for the relief of the heirs of Michael Carling, deceased, assignee of Joseph R. Shannon, deceased, reported the same adversely, accompanied by a report (No. 798), which said bill and report were laid on the table.

Mr. FOCHT, from the Committee on War Claims, to which was referred the bill (H. R. 11414) for the relief of Julia H. Castle, daughter of John H. Howe, deceased, reported the same adversely, accompanied by a report (No. 799), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (S. 3387) for the relief of dependents of Lieuts. Jean Jagou and Fernand Herbert, French military mission to the United States, reported the same adversely, accompanied by a report (No. 800), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 13460) granting an increase of pension to Sarah Hill, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. VOLSTEAD: A bill (H. R. 13468) to prohibit the use of Government aircraft insignia by other than Government aircraft; to the Committee on the Judiciary.

By Mr. PORTER: Resolution (H. Res. 511) for the immediate consideration of House joint resolution 327, being a resolution terminating the war with Germany; to the Committee on Rules.

By Mr. STEDMAN: Joint resolution (H. J. Res. 329) to correct the records of certain naval and marine officers who joined the Confederate forces; to the Committee on Naval Affairs.

By Mr. OVERSTREET: Joint resolution (H. J. Res. 330) authorizing and directing the Secretary of War to sell a certain parcel of land known as Fort Jackson, at New Deptford, on the Savannah River, Ga.; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARAWAY: A bill (H. R. 13469) relating to granting to certain claimants the preferential right to purchase certain alleged public lands in the State of Arkansas, and for other purposes; to the Committee on the Public Lands.

By Mr. EAGAN: A bill (H. R. 13470) granting a pension to Francis H. McGee; to the Committee on Pensions.

By Mr. HUDDLESTON: A bill (H. R. 13471) granting a pension to Rufus S. Hataway; to the Committee on Pensions.

By Mr. IGOE: A bill (H. R. 13472) granting a pension to Winfield S. Cooper; to the Committee on Pensions.

By Mr. KINCHELOE: A bill (H. R. 13473) granting an increase of pension to Virgil Mahan; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 13474) granting an increase of pension to Jacob D. Hoekstra; to the Committee on Pensions.

By Mr. VOLSTEAD: A bill (H. R. 13475) for the relief of Ole Thorpe; to the Committee on the Public Lands.

By Mr. WOODYARD: A bill (H. R. 13476) granting an increase of pension to Lemuel B. McGrew; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2828. By Mr. DYER: Petition of Louis K. Juden Post, No. 63, of the American Legion, at Cape Girardeau, Mo., favoring compensation for ex-service men; to the Committee on Ways and Means.

2829. Also, petition of Atwell T. Lincoln Post, American Legion, St. Louis, Mo., urging the immediate passage of legislation for the benefit of soldiers; to the Committee on Ways and Means.

2830. By Mr. ESCH: Petition of the Board of Trade of the city of Chicago, Ill., urging legislation to increase the funds now available for the railroads, etc.; to the Committee on Interstate and Foreign Commerce.

2831. By Mr. FOCHT: Petition of the Burt J. Asper Post, No. 46, American Legion; also the Bright L. Kratzer Post, No. 182, American Legion, relative to the bonus for the ex-service men and women; to the Committee on Ways and Means.

2832. By Mr. FULLER of Illinois: Petition of the Rockford (Ill.) Chamber of Commerce, favoring the readjustment and the reclassification of the salaries of the postal employees; to the Committee on the Post Office and Post Roads.

2833. Also, petition of D. O. Thompson, secretary Illinois Agricultural Association, favoring the Capper-Hersman bill, etc.; to the Committee on Agriculture.

2834. Also, petition of the Ralston Purina Co., of St. Louis, Mo., opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2835. By Mr. MAGEE: Petition of the citizens of Syracuse, N. Y., in favor of House bill 1112; to the Committee on the Judiciary.

2836. By Mr. STEENERSON: Petition of A. J. Rud and others, of Gary, Minn., opposed to universal military training; to the Committee on Military Affairs.

2837. By Mr. TILLMAN: Petition of citizens of Van Buren County, Ark., protesting against universal military training, etc.; to the Committee on Military Affairs.

SENATE.

WEDNESDAY, *April 7, 1920.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we give Thee thanks that Thou hast called us to the ministry of freedom; that Thou hast set us to stand guard over the rights of men; that Thou dost commission us to administer the affairs of a great Nation in the interest of justice and freedom and peace. We pray Thee to qualify us for this high office, and this day may we have Thy guidance in the performance of our duties. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

PRESIDENT PRO TEMPORE,
Washington, D. C., April 7, 1920.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. JAMES E. WATSON, a Senator from the State of Indiana, to perform the duties of the Chair during my absence.

ALBERT B. CUMMINS,
President pro tempore.

Mr. WATSON thereupon took the chair as Presiding Officer for the day.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

CALLING THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Beckham	Gay	Kirby	Simmons
Borah	Gerry	McCumber	Smith, Md.
Brandegee	Glass	McKellar	Smoot
Capper	Gronna	McLean	Spencer
Chamberlain	Harris	McNary	Thomas
Comer	Harrison	Nelson	Wadsworth
Curtis	Henderson	Norris	Warren
Edge	Jones, Wash.	Nugent	Watson
Elkins	Kellogg	Page	
Fernald	Kendrick	Phipps	
Frelinghuysen	Kenyon	Sheppard	

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness. I ask that this announcement may stand for the day.

Mr. SIMMONS. I was requested to state that the Senator from South Carolina [Mr. SMITH] is unavoidably absent from the Senate on account of illness in his family.

I wish also to announce the unavoidable absence of my colleague Mr. OVERMAN.

Mr. MCKELLAR. The Senator from Arizona [Mr. ASHURST], the Senator from California [Mr. PHELAN], and the Senator from Florida [Mr. TRAMMELL] are absent on official business.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present. The Clerk will call the list of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. KNOX, Mr. RANSDELL, Mr. STERLING, and Mr. SWANSON answered to their names.

Mr. LENROOT, Mr. MOSES, Mr. DILLINGHAM, Mr. HITCHCOCK, Mr. PITTMAN, Mr. NEW, Mr. SMITH of Arizona, Mr. LODGE, Mr. TOWNSEND, Mr. FRANCE, Mr. CULBERSON, and Mr. POMERENE entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, one of its clerks, announced that the House had passed the bill (S. 4082) to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897.

The message also announced that the House had passed a bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer:

S. 2807. An act to correct the military record of Edward Sigerfoos;

S. 2811. An act for the relief of the York County Savings Bank, of Biddeford, Me.;

S. 3187. An act to dispose of a certain strip of land in Waterville, Me.; and

S. 3610. An act for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a petition of the Civic and Commercial Association of Sault Ste. Marie, Mich., praying for the enactment of legislation providing for the transfer of the United States Coast Guard from the Treasury Department to the Navy Department, which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Grand Rapids, Mich., praying for the enactment of legislation providing for the public protection of maternity and infancy, which was referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented a petition of Charles A. Learned Post, No. 1, American Legion, of Detroit, Mich., praying for the enactment of legislation providing increased pay for the Army, Navy, Marine Corps, and Coast Guard Service, which was ordered to lie on the table.

He also (for Mr. NEWBERRY) presented a petition of A. J. Babcock Camp, No. 20, United Spanish War Veterans, of Flint, Mich., praying for the passage of the so-called Sells bill, granting pensions to Spanish War veterans, which was referred to the Committee on Pensions.

He also (for Mr. NEWBERRY) presented a petition of the American Association of Engineers, of Detroit, Mich., praying for the establishment of a department of public works, which was referred to the Committee on Public Lands.

He also (for Mr. NEWBERRY) presented a petition of the Kiwanis Club, of Detroit, Mich., praying for the repeal of certain provisions of the so-called Lever Act, which was referred to the Committee on Interstate Commerce.

He also (for Mr. NEWBERRY) presented a petition of the Louisa St. Clair Chapter, Daughters of the American Revolution, of Detroit, Mich., praying for the passage of the so-called Kenyon Americanization bill, which was ordered to lie on the table.

He also (for Mr. NEWBERRY) presented a memorial of the Board of Commerce of Detroit, Mich., remonstrating against the fuel-distribution order of the Director of Railroads, which was referred to the Committee on Interstate Commerce.

He also (for Mr. NEWBERRY) presented a petition of the Board of Commerce of Detroit, Mich., praying for the enactment of legislation to increase the efficiency of the Patent Office, which was referred to the Committee on Patents.

Mr. POMERENE presented a telegram in the nature of a petition from James T. Connell, on behalf of sundry citizens of Columbus, Ohio, and a petition of the Wolf Tone Branch, Friends of Irish Freedom, of Toledo, Ohio, praying for the recognition of the Irish Republic, which were referred to the Committee on Foreign Relations.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 4195) for the relief of George A. Bihler (with accompanying papers); to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 4196) to provide relief to persons who owned wheat of the crop of 1917 before the announcement of the Food Administration price-fixing policy with respect thereto, and who sold such wheat after August 11, 1917; to the Committee on Agriculture and Forestry.

ARMY REORGANIZATION.

Mr. CAPPER submitted an amendment intended to be proposed by him to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which was ordered to lie on the table and be printed.

Mr. GAY submitted an amendment to be proposed by him to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which was ordered to lie on the table and be printed.

HOUSE BILL REFERRED.

H. R. 13416. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes, was read twice by its title and referred to the Committee on Pensions.

BRIDGE ACROSS LAKE CHAMPLAIN.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3813) to authorize the construction of a bridge across Lake Champlain between the towns of Shoreham, Vt., and Ticonderoga, N. Y., which was, on page 1, line 6, to strike out "railroad."

Mr. DILLINGHAM. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

ARMY REORGANIZATION.

The PRESIDING OFFICER (at 12 o'clock and 15 minutes p. m.). Morning business is closed.

Mr. WADSWORTH. I move that the Senate proceed to the consideration of Senate bill 3792, the Army reorganization bill, and I ask that the Secretary continue the reading of the bill for amendment.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes.

Mr. NELSON. Mr. President, the pending bill provides for a system of universal military training. If that plan shall be carried out, it contemplates educating to a limited extent all the youth of America for the duties of soldiers. It would be a kind of academic education; it would not be an education which would make our youths real soldiers. If we wish to increase our Army and to provide for a fighting force in the future, the proper and legitimate course to pursue is to provide that one-third of the Army of the United States shall be enlisted for a period of one year as volunteers, and then at the end of the year be discharged, and another set of men be enlisted for a year. In the course of five years in that way we would have a trained Army of 500,000 soldiers who had served one year in the Army of the United States and had performed all the duties of soldiers. Such a system would establish a fighting force in time of peace, and the men who would be thus trained would be trained in all the duties of soldiers. They would receive not merely an academic training and an acquaintance with the manual of arms, but they would be trained in all the duties that pertain to policing and taking charge of camps and to the martial work of the soldier. They would, in other words, perform the duties of soldiers.

If you give the youths of America one year's course in the Regular Army, they will make the very best soldiers, and by discharging them at the end of the year and enlisting another hundred thousand men the next year, and repeating that process for five or six years, we should have an Army of trained soldiers at very little expense to the Government that would meet all of our immediate necessities. If we had had an Army of 500,000 trained soldiers at the beginning of the recent war, whom we could have sent over to Europe following the declaration of war, we should have been in a much better position than we were.

A system that would compel the youth of America to go into camp every year and undergo a species of academic training, keeping them away from their work, it seems to me is rather contrary to the spirit of American institutions. It is not our object to become from the bottom up a military Nation. We do not desire to be a country such as Germany was before the Great War, such as France is to-day, and such as some of the other continental nations of Europe are, where the chief duty of a young man is to enter the army and remain in the army as a soldier for the best part of his young life.

What we need is a small, efficient fighting Army. Let us have a regular standing Army of 300,000 men, if you please, though I should be glad to have the number fixed at 400,000, and then let us provide for the only system of training which, it seems to me, would be of value in war, namely, the training that a soldier receives by actual service. Therefore I reiterate what I have already said, that if we want to build up an efficient trained Army ready for service at the least expense and with the most efficiency we should enlist 100,000 men every year for one year's service, make them perform all the duties of soldiers for one year, and then at the end of one year discharge them.

As a matter of historical knowledge, we have an illustration of the efficacy of that system in the experience of Prussia, following the battles of Jena and Auerstadt, in 1806, when the Prussian Army was utterly defeated and destroyed. Napoleon then compelled Prussia to enter into a treaty by the terms of which the Prussians were not to maintain an army of more than 100,000 men, I believe it was, though perhaps it may have been a little more. My recollection is, however, that it was 100,000 men. What did the Prussians do? They lived up to the technical requirements of that treaty with Napoleon; they maintained an army of only 100,000 men; but every six months they would discharge the 100,000 men and put in 100,000 recruits. So they kept on until 1814, prior to the great battle of Leipsic. When the collapse of Napoleon was brought about, Prussia had an army of over a half million trained soldiers whom they had secured under that very treaty in that way.

Despite the treaty, which did not allow the Germans to maintain an army of more than 100,000 men, they had secured that great army by the method of enlisting men up to a strength of 100,000, and after they had trained them as real, actual soldiers, not as college students, discharging them and putting in new men. As I have said, the result was that at the end of the period between 1806 and 1814 they had succeeded by that method in getting a trained army of over half a million soldiers. I think the exact number was 750,000 or 800,000 soldiers, who participated in the defeat of Napoleon at the great battle of Leipsic.

Mr. FRELINGHUYSEN. Mr. President, I desire to ask the Senator a question.

Mr. NELSON. I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. I simply wish to ask him whether that system was a system where the soldier who was to be trained was absorbed with the regular soldiers of the German Army? I did not hear the Senator's statement in regard to that.

Mr. NELSON. Yes. The Prussians were allowed to maintain a limited regular army of about 100,000 men. They were only allowed to maintain a regular army, a standing army, as it were, of that size under the treaty which was forced upon them after their defeat at the battles of Jena and Auerstadt.

Mr. FRELINGHUYSEN. How long was the period of training?

Mr. NELSON. My recollection is that the period of training—I can not be exact about it—was six months. Recruits were taken into the army and kept in the ranks and trained as a part of the regular army for six months, and at the end of that period they were discharged. Then the Prussians would enlist another set of men; and by pursuing that system, under the treaty which allowed them to have only 100,000 soldiers at one time, they had, when the final struggle occurred, over a half million well-trained soldiers—I think the number was 750,000 or 800,000—who joined with the allies in bringing about the fall of Napoleon in 1814.

It seems to me that, instead of having all our young men go into training camps and play soldier two or three months every year, the best way is to let the young men volunteer and go into the Army for one year, be real soldiers, receive all the training and perform all the duties and work that the private soldier has to perform, and then at the end of the year discharge them and enlist another hundred thousand, and repeat that operation until, as I have said, in the course of five or six years we would have half a million trained soldiers, real soldiers, not academic soldiers, not those who have been playing soldier around the campuses of colleges and universities.

Mr. FRELINGHUYSEN. Mr. President, may I ask the Senator another question?

Mr. NELSON. Certainly.

Mr. FRELINGHUYSEN. The Senator believes, however, that we should have for national defense a more adequate system of preparation than can be obtained through the medium of a small standing army, does he not?

Mr. NELSON. Certainly. If I had my way about it, I would provide, as is provided in this bill, for an Army, in round numbers, of about 300,000 men, 200,000 to be three-year men, as provided in the bill, and I would have 100,000 of them enlisted for the period of one year, to be discharged at the end of the year, and then enlist another 100,000 for a year and continue that operation year after year. In that way, as I have said, in five years we would have half a million well-trained

soldiers, much better trained for service, much better trained for war, than men who are trained for a few months on college campuses.

This suggestion may seem to the officials of lofty intellect in the War Department and to some of our statesmen of equally *lofty intellect* as rather queer; they may call this a kind of a "hayseed military doctrine," if you please; but, after all, I have brooded over this question for a long time, and I can not see any virtue or benefit to be derived by the American people from the scheme of universal training proposed by the pending bill.

I have myself served as a soldier, and I have as high an opinion of the soldier in the United States Army as any man in this Chamber; yet, after all, I do not want to see the American people become a nation of soldiers; I do not want them to become infused with that military spirit which to-day is apparent in certain parts of the Old World. I want our people to go on as they have been going on and to live the lives they have lived in the past, at the same time making provision for an effective Army, able to take care of us in time of need, until it is necessary to increase the Army largely. If we sweep the youth of the country into the Army and give them the training provided in this bill, what will be the effect? I imagine the effect will be similar to that we have seen growing out of the war in Europe; they will receive an academic military training; they will see all the pomp and panoply of war, with none of its hardships; they will not even have to do police duty or anything of that kind; they will see the fine side of war, and only a little of that. Then, after they have undergone such military training they will be like a good many young men of whom I have heard who have had college or higher educations, who come back home and say, "I have too much education; I am not good for the work on the farm; I am not good for the shop; I have to get to some soft and easy place in order that my knowledge and education may find proper vent and expression." If we embark upon this pretentious scheme of universal military training, we will lessen our rural population and the population of the small towns, and we will discourage the spirit of work, the spirit of industry that characterizes our people, and they will become infused with a war spirit and think that they ought to have something better than the drudgery of the farm or drudgery of the village shop.

Mr. President, I shall take no more time to discuss that aspect of the pending measure. I wish, however, to direct the attention of the Senate to another feature of the bill which strikes me as showing the top-heaviness of the structure proposed to be erected. Section 36 provides for a transportation service. The section reads:

> There is hereby established a transportation service which, under regulations to be established by the President and in accordance with the provisions of this act, shall have the duty of transporting the personnel, matériel, and supplies of the Army of the United States by rail, water, motor, and animal transport—

And so forth.

It is all right to establish that branch of the service. It is at present under the Quartermaster Department. I have no objection to its establishment as a separate service, but here is the paragraph that strikes me as startling:

> The permanent personnel of the transportation service shall consist of one chief of transportation, with the rank of brigadier general, and 750 officers, in grades from second lieutenant to colonel, inclusive, and 12,500 enlisted men.

Now, just think of that force! That was probably the force that was needed during the Great War in Europe; but with the small Army that we expect to have now, in time of peace, when we have only to transport troops back and forth within the borders of the United States, and occasionally send some troops to the Philippine Islands, a few marines to Santo Domingo, and some to the Panama Canal Zone, it is inconceivable to me that for these limited purposes for such a small Army as we are about to have we shall have occasion to use such an elaborate board of transportation—750 officers, under the head of a brigadier general, and 12,000 enlisted men in this service—to carry on the transportation of our little Army here by land and water in time of peace!

There are some other features of the bill that are akin to this. The bill is top-heavy. It makes provision for a lot of officers, unnecessarily so. I think it is important that we should maintain what I call a skeleton service—a service, for instance, in the transportation system that would easily expand and grow in time of war; but to maintain such an enormous service in time of peace for the transportation of this Army strikes me as a piece of utter extravagance that we ought to avoid.

I am not unfriendly to the Regular Army of the United States. I should be very glad to see that Army composed of 400,000 men instead of 300,000; but I do not want to make the Army what I call too top-heavy. I do not want to have such a large body of officers drawing big salaries and entailing a big expense on the Government. I am utterly opposed to that in time of peace. We want to maintain a framework in all these branches that can be readily expanded in time of emergency; but we do not want to keep a body of men as large as that—12,500 enlisted men and 750 officers; think of that!—for the transportation service of our Army by sea and land.

Mr. SIMMONS. Mr. President, can the Senator advise us how many officers and enlisted men were employed in connection with the transportation service during the late war?

Mr. NELSON. I can only do so indirectly. I presume we have all been lobbied more or less on this bill. I have been lobbied a little bit myself, and a gentleman called on me yesterday or the day before about this very matter. I said to him: "I do not object to having a transportation corps established as an independent branch outside of the Quartermaster Department, but I can not see any occasion for such an immense force in it." "Why," he said, "that is what they have now in the Quartermaster Department, and it is not increasing the force. It is just turning them over to this new bureau or new division"; and I take it that this is practically the force that they maintained during the war, or a large part of it. I am not prepared to say just what they did. You know they had a lot of these dollar-a-year men.

Mr. WADSWORTH. Mr. President, will the Senator permit an interruption?

Mr. NELSON. Yes, sir.

Mr. WADSWORTH. They had a force ten times as large as this during the war.

Mr. NELSON. They were mostly civilians that were appointed.

Mr. WADSWORTH. No, Mr. President; they were soldiers.

Mr. SIMMONS. Mr. President, do I understand the Senator to say that we had a force ten times as large as this during the war?

Mr. WADSWORTH. Certainly; in the transportation service. That is only 120,000 men.

Mr. NELSON. Take the percentage, now, that the transportation service would absorb. If you count the aggregate of our Army as 300,000 men, you can see what a percentage of that little Army would be absorbed in this transportation corps. Then, if you take the other services—and I will not weary the patience of the Senate with them at this time—there are other branches, new branches, established in this bill that are of the same character and the same kind of extravagance in relation to expense.

All of us who are conversant with the matter know that our Army, in proportion to its numbers, is the most expensive Army in the entire world. There is no other army, in proportion to its numbers in men and officers, that is as expensive and costly as the Army of the United States.

With the exception of the higher officers, the pay of the officers in foreign armies is much less. The pay of the men, as you all know, is a mere nominal sum, except in Great Britain and her colonies. I do not know what the pay of the English Army is to be in the future. The old pay of the British soldier was a shilling a day, a little less than 25 cents. I believe during the war their pay was doubled, so that they got twice that, or 2 shillings a day. I am not sure about that. The Canadians got about the same pay that our soldiers got during the war, and the Australians got a little more. I think the Australians got paid at the rate of a dollar and a half a day, while our men got at the rate of about a dollar a day, in round numbers. As I said, we have the most expensive army in the world, and it is because our scale of pay, both for enlisted men and officers, with the exception of the higher grades of officers, is higher than in any other army.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. NELSON. Certainly.

Mr. McKELLAR. I have been very greatly interested in what the Senator is saying, and I indorse it all. I want to call his attention to the particulars as to the increased expense by separating these services as proposed in this bill:

Elimination from personnel as prescribed for the four separate activities under S. 3792—

The one which we are now considering—	Annual saving.
1 brigadier general	$6,000
395 other officers	1,185,000
8,400 enlisted men	12,663,084
Total annual saving of officers and enlisted men	13,854,084
Reduction in civilian personnel made possible by consolidation:	
Administrative offices in Washington (5,195 clerks, etc.)	7,792,500
Outside of Washington (7,734)	11,601,000
Total annual saving in civilian personnel	19,393,500
Aggregate annual saving	33,247,584

That is what it will mean if these various services are consolidated as suggested by the Senator from Minnesota, as I understand.

Mr. NELSON. Mr. President, I am not finding fault with their distributing the work as they have done in the matter of the transportation service. I think separating it from the Quartermaster Department is wise and wholesome. What I object to is providing such an immense force in that service in time of peace for such a limited Army.

There are one or two matters that make me think that this is a good deal of an officer's bill.

The bill provides, among other things, for warrant officers, who are to be appointed by the President, and to have the rank and pay of second lieutenants, but they are not to have the benefit of promotion. No matter how able or intelligent a warrant officer may be, no matter how good an officer he might make, he has no show of promotion. He is put in a class by himself, with no chance to get any higher. You might almost put a label over his forehead like the inscription over the door of Dante's hell:

All hope abandon, ye who enter here.

No one may hope to get any higher in rank if he is a warrant officer.

Here is a matter which shows how one-sided the bill is in another respect.

Under the system that prevailed before the war a soldier who during his course of service had become efficient, and had become a corporal or a sergeant or a first sergeant or a quartermaster sergeant, and had served his time out and had been discharged and wanted to reenlist, had to reenlist as a private. He could not enlist in the rank that he had when he was discharged from the service. The result of that was that a man who had served his period of three years or four years, and was discharged as a sergeant, if he wanted to reenlist could not reenlist as a sergeant, no matter how good his record might be; but he would have to reenlist as a private, and then he would be at the mercy of the colonel of the regiment as to whether he would be put back into the rank of a sergeant, or above that rank, or not.

Mr. President, I succeeded in having an amendment put into the bill which we passed June 3, 1916, an act for making further and more effectual provisions for the national defense, and for other purposes, which was modified a little, but which the military authorities at that time acquiesced in. It reads:

Provided further, That any noncommissioned officer discharged with an excellent character shall be permitted, at the expiration of three years in the active service, to reenlist in the organization from which discharged with the rank and grade held by him at the time of his discharge, if he reenlists within 20 days after the date of such discharge.

I do not find that provision in this bill.

Mr. WADSWORTH. What section is that?

Mr. NELSON. That is on page 23, section 27.

Mr. WADSWORTH. That is left undisturbed by this bill. That still remains law. Section 27 is not repealed.

Mr. NELSON. I am thankful that is left in that way; but it should be amended. As the law stood then, we had only noncommissioned officers, sergeants, and corporals—sergeants of various classes. It was applied to them. But by this bill you make a new class of noncommissioned officers whom you call warrant officers. They are to be appointed by the President, and they are to have the rank and pay of second lieutenants, but they are not in line of promotion. They are back numbers, as it were, not allowed to become officers because of their service as warrant officers.

The bill ought to be amended so as to cover these warrant officers. If they have been appointed and have served as warrant officers, they should have the scant privilege of coming in again at the rank borne at the time of discharge.

Mr. President, I have taken up more of the time of the Senate than I intended to take. When I rose I simply wanted to say a few words about the matter of universal military training. I merely wish to say in conclusion that in my opposition to this scheme of universal military training I am not actuated by that gospel or principle which some of the so-called pacifists have. I do not want our country to be helpless in time of war; I want it in time of peace, as far as possible, to be prepared for war. But I want that preparation to be in effective and legitimate channels. We should make provision for a limited number of trained men who can be called out whenever needed, and I do not believe the way to accomplish that is by trying to make all our young men in the country college-campus soldiers, giving them a mere academic training.

I am opposed to that, in the first place, because it takes in all the youth of our country, and I do not want them all infused with the military spirit. In the next place, I am opposed to it because it takes the young men away from their other duties and imbues them with a spirit that is opposed to the hard work and drudgery of life. It takes them away from the ordinary vocations of life and begets in them a spirit contrary to the spirit of our institutions, a spirit that would make our country a military country like the nations of the Old World. I do not want America to become as Germany was before the war, nor do I want it to be in the condition in which France is to-day. I want a good little Regular Army, with a skeleton force of officers which can expand when the occasion arises, and I want a few hundred thousand trained soldiers whom we can get in the course of five years in the manner I have indicated. If we pursue that course and take that step, we will not only save the country a great deal of money but we will avoid many of the distressing incidents that would occur under this scheme and system of universal military training.

Mr. WADSWORTH. Mr. President, I merely want to make some observations concerning the transportation service and the warrant officers, to whom the Senator from Minnesota has referred.

As the Senator from Minnesota said, the transportation service is made a separate service in this bill, and there are assigned to it 750 officers and 12,500 enlisted men. I want to call the attention of the Senate, however, and especially of the Senator from Minnesota, to the fact that the bill also provides that the President may reduce the number of officers and men in any branch of the service in the Army to the extent of 20 per cent.

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. WADSWORTH. Certainly.

Mr. NELSON. The war is now over, and while during the war we were disposed, I as much as anybody, to put all the power in the hands of the President or other executive officer, I do not believe in carrying on that principle now in time of peace, leaving it optional with the President. The President, in the very nature of the case, would follow the recommendations of the Chief of Staff through the Secretary of War. I insist that we should abandon the system of putting everything into the hands of the President which we followed as a necessity during the war. I went to as extreme a length in that case as anyone in this Chamber, but I want now to take a back track and not leave it to the option of any executive officer to say whether our Army should be large or small, whether the corps of officers should be large or small. I want that to be fixed by law.

Mr. WADSWORTH. Mr. President, I fear the Senator misinterprets what I have said or misinterprets the language of the bill. The President can not change the size of the Army above a certain maximum fixed in the bill. The limit is rigidly fixed. The Army can be made no larger than that number. Then that army is divided into its appropriate tactical units and services, and the bill sets forth in those services and combatant branches the standard number of officers and men to be in each service or combatant branch.

It is utterly impossible for Congress to say that the Infantry, for example, shall be a fixed number, no more and no less, and to do it intelligently. As tactics change and weapons are invented and weapons discarded, the tactical organization of an army changes, and it must change to keep up to date. All we allow the President to do is to increase or decrease the number of men in a service or a combatant branch within the maximum limits fixed by the bill for the whole Army. We provide, for instance, that he can increase the number of infantrymen allotted in the bill, but to do so he must take those men from some other branches of the service. He may decrease the number of men assigned to a service or a combatant branch in order to assign them to some other service that in the meantime experience shows needs a few more men.

We grant to the Commander in Chief and the soldiers at the head of the Army, who are supposed to know best how an army should be balanced in all its parts, the privilege of arranging it in its most effective form. The cost to the Government will be no larger. The maximum can not be increased. Congress still holds the purse strings, and we simply permit the Army of the United States to keep up to date; that is all.

I call the attention of the Senator from Minnesota to that fact because should it turn out in the future that the transportation service does not need 12,500 men and that another service needs some of those men more than the transportation service does, men may be transferred.

As to the number, 12,500, let me remind the Senator from Minnesota that this service not only is to take care of the transport service and the railway service, whenever our Army does indulge in railway service, but the Motor Transport Service, and with our Army of 236,000 enlisted men, as it is to-day, there are 12,000 men in the Motor Transport Service alone, to say nothing of an Army Transport Corps plying the seas.

Mr. NELSON. What are all those motor transports used for?

Mr. WADSWORTH. For transporting material, transporting goods. They do all the motor-truck service of the Army. Every cantonment you go to, whenever anything is to be transported from the railway into the camp or about the great cantonments, it is the motor transport which carries the goods. There are 12,000 men in the Motor Transport Service alone to-day. The bill combines the Motor Transport Service with the railway service, the seagoing transport service, and the animal-drawn transport service.

Mr. NELSON. Will the Senator explain why those 12,000 men, even assuming that number to be necessary, require 750 officers?

Mr. WADSWORTH. It is not only those 12,000 men who require officers. All the wagon trains are under this transportation service, and all the motor-truck trains for the entire Army, if it moves into the field.

Mr. NELSON. In the days of the Civil War we had wagon masters and train masters, and we did not give them commissions in those days; we did not make them officers. We had plain wagon masters, plain men, enlisted men, who did that duty. Is it contemplated that these wagon masters and train masters shall be commissioned officers?

Mr. WADSWORTH. We have not had civilian wagon masters for years in the Army. That was given up several years ago and civilian teamsters were given up several years ago, because the Army found it impossible to impose discipline upon civilians in time of peace in the service of the Army.

Mr. NELSON. But were the wagon masters commissioned officers?

Mr. WADSWORTH. They were not.

Mr. NELSON. Would you have them commissioned officers now?

Mr. WADSWORTH. I certainly would. I would have every man exerting authority in the Army armed with a commission. Otherwise you have no military discipline. Soldiers will not obey civilians. There is no way by which they can be made to obey them.

Mr. NELSON. According to that theory you would not have discipline in the Army among the privates unless you gave them commissions.

Mr. WADSWORTH. No. I did not say that. You would not have discipline among the privates of the Army if they were commanded by civilians. The Senator knows that. You must have officers in command, otherwise you can not invoke the Articles of War or impose any discipline whatsoever.

This number, 12,500, for the entire transportation activities of the Army, is less than the Army has to-day in the same service. It is a cut-down rather than an expansion. I remind the Senator from Minnesota that in this last war, and, in fact, in all modern armies, the entire transportation of an army becomes a purely military problem, and the impedimenta of a modern army is something enormous. The consumption of ammunition per man, I venture to say, is fifty times as large as it was in the days of the Civil War. It is astounding to contemplate the hundreds and thousands of tons of material that has to be brought up to an army from the rear in these days. This percentage of 12,000 men engaged in the tremendous service of transportation for an army of 280,000 men is not excessive. In fact, it is a smaller percentage, let me say to the Senator, of men allotted to transport service than was the rule in our Army in France during the war.

Mr. NELSON. In the "piping times of peace," which we hope to have in the near future, the Senator does not anticipate that we shall have to handle all the enormous amount of ammunition to which he refers?

Mr. WADSWORTH. Oh, no; I did not say that; but we have cut this down away below the figures of the war in percentage. Twelve thousand five hundred men, as a matter of fact, I do not think will be able to take care of it in time of peace. I am inclined to believe that the number, by transfers from other services and branches, as experience is gained, will be increased rather than decreased.

Now, as to the warrant officers, Mr. President, I have every sympathy, as the Senator from Minnesota has, with the noncommissioned officers of the Army. Our provision for warrant officers was put in very largely at the earnest request of the old noncommissioned officers of the Army.

Mr. NELSON. Will the Senator excuse me for interrupting him further? It is very kind of him to allow me to interrupt him, and perhaps I am overdoing it.

Mr. WADSWORTH. Not at all.

Mr. NELSON. I am very glad to find in the bill the provision for warrant officers. It is a good provision as far as it goes. But the objectionable feature of it is that it cuts off a warrant officer from being in line of promotion. I think the warrant officers should come next after second lieutenants in their order, and they should have a chance, if fit and able to pass the examination, to become commissioned officers.

Mr. WADSWORTH. Mr. President, I am not sure that the Senator understands what we mean by the language "warrant officers shall not be in line of promotion to higher commissioned grades." It does not mean that a warrant officer may not be commissioned in a higher grade.

Mr. NELSON. Oh, no.

Mr. WADSWORTH. But as a warrant officer he would not be entitled to automatic promotion by seniority into the grade of second lieutenant. That is all it means.

Mr. NELSON. If the Senator will excuse me again, I understand it as he does, and that is that it does not prevent the Government from appointing a warrant officer as a commissioned officer.

Mr. WADSWORTH. Certainly not.

Mr. NELSON. But what I mean is that the warrant officers should be in line of promotion for a commission as second lieutenant next after the second lieutenants. I would not have them ahead of the second lieutenants, but I would leave an opening for those men so that they could become full commissioned officers provided they pass the necessary examination.

Mr. WADSWORTH. The trouble with that is that by the time the enlisted man can reach the grade of warrant officer he is too old to be a second lieutenant. This provision is for the very purpose of giving better treatment to veteran noncommissioned officers of the Regular Army, the old sergeants and quartermaster sergeants, and men of that high grade and type. The provision is for the very purpose of taking better care of them and giving them a better status. An enlisted man, having served 25 years in the Regular service and reached the grade of top sergeant, has reached the age, probably, of 50 years. He can not become a second lieutenant because the average age of second lieutenants in the Army is only about 27 or 28. It would be an anomalous position to provide an automatic promotion from those grades, because those men are so old that they can not fit in with what are known in the Army as the "shavetails," who have just come out of West Point.

Many hundreds of splendid Regular Army noncommissioned officers went into the war and their services were so valuable and their experience so great that the War Department needed them especially in some of the supply services, where they were familiar with the paper work and the business methods of the Army, and many of them were commissioned as captains and majors and lieutenant colonels as emergency officers. When they were commissioned as captains and majors and lieutenant colonels as emergency officers, of course they were discharged from their grade as sergeants in the Regular Army.

When their emergency commissions expired at the expiration of the war, those men who had spent 25 or 30 years in the service were then thrown out into the cold world. They could not reenlist in the Army because they were too old; they were above the age limit. They can not be reenlisted in their old grade, because there is no provision for that, and in addition to that their old places had been filled. But we can take care of those men by bringing them back into the service as warrant officers and giving them the pay and allowances of second lieutenants. That is the reason for section 13 of the bill. It is done to help the very men the Senator from Minnesota wants to help, and he and I are in entire sympathy about it.

Mr. NELSON. If the Senator will allow me, I want to say that while it fits that class of men, yet I take it there will be a lot of others who do not come within that service or age limit which the Senator mentions, who can also become warrant officers. It is not necessarily limited to the class of men the Senator describes.

Mr. WADSWORTH. Mr. President, let the reading of the bill be continued.

The PRESIDING OFFICER (Mr. KELLOGG in the chair). The Secretary will continue the reading of the bill.

The reading of the bill was resumed and continued to the end of line 11, on page 51.

Mr. WADSWORTH. Before the reading proceeds further I should like to offer two amendments on behalf of the committee. On page 50, line 4, after the word "officers," I move to insert the words "or as noncommissioned officers." That is a very apparent omission in the framing of the bill.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York.

The amendment was agreed to.

Mr. WADSWORTH. Then, on the same page, line 14, before the word "months," I move to strike out the word "six" and to insert "three."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New York.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 55, line 12, after the word "classified," to insert the following proviso:

Provided further, That no officer shall be classified below Class A solely because of recent appointment or short service in his grade.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of line 13, on page 57.

Mr. WADSWORTH. On page 57, line 13, after the word "examination," I propose to insert the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from New York will be stated.

The ASSISTANT SECRETARY. On page 57, line 13, after the word "examination," it is proposed to insert "and except also those governing the examination of officers of the Medical, Dental, and Veterinary Corps."

Mr. WADSWORTH. It has been found that the laws now upon the statute books governing the examination for admission of officers to these corps are entirely satisfactory, and we do not intend to repeal them, as the language if not amended would do.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. HARRISON. Mr. President, while we are on the promotion provisions of the bill, I desire to ask the Senator from New York a question. There are a great many instances with which the Senator, of course, is familiar, and which we have discussed here, where certain officers who served abroad have been demoted, while certain officers who served in this country have retained their higher rank. Many such cases involving very gross injustice have been cited. Does this bill in any way take care of that situation?

Mr. WADSWORTH. No; the bill is not retroactive in any sense.

Mr. HARRISON. Will those cases be remedied, so far as the Senator knows, if he has any information from the General Staff about that, before this bill begins to be operative?

Mr. WADSWORTH. My information is that the number of Regular officers who are now holding temporary advanced rank—in other words, officers who have not yet been demoted—is about 25 per cent, perhaps only 23 per cent. The great majority of officers who held advanced rank have been demoted; others are being demoted from time to time, and the expectation is that by July 1 they will all be demoted. The trouble to which the Senator refers was due to the fact that the War Department failed to work out a scheme by which the process of demotion could be carried out in such a way as to be absolutely fair to all of the officers.

Mr. HARRISON. Yes.

Mr. WADSWORTH. The early demotions were arbitrary, or at least they seemed arbitrary to some of the officers in the service.

Mr. HARRISON. And to the public generally, I think.

Mr. WADSWORTH. Some were demoted and some were not. It left some seniors serving under their juniors and created a situation which was very trying and very embarrassing and which injured the morale of the service. I think, however, most of it has passed away by this time.

Mr. HARRISON. I notice that recently the department has made certain changes. Suppose this bill should become a law, say, by the end of next month, in May some time, and certain officers are not demoted from their temporary rank before the 1st of July, is there anything in the bill that would retain such officers at their advanced rank?

Mr. WADSWORTH. Nothing at all.

Mr. HARRISON. It would not affect the situation in the slightest?

Mr. WADSWORTH. Not in the slightest.

Mr. HARRISON. So the demotions will continue irrespective of the passage of this bill?

Mr. WADSWORTH. They will.

Mr. HARRISON. So that in the end there will be no partiality or discrimination shown, although there has been heretofore?

Mr. WADSWORTH. There can not be after this bill shall have passed.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 60, line 14, after the word "scientific," to insert the words "sanitary, hygienic," and in the same line, before the word "technical," to strike out the word "and," so as to read:

To the extent provided for from time to time by specific appropriation, persons specially qualified in educational, scientific, sanitary, hygienic, professional, technical matters, including transportation, production, and finance, may be appointed by the President alone, under such regulations as may be prescribed, to cooperate with and assist the General Staff or one or more of the services.

The amendment was agreed to.

The next amendment was, in section 46, page 61, line 16, after the word "*Provided*," to strike out:

That in case of an officer of the permanent personnel such active service shall be considered as commencing on the date of rank stated in the commission which he then holds: *Provided further*.

Mr. WADSWORTH. Mr. President, section 46 is a section which is to correct a situation created by the one hundred and nineteenth article of war. The matter is a rather technical one to express in proper language, and the committee finds since it drafted this language, including the proviso which is recommended to be stricken out, that another draft is necessary. I therefore request now that section 46 be stricken entirely out of the bill and that a new section, which I send to the desk, be substituted. I may say to the Senate that the purpose of the act will not be changed in the slightest degree, but the new section will accomplish the desired purpose without leaving any doubt whatsoever as to the intention.

The PRESIDING OFFICER. The amendment offered by the Senator from New York will be stated.

The ASSISTANT SECRETARY. On page 61, in section 46, after the section number and after the title "Relative rank of officers," it is proposed to strike out the remainder of the section and to insert the following words:

Unless special assignment is made by the President under the provisions of the one hundred and nineteenth article of war, all officers of the active service of the United States in any grade shall take rank according to the date which, in the case of an officer of the permanent personnel, is that stated in his commission or letter of appointment, and, in the case of a reserve officer, shall precede that on which he is placed on active duty by a period equal to the total length of active service which he may have performed in the grade in which called or any higher grade. When the dates of rank are the same, precedence shall be determined by the length of active commissioned service in the Army. When length of such service is the same, officers of the permanent personnel shall take rank among themselves according to their places on the promotion list, preceding reserve officers of the same date of rank and length of service who shall take rank among themselves according to age.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 63, line 14, after the word "officer," to insert "serving in a grade below that of brigadier general, and," so as to read:

SEC. 49. Limitation on detached service.—Unless the President declares that an emergency exists which requires otherwise, no officer serving in a grade below that of brigadier general and assigned to a combatant arm shall be detached or remain detached from troops of the combatant arms for duty in the District of Columbia or elsewhere, for a period of more than three months, unless in the preceding seven years he shall have actually served two years on duty with a troop, company, battery, battalion, squadron, regiment, brigade, division, army corps, army, or other corresponding organizations, or with the training force.

The amendment was agreed to.

Mr. WADSWORTH. Mr. President, there is an obvious omission on line 14. After the word "officers," I move to insert the words "of the permanent personnel," so that it will read:

Not to exceed 2 per cent of the commissioned officers of the permanent personnel of the Army.

The PRESIDING OFFICER (Mr. KENDRICK in the chair). The amendment will be stated.

The ASSISTANT SECRETARY. On page 64, line 14, after the word "officers," it is proposed to insert "of the permanent personnel."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 65, line 13, after the word "time," to insert "not exceeding 10 days," so as to read:

SEC. 51. Military training.—All male citizens of the United States (excluding residents of Alaska and the insular possessions) and all male persons who reside therein and who have declared their intention to become citizens, other than persons excepted by this act, shall, upon attaining the age of 18 years, or within 3 years thereafter, be subject to military or naval training, and shall be inducted into the Army or Navy of the United States for this purpose alone, and shall be subject to training therein for a period of 4 months and for such further time, not exceeding 10 days, as may be reasonably necessary for enrollment, mobilization, and demobilization—

And so forth.

The amendment was agreed to.

The next amendment was, on page 66, line 2, after the words "*Provided further*, That," to strike out "where climatic conditions permit and where it is otherwise practicable," so as to read:

Provided further, That there shall be two periods of training in each calendar year.

The amendment was agreed to.

Mr. CURTIS. Mr. President, the amendment which was just adopted would not necessitate a reconsideration of the vote taken in order to strike out this provision, would it? I did not listen to the amendment.

Mr. WADSWORTH. I think no one in the Senate, whether he is for universal military training or against it, would object to these amendments.

Mr. CURTIS. What I meant was, would it necessitate a reconsideration of the vote? I ask the question because, as I understand, the motion will be to strike out all of the provision with reference to military training.

Mr. WADSWORTH. Then a motion certainly will be in order to strike out the whole section. These are minor amendments inside the section, to which, incidentally, I invite the attention of the Senator from Kansas. It is very inspiring that section 51 of the bill, providing for universal military training, is being listened to by five Senators.

Mr. McKELLAR. Mr. President, in that connection I desire to say that it is a very remarkable thing that, although we are considering now a bill that it is estimated will carry appropriations, if it is passed, of not less than $600,000,000—it depends upon how it is estimated—and perhaps not more than a billion and a half, there have not been more than half a dozen Senators here at any time.

I do not know what the American people are going to say to this kind of legislation. I think it is a very erroneous way to legislate. I think it is very unfortunate for the people of America that this situation exists in the United States Senate. The lowest amount which will be carried by this bill, in my judgment, even if we strike out universal military training, is somewhere in the neighborhood of $800,000,000. Eight hundred million dollars of taxes must be paid by the American people on account of this bill, and yet I do not suppose there has been an average of half a dozen Senators in the Chamber at any time during its consideration.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 66, line 9, after the word "periods," to strike out "when two are provided within a reasonable distance of their places of residence," so as to read:

To such extent as may be consistent with effective training and economical administration and subject to regulations prescribed by the President, persons liable to training shall be permitted to elect such training in either of two training periods.

The amendment was agreed to.

Mr. WADSWORTH. Mr. President, in the sentence immediately following this amendment, I move to strike out "1921" and insert "1922."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On line 12, page 66, it is proposed to strike out "1921" and in lieu thereof to insert "1922," so as to read:

The military training herein provided for shall become effective in the calendar year beginning January 1, 1922.

Mr. WADSWORTH. Mr. President, in that connection, may I make just a brief statement?

When the preparation of this bill commenced we were in the year 1919; in fact, it was last August. It has now become so late in the year 1920, comparatively—certainly in the fiscal year—that my opinion is that there would not be opportunity for the War Department to prepare the plans for the activities provided for in this bill by January 1, 1921. The reorganization of the so-called Regular Army, or permanent personnel, as it is called in this bill, is so thorough and comprehensive that my judgment is that it will require an entire year for the permanent personnel to get itself shaken into shape under the new order of things. That being the case, I deem it the part of wisdom to give the War Department an entire year to get itself shaped up for the work that is ahead of it under the terms of this bill; and that is my reason for offering the amendment to the effect that the military training herein provided for shall become effective on January 1, 1922, instead of January 1, 1921. I believe it would be a physical impossibility for the War Department to meet the terms of the bill in a shorter period.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, we are now on section 51, the section providing for military training; and, as the chairman of the committee knows, I have an amendment striking out various sections. I understand that the bill is being read at this time merely for committee amendments, and that this is not the proper time to offer that amendment. I do not want to be precluded from offering the amendment at the proper time.

Mr. WADSWORTH. The Senator can not be precluded.

Mr. SMITH of Arizona. Mr. President, I have a very few observations that I should like to make on the question of universal military training, and I do not know but that now would be the best time, if it is as convenient for the chairman of the committee as any other time. If not, I will make it at his convenience.

Mr. President, I have given what consideration I have had the time to give to this important question of universal military service. Giving due weight to the merits of the proposal, I find myself at this time unable to support that part of the bill now before us. While the whole world is longing for peace, and, as an incident, the disarmament of all the great nations, it does not seem to me that we, the leading people in advocacy of peace, should at this time alarm the world by making preparations for the greatest Army ever seen in all the annals of time.

The unfortunate defeat of the peace treaty has left the world in chaos, but it has not killed the universal desire and purpose of the civilized world to obtain some early agreement among themselves, some way whereby senseless, bloody, and inhuman wars shall no longer run riot on the earth. Pending this, I think it would be unwise for us to present to the world the picture of compulsory universal military training of our people.

At this particular time every farm in the land is short of the labor necessary to the full production of the products upon which the starving world must subsist. What might be wise two or three years from now may be very unwise at this particular juncture. The world must get its bearings before we take this extreme course. There is no present danger in our surroundings. We now have over 4,000,000 of well-trained and the best soldiers in the world, fully equipped and ready to answer their country's call on any threat of danger. We are laboring now under an inconceivable burden of taxes and debt. It staggers the imagination of man by its awful magnitude. Twenty-five billions of dollars is our present indebtedness. This, with interest, has to be paid from the pockets of the people, extorted by taxation, and we must reduce this debt before assuming a further enlargement of it by somewhere between $1,000,000,000 and $2,000,000,000 a year.

As I said before, I am unwilling at this particular time to put this enormous additional tax on the already complaining people.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was continued to line 15, page 67.

The next amendment was, on page 67, line 7, after the word "law" to strike out the comma and insert a semicolon.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 70, lines 6 and 7, to strike out the words "That this exception shall not be applicable when suitable provision is made by law for the support of such dependents;" and to insert the following:

That in case any person called for the training shall have dependents within the meaning of the act of Congress approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," there shall be paid to such dependents, during the period of training, the amount provided by said law, without requiring any allotment from the recruit.

The amendment was agreed to.

The reading of the bill was continued to line 19, page 71, the end of section 19.

Mr. WADSWORTH. There are three minor amendments, corrective in their character, which I want to offer to this section. On line 11, page 71, I move to strike out the words "they may elect" and to insert the words "provided in this act"; on line 15, after the word "military," to insert the words "or naval"; and on line 17, after the word "parents," to strike out the word "and" and insert the word "or," so as to make the section read:

SEC. 56. Registration of persons liable for military training.—In order to carry out the provision of this act relative to military training, all male citizens, and all male residents of the United States (except Alaska and the insular possessions), after attaining the age of 17 years, shall be required to register with such local or other board as may be prescribed by regulation, on such day or days as may be prescribed by the President by proclamation or other public notice, to the end that they may be called for training as soon as practicable after attaining the age of 18 years, or within such deferred period, not exceeding three years, as provided in this act. Any person so registering who may require preparatory education under section 53 of this act may be required to receive it at any time after registration. Any person so registering, who is subject to or eligible for military or naval training

under this act, and who is physically qualified therefor, may, with his consent and that of his parents or guardians, be inducted into the service for training at any time after registration and before attaining the age of 18 years.

The amendments were agreed to.

The reading of the bill was continued to line 3, page 73.

Mr. WADSWORTH. I wish to offer another corrective amendment. I move, on page 72, line 21, after the word "act" to insert the words "unless he shall voluntarily enlist in the permanent personnel," so as to read:

Each reservist who has completed the prescribed training under the provisions of this act, unless he shall voluntarily enlist in the permanent personnel, shall be assigned to an organization of the National Guard of the United States or of the organized reserves established for the locality in which he lives. Under regulations to be prescribed by the President, any reservist may, upon change of residence, be transferred to the appropriate organization of the National Guard of the United States, or the organized reserves established for the locality of his new residence.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, in section 58, on page 74, line 12, after the word "reserves" to insert the words "from year to year," so as to make the paragraph read:

Reservists assigned under the provisions of this section to the organized reserves shall continue therein for a period of five years, when they shall be transferred to the unorganized reserves. While assigned to the organized reserve, reservists shall be subject to mobilization and additional training for two annual periods of not to exceed two weeks each during their membership therein: *Provided*, That any reservist assigned to the organized reserves and desiring to qualify as a noncommissioned officer, or as an officer, may, with his consent, be required to receive such additional training as may be prescribed by regulation, and with his consent, may be continued in the organized reserves, from year to year, for a period of 10 years.

The amendment was agreed to.

The reading of the bill was continued to line 15, page 75, at the end of section 60.

Mr. WADSWORTH. Mr. President, in order that there may be no misunderstanding as to the meaning of the phrase "Army of the United States," as used in this section, I move to strike out the words "Army of the United States" and insert the words "Regular Army, National Guard, National Army."

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 75, line 7, strike out the words "Army of the United States" and insert the words "Regular Army, National Guard, National Army," so as to make the section read:

SEC. 60. Enlistment and enrollment of veterans.—Until the system of military training herein provided for becomes effective and in order to permit the organization of the organized reserves and the reorganization of the National Guard as the National Guard of the United States without delay, the President is hereby authorized to provide by regulation for the voluntary enlistment in the National Guard of the United States, or enrollment in the organized reserves, of all male persons who honorably served in the Regular Army, National Guard, National Army, or Marine Corps at any time between April 6, 1917, and November 11, 1918, for a period of one year: *Provided*, That such persons may voluntarily reenlist or reenroll for like periods: *Provided further*, That any person enlisting in the National Guard of the United States or enrolling in the organized reserves under this section shall be entitled to an honorable discharge therefrom at any time within 90 days after making application therefor.

The amendment was agreed to.

The reading of the bill was continued to line 24, page 78.

Mr. WADSWORTH. I desire to give notice that at a later time, and I hope it will not be very long from now, I shall offer a substitute to take the place of the language in the bill from line 5 to line 16, inclusive, on page 78. The form of the oath for soldiers of the National Guard needs revision, and the committee would like to have a further opportunity to look into it.

The reading of the bill was continued to line 18, page 79.

Mr. WADSWORTH. I have some corrective amendments to offer to make the language a little clearer. I ask that they may be read at the desk.

The PRESIDING OFFICER. The Secretary will state the amendments.

The READING CLERK. On page 79, line 16, after the words "command of," strike out the word "troops" and insert the words "any organization"; on line 17, after the words "United States," strike out the word "in" and insert the words "entirely comprised within the limits of"; on line 18, after the word "thereof," add a new paragraph, so that the section will read:

SEC. 64. Officers of the National Guard of the United States: The Secretary of War may detail or assign officers of the permanent personnel to duty with the National Guard of the United States according to the requirements of the service, and, in time of peace, shall assign officers of the reserve personnel, with their consent, to duty with organizations of the National Guard of the United States in each State or Territory upon the recommendation of the governor of the State or Territory concerned, and upon the grant to such officers of State or Territorial commissions in their respective grades by the governor of such State or Territory. In the District of Columbia such officers shall be assigned upon the recommendation of the commanding general of the National Guard of the United States in said District: *Provided*, That no officer of the permanent personnel shall be assigned to the command of any organization of the National Guard of the United States entirely comprised within the limits of any State except with the approval of the governor thereof.

The commanding officers and staffs of organizations of the National Guard of the United States composed of troops from two or more States shall be assigned from the permanent or reserve personnel of the Army of the United States under regulations prepared as prescribed in section 45 of this act.

Officers so detailed or assigned may accept such State or Territorial commissions, with the permission of the President and terminable in his discretion, without vacating their commissions in the permanent or reserve personnel of the Army of the United States or being prejudiced in their relative or lineal standing therein. Hereafter no person shall be recognized as a commissioned officer of the National Guard of the United States unless such person shall have been selected from the commissioned officers of the permanent or reserve personnel of the Army of the United States: *Provided*, That men enlisted in the National Guard of the United States shall be eligible for appointment as reserve officers under regulations to be prescribed by the President, and in accordance with the provisions of this act.

The amendments were agreed to.

The reading of the bill was continued to the end of section 66, line 23, page 82.

Mr. WADSWORTH. I desire to offer another amendment at this point. On page 82, after line 23, I move to insert as a new paragraph what I send to the desk.

The PRESIDING OFFICER. The proposed amendment will be stated.

The READING CLERK. On page 82, after line 23, insert a new paragraph, as follows:

All officers and employees of the United States and of the District of Columbia who shall be members of the National Guard of the United States shall be entitled to leave of absence from their respective duties, without loss of pay, time, or efficiency rating, on all days during which they shall be engaged in field or coast-defense training ordered or authorized under the provisions of this act.

The amendment was agreed to.

The reading of the bill was continued to line 7, page 83, in section 67.

Mr. WADSWORTH. On page 83, line 5, I move to strike out the word "discharged" and insert the word "relieved." That is to correct a clerical error.

The amendment was agreed to.

The reading of the bill was continued to line 18, page 86, in section 70.

Mr. WADSWORTH. In line 18, page 86, after the word "grades" and before the period, I move to insert the words "and like terms of active service under the United States."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 86, line 18, after the word "grades" and before the period, insert the words "and like terms of active service under the United States," so as to make the clause read:

At least one-half of the personnel of the National Guard Division of the War Department shall consist of reserve officers assigned to the National Guard of the United States, who may, with their consent, be ordered into the active service for this purpose, and while so serving shall receive the same pay and allowances as officers of the permanent personnel of like grades and like terms of active service under the United States.

The amendment was agreed to.

The reading of the bill was continued to the end of section 70, page 87, line 2.

Mr. WADSWORTH. I propose a new section, to be substituted for section 71 as printed. May I say in explanation that the new section is in conformance with the recommendations of the Militia Bureau of the War Department and is, as I remember, almost in exact conformance with the provisions of the bill which has been passed by the House of Representatives. It has to do with the pay of officers and men of the National Guard of the United States.

The PRESIDING OFFICER. The proposd amendment will be stated.

The READING CLERK. On page 87, line 3, after the numerals 71 and the subhead "Pay for the National Guard of the United States," strike out the remainder of the section and insert in lieu thereof the following:

Captains and lieutenants belonging to organizations of the National Guard of the United States shall receive compensation at the rate of one-thirtieth of the monthly base pay prescribed for officers of the permanent personnel of their grades, for each regular drill or other period of instruction authorized by the Secretary of War, not exceeding five in any one calendar month, at which they shall have been officially present for the required period, and at which not less than 50 per cent of the commissioned strength and at least 60 per cent of the enlisted strength attend and participate for at least one and one-half hours. Captains commanding organizations shall receive $240 per annum in addition to the drill pay herein prescribed. Officers above the grade of captain shall receive not more than $500 per annum and officers below the grade of major, not belonging to organizations, shall receive not more than four-thirtieths of the monthly base pay of their grades, for satisfactory performance of their appropriate duties, under such regulations as the Secretary of War may prescribe.

Each enlisted man belonging to an organization of the National Guard of the United States shall receive compensation at the rate of one-thirtieth of the initial monthly pay of his grade in the permanent personnel for each drill ordered for his organization at which he is officially present and in which he participates for not less than one and one-half hours, not exceeding five in any one calendar month; but no enlisted man shall receive any pay under the provisions of this section for any month in which he shall have attended less than 60 per cent of the drills or other exercises prescribed for his organization. Periods of actual military duty equivalent to the drills herein prescribed may be accepted in lieu of such drills when so provided by the Secretary of War. Pay under the provisions of this section shall not accrue to any person during a period when he shall be lawfully entitled to the same pay as a member of the permanent personnel of corresponding grade.

The amendment was agreed to.

The reading of the bill was continued to the end of section 76, line 25, page 91.

Mr. WADSWORTH. I offer the amendment which I send to the desk, to come in at the end of line 25, on page 91.

The PRESIDING OFFICER. The amendment proposed by the Senator from New York will be stated.

The READING CLERK. On page 91, at the end of line 25, after the word "training" and before the period, it is proposed to insert the following:

Of four months or the equivalent training in the National Guard of the United States prescribed by this act or six months' service in the permanent personnel: *Provided*, That enlisted men in the National Guard of the United States or the permanent personnel, if nominated by competent authority, may, with their consent, be transferred to the training forces in order to receive four months' training as a qualification for such appointment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. JONES of Washington. Mr. President, I wish to ask the chairman of the committee a question arising out of a suggestion which appeals rather strongly to me. It was suggested to me a few days ago that it would be well not only for the national defense but also in the interest of the merchant marine that the service of seamen who had served at sea for the time required under the universal military training features of this bill should be credited to them. I desire to know if the committee has given any consideration to that suggestion.

Mr. WADSWORTH. Credit in what way, may I ask the Senator?

Mr. JONES of Washington. That persons who have served at sea the requisite time shall have been considered to have taken the military training which is required by the proposed act; in other words, that if they can show sufficient service at sea they shall not be required to take the training provided for by the bill.

Mr. WADSWORTH. May I suggest to the Senator a point which I have not heard alluded to at all, either in the Senate or in the public press, in connection with the discussion of this bill? The bill not only provides military training for the Army, but it provides for it for the Navy. It does not, however, presume to go into any details as to how the training for the Navy shall be conducted.

Mr. JONES of Washington. Of course, the seamen whom I have in mind are not members of the Navy; they are not in the Navy.

Mr. WADSWORTH. No; but it occurs to me, in line with the Senator's suggestion—which I think has merit, although I have not studied it at all—that if any such law as this should pass and young men are permitted to select so far as practicable whether they shall be trained in the Army or the Navy, as this bill provides, then in drafting the regulations for training in the Navy credit might very well be given to those young men who have already been at sea and they might be excepted.

Mr. JONES of Washington. I hope the Senator from New York will give that idea some study. It rather appealed to me not only from the military side, but especially from the merchant marine side.

Mr. WADSWORTH. I think it is a very interesting suggestion. I will say to the Senator, however, that the military committee believes that it would not be justified in this bill, prepared only by that committee and having to do only with the affairs of the Army, to attempt to cover any details governing the training for the Navy. So we have simply inserted in the bill a provision that young men on reaching the age of 18 may express their choice as between the Army and the Navy, and wherever practicable they shall be given the choice. Then we leave to regulations to be prepared by the President and acts of Congress to be passed in the future the question as to how the naval training shall be conducted. We merely drop it there; but we incorporate the principle in the bill, and give the boy the choice. Consultation with the Navy Department indicates that they have at present ample facilities for the training of 60,000 men a year; they could take that number each year and give them four months' training with the facilities which they now have, and it would be an enormous help to the Navy.

Mr. JONES of Washington. It occurred to me that we could well afford to provide, in connection with this legislation, that independently of the Navy, seamen, American citizens, who have served on merchant ships for the period required by the bill could be given due credit for that period and not be required to go to training camps. The American merchant marine is important whether the seamen or members of the crew belong to the Navy or not; many of our merchant ships would be of very great service in time of war, independently of the Navy, and would render service without being in the Navy, and probably without being under the control of the Navy. So it seems to me it would be well to recognize this great class of citizens in a measure of this kind, independently of the Navy.

Mr. WADSWORTH. It is probable, however, Mr. President, that not many men below the age of 18 have served at sea in the merchant marine, though we might find some who have done so.

Mr. JONES of Washington. I think in the testimony we have taken it has been shown that a great many go to sea under that age. At any rate, I hope the Senator from New York will give the suggestion some consideration.

Mr. WADSWORTH. It has not been presented to the committee, and I think it is a very interesting suggestion.

Mr. STERLING. Mr. President, I should like to ask the Senator from New York a question or two in regard to the credit, if any, allowed in this bill on account of training received in the colleges or universities.

Mr. WADSWORTH. There is no credit allowed for such training.

Mr. STERLING. I ask the Senator if there is a reason for not allowing such credit?

Mr. WADSWORTH. Yes. The committee gave long consideration to that point; they discussed it with university professors, with the presidents of some of the largest educational institutions in the United States, and with men interested in the Reserve Officers' Training Corps, established in something over 300 universities. Some of those educators suggested that the young man in college who is taking the Reserve Officers' Training Corps course should be exempted from attendance at the four months' training camp.

Mr. STERLING. May I ask if there is a Reserve Officers' Training Corps course being given now in the colleges?

Mr. WADSWORTH. It is being given in about 300 high schools, technical schools, colleges, and universities. The committee came to the conclusion that for the law of the United States to set aside any group of young men in a class by themselves and exempt them from any of the features of the training which the great mass of young men would be expected to take would be unwise and undemocratic. The committee believe that one of the best things in this proposal for training is the fact that it is going to bring all classes of young men together and establish a touch of the elbow; and to provide in the law that young men who are fortunate enough to be able to go to colleges or universities or, indeed, to high schools should not have to go to the military training camps on the ground that they were receiving some military instruction in the universities, colleges, and high schools would be to make a special class of them.

It is interesting to know, Mr. President—and I hope I can remember the percentage figures correctly—that of all the young men who have finished their education, whatever it may have been, not over 7 per cent in the aggregate go through college, university, or high school. So the class of young men who would be exempt under the proposal that credit should be allowed them because they are in a college or a university or a high school and are taking a military course as members of the Reserve Officers' Training Corps would be exceedingly small, and by just that much more they would be exceedingly conspicuous as the result of the exemption. After spending really many days on this very point and hearing much testimony, the committee decided that for all concerned it were wiser for every young man in the United States to be treated exactly alike.

Mr. STERLING. I have wondered whether there would not be an advantage to all in the actual field training which they would not have at colleges or universities.

Mr. WADSWORTH. Oh, decidedly.

Mr. STERLING. And that college and university students, as well as the others, ought to share in that training.

Mr. WADSWORTH. Yes.

Mr. STERLING. Now, let me ask the Senator one more question. I am asking him these questions for the reason that I have had inquiries from the heads of educational institutions in my State in regard to this phase of the matter, and I have

sought to answer—and I may say that I have answered them—in some such way; that is, I have supposed that the reason was as now stated by the Senator from New York for not exempting these men from the training required.

Mr. WADSWORTH. Mr. President, may I interrupt the Senator just there and take this opportunity to give to the Senator and others who may be interested the idea of the committee of the proper function of the Reserve Officers' Training Corps units in our colleges and universities?

Mr. STERLING. I yield with pleasure.

Mr. WADSWORTH. The Reserve Officers' Training Corps units were originally intended, if I recollect aright, especially in their upper grades, to give the young man some of the groundwork in military knowledge and tactics which will eventually fit him to become an officer in a reserve army of the United States if we should ever have one. This bill attempts to provide one—something that will be quite unusual in our history.

The Reserve Officers' Training Corps units are institutions of great value, and we expect that a young man who is able to go to college and take the Reserve Officers' Training Corps course given to him in the college under the instruction of an officer of the Regular Army of the United States shall have prior to that time attended a four months' training camp and have lived the life of a doughboy for four months; that the Reserve Officers' Training Corps as a result will do him more benefit than if he had not gone to a military training camp in the first instance; and that, further, the Reserve Officers' Training Corps will likely be a postgraduate course for him, so that by the time he graduates from his university or college and has gone through the two years or three years of service in his Reserve Officers' Training Corps unit, educating himself to be an officer of a reserve army, he will come out so equipped as pretty nearly to be able to take command, in a minor capacity, of course, of citizen soldiers. So the Reserve Officers' Training Corps, under our conception of this bill, as part of a great system, is to be used as a postgraduate school to increase the number of available officers for the reserve army of the United States; but we considered it vitally important that no man should ever become an officer, regular or otherwise, in the Army of the United States until he has once at least served as a doughboy in camp. We have just passed a section, Mr. President, which, of course, escaped the attention of the Senators present, and I wish to emphasize it now——

Mr. POMERENE. The Senator has just stated that the provision referred to by him escaped the attention of Senators who were present. I wonder if Senators who are absent have discovered it.

Mr. WADSWORTH. Sometimes I think that a little bit of universal compulsory attendance of the Senate would not do much harm.

Mr. POMERENE. Then, why not make the compulsory provisions of the bill apply to the Senate?

Mr. WADSWORTH. Mr. President, I did not mean to interrupt the even tenor of the discussion so much, but I wish to call attention to an amendment which the Senate adopted a moment ago without knowing it. Section 76 of this bill provides as follows:

Eligibility for appointment as cadet, United States Military Academy: After the inauguration of the military training herein provided for, no person shall be appointed a cadet at the United States Military Academy unless he shall have completed the initial military training—

Which is the four months.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from New York to an amendment to that section.

Mr. WADSWORTH. Yes; I shall continue to read:

Unless he shall have completed the initial military training of four months, or the equivalent training in the National Guard of the United States prescribed in this act, or six months' service in the permanent personnel—

That is, the Regulars—

Provided, That enlisted men in the National Guard of the United States, or the permanent personnel—

Which is the Regulars—

if nominated by competent authority—

That is, Senators and Congressmen—

may, with their consent, be transferred to the training forces in order to receive the four months' training as a qualification for such appointment.

So that after this once becomes law, if it does, and the machinery of this act goes into full operation—and, of course, it can not reach full operation for five or six years—no man can become an officer of the Army of the United States unless he has taken that training with his fellows and rubbed elbows with them and experienced the trials and the tribulations of the doughboy.

Mr. POMERENE. Mr. President——

Mr. STERLING. Mr. President, I assume that, although the Senator has said that this was adopted without the Senate's knowing it, it has the Senator's approval?

Mr. WADSWORTH. Well, I drafted it.

Mr. STERLING. I think the Senator rendered a service when he did.

Now, Mr. President, one further question.

Section 53, in regard to preparatory educational training, provides as follows:

Persons liable to training under the provisions of this act who are not sufficiently educated or instructed in the English language to be able to profit by the military training herein provided for may be required to receive, prior to the training period, such preparatory education as may be necessary to fit them therefor and as may be prescribed by regulation, and they may be inducted into the service or not for this purpose.

Now, if inducted into the service for this purpose, it will be, of course, prior to and so much additional of service to the four months of training required. How would they be required to take that training without being inducted into the service?

Mr. WADSWORTH. Under regulations which might be adopted, the man who could not read English or write English—and it is intended to cover that kind of person—could attend night school at his home town, if such schools were conducted, or attend the public schools in the regular way, under regulations to be prescribed by the President, in order that the man might learn to read and write the English language before he went to camp. The section is not mandatory. It is permissive. The committee inserted it because when we examined the figures of the draft coming out of this last war, we found that 24.9 per cent of all the young men in the United States who were summoned under the draft could not read or write the English language. Nearly one out of every four could not read or write the English language.

Mr. STERLING. But the education or training could not, in fact, be compulsory, so far as the Federal Government is concerned, until they were actually inducted into the Army.

Mr. WADSWORTH. No; it could not.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed and continued to line 5 on page 94.

Mr. WADSWORTH. Mr. President, on line 9, page 94, after the word "permanent," I move to insert the words "or reserve." It is to correct an obvious error.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 94, line 9, after the word "permanent," it is proposed to insert "or reserve," so that, if amended, it will read:

SEC. 80. The permanent personnel for duty with Reserve Officers' Training Corps: The President is hereby authorized to detail such numbers of officers, warrant officers, and enlisted men of the permanent or reserve personnel of the Army of the United States, either active or retired, as may be necessary, for duty as professors of military science and tactics, assistant professors of military science and tactics, and military instructors at educational institutions where one or more units of the Reserve Officers' Training Corps are maintained; but no officer shall be so detailed who has not had two years' commissioned service in the Army. In time of peace retired officers, retired warrant officers, or retired enlisted men shall not be detailed under the provisions of this section without their consent. While so detailed they shall receive active pay and allowances.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed and continued to line 19, on page 98.

Mr. WADSWORTH. Mr. President, on line 19, page 98, I move to strike out "21" and insert "19."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 98, line 19, it is proposed to strike out "21" and insert "19," so as to read:

SEC. 84. Appointment of graduates of Reserve Officers' Training Corps as reserve officers: The President alone, under such regulations as he may prescribe, is hereby authorized to appoint as a reserve officer of the Army of the United States any graduate of the senior division of the Reserve Officers' Training Corps, who shall have satisfactorily completed the further training provided for in section 82 of this act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section 82 of this act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of 19 years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army of the United States during a period of at least five years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority—

And so forth.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 15, on page 99.

Mr. WADSWORTH. Mr. President, on line 15, page 99, after the word "permanent," I move to insert the words "or reserve," another obvious omission.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 99, line 15, after the word "permanent," it is proposed to insert "or reserve," so that, if amended, it will read:

SEC. 85. Military equipment and instructors at other schools and colleges: The Secretary of War is hereby authorized, under such regulations as he may prescribe, to issue such arms, tentage, and equipment as he shall deem necessary for proper military training to schools and colleges, other than those provided for in section 77 of this act, having a course of military training prescribed by the Secretary of War and having not less than 100 physically fit male students above the age of 14 years; and the Secretary of War is hereby authorized to detail such available active or retired commissioned officers and enlisted men of the permanent or reserve personnel of the Army of the United States as he may deem necessary to said schools and colleges, other than those provided for in section 77 of this act: *Provided*, That in time of peace no retired officer or enlisted man shall be detailed on such duty without his consent.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed and continued to line 2 on page 100.

Mr. WADSWORTH. Mr. President, there is an amendment there which I think the Secretary has before him.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 100, line 3, after the words "Sec. 87," it is proposed to insert as a side head the words "Miscellaneous provisions: (a)."

The amendment was agreed to.

The reading of the bill was resumed, and the Secretary read to line 10 on page 100.

Mr. WADSWORTH. Mr. President, after line 10, on page 100, I offer a number of amendments, which fall under the head of "Miscellaneous provisions." They are paragraphed separately, so that the Secretary can read them separately.

The PRESIDING OFFICER. The amendments will be stated.

The READING CLERK. On page 100, after line 10, it is proposed to insert the following subdivisions:

(b) Hereafter the President shall be authorized to detail five officers of the Medical Service of the permanent personnel for duty with the military relief division of the American National Red Cross.

Mr. WADSWORTH. Mr. President, I may say to the Senate that that is a provision of existing law contained in one of the sections of the national-defense act. It so happens that that particular provision of that section of the national-defense act is the only portion of that section left which will be of any use after the passage of this bill. This bill repeals the section but reenacts that one proviso.

The PRESIDING OFFICER. The Secretary will continue the reading.

The Reading Clerk read as follows:

(c) Authority is hereby given to the Secretary of War to grant permission by revocable license to the American National Red Cross to erect and maintain on any military reservations within the jurisdiction of the United States buildings suitable for the storage of supplies or to occupy for that purpose buildings erected by the United States, under such regulations as the Secretary of War may prescribe, such supplies to be available for the aid of the civilian population in case of serious national disaster.

Mr. WADSWORTH. That, too, is existing law, which we ask to have reenacted in order to round out the bill.

The PRESIDING OFFICER. The Secretary will continue the reading of the amendment.

The Reading Clerk read as follows:

(d) In time of war retired officers of the Army may be employed on active duty, in the discretion of the President, and when so employed they shall receive the full pay and allowances of their grade. Hereafter any retired officer who has been or shall be detailed on active duty shall receive the rank, pay, and allowances of the grade, not above that of colonel, that he would have attained in due course of promotion had he remained on the active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed on active duty since his retirement. Officers of the Philippine Scouts now on the retired list shall receive the same pay as other retired officers of like grade and length of service, and shall be equally eligible for advancement on account of active duty performed since retirement.

Mr. WADSWORTH. Mr. President, just a word of explanation. The bill brings the Philippine Scouts, officers and men, into the permanent personnel of the Army of the United States. Subdivision (d), which the Secretary has just read, is contained in existing law, except for the last sentence, which provides that the officers of the Philippine Scouts now on the retired list shall be merged into the retired list of the Army of the United States. It completes the merger of the Philippine Scouts into the permanent personnel.

The PRESIDING OFFICER. The Secretary will continue the reading of the amendments.

The Reading Clerk read as follows:

(e) No person under the age of 18 years shall be enlisted in the permanent personnel of the Army of the United States or in the National Guard of the United States without the written consent of his parents or guardians, provided that such minor has such parents or guardians entitled to his custody.

(f) In addition to military training, the enlisted men of the permanent personnel shall hereafter be given an opportunity to study and receive instruction of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. Civilian teachers may be employed to aid the Army officers in giving such instruction, and part of this instruction may consist of vocational education either in agriculture or the mechanic arts. The Secretary of War, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for, and the Secretary of War shall have the power at all times to suspend, increase, or decrease the amount of such instruction offered as may, in his judgment, be consistent with the requirements of military instruction and service.

Mr. WADSWORTH. Mr. President, that is a reenactment of existing law, having to do with vocational training in the Army. We transfer that to this act because the national-defense act, which originally contained it, is practically cut to pieces.

The PRESIDING OFFICER. The Secretary will continue the reading of the amendments offered by the Senator from New York.

The Reading Clerk read as follows:

(g) The Secretary of War is hereby authorized and directed, immediately upon the passage of this act, to appoint a board of three officers, who shall revise and codify the military laws of the United States, such revision and modification to be transmitted to the Congress of the United States by the Secretary of War, accompanied by a report of the board of officers herein authorized, in which shall be set forth the substance of the proposed changes in existing law.

Mr. WADSWORTH. I will merely say that if we can get a recodification of the military laws of the United States, it will be a "consummation devoutly to be wished."

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. WADSWORTH. There are several amendments that I wish to offer to section 89.

The PRESIDING OFFICER. The Secretary will state the amendments.

The READING CLERK. On page 100, line 16, after the numeral "11" insert the numeral "12" and a comma; on the same line, after the numeral "15" insert the numeral "16" and a comma; on line 19, after the numeral "62" insert the numeral "63" and a comma; on line 20, after the numeral "79" insert the numeral "80" and a comma; on line 22, after the numeral "108" insert the numeral "109" and a comma and "110" and a comma; on the same line after the numeral "111" insert the numeral "112" and a comma; and on the same line after the numeral "116" insert the numeral "117" and a comma, so as to make the section read:

SEC. 89. Repeal of certain laws: Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118, and 119 of the act of Congress approved June 3, 1916, entitled "An act for making further and more effectual provision for the national defense, and for other purposes," and all laws or parts of laws in so far as they are inconsistent with the provisions of this act are hereby repealed.

The amendments were agreed to.

Mr. WADSWORTH. That completes the reading of the bill for committee amendments, with the exception of three or four amendments, which have been either reserved or which I have given notice will be introduced later.

Mr. McKELLAR. Mr. President, I offer an amendment, which I ask to have stated at the desk.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. Beginning on page 65, line 4, strike out all of sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, and 61, found on pages 65 to 76, being that portion of the bill which provides for universal compulsory military training.

Mr. McKELLAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Tennessee suggests the absence of a quorum. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Curtis	Gerry	Kellogg
Ball	Dillingham	Glass	Kendrick
Borah	Edge	Hale	Kenyon
Brandegee	Elkins	Harris	Keyes
Capper	Fernald	Harrison	Kirby
Chamberlain	France	Henderson	Knox
Comer	Gay	Jones, Wash.	Lenroot

Lodge	Norris	Simmons	Swanson
McCormick	Nugent	Smith, Ariz.	Thomas
McCumber	Phelan	Smith, Md.	Townsend
McKellar	Phipps	Smoot	Trammell
McNary	Pittman	Spencer	Wadsworth
Moses	Pomerene	Sterling	Warren
New	Sheppard	Sutherland	Watson

Mr. NORRIS. I desire to announce that the Senator from North Dakota [Mr. GRONNA] and the Senator from Oklahoma [Mr. GORE] are absent on the business of the Senate, engaged in conference on the Agricultural appropriation bill.

Mr. SIMMONS. I desire to announce the unavoidable absence of the Senator from South Carolina [Mr. SMITH]. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. There is a quorum present. The question is on the amendment proposed by the Senator from Tennessee [Mr. MCKELLAR].

Mr. MCKELLAR. I ask for the yeas and nays.

Mr. WADSWORTH. The Senator from New Jersey [Mr. FRELINGHUYSEN] informed me early in the day that he expects to speak on the bill. I do not see him in the Chamber at this moment, and I am not aware that anyone else desires or intends to speak; but certainly before the matter comes to a vote I would like an opportunity to call the attention of the Senate to the charts which are hanging upon the rear wall. I do not know whether it will be possible to get the attention of Senators to this matter, but it seems to me rather important. I am going to ask indulgence of the Senate that I may leave my place and point out some of the salient features of these charts.

So much has been said here about the cost under the Senate bill and so much has been said in another body about the cost under the Senate bill and the cost of the so-called House bill that the Committee on Military Affairs thought it would be advisable to display charts which graphically show the situation which would result from the passage of either of the bills and to compare the two.

As I have said and as has been said by others at an earlier time during the debate, the Committee on Military Affairs had a most exhaustive examination made by the War Department, in the office of the Director of Finance and the Statistical Division of the General Staff, estimates covering the cost of the different elements of the Army as it would exist under the terms of the Senate bill, including universal military training, and estimates made as to the cost of the Army as it would exist in its different elements under the House bill, which does not include universal military training.

There are four charts——

Mr. POMERENE. Before going to that, may I ask the Senator a question?

Mr. WADSWORTH. Certainly.

Mr. POMERENE. So far as the cost is concerned, it is exactly the same under the provisions of the House bill as under the provisions of the Senate bill, is it not?

Mr. WADSWORTH. The provisions of the House bill, so far as they relate to the Regular Army, are practically the same as those in the Senate bill. There can be no difference in cost per man, but the Army provided for under the House bill is larger than that provided for in the Senate bill. Under the House bill the Regular Army is 20,000 larger in enlisted strength and 800 less in commissioned strength.

Mr. POMERENE. What is the estimated cost under the House bill and under the Senate bill, exclusive of the provisions in the Senate bill in regard to universal military training?

Mr. WADSWORTH. That is just what I was coming to. These charts display it.

I know there is a disposition on the part of many Senators to vote against the provision of the Senate bill which provides for universal military training. I understand the situation perfectly. I want the situation as it affects the national defense, the defense of this country in time to come, to be understood. I want it understood where we are spending our money and what we are getting for it, before we finally legislate as to the kind of Army we are to have.

The two charts here [indicating] display what might be termed the "man power" provided under each bill, the Senate bill and the House bill, the maximum size of force which each would produce. The first chart displays the man power that would be produced under the provisions of the Senate bill. The portions of the columns colored in green are the Regulars, the portions of the columns colored in blue indicate the men engaged in training in the four months' training camp, the portions colored in brown indicate the National Guard of the United States, and the portions colored in pink indicate the organized reserves composed of graduates of the military training camps where they have had four months' military training.

Starting in 1921, the Regular Army under the Senate bill would be 280,000. We estimate that the National Guard in the coming year can not exceed 100,000—and that is a liberal estimate. This makes a total of 380,000 men at the end of 1921; 1922, under the terms of the bill, is the first year in which the military training commences. We estimate that not more than 350,000 young men can be trained in the military training camps that year.

As they reach 18 years of age the boys are given the option of having their training in that year or either of the two succeeding years. We put a liberal estimate on that, that half of them, or more than half of them, will take it in their nineteenth year immediately after becoming 18 years of age. We are giving the maximum figures in every case. There are 200,000 of that class, making a total of 830,000. Then as the years go by the number of men increases and reaches its maximum in the four months' training camp when it reaches 540,000 men annually.

We estimate that the National Guard can never reach a number in excess of 350,000 because there are not facilities in the States in the way of armories, stables, and rifle ranges to take care of more than that number. In fact, that is a liberal estimate. But as the camps begin to work and graduate the four months' training camp men, the organized reserves begin to mount very rapidly, so that at the end of five years of training or six years from date, with the Regular Army slowly reducing from 280,000 down to 210,000 at that time, we will have a force, competent to defend this country aganist any attack, of 3,265,000 men in the organized reserve, the National Guard of the United States, and the little Regular Army from which spring in large part the teachers of these forces.

The House bill provides for a Regular Army of 300,000 men, 20,000 larger than that provided for in the Senate bill. Assuming that to be the accepted size of the Regular Army in the United States, we display across the chart to which I now direct attention the figures applicable to all those years, including 1926. With a Regular Army of 300,000 men, as provided for in the House bill, there are the usual provisions for the National Guard very much as we have them, and it is legitimate to make the same estimate as to the strength under the House bill as it is under the Senate bill, which can not possibly exceed in its maximum 350,000. So if we have our Regular Army filled we will have 300,000 men on duty, and the National Guard raised up to 350,000 men, which is pretty hard to attain by voluntary enlistments, and the total available forces under the House bill would be 650,000 men. The difference is very plain as between the two systems.

As to the cost, and this is what everybody wants to get straight on, in this chart [indicating] is shown the cost of the Regular Army.

Mr. POMERENE. Under the Senate bill?

Mr. WADSWORTH. Yes. This is the cost of the Regular Army, as shown in green on the chart to which I am now directing attention. The brown shows the cost of the universal military training in the four months' training camps, and the blue shows the cost of the National Guard of the United States, which is also used as a vehicle for giving that training equivalent to the training that they would receive in the four months' training camps.

This is the eloquent part of the situation—the cost. Senators will find that in any scheme that may be put forward the Regular Army costs at least two-thirds, if not four-fifths, of all the whole expenditure. Under the Senate bill it starts at $503,000,000 for a Regular Army of 280,000 men, which is slowly reduced in size. We reduce the size of the Regular Army under the provisions of the Senate bill until in 1927 it reaches a cost of $399,000,000.

The National Guard in the first year, of course, is the guard as it exists to-day and, estimated at 100,000 men, it will cost $42,000,000. Then comes the first year of training, and as the training increases and we begin to get the machinery in action we finally reach the maximum of output in the training camps of 540,000 men annually, and for the four months' training we find the cost to be $153,000,000 per year. The cost of the National Guard as it grows to the figure of 350,000 men, which we figure is the maximum that it can grow to, due to lack of facilities in the States in the way of armories and rifle ranges and stables, will be $125,000,000 a year. The maximum annual cost under the provisions of the Senate bill for the Regular Army, the universal military training, and the National Guard will be $677,000,000 at the end of six years.

Mr. POMERENE. May I ask the Senator how many men it is expected to train under this system of universal military training each year?

Mr. WADSWORTH. I should have said that in the beginning. It is estimated by officials who managed the draft law,

and the medical officers, that there come to the age of 18 years in the United States about 700,000 young men each year who are physically fit for military training. The Navy can take 60,000 of them under the provisions of the Senate bill. They have complete facilities for doing so now at their big training camps at the Great Lakes and at Jamestown and elsewhere, which are amply sufficient to take care of that number for four months each year. That reduces the total to 640,000; 100,000 more can be trained in the National Guard under the three-year enlistment provision, leaving 540,000 to be trained annually in the four months' training camps.

Mr. POMERENE. Then, assuming now that these 700,000 are to be received out of universal military training, the Senator would figure the cost per capita to the Government to be $218.55?

Mr. WADSWORTH. I have not figured it including the 60,000 in the Navy.

Mr. POMERENE. No; I am including them in the 700,000. The Senator did reduce that by 60,000, those who were to go into the Navy. I am trying to get at the per capita cost.

Mr. WADSWORTH. We have here the itemized War Department estimate per man of training men for four months, and the estimate for training a man for four months is $283.60. That includes his equipment, his subsistence while training, his clothing, his pay, his transportation, his upkeep, his quarters and medical care, the expense of the local registration board, his laundry, and his subsistence while traveling. The whole thing is included in the $283.60. That is an inflated estimate, because there is charged against that man out of that $283.60 the sum of $92.80 per year for equipment. Of course the first year it would cost that much to equip him, but that equipment will last much more than one year and can be used in many cases for many years to follow. So that is not a fair annual charge against the training.

Mr. POMERENE. Let me ask this further question: I understood the Senator the other day to say that the cost per capita for an army of from 300,000 to 500,000 would be approximately $1,800.

Mr. WADSWORTH. That is the Regular Army?

Mr. POMERENE. Yes. According to the figures just given the cost of one of these young men in the training camp for four months would be $283.60. That makes a very substantial difference between the cost per capita in the Regular Army and the cost per capita in the four months' training camp.

Mr. WADSWORTH. It is enormous.

Mr. POMERENE. I realize it is enormous, but I want to know the why of it.

Mr. WADSWORTH. The overhead of the Regular Army, of course, is very heavy. We have to maintain the Watertown Arsenal, the Watervliet Arsenal, the Rock Island Arsenal, and other arsenals, with the great establishments which are all a part of the cost of the Regular Army.

There is, of course, a great overhead in the supply services. There are training camps like Benning, and the service schools, such as the school at Leavenworth, the school at Fortress Monroe, the school at Fort Riley, and the school at Camp Knox; all over the country these great establishments have to be maintained in order to maintain a Regular Army, and the overhead is enormous.

Mr. POMERENE. Am I right, then, in assuming that all of the items which the Senator has just enumerated are included in the $1,800 per capita cost?

Mr. WADSWORTH. They are; they are a part of the overhead. It costs that much per man to support a soldier. There has to be this great establishment back of him, which is very expensive.

Mr. McKELLAR. Mr. President——

Mr. WADSWORTH. I yield.

Mr. McKELLAR. All of these overhead expenses are necessary for the training of soldiers?

Mr. WADSWORTH. They are; and that is just the point.

Mr. McKELLAR. Soldiers in training must have guns; they have to have powder; they have to have everything that is made by Army factories for the Army.

Mr. WADSWORTH. But the Army factories already exist to-day, so that we are able to do this work without any additional expense. We do not need any additional overhead. The overhead cost decreases, proportionately, enormously.

Mr. McKELLAR. The reason that it is not necessary to make additional expenditure is because we are now organized, in a measure, on a war basis, and, of course, if we keep what we have had during the war and we do not count what we keep because of the war, then the overhead for training the soldier is not so much; but if we count what we keep by reason of being on a war basis, a part of this overhead is chargeable to the training of recruits, just as much as it is for maintaining the Regular soldiers.

Mr. WADSWORTH. The Senator from Tennessee and I have different ideas about the financial problem, and I suppose they can never be brought into conformity. The truth is that we have bought and paid for this overhead and we now own it.

Mr. BRANDEGEE. Mr. President, does the estimate per capita for training these men include the purchase of any more training camps, or have we all that are necessary?

Mr. WADSWORTH. It does not. We do not require any more training camps; we now have more than we need, if we include the large Army posts and the seacoast defenses, which are ample to take care of thousands of men, particularly from the large centers of population along the Atlantic seaboard.

Mr. POMERENE. But will we not be at a very large expense in equipping the camps which we now have?

Mr. WADSWORTH. No, Mr. President; I think not. They are all equipped and would only have to be kept in repair.

Mr. POMERENE. I saw a statement a day or two ago emanating from some so-called military authority, to the effect that we would be at very large expense to reequip the camps.

Mr. WADSWORTH. Such is not the testimony before our committee.

Mr. POMERENE. I am very glad to know that.

Mr. McKELLAR. May I again interrupt the Senator? If it troubles him, I shall not do so.

Mr. WADSWORTH. I am glad to yield to the Senator.

Mr. McKELLAR. Then, I wish to ask the Senator a question. In the case of a camp such as Camp Meade, which is purely a temporary camp, it will merely be a question of a short time before the first five-year period passes, when that camp will have to be entirely rebuilt, because it is temporary in its nature and can not possibly last more than a very few years.

Mr. WADSWORTH. Mr. President, again referring to cost, the suggestion was made the other day that it would cost so much to equip these men as provided in the Senate bill. We now have 3,000,000 rifles on hand. They have been bought and paid for, and yet their value is charged in these estimates against the annual maintenance of these men, although we own the rifles, and they will last at least 10 years. I refer to this in order to show Senators on what a liberal basis these estimates have been prepared; in fact, the War Department refused to make them in any other way.

The War Department charges against the cost of the National Guard the cost of a complete field service equipment valued at $179.90 per man. Everybody knows that a complete field service equipment will be good for several years, and yet that item is contained in this estimate of annual cost. I want to emphasize the fact that some of these estimates are inflated. The War Department charges against the maintenance of the National Guard field artillery matériel at the rate of $70.70 a year per man. Of course, the first issue of the field artillery to the National Guard would cost $70.70 per man, but when it is issued it is going to last for many years; and yet it is charged as an annual cost in these tables. Again I say that some of these estimates are inflated. We have 5,000 pieces of field artillery to-day which can be issued at any time, and we have harness and everything to go with it, which are now properly stored. In five or six years from now there will be few people in the country who will know how to use them.

Mr. BRANDEGEE. Is it correct to state that these estimates cover all the necessary expenses of the repairs and replacements which are necessary to keep the equipment in just as good condition as when orginally issued?

Mr. WADSWORTH. They do. They include every conceivable item.

Now, Mr. President, I desire to call the attention of the Senate to the cost of the House bill which starts and maintains, assumedly, through a period of years, a Regular Army of 300,000 men. Its cost alone is $525,000,000 at the present prices, upon which all these estimates are based. Add the cost of the National Guard to the Regulars under the House bill and we have a total of $650,000,000; add to that the cost of those provisions of the House bill for voluntary military training—and one can only wildly guess at how many men will present themselves for voluntary training, which, I understand, is provided for in the House bill, but certainly it will cost $20,000,000—and the total will be $670,000,000. The Senate bill provides for an expenditure of $677,000,000; but look at the difference in man power.

Where is the economy in our country depending upon a Regular Army plus an indefinite National Guard, practically alone, to defend the country in time of war, while all our experience shows that, no matter how effective and splendid the Regular Army is, it can never be big enough to defend the country in time of war; that we must rely upon a citizen army?

Mr. PHIPPS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Colorado.

Mr. PHIPPS. I should like to ask the Senator from New York if he will again please state the time at which the proposed training will commence? Is there to be none in the year 1921, so that no appropriation will be required until the fiscal year 1922?

Mr. WADSWORTH. Yes; that is the case.

Mr. PHIPPS. That is my understanding. I doubt, however, if that is generally understood among Senators, for I have heard expressions to the contrary.

Mr. WADSWORTH. May I say to the Senator that the bill was amended this afternoon to provide that the military training feature of it shall take effect commencing in the calendar year 1922 instead of the calendar year 1921?

Mr. PHIPPS. That anticipates the suggestion I was about to make to the chairman of the committee, if possible to defer further the commencement of the training until the beginning of the calendar year 1922, rather than in the middle of the calendar year 1921.

Mr. WADSWORTH. Mr. President, as I have contended several times during this debate, the cost of the Senate bill is approximately the cost of the House bill. The question then resolves itself into what do we get for our money? Do we get a national defense upon which we can rely to meet any emergency, no matter how grave, under the terms of the House bill, the old system of the Regular Army plus an indefinite National Guard? History shows that we do not. Now, if we can devise a system which will cost no more or very little more and which will develop a national defense which will make this country absolutely secure against any kind of crisis, and which as a matter of fact will keep us out of war, are we not doing the economical thing?

Mr. CURTIS. Mr. President, has the Senator considered the likelihood of the States under the Senate bill asking the Government to build armories and other structures for the National Guard?

Mr. WADSWORTH. No; I do not think the States would do so, because the States are already the great benefactors under the Senate bill in that they are allowed to use as State troops the units of the National Guard of the United States stationed within their respective borders.

Mr. CURTIS. Yes; but they are wholly under the control of the Government.

Mr. WADSWORTH. No; not while they are on that duty. They are then completely at the disposal of the States.

Mr. CURTIS. That is while they are on that duty, but otherwise and at other times they are under the control of the Government and they will be treated as Government troops. So the States will ask the Government to build armories and training halls for these men, and before this bill has been on the statute books a year it will be found that the States will be coming here asking the Government to give them buildings for the National Guard under the Senate bill.

Mr. WADSWORTH. The Federal Government practically supports the National Guard now.

Mr. CURTIS. Not in the way of armories.

Mr. WADSWORTH. Except in the matter of buildings; that is true, but the great expense is in the matter of equipment. I do not agree with the Senator from Kansas in believing that the States will all come here and ask us to erect buildings for them, because the States are going to get more out of this bill than they are out of the present situation. They will get a better protection; their guard units will be filled at all times to full strength; and they will be completely equipped at the expense of the Federal Government, as they are to-day, and will be at the disposal of the governor of the State to protect the State against internal disorders whenever he needs them. Under those circumstances I do not think the States are going to ask for more than they are asking to-day, because they are going to get more than they are getting to-day.

Mr. SPENCER. Mr. President——

The PRESIDING OFFICER (Mr. WATSON in the chair). Does the Senator from New York yield to the Senator from Missouri?

Mr. WADSWORTH. I yield.

Mr. SPENCER. Under the Senate bill will the officers of the National Guard be under the control of the State or under the control of the Federal Government?

Mr. WADSWORTH. The officers of the National Guard of the United States, in the first instance, must be reserve officers of the Army of the United States. Those reserve officers, upon the recommendation of the governor of the State in which they live, may take an additional or subsidiary commission in the State troops; but they must first be reserve officers, and their primary obligation and their principal status is as officers of the Army of the United States. It is left to the governor of the State to recommend from among the reserve officers living in his State those who are to be commissioned in the State troops or National Guard of the United States.

Mr. SPENCER. Then, if the Senator will yield further, I am right in assuming that no officer of the National Guard could be detailed without the consent of the governor of the State in which he serves?

Mr. WADSWORTH. Not to command troops in the State.

Mr. SPENCER. So that every officer of the State National Guard would be a man acceptable to the administration of the State?

Mr. WADSWORTH. That is the purpose of the bill; we did not want to centralize the power of appointment without restraint here at Washington,

Mr. BRANDEGEE. Mr. President, I do not wish to interfere with the regular order of the Senator's remarks, but I will ask him if he has among the statistics furnished by the department any figures to show at what rate the men who have just finished their service in the late war would become disqualified by reason of age and at what rate, according to mortality statistics, their numbers would be reduced with a view of showing that if we did nothing in the way of universal military training how long it would be before we would be without the reliance which they now afford?

Mr. WADSWORTH. No; I have not any figures or any estimates on that point. I may say to the Senator that some tables which I was examining yesterday indicate that the average age of the American soldier in the last war was 22 years.

Mr. BRANDEGEE. At what age was he beyond the power of the draft under the draft law?

Mr. WADSWORTH. At 45; but, of course, the Senator knows that as a man grows older he assumes additional responsibilities, and not long after the average man is 22—certainly by the time he is 25—he marries and has a family, and it is all the more difficult for him to take part in the active defense of his country, and it is all the more difficult for the country to call on him and make him serve. That is why it has been that in every great war the average age of the most effective soldier is around 21 years.

Mr. EDGE. Mr. President, will the Senator permit an interruption?

Mr. WADSWORTH. Certainly.

Mr. EDGE. I want to return for a moment to the question raised by the Senator from Missouri [Mr. SPENCER]. The reply of the Senator from New York was not entirely clear to me, as I understand the bill.

Is it not correct to understand that the new provision relating to the National Guard entirely does away with the present system as existing in many States? I am not sure whether it exists in all of them or not. It is usually controlled by the State constitution. In the State of New Jersey, for instance, the officers below certain grades are all elected by the men of the various units. Above certain grades, they are appointed by the governor from membership in the National Guard. I believe, in addition to that, they take a Federal examination, principally a physical examination. Do I not understand that under the bill we are now considering that privilege is entirely removed, whether it is a constitutional provision or otherwise, and that all officers of State units are appointed by the War Department, as the Senator says, from reserve officers, subject to the approval of the Federal Government? Is that correct?

Mr. WADSWORTH. Approximately, yes. The governor may recommend such of the reserve officers as reside in his State who desire to become officers of the National Guard of the United States as the ones that he thinks would be good men; but the Senator must remember that under our bill the National Guard is no longer organized and maintained under the militia clause. It is organized and maintained under the Army clause of the Constitution, so that your New Jersey statute governing the appointment of militia officers in the State of New Jersey has no effect or bearing whatsoever on this situation.

Mr. EDGE. I understand that, and that is exactly the object of the question—to make it perfectly clear to the Senate that the present National Guard system, as controlled mostly by State constitutions or State statutes, is entirely eliminated by this bill, and the State troops become in effect Regular troops, and the officers are really appointed by the War Department.

Mr. WADSWORTH. Not Regular troops; citizen reserve troops. That is what the guard has wanted to be for years.

Mr. CURTIS. Mr. President, as I understand, they become troops of the United States and are only under the jurisdiction of the State when they are called by the governor and that call is allowed by the United States Government.

Mr. WADSWORTH. When that call is allowed?

Mr. CURTIS. Yes.

Mr. WADSWORTH. No; they have the right to call them.

Mr. CURTIS. The call must be granted.

Mr. WADSWORTH. It must. The bill says that they shall be entitled to their use when not in the active service of the United States.

Mr. CURTIS. Would not that be a matter of discretion for the department?

Mr. WADSWORTH. No, Mr. President.

Mr. CURTIS. I remember that just a short time ago we had the governors of three or four States asking for United States troops, and the matter was held up here for a month or two before the order was issued by the War Department, and I believe we would find that the same thing would occur under the provisions of this bill.

Mr. WADSWORTH. No; because there was no provision of law at that time entitling the State of Illinois to the use of Federal troops. It could only be extended by favor or in case of serious insurrection, which would move the President to use the Army of the United States to put down the insurrection. Now, this bill specifically provides that the States and Territories shall be entitled to use these National Guard troops.

Mr. CURTIS. They are entitled to use Regular troops now if they can not handle the situation in the State. Every State is entitled to protection against domestic violence.

Mr. WADSWORTH. No; they are entitled to ask for them; that is all.

Mr. CURTIS. It naturally would follow that they should have them. This is the guaranty given in the Constitution.

Mr. SPENCER. Not always.

Mr. CURTIS. Why not? If the States can not have them when they call for them, why enact the provision? The State calls for them through the governor, as occurred here two years ago. The governors of three or four States called for troops and could not get them.

Mr. WADSWORTH. Because there was nothing in the law that entitled them to use them. The Senator's complaint about those four States illustrates the necessity for this provision.

Mr. CURTIS. I can not agree with the Senator. I think there will be the same complaint, and it will depend upon whether or not the Federal Government wants to let them go to the States. They go under the control of the Federal Government for all time, and the whole Militia Division is put in the hands of the Federal Government, located here in Washington, instead of the different States.

Mr. WADSWORTH. I am perfectly well aware that there are some adjutant generals who make that contention, but I challenge their attention to the language of this bill. They have tried to spread that doctrine among a good many of the States and to frighten the officials of the States into the belief that they can not use these troops without the permission of the Federal Government. The language is perfectly clear. They are entitled to their use when not in the actual service of the Federal Government, just as they are to-day. If the National Guard of Kansas should be called into the Federal service to-morrow, under the militia clause the governor of Kansas would have no more control over them. He could not use them. There is no essential difference between the new scheme and the old, except in the appointment of officers and the training, for under the militia clause of the Constitution the appointment of the officers is vested in the governor of the State, and the training must be governed by the State. Under the Army clause the appointment of the officers must rest originally with the Federal Government, and the training must be under the control of the Federal Government.

Mr. BRANDEGEE. Mr. President, if I may interrupt there without disturbing the Senator, of course the United States has to have the superior right to say whether it itself needs these troops.

Mr. WADSWORTH. That is all.

Mr. BRANDEGEE. Somebody has to say, and it is proper that the United States should say; and unless the United States says that it has use for them, then, under the language of the act which the Senator has cited, it is absolutely mandatory upon the United States to let the States use them when they request their use.

Mr. WADSWORTH. Exactly; and the inference of the bill in this connection is that under the very provision of the Constitution which forbids a State from maintaining troops except with the permission of Congress, by this bill we give the States permission to maintain those troops for that purpose. The thing is in exact line with constitutional principles.

I started discussing costs and man power, and have been somewhat diverted; but I thought the Senate would be interested to know where the money is going and how much we are going to get for it.

So long as we expect to maintain a Regular Army of 300,000 men at present prices we will have to pay $525,000,000 a year to maintain it, and then we will not have a national defense. If another great crisis should overtake us, we would have to summon the citizen soldiers, fill up the ranks, train them after the war started, and spend money in the way that we did in this last war, and waste lives, which is worse.

Now, Mr. President, just for a moment I want to bring this picture to the Senate—about the cost of this thing:

The War Department spent $15,000,000,000 in the German War—that is, just for the Army $15,000,000,000. Now, let us assume for the purposes of easy computation that the Senate bill, instead of costing $677,000,000, will cost $700,000,000 per year. It will take 21 years for the cost of the Senate bill army to amount to what was spent in 18 months for our Army in this last war. Twenty-one years will have to go by, under the provisions of the Senate bill, before the taxpayers of the United States will have been called upon to pull out of their pockets a sum of money in the aggregate equal to the sum we had to pay for the Army alone in this war.

Mr. BRANDEGEE. Mr. President, will the Senator permit a suggestion there?

Mr. WADSWORTH. I yield.

Mr. BRANDEGEE. I do not know how prominent the Senator made this point, but, at any rate, I am going to reiterate it. If you have this system of training, necessarily all the equipment and training camps are kept in complete repair.

Mr. WADSWORTH. They are.

Mr. BRANDEGEE. If you do not have the system, when you want the training camps you have to do over again exactly what we did in this war.

Mr. WADSWORTH. Exactly. The Senator from Connecticut and I may not live to see the day, and we do not want to live to see it, and perhaps no man in this Chamber will ever again see a great war; but there is not a man in this Chamber who will get up and assert that there will never be another great war. And when it comes we will be confronted with exactly the same condition of affairs with which we were confronted on April 6, 1917. We will pile up another national debt of $25,000,000,000. We will summon by the draft—and there is no question about that—the young manhood of America and send them to the camps to teach them how to fight after the fight has commenced; and in the next war the chances are very much against our having great, powerful allies fighting off the enemy while we are getting ready.

Mr. EDGE. Mr. President, would it divert the Senator—he may have done this before, but I did not have the opportunity to hear him—to outline briefly the difference between the voluntary system, as he has referred to it at different times, in the House bill and the scheme proposed in this bill? Will the Senator give just a brief outline of the difference?

Mr. WADSWORTH. The difference is just as the respective terms imply. Universal military training implies that every young man is and becomes liable to training, under the terms of the Senate bill. Voluntary training means that no young man is liable, but that any young man may train if he wants to. That is the difference.

Mr. EDGE. I understand that. The House bill provides a certain system for the voluntary training?

Mr. WADSWORTH. There is a section of the national-defense act—which I think is section 54, which was put in in 1916—a provision which is left in the House bill—or perhaps it is enlarged upon—but that authorizes the Secretary of War to maintain training camps for civilian volunteers. No one can tell, of course, how many young men would volunteer. There might be 25,000; there might be 50,000; there might be 100,000. No one can tell. It will cost money, however, no matter how many there are, and the cost of it must be added to the cost of the House bill.

Mr. EDGE. Does not the Senator think that that, perhaps, would furnish a sufficient nucleus, even if only 25,000 or 50,000 volunteered, demonstrating their interest in military development, and thus becoming a nucleus for the officers necessary to have in case of future troubles, especially for the next two or three years, with the training we have already had the advantage of because of the war and because of raising the Army?

Mr. WADSWORTH. Of course, every young man who takes training is an asset in the defense of his country in one way or another. If only 10,000 took it, we would be better off than if none took it. If 25,000 took it, all the better. If 100,000 took it, then you would be really beginning to accomplish something; but no one can tell how many will take it.

Mr. THOMAS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Colorado.

Mr. THOMAS. Let me ask the Senator if the voluntary training system is not relatively more expensive?

Mr. WADSWORTH. Potentially it is much more expensive, because it will involve later on some demands for special treatment, special privilege, on the part of the man who volunteers to train to fit himself to defend his country.

Mr. THOMAS. We must have the machinery, the equipment, and the officers, of course, for training, whether we have the men or not.

Mr. WADSWORTH. That is true. Whether you have the men or not, you must have the facilities ready for them. You can not tell until a week or two before the camp opens how many men are going to come in. The sure way, the economical way, the democratic way, the adequate way is to move according to the principle of universal obligation and universal opportunity. And I must say that when I look back over what we went through during the 18 months of this war, what we asked our young men to do under a selective-draft law when we went out and drafted them—and I believe in the draft law; I voted for it and spoke for it—when I remember that we had not given them an opportunity to train themselves in advance, when I remember the incidents that have been told to me as to what happened in France on many occasions, especially with the replacements, it constitutes an indictment against the American people.

We have no right to ask our men to go into battle without training. It ought not to be done. That is strong language, but I want to use it. It is true. What would the situation have been had we been compelled to go into battle against the Germans within a month or two after we declared war? It would have been slaughter, and everybody knows it. It took us 13 months and 3 weeks, my friends, to put the First Division over the top in France. Thirteen months and three weeks elapsed between America's declaration of war and the day upon which the famous First Division was deemed well enough trained to attack the enemy in force. What would we have done during those 13 months and 3 weeks had we had no allies? We can not count on such luck forever. I am confident, as every man here is confident, that no country on earth, and no combination of countries on earth, can actually conquer the United States. It can not be done. We are too big and strong. But why waste thousands and thousands of lives in defending this country against a combination when we can defend it just as well, and even better, without such waste of lives?

The only way you can defend it without waste of life, or comparative waste of life, in war—for, of course, war means death and destruction and loss of life—the only way you can wage war economically, so far as human life is concerned, is to give a chance to the young man who may have to be the soldier in that war to train himself before war starts. That is what the Committee on Military Affairs asks the Senate to consider. Are we going to fall back again into that old, complacent attitude that the war is over; that we were the victors; that we do not have to worry; that it will probably never happen again, and get careless about it and complacent about it? What man in the Senate seven years ago would have dared to prophesy that we were to have 2,000,000 men in France in the year 1918? Any man who prophesied such a thing would have been deemed crazy; and yet it happened. Will any man here prophesy that nothing of that sort will ever happen again? I think not. We hope it will not. It may not happen for fifty years or a hundred. The longer the better. But, as chances go, looking back over history, measuring the future by the past—and we have not any right to measure it by any other rule—some day the United States will once more be dragged into some great war, probably unsought, probably in self-defense; and my hope and prayer is that when that awful day comes, if it must come, we will not find ourselves in the situation in which we found ourselves on April 6, 1917. We have loaded ourselves and our descendants for generations to come with a national debt of $25,000,000,000 because we were not ready, even in the minutest degree, and I know, and other Senators know, that we wasted lives on the other side with men fighting our battles who were not trained sufficiently to have a decent chance for their lives in battle.

Mr. KNOX. Does not the Senator from New York believe that world conditions to-day make a future war more probable than was the case 10 years ago?

Mr. WADSWORTH. Mr. President, I am not sure that I know it, but I suspect it. One can not know about these things. Everybody realizes that the world is in an upset condition. I remember not very long ago hearing the Senator from Colorado [Mr. THOMAS] say that the spirit of nationalism was more rife and rampant over the world to-day than ever before; and I think it is true. We can not tell what is going to happen. We do not want these catastrophes to overtake us. They are horrible things. War itself is a horror. But sometimes we can not help ourselves. I believe from the bottom of my heart, Senators, that it is the duty of this Government and this country to give its young men a decent chance for their lives if it is going to ask them to fight for the country. We have not a right to make them fight for this country and still deny them the right to fight effectively and have a chance for their lives.

We have had some testimony before the Senate Committee on Military Affairs that would make your hair stand on end about this matter of loss of life and waste of life. I have a letter in my desk, Mr. President, from an officer who commanded a battalion of one of our citizen regiments. That is what this Army was, an Army of citizens, not professionals. This officer commanded a battalion of our citizen soldiers. The night before his battalion was ordered to go over the top, the hand grenades were distributed among his men, and he writes me that he saw men receiving those hand grenades, and going to their sergeants and lieutenants and saying, "For Heaven's sake, how do I use this implement?" And he said that the next day he himself saw them carrying the grenades over the top, and grenades exploding in the hands of men who did not know how to use them.

Is that a fair deal for the young American? No. Whose fault is it? It is the fault of the Government and the people of the United States. You can not lay the fault upon some officer. You can not lay the fault upon some general. You can not lay the fault upon some Secretary of War. It is the fault of all of us, and it will happen again, and it may happen on a much larger scale, my friends, when it does happen the next time, in the event that we have not at our disposal 12 months to prepare to fight after the fight commences, which was the case in our last experience of war.

Economy! What is economy, Mr. President? Is not the saving of life a part of economy? Does not this picture of a national debt of $25,000,000,000 mean something in this discussion about economy, a national debt run up in 18 months?

Does it not seem the part of economy to spend the amounts which are suggested in both of these bills, Mr. President? The curious part of it is that the cost under the two bills is about equal. But is it not the part of economy to spend that sum for a system which will result in training a sufficient number of citizens of this country to enable this Government and this people to meet any emergency, and meet it economically, both as to lives and as to dollars?

Call it $700,000,000 per year, which is more than it can cost, admittedly, under the Senate bill. Once again I call your attention to the fact that we spent $15,000,000,000 on the Army alone in 18 months of war. Divide $15,000,000,000 by $700,000,000 and you will find that the smaller figure will go into the larger 21 times. In other words, it will take us 21 years, under the Senate bill, to spend as much money as we spent upon the Army in 18 months of war.

There is no answer, Mr. President, I submit, if you are going to discuss it upon the plane of economy. There is no answer if you are going to discuss it upon the plane of a square deal to your son and mine, sir, who may in the years to come be called out to defend you and me. There is no answer.

Mr. POMERENE. If the Senator will allow a brief interruption, I recognize that a very strong argument can be made in favor of universal military training. The Senator has just referred to the fact that we expended $15,000,000,000 on the Army for certain purposes, and the conclusion which he would have the Senate draw is that if we had had universal military training we would not have had to expend that amount of money. I hardly think that is a fair conclusion to draw. Germany has had universal military training, of a different kind. France has had universal military training, of a different kind. But their universal military training did not relieve them from all these awful hardships. It did not relieve them from the dangers which appealed to us so much during the past several years.

The Senator has referred in his argument to a frightful incident, namely, the experience of these young soldier boys who were sent into battle without knowledge of how to use grenades. If we had had universal military training before we entered this war they would not have known how to use grenades. Our Civil War veterans, who spent four years in fighting and were certainly trained soldiers at the end of that war, did not know how to use grenades. It is not the lack of universal military training that led to the frightful experience of this officer with his men. It is a mighty sad commentary, however, upon the officers who sent those men into action under the circumstances. It seems to me that is the legitimate lesson to be drawn from the statement, rather than to say that it is an argument in favor of universal military training.

Prior to 1914 the art of war was entirely different from the art of war on November 11, 1918. These things ought to be borne in mind when we are counting the cost of universal military training. I understand that a certain amount of military training is necessary. I will not say necessary so much as advisable. But at this particular time, after the tremendous expense to which we have been put during the last three years and more, the question which addresses itself to me is, Ought we to do this now?

If we are going to do it at all, had we better not wait a little while before incurring this very large expense? That is one of the propositions that appeals to me. There is no system that we can devise that is going to shield this country from all danger, not if we have the very best military training in the world.

Now we have 4,000,000 men all trained. I understand the Senator's argument the other day to the effect that it is not fair to place the future burdens upon them, but in the event that we are preparing for any campaign at all, we should take into consideration the probabilities of needing this preparation in the immediate future, and, looking to that view of it, it seems to me that we can take into consideration the fact that we have the trained force, though it is now demobilized, and consider the further fact that it is improbable that within the next few years we are to get into serious trouble. In view of these facts we had better wait while we are trying to estimate the situation and come to a proper conclusion.

Mr. WADSWORTH. Mr. President, the Senator from Ohio said something to the effect that it would have done no good had we had universal military training in the matter of hand grenades. Hand grenades had been used for two years in the European war before we entered it. No one on this side of the water seemed to be inspired with the thought that we might possibly get into that war and have to use hand grenades. However, I shall not discuss that.

Let me read from testimony before the Committee on Military Affairs given by a colonel of Infantry, a citizen soldier, Col. Donovan, who brought home the One hundred and sixty-fifth Infantry, perhaps more famous as the old Sixty-ninth New York, an outfit that certainly distinguished itself in this war as it did in the Spanish War and as it did in the Civil War. He had been preceded on the stand by Col. Hough, of another regiment of the Rainbow Division, who gave us some rather interesting information about the lack of training. Col. Donovan proceeds:

In substantiation of what Col. Hough has told you I would like to cite a concrete example of the untrained condition of the men that came in.

That is, the replacements.

It was after the Battle of Corpoil. I think we left 50 per cent of the combat battalion there.

That means the casualties were about 50 per cent.

After that fight I happened to be made a lieutenant colonel.

He was a major before that.

I commanded a battalion there. They were sent to us as replacements, and I personally questioned each replacement sent to us. Ninety per cent of those men were untrained. Ninety per cent of those men had never opened the bolt of their rifle; they had never had on a gas mask.

This is all a matter of public record.

We were told we were going up into the St. Mihiel fight. I got these men before us and I said, "Men, here is what we are going to do; now, I want to give you a chance for your lives. You men who are old men, it will do you no good if you have men by the side of you who are untrained. So I am going to ask you to do this." We marched at night for the battle line. We started at 9 o'clock and would march until 5 o'clock in the morning, and then I would let those men sleep until noon, and then I started in training them, and except when they stopped to eat, we trained them until 9 o'clock at night, when we again started on the march. What does that mean?

Speaking to the committee, Col. Donovan complimented us, and perhaps flattered us, by saying:

Let us take you men here, who are intelligent men. Say I am your sergeant in that fight. We are told to go out and take a machine-gun nest. Think what you would do.

I wish Col. Donovan were right here now and could say this face to face to Senators:

The first idea would be the idea of fear that comes to every one of us; there is no use denying it. The next thought would be the gregarious instinct; men will huddle together like sheep, making the surest target for a machine gun. Now, if you were to put on uniforms, do you think that would change your character any?

Mr. President, in most of our wars we have asked our men to change their character by putting on a uniform, and we have regarded them as trained soldiers fit to defend the country as soon as we have recruited them into the ranks. This is a vivid story of what can happen, and what actually did happen, with this splendid regiment which received, after the River Ourcq Battle, of whom Col. Donovan said 90 per cent had never opened the bolts of their rifles.

We may excuse officers for not teaching men how to use a hand grenade, for it is asserted that the hand grenade is a weapon only two or three years old; but what about the rifle? Col. Hough, of an Ohio regiment, Forty-second Division, one of the splendid Infantry regiments that fought alongside of our New York regiment, testifies to exactly the same state of affairs in his regiment.

Mr. President, that gives one pause. That was after we had been at war 14 months. The first men who went over and took part in the line were well trained, but in our terriffic haste to send replacements and fill up the service of supply and to man all the posts and all the duties that have to be manned in a tremendous army in the time of a great war, we found ourselves compelled to go on fighting with replacements only half trained and in some instances not trained at all.

My contention has been that if all the men we drafted to go into the war against Germany had at some prior time, within five years of the date of the declaration of that war, spent four months in a training camp and upon graduation therefrom had been assigned in their home towns to a unit of organized reserves, each man knowing his place, that they would have gone into this last war and within four or five weeks thereafter would have picked up all that they had learned in the four months' training two or three years before that time, added the latest wrinkles in many respects, and would have been able to defend the country, colloquially speaking, at the drop of the hat.

Without some prior training, if we are ever attacked by a first-class power we will find that within the first two or three months of the war our little Regular Army will be wiped off the map. It can not be maintained large enough to defend the country, and then we will have to throw into the vortex of battle men who will go there in the condition described by Col. Donovan. That is a day which I should dislike to see overtake the youth of America. I face such a prospect with horror, and I hope—I suppose not this year, because I know the opposition to the bill and I know the peculiar situation in this particular year—but I hope the time will come when the American people will see to it that their men are trained to defend the country and are trained in such way that, incidentally, they will have gotten out of that training the tremendous physical benefit and tremendous advantage which will come from the educational and vocational features of the training.

Mr. POMERENE. Mr. President, I have no doubt a number of instances, just such as that to which the Senator from New York has referred, could be given. I know Col. Hough very well. He was formerly our adjutant general in the State of Ohio, and he is one of the soldiers of whom we are very proud in Ohio. He served with the Rainbow Division and rendered valiant service.

But if the conditions were as described by the other officer, Col. Donovan, whose testimony has just been read, and I do not doubt that, I take it that the tragedy which occurred as the result of the nonpreparedness of those soldiers was not so much due to the nonpreparedness of the soldiers as it was due to the negligence of the superior officers who sent that class of men to the front.

We were advised by Field Marshal Joffre, and by Brig. Gen. Bridges, who came over here representing the British Army, that men should have nine months' training before they went into battle under present conditions. Now, sir, if that amount of training is necessary in order to have an army such as we would have, fully equipped for war, why do we stop at four months' training?

I am not underestimating the value of training. If I had sons, I would want them to have the training; but under our civilization it is quite a different proposition for me to say that because that is my judgment, therefore every other man's son shall go to camp for this length of time. I do not think that the four months' training, even, will equip a man for service when he has to confront such engines of war as we now have. I can not anticipate what kind of engines of war we are going to have in the future.

But when we are speaking of horrors that have come to us because we were a peace-loving Nation, and because we did not have universal military training, if we are going to take proper notice of the situation, let us look at the other nations which had universal military training, such as Germany and such as France. I think I can sense the situation, and I sometimes think that if there had been no universal military training in Germany the world's civilization would not have been overtaken by the hordes of the German Empire.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from New Jersey?

Mr. POMERENE. Certainly.

Mr. FRELINGHUYSEN. The Senator has twice stated that Germany and France had universal military training or service. Germany and France had conscription and compulsory military service for two or three years. Every citizen had to serve in the army. This is far different. This is simply a training for four months.

Mr. POMERENE. Oh, Mr. President, I understand that, and I made that statement a while ago.

Mr. FRELINGHUYSEN. I beg the Senator's pardon, if that is the fact.

Mr. POMERENE. Perhaps I did not speak of conscription, but I spoke of the system of universal military training over there. I understand that. As I have said, a very strong argument can be made on both sides of the proposition; but what I am finding fault with is that there seems to be a disposition on the part of those who are favoring the pending bill to say that all of our catastrophes were due to the fact that we did not have universal military training.

Mr. President, I do not know that I care to discuss this question; in fact, I had not intended to do so this afternoon, but I desired to refer to these matters, and have referred to them because I do not think that if we adopt the proposed system of military training it is going to be a panacea for all the ills to which our national flesh may be heir. When we are trying to provide for the future, necessarily we are dealing in probabilities. Of course, if we knew we were to become involved in another war within the twelvemonth we would pursue one policy, and if we knew that we were not going to become involved in another war for 20 years we would pursue a different policy. At the present time, with 4,000,000 of the best-trained men that the world has ever seen, I can not understand why we should add to our present financial burdens by fastening upon the country a system of universal military training without knowing what the public generally may think about it. Some men may say they know; perhaps they do. My guess is that if it were a question to be determined by the public the verdict would be against the authors of this bill. I am not, however, so much concerned about that——

Mr. SMITH of Arizona. Mr. President——

Mr. POMERENE. Pardon me just a moment—except for the fact that I feel very deeply that at the present time we ought not unnecessarily to add to the taxation of the country. Now I yield to the Senator from Arizona.

Mr. SMITH of Arizona. If the Senator will permit me, I should like to ask him, while he is on the floor, how much, in his opinion, it would have reduced the enormous expense of $15,000,000,000 for the Army in the war with Germany if every man had had military training and had been ready to go into the war? The war came on us, with all of its attendant expenses; but how much would those expenses have been reduced by the fact of our having had a system of military training in operation in this country?

Mr. POMERENE. Mr. President, if we were to judge by some of the arguments which have been made in this Chamber on behalf of this bill, there would have been no expense at all.

Mr. SMITH of Arizona. That is what I was aiming at.

Mr. POMERENE. But I suspect that the existence of such a system would not have substantially reduced the expense of the war. I understand that it is a part of military training to know how to drill and to know how to shoot a gun.

Mr. SMITH of Arizona. And to have a gun furnished.

Mr. POMERENE. And to have a gun furnished; but that is not all that is contemplated now by the phrase "military training."

Mr. KIRBY and Mr. FRELINGHUYSEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. KIRBY. I have understood that there was some thought of taking a recess or having an executive session. If that be true, I shall not speak this evening. Otherwise, I shall proceed.

Mr. SMOOT. I was going to ask the Senator from New York if he prefers to go on this evening? There is a desire to hold an executive session.

Mr. WADSWORTH. I understand that an executive session is desired. I assume, or at least I hope, that this particular phase of the bill may be voted on to-morrow at some time. There is no disposition to debate it at great length.

Mr. FRELINGHUYSEN. Mr. President, if the Senator from New York is agreeable, I should like on to-morrow to speak on the universal training phase of the bill.

Mr. WADSWORTH. Of course, I shall be more than happy to have the Senator from New Jersey speak. I have no control of that. I could not stop him if I desired to do so.

Mr. KIRBY. I have been recognized to speak, but in view of the request of the Senator from Utah, I yield the floor for the motion for an executive session, expecting to speak to-morrow.

EXECUTIVE SESSION.

Mr. LODGE. In that case, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 8, 1920, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 7, 1920.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Maj. Gen. Charles P. Summerall, United States Army (emergency), to be major general from April 5, 1920.

Maj. Gen. Henry Jervey, United States Army (emergency), to be brigadier general.

POSTMASTERS.

ALABAMA.

Lucius K. Simmons to be postmaster at Demopolis, Ala., in place of J. B. Hearin, resigned.

ARIZONA.

Andrew R. Tipton to be postmaster at Clarkdale, Ariz., in place of L. C. Jolly, resigned.

CALIFORNIA.

Joseph M. Azevedo to be postmaster at Half Moon Bay, Calif., in place of W. J. Debenedetti, resigned.

Zylpha Potter to be postmaster at Hughson, Calif., in place of B. F. Donaldson, removed.

William C. Brite to be postmaster at Tehachapi, Calif., in place of J. D. Brite, resigned.

Hugh M. Day to be postmaster at Tustin, Calif., in place of J. A. Phiney, resigned.

CONNECTICUT.

Frank J. Serena to be postmaster at Saugatuck, Conn., in place of P. T. Oates, resigned.

FLORIDA.

Lena M. T. Clarke to be postmaster at West Palm Beach, Fla., in place of J. D. Argyle, resigned.

GEORGIA.

Joel F. Fountain to be postmaster at Ray City, Ga., in place of C. H. Anderson, resigned.

Rufus G. Strickland to be postmaster at Reidsville, Ga., in place of F. L. Smith, resigned.

HAWAII.

Thomas E. Longstreth to be postmaster at Lihue, Hawaii, in place of M. G. Santon, removed.

IDAHO.

Arthur H. Potsch to be postmaster at Genesee, Idaho, in place of M. G. Burr, resigned.

Charles J. Simmons to be postmaster at Grangeville, Idaho, in place of L. A. Wisener, resigned.

Robert N. Molloy to be postmaster at Orofino, Idaho, in place of P. H. Blake, deceased.

ILLINOIS.

Jeremiah J. Carr to be postmaster at Hume, Ill., in place of D. W. Touhey, resigned.

Will G. Looman to be postmaster at Meredosia, Ill., in place of C. J. Schmitt, resigned.

Christian Andres to be postmaster at Tinley Park, Ill., in place of H. C. Vogt, resigned. Office became presidential July 1, 1919.

Frank Z. Carstens to be postmaster at Woodriver, Ill., in place of J. S. Senglar, resigned.

INDIANA.

Charles A. King to be postmaster at Star City, Ind., in place of R. E. Geyer, resigned.

William F. Lytton to be postmaster at Wheatland, Ind., in place of O. M. Farley, resigned.

Louise Randall to be postmaster at Whiting, Ind., in place of C. R. Carrette, declined.

IOWA.

Mary T. Jacobson to be postmaster at Blakesburg, Iowa, in place of H. L. Upp, resigned. Office became presidential April 1, 1919.

KANSAS.

Jemima Hill to be postmaster at Arma, Kans., in place of J. R. Hill, deceased.

Harold H. Brindley to be postmaster at Peabody, Kans., in place of W. W. House, resigned.

Rufus J. Miller to be postmaster at Selden, Kans., in place of R. A. Rogers, resigned.

LOUISIANA.

Robert Y. Newell to be postmaster at Newellton, La., in place of J. D. Fultz, declined.

Charles Janvier to be postmaster at New Orleans, La., in place of Charles Janvier. Incumbent's commission expired February 14, 1920.

Neil D. Womble to be postmaster at Winnsboro, La., in place of Neal D. Womble, to correct name.

MICHIGAN.

Laurence C. Snyder to be postmaster at Blanchard, Mich., in place of Emma Mason, resigned.

Covert O. Miller to be postmaster at Lyons, Mich., in place of John W. Currigan, resigned.

Carrie M. Colegrove to be postmaster at Remus, Mich., in place of William D. Colegrove, deceased.

MISSOURI.

William W. Reese to be postmaster at Ironton, Mo., in place of M. W. Daugherty, resigned.

Arthur C. Jones to be postmaster at Queen City, Mo., in place of John C. Payton, resigned.

Arthur L. Wilson to be postmaster at Waynesville, Mo., in place of George W. Lane, resigned. Office became presidential October 1, 1919.

NEBRASKA.

Clarence Dillon to be postmaster at Beaver City, Nebr., in place of J. B. Leach, resigned.

Harry V. Ingram to be postmaster at Exeter, Nebr., in place of Daniel Z. Kochendarfer, resigned.

Jerome W. Bender to be postmaster at Humphrey, Nebr., in place of James R. Ryan, resigned.

Edwin R. Frady to be postmaster at Oakdale, Nebr., in place of Fred W. Shively, resigned.

NEW YORK.

Patrick T. Quigley to be postmaster at Auburn, N. Y., in place of Patrick T. Quigley. Incumbent's commission expired December 17, 1919.

Mary A. Blazina to be postmaster at Harrison, N. Y., in place of George F. Brunner, resigned.

Catharine A. Cashman to be postmaster at Roslyn Heights, N. Y., in place of Anna E. Joyce, resigned.

OHIO.

Louise S. Lovett to be postmaster at Wickliffe, Ohio, in place of Roy S. Rush, resigned.

OKLAHOMA.

D. H. Watson to be postmaster at Beggs, Okla., in place of William A. Jenkins, resigned.

Eugenia B. Kersh to be postmaster at Inola, Okla., in place of Wesley F. Butler, resigned. Office became presidential October 1, 1919.

Howard E. Sowle to be postmaster at Vici, Okla., in place of Robert H. Speck, removed.

OREGON.

Ernest J. Schneider to be postmaster at Myrtle Point, Oreg., in place of Harry M. Fensler, resigned.

PENNSYLVANIA.

Margaret M. Little to be postmaster at Mars, Pa., in place of M. J. Sarvey, resigned.

David F. Barr to be postmaster at Watsontown, Pa., in place of H. R. Hummel, resigned.

PORTO RICO.

Jose M. Alcover to be postmaster at Arecibo, P. R., in place of Ramon A. Rivera, resigned.

SOUTH CAROLINA.

Robert L. McNeely to be postmaster at Westminster, S. C., in place of Francis M. Cross, resigned.

SOUTH DAKOTA.

Lottie M. Whalen to be postmaster at De Smet, S. Dak., in place of S. B. Dwight, removed.

Sidney H. Dains to be postmaster at Marion, S. Dak., in place of George Schlunsen, resigned.

Lewis W. Ford to be postmaster at Wakonda, S. Dak., in place of E. W. Babb, resigned.

TENNESSEE.

Fred B. Harrington to be postmaster at Erwin, Tenn., in place of I. R. Roberts, resigned.

James A. Byrd to be postmaster at Tracy City, Tenn., in place of W. C. Abernathy, resigned.

TEXAS.

Sudie Gaut to be postmaster at Arp, Tex., in place of P. H. Arnold, resigned.

Gurney H. Kindred to be postmaster at Bloomington, Tex., in place of J. J. Evans, resigned. Office became presidential October 1, 1919.

John T. Wallace to be postmaster at East Bernard, Tex., in place of E. D. McConnaghy, resigned. Office became presidential April 1, 1919.

Edward E. Layton to be postmaster at Gorman, Tex., in place of C. V. Gates, resigned.

Leila A. Pyeatt to be postmaster at Richardson, Tex., in place of E. L. Certain, resigned. Office became presidential October 1, 1919.

Mabel E. Kennedy to be postmaster at Rockport, Tex., in place of J. H. Wood, resigned.

WASHINGTON.

Oscar Grace to be postmaster at Edmonds, Wash., in place of S. J. Mothershead, resigned.

Charles P. Robbins to be postmaster at Vader, Wash., in place of F. D. Clark, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 7, 1920.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

Joseph C. Grew to be envoy extraordinary and minister plenipotentiary of the United States of America to Denmark.

Hampson Gary to be envoy extraordinary and minister plenipotentiary of the United States of America to Switzerland.

SECRETARY OF EMBASSY OR LEGATION.

CLASS 4.

Wainwright Abbott.
E. C. Obert Beatty.
Joseph Flack.
Benjamin Muse.
William B. Southworth.
Edwin C. Wilson.
Orme Wilson, jr.

CONSULAR SERVICE.

Chester W. Martin to be consul of class 4.
Philip Holland to be consul of class 4.
Harold R. Foss to be consul of class 7.

CIVIL SERVICE COMMISSIONER.

Mrs. Helen H. Gardener to be a civil-service commissioner.

PUBLIC HEALTH SERVICE.

Rupert Blue to be Assistant Surgeon General at large in the Public Health Service.

Joseph H. White to be Assistant Surgeon General at large in the Public Health Service.

ATTORNEY GENERAL FOR PORTO RICO.

Salvador Mestre to be attorney general for Porto Rico.

COAST AND GEODETIC SURVEY.

Benjamin Haines Rigg to be aid.

POSTMASTERS.

LOUISIANA.

Alfred T. Maund, Jennings.

MINNESOTA.

Jorgen R. Petersen, Askov.
Ray B. Osborn, Glyndon.

NEW JERSEY.

Gunnar A. Spangberg, New Egypt.
William G. Cowgill, Paulsboro.

SOUTH CAROLINA.

Lorton H. Floyd, Fairfax.
Alma Jones, Graniteville.
Ernest L. Joyner, Meggett.
Joseph W. Stalnaker, Ninety Six.
Arthur A. Glover, North.

SOUTH DAKOTA.

Floyd Twamley, Alexandria.
Hellen S. Angus, Humboldt.
Oscar D. Hansen, Irene.
George V. Welch, Philip.
John A. Hawkins, Waubay.
Fred E. Goode, Winner.

WEST VIRGINIA.

Herbert H. Davis, Salem.

WITHDRAWAL.

Executive nomination withdrawn from the Senate April 7, 1920.

POSTMASTER.

MISSOURI.

George W. Hanson, Ironton.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 7, 1920.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Great Spirit, above all, through all, and in us all, abide with us to strengthen us when we are weak, to check us when we are rash, to comfort us in our sorrows and assuage our grief.

Deepen our faith, strengthen our hope, that we may live in Thy love, do our duty as it is given us to see it, and thus meet all the changes of this life and be prepared to meet our destiny in the life eternal. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

BURIAL OF DECEASED SOLDIERS.

Mr. GREENE of Vermont. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4082) to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897.

The SPEAKER. The gentleman from Vermont asks unanimous consent for the immediate consideration of a bill, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, may we have the bill read?

Mr. GARD. Let us have the bill read, so that we may know what it is about.

The SPEAKER. The Chair will suggest that he does not think the reading of the bill would give much information, and he suggests that the gentleman from Vermont make a statement about it.

Mr. GARD. That will be satisfactory.

Mr. GREENE of Vermont. Mr. Speaker, all this bill does is to amend the existing law providing for the burial in national cemeteries of deceased soldiers, sailors, and marines who have been in the service of the United States by extending its provisions to include certain deceased citizens of the United States who served in the army or navy of any Government at war with Germany or Austria during the World War. In other words, it enables our own boys who were in the armies of the Allies and who died to be buried in our national cemeteries under the same privilege that we now extend to those who served in our own Army or Navy. The reason for haste in the passage of the bill is that there are a number of bodies on the way from Europe, and it is hoped to get this bill passed in time to take care of them in this way. I yield to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. I was going to ask the gentleman why it is necessary to pass this bill now, but the gentleman has answered my question.

Mr. GARD. Is this privilege limited to American citizens who served in the armies of the Allies?

Mr. GREENE of Vermont. It is absolutely limited to them. That is the only change of existing law.

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. GREENE of Vermont. Yes.

Mr. McKEOWN. I have been asked if any provision has been made for markers of the graves of those who died in this war, as has been provided for the dead soldiers of the Civil War? Can the gentleman give me any information as to that?

Mr. GREENE of Vermont. If the gentleman will turn to the annual sundry civil appropriation act he will find that there is in that act always a provision for expenses of burial in these national cemeteries and for the furnishing of what is known as the Government marker, so that all who get public burial in national cemeteries can have these markers over their graves.

Mr. McKEOWN. There is a provision of law by which markers are sent out to mark the graves of deceased soldiers of the Civil War buried elsewhere?

Mr. GREENE of Vermont. Wherever they may be buried.

Mr. McKEOWN. Yes.

Mr. GREENE of Vermont. I have no personal knowledge as to whether anything has been done recently to cover the soldiers of this war in that respect or not.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. BLANTON. It is now a year and a half since the last gun was fired, since the armistice was signed, and yet no provision whatever has been made for returning the dead soldiers now buried in what is called the "prohibited area" in France. All we have is an indefinite policy asserted by the Secretary of War. My constituents are insisting on their dead being returned. Why can we not have some definite action on that proposition?

Mr. GREENE of Vermont. If the gentleman will talk with the War Department and get some announcement of policy from them, the Committee on Military Affairs will be very glad to be informed of it.

Mr. BLANTON. But the gentleman by this bill is making a policy concerning the one subject therein contained.

Mr. GREENE of Vermont. Oh, no. This relates to the bodies of soldiers not now in our custody but in the care of the Governments in whose armies they served. These men were not in our armies. They were in the armies of the Allies.

Mr. BLANTON. If we can do by legislation what this bill does, why can we not establish the kind of a policy that our constituents want with respect to the bringing back of our dead, rather than to wait upon the policy of the War Department, which up to this time does not meet with the wishes either of ourselves or of our constituents?

Mr. GREENE of Vermont. I hope the gentleman from Texas does not expect me to defend the policy of his administration's War Department.

Mr. BLANTON. Oh, but the gentleman is in a position to help control on his majority side the legislation that comes before this House.

Mr. GREENE of Vermont. I shall be very glad to do my little part toward any legislation that will satisfy the proper desires of the American people to have their soldier dead brought home under any practicable circumstances.

Mr. McKEOWN. Will the gentleman yield?

Mr. GREENE of Vermont. Certainly.

Mr. McKEOWN. I call the attention of the gentleman to the statement made by the Secretary of War to Senator WADSWORTH in the Senate committee.

Mr. BLANTON. I am familiar with that statement, but that does not bring back now what my people want—their sacred dead in France. That is still in the future.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4878 of the Revised Statutes, as amended by the act of March 3, 1897 (ch. 378, 29 Stat. L., p. 625), be, and it hereby is, amended to read as follows:

"SEC. 4878. All soldiers, sailors, or marines dying in the service of the United States, or dying in a destitute condition after having been honorably discharged from the service, or who served, or hereafter shall have served, during any war in which the United States has been, or may hereafter be, engaged, and, with the consent of the Secretary of War, any citizen of the United States who served in the army or navy of any government at war with Germany or Austria during the World War and who died while in such service or after honorable discharge therefrom, may be buried in any national cemetery free of cost. The production of the honorable discharge of a deceased man in the former case, and a duly executed permit of the Secretary of War in the latter case, shall be sufficient authority for the superintendent of any cemetery to permit the interment. Army nurses honorably discharged from their service as such may be buried in any national cemetery, and, if in a destitute condition, free of cost. The Secretary of War is authorized to issue certificates to those Army nurses entitled to such burial."

The SPEAKER. This bill is on the Union Calendar.

Mr. GREENE of Vermont. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Vermont asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to a third reading and was accordingly read the third time and passed.

On motion of Mr. GREENE of Vermont, a motion to reconsider the vote by which the bill was passed was laid on the table.

REREFERENCE OF RESOLUTIONS.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent for the rereference of House joint resolution 315 and House resolution 496. They were referred to the Committee on Rules. They refer to the adjustment of pay for our discharged soldiers and should have been referred to the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

Mr. LITTLE. Reserving the right to object, and I shall not object, these resolutions when I introduced them were marked for the Ways and Means Committee, but for some reason or other they were sent to the Committee on Rules. The rereference is entirely satisfactory to me.

Mr. GARD. Reserving the right to object, do they involve any question of insurance?

Mr. LITTLE. No; nothing about insurance.

Mr. BLANTON. Reserving the right to object, everything usually goes to the Committee on Rules anyway, and it was just force of habit that sent the bills there.

Mr. WALSH. Reserving the right to object, does not House resolution 496 direct the Attorney General to make an investigation of a certain corporation?

Mr. CAMPBELL of Kansas. No; it requires the Attorney General to hold in status quo certain property of this corporation until that property can be assessed or taken over and adjustment made.

Mr. WALSH. That resolution does not belong to the Ways and Means Committee.

Mr. CAMPBELL of Kansas. Undoubtedly it does; it is a source of taxation.

Mr. WALSH. It belongs to the Committee on the Judiciary; it directs the Attorney General to make an investigation.

Mr. CAMPBELL of Kansas. In any event, it does not belong to the Committee on Rules.

Mr. WALSH. I think that is true.

Mr. MONDELL. Mr. Speaker, may I suggest that this matter can be satisfactorily adjusted if it is taken up with the members of the various committees interested, and the request can be made at some future time?

Mr. CAMPBELL of Kansas. If there is objection to pressing the request now, I have no objection to deferring it. I was anxious that these resolutions should be pending before the committee that has jurisdiction of the legislation adjusting soldiers' pay.

AIRCRAFT.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for two minutes to make an announcement.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. HICKS. Mr. Speaker, Col. Hensley, of the United States Army, has recently returned from abroad, where he made an extensive study of the aircraft and aeronautical situation. He has a number of photographs, motion as well as still life—pictures showing the great German Bodensee now making daily flights, and other dirigibles. He feels and I feel that he has a very interesting and instructive message, which I doubt not Members of Congress will be glad to hear. In presenting his pictures he speaks on the subject so that those interested may have the benefit of his study, both by picture and by description. The Speaker has very kindly allowed him the use of the House caucus room to-morrow night at 8 o'clock, where he will deliver his discourse and show the pictures, and where Members of Congress and their friends will be most welcome. [Applause.]

CALL OF THE HOUSE.

Mr. WINGO. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Arkansas makes the point that no quorum is present. Evidently there is no quorum present.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, and the Sergeant at Arms was directed to notify the absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Dooling	Kendall	Reed, N. Y.
Anthony	Doughton	Kennedy, Iowa	Reed, W. Va.
Bacharach	Drane	Kennedy, R. I.	Riddick
Baer	Eagle	Kettner	Riordan
Bankhead	Ellsworth	Kleczka	Robinson, N. C.
Barkley	Fields	Kraus	Rodenberg
Bell	Focht	Lampert	Rowan
Bland, Va.	Fuller, Mass.	McArthur	Sabath
Booher	Ganly	McClintic	Sanders, Ind.
Box	Garrett	McCulloch	Sanders, N. Y.
Briggs	Godwin, N. C.	McFadden	Scully
Brinson	Goldfogle	McKenzie	Sears
Brooks, Ill.	Good	McKinley	Shreve
Brumbaugh	Gould	McLaughlin, Mich.	Siegel
Burdick	Graham, Pa.	McPherson	Smith, N. Y.
Burke	Green, Iowa	Mann, Ill.	Smithwick
Butler	Hamill	Mansfield	Steagall
Caraway	Hamilton	Mead	Stevenson
Carew	Hardy, Tex.	Morin	Strong, Pa.
Carss	Harrison	Nicholls, S. C.	Tague
Carter	Haugen	Nichols, Mich.	Vare
Costello	Heflin	Nolan	Voigt
Cullen	Hill	O'Connell	Ward
Curry, Calif.	Hoey	Paige	Wason
Davey	Johnston, N. Y.	Pell	Williams
Dempsey	Kahn	Phelan	Winslow
Denison	Kelley, Mich.	Rainey, J. W.	Young, Tex.

The SPEAKER. On this roll call 319 Members have answered to their names, a quorum.

Mr. WALSH. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

CONFERENCE REPORT—POST OFFICE APPROPRIATION BILL.

Mr. STEENERSON. Mr. Speaker, I present a conference report upon the bill (H. R. 11578) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1921, and for other purposes, for printing under the rule.

The SPEAKER. The gentleman from Minnesota presents a conference report on the Post Office appropriation bill for printing under the rule.

CALENDAR WEDNESDAY—FARM LOAN ACT.

The SPEAKER. To-day is Calendar Wednesday and the call rests with the Committee on Banking and Currency. The unfinished business is the bill H. R. 8038, to amend section 4 of the act approved July 17, 1916, known as the Federal farm-loan act, extending its provisions to Porto Rico. This bill is on the Union Calendar, and the House will automatically resolve itself into the Committee of the Whole House on the state of the Union for the consideration of this bill. The gentleman from Kansas [Mr. CAMPBELL] will assume the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8038) to extend the farm-loan act to Porto Rico, with Mr. CAMPBELL of Kansas in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. The gentleman from New York [Mr. PLATT] has 12 minutes remaining and the gentleman from Arkansas [Mr. WINGO] 27 minutes.

Mr. WINGO. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Chairman, this is a bill to amend the farm loan act and extend its provisions to Porto Rico. As I understand it, there are three or four hundred million dollars which have already been loaned through the farm-loan bank to the citzens of the United States proper. The farm-loan act has received from time to time severe criticism. I voted for it when it was enacted. Even in the United States, with all of the safeguards that are thrown around its loans, upon the floor of this House the loans have been criticized very greatly as being not authorized in the spirit of the law, and the charge has been made that lands in the West, the South, and the North have been practically sold to the Farm Loan Board at prices beyond their value. I do not believe this charge is universally well founded, but I have no doubt that in some cases it is well founded. This amendment seeks to extend this act to Porto Rico. It is said that the citizens of Porto Rico are citizens of the United States. That is true. The citizens of the Sandwich Islands are citizens of the United States also, but as I understand it the Sandwich Islands Territorial government has enacted a farm-loan act of their own, divorced from our Federal farm-loan act. I am told the Legislature of Porto Rico passed a farm-loan act, and that it was vetoed by the Governor. It may be that we have authority and probably have to pass a Federal

farm-loan act for Porto Rico, and I have no objection to so doing, but when you pass this act that makes farm loans in Porto Rico a part of our responsibility in the United States, it means that if there are losses there, then every borrower under our act in the United States must help to pay those losses. Let every tub stand on its own bottom. I have a warm spot in my heart for Porto Rico. Her settlement is older than our settlement in the United States. I have been down there three times. I have seen some change for the better down there.

The lands of Porto Rico are held largely under grants dating back to the early Spanish times. The population has not changed greatly, though it has somewhat improved, but there is a great deal of chance for further improvement. I am ready to vote for a bill, if it be offered, such as would authorize a Federal farm-loan bank for Porto Rico, but I am not willing, with the distance between this country and Porto Rico, that we should become responsible everywhere in the United States under the farm-loan bank act we have here for losses that may be sustained in Porto Rico. I want to say to you candidly that they are not in as good condition as we are. They have better roads than we have and they have made some progress.

Mr. QUIN. Mr. Chairman, will the gentleman yield for a short question?

Mr. CANNON. Yes.

Mr. QUIN. Will this bill before us make our Government here, our people, responsible for any losses which may occur in Porto Rico?

Mr. CANNON. As I understand it, that is its object, and I await contradiction if that is not right. What have we done for Porto Rico? She has free entrance into the United States without one cent of tax for her coffee, her tobacco, her fruit, and her sugar. We levy duties on all the world upon most of the products of Porto Rico, which enter the United States free of duty when they enter the customhouse. That is a great privilege, and Porto Rico is a great tobacco-growing, a great sugar-growing, and a great tropical-fruit producing country. I think she is getting along fairly well considering her population, and I have no stones to throw at her population. The Indians have disappeared. The population down in Porto Rico is white, colored, mixed, and they are a kindly-disposed people. One gentleman said the other day that she helped us fight this war. Yes, she did; and I am as much responsible for their helping us fight in this war with their regiment as any other man in Congress, and I think, perhaps, in the United States. I was Speaker of this House when a proposition came from the Senate in the shape of an amendment to disband the Porto Rican Regiment. We managed to turn it down in the House. That regiment became a great regiment. The son of a former Member of Congress is entitled to great credit, Maj. Townsend, who has been down there for 25 years. The regiment went to Panama. It is a good regiment. It was disciplined, it was fed, it was brave, and all that. I take off my hat to that regiment. It is no better than our regiments, but it is quite as competent to fight as ours were, and it did great service in Panama during the construction of the canal and during the late war. I want to say to you, measuring my words, on the last visit down there we found the islands pretty hysterical. They treated us very well. They chalked our hats when we went down there. The leader of that journey was the present chairman of the Committee on Insular Affairs, an able man, a patriotic man. We had all kinds of requests presented to us and advocated. There were banners which were inscribed demanding self-determination hung at different places as we rode around over the roads of the island. One faction said on its banner, "We want to be independent," and another faction said, "We want to remain with the United States." They are with the United States and we are responsible for them.

But let me tell you one thing. We are responsible for Cuba. She wrote it in her constitution that if she did not keep law and order that we would, and we have been back there once after we cleaned them up and we have said that she shall not contract debts without our permission——

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. I will yield the gentleman, how much time?

Mr. CANNON. Oh, just a minute or two.

Mr. WINGO. I will yield the gentleman five minutes.

Mr. CANNON. Well, five minutes is ample.

The CHAIRMAN. The gentleman from Illinois is recognized for five additional minutes.

Mr. CANNON. I will tell you what is needed there. One thing they need, and we can help them work it out, is a regular line of steamers between Porto Rico and the United States that will bring their products to the United States. They have suffered on this account during the war as we suffered for the need of a sufficient merchant marine, but we have the wherewith to supply that want. Now, they are not as competent for self-government as we are. They have it. We can turn down their legislation if we desire so to do. We have got a governor down there. It may be that they ought to have a governor of their own, but I am not discussing that question now; but for their good and our good they should not be permitted to have our guardianship through the Springfield bank over them first, and, second, when loans are made, as we can not trust them to run their local land banks as we trust our people, to elect trustees and so on to do their business, that is all transferred up to the bank at Springfield. Well, now, if they ought to have that at all they ought to be capable of managing it there, and there ought to be other legislation enacted in Porto Rico adapted to their conditions and their intelligence. And that I will vote for, if I get an opportunity to do so, by way of amendment or on a motion to recommit, but I will not vote to make the farmers in Illinois, in Nevada, in Nebraska, in our States north and south, responsible for loans that are made in Porto Rico, for I think in that respect every tub ought to stand on its own bottom. You ought not to desire to put this responsibiliy by legislation upon other organizations throughout the length and breadth of this country, extend it to Porto Rico, and make them responsible without the agreement of our constituents after their attention has been called to it. It would be unjust for them and improper for us. [Applause.]

Mr. QUIN. I am with the gentleman, and I think he is right about it.

Mr. WINGO. Will the gentleman yield back what time may remain?

The CHAIRMAN. The gentleman has no time to yield back.

Mr. CANNON. I will yield back the remainder of my time.

The CHAIRMAN. The gentleman has consumed his time.

Mr. PLATT. Mr. Chairman, I will yield five minutes to the gentleman from Kansas [Mr. STRONG]. [Applause.]

Mr. STRONG of Kansas. Mr. Chairman and gentlemen of the committee, as a Representative from one of the best agricultural districts in this Union I am heartily in sympathy and in favor of protecting and perpetuating the farm loan act, and both as a Member of this House and as a member of the Banking and Currency Committee I want it distinctly understood that my efforts and what little influence I possess will be for the purpose of perfecting and increasing the usefulness of the farm loan act. [Applause.] I do not believe that this amendment will affect it or hurt it in any way.

During the Christmas adjournment of the Congress I visited Porto Rico, a wonderful country, a country that is wonderfully fertile and rich. It is a country mostly of mountain and dale, much of it very rough, but the mountains are cultivated almost to their peaks. I saw farms there—tobacco farms—high up on the sides of the mountains, at an angle perhaps of 40 or 50 degrees where a man would have to stand with one foot below the other in order to hoe the tobacco or other crops. In all that trip that we took throughout that island, about 130 miles, I did not see any field that was not properly cultivated and free from weeds. The large tracts of land are taken up and used by the Tobacco Trust, who are the big landowners, but the Porto Ricans themselves are a very industrious, hard-working people. The fields belonging to them are small but clean and well cultivated, but they lack improved tools with which to work and good houses. During a little banquet given our delegation there I was very much impressed by a statement made by one of the senators of that island to the effect that the people of the island had progressed under the 20 years of the jurisdiction of the United States more than they had in the 400 years they were under Spanish rule, and it seemed to me that, that being the case, they being an industrious people and that being a rich island, producing products that we need—coffee, sugar, and tropical fruits—that we should do everything we can to continue and increase the prosperity there, and increase such production and their trade with us. As we went over the island, I found that the common people—the poorer class—owned very small farms. I want to call your attention to the hearings had on this bill, where it is shown, on page 11 of the hearings, that of the 58,000 owners of farms on the island 43,000 owners have farms of less than 20 acres. That being the case, the question of the real prosperity of the island turns to the small owners. The large landowners are those who own the tobacco and large sugar cane and large fruit lands, and are the rich men of the island. The trouble with the island of Porto Rico is that under Spanish rule the rich governed, and this is still true to-day; as Speaker CANNON has said, a small per cent of the people control and govern. Six per cent of the people are rich and govern the island and 94 per cent are poor and are the workers. These are

the men who live on these little farms—20,000 of them on farms under 5 acres. These are the men who need help. It is said that these men on these little farms, in order to get their seed, have to go to their merchants and mortgage their crops, and then as they get their groceries, meat, and clothing during the year their account is increased, and they are charged 12, 15, and even 20 per cent interest. As a result, when the harvest time appears their crops are taken from them, and they are still poor. This retards production and improvement.

Mr. STEVENSON. Will the gentleman yield?

Mr. STRONG of Kansas. I will.

Mr. STEVENSON. And in addition the merchandise they buy carries a high rate of profit, too?

Mr. STRONG of Kansas. That is correct.

Mr. STEVENSON. And in addition to the 12 to 20 per cent rate of interest?

Mr. STRONG of Kansas. My friend is right. They charge not only a profit on the goods, but high interest on the account. Now, to relieve this condition they come to us and ask us to permit them to have the benefit of the farm loan act. Gentlemen, Porto Rico is a part of our country, its people are under our flag. In the late war they furnished their quota of Liberty bonds and raised their share of troops. Their lands are rich. We need their products to help reduce the high cost of foods which we can not raise ourselves. Why should we not permit the Springfield Bank to assist their condition and relieve them from the usurer? We relieve the downtrodden and oppressed of other lands, can we refuse to care for our own, for this island of Porto Rico is a part of the United States?

The Springfield Bank has said that it has the money to loan down there, and it has investigated conditions and agreed that if it can be permitted to do so it will extend its operations to Porto Rico.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from New York has seven minutes remaining, and the gentleman from Arkansas 12.

Mr. PLATT. Mr. Chairman, I yield one more minute to the gentleman from Kansas.

Mr. STRONG of Kansas. The conditions that I have described being true, when this amendment came before our committee we thought that this Government should carry out the purpose of the farm-loan act by extending it to those farmers who are struggling to better their condition in Porto Rico, but believing that only the small farmer needed our help we made this amendment, namely, we reduced the amount that could be loaned to $5,000. Now, gentlemen, in a country as rich as that, where they will make loans of not to exceed $5,000, does anyone believe that the great farm-loan system of America will be jeopardized or hindered by permitting the Springfield, Mass., farm-loan bank to make loans to those people by reducing the rates of interest to them, which relieve their burden, make them independent and enable them to become increased producers and bring their products to our shores? It seems to me that we ought to do this.

Mr. STEVENSON. Will the gentleman yield?

Mr. STRONG of Kansas. I will.

Mr. STEVENSON. I would like to ask your attention, too, to the fact that the money must be paid back in 20 instead of 40 years, so that 10 per cent reduction is made each year.

Mr. STRONG of Kansas. That is also true.

Mr. RUCKER. What is the value of those 20-acre farms?

Mr. STRONG of Kansas. I can not tell the gentleman that. It all depends on their location and the state of cultivation, but good farm land is worth from $50 to $150 per acre.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. WINGO. Mr. Chairman, as some of the Members were not present the other day when I stated my objection to the bill, I will state that the objections are not incurable, and that I intend to offer a motion to recommit which I think will meet every one of them. Now, let us see what the proposition is. Let us see what the bill proposes. The bill proposes to authorize the Federal farm land bank at Springfield, Mass., to establish a branch of that bank in Porto Rico, to make loans not exceeding $5,000, and to run for not exceeding 20 years. Now, you ask, is there anything wrong with that? Certainly not. I am perfectly willing that we should have a branch bank in Porto Rico, notwithstanding the fact that we refused to give it to Hawaii, notwithstanding the fact that the Hawaiians and the Filipinos and others have banks of their own. Yet I am perfectly willing that the Springfield land bank, in spite of the fact that its business is not profitable and it has a deficit this year of $38,000, should go into Porto Rico, provided you will not make the Federal land banks of the United States other than the Springfield, Mass., bank, the farm loan associations of Kansas, Iowa, Illinois, and Arkansas responsible, and, they being responsible, make each farmer who has a loan in those States responsible to the amount of the subscribed capital stock that he is compelled to take in his local association in order to get his loan. I say I do not object to Porto Rico having a bank, but I do object to making the farmers of this country liable for the farm loans of the citizens of Porto Rico.

But gentlemen say, "You are not fair to Porto Rico." You may search the debates of last week and not find a thing spoken by me damaging to Porto Rico. The most damaging things said have been said by the gentleman from Iowa [Mr. TOWNER] and the gentleman from Kansas [Mr. STRONG], who has just left the floor. They have detailed the economic conditions down there. But let me tell you gentlemen something. In spite of the criticism of the Farm Loan Board of this country, they have been so stringent and so strict that to-day in the United States some of the richest farms that a crow ever flew over can not get a loan from the land banks of the United States. I know a great basin of a great river in the Southwest whose lands are as rich as the valley of the Nile, that has been barred from loans under the farm loan system. And yet gentlemen say that that board that has some discretion and has barred some of the richest farms of the United States from the provisions of the act can go and make loans down in Porto Rico. And according to the gentleman who has just left the floor the Tobacco Trust owns the best lands in Porto Rico, and he tells you that the mountain-side 5-acre farms are the ones that want relief.

Gentlemen, think of that! It is a fact that those small 5-acre farms are the ones that they want to help. They may loan $5,000, a thousand dollars an acre, if general restriction does not apply, in Porto Rico, on lands that are not rich enough for the Tobacco Trust to gobble up, and yet you want to tie that business on the farm-loan system of this country.

Mr. STRONG of Kansas. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. STRONG of Kansas. For that reason we limited the amount that might be loaned to $5,000. The Tobacco Trust, and others owning the large tracts, would not want to borrow $5,000.

Mr. WINGO. He is willing to loan a thousand dollars an acre on the hillsides of Porto Rico, and yet he can not get to-day over a hundred dollars an acre upon the lands of Kansas under the present operation of the present land bank.

Mr. STRONG of Kansas. The same rule that applies to Kansas applies to Porto Rico.

Mr. STEVENSON. Is it not a fact that these loans are to be made under the general terms of the Federal farm loan act, which provides that not more than 50 per cent of the value of the land can be loaned on?

Mr. WINGO. I suggest that the gentleman read the speech of the gentleman from Iowa [Mr. TOWNER]. He is the author of the bill.

Mr. STEVENSON. I do not know anything about this gentleman's speech.

Mr. WINGO. He is the author of the bill, really. I am calling attention to the conditions that you talk about, which you said prevailed. I said let them have their bank, but I am not willing to tie up the farm lands of the United States. That is my objection.

Mr. TOWNER. Will the gentleman yield?

Mr. WINGO. Certainly, I will yield to my friend.

Mr. TOWNER. Will the gentleman tell me why it is that he says that something I have said authorized such a statement as that loans of $1,000 an acre could be made on lands in Porto Rico?

Mr. WINGO. The gentleman did not understand me to make any such statement. He may have so understood me, but he misunderstood.

Mr. TOWNER. Very well. What statement is it that I made that the gentleman contends is the authority for his statement?

Mr. WINGO. What particular statement does the gentleman complain of? Did the gentleman hear the statement of the gentleman from South Carolina [Mr. STEVENSON]?

Mr. TOWNER. I am not complaining of anything.

Mr. WINGO. What is the gentleman's question, then?

Mr. TOWNER. This is what I understood: The gentleman from South Carolina [Mr. STEVENSON] asked if the same rule would not obtain in the loan on property in Porto Rico that obtained in the United States, and you understood the answer to that question was "I do not know." Something that "the gentleman from Iowa" said seems to have caused doubt in your mind. Now, what is that?

Mr. WINGO. The gentleman was talking about restrictions thrown around it, and he is author of the bill, and his remarks answer the question of the gentleman from South Carolina.

Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has three minutes.

Mr. WINGO. But let us get away from that. Let us assume that it is a perfectly safe kind of business. Let us assume that they will put on a restriction of $50 an acre. Let us assume that the loans are all right, although there may be a loss in that new country. Let us brush everything aside. Why is it that these people who want this act passed are not willing to accept an amendment providing that the farmers of the United States who entered these local associations and subscribed to the stock and who are liable thereby to the extent of their capital stock, and their local associations which are liable for the debts of the bank, and each land bank is liable for the debts of all the land banks—why are they not willing to accept an amendment to exempt them from that liability and let the branch land bank of Porto Rico stand on its own resources?

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. BEE. Do I understand the gentleman to contend that in my State, for example, if there is a defalcation of the Federal land bank of $60,000, the land-bank people all over the United States are going to have to make good that defalcation? Does the loss of a loan in Texas or in Arkansas cause a loss to the loans of the farmers in Arkansas and Texas?

Mr. WINGO. I made a full statement the other day. I think the gentleman was not present at the time. If he had been here when I opened my remarks to-day, perhaps he would have understood. If the gentleman will look at pages 10 and 11 of the Federal farm loan act, he will find a statement of the liabilities contained there. They are these: Suppose any borrower wants a loan. Before he can borrow he must join a local association and subscribe to a certain percentage of the capital stock. In turn the local association has to join the organization of the Federal Land Bank Association, and has to subscribe to the stock of the Federal land bank to the same percentage; and the law provides that each farmer who borrows is liable for the debts of his local association to an amount equal to the capital stock of the local association which he owns, and which he is compelled to take in order to get a loan. Then in turn each association is liable to the amount of the capital stock it owns in the farm loan bank, or the debts of the farm loan bank; and under section 21 each and every farm loan bank in the United States is liable for all the debts and bonds and defalcations of all the other banks, so that you can see that the farmer is liable in the end. He is the man that would stand the loss in Porto Rico, because he is the man that owns the stock.

Mr. BEE. That condition that applies in the United States would be prevented, then, by the gentleman through a restrictive provision as to Porto Rico?

Mr. WINGO. Yes. The gentleman was not here when I first entered Congress and is not familiar with the fight I made for rural credits. I find to-day the same Democrats, as well as Republicans, who then sneered at rural credits and accepted the present law by virtue of a political necessity, supporting this bill. Men who are opposed to exemption from taxation of the farm-loan bonds of the United States are willing to exempt from taxation these Porto Rican loans and in addition make the farmers of this country responsible for these loans. The enemies of the present system have dragged it into the Supreme Court of the United States, where to-day the life of the farm-loan system hangs in the balance. To-day no single application can be acted upon, because they can not float their bonds, because they are waiting to see what the Supreme Court of the United States will do. The enemies of the system have forced this litigation. They want to break down this system, and they want to destroy it. I want to uphold it so as to maintain the economic strength of the United States. I say you ought to be willing to restrict this by amendment, so that the farmers of your State and my State will not be liable for a five-acre coffee plantation on a mountain side down in Porto Rico. Is there anything unreasonable about that?

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. TOWNER. I want to call your attention now to the language we suggested. This is what I said:

> We guard these loans by saying that they must be approved by an American regional bank. The American regional bank can not make any of these loans without sending their appraisers to pass upon the character of the applicant, to make a personal examination with regard to the condition of the property and the amount of the security and the condition of the title. All of those things are guarded. So it would seem as if we were carefully guarding against any loss that might occur, even more carefully guarding against any possible loss that might occur than we do with regard to our own banks in the United States.

Is that what the gentleman referred to?

Mr. WINGO. Yes; that is what I referred to. I do not know about all the provisions in this bill, and I am not going to go into it in detail. I have only one line of opposition. I shall offer a motion to recommit, that will relieve from liability of the local associations of this country and the local borrowers, and let Porto Rico stand on its own footing. Those who are friends of the farm-loan system will naturally vote for such a provision, while the enemies of the farm-loan system, who are supporting the efforts of the private mortgage companies to kill it—and, if they can not kill it, load it down so as to weaken it—will vote against my motion. I shall force a roll call and let the record show where you stand.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. PLATT. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. NELSON].

The CHAIRMAN. The gentleman from Wisconsin is recognized for five minutes.

Mr. NELSON of Wisconsin. Mr. Chairman and gentlemen of the committee, I desire to make a few observations on the pending bill. I wish to say, in the first place, that we should, as a Congress, address ourselves in a most earnest way to the burning question everywhere expressed in our Nation to-day of reducing, as far as possible, the high cost of living. This can not be done through legislation entirely, if at all, except by such legislation as will make for initiative and in aiding and improving our productive energies. One of the real essentials of our national life to-day is a larger production and a larger conservation of our resources; elimination of waste and discontinuance of extravagance; and especially to increase the production from the farm, which, Mr. Chairman, I think we are all agreed, is the very foundation stone upon which all productive activities and industries are built, and whose products help to reduce the high cost of living. Indeed, it seems to me, Mr. Chairman, that Congress should inaugurate at the very earliest possible moment a constructive policy along the lines of aiding increased production. Our slogan should be not decreased hours of labor and constantly increasing wages, but rather a spirit of doing anything and everything on the farm, in the factory, in the counting room, and in the business mart generally that will increase production in order that the demand for the necessities of life shall be provided and that the distribution of material, social, and spiritual happiness shall everywhere be enhanced. Indeed, one of the real constructive pieces of legislation that our American people demand from Congress to-day is legislation along the line provided for in this bill, and I wish to say that I am ready to support this bill because it is along the line of a constructive policy. I wish to say, further, that the two outstanding legislative enactments of the past to help increased production are the Federal reserve act, which has given to our commercial life the possibility of extension of credits which has enabled us to meet the tremendous strain of the past four or five years, and the enactment of the Federal farm-loan act, which we are attempting to amend to-day by this bill.

The Federal farm-loan act has enabled vast regions of farming lands in America to be utilized to their highest capacity and to reduce rates to a minimum. It has done away with the extreme rates charged by greedy loan sharks and by unscrupulous capitalistic combinations, and has stabilized the rates of interest on all farm loans throughout the entire Nation. It is, therefore, easy to see that anything that extends this act to Porto Rico as a part of our own country and a part of our own citizenship, in order to enable them to rise from their present condition of poverty and distress in their economic struggle and to enhance the productivity of the soil and to make it possible for the poor man with the small farms, from 5 to 50 or 100 acres, to obtain capital at reasonable rates, will put Porto Rico in a position to utilize in its highest degree its rich productive soil and to enlarge the necessities of life, not only for its own upbuilding but for export purposes to our own States.

Agriculture is the foundation of all our activities and must never be permitted to lag, and while it is true that the Federal farm loan act is in a sense a subsidy to the agricultural interests, it is absolutely defensible upon the basis that we must increase our rural populations in order that our agricultural production shall be enhanced so that it can support our ever-growing populations in our industrial centers.

The Federal farm loan bank act has brought blessings in the highest degree to the farmers of our own country by enabling

them to get money at a reasonable rate and making the rates universal throughout the several States of the Nation. In the brief time allotted me I shall not be able to go into details, but I wish to call your attention to-day to the fact that this bill is simply to extend the present beneficent influence of the Federal land bank act to the peoples of Porto Rico, who are to-day struggling under a tremendous handicap in developing their small farms and industrial activities.

It has been stated here that Porto Rico is not a part of our people, and that we are legislating not for ourselves but for foreigners. This is absolutely untrue, as Porto Rico is as much a part of our Nation as any of our States. They are American citizens in every sense of the word, and our Nation should extend to these people every possibility within the limitations of safety for development and growth.

The island is rich in agricultural possibilities and its national wealth, we are told, is about $250,000,000; that its public debt is only about $11,000,000; that it has in actual cultivation about 500,000 acres, ranging from farms of from 5 acres to a thousand acres. We are further told that in this rich agricultural island, with its very loyal, patriotic, and teachable people anxious to improve, anxious to be instructed by the United States in the betterment of their conditions, we have wonderful agricultural possibilities. We are told that of 58,371 properties 46,779 are cultivated by actual owners and only about 1,200 by managers and only 10,442 by renters. This is a most wonderful situation, considered from an agricultural point of view, and we should encourage in every possible way these small landowners to cultivate to the highest degree of intensity their small possessions, which average about 38 acres apiece.

America should aid Porto Rico in order that the staple productions might flow freely and in large quantities to our own country. Consider the sugar famine at the present time. Porto Rico is eminently a sugar-producing country. Enhance the possibilities of sugar production among these small farmers by assisting them with small loans, and you will help to a large degree to reduce the high cost of sugar in our own country. The amount of money per capita is very limited in Porto Rico. The poor man has no possibilities at the present time of obtaining financial aid. What aid he can obtain comes largely from merchants, who are sapping the very vitality out of the agricultural population through excessive rates. The banks of Porto Rico at the present time are charging exorbitant rates for loans from the small citizens of the island, rates running from 12 to 24 per cent. Such rates are prohibitive in encouraging production and in making agricultural extensions possible.

It is our duty, in my humble opinion, to give to Porto Rico to-day the same privileges and the same opportunities in developing their small farms and agricultural resources that we are extending to our own people in the States. One of the speakers, Mr. Chairman, has stated on the floor to-day that Porto Rico should stand on her own bottom without leaning in any sense on the Federal Land Bank System of the United States. Such a statement, Mr. Chairman, is absolutely selfish. We do not make it apply to our own States. As well might you say that North Dakota should stand on her own bottom; that Minnesota should stand on her own bottom; that Wisconsin should stand on her own bottom; or that Illinois should stand on her own bottom. But the Federal land act does not propose that the several States shall stand isolated, but in combining their resources and in combining all their possibilities we make it possible to enhance agricultural production and to reduce rates.

All that Porto Rico is asking is that she shall be given the same privilege that the several States are receiving. To isolate her, to say that she should stand on her own bottom, is merely begging the question and leaves the island in the same helpless condition that she is in now. By permitting her to join in with our Federal Land Bank System and to come under the personal supervision of the Springfield Federal loan bank she will be aided, supervised, and guided, and under the surveillance and the machinery of our own land bank system which is working out so splendidly. The loans put out in Porto Rico will be absolutely safe and its bonds will find a ready market in our financial centers.

No such provision for loans as indicated by the gentleman from Arkansas [Mr. WINGO] is permitted in this bill. The bill strictly provides that the same conditions which obtain in our own Federal Land Bank System will apply here. The land of the applicants for loans will be appraised under our Federal Land Bank System, and after thorough scrutiny as to its valuation and possibilities of agricultural development the Springfield Federal land bank will loan not to exceed 50 per cent of its actual market valuation. The arguments put forth by those who oppose this bill to-day seem to me to be purile, without foundation, and without any real substantial reasons. Porto Rico is pleading with the United States to help her in her industrially depressed condition in order that she may get a start in her agricultural and industrial growth. The lack of funds, especially for the small farmer, is appalling. The high rates of interest are prohibitive, and we need in Porto Rico, as we have needed in America, the intervention of the Federal land bank act in order to stabilize the rates and to aid and encourage the small man to his fullest capacity.

Porto Rico is not able to start the operation of her own agricultural development. We therefore propose, in this bill, to extend to the poor Porto Rican farmer the machinery necessary to put her on a real progressive and sound basis. [Applause.] Congress must see to it that this little island, which has latent possibilities of wonderful agricultural development and the growth of a loyal American citizenship, shall be given the means and the aid necessary to speedily accomplish this desired result. This is the reason why I am in favor of this bill to-day and urge upon Congress its passage.

The small farmer in Porto Rico should be taken out of the hands of the greedy merchant and greedy loan shark, who are making it absolutely impossible for the real development of the island and its people. The people of Porto Rico to-day are pleading with the United States to give them the necessary aid in organizing the little island agriculturally, industrially, socially, educationally, and spiritually. These people, teachable, loyal, sympathetic, eager, and ready to learn, ask of us to-day not alms or charity, but such financial assistance based upon absolute security as will give our investors a field for good investment and to them an opportunity of real development, such a development as will make America proud of her aid to the island.

Under the present conditions, it is apparent from the information in the hearings on this bill coming from the best authorities of the island, including the Hon. Ramon Gandia Cordova, subcommissioner of agriculture and labor of the island of Porto Rico; Hon. C. Toro, member of the house of representatives of Porto Rico; and our esteemed colleague, the Hon. FELIX C. DAVILA, Resident Commissioner from Porto Rico, who has plead so eloquently and so passionately with this Congress to-day for this needed aid, that it is impossible for these people to help themselves. At any rate, the progress would be too slow, and we the strong Nation that we are, having received from this little island her devotion and loyalty to our flag, our Union, and its ideals, should reach out our strong arm and touch her outstretched hands for help with the determination to lift her people to a higher plane of agricultural, social, and spiritual development and achievement.

Every safeguard that is provided for in our own country in the Federal land act in loaning to our own farmers is provided for in making the loans under this act on the island of Porto Rico. The land will be valued by our own appraisers under the direction of the Springfield Federal loan bank. The values will be fixed definitely and every regulation of the Federal land act will apply in the valuations and loans to the people of the island. There is, therefore, absolutely nothing in the argument that has been put forth here by the gentleman from Arkansas [Mr. WINGO] of any responsibility being assumed by our own American farmers any more than they are assuming now in the United States.

As has been pointed out, the committee has been overcautious, in my judgment, in making the rates one-half per cent larger to these people than we do to the people of the United States proper. I trust that in time this will be reduced when we find the correct workings of this system on the island. This bill will assist the Porto Ricans first in stabilizing their interest rate and reducing the rate from the present prohibitive percentage to that of 6½ per cent. It will make possible an incentive to the young, active population of the island to intensify agricultural and industrial pursuits, and do away with much of the idleness which is now apparent because of the lack of work, due to the lack of funds to improve the agricultural and industrial conditions.

In closing I want to call your attention to the fact that Uncle Sam liberated the inhabitants of Porto Rico politically. He took the people of this island from under the yoke of bondage and domination under which, for centuries, she had been compelled to live. In her downtrodden condition she appealed to America, and America, ever true to her ideals of lifting and ennobling human conditions wherever they are found to be under the yoke of bondage, extended to the poor Porto Ricans the possibilities of a better civilization and a better life and placed upon her shoulders the mantle of liberty and progress, and to-day, after 20 years under our protection and guidance,

she comes to us asking, "Will you help us to get a better and firmer start industrially, socially, economically, and spiritually, as you helped us years ago politically?" I say to you, gentlemen of the House, it is up to our American Congress to-day to recognize our solemn obligation and make it possible for the people of this little island to be American citizens in the fullest and truest sense of that word and to help her work out her agricultural, industrial, political, and religious destinies and to enjoy the happiness and the contentment from such possible development. [Applause.]

In the last great World War little Porto Rico registered her undying loyalty to our cause, our flag, and our Union. Her citizens freely offered on the altar of world freedom the supreme sacrifice of devotion to our flag and ideals. We must, in turn, help her to-day to carry hopeful hearts and cheerful brows and to believe more supremely in our democratic institutions. We must help her by this amendment to our Federal farm loan act to build better homes, better schools, and better churches, the fundamental pillars of all human happiness and economic progress. We must help her mold the life of the island as a part of our own Nation through the force of great moral purposes and through the rule of American ideals that can never be discrowned. Let us make possible for this loyal and promising people the real growth and achievement of civilization under the benign guidance of our own republican institutions. Let us help these people to become more and more the conscious instruments of public intelligence, common happiness, and of social, economic, and spiritual progress. Let us permit these people not only to raise our flag in patriotic devotion and loyalty but to carry aloft their banners of progress and achievements written all over with gratitude and hope. Let us be the real big brother to little Porto Rico. I am confident we will and shall pass this bill to-day by an overwhelming vote. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PLATT. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has one minute remaining.

Mr. PLATT. I will use that one minute simply to say that I have been in Porto Rico myself, and can confirm what has been said by the gentleman from Kansas [Mr. STRONG] and others as to the wonderful fertility of that island and the wonderful state of cultivation of it, and also the great number of small holdings. Out of 58,000 holdings of land in Porto Rico, 42,000 are of less than 20 acres each, and these small loans that we propose to make, not exceeding $5,000 each, will probably average away below $1,000. These loans will certainly be absolutely safe and will bring in a revenue. We provide for an extra one-half of 1 per cent interest, which will unquestionably bring a profit to the Farm Loan System of the United States, and for larger amortization payments than are the rule in the States.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That paragrah 2 of section 4 of the act approved July 17, 1916, known as the Federal farm loan act, be amended to read as follows:

"The Federal Farm Loan Board shall establish in each Federal land bank district a Federal land bank, with its principal office located in such city within the district as said board shall designate. Each Federal land bank shall include in its title the name of the city in which it is located. Subject to the approval of the Federal Farm Loan Board, any Federal land bank may establish branches within the land bank district. Subject to the approval of the Federal Farm Loan Board and under such conditions as it may prescribe, the provisions of this act are extended to the island of Porto Rico; and the Federal Land Bank of Springfield, Mass., is hereby authorized to establish a branch bank at such point as the Federal Farm Loan Board may designate on the island of Porto Rico. Loans made by such branch of the Federal Land Bank of Springfield, when so established, shall be subject to the restrictions and provisions of this act, except that such branch bank may loan direct to borrowers, and that the rate charged borrowers may be 1½ per cent in excess of the rate borne by the last preceding issue of farm-loan bonds of the Federal Land Bank of Springfield.

"Each borrower through such branch bank shall subscribe and pay for stock in the Federal Land Bank of Springfield in the sum of $5 for each $100 or fraction thereof borrowed; such stock shall be held by the Federal Land Bank of Springfield as collateral security for the loan of the borrower; shall participate in all dividends; and upon full payment of the loan shall be canceled at par and proceeds paid to borrower, or the borrower may apply the same to the final payments on his loan."

With the following committee amendments:

Page 2, line 10, after the word "established," insert "shall not exceed the sum of $5,000 to any one borrower and."

Page 2, line 16, after the word "Springfield," insert *"Provided, however*, That no loans shall be made in the island of Porto Rico to run for a longer term than 20 years."

Mr. TOWNER. Mr. Chairman, just as a matter of form I call attention to the fact that these two amendments are separate, and that action will have to be taken upon them separately, unless they are consolidated.

Mr. STEVENSON. That is correct. We understand that.

The CHAIRMAN. The question is on the first committee amendment.

Mr. STEVENSON. Mr. Chairman, when this bill was first brought to the Banking and Currency Committee I saw the very objections which the gentleman from Arkansas [Mr. WINGO] urged here to-day, and that is there was a possible ultimate liability on all the Federal farm loan banks in the United States. Subsequently we amended the bill so as to reduce that to a mere possibility.

Now, I want to invite the attention of the committee for one minute to what we have. A man who desires to borrow money there has to have the land appraised by the official appraiser of the Springfield bank, and I understand it is a well-run bank. He can not borrow over 50 per cent of the appraised value. He has to pay into the stock fund of the Springfield bank 5 per cent of what he borrows, and that becomes security in the hands of the Springfield bank for the loan. Therefore you have only 47½ per cent of the value lent out. We limit that to $5,000; in any event, he can not borrow more than that. He has to pay it back in 20 installments instead of 40. If he makes the first payment he reduces it 5 per cent more, and that brings it down to 45 per cent of the loan value, and the result is that the possibility of any ultimate liability to any bank in this country is so extremely remote that no business man would hesitate to deal on that ground.

The gentleman says that the land there is mountainous and that a large part of the lands is in the hands of the Tobacco Trust. I will say to the gentleman that we put the same liability on the Illinois people, where land is worth $500 an acre, as we did for the loan made on Florida land, where in some sections you can buy almost a square mile for what an acre is worth in Illinois. We put the same liability on each. It is limited by the fact that there has got to be an honest administration of the affairs of the bank, and if that is not done we are liable all over this country for every other fellow that runs a bank right in the United States, and we might just as well be liable for it in Porto Rico. So far as there is any danger in it, I have come to the conclusion that there is absolutely none.

I want to see something done for those people, because if you will read the hearings you will see that they are in the same fix that my people in my State were 30 or 40 years ago. In the spring the farmer could not get cash and he had to go first to his merchant and mortgage his crop before it was planted. He had to get his supplies of the merchant, upon which he used to charge 50 per cent profit and then charge 10 or 20 per cent interest, but we were glad to get the stuff at that. But how could the people redeem themselves when they had to pay that kind of an interest and that kind of profit in order to run the business? It was never done in South Carolina. South Carolina never got on her feet until we got sufficient banks to finance the farmer directly instead of depending on the merchant. The Porto Ricans are in much the same fix, and I think if there is anybody in the world that ought to sympathize with and help them it is the people of the South, who came through a period of that kind and by superhuman efforts have redeemed the land and become a very wealthy people, because they got at last where they could put their hands on the cash and get out of the hands of the lien merchant who charged such exorbitant prices. [Applause.] I mean no reflection on the merchant, either, for under that system his losses were frequently heavy, and the man who paid had to pay heavy profits to make up losses on the man who failed.

Mr. DYER. Mr. Chairman, I only want to add a word to this very interesting debate. We took upon ourselves the responsibility of the Porto Rican people when we annexed them to the United States, growing out of the War with Spain. The people of Porto Rico are entitled to the benefits of the Government of the United States as well as the responsibility they owe to it as citizens. It is our duty to give to them every possible benefit under our laws that will help them to prosper and get along. Those of us who have had the privilege of visiting this beautiful and fertile island know the conditions are such with reference to farm lands that some help must come to them from the United States in order to bring them so that they may have a degree of prosperity. They are now located upon very small tracts of land. They are unable to prosper individually and become the real owners of the land unless they can receive assistance at a nominal and fair rate of interest.

The rate of interest there is now so large that it is impossible for them to become the owners in fact of the land.

We ought to assume the responsibility we owe to these people when we took them in and give them the benefit of this law as well as other beneficial acts of the Congress. It is a duty we owe to the people, and I believe that what they ask for in this instance is but fair and proper. We have had a great deal to do with people of other nationalities growing out of our policy in the past few years in taking over people of other lands. We have the Philippines, we have Hawaii and Porto Rico. The Porto Ricans differ from us in nationality, in customs, and many other ways. They are a splendid, patriotic, fair-minded people. They are intelligent and anxious to continue with the United States, but they want and are entitled to fair treatment from the United States.

The distinguished gentleman from Illinois, former Speaker CANNON, referred to Cuba. Yes; if we would give to Porto Rico what Cuba has there might be no need for us to extend the Federal farm loan act to Porto Rico, but we have taken over Porto Rico. Cuba is free and independent. We in a measure run the affairs of Porto Rico. We appoint from the United States a gentleman and send him down there as their governor, a man who does not understand the language nor the customs of Porto Rico. We have sent other officials down there of the same kind. What we ought to do is to give to Porto Rico what we love in America—self-government. She should have it in the fullest possible measure. Home rule is what the people in the United States have begged for and fought for, and I do not believe we want for this country colonies such as England and other countries have.

We do not want Porto Rico to be a colony of the United States, to be run from Washington. We want Porto Rico to be a real part of the United States, to have its own local self-government, the same as the States of the Union have. The people of Porto Rico are patriotic. We want them to be genuine citizens of the United States and genuine Americans. There is some question under the law now as to whether they are citizens, under the decisions of the Supreme Court; but, Mr. Chairman, we must be fair and just with these people and help them to prosper. Anything less would stamp us as unworthy of our great forefathers.

The distinguished representative from Porto Rico, Hon. CORDOVA DAVILA, is one of the ablest men we have in this House. He is always active in the interest of the people of Porto Rico. I am glad to work with him in his intense desire to serve Porto Rico well. I congratulate Porto Rico in having him here to look after her interests.

Mr. QUIN. Mr. Chairman, I am against this bill. I admit that we owe some duties to the people of Porto Rico, but according to my position our first duty is to the people of the United States. After a long and hard struggle the friends of the farmers in the Congress succeeded in getting the farm loan act passed and approved by the President. In 1913 we started out on that fight, and we were hampered at every point. We did not get the bill through until 1916, in time for the presidential election. The enemies of the legislation fought it at every turn. To-day they are fighting it in the courts of the land, and it is pending in the Supreme Court of the United States right now. I have letters from farmers in my district, to my surprise, stating that loans can not be granted. The reason of it is that the interests that are antagonistic to this Government loan of money to the farmers of the country are responsible for that condition. While I believe the people of Porto Rico can get a bill that will not be a liability to us—and I will support that sort of a bill—I can not support this bill because with the present status of the farm loan situation hanging in the balance, the liabilities that might arise through this bill extending the operations of the act to Porto Rico, in addition to the limitations to the ability of our Government to float our own farmers' loans, it is too much of a hazard for us to take. With a proper amendment to take away that liability, I will support the bill to grant loans to Porto Rico, but under the circumstances as they exist to-day I do not believe it advisable for this Congress to extend this act beyond the bounds of the States of this Union to Porto Rico. We can not afford to hamper our own farmers. We have not yet got the system on a permanent basis. There are many kinds of amendments offered. Some people are endeavoring to get this system extended to joint farm loan banks, by which they can have the same privileges as the Government farm loan act grants.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. QUIN. Yes.

Mr. DYER. The gentleman refers to loans for our own people. Does the gentleman consider Porto Rico a part of the United States or a foreign territory?

Mr. QUIN. Oh, it is not strictly speaking a part of the United States. I consider the United States these 48 States that we have in our country, and our first duty is to these people right here among us. We have been going too far away, ruining our credit, hampering our people, endeavoring to sweep around the doors of foreign nations. It is all right to carry that missionary spirit when we are able to do so, but with this great debt hanging over us we must be careful and protect our own institutions and the farmers of the United States proper. I shall continue to work and vote for every possible contingency that will help and guarantee the permanency of our Federal Farm Loan System, in which I am so earnestly interested for the benefit of the farmers.

We can not afford to take chances on loading it down with amendments, which its enemies always eagerly support.

Mr. HAYDEN. Mr. Chairman, I move to strike out the last word. Less than three weeks ago I had the pleasure, in company with nine other Members of this House, of visiting for a day in Porto Rico, an island which became American territory by force of circumstances 22 years ago. The Antilles lie like a necklace on the bosom of the blue Caribbean Sea, and Porto Rico is the most resplendent of all that string of jewels. To see this emerald isle of the West Indies is to be conquered by its charm, and no American will thereafter desire otherwise than that this part of our common country shall prosper like all the rest, enjoying every benefit conferred by congressional legislation on the people of any other section of the United States. [Applause.]

By the act of Congress approved March 2, 1917, all citizens of Porto Rico were declared to be citizens of the United States. I voted for that legislation with the distinct understanding that the people of Porto Rico were to be given every right, every privilege, every immunity enjoyed under the Constitution by other citizens of this Republic, save only that statehood was denied, that people being placed in practically the status of the people of the Territory of Arizona prior to her admission into the Union. There is no difference and should be no discrimination between American citizens, whether they reside in Porto Rico, Arkansas, Illinois, or Arizona. They are all citizens of the United States, and as such are equally entitled to consideration by Congress.

The remarks of the gentleman from Arkansas [Mr. WINGO] and the gentleman from Mississippi [Mr. QUIN], who have spoken in opposition to this bill, would indicate that in their opinion Porto Rico is a foreign territory; that there are aliens living there. Each of the gentlemen talked about "our" Federal Farm Loan System and "our own" rural credit laws and that "we" can not afford to run the risk of loaning money to these "foreigners." Evidently both of the distinguished gentlemen have failed to appreciate the fact that this bill proposes nothing more than a method of providing farm loans to American citizens, residing under the American flag, who offer American soil for security.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. HAYDEN. Not now. When the Federal farm loan act was passed all of the people of the United States interested in agriculture grouped themselves together, combining their credit, in order to obtain low rates of interest. The gentleman from Arkansas [Mr. WINGO] insists that the farmers of Porto Rico should furnish their own credit, and approvingly quotes the gentleman from Illinois [Mr. CANNON] that "each tub should stand upon its own bottom." Why does not the gentleman also urge that the Arkansas tub stand on its own bottom and provide a State rural credit system for the farmers of that Commonwealth without aid or assistance from the Federal Government?

Mr. WINGO. I will be mighty glad if the gentleman will let me vote for such a measure. I oppose the farmers of Arkansas being liable for loans on the arid lands of Arizona.

Mr. HAYDEN. There was a time when Arkansas was a byword for backwardness in the United States, but fortunately that great State has completely lived down her early reputation.

Mr. WINGO. Oh, we are among the educated people.

Mr. HAYDEN. The farmers of all the other States are now glad to have the rich lands of Arkansas in the Federal Farm Loan System to assist in obtaining a low rate of interest. It was only by uniting the credit of all of the farmers of the United States that such beneficent results could be secured. The people of Porto Rico, being citizens of the United States, are likewise entitled to share the benefits of this excellent law.

Mr. PLATT. Does the gentleman think, if an amendment should be adopted, as has been suggested, taking away all Government liability for the branch bank in Porto Rico, that bonds could be sold so that the farmers of that island could get any benefit at all?

Mr. HAYDEN. It would be utterly impossible, just as much so as if State land banks established in Mississippi or Arkansas should attempt to sell their bonds without the guaranty of the

rest of the farmers of the United States. Such bonds could not be sold in the market to-day.

Mr. HASTINGS. And in such circumstances the rate of interest in every State would vary.

Mr. HAYDEN. Undoubtedly, the chief benefit of the farm loan act is to equalize conditions so that the farmers in Massachusetts and Arkansas, Oregon and Illinois, shall obtain loans at the same rate of interest. It is both vain and foolish to say that it would be possible for the small farmers of Porto Rico to finance a farm loan system by themselves. Anyone who knows anything about the present financial conditions is certain to say that it would be impossible to sell their bonds at a low rate of interest. As citizens of the United States, why should the American Congress deny them the right to become associated with our great Federal Farm Loan System? I can not understand how there can be two kinds of American citizens.

The people of Porto Rico are either citizens or they are not. If they are, let us treat them as such and welcome them as partners in the great system which has been created for the benefit of American farmers everywhere. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. UPSHAW. Mr. Chairman, I ask unanimous consent to proceed on this subject for seven minutes.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to proceed for seven minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. UPSHAW. Mr. Chairman, if the American farmer is the basis of American prosperity, then all patriotic Americans owe a debt of gratitude to the framers of this farm loan act; and to more than any other citizen not a Member of Congress they owe a debt of gratitude to a man whose name has not been called in this debate, Dr. Clarence J. Owens, director general of the Southern Commercial Congress, whose masterful genius organized the large company of patriotic experts that went to Europe and gathered the data and brought back the facts out of which this legislation was largely framed. And, incidentally, we might suggest to the Committee on Ways and Means in considering legislation for our soldiers that almost everything that is necessary for governmental loan help to our "soldiers of freedom" could be found in these farm loan banks rightly applied. But, Mr. Chairman, I rose especially to emphasize the truth that has already been expressed by the gentleman from Arizona [Mr. HAYDEN] concerning the all-American application of this legislation. My honored friend and colleague the gentleman from Illinois [Mr. CANNON] spoke of the distance between here and Porto Rico. Gentlemen of the committee, I would help you remember that there is no distance in the realm of faith; there is no distance in the realm of love; there is no distance in the realm of patriotism; there is no such thing as distance beneath the protecting folds of the American flag. [Applause.] Somehow, it does not sound just right for us to speak of "they" and "our." We accepted their loyalty during the war, we accepted their arms and their patriotic support of the flag that now protects them, and if that is true, then it is not, it seems to me, a good point in this debate to discuss the distance of Porto Rico from Washington or the former national alignment of the people in this new insular possession of America. Neither is it pertinent to discuss the productiveness or lack of productiveness of the mountain lands of Porto Rico. I was in Arkansas not long ago, a grand old State, and I saw the Ozark Mountains cultivated clear to the top and on the top with glorious "Arkansaw" apples. I think it is a fine tribute to the genius, the efforts, and the industry of the people of Porto Rico that they know so well how, and seek so assiduously, to make available for production every inch of their soil, whether in their teeming valleys or on their beautiful mountain sides. I would also remind the gentlemen of the committee of another thing. Somehow, it jars my ideals of an ideal American Republic that any one citizen beneath this flag should be treated in any way that will make him feel that he is not quite a part of this Republic. I never look at the genial face of our patriotic colleague, Señor FELIX CORDOVA DAVILA, if you please, without feeling like I want to take him by the hand and say, "Vive Porto Rico"! His intelligent loyalty to his people and our flag has been an inspiration to us all. There was something of pathos in his appeal the other day, when he told this House that beneath the guardian ægis of the American flag, in the encouragement the United States of America had given to his people, how they had been developed along educational lines, and how, fresh from the battle fields of common loyalty and common glory they come now and reach out their hands to us and say, "Give us a chance in financial comradeship beside every other citizen of the flag we love."

"The dream of empire," it has been said, "comes not with observation." In his great campaign in which he eloquently warned against imperialistic tendencies in America's attitude toward our insular possessions, William J. Bryan pointed out the danger that lurks beneath the policy of holding any section as a province, if you please; he declared it un-American to accept the loyalty of the citizens of any dependency and then not give them free course and free opportunity for the expression of their patriotism. And let me say this with great earnestness: If this great, wealthy Government is to make a mistake, as some declare this bill to be—and of course we want to do our full duty to the American farmer—then let us make our mistake in a great, honest, national effort to help these new grateful citizens, for any other idea does not fit into the spirit of this Government——

The CHAIRMAN. The time of the gentleman has expired.

Mr. UPSHAW. I ask for one more minute.

Mr. WINGO. Mr. Chairman, I ask unanimous consent that the gentleman may have two minutes more.

Mr. UPSHAW. I thank you, sir.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. UPSHAW. If we are to accept their arms in war, if we accept their loyalty in peace, if we accept any of their patriotic support, then I remind you, gentlemen of this House, that it is the first thought, the first duty, of the American Government to give to these struggling people that financial encouragement that shall make no lines of cleavage between their soldiers who fought for our flag and our soldiers who fought for our flag. Faith, the loyal faith of any people, constitutes the basis of governmental security. Therefore I would wipe out the word "they" altogether and make it "our" when discussing the problems that confront the citizens of any section of our common country. Let me say with my last word that if this great rich Government makes any mistake at all in legislation of this kind, let us err on the side of generosity. Let us make our mistake in trying to reach out our hands of helpfulness and encouragement that will increase the faith, the love, and the happiness of these noble people. America needs Porto Rico; Porto Rico needs America. Let us, in the name of American fairness, American greatness, and American freedom, give them the handclasp of helpful fellowship as we seek to encourage their hearts, develop their resources, and make them a rich, glorious, and a responsive part of the American Republic. [Applause.]

Mr. DAVILA. Mr. Chairman and gentlemen of the committee, I have heard with great interest the remarks in favor of and against this bill. And I want to say that when I hear any matter regarding Porto Rico discussed on the floor of this House I am not afraid of the opposition, because it is not to be supposed that all Members of Congress will be of the same opinion, but I am afraid of the statements which might be made in the course of the debate by some gentlemen who do not sympathize with the people of Porto Rico. Although these gentlemen represent only their individual views and not the sentiment of Congress, still their remarks tend to create hostile sentiment on the island toward the United States, and it is unquestionable that this is not the best policy to make happy the insular people living under the American flag.

During my stay in Washington I have tried to bring our people closer to this country, doing my best to remove all kinds of prejudice which may exist between continental Americans and natives of Porto Rico, and I see with sorrow that some Members of Congress, who are American citizens by birth, are rather destroying the efforts of a Porto Rican who became an American citizen three years ago. This means that I am doing more for the United States than some gentlemen who were born on the continent. [Applause.]

In this connection I think it is important to bear in mind that the effects of the policy of the United States toward Porto Rico are not confined exclusively to the island. The West Indies, Central and South America, are watching with interest the development of the people of Porto Rico and the treatment received by these people under the American flag as a test of your attitude and intentions toward your neighbors belonging to the Latin race. Even the whole world is watching the policy of the United States in connection with Porto Rico and the Latin American countries, to determine how the experiment will succeed of establishing a perfect understanding between the two great families inhabiting the Western Hemisphere, the Anglo-Saxon and the Latin. If you are to succeed in destroying the misgivings and prejudices that have so long existed against you, and in their stead developing a sincere, permanent, and fraternal union, which the geographical position of your republican neighbors in Central and South America renders so desirable,

then the foundations for the success of such a policy must be laid in Porto Rico.

The gentleman from Mississippi [Mr. QUIN] says that the first duty of this Congress is to the people of the United States. What does the gentleman from Mississippi mean by "the people of the United States"? Do not the people of Porto Rico belong to your own family, to your own nationality, and to your own flag? And may we not say with pride and satisfaction our own family, our own nationality, and our own flag? Is it a disgrace for you to be associated with the people of Porto Rico? Do you think that we are inferior to you? If so, on what grounds do you base your superiority? Allow me to say emphatically that we do not accept your superiority, that we do not believe in any superiority but virtue, that the people of Porto Rico are as elevated, capable, and refined as the people of the continental United States, and that if you are great it is because you have infused in your soul the spirit of a Christian Nation. [Applause.] But if you depart from this principle you will doff the tunic of Christ to don the tunic of Cæsar.

The gentleman from Mississippi thinks that there are two kinds of American citizens and refuses to extend to Porto Rico the justice that he wants for the people of his own State. Men ought to be consistent with principles. Justice is something as indivisible as the human soul, and if you dole it among the people its distribution in small quantities will destroy its integrity, its very existence, its purpose and effect, and, of course, you will easily fall in the opposite extreme, which is injustice.

Justice is a right and not a privilege, and if it is true that we are living under a democracy, it must reach every citizen of this powerful country, poor and wealthy, weak and strong.

You have extended to the natives of Porto Rico the American citizenship without reservations, I suppose, and it is your duty to open all national activities to the citizens of Porto Rico to the same extent that these activities are open to the continental American citizen. We have been loyal to you in the most crucial period of our history. We have been at your side in the hour of crisis, and the people who are good to share the responsibilities and hardships of the war must also be good to share the prerogatives and advantages of your institutions and of American citizenship in normal times. There was no discrimination in time of war and there must not be discrimination in time of peace.

Oh, gentlemen, you are not aware of the spirit of the people of Porto Rico in the great war; you seem to ignore that many of our men volunteered in the Army before the approval by Congress of the compulsory-service law; you are not familiar with our country, and I attribute the position of the gentleman from Mississippi to his lack of knowledge of our people and not to any other motive.

This patriotic attitude of the people of Porto Rico prompted the commander of the Porto Rican forces, Gen. Townshend, to say that had not the draft applied to Porto Rico he was sure he could fill the quota of the island by simply calling for volunteers.

The best proof that can be shown of the patriotic sentiments of Porto Rico are set forth in the following letter from Gen. Crowder to Maj. Wilson, the adjutant general of the island:

MY DEAR MAJ. WILSON: I have just received from Lieut. Col. Kramer a personal letter filled with a glowing description of the achievements of the selective draft in Porto Rico. His account of the accomplishments of the island has not added to my admiration of the work that has been done there, as I already knew from less direct information of the splendid efforts that had been exerted. But it prompts me at this particular time to express to you, and through you to Gov. Yeager, Capt. Van Deusen, and the other gentleman who so ably directed the administration of the selective-service law, an appreciation of the work which is now drawing to a close.

I noted with pleasure in Col. Kramer's letter that the percentage of delinquents and deserters on the island is probably lower than in any other administrative subdivision. This is indeed a tribute not only to the loyalty and patriotism of your registrants, but also to the splendid spirit which you have infused into the administration of the selective draft. This remarkable spirit of cooperation is further emphasized by the fact that no member of the 76 local boards has charged the Government for his services.

As you see, we had no slackers in our country. Our local registration boards refused to receive any compensation for their work, and with this wonderful record we appeal to the American Congress, asking only justice for the people of Porto Rico. It is proper to say at this time that our citizens will admit equality but not inferiority; that we are willing to be your brothers and fellow citizens, but never your slaves; and that if, in spite of our devotion to this country, you arrive at the conclusion that we can not live under your flag without discrimination, then the proper thing to do is to grant entire freedom to the people of Porto Rico, who will willingly relieve you of the missionary work referred to by the gentleman from Mississippi.

But I do not care very much about statements which only represent individual views when I know that the great majority of the people of the United States are in favor of our island. We have a great confidence in this Nation; we are full of hopes when we look to our future, and we are sure that entire justice will be done to the people of Porto Rico.

The gentleman from Illinois [Mr. CANNON] made some remarks to which I do not reply in full for lack of time, but he seemed to be greatly impressed by several banners that he saw during his visit to Porto Rico carrying inscriptions of self-determination, independence, self-government, and so forth, and I ask, with surprise, is that a reflection upon the people of Porto Rico? Was it a reflection upon the people of the United States to fight for their liberty?

Mr. UPSHAW. Will the gentleman yield?

Mr. DAVILA. I will.

Mr. UPSHAW. Does not the gentleman from Porto Rico feel that inasmuch as he himself, representing the people of Porto Rico, is loyal to this Government, that we in Congress ought to cast for him the vote for his people that he can not cast himself?

Mr. DAVILA. Oh! Certainly. I am glad of the interruption of the gentleman, but I must protest that we should be allowed to do that for ourselves.

The gentleman from Illinois reminds us of what he saw in Porto Rico, but he seems to forget that these people striving for independence and self-government were ready for duty during the emergency of the Great War, and that their loyalty to this country can never be questioned by anybody. It is true that we are divided in our views regarding our final status, but we are not to be blamed for that, because we are not responsible for your failure to decide the fate of our country. We do not know what you are going to do with the people of Porto Rico, and it is natural that our people be divided in regard to our final issues. But I dare assure you that once this important matter be definitely decided by Congress, with the consent of the insular people, there will be only one sentiment and one aspiration in the whole island. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAVILA. May I have two minutes more?

The CHAIRMAN. The gentleman from Porto Rico asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. DAVILA. But I want to repeat that in spite of the remarks of some gentlemen who, I am sure, do not represent the sentiment of the Nation, the island of Porto Rico has full confidence in your sense of justice and in your respect and affection toward our people.

Mr. Chairman, I was going to oppose this amendment, but I am afraid to do it on account of the opposition to this bill, and because I fear that my friend, the gentleman from Arkansas [Mr. WINGO], may say that I am arguing against the bill.

I was going to refer to the conditions of our small farmers. I think the purpose of the amendment is to help the small farmer, and I agree entirely with that. But what is to be understood by the "small farmer" in Porto Rico? We have farmers with 5, 10, 20, 100, and even 200 acres of land who have no money to cultivate their properties and are compelled to go from the mountains to the sugar factories to work for a low salary. If the loans are limited to $5,000, I am afraid that these farmers will not be able to borrow the money they want to cultivate all the available land and therefore they will not derive the same benefits that would otherwise be obtained under the law as it is in force on the mainland.

If you are going to extend to the people of Porto Rico the benefits of the farm-loan act, extend it to them in its integrity; give to the people of Porto Rico all the possibilities that you give to citizens of the United States and let the farmers of Porto Rico borrow on the same basis as farmers are permitted to borrow in continental United States. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CRAGO having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 12610) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes, had agreed to the conference asked by the House, and had appointed Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9065) to amend sections 3, 8, 10, 12, 20, and 21 of the act approved July 17, 1916, known as the Federal farm loan act.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3391. An act to amend an act entitled "An act providing for the sale of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla.," approved February 8, 1918 (40 Stat. L., p. 433);

S. 2278. An act for the relief of John Healy;

S. 2600. An act for the relief of John Lyons;

S. 3477. An act to increase without expenditure of Federal funds the opportunities of the people to acquire rural homes, and for other purposes;

S. 3941. An act for the relief of the owners of the dredge *Maryland;*

S. 2792. An act to enlarge the boundaries of the Oregon National Forest;

S. 3225. An act for the relief of the bona fide settlers who intermarry after having complied with the homestead law for one year;

S. 3896. An act for the retirement of Frank Schoble, jr., and Raymond D. Day, first lieutenants in the United States Army;

S. 447. An act to amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917;

S. 3908. An act to amend section 1 of the act entitled "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions," approved February 28, 1919;

S. 3102. An act for the relief of Katherine Macdonald;

S. 2728. An act for the relief of settlers and entrymen on Baca Float No. 3 in the State of Arizona;

S. 1280. An act for the relief of J. G. Seupelt;

S. 3895. An act authorizing the granting of certain irrigation easements in the Yellowstone National Park;

S. 3994. An act validating certain applications for and entries on public lands, and for other purposes; and

S. J. Res. 179. Joint resolution authorizing use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11175. An act for the public sale of customhouse building and site at Kennebunkport, Me.;

H. R. 8645. An act for the relief of Lawrence Bendich and Anthony Vezich;

H. R. 685. An act for the relief of Frank S. Ingalls;

H. R. 687. An act for the relief of Frank Pinkley; and

H. R. 6077. An act for the relief of the King Coal Co., of San Francisco, Calif.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 8314. An act to provide for the training of officers of the Army in aeronautic engineering and the issue of equipment and materials therefor.

The message from the Senate also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3813) to authorize the construction of a bridge across Lake Champlain, between the towns of Shoreham, Vt., and Ticonderoga, N. Y.

FARM LOAN ACT.

The committee resumed its session.

Mr. TOWNER rose.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. WINGO. Mr. Chairman, can we make some arrangements for debate? Will the gentleman from New York [Mr. PLATT] suggest who desires to speak?

Mr. PLATT. I do not know of anyone else now who desires to speak after the gentleman from Iowa [Mr. TOWNER].

Mr. TAYLOR of Colorado. I want to have three or four minutes before you close debate.

Mr. HASTINGS. I would like to have four or five minutes.

Mr. PLATT. Then, Mr. Chairman, I will ask unanimous consent that all debate close in 15 minutes, during which the gentleman from Colorado [Mr. TAYLOR] and the gentleman from Oklahoma [Mr. HASTINGS] may be recognized.

Mr. WINGO. Make it 20 minutes. We have had one speech on my side, with seven against me.

Mr. PLATT. All right.

The CHAIRMAN. The gentleman from New York asks unanimous consent that all debate close in 20 minutes. Is there objection?

Mr. MURPHY. I object.

The CHAIRMAN. Objection is heard.

Mr. WINGO. I want to appeal to the gentleman from Ohio. Does he realize what he is doing?

Mr. MURPHY. Yes.

Mr. WINGO. Very well. I demand the regular order. The debate is exhausted. I am perfectly willing that the gentleman from Iowa [Mr. TOWNER] should proceed. If the gentleman from Ohio wants to take the time from the gentleman from Iowa, all right.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. WINGO. I make the point of no quorum. No; I will withdraw it, because I have agreed that the gentleman from Iowa should have time. I withdraw the point of no quorum, Mr. Chairman.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. TOWNER. Mr. Chairman, I am still of the opinion that the objections that have been suggested to this bill are without real and substantial merit.

It has been said again and again by those who have spoken against this bill that we ought to take care of the people of the United States before we begin to take care of the people of Porto Rico. Why, gentlemen, that same objection was made when we had the farm-loan act before us. The farm-loan act is in itself a cooperative institution. It was of little benefit to parts of the United States, and is not now of very much benefit to parts of the United States. The reason why the Springfield bank, to which the Porto Rican act is attached, is behind is because they have not had applications enough for loans. But there has not been one single dollar lost, no matter where the loans were placed in the United States, or one single dollar called from cooperative banks throughout the United States in the operation of this act, and I presume there will not be.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Certainly.

Mr. WINGO. The gentleman says there have not been enough applications in Massachusetts. Is it not a fact that there is a large area in Massachusetts that is not eligible? And is not that true of other States?

Mr. TOWNER. Yes.

Mr. WINGO. There are lands that are just as good and more productive even than the lands in Porto Rico, and yet they are excluded; and yet you provide that we shall go down and establish a branch bank in Porto Rico.

Mr. TOWNER. I say that an act of this kind can never be made to——

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. STEVENSON. Does the gentleman mean to concede that the territory of the Springfield bank is confined to Massachusetts? It covers all New England.

Mr. TOWNER. The fact is that there has not been and there will not be one single dollar of loss. This is just as carefully guarded as it is possible to guard anything. There can not be a single dollar loaned in Porto Rico without an appraisement made by the representatives of the Springfield bank, which is primarily liable. Are they going to injure themselves? I presume that gentlemen will not suggest that the bank of Springfield is unduly speculative. It is managed by men who are among the most conservative in the United States, and the liability is so small and so remote that it is not worth while considering for an instant. It is not an incumbrance to the farm-loan system or a burden to the United States. It does not call a single dollar from the Treasury. It will be a benefit to the farm-loan system, and it will be a benefit to the United States, and it will be of immense benefit to the people of Porto Rico.

The gentleman suggests that $1,000 an acre might be loaned upon a little five-acre farm upon a hillside. Of course, gentlemen, that is absolutely impossible under any circumstances. They will be just as careful, and even more so, in making loans in Porto Rico than anywhere else.

And now I want to say just one word regarding the proposition that will be presented to the House on the motion to recommit, that it be relegated entirely to Porto Rico for their management, and not connected with the United States system.

Gentlemen, I want to say that if you do that you do not benefit Porto Rico one particle. It will leave matters there in the control of the same moneyed power that now makes this legislation necessary; the same system of banks, the same cooperation between the banks, by which the banks have increased in number

in 10 years' time from 2 to 13, making profits of from 20 to 40 per cent, charging these poor men on these farms from 12 per cent to 18 per cent interest. That is what we are trying to help them get out from, just as we helped sections of the United States get out from under burdens they were resting under in the old system. It is to help these people, and we can not do it except by cooperation. You put it in the power of the banking institutions of Porto Rico, as you would if you placed this alone in Porto Rico, and it would be of no benefit to them at all. It will not hurt us, should we pass this bill, and it will help them immensely.

Why should we not do it? There is no reason on earth. It costs us not one cent. We are not burdened in any way. It is perfectly safe, and I hope we shall be fair enough to give that to the people of Porto Rico to which they are entitled. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. TAYLOR of Colorado rose.

The CHAIRMAN. The regular order was demanded.

Mr. WINGO. I withdraw that.

The CHAIRMAN. The gentleman from Colorado is recognized.

Mr. TAYLOR of Colorado. Mr. Chairman, I feel that any Member of this House who has ever visited Porto Rico and enjoyed, as I have, the acquaintance of many of the splendid, well-educated, and high-class people of that island and been charmed by the kind and delightful hospitality of those good people would be somewhat derelict in his sense of ordinary propriety and good fellowship if he did not at this time say a kindly word in behalf of this bill and for the citizens of Porto Rico, our own citizens of the United States, who inhabit that very beautiful island.

I had the pleasure some seven years ago of visiting the island in company with five other Congressmen, including the present presiding chairman [Mr. CAMPBELL of Kansas], and our wives. I also visited the island on the 20th and 21st of last month, with nine other Congressmen and our wives, and we were not only most cordially welcomed and delightfully entertained but I was especially interested in and most agreeably surprised at the marvelous improvement and change in the island, both in the cities and country, during the past seven years. I do not believe there is an equal territory anywhere on the face of the globe that has made as much tremendous improvement in every direction during recent years as that island.

I will not attempt to give exact figures, but will say that, approximately speaking, at the time Porto Rico came into the possession of the United States 21 years ago the total value of the island's three greatest products, sugar, tobacco, and coffee, was only $17,000,000; while this last year the sugar crop of that island was worth over $60,000,000, the tobacco more than $10,000,000, and the coffee more than $6,000,000. Over half of the island is in intensive cultivation, and over half of the population is engaged in agriculture. They export $80,000,000 and import $62,500,000, and 90 per cent of all their commerce is with the United States.

The towns have changed from primitive tropical country villages to modern, up-to-date cities; and the greatest change of all, in my judgment, is in the people themselves. Education has advanced marvelously; I do not believe any other country or people can show as great percentage of increase in education and general intelligence as the Porto Ricans during the past 21 years. We have a right to be, we ought to be, and are proud to call them and treat them as citizens of the United States.

While the island is only 35 miles wide and about 100 miles long, less in area than the county in which I live in Colorado, yet Porto Rico has a population of 1,258,970 people. Since the organic act of March 2, 1917, Porto Ricans are citizens of the United States. They are a splendid class of citizens. The Porto Ricans are high-minded, proud, patriotic, home-loving, industrious, and honest people. They are, and have a right to be, proud of their island, proud of their ancestors, and proud of their history during the past 400 years. They are very different from the inhabitants of the other islands of the West Indies and Central America.

They are more industrious, more intelligent, and a better class of civilization than the other people who have lived nearly 400 years in that climate. They have one trait which is somewhat different from us Anglo-Saxons. Their just pride and character, their patriotism and loyalty to their race and home land, and their loyalty to the United States, and the cordial friendship and good will which they have always frankly and honestly exhibited toward our citizens, and especially our Members of Congress, make them rather sensitive to any criticism or disparagement of their equal rights as American citizens. It hurts them to have a Member of the American Congress say things that they justly feel are unwarranted or not justified by the facts as they see them.

I have assumed the liberty more than once of saying to some very bright, well-educated, and high-class Porto Ricans, including the distinguished gentlemen who is the Porto Rico Delegate on the floor of this House, the Hon. FELIX CORDOVA DAVILA, that the Porto Ricans sometimes, I fear, take too seriously or give too much attention to isolated remarks of some individual Member of the House of Representatives. I have tried to explain to them that one Member of this House only represents one-four hundred and thirty-fifth of the membership or the sentiment of this House, and I have urged them not to think or ever feel that the possible hasty and not well-considered or thoughtful remark or hasty speech of any one man represents the sentiment of 110,000,000 continental American citizens, or in any respect reflects the concerted judgment of the membership of this House or the Senate.

And the remarks of our good friend, Señor DAVILA, in reference to the speech of the gentleman from Mississippi induces me to again make this friendly reference to this subject, and I hope the people of Porto Rico, for whom I know that practically every Member of this House and the Senate has the kindest possible feeling, will not take too seriously statements of which they do not approve.

In this country there are something like 110,000,000 people, and those people are active and alert, and they consequently have something like 110,000,000 different minds; and in the United States Senate there are 96 Members, and necessarily 96 different minds and opinions, the same as there are 435 different opinions in this House; and there is very seldom any measure comes before either the House or Senate upon which there is unanimity, and nearly always there is more or less active and often violent opposition to the measure, or some parts of it, that is being considered. It does not mean an unkindness, but means an honest difference of opinion; and I trust the gentleman from Porto Rico and the Porto Rican people will take the remarks of the gentleman from Mississippi, as well as any others that may be adverse to their aspirations, not in a spirit of hostility nor even unkindness but a spirit of candid difference of opinion.

I am very heartily, indeed, in favor of the passage of this bill to extend the benefits of the Federal farm loan law to the island of Porto Rico. I feel that it might well have been passed under exactly the same conditions which are applicable to the farmers of the United States. But, nevertheless, it is a great step in the right direction and we can readily amend it some other time, if it is demonstrated to be successful and satisfactory, and increase the amount from $5,000 to $10,000 which anyone may be able to borrow.

I may call the attention of the Porto Rican people to the fact that I represent in part a great irrigation country. We irrigate every foot of land we have water for or can irrigate; and outside of the valley of the Nile I do not believe there are any richer lands on the face of the earth than many parts of my congressional district. Yet we have had a desperate time ever since the farm loan law was enacted to secure loans upon irrigated lands. It seems as though the Federal Farm Loan Board does not know what irrigation is, and it has been a long and tedious task to educate and convince them that it was safe and proper and wise and fair to allow some of the Federal farm loan money to go to the farmers of Colorado. So that I know what it is to meet obstacles in this matter, and for that reason I have more sympathy, possibly, than I would otherwise with the Delegate from and the citizens of Porto Rico.

But before I close I want to say another word about Porto Rico and the Porto Ricans. Columbus discovered and landed on the island on his second voyage. Juan Ponce de Leon called it "The gate of riches," and builded himself a palace and dreamed of his fountains of eternal youth. It is no wonder that they are a brave and courageous people. That little band of people have heroically fought for and maintained their liberties against the whole world for nearly 400 years.

On the 11th day of April, 1899, just 21 years ago next Sunday, by the ratification of the treaty of Paris between the United States and Spain, Porto Rico became American territory. A wonderful transformation—in fact, a marvelous metamorphosis—has taken place upon that little island paradise during that 21 years. Twenty-one years ago there was not a public-school building on the island. To-day there are nearly 600, and schools are being conducted in 1,742 different school buildings. Before that treaty there were 21,000 children in school. During the past year there were 176,689 attending school.

Illiteracy has been reduced from over 80 per cent of the population to less than 60 per cent. Oxcarts have been changed to 5,000 licensed automobiles that go at a terrific speed over 1,400 miles of splendid macadamized highways. I hope to see every Member of Congress visit this island, as he ought to do, and get acquainted with those people and ride over those splendid roads. I hope some day to see Colorado become the summer playground and Porto Rico the winter playground of all America, and that every after-dinner coffee that every American drinks and every after-dinner cigar that every American smokes will be from the world's most beautiful island. [Applause.]

Mr. DAVILA. Will the gentleman yield?

Mr. TAYLOR of Colorado. Certainly; I yield to the gentleman from Porto Rico.

Mr. DAVILA. I want to say to the gentleman that the reason why I referred to the remarks made by some gentleman in this House was because I know the impression that those remarks will make in Porto Rico. I agree entirely with the gentleman from Colorado that such remarks do not represent the sentiments of the people of the United States; but there is a distinction between the remarks which gentlemen may make regarding Idaho or Iowa, or any other State of the Union, and remarks which are made about Porto Rico, because the people of Porto Rico are discriminated against in some ways which I do not want to mention, but which are in the minds of all Members of Congress. The people of Porto Rico are at a disadvantage as compared with the people of the States.

Mr. TAYLOR of Colorado. Yes; there are naturally some differences and some disadvantages; but after all I hope our friends in Porto Rico will not feel unduly sensitive about remarks or speeches or any actions by Congress or by individual Congressmen that are not at all intended to offend. I want in closing to mention an interesting incident in our recent trip. I served in this House with the Hon. Luis Munoz Rivera, the distinguished predecessor of the present able gentleman from Porto Rico. I knew him well, and when we visited that island a few days ago we were all exceedingly glad and gratified to learn of the marvelous admiration, affection, and good will which the people of Porto Rico have for his memory and the reverence which they show his grave. Many of our party visited his grave, and I know all the old Members of the House who knew Mr. Rivera will be pleased to know the unanimous and wonderful esteem in which he was held. No one could ever hope for a more tender burial or affectionate guardianship of his grave. [Applause.]

Mr. MORGAN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seven Members present, a quorum.

Mr. HASTINGS. Mr. Chairman, I think in the discussion of legislation we are often led to use extravagant language, but I do not believe there has been a greater piece of constructive legislation enacted by this or any other Congress than the original Federal farm loan act. [Applause.] I was glad to be a Member of Congress when it was passed. I was also a member of the Committee on Banking and Currency which gave it consideration, and I took part in the discussion of the bill and amendments when the bill was before the House for consideration. That act has not yet had a very good chance. It was passed July 17, 1916, about four years ago. You all know that the war came on. We have had some difficulty in selling the bonds issued under that act, and for that reason it has not had as good a chance as it otherwise would have had in this country.

I am heartily in favor of extending the provisions of this bill to Porto Rico. I think it is a wonderful island. It is a fertile island. It has great natural resources. The people are progressive. They have advanced very rapidly within the last few years, and I want to indorse what has been said by other Members of Congress with reference to the advancement of the people of that island.

It has been objected, Mr. Chairman, that an amendment ought to be added to this bill, either in committee or upon a motion to recommit, to provide that the people of the other sections of the United States, other than those in the Springfield district, shall not be behind the loans made to Porto Rico as they are behind the bonds secured by loans made to other citizens of the United States.

I think the provision that the assets of all banks should be behind the bonds of each of the banks was one of the very best provisions of the original act. It was the one thing that I stood for in the Banking and Currency Committee. It was the one thing that I insisted upon here on the floor of the House. In other words, I wanted the assets of every land bank in the United States to be behind all the bonds issued by the farm-loan banks throughout the United States, so that the interest would be uniform. We people down in Oklahoma appreciated that, being a new State, interest rates were high, whereas up in Massachusetts you could borrow money at 4 or 5 per cent. We had to pay more than twice that down in Oklahoma. The same is true throughout the Southern and Western States. Now, if only the loans in Oklahoma or of any other State alone were to stand behind its bonds, of course the interest rate would be very much higher, and the interest rates in practically all the States would differ and would not be uniform, as now. Therefore I am opposed to that kind of an amendment.

Mr. RAINEY of Alabama. Will the gentleman yield for a question?

Mr. HASTINGS. Yes.

Mr. RAINEY of Alabama. Did the gentleman mean that the Oklahoma bonds would be higher or that the rate of interest would be higher?

Mr. HASTINGS. I meant that the rate of interest on the bonds would be higher if they stood by themselves and not secured by the assets of all the banks.

Now, objection has been made that Porto Rico is quite a distance from the United States. Well, did you ever stop to consider the fact that Porto Rico is much nearer to New York than California or Oregon or Arizona or New Mexico? It seems to me that is not a legitimate argument. I want to invite your attention to one thing, and that is that these loans are made direct to borrowers. The weak point in the Federal farm-loan act is that loans are not made directly to borrowers. Section 15 provides that under certain circumstances, which can never arise, loans may be made directly to borrowers.

Loans now are required to be made through local loan associations, but it takes a long time to form them. A good many farmers are not familiar with how they should be formed. As a result a great many farmers are not getting the benefit that they should receive from the farm-loan act. Whenever Congress amends the farm-loan act so as to eliminate the local loan associations and procure agents to be appointed at convenient places throughout the country so that loans may be initiated and made through them to the farmers of the country, then the farmers will appreciate to the fullest extent the advantages of this loan act. I have introduced such an amendment. [Applause.]

Mr. PLATT. Mr. Chairman, I ask unanimous consent that all debate now close and a vote taken on the amendments.

The CHAIRMAN. The gentleman from New York asks unanimous consent that debate be now closed. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 10, after the word "established," insert the words "shall not exceed the sum of $5,000 to any one borrower and."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, line 16, after the word "Springfield," strike out the period, insert a semicolon and the following: "*Provided, however,* That no loans shall be made in the island of Porto Rico to run for a longer term than 20 years."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. PLATT. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. WALSH having taken the chair as Speaker pro tempore, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 8038) to amend section 4 of the act approved July 17, 1916, known as the Federal farm-loan act, extending its provisions to Porto Rico, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. PLATT. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

There was no demand for a separate vote.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER resumed the chair.

Mr. WINGO. Mr. Speaker, I move to recommit the bill, and on that I move the previous question.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WINGO moves to recommit the bill to the Committee on Banking and Currency, with instructions to report the same back forthwith, with the following amendment at end of line 3, page 3:

"*Provided*, That no member of a local farm-loan association, nor his association, organized within continental United States, nor any Federal land bank other than the Federal land bank of Springfield, Mass., shall be liable under section 21 or any other provisions of the Federal farm-loan act, on any loans made in Porto Rico, or bonds issued on said loans."

The SPEAKER. The question is on the previous question.

The previous question was ordered.

The SPEAKER. The question now is on the motion to recommit.

The question was being taken when Mr. MORGAN made the point of order that no quorum was present.

The SPEAKER. The gentleman from Oklahoma makes the point that no quorum is present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 69, nays 241, not voting 117, as follows:

YEAS—69.

Almon	Evans, Mont.	Kincheloe	Rucker
Aswell	Fisher	Kitchin	Sanders, La.
Babka	Flood	Lanham	Sinclair
Black	French	Lankford	Sisson
Blanton	Garner	Larsen	Stedman
Box	Goodwin, Ark.	Lazaro	Taylor, Ark.
Briggs	Green, Iowa	Lesher	Thomas
Buchanan	Harrison	McDuffie	Tillman
Bryns, Tenn.	Haugen	McKiniry	Venable
Candler	Hawley	McLane	Walsh
Cannon	Holland	Milligan	Watkins
Carss	Hudspeth	Monahan, Wis.	Wilson, La.
Clark, Mo.	Hull, Tenn.	Moon	Wingo
Collier	Humphreys	Nelson, Mo.	Wise
Connally	Igoe	Oldfield	Woods, Va.
Davis, Tenn.	Johnson, Ky.	Parrish	
Dent	Johnson, Miss.	Quin	
Dowell	Jones, Tex.	Rayburn	

NAYS—241.

Anderson	Echols	Kearns	Mott
Andrews, Md.	Elliott	Keller	Mudd
Andrews, Nebr.	Elston	Kiess	Murphy
Ashbrook	Emerson	King	Neely
Ayres	Esch	Kinkaid	Nelson, Wis.
Baer	Evans, Nebr.	Knutson	Newton, Minn.
Barbour	Fairfield	Kraus	Newton, Mo.
Barkley	Ferris	Kreider	O'Connor
Bee	Focht	Lampert	Ogden
Begg	Fordney	Langley	Oliver
Benham	Foster	Layton	Olney
Benson	Frear	Lea, Calif.	Osborne
Bland, Ind.	Fuller, Ill.	Lee, Ga.	Overstreet
Boies	Gallagher	Lehlbach	Padgett
Bowers	Gallivan	Linthicum	Park
Brand	Ganly	Little	Parker
Brooks, Pa.	Garland	Lonergan	Peters
Browne	Glynn	Longworth	Phelan
Brumbaugh	Graham, Ill.	Luce	Platt
Butler	Greene, Mass.	Lufkin	Pou
Byrnes, S. C.	Griest	Luhring	Purnell
Caldwell	Griffin	McGlennon	Rainey, Ala.
Campbell, Kans.	Hadley	McKeown	Rainey, H. T.
Campbell, Pa.	Hardy, Colo.	McKinley	Rainey, J. W.
Casey	Harreld	McLaughlin, Mich.	Raker
Chindblom	Hastings	McLaughlin, Nebr.	Ramseyer
Christopherson	Hayden	MacCrate	Randall, Calif.
Clark, Fla.	Hays	MacGregor	Randall, Wis.
Classon	Hernandez	Madden	Reavis
Cleary	Hersey	Magee	Reber
Coady	Hersman	Maher	Rhodes
Cole	Hickey	Major	Ricketts
Cooper	Hicks	Mann, S. C.	Riddick
Copley	Hoch	Mansfield	Riordan
Cramton	Houghton	Mapes	Robsion, Ky.
Crisp	Howard	Martin	Rogers
Currie, Mich.	Huddleston	Mays	Romjue
Dale	Hulings	Mead	Rose
Dallinger	Hull, Iowa	Merritt	Rouse
Darrow	Husted	Michener	Rowe
Dickinson, Mo.	Hutchinson	Miller	Schall
Dickinson, Iowa	Ireland	Minahan, N. J.	Scott
Dominick	Jacoway	Mondell	Sherwood
Donovan	James	Montague	Sinnott
Dunbar	Jefferis	Mooney	Slemp
Dupré	Johnson, S. Dak.	Moore, Ohio	Small
Dyer	Johnson, Wash.	Moore, Va.	Smith, Idaho
Eagan	Jones, Pa.	Moores, Ind.	Smith, Ill.
Eagle	Juul	Morgan	Smith, Mich.
Snell	Taylor, Colo.	Vinson	Wilson, Ill.
Snyder	Temple	Volstead	Wilson, Pa.
Steele	Thompson	Walters	Wood, Ind.
Steenerson	Tilson	Watson	Woodyard
Stephens, Ohio	Timberlake	Weaver	Wright
Stevenson	Tincher	Webster	Yates
Stoll	Tinkham	Welling	Young, N. Dak.
Strong, Kans.	Towner	Welty	Young, Tex.
Summers, Wash.	Treadway	Whaley	Zihlman
Sumners, Tex.	Upshaw	Wheeler	
Sweet	Valle	White, Kans.	
Swope	Vestal	White, Me.	

NOT VOTING—117.

Ackerman	Doremus	Kelley, Mich.	Rowan
Anthony	Doughton	Kelly, Pa.	Rubey
Bacharach	Drane	Kendall	Sabath
Bankhead	Dunn	Kennedy, Iowa	Sanders, Ind.
Bell	Edmonds	Kennedy, R. I.	Sanders, N. Y.
Blackmon	Ellsworth	Kettner	Sanford
Bland, Mo.	Evans, Nev.	Kleczka	Scully
Bland, Va.	Fess	McAndrews	Sears
Booher	Fields	McArthur	Sells
Brinson	Freeman	McClintic	Shreve
Britten	Fuller, Mass.	McCulloch	Siegel
Brooks, Ill.	Gandy	McFadden	Sims
Burdick	Gard	McKenzie	Smith, N. Y.
Burke	Garrett	McPherson	Smithwick
Burroughs	Godwin, N. C.	Mann, Ill.	Steagall
Cantrill	Goldfogle	Mason	Stephens, Miss.
Caraway	Good	Morin	Stiness
Carew	Goodall	Nicholls, S. C.	Strong, Pa.
Carter	Goodykoontz	Nichols, Mich.	Sullivan
Costello	Gould	Nolan	Tague
Crago	Graham, Pa.	O'Connell	Taylor, Tenn.
Crowther	Greene, Vt.	Paige	Vare
Cullen	Hamill	Pell	Voigt
Curry, Calif.	Hamilton	Porter	Ward
Davey	Hardy, Tex.	Radcliffe	Wason
Davis, Minn.	Heflin	Ramsey	Williams
Dempsey	Hill	Reed, N. Y.	Winslow
Denison	Hoey	Reed, W. Va.	
Dewalt	Johnston, N. Y.	Robinson, N. C.	
Dooling	Kahn	Rodenberg	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. RODENBERG with Mr. BELL.

Mr. MANN of Illinois with Mr. ROBINSON of North Carolina.

Mr. MCARTHUR with Mr. TAGUE.

Mr. KENDALL with Mr. HEFLIN.

Mr. GOODALL with Mr. SEARS.

Mr. FULLER of Massachusetts with Mr. BOOHER.

Mr. STRONG of Pennsylvania with Mr. HARDY of Texas.

Mr. SHREVE with Mr. CARTER.

Mr. SIEGEL with Mr. DOUGHTON.

Mr. ANTHONY with Mr. GARRETT.

Mr. GOOD with Mr. SIMS.

Mr. WINSLOW with Mr. BLAND of Missouri.

Mr. MCPHERSON with Mr. SABATH.

Mr. ACKERMAN with Mr. STEAGALL.

Mr. WILLIAMS with Mr. DAVEY.

Mr. RADCLIFFE with Mr. HOEY.

Mr. FESS with Mr. CARAWAY.

Mr. BROOKS of Illinois with Mr. DRANE.

Mr. WASON with Mr. O'CONNELL.

Mr. FREEMAN with Mr. DEWALT.

Mr. WARD with Mr. CAREW.

Mr. MORIN with Mr. ROWAN.

Mr. VARE with Mr. KETTNER.

Mr. STINESS with Mr. CANTRILL.

Mr. PORTER with Mr. BLACKMON.

Mr. SANFORD with Mr. RUBEY.

Mr. DEMPSEY with Mr. BLAND of Virginia.

Mr. SANDERS of Indiana with Mr. BRINSON.

Mr. CROWTHER with Mr. SCULLY.

Mr. REED of West Virginia with Mr. GANDY.

Mr. BURKE with Mr. EVANS of Nevada.

Mr. NOLAN with Mr. MCANDREWS.

Mr. DUNN with Mr. BANKHEAD.

Mr. BACHARACH with Mr. CULLEN.

Mr. KLECZKA with Mr. PELL.

Mr. RAMSEY with Mr. DOOLING.

Mr. MCKENZIE with Mr. SULLIVAN.

Mr. GRAHAM of Pennsylvania with Mr. SMITH of New York.

Mr. CRAGO with Mr. MCCLINTIC.

Mr. EDMONDS with Mr. JOHNSTON of New York.

Mr. MCCULLOCH with Mr. STEPHENS of Mississippi.

Mr. KELLY of Pennsylvania with Mr. DOREMUS.

Mr. DAVIS of Minnesota with Mr. NICHOLLS of South Carolina.

Mr. KAHN with Mr. GOLDFOGLE.

Mr. GOULD with Mr. FIELDS.

Mr. BURROUGHS with Mr. HAMILL.

Mr. DENISON with Mr. GODWIN of North Carolina.

Mr. COSTELLO with Mr. GARD.
Mr. GREENE of Vermont with Mr. SMITHWICK.
The result of the vote was announced as above recorded.
A quorum being present, the doors were opened.
The SPEAKER. The question is on the passage of the bill.
The question was taken; and on a division (demanded by Mr. WINGO) there were—ayes 193, noes 19.
So the bill was passed.
On motion of Mr. PLATT, a motion to reconsider the vote by which the bill was passed was laid on the table.
Mr. PLATT. Mr. Speaker, I ask unanimous consent that all gentlemen who spoke on the bill may be permitted to revise and extend their remarks in the RECORD.
The SPEAKER. The gentleman from New York asks unanimous consent that all who spoke on this bill may be permitted to extend and revise their remarks in the RECORD. Is there objection?
Mr. MADDEN. Mr. Speaker, I object, because everyone can get that permission if he wants to himself.
The SPEAKER. Objection is made.

HOUR OF MEETING TO-MORROW.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.
The SPEAKER. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?
There was no objection.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:
S. 3994. An act validating certain applications for and entries of public lands, and for other purposes; to the Committee on the Public Lands.
S. 3896. An act for the retirement of Frank Schoble, jr., and Raymond E. Day, first lieutenants in the United States Army; to the Committee on Military Affairs.
S. 3225. An act for the relief of bona fide settlers who intermarry after having complied with the homestead law for one year; to the Committee on the Public Lands.
S. 3102. An act for the relief of Katherine Macdonald; to the Committee on Claims.
S. 2792. An act to enlarge the boundaries of the Oregon National Forest; to the Committee on Public Lands.
S. 2728. An act for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona; to the Committee on Public Lands.
S. 2600. An act for the relief of John Lyons; to the Committee on Military Affairs.
S. 2278. An act for the relief of John Healy; to the Committee on Military Affairs.
S. 3391. An act to amend an act entitled "An act providing for the sale of the coal and asphalt deposits in segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma," approved February 8, 1918; to the Committee on Indian Affairs.
S. 1280. An act for the relief of J. G. Seupelt; to the Committee on Indian Affairs.
S. 447. An act to amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917; to the Committee on Pensions.
S. J. Res. 179. Joint resolution authorizing use of Army transports by teams, individuals, and their equipment representing the United States in Olympic games and international competitions; to the Committee on Military Affairs.
S. 3908. An act to amend section 1 of the act entitled "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions," approved February 28, 1919; to the Committee on Military Affairs.
S. 3477. An act to increase, without expenditure of Federal funds, the opportunities of the people to acquire rural homes, and for other purposes; to the Committee on Irrigation.
S. 3941. An act for the relief of the owners of the dredge *Maryland*; to the Committee on Claims.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and a joint resolution of the following titles, when the Speaker signed the same:
H. R. 6773. An act for the relief of Albert C. Burgess;
H. R. 6291. An act for the relief of E. Willard;
H. R. 5213. An act for the relief of occupants and claimants of unsurveyed public land in township 8 north, of range 2 west, of Salt Lake meridian, Utah;
H. R. 202. An act to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public park purposes;
H. R. 1791. An act for the relief of O. W. Lindsley;
H. R. 1275. An act for the relief of W. L. Rose;
H. R. 6136. An act authorizing the Secretary of the Interior to sell certain lands to school district No. 21, of Fremont County, Wyo.;
H. R. 10207. An act providing for service of process in causes removed from a State or other court to a United States court;
H. R. 12711. An act to amend the act approved December 23, 1913, known as the Federal reserve act;
H. R. 6772. An act authorizing and directing the transfer approximately of 10 acres of land to rural high-school district No. 1, Lapwai, Idaho;
H. R. 6413. An act granting the sum of $549.12 to Clara Kane, dependent parent, by reason of the death of William A. Yenser, late civil employee, killed as a result of an accident at the Philadelphia Navy Yard;
H. R. 3211. An act for the relief of Emma J. Spear; and
H. J. Res. 222. Joint resolution authorizing the Secretary of War to dispose of surplus dental outfits.

PERMITTING PRIVATE BANKERS TO BE DIRECTORS IN TWO BANKING ASSOCIATIONS.

Mr. PLATT. Mr. Speaker, I call up the bill (H. R. 13138) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916, which I send to the desk and ask to have read.
The Clerk read the bill, as follows:

Be it enacted, etc., That section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended by the act of May 15, 1916, be further amended by inserting in the proviso at the end of the second clause of said section after the word "prohibit" the words "any private banker or," so that the proviso as amended shall read:

"*And provided further*, That nothing in this act shall prohibit any private banker or any officer, director, or employee of any member bank or class A director of a Federal reserve bank, who shall first procure the consent of the Federal Reserve Board, which board is hereby authorized, at its discretion, to grant, withhold, or revoke such consent, from being an officer, director, or employee of not more than two other banks, banking associations, or trust companies, whether organized under the laws of the United States or any State, if such other bank, banking association, or trust company is not in substantial competition with such banker or member bank.

"The consent of the Federal Reserve Board may be procured before the person applying therefor has been elected as a class A director of a Federal reserve bank or as a director of any member bank."

Mr. PLATT. Mr. Speaker, this bill shows very plainly on its face, as it is written, exactly what it is, and the report fully explains its purpose. It is a bill to amend what is known as the Kern amendment to the Clayton antitrust act, and it merely adds four words. The Kern amendment permitted a director of a national bank to be a director of two other national banks or a director of a trust company to be a director of two national banks, with the permission of the Federal Reserve Board. As originally written, the Clayton Act prevented any person from being a director in more than one bank. That proved to be a serious handicap in some places where there were not enough men of experience to furnish directors for the banks and frequently left those most interested and best qualified without representation. Hence the Kern amendment was passed, but for some reason it omitted private bankers. The reason for this amendment is to help finance foreign trade. Gentlemen will remember that a few months ago we passed what is known as the Edge Act, giving Federal incorporation to institutions organized for financing foreign trade. There were at that time, and there are still, some 9 or 10 institutions organized under State laws financing foreign trade. They are in almost every respect similar to what we expect the Edge corporations are to be when there are any organized. Those corporations could all reorganize under the national law—the Edge Act—if they would, but in nearly all of them are some private bankers as directors, and private bankers are the men who have hitherto been more interested in foreign trade than any other American bankers, and they have had more experience in that line than others. Naturally, these corporations that are already building up a large business do not want to reorganize under the national law and lose their best directors, the men

who have had the most experience, and in order to allow them to be directors in not to exceed two of these corporations, with the permission of the Federal Reserve Board, we have brought in this little bill. It does not seem to me that it needs much argument. It was reported practically unanimously, and I know of only one Member who wishes any time in opposition to it.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. PLATT. Certainly.

Mr. McKEOWN. This is to permit private bankers to do the same thing that directors of national banks are permitted to do?

Mr. PLATT. Yes.

Mr. McKEOWN. It does not open up the act and permit any further extension of what it is now?

Mr. PLATT. No; it does not go any further, and I think that probably in amending the act before, this was overlooked. I do not believe they intended to prevent private bankers from being directors in not to exceed two national banks, though in 1916 the importance of foreign trade was not as fully recognized as it is now.

Mr. McKEOWN. The gentleman's committee is not in favor of extending this prohibition to permit interlocking directors. It is just to give to the private bankers the same privilege that the national banker has.

Mr. PLATT. That is it, exactly.

Mr. STEVENSON. That is, to be a director in two banks or two corporations organized under the laws of the United States?

Mr. PLATT. Yes; not to exceed two.

Mr. STEVENSON. With the permission of the Federal Reserve Board?

Mr. PLATT. Yes.

Mr. STEVENSON. The provision in the original Clayton antitrust act prohibited a private banker from being a director in any corporation organized under the United States.

Mr. PLATT. Yes; and, of course, the Edge Act was not in existence at that time.

Mr. McKEOWN. Has any bill been introduced before the gentleman's committee looking toward a curtailment of ownership or permitting one set of bankers to own all of the banks in any one particular place, even though they are national banks, and are not on the board of directors?

Mr. PLATT. There has not been any bill of that kind introduced, so far as I can remember; but, of course, the Clayton antitrust act would prevent one man from being a director of more than two. As a matter of fact, however, I am told there are sections in the United States where one man controls a number of banks. I have heard it put as high as 50 or 60. It is a kind of branch banking without the responsibilities of real branch banking. There is no national law against that. This bill has nothing to do with that situation.

I might say that my information is there has been quite a good deal of inquiry since the Edge corporation act was passed from persons apparently intending to form corporations under its provisions for financing foreign trade, but no actual corporations have yet been formed under it. I am informed that there are one or two applications pending. The Federal Reserve Board has its regulations out, and this one restriction of the Clayton antitrust act that we are seeking now to remedy seems to be the chief holdup of the whole thing.

Mr. MORGAN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. KNUTSON. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Minnesota moves a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Burroughs	Dewalt	Gard
Bacharach	Cantrill	Dooling	Garrett
Bankhead	Caraway	Doremus	Glynn
Bell	Carew	Doughton	Godwin, N. C.
Benson	Carter	Drane	Goldfogle
Bland, Ind.	Classon	Dunn	Good
Bland, Mo.	Cooper	Dyer	Goodall
Bland, Va.	Costello	Edmonds	Goodykoontz
Booher	Cramton	Ellsworth	Gould
Brinson	Crowther	Evans, Nev.	Graham, Pa.
Britten	Cullen	Ferris	Greene, Vt.
Brooks, Ill.	Curry, Calif.	Fess	Hamill
Brumbaugh	Davey	Fields	Hamilton
Buchanan	Dempsey	Freeman	Hardy, Tex.
Burdick	Denison	Fuller, Mass.	Haugen
Burke	Dent	Gandy	Heflin
Hill	McAndrews	Reed, W. Va.	Steagall
Hoey	McArthur	Robinson, N. C.	Stephens, Miss.
Holland	McClintic	Rodenberg	Stiness
Hulings	McCulloch	Rowan	Strong, Pa.
Hull, Tenn.	McFadden	Rubey	Sullivan
Humphreys	McKenzie	Sabath	Tague
Igoe	McLaughlin, Mich.	Sanders, Ind.	Taylor, Ark.
Johnson, Wash.	Mann, Ill.	Sanders, N. Y.	Taylor, Tenn.
Johnston, N. Y.	Mason	Sanford	Towner
Kahn	Morin	Scott	Vare
Kendall	Nicholls, S. C.	Scully	Vestal
Kennedy, Iowa	Nichols, Mich.	Sears	Voigt
Kennedy, R. I.	Nolan	Sells	Ward
Kettner	O'Connell	Shreve	Wason
Kiess	Paige	Siegel	Wheeler
Kleczka	Parker	Sims	Williams
Kreider	Pell	Small	Winslow
Lee, Ga.	Radcliffe	Smith, N. Y.	
Lehlbach	Reavis	Smithwick	
Longworth	Reed, N. Y.	Snyder	

The SPEAKER. On this roll call 280 Members have answered to their names; a quorum is present.

Mr. PLATT. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. PLATT. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. KING].

Mr. MORGAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORGAN. I desire to oppose this bill, and I would like to be recognized in opposition. Am not I entitled to recognition?

The SPEAKER. No; the gentleman from New York is entitled first and he has one hour, and the gentleman from New York has yielded to the gentleman from Illinois [Mr. KING].

Mr. MORGAN. Another parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORGAN. After the gentleman from New York has exhausted his hour, then will I or some one else be recognized for an hour in opposition to this bill?

The SPEAKER. The Chair does not mean that the gentleman from New York is to have his hour first, but the gentleman from New York has been recognized and has yielded to the gentleman from Illinois.

Mr. KING. Mr. Speaker, I find myself in slight opposition to the pending bill before the House, and the reasons I expect to give in a very few minutes. This bill tends further to emasculate what is known as the Clayton antitrust act. Already this act has been considerably dilapidated and operated upon, until there is really not very much left to the Clayton antitrust act. A number of years ago we heard all over this wide country what an awful thing it was to maintain an interlocking directorate. It was almost sufficient grounds to send a man to the penitentiary, and yet this amendment now, in addition to the Kern amendment, which amended the original act by permitting a man to be a director upon two banks, opens the door to the Federal Reserve System and permits the private banker to enter. So far as I can see from reading the Federal reserve act the whole act was designed to keep out the private banker. It will be found on page 4 of the Clayton Act that the private banker was eliminated in the following language:

No bank, banking association, or trust company, organized or operating under the laws of the United States, in any city or incorporated town or village of more than 200,000 inhabitants, as shown by the last preceding decennial census of the United States, shall have as a director or other officer or employee any private banker or any director or other officer or employee of any other bank, banking association, or trust company located in the same place: *Provided*, That nothing in this section shall apply to mutual savings banks not having a capital stock represented by shares: *Provided further*, That a director or other officer or employee of such bank, banking association, or trust company may be a director or other officer or employee of not more than one other bank or trust company organized under the laws of the United States or any State where the entire capital stock of one is owned by stockholders in the other: *And provided further*, That nothing contained in this section shall forbid a director of class A of a Federal reserve bank, as defined in the Federal reserve act, from being an officer or director or both an officer and director in one member bank.

The Kern amendment permitted a man to be a member of two boards of directors. The chairman of this committee has stated to the House that now all of a sudden it has been discovered, in order to preserve our foreign trade and in order to keep up and make profitable these corporations known as the Edge corporations, which expect to extend European speculation all over the United States, to build factories in Europe for no other purpose than to employ cheap labor abroad to compete with American manufacturers in the home market of this country and abroad, that it is desirable to let in the private banker. It has been suddenly discovered, after the House has spent days and the Senate days in investigating the matter and passed the

Edge law, that it is now necessary to let in the private banker. Why? Because they say he knows more about international business than anybody else. He knows more about international pawn-brokering speculation——

Mr. MORGAN. Mr. Speaker, I make the point of order that there is no quorum present. I think the gentleman is making a good speech and he ought to have a quorum present to hear it.

Mr. KING. Do not put it on that ground, please. I do not want to get mobbed.

The SPEAKER. The gentleman from Oklahoma makes the point of order that there is no quorum present.

Mr. PLATT. Mr. Speaker, I make the point that that motion is clearly dilatory, as the roll was called not more than five minutes ago.

The SPEAKER. The Chair does not think the point of no quorum can be called dilatory unless clearly a quorum is present. The Chair does not think that condition prevails now. The Chair will count. [After counting.] One hundred and thirty-two Members are present, not a quorum.

Mr. PLATT. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from New York moves a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Ackerman	Dunn	Kelly, Pa.	Sabath
Anthony	Dyer	Kendall	Sanders, Ind.
Ayres	Edmonds	Kennedy, Iowa	Sanders, N. Y.
Bacharach	Elliott	Kennedy, R. I.	Sanford
Bankhead	Ellsworth	Kiess	Scott
Bell	Evans, Nev.	Kleczka	Scully
Benson	Ferris	Lehlbach	Sears
Bland, Ind.	Fess	McAndrews	Sells
Bland, Mo.	Fields	McArthur	Shreve
Bland, Va.	Fisher	McClintic	Siegel
Booher	Fordney	McCulloch	Sisson
Brinson	Freeman	McDuffie	Smith, N. Y.
Britten	Fuller, Mass.	McFadden	Smithwick
Brooks, Ill.	Gandy	McKenzie	Snell
Browne	Gard	McLane	Snyder
Brumbaugh	Garrett	McLaughlin, Mich.	Steagall
Buchanan	Godwin, N. C.	Mann, Ill.	Steenerson
Burdick	Good	Moore, Va.	Stephens, Miss.
Burke	Goodall	Morin	Stiness
Burroughs	Gould	Newton, Minn.	Strong, Pa.
Campbell, Pa.	Graham, Pa.	Nicholls, S. C.	Sullivan
Cantrill	Green, Iowa	Nichols, Mich.	Tague
Caraway	Greene, Vt.	Nolan	Taylor, Ark.
Carew	Griffin	O'Connell	Taylor, Colo.
Carter	Hamill	Ogden	Taylor, Tenn.
Clark, Fla.	Hamilton	Paige	Thomas
Cooper	Hardy, Tex.	Parker	Towner
Costello	Haugen	Pell	Treadway
Cullen	Hayden	Porter	Vare
Curry, Calif.	Hays	Radcliffe	Vestal
Davey	Heflin	Ramsey	Voigt
Davis, Minn.	Hernandez	Randall, Wis.	Ward
Dempsey	Hersman	Rayburn	Wason
Denison	Hill	Reavis	Wheeler
Dewalt	Hoey	Reed, N. Y.	Williams
Dominick	Hulings	Reed, W. Va.	Winslow
Dooling	Johnson, S. Dak.	Riordan	Yates
Doremus	Johnson, Wash.	Robinson, N. C.	
Doughton	Johnston, N. Y.	Rodenberg	
Drane	Kahn	Rowan, N. Y.	

The SPEAKER. On this roll call 271 Members have answered to their names, a quorum.

Mr. PLATT. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Illinois [Mr. KING] is recognized.

Mr. MORGAN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The Chair had already recognized the gentleman from Illinois [Mr. KING].

Mr. MORGAN. I beg the pardon of the gentleman from Illinois. I will be very glad to hear his speech.

Mr. RAKER. Will the gentleman from Illinois yield?

Mr. KING. I will.

Mr. RAKER. I notice in the report this statement, and I would like the gentleman to explain it:

> In these days when we are making efforts to finance foreign trade, and particularly export trade, through national banks and through the Edge Act corporations, the fact that private bankers are positively prohibited from serving as directors in these institutions is proving a serious handicap.

Where is this serious handicap coming in?

Mr. KING. It is a serious handicap, they say, to the private banker, and therefore he ought to be let in. There is no reason for keeping him out and keeping him from making a few million dollars more than he has already. I did not sign the report the gentleman is reading from, but that was the point I was on when the gentleman from Oklahoma [Mr. MORGAN] made the point of no quorum.

Mr. RAKER. I did not accuse the gentleman of signing the report, but I knew that he was familiar with that phase of the case, and I wanted the gentleman to explain that particular sentence.

Mr. KING. Did I give the gentleman the necessary explanation?

Mr. RAKER. The gentleman gave me a very lucid answer to the question propounded.

Mr. RAMSEYER. Will the gentleman yield to me?

Mr. KING. I yield.

Mr. RAMSEYER. Do the private bankers referred to in this bill refer to the little country bankers we have throughout the Middle West?

Mr. KING. No; it means the large banker, the international speculator, and so forth, of the eastern metropolis.

Mr. RAMSEYER. Do I understand that men who deal in hundreds of millions and in billions of dollars do so as private bankers and are not incorporated?

Mr. KING. I understand that about 75 per cent of the business in New York, especially the international business, is done by private bankers.

Mr. KNUTSON. Will the gentleman from Illinois yield?

Mr. KING. I can not refuse to yield to my distinguished friend.

Mr. KNUTSON. Is there any particular objection to having these private bankers do the business as against the regular chartered bankers?

Mr. KING. Any particular objection? I do not know that there is any particular objection. I was opposed to the whole proposition of these corporations, because I believe they are designed for the purpose, and for no other purpose, of flooding this country with foreign securities and building up foreign factories in foreign countries to compete with American labor by cheap foreign labor. Already in Czechoslovakia they have such a factory and already in Italy they have one. There will be no occasion for any gentleman making a protective tariff speech any more if this kind of legislation goes on.

Mr. KNUTSON. Do I understand from the gentleman's remarks that American capital is going abroad and putting up factories and starting in competition with American concerns?

Mr. KING. That is exactly what they are doing. We are sitting here day after day and letting them do it, and it is impossible to get the attention of the House on that question.

Mr. PLATT. Mr. Speaker, will the gentleman yield to me on that?

Mr. KING. Yes, sir.

Mr. PLATT. Is not this partially a question of marketing products, like wheat and cotton, and things of that sort?

Mr. KING. Yes; and getting those people over there to owe us more money than they now owe us, when they already owe us so much that they will never be able to pay. It is simply piling up more indebtedness in our favor, which they will never pay.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. KING. Yes.

Mr. BARKLEY. Does this bill require them to sell products on credit when they do not want to?

Mr. KING. If the gentleman will be seated a moment, I will try to explain why I am opposed to this particular bill. I am opposed to this bill simply because it opens the door to private bankers to go in and sit on these directorates; not only the large concerns, but every concern in the United States, and not because they are private bankers. You will find here in this amendment it is provided so that the law shall read as follows:

> That nothing in this act shall prohibit any private banker or any officer, director, or employee of any member bank or class A director of a Federal reserve bank, who shall first procure the consent of the Federal Reserve Board, which board is hereby authorized, at its discretion, to grant, withhold, or revoke such consent, from being an officer, director, or employee of not more than two other banks, banking associations, or trust companies, whether organized under the laws of the United States or any State, if such other bank, banking association, or trust company is not in substantial competition with such banker or member bank.

Now, the point I want to make is this, and I get to it now without any further delay: The Federal reserve act, on page 128, has the following section:

> The members of said board—

That is, the Federal Reserve Board—

the Secretary of the Treasury, the Assistant Secretaries, and the Comptroller of the Currency, shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank."

When Congress passed that provision it was a reasonable proposition, and it was designed for the purpose of keeping the members of the Federal reserve banks from accepting very lucrative positions from these outside bankers after their service under the Government, and therefore they were excluded for two years from becoming members of such directorates or from being thus employed. Now, what do we have? I read a news item, as follows:

Albert Strauss—

Who is Albert Strauss? He is a New York banker, an international banker. This says:

Albert Strauss, the vice governor of the Federal Reserve Board, has resigned, to enter private business.

This bill is intended for nothing in the world except to relieve Albert Strauss, so that he can go upon the directorates of these banks, these large Edge enterprises, and sit upon their directorates in the city of New York. I have no objection or prejudice at all against Mr. Albert Strauss, but it is bad practice, Mr. Speaker and gentlemen of the House, to pass an act of that kind, preventing men from getting employment in these banks for two years who have been on the Federal Reserve Board, and then turning right around and passing an enabling bill like this allowing those same men to sit there as private bankers. I think the House ought to have notice of this fact, and should act accordingly. Those who are here now know it and those who will read it in the CONGRESSIONAL RECORD tomorrow morning will know it, but we ought to vote against it. If you think that Albert Strauss or the Strauss family are in need, vote for this bill. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. MORGAN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Oklahoma moves that the House do now adjourn. That is a privileged motion, which the Chair thinks the gentleman is entitled to make. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. MORGAN. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 43, noes 56.

So the House refused to adjourn.

Mr. PLATT. Mr. Speaker, I move the previous question on the bill.

Mr. MORGAN. Mr. Speaker, I call for a roll call on that motion to adjourn. I call for the yeas and nays.

The SPEAKER. The Chair thinks the gentleman is too late.

Mr. MORGAN. I arose immediately and addressed the Speaker.

The SPEAKER. The gentleman addressed the Speaker and demanded a division. That has already been had. Whereupon the Chair recognized the gentleman from New York [Mr. PLATT], and he moved the previous question.

Mr. WALSH. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. WALSH. The Calendar Wednesday rule provides that debate shall be limited to two hours and shall be equally divided between those for and against the bill under consideration. Now, is it in order to move the previous question with the division of the time unequal?

The SPEAKER. That is a question that the Chair would be glad to hear about.

Mr. MORGAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORGAN. Did the Speaker rule that the motion for the yeas and nays was too late?

The SPEAKER. The Chair did.

Mr. MORGAN. Another parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MORGAN. The Speaker will remember that some time ago I called it to the attention of the Speaker that I was opposed to this bill and wanted to be recognized in opposition to it. I address the Speaker now and ask to be recognized in opposition to this bill.

The SPEAKER. The Chair will recognize somebody, depending on who is entitled to recognition, if the motion of the gentleman from New York [Mr. PLATT] is not in order. If the House should favor the previous question, of course then no one would be entitled to recognition. The Chair will be glad to hear a discussion on that.

Mr. CLARK of Missouri. It seems to me the point of order made by the gentleman from Massachusetts [Mr. WALSH] is well taken. This Calendar Wednesday rule gave the House a great deal of trouble first and last. We thought it was a great and meritorious reform when it was first adopted, but Members would come in deliberately and filibuster all day on Wednesday, so that the Calendar Wednesday was made of practically no effect. Then we changed it and limited the debate to two hours and provided that each side should have one hour.

Now, if nobody wants to take the other side, then the motion of the gentleman from New York [Mr. PLATT] would be in order, it seems to me; but if anybody wants to take the hour for opposing this thing, I do not believe that the gentleman from New York or anybody else has the right to move the previous question and cut out the full debate on the bill.

Mr. WALSH. The gentleman from Missouri, I think, is correct, with this qualification: That is, that if a gentleman in favor of any measure consumes one hour under the Calendar Wednesday rule, the gentleman who secures recognition in opposition is entitled to an hour. But if the gentleman in favor of the proposition did not use an hour, the gentleman opposed to it is not entitled to use an hour. It says "not exceeding two hours, to be equally divided."

Now, the gentleman from New York controlled the time in favor of the measure, and if he had used more than the time which has been consumed in opposition to it, gentlemen who are opposed to it are entitled to use time until the time is equal on either side.

Mr. MADDEN. Mr. Speaker, will the gentleman yield to me?

Mr. WALSH. Yes.

Mr. MADDEN. Does the gentleman from Massachusetts contend that if any one side to a debate on a bill under the Calendar Wednesday rule desires not to exercise his privilege in the use of that time, the rule of the House can be set aside and prevent anybody else from exercising his privilege?

Mr. WALSH. No; I did not say that. If nobody seeks the floor in favor of any measure, the gentleman is entitled to recognition to oppose it; but if he secures recognition and opposes the measure, any gentleman who is in favor of it has a right to use a like amount of time.

Mr. BARKLEY. Will the gentleman yield?

Mr. BLANTON. Will the gentleman from Massachusetts yield?

Mr. WALSH. I yield to the gentleman from Kentucky.

Mr. BARKLEY. In case the man favoring the bill took no time, and somebody was recognized in opposition, would he be entitled to an hour?

Mr. DOWELL. Unquestionably.

Mr. WALSH. I think he would be.

Mr. BARKLEY. Then, under what interpretation of the rule does the gentleman from Massachusetts say that if the proponents of the bill use only 20 minutes, then the opponents of the bill can use only 20 minutes?

Mr. WALSH. I say at the expiration of 20 minutes, when the time has been equally divided, then I think the gentleman from New York might be entitled to move the previous question.

Mr. CAMPBELL of Kansas. If he could get the floor.

Mr. BLANTON. You can not do indirectly that which you can not do directly.

Mr. WALSH. Thank you.

Mr. BLANTON. If the gentleman from Massachusetts is right, the proponent of a measure could use only one minute of time, and thereby limit the opposition to only one minute of time, when, on the contrary, the opposition would be entitled to their hour.

Mr. WALSH. That does not follow, of course.

Mr. CLARK of Missouri. If the gentleman will yield, this rule is not like any other rule about the previous question. Of course, a great many Members have the delusion that you can move the previous question, no difference what it is about; and that the gentleman from New York could cut out the speeches in opposition to this motion if the Chair would recognize him for the purpose; but what I am contending is that the Chair has no right to recognize him for the purpose of moving the previous question until the opposition to this bill have used their hour if they want to use it. But if the opposition, before their hour is up, indicate that they are through, why, then, the gentleman from New York ought to be permitted to make his motion.

The SPEAKER. The Chair would like to ask the gentleman from Missouri if he remembers any time when this has been decided? The Chair is not conscious of any decision, and he

thought perhaps the gentleman from Missouri might remember some decision.

Mr. CLARK of Missouri. The gentleman from Arkansas [Mr. WINGO] was telling me about the way I decided it, and he can tell the Speaker.

Mr. WINGO. I was in error as to it being the gentleman from Missouri. I am informed that we were in Committee of the Whole, and that the gentleman from Tennessee [Mr. GARRETT] made the decision in the committee; but whether we were in Committee of the Whole or in the House the rule is the same on Calendar Wednesday. That decision was this, that even if there was no opposition to the bill, if no member of the opposition desired to claim an hour, then some other Member, if he wanted to, even though he favored the bill, could claim the hour. In other words, the rules of the House on Calendar Wednesday fix the limit on the general debate at two hours. That takes away from the House or the committee the right to shut off debate in less than two hours. If you should rule otherwise, the gentleman from New York [Mr. PLATT] might proceed for two minutes and then move the previous question, and shut out not only the opponents but those who desired to express themselves in favor of the bill. So the logic of the rule would be the same whether you were in the committee or in the House; and the House having by its general rule said that the debate shall be not exceeding two hours, that expression is well understood to mean that if debate dies out within that time and nobody cares to go on, then debate ends; but the previous question is not in order on Calendar Wednesday.

Mr. PLATT rose.

Mr. MADDEN. Mr. Speaker, I should like to be heard on that.

Mr. KREIDER. I should like to make a suggestion.

The SPEAKER. The gentleman from New York will be recognized first.

Mr. PLATT. I should like to state the facts of this case. The gentleman from Illinois [Mr. KING] said that he was opposed to the bill and asked for 10 minutes, and 10 minutes' time was given him in opposition to the bill, and he used that time. I had used about the same number of minutes, or a little less, in favor of the bill. Consequently, I think, the time having been at least evenly divided, with rather more to the opposition than to those in favor of the bill, it ought to be in order under the rule to move the previous question. Nobody else had asked for time or expressed opposition.

Mr. DOWELL. But the time that was occupied by the gentleman from Illinois was the time of the gentleman from New York, and he had the floor, having been recognized by the Chair.

Mr. PLATT. He asked for time in opposition to the bill. He could have taken it for an hour.

Mr. DOWELL. It does not make any difference. He was occupying the time of the gentleman from New York.

The SPEAKER. The Chair would like to have that question of fact settled. As a matter of fact, did the gentleman from New York yield to the gentleman from Illinois, or was the gentleman from Illinois recognized in his own time?

Mr. PLATT. As a matter of fact, I yielded the time, but it was distinctly understood that it was to be in opposition to the bill.

Mr. WALSH. The gentleman from New York has no control of the time in opposition to the bill.

Mr. PLATT. It was a matter of convenience.

Mr. MADDEN. Mr. Speaker, in view of the fact that the rule distinctly sets forth the time allotted for debate on Calendar Wednesday, and provides that one-half of that time shall be allotted to those favoring the bill and one-half to those opposed to it, unless there is an agreement between both sides before the two hours of debate have been consumed, it seems to me that the Chair would not have the right to recognize a Member to move the previous question. The time can not be set aside by the refusal of anybody on either side of this question to avail himself of the privileges of the rule. The mere fact that one man is entitled to the floor to advocate the passage of the bill and another man is entitled to the floor to oppose the bill, and that neither one of those men cares to use his time, is no reason why the Members on the floor should not be permitted to consume the time. It seems to me that the rule can not be set aside by the refusal of a Member of the House in charge of the bill or otherwise to exercise his privileges of debate under the rule. But if there is nobody in the House who cares to exercise that privilege, then, as a matter of course, he has the right to move for a consideration of the bill under the five-minute rule. I do not believe the previous question is in order now.

Mr. DOWELL. Mr. Speaker, this appears to me to be a plain proposition. Permit me to read a part of the rule:

> All debate must be confined to the subject matter of the bill and the time be equally divided between those for and against the bill.

Now, the gentleman from New York was recognized, rightfully, by the Chair for one hour. The gentleman from Oklahoma asked for the floor and was told by the Chair that the gentleman from New York had been recognized for an hour. He was entitled to occupy the floor for the hour or yield to any other Member of the House. This he has done. If the Chair now recognizes the gentleman from New York to move the previous question he absolutely defeats the whole purpose of the rule and makes it invalid by allowing the majority to proceed for one hour or any part of it and deprive the minority from exercising its right under the rule. It seems to me the proposition is a plain one, that each side, under the rule, is entitled to the hour, and the Chair on Calendar Wednesday can recognize those for and against the bill for the time provided in the rule, and that time only, the time, of course, to be equally divided between those for and against the bill. So I say, if the gentleman from Oklahoma [Mr. MORGAN] is recognized by the Chair for one hour, he can not be limited in the way the gentleman from New York [Mr. PLATT] seeks to do.

If it were otherwise, instead of observing the rule the gentleman from New York could absolutely fix the time or deprive the opposition from discussing the bill at all by moving the previous question and thus defeat the whole purpose of the rule, which provides that each side shall have an equal length of time.

The rule from which I have quoted a part has three provisions: First, to limit committees to two Calendar Wednesdays; second, to limit general debate on any bill to two hours; and, third, to divide the time equally between those for and against the bill.

The fact that the committee is limited to two Calendar Wednesdays makes it necessary to limit general debate. And because of these limitations the rule has given to both parties an equal opportunity to be heard because of the limit of time.

It seems to me it is clear the point of order should be sustained, and the opposition to the bill should be given the right to be heard, as provided in the plain language of this rule.

Mr. KREIDER. Mr. Speaker, I think the rule is entirely clear. The rule provides for one hour for those in favor and one hour for those opposed. The first thing that is done is to recognize the man who has charge of the bill for one hour. I think it is the duty of the Speaker to recognize any person who desires recognition to control the time in opposition. If that were not the case, there would be no orderly procedure. The Speaker would be compelled to ask whether the Member proposing to speak was for or against the bill, and keep account of the time. But this division of time is for those in favor and those opposed to the bill. Any Member who is recognized by the Speaker has control of one hour in opposition to the bill; he has the disposal of that time and he can yield it to others.

The gentleman from New York was recognized for one hour in favor of the bill. He has yielded time both for and against the bill. If the gentleman from Oklahoma desires recognition, being opposed to the bill, he should be recognized and time given to him.

Mr. BRIGGS. Will the gentleman yield?

Mr. KREIDER. Yes.

Mr. BRIGGS. The gentleman from New York was recognized for one hour.

Mr. KREIDER. Yes; and he can yield that time to anybody he chooses, either for or against the bill.

Mr. CRISP. Mr. Speaker, I know nothing about the merits or demerits of the bill before the House, and what I have to say will have no bearing on that. This is the first time that I can recall that this question has arisen. The Calendar Wednesday rule is simply one of the rules of the House, and must be construed in connection with all the other rules of the House, and they should be harmonized if possible. As the Speaker knows, this rule was adopted for the purpose of making it possible to give consideration to bills that were nonprivileged in character on one day in the week, bills that should be considered, both in the House and in Committee of the Whole.

Now, when the rule was first drafted there was no limitation whatever as to the amount of general debate that could be had on a bill on Calendar Wednesday in the Committee of the Whole House on the state of the Union. As the Speaker knows, frequently one bill would be called up on the calendar on Calendar Wednesday and be fought through the whole session of Congress, debated extensively each Calendar Wednesday, and that practice absolutely destroyed the effectiveness of the Calendar

Wednesday rule; it became a dead letter so far as passing non-privileged bills.

In the last Congress, when that evil became apparent, the rule was amended by saying that there should not be exceeding—the rule does not say there shall be two hours—the rule says there shall not be exceeding two hours of general debate. Now, what does that mean? It means debate in the Committee of the Whole House on the state of the Union. There is no general debate in the House. In the Committee of the Whole House or in Committee of the Whole House on the state of the Union there is no motion for the previous question; there is no way to bring the general debate to a close; it can be carried on indefinitely; and therefore the rule was adopted which says that in Committee of the Whole House on the state of the Union when general debate is being had it shall not exceed two hours.

It has always been true before the Calendar Wednesday rule was amended that whenever a bill was brought up in the House on Calendar Wednesday the gentleman who was recognized could take five minutes and then demand the previous question. If the House voted with him, that was the end of the matter, and the House itself proceeded to vote on the merits or demerits of the proposition.

In my judgment this limitation to the rule is to close general debate in Committee of the Whole, and that in no way repeals or abrogates the rules of the House that apply to the consideration of bills in the House itself, and the matter is always left to a majority of the House. When the previous question is demanded, then, if a majority of the House desires to consider the matter further, they can vote down the demand for the previous question. If the previous question is voted down, the control will pass to the opposition and some one against the measure will be recognized for one hour.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. CRISP. Yes.

Mr. WALSH. Does the gentleman construe the remainder of the rule which provides that all debate shall be confined to the subject matter and shall be equally divided between those for and against the bill to also refer to debate in Committee of the Whole?

Mr. CRISP. I do, because in the House, always, debate must be germane to the subject matter under consideration. The only place I know of under the rules of the House where a man debates something that is not before the House to be acted on is in the Committee of the Whole on the state of the Union, under general debate.

Mr. WALSH. Then the gentleman thinks that the Calendar Wednesday rule has no application to bills on the House Calendar?

Mr. CRISP. I do; because the Calendar Wednesday rule provides that bills, when a committee has a call, can be called up either on the House Calendar or on the Union Calendar, and if called up on the House Calendar the general rules of the House apply, and if the previous question is not ordered I would think that there would be debate under the general rules of the House. In my opinion, the person having the floor could demand the previous question at any time, and if the demand was sustained by the House all debate would be ended. If the House wants to do an unfair thing, as some gentlemen say it would do under such circumstances in closing debate before the two hours are up, it is up to the House to decide whether it will do so or not. The majority can do anything it desires to do.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. CRISP. Yes.

Mr. BARKLEY. If this were not under the Calendar Wednesday rule, but the bill had been taken up under a special rule providing for not exceeding two hours, but without providing for the automatic adoption of the previous question, would it then be in order for a Member in charge of a bill to offer a motion for the previous question at any time prior to the expiration of the two hours of debate?

Mr. CRISP. If the rule just said that there shall not be exceeding two hours of debate, yes; I would think so.

Mr. BARKLEY. Is the rule applying to Calendar Wednesday any more sacred in that regard than any special rule that may be brought in?

Mr. CRISP. I do not think so. That is all I care to say, Mr. Speaker.

Mr. TILSON. Mr. Speaker, just a word. I think the gentleman from Georgia [Mr. CRISP] struck the keynote of this whole controversy when he said that the two-hour provision in the Calendar Wednesday rule has no application whatsoever to any bill except one being considered in Committee of the Whole House on the state of the Union, because there is no such thing as general debate except in connection with debate in Committee of the Whole House on the state of the Union.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. CLARK of Missouri. How did the gentleman from New York [Mr. PLATT] ever get his hour?

Mr. TILSON. He got it under the general rules of the House.

Mr. CLARK of Missouri. But the general rules of the House confine the matter to whatever time is fixed.

Mr. TILSON. The Calendar Wednesday rule does not attempt to limit debate in the House at all, but only general debate, and there is no such thing as general debate, except in Committee of the Whole House on the state of the Union.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. RAKER. Under that construction, then, a bill on the House Calendar might be brought in indefinitely, if the House so desires.

Mr. TILSON. Yes; but it could not run beyond two Calendar Wednesdays.

Mr. RAKER. Is not this very rule intended so that unless two-thirds of the Members of the House repeal it you can not on any bill extend general debate for more than two hours?

Mr. TILSON. That is correct, but only as to general debate. The trouble was that on Calendar Wednesday the general debate ran on indefinitely and that there was no way to close it in Committee of the Whole. In order to close general debate in two hours so that the Committee of the Whole could get down to the actual consideration of the bill, this rule was adopted. After general debate is exhausted and the bill is being read for amendment under the five-minute rule on Calendar Wednesdays, debate can go on for not to exceed two days under the other provisions of the Calendar Wednesday rule.

Mr. RAKER. The gentleman recognizes that in both cases where it was in Committee of the Whole on a Union Calendar bill, as well as on a House bill, the Member had been using more than two hours, and if the Committee on Rules wanted to confine it simply to bills on the Union Calendar and in Committee of the Whole, then why did they not say in the Committee of the Whole?

Mr. TILSON. They did practically say that by saying that general debate shall continue for not exceeding two hours.

In considering a bill in the House there is a way provided to close debate, by adopting the previous question.

If a majority of the House wish to close debate they always have the means at hand by voting the previous question. In the Committee of the Whole House on the state of the Union there is no such provision as the previous question, hence the two-hour rule. When considering a bill in the House there is no necessity and no reason for the two-hour rule; therefore I do not believe that it was intended to apply in such cases.

Mr. DOWELL. The gentleman has just stated what I was going to ask him, if he believed this provision applied to limiting debate to two hours? The gentleman is stating that it does not limit debate on Calendar Wednesday.

Mr. TILSON. I do not think that debate on House Calendar bills is limited at all by this rule.

Mr. DOWELL. On Calendar Wednesday?

Mr. TILSON. On Calendar Wednesday. It can be limited at any time by voting the previous question.

Mr. DOWELL. Has it not been the universal ruling of the Chair that this rule on Calendar Wednesday limits the debate on every bill before the House to two hours?

Mr. TILSON. I do not remember that it has been so construed in case of a bill being considered in the House. I know that it applies in cases where a Union Calendar bill is being considered in Committee of the Whole.

Mr. RAKER. Will the gentleman yield for a further question?

Mr. TILSON. I will.

Mr. RAKER. When the Committee on Rules brought in this amendment, was it not reported and discussed in the House to the end that the debate must be upon the bill before the House and only two hours would be given to any bill, and that is the reason the committee brought in this amendment and that is the reason the House adopted it, carrying both Union Calendar bills in the Committee of the Whole and also bills on the House Calendar? The House is bound by that, unless there is a two-thirds vote, and that was done so as to protect the House and to expedite business.

Mr. TILSON. Mr. Speaker, there is no need for this rule so far as bills considered in the House are concerned, because there is no general debate. All debate must be on the subject matter before the House and debate can be closed at any time by adopt-

ing the previous question. It is necessary and useful only in connection with the consideration of Union Calendar bills. The use of the words "general debate" would seem to limit it to such bills. I believe that it applies to none other.

Mr. CAMPBELL of Kansas. Mr. Speaker, it seems to me that the amendment to the rule explains fully the purpose for which it was offered in the House and adopted by the House, which provided that not more than two hours of general debate shall be permitted on any measure on Calendar Wednesday. Now, as stated by the gentleman from Georgia and the gentleman from Connecticut, general debate is had only in Committee of the Whole. As is known to the Speaker and every Member of the House, for years here on Calendar Wednesday when the House was in Committee of the Whole House the length of general debate was rarely, if ever, agreed upon, and therefore it continued as long as Members could get the floor, and the entire day was wasted in general debate. I remember occasions when the committee would rise and go into the House to close general debate. Finally it was decided that the House by a rule should limit general debate on Calendar Wednesday, which applied, of course, to bills in the Committee of the Whole House. The House is always prepared to close debate in the House by voting the previous question.

Mr. CLARK of Missouri. The gentleman was here and was a member of the Committee on Rules when this rule was adopted?

Mr. CAMPBELL of Kansas. Yes.

Mr. CLARK of Missouri. And the rule was intended to prevent filibustering?

Mr. CAMPBELL of Kansas. That is it exactly.

Mr. CLARK of Missouri. Does not the gentleman think that it should apply to the House as well as to the Committee of the Whole?

Mr. CAMPBELL of Kansas. The previous question can always be had in the House to prevent filibustering.

Mr. CLARK of Missouri. Suppose the House was in a contrary frame of mind and voted down the previous question all the time?

Mr. CAMPBELL of Kansas. Then the two hours would be the limit.

Mr. CLARK of Missouri. Now, if it is a two-hour limit at one time what is the reason it is not a two-hour limit all the time; and if it is not that way, how does it happen that a gentleman like the gentleman from New York can come in and cut off gentlemen in debate in opposition to a bill?

Mr. CAMPBELL of Kansas. It is with the House to do it; the gentleman from New York can not do it.

Mr. CLARK of Missouri. What I have been insisting on all the time is that the Speaker ought not to recognize the gentleman from New York or anybody else under any such circumstances.

Mr. CAMPBELL of Kansas. I think the rule of Calendar Wednesday prohibits the Speaker from recognizing a Member of the House to make the motion; that is, to set aside or to recess over Calendar Wednesday. The recess over Calendar Wednesday is prohibited, and nobody can be recognized for that motion, except on the last days of the session.

Mr. RAMSEYER. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. Yes.

Mr. RAMSEYER. The gentleman read from the rule which limits debate to two hours on any measure. I put emphasis on "any measure." The conclusion the gentleman reaches is that it limits it to measures on the Union Calendar, but not on the House Calendar, and this says "any measure."

Mr. CAMPBELL of Kansas. But general debate is not had on any measure except in Committee of the Whole.

Mr. RAMSEYER. That distinction is not drawn in the rule. It limits it to any measure and gives the House two hours of debate.

Mr. CAMPBELL of Kansas. The definition of general debate settles the question, because general debate only applies to measures on the Union Calendar in the Committee of the Whole.

Mr. RAMSEYER. Then you can have four or five days of debate on a bill on the House Calendar, provided the previous question is not ordered?

Mr. CAMPBELL of Kansas. If the House did not vote the previous question.

Mr. WALSH. Mr. Speaker, if I may be permitted a single word further in reference to the point of order, the rule for Calendar Wednesday makes in order certain bills either upon the House Calendar or upon the Union Calendar, and those bills are protected by the wording of the rule which says that no other business shall be in order. Now, the distinguished gentleman from Georgia [Mr. CRISP], who is undoubtedly as well posted on parliamentary law as any Member of this House, contends that the language of the proviso of the Calendar Wednesday rule should be read as applying simply to Union Calendar bills. I regret I can not agree with that interpretation, because that language is as follows:

Provided, That not more than two hours of general debate shall be permitted on any measure called up on Calendar Wednesday, and all debate must be confined to the subject matter of the bill, the time to be equally divided between those for and against the bill.

Now, it says all debate shall be confined to the bill, and it shall be equally divided between those in favor and those opposed, and that——

Mr. CRISP. I wanted to ask my friend if he did not think all debate was connected with general debate, and that the rule means all general debate?

Mr. WALSH. No; I can not agree with that interpretation.

The SPEAKER. The Chair would like to ask, Does not all debate under limited debate have to be confined to the bill anyway?

Mr. WALSH. Yes; it does, and it says it is further limited.

The SPEAKER. It is only necessary as applying to general debate?

Mr. WALSH. Mr. Speaker, if it is only applying to general debate, it certainly would not say "all debate," and they would not further qualify it by saying it shall be divided equally between those for or against a measure. Now, if you permit in the House—and the bill has the protection of this rule in the House, just the same as it does in the Committee of the Whole—if you permit in the House debate to be had in favor of a measure in the face of this provision that it shall be equally divided, you permit a Member in charge of a bill to move the previous question, shut out debate against it, and by a majority vote you suspend the Calendar Wednesday rule, which, under the rules, can not be suspended except by a two-thirds vote.

Mr. STEVENSON. Will the gentleman yield to me?

Mr. WALSH. Yes.

Mr. STEVENSON. You said that the terms of debate are not applied only to general debate. Now, if they are not, then all debate is confined to two hours, and that includes the five-minute debate also. You would have no five-minute debate unless the term of debate is confined to the general debate. Frequently debate runs here for two days under the five-minute rule, and if you confine debate to two hours you can not have that five-minute rule.

Mr. WALSH. It does not say that all debate is confined to two hours. It says that all debate must be confined to the subject of the bill and must be equally divided.

Mr. STEVENSON. Mr. Speaker, but is it not all tied up there with the two-hour proposition?

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. TILSON. If interpreted literally, does not the gentleman's contention mean this, that all debate, including general and five-minute debate, must be equally divided? If the gentleman is going to insist upon a literal interpretation of the words "all debate," then it would mean that the Speaker must sit with stop-watch in hand so as to be sure that all debate, general debate and five-minute-rule debate, is exactly divided between those opposing and those in favor of the bill, because that is what the rule says. It seems to me that such a contention is not tenable.

Mr. WALSH. Of course that contention can not be made, but I contend that when this rule was made those words meant something, and when this rule was originally adopted it was to give bills on the calendar which were in order on Calendar Wednesday some protection; and when it was said that Members in favor of the bill should have no advantage, so far as time was concerned, over those who were against it, the words were put in there to provide for that.

Now, the gentleman from New York [Mr. PLATT] gets up here in the House, and simply because the bill is not on the Union Calendar has 10 minutes of his time, and he uses his time in favor of it, and at the end of that 10 minutes, by the motion of the previous question, can shut off all debate against that measure, simply because it is not on the Union Calendar, and by a motion for the previous question, carried by a majority vote, can suspend this rule as to Calendar Wednesday. I believe that it is of the utmost importance that bills that are given the privilege on Calendar Wednesday should be accorded the fullest protection of the Calendar Wednesday rule.

Mr. CRISP. Mr. Speaker, will my friend yield to me?

Mr. WALSH. Certainly.

Mr. CRISP. I am sure the gentleman will admit that if a privileged bill is called up under the general rules of the House the Member in charge of it, after five minutes' speech, if he

wants to, can demand the previous question. The gentleman admits that. That cuts off anybody else from considering or having anything to say on the privileged bill if the majority of the House ordered the previous question?

Mr. WALSH. Yes.

Mr. CRISP. Does my friend think that the Calendar Wednesday rule was intended to give a nonprivileged bill a more favored status for consideration than other bills pending before the House?

Mr. WALSH. I do, because the rules specifically provide for that by excepting bills that are privileged under the rule and providing this special rule for bills that are not privileged.

Mr. CRISP. I think the object and purpose of the Calendar Wednesday rule was to give the House a chance to consider once a week bills that were nonprivileged and could not be gotten up but for the Calendar Wednesday rule.

Mr. WALSH. Oh, the gentleman knows very well that the rule provides that one single bill can occupy two Wednesdays, and by a two-thirds vote can be in order more than two Wednesdays, which, of course, would not be right in the case of a privileged bill brought up subject to the motion for the previous question at any time. This, as the distinguished gentleman from Missouri [Mr. CLARK] pointed out, was a special rule provided for special circumstances. While I am not familiar with the early operation of this rule, because I did not happen to be a Member of this body at that time, the Speaker, I am sure, is familiar with how it was first operated and how it was abused; and now later they have put this proviso on there, and I think there is some weight in the suggestion of the gentleman from Iowa [Mr. DOWELL] that you must not lose sight of the fact that it says "not more than two hours of general debate shall be permitted on any measure called up on Calendar Wednesday" without referring specifically to either calendar.

Mr. MADDEN. Mr. Speaker, I make the point of no quorum. It is evident that the Speaker will have to take some time to consider this question.

The SPEAKER. Will the gentleman withdraw it a moment?

Mr. MADDEN. Yes.

The SPEAKER. The Chair was going to suggest that this was a novel question, and the debate shows that it is a question upon which there are two sides. The Chair will be very glad to take it into consideration and give his ruling later, and it is so late now that no harm will be done..

Mr. BARKLEY. Mr. Speaker, I move that the House do now adjourn.

Mr. MADDEN. Mr. Speaker, I make the point of no quorum.

Mr. PLATT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PLATT. If this should go over, what opportunity will there be for the Speaker to determine on the rule before next Wednesday?

Mr. WALSH. I ask unanimous consent, Mr. Speaker, that on next Wednesday, pending the decision of the Chair, the Committee on Banking and Currency may have the call, for not exceeding 30 minutes, until the final disposition of this bill.

Mr. PLATT. Or until final disposition of this bill.

Mr. WALSH. No.

The SPEAKER. Is there objection?

Mr. BARKLEY. Reserving the right to object, Mr. Speaker, suppose that the 30 minutes is taken up in arguing further this point of order?

Mr. CALDWELL. Reserving the right to object, Mr. Speaker, if you take only 30 minutes, and if the Chair should happen to hold that the gentleman from Oklahoma [Mr. MORGAN] is entitled to an hour, you could not finish.

Mr. MADDEN. In order to bring the matter to a conclusion, I object, Mr. Speaker.

Mr. WINGO. Let me suggest that unanimous consent be asked that the Speaker be permitted to hand down his decision at any time. That would be the better way.

Mr. CLARK of Missouri. Mr. Speaker, I think the suggestion of the Speaker was correct. I was just about to make that suggestion myself. I remember taking a matter under advisement once for a week, from one Calendar Wednesday to another, because it was so mixed up and tough, and at just about this time in the evening, that I asked the House to adjourn, and it did so, and I think that was entirely correct.

Mr. MADDEN. I make the point of no quorum present.

ADJOURNMENT.

Mr. MORGAN. Mr. Speaker, I move that the House adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House, under its previous order, adjourned until Thursday, April 8, 1920, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the bill (H. R. 13274) to convey to the Big Rock Stone & Construction Co. a portion of the military reservation of Fort Logan H. Roots, in the State of Arkansas, reported the same without amendment, accompanied by a report (No. 803), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GREEN of Iowa, from the Committee on Ways and Means, to which was referred the bill (H. R. 13432) to regulate dealing in leaf tobacco, reported the same without amendment, accompanied by a report (No. 807), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 180) authorizing the Secretary of War to turn over to agricultural fertilizer distributors or users a supply of nitrate of soda, reported the same without amendment, accompanied by a report (No. 808), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 908) for the relief of Leo Balsam, reported the same without amendment, accompanied by a report (No. 804), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 7050) for the relief of the First State Bank of Kerrville, Kerr County, State of Texas, and to refund to that bank moneys which were deducted from its securities following the loss of war-savings stamps or certificates mailed by the said Kerrville bank to the Federal reserve bank at Dallas, Tex., reported the same without amendment, accompanied by a report (No. 805), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 5189) for the relief of Leonidas Sawyer, reported the same without amendment, accompanied by a report (No. 806), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OSBORNE: A bill (H. R. 13477) increasing the pay of printers employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. GRIGSBY: A bill (H. R. 13478) making an appropriation of the sum of $100,000 for the construction of a dike, dam, or other protection to keep the waters of the Skagway River from running into, over, and upon the town of Skagway, Alaska; to the Committee on Appropriations.

By Mr. WRIGHT: A bill (H. R. 13479) to repeal an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917; to the Committee on Agriculture.

By Mr. EDMONDS: A bill (H. R. 13480) to repeal subsection B of section 503 of the revenue act of 1918; to the Committee on Ways and Means.

By Mr. TINCHER: A bill (H. R. 13481) to provide relief to persons who owned wheat of the crop of 1917 before the announcement of the Food Administration price-fixing policy with respect thereto, and who sold such wheat after August 11, 1917; to the Committee on Agriculture.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 13482) to provide for permanent improvements of parts of the Taneytown public road within the limits of the battle field of Gettysburg; to the Committee on Appropriations.

By Mr. RANDALL of Wisconsin: A bill (H. R. 13483) to authorize the Secretary of the Treasury to refund moneys paid as a special tax by retail dealers in liquors; to the Committee on Ways and Means.

By Mr. WRIGHT: A bill (H. R. 13484) to repeal an act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products; to the Committee on Agriculture.

By Mr. FESS: Resolution (H. Res. 512) for the immediate consideration of House bill 12266; to the Committee on Rules.

By Mr. MASON: Resolution (H. Res. 513) to investigate the situation in the Republic of San Domingo and to withdraw American troops; to the Committee on Rules.

By Mr. O'CONNELL: Memorial of the Senate of the State of New York, favoring the transfer of all barges and other canal equipment used on the New York canals to the State of New York; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS of Pennsylvania: A bill (H. R. 13485) for the relief of George W. Cook; to the Committee on Military Affairs.

Also, a bill (H. R. 13486) for the relief of Nathaniel Staub; to the Committee on Military Affairs.

By Mr. EMERSON: A bill (H. R. 13487) for the relief of R. E. Carpenter; to the Committee on Claims.

By Mr. HARRELD: A bill (H. R. 13488) granting a pension to Andrew J. Legg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13489) granting a pension to Capt. R. T. Jacobs; to the Committee on Pensions.

Also, a bill (H. R. 13490) for the relief of Charles Hatch, alias Charles H. Lord; to the Committee on Military Affairs.

By Mr. LANHAM: A bill (H. R. 13491) for the relief of C. L. Hampton; to the Committee on Claims.

By Mr. LARSEN: A bill (H. R. 13492) granting an increase of pension to Crowell Lisenby; to the Committee on Pensions.

By Mr. LEHLBACH: A bill (H. R. 13493) granting an increase of pension to Isabella W. Williams; to the Committee on Invalid Pensions.

By Mr. MILLIGAN: A bill (H. R. 13494) granting an increase of pension to Edward Lewey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13495) granting a pension to Matilda K. Baldwin; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 13496) for the relief of the widow and next of kin of James J. Curran; to the Committee on Claims.

By Mr. SANFORD: A bill (H. R. 13497) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870 (16 Stat. L., 670), authorizing the Postmaster General to continue to use in the Postal Service Marcus P. Norton's combined post-marking and stamp-canceling handstamp patents and directing him to "determine upon a fair, just, and equitable compensation for the use of said inventions" or arising otherwise; to the Committee on the Post Office and Post Roads.

By Mr. SELLS: A bill (H. R. 13498) granting an increase of pension to William A. Turner; to the Committee on Pensions.

By Mr. WILSON of Louisiana: A bill (H. R. 13499) authorizing the Secretary of the Interior to sell and patent to J. D. Calhoun, of Lincoln Parish, La., certain lands; to the Committee on the Public Lands.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12471) for the relief of Andrew Spence; Committee on Claims discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 13127) granting an increase of pension to Lorenzo D. Gill; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13467) granting a pension to Sumner Bumgarner; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2838. By Mr. CARSS: Petition of citizens of Minnesota, urging the passage of House bill 1112; to the Committee on the Judiciary.

2839. By Mr. DYER: Petition of the Missouri National Guard, urging certain legislation for the National Guard units, etc.; to the Committee on Military Affairs.

2840. By Mr. FULLER of Illinois: Petition of the La Salle (Ill.) Chamber of Commerce, favoring increase in compensation to the postal employees, etc.; to the Committee on the Post Office and Post Roads.

2841. Also, petition of the H. J. Heinz Co. and the Mills Novelty Co., of Chicago, and the Rockford Mitten & Hosiery Co., of Rockford, Ill., opposing House bills 12379 and 12646; to the Committee on Banking and Currency.

2842. By Mr. GALLIVAN: Petition of Henry K. Fitts, of Boston, Mass., favoring adoption of 1-cent rate on drop letters; to the Committee on the Post Office and Post Roads.

2843. Also, petition of Whittemore Bros. Corporation, favoring exemption of tax on freight charges covering export shipments; to the Committee on Ways and Means.

2844. Also, petition of Thomson-Crooker Shoe Co., the Thorndike Hotel, and F. A. Foster Co., of Boston, Mass., protesting against House bills 12379 and 12646, providing taxes on bank exchanges; to the Committee on Banking and Currency.

2845. Also, petition of Shreve, Crump & Low Co., of Boston, Mass., protesting against the proposed specific tax on advertising; to the Committee on Ways and Means.

2846. By Mr. KELLEY of Michigan: Petition of the Lansing (Mich.) Trades and Labor Council, relative to legislation for the maintenance of American political and civil rights; to the Committee on the Judiciary.

2847. By Mr. LINTHICUM: Petition of the Midleman Waist Co. and the Hennegan-Bates Co., of Baltimore, Md., opposing House bills 12379 and 12646; to the Committee on Banking and Currency.

2848. Also, petition of the Engineers' Club of Baltimore, Md., urging the passage of the Jones-Reavis bill, etc.; to the Committee on Labor.

2849. Also, petition of the North Carolina Pine Box & Shook Manufacturing Association, of Baltimore, Md., urging the repeal of all acts for the special privileges for classes, etc.; to the Committee on Interstate and Foreign Commerce.

2850. By Mr. O'CONNELL: Petition of the Associated Business Papers (Inc.), of New York, urging the passage of the Fess bill, H. R. 10876; to the Committee on the Post Office and Post Roads.

2851. By Mr. ROSE: Petition of Pomona Grange No. 24, of Bedford County, Pa., urging the Congress of the United States to make such necessary appropriation as may be needed for the proper investigation and research as will insure the protection of the lives and health of our citizens from the ravages of the dread disease commonly known as the "flu"; to the Committee on Appropriations.

2852. By Mr. ROWAN: Petition of the Silk Association of America, of New York City, favoring an adjustment of the revenue laws of the United States; to the Committee on Ways and Means.

2853. Also, petition of the American Legion of the State of New York, with a report of the special committee on adjusted compensation; to the Committee on Ways and Means.

2854. Also, petition of Harris Suspender Co., of New York, opposing the passage of House bill 12976; to the Committee on Ways and Means.

2855. Also, petition of Purina Mills, of St. Louis, Mo., opposing the Steagall-McFadden bills; to the Committee on Banking and Currency.

2856. Also, petition of H. J. Heinz, of New York City, opposing the passage of House bills 12379 and 12646; to the Committee on Banking and Currency.

2857. By Mr. TIMBERLAKE: Petition of the Fred Green Post, No. 49, American Legion, of Limon, Colo., urging adjusted compensation for the ex-service men and women; to the Committee on Ways and Means.

SENATE.

THURSDAY, *April 8, 1920.*

Rev. Fitzgerald S. Parker, D. D., of Nashville, Tenn., offered the following prayer:

Almighty God, Thou art the source of our strength. We pray that Thou wilt strengthen us. Thou art the source of grace. We pray that Thou wilt make our hearts gracious. Thou art the author of our being. We pray that we may be issued into the continued being through the life manifest in Jesus Christ. Let Thy blessing be upon us this day as we proceed with our day's toil, remembering that Thy son, Jesus Christ, was pronounced the perfect one in whom Thou wert well pleased, because He wrought well. Let Thy blessing be upon our country in its widely extended interests and its manifold opportunities

and large responsibilities, upon the countries of the world, upon the kingdom of Jesus Christ as it enters into and pervades all these institutions. And this, our petition, we make in His name. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

PRESIDENT PRO TEMPORE,
Washington, D. C., April 8, 1920.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. JAMES E. WATSON, a Senator from the State of Indiana, to perform the duties of the Chair during my absence.

ALBERT B. CUMMINS,
President pro tempore.

Mr. WATSON thereupon took the chair as Presiding Officer for the day.

The Reading Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALLING THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Beckham	Gerry	McCumber	Sheppard
Capper	Glass	McLean	Simmons
Colt	Harris	Myers	Smith, Ariz.
Comer	Harrison	New	Smoot
Culberson	Henderson	Nugent	Spencer
Curtis	Kellogg	Page	Sutherland
Dillingham	Kendrick	Phipps	Thomas
Elkins	Kirby	Poindexter	Wadsworth
Frelinghuysen	Lodge	Pomerene	Warren
Gay	McCormick	Ransdell	Watson

The PRESIDING OFFICER. Forty Senators have responded to their names. There is not a quorum present. The Clerk will call the list of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. CHAMBERLAIN, Mr. JONES of Washington, Mr. LENROOT, Mr. MCKELLAR, Mr. MCNARY, Mr. NELSON, and Mr. STERLING answered to their names when called.

Mr. GRONNA, Mr. CALDER, Mr. KENYON, Mr. HITCHCOCK, and Mr. BORAH entered the Chamber and answered to their names.

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness. I ask that this announcement may stand for the day.

Mr. CURTIS. I have been requested to announce that the Senator from Nebraska [Mr. NORRIS] and the Senator from Pennsylvania [Mr. KNOX] are detained on official business.

I wish also to announce that the Senator from Maryland [Mr. FRANCE] is necessarily absent, and that the Senator from Maine [Mr. HALE], the Senator from New Hampshire [Mr. KEYES], the Senator from Delaware [Mr. BALL], the Senator from Florida [Mr. TRAMMELL], and the Senator from Nevada [Mr. PITTMAN] are absent in attendance at a committee meeting.

Mr. GERRY. The Senator from Arizona [Mr. ASHURST], the Senator from California [Mr. PHELAN], the Senator from Virginia [Mr. SWANSON], and the Senator from Maryland [Mr. SMITH] are absent on official business.

Mr. SIMMONS. I wish to announce that my colleague [Mr. OVERMAN] is unavoidably detained from the Senate, and that the Senator from South Carolina [Mr. SMITH] is absent on account of illness in his family.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 8038) to amend section 4 of the act approved July 17, 1916, known as the Federal farm-loan act, extending its provisions to Porto Rico, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Presiding Officer:

H. R. 202. An act to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public-park purposes;

H. R. 1275. An act for the relief of W. L. Rose;

H. R. 1791. An act for the relief of O. W. Lindsley;

H. R. 3211. An act for the relief of Emma J. Spear;

H. R. 5213. An act for the relief of occupants and claimants of unsurveyed public land in township 8 north of range 2 west of Salt Lake meridian, Utah;

H. R. 6136. An act authorizing the Secretary of the Interior to sell certain lands to school district No. 21, of Fremont County, Wyo.;

H. R. 6291. An act for the relief of E. Willard;

H. R. 6413. An act granting the sum of $549.12 to Clara Kane, dependent parent, by reason of the death of William A. Yenser, late civil employee, killed as a result of an accident at the Philadelphia Navy Yard;

H. R. 6772. An act authorizing and directing the transfer approximately of 10 acres of land to rural high-school district No. 1, Lapwai, Idaho;

H. R. 6773. An act for the relief of Albert C. Burgess;

H. R. 10207. An act providing for service of process in causes removed from a State or other court to a United States court;

H. R. 12711. An act to amend the act approved December 23, 1913, known as the Federal reserve act; and

H. J. Res. 222. Joint resolution authorizing the Secretary of War to dispose of surplus dental outfits.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present resolutions adopted by the Legislature of the Commonwealth of Massachusetts favoring the repeal of restrictions on the freedom of speech, freedom of the press, and the right of free assemblage. I ask that the resolutions be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the resolutions were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

THE COMMONWEALTH OF MASSACHUSETTS, 1920.

Resolutions favoring the repeal of restrictions on the freedom of speech, freedom of the press, and the right of free assemblage.

Resolved, That in view of the ratification of the peace treaty by a majority of the allied countries and the virtual ending of the Great War, so happily consummated, the General Court of Massachusetts declares its belief that the time has now come for the repeal and removal of all restrictions imposed for the duration of the war on the freedom of speech, the freedom of the press, and the right of the people peaceably to assemble.

Resolved, That the secretary of the Commonwealth be instructed to transmit copies of the foregoing resolution to the President of the United States, to the members of his Cabinet, and to the Senators and Representatives in Congress from Massachusetts.

In senate adopted March 3, 1920.

In house of representatives adopted in concurrence March 8, 1920.

A true copy. Attest:

ALBERT P. LANGLEY,
Secretary of the Commonwealth.

Mr. TOWNSEND presented a petition of the Label Manufacturers' National Association, of Cleveland, Ohio, and a petition of the Folding Box Manufacturers' National Association, of Cleveland, Ohio, praying for the enactment of legislation providing that the excess-profits tax be abandoned and a flat tax on sales be substituted therefor, which were referred to the Committee on Finance.

REPORTS OF COMMITTEE ON FINANCE.

Mr. MCCUMBER, from the Committee on Finance, to which was referred the bill (H. R. 12260) to amend section 600 of the act approved September 8, 1916, entitled "An act to increase the revenue, and for other purposes," reported it without amendment and submitted a report (No. 509) thereon.

Mr. SMOOT, from the Committee on Finance, to which was referred the bill (H. R. 10918) to provide revenue and encourage domestic industries by the elimination, through the assessment of special duties, of unfair foreign competition, and for other purposes, reported it with an amendment and submitted a report (No. 510) thereon.

BUREAU OF WAR RISK INSURANCE.

Mr. SMOOT. From the Committee on Finance I report back favorably without amendment the joint resolution (S. J. Res. 189) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases, and I ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Utah asks for the immediate consideration of the joint resolution just reported by him, which will be read.

The joint resolution was read, as follows:

Resolved, etc., That for such reasonable time as may be fixed by the Secretary of the Treasury, but not extending beyond the fiscal year ending June 30, 1921, the accounting officers of the Treasury are hereby authorized and directed to allow credit in the accounts of the disbursing clerk of the Bureau of War Risk Insurance for all payments of insurance installments heretofore or hereafter made under the provisions of Article IV of the war-risk insurance act in advance of the verification of the deduction on the pay rolls, or of the payment otherwise, of all premiums.

Mr. SMOOT. Mr. President, I will simply say in explanation of the joint resolution that in substance it provides for the extension for an additional year of the provisions of public joint resolution 52, Sixty-fifth Congress. The War Risk Insurance Bureau is unable to get its accounts audited in time so as to comply with the requirements of the Auditor for the Treasury Department, and this joint resolution proposes to confer the authority on the Auditor for the Treasury Department to credit the disbursing clerk of the War Risk Insurance Bureau with the amounts of payments of insurance installments without being accompanied by a certificate from the proper officer of the Army or Navy Department to the effect that deductions from pay for premiums on such insurance had been paid.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

A bill (S. 4197) to provide for loans to enable veterans of the war with Germany to attend educational institutions, and for other purposes; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 4198) for the relief of certain estates; and

A bill (S. 4199) for the relief of certain estates; to the Committee on Claims.

A bill (S. 4200) authorizing the Secretary of War to donate to the town of Winchester, Mass., one German cannon or field-piece; to the Committee on Military Affairs.

By Mr. FERNALD:

A bill (S. 4201) granting a pension to Affie M. Crockett (with accompanying papers); to the Committee on Pensions.

By Mr. STERLING:

A bill (S. 4202) granting a pension to John H. Vogt (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 4203) for the relief of the Cornwell Co.; to the Committee on Claims.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. POINDEXTER submitted an amendment proposing to appropriate $300,000 toward the development of a submarine, destroyer, and aviation base at or near Ediz Hook, Port Angeles, Wash., intended to be proposed by him to the Naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

ARMY REORGANIZATION.

Mr. McKELLAR submitted sundry amendments intended to be proposed by him to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which were ordered to lie on the table and be printed.

Mr. GORE submitted two amendments intended to be proposed by him to the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes, which were ordered to lie on the table and be printed.

CAMPAIGN CONTRIBUTIONS.

Mr. THOMAS. I present a proposed amendment to House bill 8078, which I ask to have inserted in the RECORD, printed, and lie on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Amendment intended to be proposed by Mr. THOMAS to the bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes," viz, insert as an additional section:

"That there shall be levied, assessed, collected, and paid in respect of the excess over the sum of $1,000 which any person, firm, association, or corporation shall give, advance, pay, expend, subscribe, or contribute in the aggregate during any taxable year for the purpose, directly or indirectly, of influencing the nomination or defeat of any candidate or candidates for nomination, or the election or defeat of any candidate or candidates for office, or the success or defeat of any proposition, to be voted upon at any primary election or general or special election at which candidates for Members of the House of Representatives or for United States Senator or presidential electors are to be nominated or elected, a tax equal to 100 per cent of such excess; such expenditures or contributions to include all sums in any form contributed, subscribed, advanced, expended, paid or given to or for or against such candidate, candidates, or proposition, or to or for party or other political committees or campaign funds, but not to include lawful expenditures made by such candidates or regular political committees or out of such campaign funds of moneys lawfully contributed to them.

"Every person, firm, and corporation required by law to make an income-tax return shall state therein specifically each item and the date thereof of all gifts, advances, expenditures, subscriptions, payments, and contributions made, and to whom, for the purpose of influencing the result of such primary and general elections and of all taxes due thereon under the provisions of this section. And the treasurer or chairman of all State or congressional committees and of all political committees as defined in the act of Congress approved June 25, 1910, entitled 'An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected,' and of all associations or committees organized to promote or prevent or engaged in promoting or preventing the nomination or election of any candidate for Member of the House of Representatives or of the Senate of the Congress of the United States or for presidential elector or electors, shall within 30 days after the election to be held therefor file with the collector for the district where the headquarters or other office where such committee or association is located, a return stating specifically all sums of money received, from whom received, and the date thereof."

GOVERNMENT OPERATION OF RAILROADS.

Mr. MYERS. Mr. President, I have here a brief article, clipped from a recent issue of the Washington Post, showing, on the authority of Hon. Walker D. Hines, the Director General of Railroads, the cost to the Government of Government operation of railroads during the short period of that operation. I ask that the article may be printed in the RECORD.

Mr. SMOOT. Mr. President, under the rule to which we have agreed, I shall have to object.

Mr. MYERS. I will say to the Senator from Utah that the article is only about 6 inches in length.

Mr. SMOOT. But if we permit one such article to be printed in the RECORD we shall have to allow them all to be so printed.

Mr. MYERS. Then I withdraw the request.

The PRESIDING OFFICER. Objection is made to the printing of the article in the RECORD.

Mr. SMOOT. The Senator from Montana may read it if he so desires.

Mr. MYERS. I do not think it would be in order for me to do so now.

Mr. SMOOT. I do not think there will be any objection to the Senator reading the article.

Mr. MYERS. Then, Mr. President, I will read the article, if there be no objection. It is as follows:

Congress was asked formally yesterday to appropriate $420,727,341 to wind up the affairs of the Railroad Administration.

In requesting the fund, Walker D. Hines, Railroad Administrator, placed the loss resulting from the Government's experience in Federal control at $900,478,756. In addition the Government has $966,803,363 owing it by the roads, the money having been advanced for operating expenses and betterments. Ultimately this fund will be repaid.

Mr. Hines explained that no allowance had been made in his request to cover any claims the roads might have against the Government for maintenance of the lines because the net amount for this purpose could not yet be estimated.

Before the carriers were returned to private operation last March 1, Congress appropriated $1,450,000,000 for the expenses of the Railroad Administration, and the new request to liquidate its affairs would bring the total appropriations to $1,870,727,341, incurred by the Government, including $677,513,152 for the operation of the so-called class 1 roads. Operation of smaller lines, sleeping and refrigerator cars, and steamship lines caused loss of $43,011,129 and inland waterways $2,449,739. The American Railway Express was operated at a loss of $38,111,742, while miscellaneous losses were listed as aggregating $125,438,014.

In addition the expenses of the central and regional organizations of the Railroad Administration were placed at $13,954,980, and $3,445,222 will be required for its expenses from last March until next January.

Under the transportation act $270,079,575 of the $966,803,363 due the Government by the roads will be funded for a period of 10 years. This was advances for improvements. An additional $367,806,968, advanced for equipment purchases, will be payable in 15 annual installments. In addition the Government holds $144,422,526 of one-year notes of the carriers, $44,433,664 of long-term notes, $35,221,199 of stocks, bonds, or receivers' certificates, and $90,258,305 as "miscellaneous investments." The inland waterways owe the Government $14,581,126.

Mr. Hines's letter also showed that the Railroad Administration expended a total of $765,821,450 for improvements on the roads, but of this amount he listed $495,741,875 as the "probable deductions" to be made under the railroad bill for debts owed to the lines by the Government in the form of rent.

In comment, I will simply say that during the period of Government operation of the railroads, extending over a little more than two years of time, the cost to the Government was very close to $2,000,000,000, of which about one billion is owing by the railroads and will probably be returned to the Government at some time, if the railroads are ever able to earn it. That will leave the net loss to the Government very close to $1,000,000,000.

HOUSE BILL REFERRED.

H. R. 8038. An act to amend section 4 of the act approved July 17, 1916, known as the Federal farm loan act, extending its provisions to Porto Rico, was read twice by its title and referred to the Committee on Banking and Currency.

ARMY REORGANIZATION.

The PRESIDING OFFICER (at 12 o'clock and 28 minutes p. m.). Morning business is closed.

Mr. WADSWORTH. I move that the Senate proceed to the consideration of Senate bill 3792, the Army reorganization bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3792) to reorganize and increase the efficiency of the United States Army, and for other purposes.

Mr. KIRBY. Mr. President, on February 5 I submitted and had printed an amendment to the pending bill. I now offer that amendment, and move it as a substitute for the pending amendment.

The PRESIDING OFFICER. The Senator from Arkansas offers an amendment, which the Secretary will state.

The READING CLERK. As a substitute for the amendment offered by Mr. MCKELLAR, it is proposed to strike out section 51 and all other sections and clauses of the bill providing for compulsory military or naval training.

Mr. KIRBY. Mr. President, this bill furnishes a complete and comprehensive plan for the organization of the Military Establishment and the creation of a cohesive, effective army, and is the result of work well done by the able chairman of the Military Affairs Committee, who, with the members of the subcommittee, labored long and faithfully in its production. It provides for a Regular Army of 280,000 enlisted men with 18,000 officers, and in addition the National Guard and a reserve force of all men who are brought into the service through the compulsory training.

The bill has, I know, the approval of the War Department, as has been stated, and of Gen. Pershing, the great commander of our Army overseas, who, in urging the adoption of the compulsory training system, stated that in addition to the preparation of our young men for service in defense of the country in time of war, that such training would develop physical vigor and manliness and that "the preparation for service to the country increases their patriotism, broadens their views through association with men of all classes, and is thoroughly democratic."

I understand also that the American Legion favors the policy of compulsory military training.

Such approval represents only the military point of view, however. It is the business of the War Department, of course, to insist upon a permanent Military Establishment large enough to preserve order throughout the Nation and our island possessions and to protect against any threatened danger or sudden attack from the outside.

Gen. Pershing is a soldier by profession, and the American Legion, which also indorses it, represents that viewpoint necessarily, since it is composed only of officers and men of our great Army recently demobilized.

The bill should not be enacted merely because it will produce a grand army nor without proper consideration of productive industrial and economic conditions and the other needs of our country and people. It must be remembered that we had a grand army of more than 4,000,000 men in the service; that we have just demobilized this army that had successfully vindicated the Nation's rights upon the battle fields of the world—demobilized it because it was no longer needed. Other things than a great army are needed to promote the public welfare.

Mr. President, I am opposed to the adoption of the policy of universal compulsory military training in times of peace. In the Military Affairs Committee I moved to strike out of this Army reorganization bill section 51 and all other sections and clauses providing for compulsory military or naval training, and have proposed a like amendment here. It reads:

Strike out section 51 and all other sections and clauses of the bill providing for compulsory military or naval training.

Section 51 reads as follows:

SEC. 51. Military training: All male citizens of the United States (excluding residents of Alaska and the insular possessions) and all male persons who reside therein and who have declared their intention to become citizens, other than persons excepted by this act, shall, upon attaining the age of 18 years or within three years thereafter, be subject to military or naval training and shall be inducted into the Army or Navy of the United States for this purpose alone, and shall be subject to training therein for a period of four months and for such further time as may be reasonably necessary for enrollment, mobilization, and demobilization: *Provided*, That under regulations to be prescribed by the President the training of any such person may, with his consent, be continued for an additional period not exceeding two months. After training they are placed in the reserve for five years, and as reservists subject to mobilization and additional training for two annual periods of not exceeding two weeks each.

That makes four months' training; whatever time is necessary in addition to register, mobilize, transport, and demobilize them, and four weeks additional, which necessarily would bring the amount of time up to nearly six months.

CONSCRIPTION LAW REENACTED.

Section 57, also proposed to be stricken out, reads:

In order to carry out the provisions of this act relative to the registration, examination, classification, exception, exemption, and induction into the service of persons liable for the military training provided for in this act, so much of the provisions of the act of Congress approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," as may be necessary and applicable thereto are hereby extended and made applicable for this purpose.

I voted against the enactment of the draft law in the first instance and favored the old volunteer system, knowing that the history of the volunteer was the history of America's military glory and achievement, and I shall certainly not vote to conscript our young men for military training in times of peace. It is true, however, that the draft operated effectively and produced a great Army which proved no less valiant than our Armies of other days and carried our standard to victory on the battle fields of the world.

The war has been fought and won. The war was lost to the Allies till the United States entered it, and our entry determined its outcome—changed defeat into victory. America's rights have been vindicated and our great Army has been demobilized. The peace treaty it is true has not yet been ratified by us, but it has been ratified and is effective so far as our enemies, associates, and allies are concerned. Universal compulsory military training is now proposed as a permanent policy of our Military Establishment. Never before in the Nation's history has such a policy been seriously considered. Our wars have all resulted in victory without the suggestion even of the adoption thereafter of any such policy of preparedness.

Such a policy is undemocratic, un-American, vastly expensive, wholly unnecessary, and can not but result in fastening militarism, which this great war was fought to destroy, upon our own beloved land.

It violates the basic truth of the Declaration of Independence, the Nation's charter of liberty, "All Governments derive their just powers from the consent of the governed." Wherein has any consent of the governed, those to be affected by this bill, been given? It only requires, yea, compels, our young men 18 years of age, men who are not allowed to cast a vote or have a voice in the Government, to leave home and farm and school and occupation and business and spend four to six months in training in military camps, subject to the harsh military law and regulations and liable to court-martial for disobedience or infraction thereof. It is even worse than that. The Congress now being urged to impose this un-American, this Prussian military policy upon the country was elected during the war and before this matter was ever proposed, discussed with or considered by the people. They have had no opportunity or chance whatever to determine what should be done about it.

Why the haste about the adoption of this policy, that is so new, that is un-American, that is undemocratic, when, as I understand from the chairman of the Military Affairs Committee, it is not proposed now to put it into effect for two years yet to come? Why not at least let the people who do vote, and who have a right to a voice here, pass upon the merits or demerits of it? The consent of the governed is but a sham, a hollow mockery, so far as this proposal is concerned.

NOT NECESSARY.

No necessity exists for the adoption of such a policy. Notwithstanding we are still technically in a state of war, the peace treaty not having been ratified, our enemies have been crushed, stripped of their military and naval power, their Governments overthrown, and their territory dismembered. They are powerless to harm us. With all the rest of the world we are at peace.

The nations of the Old World, beyond the oceans which are still our best defense, are exhausted from waging the last war and impotent to menace the peace or safety of our country with an attack for years to come. There is no power or combination of powers on this side of the world strong enough to give us any concern even if we were not friendly with them all. Our Army as now organized is twice as large as it was before we engaged in this war.

There is the National Guard also, and in addition we have easily available for service, or that can be immediately made so, nearly 4,000,000 trained soldiers recently demobilized, one-

half veterans from service overseas, where on the battle fields of France the American Army set the Stars and Stripes highest among the standards of the nations, and demonstrated in the face of the battling hosts of the world the incomparable qualities of the American soldier and the invincible prowess of the American Nation.

It is objected, however, that these men, who have served our country so well, should not be expected to render further service. Why not? They are thoroughly trained and fit, and it strikes me it would be far better, if more is to be expended on a program of preparedness, to have them take the possible slight chance of service in any future emergency within the period of their activity and be paid the amount proposed to be used for compulsory training as additional compensation for the service already performed. This course would, at least, prevent the taking of 750,000 men for six months in the year out of industry and production and do but simple justice to our ex-service men.

Mr. President, the ex-service men—the American Legion—have not hesitated, since their return to this country, to give advice on all great public questions, or at least to suggest their opinion about what ought to be done; and it will not be amiss if I, who am a soldier's son—my father fought four years in the Confederate Army—should interpolate here something that I had not intended to say.

I think it should be well understood that the Government may be trusted to do what is right, so far as the payment of additional compensation for the service already so well rendered is concerned. I know, and it is generally agreed, that the Government has already been liberal, has been generous, in making provision for taking care of and maintaining the crippled and the wounded of the last war, and for paying insurance to the beneficiaries of those who died or were killed in battle. I think they might well trust the Government to take care of this additional claim, and that these soldiers of ours who have returned should readjust themselves to existing conditions. It will not do that these men who are young, who are but yet in the morning of life, shall regard their careers as ended and that there is nothing else for them to do hereafter. They have had the great adventure, but it is yet for them the morning of life, and a man can not lay out his life in the morning. There must come a noontide, the burden and heat of the day, and there will come the evening and the dark. They must rely upon themselves in civil life, as they were taught to rely upon themselves in the Army yonder. They must go on with the duties of citizenship and make their places in civil life and careers in the world as best they can and as all others must do. Too much reliance and dependence should not be put upon the Government, and no time should be wasted by them in getting back into civil life or waiting for a bonus that may, in fact, never be provided.

RACE QUESTION.

There is an additional difficulty connected with this matter. The race question will be affected. The adoption of this policy will accentuate the race problem already increasingly difficult in the South because of the return of ex-soldiers of the Negro race.

The Negro on the whole is well disposed, industrious, peaceable, and law-abiding, and makes a good farm laborer and farmer, but when he is given military training it changes his disposition and he becomes idle and arrogant, a troublesome element in the rural districts. The bad effect would not be so noticeable in cities that have adequate police protection, but certainly there is no need for making the industrial and farming conditions of the South at this time more difficult than they are.

VASTLY EXPENSIVE.

The expense is prohibitive, entirely too great for any possible benefit that can be derived from such training. The country is now staggering under the burden of the enormous debt, thirty billions of dollars, incurred in the prosecution of the war and the greatly increased expenses because of it imposed on the Government. The annual expense of administering the Government will reach the amount of four to five and a half billion dollars without this additional burden. Our experience in the war demonstrated that of the 1,000,000 men coming of age yearly about 750,000 are physically fit and would be eligible for training under the provisions of this bill, and if it be estimated that 20 per cent of those eligible would be exempt for one reason or another it would leave 600,000 to be trained annually. The bill provides that they shall be trained for a period of four months and as reservists for another four weeks, and it would require probably a month to mobilize, transport, and release them, taking in all a period of about six months for each man. The average cost per man of the present Military Establishment is about $2,000 a year, and assuming it would cost no more to mobilize, equip, and train a new recruit for the same time than is expended on a regular soldier, which is not really the case, half the amount, or $1,000, may be taken as the cost of training.

This will hardly include the necessary overhead expense and the maintenance of the training camps. The cost of training 600,000 men at $1,000 each for six months amounts to $600,000,000. This estimate may be reduced by deducting the amount of $25 per month for each man, since he receives that amount less while in training than a regular soldier's pay. Deducting the $90 for each man for the term, $54,000,000, we still have $546,000,000, which added to the cost of the Regular Establishment, $503,000,000, will make more than $1,000,000,000 for the Military Establishment.

Mr. President, it will be remembered that the country almost had spasms a short while ago when the expense of administering the entire Government amounted to $1,000,000,000 a year. In addition the value of the time consumed in the training at a soldier's rate of pay of the men eligible, 750,000, would be $135,000,000, an amount equal to what the chairman of the committee says will cover the cost per year of the compulsory training.

The time lost by the 750,000 men in six months in camp at a soldier's rate of pay is worth $135,000,000, as much as the chairman of the committee thinks it will cost to put the entire compulsory system into operation.

I know that the chairman of the Military Affairs Committee of the Senate claims that the cost of the Regular Establishment will be only $503,000,000 for the year 1921, and that when the training system is in working order it will cost only $135,000,000 per year for the four months' training and $124,000,000 for the National Guard, and in all a total cost of $654,000,000 per year.

It is contemplated, however, in his last estimate that by the end of six years the expense for the Regular Army, because of the reduction of 5 per cent a year for five years, will be only $399,000,000, the permanent personnel of the Army being reduced by then to 210,000 enlisted men and 16,200 officers.

Mr. MONDELL, majority leader in the House, discussing the matter, said:

> I have been very much surprised to hear, from sources that ought to be well informed, the very extraordinary statement that a system of compulsory universal military training can be put in operation by the United States for $125,000,000. The man or the organization that makes such a statement as that is either lamentably ignorant or willfully misstates the fact, and the computation of the cost of such a system is so simple that there is no excuse for a misstatement of the facts. The fact is that a system of universal compulsory military training could not be inaugurated in America and operated for the first year for less than $1,000,000,000 and could not be carried on thereafter for less than $700,000,000 per annum, and these figures are conservative and based upon facts so well known that the least-informed citizen may readily grasp them.

And further:

> Army officers have testified that it would cost at least $300,000,000 to put the camps of the country in condition for a system of universal military training and that it would cost at least $60,000,000 per annum to keep these camps in condition. The items, therefore, of a system of universal compulsory military training, with 25 per cent of the able-bodied men excused, would be for the first year as follows:

Enlargement, improvement, and extension of camps	$300,000,000
Assembling, transportation, equipment, and training of 600,000 men	600,000,000
Maintenance camps, one year	60,000,000
Incidental costs, training, equipment, and matériel	40,000,000
Total	1,000,000,000

> This sum might be reduced after the first year by the $300,000,000 used for enlargement of camps, though the probability is that other unanticipated costs would take it up.

A Member of the House from my State returning from a long absence after this provision had been defeated in the House and the bill passed made a speech stating his opposition to the principle because of the great cost, among other reasons.

Senator MCKELLAR, of Tennessee, in his speech on February 9, stated the total cost for the Army with the universal military training in effect would be more than $1,250,000,000 a year, and submitted estimates and figures in confirmation of it. He said, also, that his estimates had been made after conferring with Army officers who had gone over them carefully and who were familiar with the facts and conditions, and some of whom had testified in the hearings before the committee.

It is easily apparent that the expenses of the Army with the compulsory training system added will reach more than $1,000,000,000 a year. You all remember that the country almost had spasms when the expenses of the entire Government amounted to $1,000,000,000 a few years since. The appropriation for the Military Establishment in 1916 was $101,975,195 and in 1917 $267,396,530, and now with the war over the Regu-

lar Establishment, without compulsory military training, requires $593,000,000 a year, as estimated by the chairman of the Committee on Military Affairs and as provided for in this bill. It seems to me if there ever was a time when there might be substantial retrenchment and some little reduction, so far as military expense and protection are concerned, now is the time it should be instituted.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Ohio.

Mr. KIRBY. I yield.

Mr. POMERENE. Do I understand from the figures just given that it is the judgment of the Senator from Arkansas that the universal military training alone will cost in the neighborhood of $1,000,000,000?

Mr. KIRBY. No; not my judgment, but the judgment of these two men whom I have named. They say that, with the appropriations for the Regular Army, it will cost us necessarily more than a billion dollars.

Mr. POMERENE. How much more than a billion dollars?

Mr. KIRBY. It depends on some other matters which I am unable to determine. I think it will cost over $600,000,000 to mobilize these men and send them to camp and maintain them and supply them while they are there and return them home.

Mr. POMERENE. Per year?

Mr. KIRBY. Per year. That makes no estimate whatever for and does not take into account the overhead expense for camps, officers, and maintenance of the training camps.

Mr. POMERENE. Then I take it that another matter which we ought to take into consideration is what the Senator from Arkansas referred to just a moment ago, that it takes these young men for this period of time out of the industrial life of the country.

Mr. KIRBY. It takes them for six months out of the industrial life. I will reach that point in a moment.

It should be borne in mind also that the bonds of the Victory and Liberty loans purchased by many people with great sacrifice are selling below par, some issues as much as $10 on the hundred. Certainly under the circumstances this great additional amount of unnecessary expense should not be incurred to support a great Army for which the country has no need.

ECONOMIC LOSS.

This does not begin to reflect the true condition. Let the economic loss be also considered. From the four years' war the world is woefully short of manufactured articles, commodities, and agricultural products, and the greatest shortage is of labor that must produce them all. The cost of living is almost prohibitive, and the profiteers are wallowing in a harvest of gold. Seven and one-half million men died of wounds and were killed in battle in the Great War. Millions more died of disease, and yet other millions are disabled from wounds received. We lost in battle and by disease 112,000 and another 100,000 physically disabled. The national conference on immigration held yesterday in New York stated that the industries of our country need 4,000,000 workers; "that at a time when a shortage of labor, principally primary labor, is curtailing production in practically all basic industries, there is a marked tendency overseas to the discouragement of immigration of able-bodied men, with also a tendency in this country to put up the bars against immigration." It states there is a shortage of 4,000,000 immigrant workmen due to the stopping of immigration during the war, not to mention those who have left this country since the armistice, 275,000 or more, with the probability that another 125,000 will go. That is the condition throughout the world, and in this country so far as man power is concerned and the reduction of it. There is a marked shortage of labor in production and industry in this country, in office, in store, in mill and mine and factory, and especially on the farm.

The farms of the country can not be fully cultivated because of such a shortage of labor, and many of them are lying idle on that account. No more than 5 or 10 per cent of the boys who went from the farms to the war have gone back to the farms. It would be nothing short of criminal to take 750,000 men out of industry and production and off the farms under such conditions.

DANGER OF MILITARISM.

Mr. President, I come to what seems to me the greatest objection to this proposed amendment—the danger of militarism.

The adoption of this policy can not but result in fastening militarism, the greatest curse of the world, upon our own country. Its frightful cost is shown in the wreck and ruin of this last war, in the millions of dead, the woe and anguish of the starved and suffering people in its wake, in Kingdoms and Empires overthrown, dismembered, and destroyed.

Men and nations are slow to learn from the experience of the past, and from their own experience even it seems they will not learn wisdom.

Our own experience even seems to be disregarded. It is true that by the terms of the treaty we have prohibited the use in Germany of a system of compulsory military service. It is true that by the terms of the treaty we have limited the German Regular Army to 100,000 men and 4,000 officers and their schools to as small a number as can supply these officers.

In our own schools, under the arrangements made and under the schemes in prospect now, we can train 20,000 officers annually, and it is proposed that that shall be done.

Militarism flourished and developed to its highest point in Germany under the compulsory service system and the kultur incident thereto, impressing the minds of citizens and soldiers alike that the German soldier was superior to the fighting man of any other nation and the German Army invincible. The German Kaiser, the incarnation of the militaristic spirit, when the time was fully come, started upon a world conquest with his mighty military machine, and the other nations, all in combination and self-defense, after four years of terrible fighting, overcame and destroyed it, but at what a frightful cost in life and treasure. The German Government was overthrown, and the German Kaiser, now in exile, broods in silence over the vast and terrible destruction wrought.

Russia, formerly the greatest Empire of earth, presents the most tragic figure—her Government overthrown, millions of her people killed, the Empire dismembered, and anarchy, revolution, and civil war rampant throughout her former confines.

France, too! Unhappy France! The rivers of France ran red with the best blood of her sons and the brave men of other nations; but she, too, seems not to have learned from experience but to remember, rather, the glory of military achievement in the splendid days of the old Empire, when the greatest military chieftain of all time led her mighty armies in an attempt to subjugate the world. She has forgotten the disastrous result that reduced her to a fourth or fifth rate power and the inglorious end of that great military chieftain of whom more pages of solemn history have been written than of any other man—"on a barren island, in an unfrequented sea, in the mouth of an extinct volcano, as a beggar—so died Napoleon."

It is evident that France has acquired more territory in this war by conquest than she has the ability to develop or the power to defend. What is the condition of the world to-day? Has an inventory been taken of our own condition since this war has been fought and won?

We know that we lost 112,000 men in battle and about 200,000 men who have been wounded, and most of whom are disabled. We know that there is a debt of $30,000,000,000 upon the backs of the people of the United States.

What is the condition across the water? We said we fought this war that the freedom of the seas might be established, and that was the chief reason, and the real reason, we had for going into the war, because our rights on the seas had been invaded, our commerce had been obstructed and destroyed, and the lives of our people destroyed. We were denied the right to the freedom of the seas, to which we unquestionably were entitled under international law. What has been the result? In the conference for the settlement of this war and making peace it was found that we could not have the freedom of the seas guaranteed, and that point had to be abandoned.

It was insisted that the war was fought to destroy militarism, and we have now in free America the spectacle of fastening this system of militarism upon these United States in a time of peace, when there is no power who can challenge our peace and safety, or which can hinder or make us afraid.

What further have we? We have not been able to agree upon a treaty of peace and the League of Nations, which would guarantee the peace of the world in the future, for which we also said the war was fought. We have not agreed to that. What is the condition on the other side of the water? France has invaded Germany with her armies, contrary to the spirit of the treaty of peace and against the provisions of the covenant of the League of Nations.

What have we further? The Poles are 150 miles in Russia fighting, when they should be home, under the provisions of the treaty of peace and the covenant of the league.

What have we further? The Italians are encroaching upon the Jugo-Slavs, and the Serbians are taking and grabbing the territory of Austria-Hungary. Beyond that, we have Greece taking the territory of Turkey, and Turkey murdering the Armenians.

That is the condition in the world to-day. It may be said that if we are to go across the water and take an Army suffi-

ciently large to round up all these people and put them back on their reservations, then we would have great need of this particular system of military training. It may be so. But so far as I am concerned, I do not believe that will ever be done, and at least that reason is not urged for it here now.

The Scriptures say that as a man thinketh in his heart, so is he. It is said that if you send men to a military training camp there will be some benefit on account of the training. They say it increases a man's physical vigor and tends to give him self-reliance; it shows him how to take care of himself under ordinary living conditions; it broadens his views. The great commander of our Army overseas said that it is thoroughly democratic. I do not believe that in this country of ours, which is nearer to a pure democracy than any other which has been developed in the civilization of the world, it is necessary to send a man to a military training camp and make him go whether he wants to or not in order to teach him democracy.

What is a soldier taught at the training camp? He is sent there and taught to obey orders and to learn how to fight. That is the sole purpose for the organization of a training camp, and when you send 750,000 men this year to the training camps and teach them the military régime and discipline and teach them how to fight, and 750,000 men next year, and the next year, and the next year, in 10 years you will have an Army of 7,500,000 men; in 20 years, which would not be beyond the period of activity of those who would start now, you would have an Army of 15,000,000 trained men; and you would have all the men and women of the generation thinking about the military glory and power of these United States.

We would have militarism fastened upon this country as firmly as it has ever been riveted upon any of the nations across the world in the past. It seems to me that it is bound to result, and this is the worst and most dangerous feature of it all.

Now, Mr. President, I have urged these things against the military training feature, and I think the objections are all well taken. I think the country would do well now to give heed to the trend of thought. I know it is the custom, I know it is natural, yes, that all men love power. Men from times remote have worshiped power. The great God of the universe who made us all revealed Himself to us as all-powerful, otherwise man would not have worshiped Him. The army is the very highest expression of a nation's power. The people like to think, and our people have been taught to know, that we are a superior people and ours the greatest and richest Nation on the earth, and, as the Army demonstrated in the last war, the most powerful, and a great many want this typified by a great Army, the greatest that has ever been mobilized in the history of the world. But that brings militarism in the end, and militarism brings final disaster and calamity to any nation where it is cultured and gains a foothold.

Mr. President, in the centennial edition of the Arkansas Gazette there was published the following brief article, which I desire to include at this time as a part of my remarks:

"Senator KIRBY, on November 16, 1916, resigned as judge of the Supreme Court of Arkansas to begin service in the United States Senate, since which time our Nation has fought and won the greatest war of all time. He has been a member of the Military Affairs Committee, the most active committee of the Senate, throughout the duration of the war.

"The Senator, thinking the war could be averted without the loss of dignity or honor to our country, opposed some measures regarded unnecessary, ineffectual, and but preliminary declarations of war. He also favored the old volunteer system and voted against the draft, but when our new policy for raising the Army was determined he actively and effectively supported all war legislation and stood by the War Department continuously in the prosecution of the war; was the only Democrat on the committee familiar with the conditions from the hearings in the investigation of the War Department who favored the Overman bill, giving the President plenary power to reorganize and coordinate the agencies of the War and other departments.

"He spoke twice in support of the measure, while the Democratic chairman, and the ranking member, and the only other Democratic member besides himself who had regularly attended the hearings, opposed it and favored another bill, which would virtually have taken the conduct of the war out of the President's hands.

"He favors withdrawing our troops from Russia at once, and all the remainder of the Army from overseas, except such troops as must be kept there temporarily under the terms of the peace treaty, and regards favorably our soldiers' claim for additional compensation or other substantial relief.

"He hopes to have our soldier dead returned for burial here, that of them it may be said:

"Your own proud land's heroic soil
Shall be your fitter grave;
She claims from war his richest spoil,
The ashes of her brave."

"He actively and effectively supported the appropriation of $16,000,000 for vocational training and rehabilitation for our disabled soldiers and sailors, and also a like bill providing for such training and rehabilitation of men disabled in industry.

"He actively and effectively supported the Mississippi River flood-control project authorizing an expenditure of $45,000,000 for preventing its disastrous overflows, and also the laws authorizing the expenditure of about $300,000,000 for improvement of the public roads.

"He is a member of the Commerce Committee, having jurisdiction of legislation for improvement of rivers and harbors and shipbuilding, as well as of the Committee on the Mississippi River and its Tributaries, and took especial interest in having the barge line on the Mississippi River from Memphis to New Orleans established. Much effort was required to get this done after the law was passed authorizing it.

"He is also a member of the Committee on Patents, of which he was chairman during Democratic control, and of the Committees on Interoceanic Canals and Civil Service and Retrenchment.

"He believes the gambling in cotton futures should be absolutely prohibited, and actively assisted in procuring the adoption of the Smith amendment to the Agricultural appropriation bill requiring the delivery of some one of the 10 grades of cotton purchased on contracts made on 'change, instead of permitting the delivery of any one of 21 inferior grades as under the old law, which has had effect with the conditions since developing to increase the price of cotton about $40 a bale.

"He actively supported both the proposed equal suffrage and prohibition amendments to the United States Constitution and the laws necessary to make the latter amendment effective.

"The Senator states:

"'The transportation problem is of supreme importance, and when the railroads are released to private ownership, as now appears will be the case—the Government operated the class 1 roads for the first eight months of this year at a net loss of nearly $275,000,000, a loss of more than $1,000,000 a day—sufficient control should be retained by the Government to guarantee the public reasonable freight and passenger rates and also the payment of reasonable wages to employees engaged in their operation.

"'An American merchant marine should also be established and maintained, and the Government should continue to build ships and to operate all constructed in carrying our coastwise and foreign commerce. No more Government-built ships adapted to such use should be sold or disposed of.

"'A matter of no less vital concern is the utilization of our inland waterways for the transportation of our products and commodities, and the barge line established on the Mississippi River by the Government, now in its experimental stage, must be fostered and the system maintained and extended if the State, the Mississippi Valley, and the South are to progress in accordance with their industry, productive energy, and capacity. Much of the commerce of this great region should not only be diverted to the South Atlantic and Gulf ports, but carried upon our inland waterways.

"'The benefits of the Federal farm-loan act should be extended and the rate of interest reduced as soon as it can be done.

"'Liberal appropriations should be continued for the support of all the activities of the Department of Agriculture.

"'Immigration should be carefully restricted for the next few years.

"'There should also be established a national budget system that will provide an economical and effective method of dealing with the revenues and expenditures of the Government, without which there must continue to be much duplication of effort and appropriations and great waste of public funds.

"'The high cost of living must be reduced. All restrictive war legislation should be repealed, and individual initiative and private enterprise encouraged to their best achievement.'"

Mr. WADSWORTH. Mr. President, may the amendment proposed by the Senator from Arkansas [Mr. KIRBY] be read?

The PRESIDING OFFICER. The Secretary will report the proposed amendment.

The ASSISTANT SECRETARY. As a substitute for the amendment proposed by the Senator from Tennessee [Mr. MCKELLAR] the Senator from Arkansas [Mr. KIRBY] offers the following:

Strike out section 51 and all other sections and clauses of the bill providing for compulsory military or naval training.

Mr. WADSWORTH. This amendment is drawn in a most unusual way. It provides that section 51 shall be stricken out, together with all other sections and clauses of the bill providing for compulsory military or naval training. I am not at all satisfied with the amendment. It is not specific. It does not specify what clauses do provide for military or naval training. It would really, if adopted by the Senate, amount to an instruction to the Secretary or the clerks at the desk to redraft the bill in their own judgment, according to their interpretation of what the amendment of the Senator from Arkansas means.

Mr. KIRBY. Mr. President, it seems to me that the amendment is plain. It strikes out section 51. It proposes to strike out the section that reenacts the old law and all the other clauses and sections which provide for military or naval training. If we take out section 51 we will strike it all out, anyhow, and the Secretary will strike out necessarily all other clauses that relate to the training.

Mr. WADSWORTH. That is just it—"all other clauses that relate to the training." There are hundreds of clauses in the bill that relate to training, directly or indirectly.

Mr. KIRBY. To compulsory military training?

Mr. WADSWORTH. Yes. Some of them relate to one kind of military training and some relate to another kind.

Mr. KIRBY. My amendment proposes to strike out only those sections and clauses relating to or providing for compulsory military or naval training.

Mr. WADSWORTH. How can the Senate pass upon that question without knowing where those clauses are in the bill?

Mr. KIRBY. It can pass upon it by saying that section 51 shall be stricken out, and then the others go with it.

Mr. WADSWORTH. What others?

Mr. KIRBY. All that relate to it necessarily would be left out.

Mr. WADSWORTH. To whom is that to be left to determine?

Mr. KIRBY. It would be left to the judgment of the Senate, and when that is determined, of course, it would be omitted by the Secretary of the Senate.

Mr. WADSWORTH. It can not be left to the judgment of the Senate. The Senate, under this amendment, is really delegating that judgment to the Secretary or to the clerks at the desk.

Mr. KIRBY. I do not so regard it.

Mr. WADSWORTH. I do not know whether an amendment of this sort, under the rule of the Senate, is subject to a point of order. I have never seen anything like it. I suppose if a thing of this sort could be done and the Senate chose to consider it it would be just as competent to offer an amendment to strike out the word "and" in the bill wherever it occurs or wherever it might in the judgment of the Secretary of the Senate occur.

Mr. KIRBY. I will ask that the vote be taken first on striking out section 51 as provided in the amendment.

Mr. WADSWORTH. Do I understand that the Senator from Arkansas offers that as a substitute for the amendment offered by the Senator from Tennessee?

Mr. KIRBY. I offer the whole amendment as a substitute.

Mr. WADSWORTH. I understand the Senator now changes his amendment.

Mr. KIRBY. No; I do not. I only ask that the vote be taken first with reference to section 51. If section 51 can not be stricken out, the whole amendment is necessarily lost.

The PRESIDING OFFICER. The Chair would like to understand the parliamentary situation. The Senator from Arkansas has offered an amendment as a substitute. The Chair desires to ascertain whether the Senator from Arkansas desires to withdraw that amendment and move as a substitute to strike out section 51?

Mr. KIRBY. I do not.

Mr. SMOOT. I understand the Senator from Arkansas desires to divide his proposed substitute and have the vote first taken on striking out section 51.

Mr. KIRBY. Yes; to strike out section 51.

Mr. SMOOT. In other words, the Senator virtually asks for a division of his proposed amendment, and then if the first part of the amendment is carried, of course, the Senator must of necessity, in order to make it complete, follow it with other amendments.

Mr. KIRBY. I will specify the others then.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

Mr. FRELINGHUYSEN. Mr. President, I desire to speak upon the bill before the Senate, not to explain it in detail, because that has already been done very ably by the distinguished chairman of the committee, who has made such a complete study of the problem of the reorganization of the Army and under whose leadership we have all worked. I intend to speak only of our future policy of national defense. I think I can safely state that the Military Affairs Committee has made a consistent study of the problem of reorganization, and for seven months they have exhaustively investigated the subject.

We have just passed through a great war and have made enormous sacrifices and borne heavy burdens of taxation, but our sacrifices are not extraordinary when compared with the sacrifices in men and money made by our allies.

However, the war has established one important principle—that we are equal to an emergency and capable of overcoming almost insurmountable handicaps. That we paid for it is true, but we did so with a knowledge and patriotism of which only the American people are capable.

The following lessons have been learned:

1. That wars are inevitable; that the greatest protection against war is a proper organization of national defense; and that the history of America shows that after all great wars we have had a reactionary period in which we have been negligent of the important policy of military preparedness. It has shown us that if we are to learn the lessons of the war and do our duty to the American people there must be a complete change of policy and a firm determination to avoid a condition such as existed prior to our entrance into the war.

2. It has shown that the American people are loyal and patriotic to their Government; that there is a strong national spirit, which was evidenced in the patriotism and sacrifices and the wonderful energy with which the people at home supported the armies in the field.

3. It has shown that, notwithstanding the lassitude and inaction that come from a long era of peace, the American citizen soldier can not be surpassed for bravery, courage, and morale. It has shown that the foreign races that have come to our shores have absorbed the spirit of American traditions and can be relied upon for loyalty and allegiance to the country.

4. It has shown that the measures of preparedness which we have to a limited extent carried out by establishing a Regular Army have given us Regular Army officers able to organize and carry out a campaign on an enormous scale, with a battle field 3,000 miles away, and that we not only cashed the dividends for the Plattsburg system and the vocational and educational plans in the colleges and elsewhere, but that the West Point Academy also paid great dividends for the money expended in the past.

5. The war also showed that, properly organized and coordinated, the efficiency of our vast industries and their ability to function have been clearly demonstrated.

Yet with all this in view we were late in accomplishing what should have been accomplished earlier, and it has cost us probably a score of thousand men and billions of dollars in additional taxation to accomplish what would have been accomplished more easily with proper preparation.

We are not a military nation and the American people hate war, and they hate to prepare for war. Nevertheless our military history is a glorious one. On the other hand, our statesmanship, in its relation to war, is a very black chapter in our history. We read it in the great sufferings of Washington's army at Valley Forge. We read it in the Spanish-American War, with the breakdown of the entire Army system, its casualties from disease and improper nourishment. We read it in the President's position in 1914, in a complete refusal to prepare for the inevitable, although all Europe was in conflagration. We also read it in Congress' meager appropriations and absolute refusal to make the necessary preparations and take time by the forelock prior to our declaration of war. What a fool's paradise we have lived in!

Had we had a simple system of universal training five years prior to the war, or had we had a standing Army of two or three hundred thousand men, hardly sufficient to police the border or the insular possessions, or had we anticipated Secretary Garrison's prophetic vision and created the continental army which he recommended in December, 1916, and had we protested against the violation of the neutrality, then I believe Germany would never have crossed the border at Liege, and I believed the loss of 10,000,000 lives and the crippling of 20,000,000 more would have been avoided.

I have said that our sacrifice was not great. We mourn the loss of 70,000 American youths, and it is with great pity that we observe the 200,000 wounded Americans in our midst. But compare this with the English, French, Italian, or Russian losses. We realize what would have happened to us had not England's great fleet protected our civilization and held back the conquer-

ing hordes of Germany while we built our factories and raised our armies and rushed to her aid.

Had we even prepared 500,000 men in 1916 that crucial period in 1917, when Germany was almost exhausted, would have ended the war and saved millions of lives. Who is responsible? I say that Congress is! As it happened we declared war entirely unarmed. We gave in to public opinion instead of leading it. We refused to see the inevitable. We submitted under a reactionary policy to numerous insults from Mexico. Where is the man to-day who is not ashamed of our Mexican policy? We submitted to the violation of our rights and allowed Germany to sink our ships. We allowed her to flout us and finally to sink the *Lusitania* while bound on a peaceful mission, and destroy the lives of over 200 American citizens. And yet the President and Congress took no action to protect them. With our national honor at stake, with civilization almost overcome, we pursued this weak foreign policy and refused to prepare, until the American people took the matter in their own hands, adopted the theory of Roosevelt, Wood, Garrison, and Gardner, and demanded proper preparedness for the protection of our rights and liberties. From Maine to California was heard the tramp of marching American freemen demanding that this country prepare for its own protection and defense. But yet Congress lagged. It had little realization of the war and the danger to America. And the result is told in the immense national debt under which we are staggering, and the lives of over 70,000 of our youth who are lying in the sacred soil of France.

This is the story of our statesmanship, or our lack of it. The war is over. Civilization has been saved, fortunately, but we arrived almost too late.

The question is, Have we learned the lesson? Our great citizen Army is disbanded and the soldiers have returned to their homes. They have done their duty and yet there are some here who have intimated that they should be called upon again should civilization be endangered instead of Congress doing its duty and providing for the coming generations to bear the burden which these soldiers have so gloriously borne during this conflict.

The question which confronted the Military Affairs Committee and which now confronts this Congress is, How shall we properly organize for national defense? What is our duty to this great people, to this 110,000,000 people under our protection?

We have no right to bring this great question into politics or politics into this great question. It is not a question of politics. It is a question of duty. What are our military needs during peace times, and how far should we go to make our Military Establishment ready for war in case of emergency?

To write a bill in the midst of the confusion of the demobilization of an Army of 4,000,000 men, one-half of whom fought on a battle field across 3,000 miles of sea, is a difficult task. The legislative mind becomes confused and fatigued at the great problems with which it is confronted; we lose our sense of proportion and are indifferent to the future needs of the country. The mind moves along the lines of least resistance. It is easy to slip back into the old groove.

The reaction of the war is conducive to forgetfulness of the lessons it should teach us. We find the same reactionary spirit shown that was shown prior to the war, the same speeches are made and by some of the same men who opposed proper preparation before this war overtook us.

I do not want to present this subject to the Senate in a jingo manner. I am very far from a militarist; I want to see peace during my remaining days and for my children after me. That is why I believe that we should look beyond the present campaign and the present sentiment of the country. In enacting this legislation we should have a vision of the future. We are a great country, and it is our supreme duty to use all of the wisdom and judgment we possess to write the military law of the land so that it will protect the welfare and safety of 110,000,000 people. We should not have a military autocracy, and we should not impose for our national defense excessive burdens of taxation on our people.

Yet, we must remember that we have been negligent of our duty in the past, owing to our lack of preparedness. We have many miles along the Mexican border to protect, and owing to the unsettled and unfriendly condition of that country we must consider the safety of those of our citizens who reside in the States along that border. We have insular possessions to police. We have law and order to uphold, and not only that, but the defense of the Nation and our rights on sea and land. So it becomes necessary that we should annually expend a sufficient sum to maintain an establishment that will uphold these principles.

I have heard the sentiment expressed on this floor that we have 4,000,000 men on the reserve list who are veterans that we can rely on in the event of another war. That is true, should a war come within five or six years. These men have had enough of war. They have returned to their homes and their families. We had an unmarried Army. Thousands of these boys are now married and are breadwinners for their families, and wish to lead a life of domestic happiness.

Conditions are not composed, and there are still wars and rumors of wars. We have become somewhat estranged from the nations which were our allies and friends; deep-seated prejudices prevail on the part of other nations who have come out of this struggle stronger and greater than ever before. Mexico does not respect us, and sooner or later we must show her that she can not wantonly murder our citizens and disregard our property rights within her borders. It is just as essential as that we provide for the financial needs of the country that we should maintain a system of national defense, and only by having a proper organization can we assure the people of the country whom we represent that we are properly providing for the protection of their rights and liberties. We must also show the world that we can not be imposed upon.

Many of us have hoped that this would be the last great war. But the best assurance we can have of making it the last great war is to keep our military household in order, so that other nations will not insult or attack us. This question is not a political one. It is a question of public policy. It is a duty which is imposed upon us as representatives of the people. The questions that we must determine are: What future preparation shall we make, and how large shall our Army establishment be under the conditions that exist in the world at the present time?

I do not intend to go into the details of this bill. For seven months the Military Affairs Committee has diligently addressed itself to the solution of these problems under the leadership of the distinguished chairman [Mr. WADSWORTH], a student of military law of long experience, who has given his constant attention to the preparation of this bill. In its preparation he has been generously assisted by the former chairman of the Military Affairs Committee, the Senator from Oregon [Mr. CHAMBERLAIN], who served in that capacity during the war and who has contributed from his storehouse of experience. Other members of the committee have assisted, with but one thought in view—that is, the good of the country and the establishment of a measure that will not only meet the need of the present hour but will provide for an organization under which, should the emergency of war again arise, the crisis will be met with the minimum of sacrifice, a minimum of expense, of profiteering, and of red tape, the curse of which so handicapped us during this war.

We have tried to capitalize the experience of the war. What we have learned in this conflict, we have tried to utilize in a practical way. Reforms in organization have been accomplished which would never have been possible had we not been faced with this cataclysm and had we not successfully surmounted it. The generals of the Regular Army, the minor officials, as well as the men in all branches of the service who have served both here and abroad, have given the benefit of their advice and opinion in the testimony which we have taken. The National Guard officers and organizations, having the interests of this great branch of our defense system at heart, have willingly collaborated in advising us as to how the National Guard should be coupled up with our Federal system. The citizen soldiers who volunteered and those who were in the selective service have given us their viewpoint. The American Legion, that organization of men formed out of the service in this war, have also presented to us resolutions adopted at a regularly organized convention, in which were debated the questions of future organization of the Army. The medical, scientific, financial, and procurement branches of the Army have all been consulted. The industrial interests have contributed their thought and suggestions to the measure.

The composite result of this thoughtful conclave is now presented in the bill before the Senate. The Secretary of War has stated that it is a statesmanlike bill. While the Chief of Staff believes in the organization as presented in the staff bill as introduced, he has admitted that this bill will work. I feel I can safely state that all have combined to do something constructive to meet the needs of the country. This has been the object we have labored to attain in this measure.

I now come to one of the great reforms of the bill, embodied in provisions which probably will create more debate than any other portion of the measure. I refer to the provision for a uniform and universal system of military training. I shall not attempt to detail this provision. Briefly, it provides that all

males at the age of 18 shall be required to take a period of training for four months and to be mobilized twice thereafter for five years, for a period of two weeks each, with the organization in which they were formerly trained.

This practically provides for the compulsory military training of 600,000 boys at the age of 18 at a cost approximately, as I understand, of $168,000,000. The committee has recognized that a more democratic and simpler method of preparation must be provided; that the country will not support a great military system and a large standing Army. Our Regular Establishment must be limited to the immediate needs of the country, and that establishment must do justice to the great mass of citizen soldiers represented in the National Guard and in the citizen army, who must be coordinated and have a voice and influence in the governing body of the Army, known as the General Staff.

This, in my opinion, has been done by bringing together all of these elements under the General Staff system, making it as democratic as it can be made and avoiding even the semblance of a military autocracy.

In the recognition of the fact that outside of our Regular Establishment we should make further preparation for any emergency which may arise, the bill provides for a system of universal military training. I am aware that there is bitter opposition to this policy. There are some as bitterly opposed to it as they were to the selective draft, which proved such an unmeasured success, which enabled us finally to assist in accomplishing the defeat of the German Army, and without which civilization must have been overwhelmed in its struggle for self-preservation.

I am aware also of the war weariness of the American people and the approaching election, which greatly imperil the chance of adopting a policy of this character. But I believe it to be one of the most necessary policies which this country can and should adopt at this time. I believe that it is a policy which will solve the greatest of the problems we have inherited from the war and give us an establishment which for strength and efficiency means a great step forward in proper national defense.

As one of the members of the subcommittee which drafted the bill, I wish to say that, notwithstanding the claim of the opponents of this provision, it is not compulsory service in a strict sense. A man can not be taken away from training and placed in the Regular Army in peace times. If this is done, they must serve in the citizen branches. But should Congress declare war, I admit that they can be retained for service. So would other boys between the ages of 19 and 21 be retained by the imposition of the selective-service act, but the universal-service man who had been drafted at the age of 18 would have had the advantage of these boys, because they would have to go to camp for four months in the midst of a war to take that period of training.

I do not propose to present at any great length my own individual views regarding the merits of military training.

But I do propose, as briefly as possible, to present certain views from totally different angles and viewpoints, uttered by military men, statesmen, and others, regarding the merits of the system and its imperative necessity, as the only certain method of insuring our national entity and existence.

I shall present certain views before our entrance into the late Great War and certain others growing out of the experiences of that war. They will show the advantage of the system in its relation to the physical well-being of our young men, in its relation to their enlarged mental equipment, and in its relation to our national defense and protection.

I now assemble these witnesses.

From the physical point of view I quote from an article in the New York Medical Journal by Dr. Charles O. Linder, of Spokane, Wash., December 14, 1918:

> The statement has been made that an average of 81 per cent of the men in the draft have been found to be physically defective. The record for the five years before the war shows that the rejected applications for enlistments averaged 81 per cent plus, which was higher than those in the draft. Most of these defects could and probably would have been corrected in early infancy had they been discovered.
>
> It is universally conceded that physical education and training, especially as a preventive against the high percentage of defectives, should begin in early school days. Attention should be given to habits, hygiene, teeth, ears, eyes, nose, throat, feet, etc. Modern school boards are doing much to correct many defects pertaining to the throats and eyes of school children, but in earlier days such matters were considered absolutely no business of the school authorities.
>
> The digest of the Provost Marshal General's report early this year—

That was in December, 1918—

> gives the rejection rate, for physical reasons, as 29.11 per cent of all those examined in all local boards. In addition to this it must be remembered that an average of 5.8 per cent will be further rejected before the troops are inducted into active service. These figures are compiled as a result of the examination of men of the most favorable age group, from 21 to 31 years.
>
> The Provost Marshal General's report is as follows:

Total number called		3,082,996
Men examined by local boards		2,510,706
Number of men rejected by local boards for physical reasons		730,756
Percentage rejected of those examined	29.11	
Add 5.8 per cent as further rejection (estimated at cantonments)	5.8	
Total per cent		34.91

> The intense interest in the findings of the draft examinations can be utilized to arouse the people to their need of physical development. There can be no doubt, with the figures facing us, of the need of child hygiene, of the tremendous importance of universal physical training, and of standardized periodical physical examination. Entirely apart from the actual reclamation of registrants, an immense stimulus can be given to the popular movement for physical reform and for higher ideals of health and hygiene.
>
> Under proper military training where discipline is supreme, proper habits of cleanliness are formed. Training in accuracy and in precision of thought and action, regular hours and regular meals, regular 9 o'clock retiring and early rising, learning to obey and to devote spare time to self-improvement in various ways, will have its effect upon the men thus trained and enable them to carry on their vocations more efficiently when this war is over.
>
> By proper modern military training the soldier boy, instead of being a weakling, becomes a strong and healthy man. Every day drilling develops the muscles, builds up and strengthens the body. He learns to do his duties during each and every day. The instruction in health habits will have a lasting effect and make him as nearly as possible immune to sickness.
>
> The results of military training, discipline, and instruction in health habits are clearly shown in a report from one of the training camps in the Middle West which did not have one death among its 50,000 men for one week—in August of this year—a very different and gratifying record from that which terrified the American people during the Spanish-American War 20 years ago, when the death rate at concentration camps was 25 out of every 1,000 soldiers. Even at the time of America's entrance into the present conflict the death rate at the concentration camps was rather on the increase, but marked improvement in health conditions have taken place within the last few months. The Nation has found a scientific, dependable way to gather its young manhood in concentration camps, cure their minor ailments, build up their physical strength and constitutional vigor, discipline and train them for better service in civilian pursuits, and in various other ways make them efficent, patriotic, and intelligent citizens. We have done this fine work under the whip and spur of a terrific war, but the benefits thus conferred upon the country's youth are no less valuable in time of peace than in stress of war. The lessons which have been taught to boys to avoid preventable diseases and their being brought to a state of physical well-being as a result of military training, will result in lasting benefit to the community, whether the boys are in or out of the Army.
>
> When the public has been convinced of what modern military training can accomplish with our youth, the question of universal physical training will have taken a long step forward.
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> * * * * * * *
>
> I believe that it is the almost universal testimony of men who have excelled in any branch of life in this country, that one of the most difficult lessons which the young American boy must learn before he can properly progress in any line of activity is discipline. Accidents on the railroad, in the factory, in the operating rooms, failure in positions of trust, whatever they may be, are in great part due to lack of schooling in simple obedience and in the spirit of true discipline. A thorough basing in this rudimental virtue is what we ask of ourselves and what many of us gain only by costly and sad experience. Discipline never truly subordinates the mind that has opinions of its own, nor does it humiliate or debase the body; but proper subordination and obedience inculcate pride and honor and prepare for authority and command. Promptness and dispatch are other military qualities of inestimable value to young men. Do we not daily see the need of such training at the bedside, in the clinic, on the street, everywhere?
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> * * * * * * *
>
> In summing up what has thus far been presented on this subject, it would seem that national service or universal physical training is the only agency by which the measures mentioned could be effectively carried out; there is no other schooling, to the knowledge of the writer, which will develop the physique and at the same time teach young men order and method, and obedience to authority. It is true that in a number of schools and colleges a certain semblance of military training is already provided; but as yet, except in a few excellent private military schools, this part of the course is superficial and inadequate; and not much has thus far been achieved in regard to discipline and obedience to authority.
>
> The advantages to the country from universal physical training would be: First, that it would be saved from panic in time of war and from the enormous waste of money that unpreparedness for war entails; second, that the present waste from death and from invaliding caused by low physical standard would cease; third, that with improved health and with higher moral tone the efficiency of the American boy would be increased. He would be imbued with habits of order and self-restraint and would be of inestimable value to the community and Nation.
>
> Whether the physical training of our youth is conducted in special branches of our universities and colleges or in special military schools, the same should be under strict supervision of the Federal Government in order to produce uniform and proper training and so that a proper discipline and course of instruction may be enforced.

Then I quote from the testimony of Prof. John Erskine, of Columbia University, found on page 1671 of the hearings before the Senate Military Affairs Committee on the reorganization of the Army. Prof. Erskine said:

> The mobilization of the American Army demonstrated that an astounding number of native-born citizens are illiterate, and that of our foreign-born citizens a still larger number can not read or write the English language, and in some cases can not understand. The mobili-

zation demonstrated also that an appalling number of our young men are not in proper physical condition. It is unlikely that any economic or social pressure will tend to remedy these evils. The illiterate citizen can make a living of a sort more or less satisfactory to himself, and the foreign born can associate with others of his origin, and both classes can avoid that social criticism which would urge them toward complete citizenship. In fact, economic and social pressure tends actually to segregate in our country the illiterate element and the various groups of foreign born, and unless some strenuous effort is made to weld all these groups into one there is no likelihood of change in these unfortunate conditions.

The program of education in the American Expeditionary Forces has demonstrated, on the other hand, that even brief courses of study, followed intensively under military discipline, are adequate to correct illiteracy and to teach our language. The whole experience of our Army demonstrates further that if brought together in a common purpose the various elements of our population can be speedily made into one nation. We should now find a means to provide these benefits for our country in times of peace.

Before we went into the war Col. Theodore Roosevelt, in a letter read at the National Security Congress, Washington, January 20, 1916, said:

A democracy should do its own fighting. I believe in universal service on the Swiss and Australian models, adapted to our own needs; that is, to military training in the schools after the age of 16, and, too, for a six months' service with the colors in the field for every man some time between the ages of 18 and 21.

With a small Regular Army of a quarter of a million men—a force which relatively to the Nation bears the same proportion that the police force of New York City bears to the population of New York City—we would be given the time to develop from our citizens, if they had universal military training, an efficient Army adequate to our needs.

Military service should no more be optional in a democracy than should the payment of taxes. One should be accepted as an obligation just as much as the other. * * *

Military training should be required as a matter of right and not as a matter of favor of all our citizens. In a free democracy the nation has a right to the services of its citizens both in war and in peace.

Henry L. Stimson, formerly Secretary of War, addressing the National Security Congress, Washington, January 22, 1916, said:

Four years ago, when it became my official duty to study this question, I hardly dared dream that the time would ever come within my lifetime when the American people would seriously consider the institution in this country of any system of universal military training. The searching test of the European war has, however, put its finger squarely upon this weak spot of our American democracy.

In our national development thus far we have focused our attention upon the rights, the privileges, and the benefits which we have expected to get from free government, and we have paid scant attention to the duties or the obligations or the sacrifices which were correlative to them.

But now for the first time we are beginning to realize how far we have fallen behind other nations in this respect. For the first time there has been made clear to us the superior strength and patriotism which have been developed in nations which hitherto we have been inclined to regard with little admiration or even respect. For the first time we have had revealed to us in blinding light the fact that men of other nations for years have been willing to give toward the building up of the efficiency of their nation a measure of time and personal effort which we have have been unwilling to give.

We are beginning to realize the true meaning of the proposition that manhood suffrage postulates manhood services, and that the man who has a right to participate in the making of his own government is bound by the highest obligation of honor to share in the burden of defending it. And so to-day we find an increasing number of our people who believe, as I believe, that this problem of national defense will never be permanently solved until it is distributed among the whole people by some system of universal liability to military training.

I now read from a statement made in a letter of Samuel Gompers, president of the American Federation of Labor, read before the National Security Congress, Washington, January 20, 1916. Mr. Gompers said:

In addition to those who enter the Regular Army and Navy as a profession there must be reserves that can be called into the service of the country quickly to meet an emergency. It is necessary, therefore, that there should be opportunities afforded to the masses of the citizens for military training. However, all military training must be safeguarded to protect democratic ideals and civic institutions.

Not only must there be equal opportunity for all citizens to enter military training organizations and camps, but that opportunity must be attended by such provisions as to make it an equal opportunity for both the poor and the rich. A fair compensation for military training camps must be paid as a substitute for wages lost. In these citizens' organizations for military training there must be no recognition of distinctions, professions, or for any advantage or position that may be held by any citizen or group of citizens.

Maj. Gen. Leonard Wood, on December 18, 1916, said, on page 620 of the hearings before the Committee on Military Affairs of the United States Senate on the reorganization of the Army:

We should prepare and hold in reserve the necessary equipment and supplies for a force of approximately 4,000,000 men. That is essentially the recommendation I made at one of the last hearings I had here before the war, as I remember it.

This is an extract from a statement made by Maj. Gen. Leonard Wood before the Senate Committee on Military Affairs, and I wish to point out to the Senate how prophetic the statement of Gen. Wood was:

In conclusion, I wish to emphasize the necessity of prompt preparation of an adequate force of trained men with the necessary arms, equipment, and supplies for 4,000,000 men. In my opinion, there is nothing of more vital importance than that we should take measures to this end and take them immediately. We are absolutely unprepared in artillery guns and ammunition for war and will continue to be so for many years under present rate of progress.

In speaking of officers the following occurred:

Senator FLETCHER. Does that include officers, General?

Gen. WOOD. Yes; but not the reserve officers. It includes the officers of the Regular Army. It does not seem to me that a larger force is necessary now that we have pending the possibility of a universal training system. We have in our population some four and one-half millions of men who have received fairly good training, some of them very excellent training, and approximately 200,000 officers from which we can commence the building up of such reserve organizations as we may require, pending putting into operation the system which Senator CHAMBERLAIN has recommended.

Gen. Wood made this further statement, as found on page 630:

I do not think the first line of the reserve need include the men of more than the last four years. Probably not over half of our youth will be found fit for line military service, so that we should not train more than 600,000 men a year for purely military service. This should give us between 2,500,000 and 3,000,000 men in the first-line group, and none of them would be more than three years away from his intensive training period of six months.

Officers and noncommissioned officers in the meantime would have received additional courses of instruction. If we attain this condition of efficiency, we shall be as secure as any nation can be in peace and we shall be a positive influence for peace.

Senator CHAMBERLAIN. You would not fear the militarizing of the country or the thought of the country in undertaking to train young men as you have suggested?

Gen. WOOD. Mr. Senator, if you have any fear of that ask the boys who have been over to Europe if they want to go back again or if they like war—you will find that they are against war unless it is unavoidable.

Senator CHAMBERLAIN. I have no fears, but you know that that fear has been pretty generally expressed.

Gen. WOOD. That has been completely answered by the attitude of the men who have been coming home.

Senator CHAMBERLAIN. And want to get back into civil life?

Gen. WOOD. Absolutely. They are exactly like a football team after a hard season; that is, when the last big game has been won and they have thrown off their togs, they do not want anybody to talk football to them until next year.

Senator CHAMBERLAIN. You have not seen any disposition on the part of these returning men to create a row somewhere else in order to fight?

Gen. WOOD. They have come back better men physically, better citizens, more law-abiding, and in every way better and more valuable men.

Senator CHAMBERLAIN. With a broader vision.

Gen. WOOD. Yes; with a much broader vision, with a wider knowledge of the world, and with a better understanding of what our country stands for. I have not seen a man who is not glad that he is back home. The attitude of these men has been a wonderful revelation to the public, and your statement to the effect that military training does not tend to militarism or to a love for war stands unchallenged in every community of America. This attitude of the men will be of the greatest possible value in the establishing of a training policy, because the men and women of America see their men coming back in every way better men than they went, hating war, but willing to do their duty even through war in case of need.

Senator CHAMBERLAIN. If necessary.

Gen. WOOD. If necessary, just as we are willing to make any sacrifice for the country which may be necessary. It has been a splendid thing in that way, and it has killed absolutely the foolish twaddle of the pacifist and the faker to the effect that any kind of military training would tend to build up a military spirit and class.

Senator CHAMBERLAIN. You participated somewhat in the hearings for universal military training about three years ago, and you remember the argument of the people then was that it would Prussianize America?

Gen. WOOD. It has democratized America as nothing that we have ever attempted has done.

The first statement I read made by Gen. Wood before the Committee on Military Affairs of the Senate months before we entered the war was strikingly prophetic in its character. The figures fixed by Gen. Wood in December, 1916, were almost the exact maximum limit of our Army when the armistice was signed two years later.

After we had passed through our strenuous war experiences, before the Joint Military Affairs Committee other witnesses were called, and I shall read from the testimony of the man who led our Expeditionary Forces on the other side, and who accomplished such marvels in the short time with the men who went over there, many of whom had been in factories, workshops, and stores, men who had had only a limited training. Gen. Pershing took that army, and you all know the record, and I think that the testimony of Gen. Pershing illuminates, better than any of the other testimony, the needs of the country for future defense. I think it is the best and the clearest statement that has been made. At least we must credit him with being a military authority. Gen. Pershing said:

The obligation of deciding upon a definite policy of national defense and of working out the details of a system is a matter of national interest. We have just emerged from the greatest war in history, whose successful conclusion was due to the tremendous effort of our people. Their very clear attitude and pronounced determination to provide men and money to the extent of their resources have placed our country in a new light before the world. Our position and influence in world affairs are no longer measured by our wealth and population, nor yet by our free and liberal form of government, but by our purpose to maintain the high principles of justice and humanity upon which our institutions are founded. This influence bears a direct relation to the solidity of our Government and our readiness adequately to defend our rights.

Our success in the war was not due to our forethought in preparedness, but to exceptional circumstances which made it possible to prepare after we had declared war. It is my belief that if America had been adequately prepared, our rights would never have been violated; our institutions would never have been threatened.

* * * * * * *

In addition to the preparation of our young manhood for service in defense of their country in time of war, military training would bring them many other important benefits which our Government should hasten to provide. Such training would develop the physical vigor and manliness of our youth and sharpen their mentality. It would teach self-discipline and respect for constituted authority. Experience shows conclusively that it encourages initiative and gives young men confidence in themselves. Through the preparation for service to the country it increases their patriotism. It broadens their views through association with men of all classes and is thoroughly democratic. It prepares young men for the duties of citizenship. Such training is especially needed among our alien population, a large percentage of whom are illiterate. If these men were taught our language and were made familiar with the spirit of our institutions, we should have less lawlessness and fewer I. W. W's.

I now want to read certain resolutions presented to the committee by the American Legion. These resolutions were adopted at a convention which was held last year. A committee of seven were appointed by the executive committee to consult and advise with the military and naval committees of both Houses of Congress as to working out the details of the organization and training of the future Army and Navy of the United States, using as its basis the resolutions accepted and adopted by this convention. I read:

RESOLUTIONS ADOPTED AT THE MINNEAPOLIS CONVENTION OF THE AMERICAN LEGION ON THE FUTURE MILITARY POLICY OF THE UNITED STATES.

1. That a large standing Army is uneconomic and un-American; national safety with freedom from militarism is best assured by a national citizen army and navy based on the democratic and American principles of the equality of obligation and opportunity for all.

2. We favor a policy of universal military training, and that the administration of such policy shall be removed from the complete control of any exclusively military organization or caste.

3. We are strongly opposed to compulsory military service in time of peace.

4. We have had a bitter experience in the cost of unpreparedness for national defense and the lack of proper training on the part of officers and men, and we realize the necessity of an immediate revision of our military and naval system and a thorough house cleaning of the inefficient officers and methods of our entire Military Establishment.

We favor a national military and naval system based on universal military obligation, to include a relatively small Regular Army and Navy and a citizen army and navy capable of rapid expansion sufficient to meet any national emergency, on a plan which will provide competitive and progressive training for all officers, both of the Regular Army and Navy and of the citizen forces.

We believe that such military system should be subject to civil authority. Any legislation tending toward an enlarged and stronger military and naval caste we unqualifiedly condemn.

5. The national citizen army, which should and must be the chief reliance of this country in time of war, should be officered by men from its own ranks and administered by a general staff on which citizen-soldier officers and Regular Army officers shall serve in equal number.

We recommend that military training in high schools and colleges be encouraged.

6. We favor the continuance of training camps for the training and education of officers to serve in case of national requirement.

The Commercial Club of Chicago assembled a group of officers, who debated the question of the lessons of the war as to universal military training. I shall not read all of them, although I would recommend that some of the Senators on this floor procure a copy and read the statements of the officers who spoke at that meeting. I read from the statement of Col. Henry J. Reilly, colonel of the One hundred and forty-ninth Field Artillery, as follows:

I do think the thing we need to teach in this country is the fact that a citizen of the United States of America enjoys a great many things which he has no right to per se; he enjoys a great many things for which other people have laid down and risked their lives in past generations. Every young man in this country should be taught if he will not risk his life for those things, then he has no right to enjoy them.

From time to time I run across pacifist arguments. I have for a number of years. I am willing to give every pacifist the credit of honest intention, of really being humane, and of really wanting something better on this earth—and that is more credit than he or she has ever given to any opponent.

There is only one question I would like to ask them. They are generally not practical. Leave aside everything that is practical, come down to nothing but the humanitarian point of view, and ask the pacifist man or woman, "Are you willing to give your son, or your husband, or your relatives, or the young men of this country, whom you profess so much interest in when it comes to taking a drink—are you willing to give them a fair chance when it comes to going on a battle field, or are you not? Are you going to give these men a chance to go out properly armed, properly equipped, under officers who have had the opportunity of learning how to lead them?"

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What I would like to do would be to take every man and woman in this country, particularly the pacifists—I would like to walk them from Chandron Farm to Sommerance in the Argonne as it was the first week of November and let them see the American dead of the Thirty-fifth Division, the First Division, and the Forty-second Division littered over that ground.

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I do not believe in turning over the things that are past. There is no use saying you might have done this or that or something else, or that that man was to blame or that this man was to blame. The only things of the past I am interested in are the lessons we can take from it to help us in the future. I do not believe any reasonable human being could say for one moment, particularly if he has read any paper—I don't care whether it is the Tribune or some other one—that the day of universal peace has dawned on this earth. It has not. We will fight again or we will give up the things we believe in.

Now, just ask the pacifist, and, above all, the woman pacifist, who, full of the finest emotion, is carried away by it and therefore can not be reasoned with, just ask her to go and stand on the battle fields of Chandron Farm and Sommerance, where I saw more dead as did Tom Hammond there and as did many hundreds of others, just have her stand there and see how many dead Americans lying there could have been saved, how much greater a military victory we could have had had we had prior to the war universal military service and thereby given every American before he went on the battle field the training which would have given him the chance he was entitled to in the face of a real foe.

I read from a statement of Col. Abel Davis, of the One hundred and thirty-second Infantry, as follows:

I believe in military training. I believe that it should be universal in the sense that in times of peace to the extent that the least possible interference may be had with our ordinary peaceful pursuits every young man who fails to equip himself for military service, either in the Regular Army, National Guard, or educational institutions, should be subject to call for military service and preperation. I am not for universal training in the sense that every young man at a certain age, let us say 19 or 20, should be taken away from his educational or industrial work and compelled to be a member of an army for a year or longer. It is an expensive method and quite unnecessary.

I propose that our Federal Government, preferably through action of Congress, determine yearly the number of young men required for training, the number to depend on the strength of the Army, the National Guard, enrollments in educational institutions, and upon international relations as they may tend toward war. When the number is ascertained each congressional district will receive its quota and the young men selected by lot. A system of registration will be necessary as part of the plan.

In my judgment six months of training is all that will be required. It has taken more time heretofore to give a soldier the fundamental training. It was due in a great measure to the enormous waste of time in starting the training machinery going. There was no plan, no system of training, no organized staff of instructors.

With the staff organized, with the plan well prepared in advance, and by improving and utilizing the training centers and camps now in control of the Government, enough work could be crowded into six months to give a young man the fundamental training required. His military education would be continued by the system of reserve of which I shall speak later.

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The war is over. We hoped this war would end war; we hope so still; but are we thoroughly convinced? And do any of us think that America can afford to find herself again in the position she occupied when war was declared in 1917?

We like to believe that on a matter of national principle or national honor we will fight. Is it not true that in the provisions of the League of Nations there are clauses which, if the league is adopted, may result some day in our finding ourselves actually at variance with the league? And, finally, what is our value as a member of the league if we are in no position to back our views with force?

Gentlemen, there is more than a bare chance that war may come upon us again. If it does, without general training of our young men and without a reserve organization which permits us to develop and systematize our fighting units at once we shall be in the position of the householder who, threatened by burglars, buys a revolver, oils it, loads it, learns to shoot with it, drives off the intruder who ultimately confronts him, and then throws it under the house to rust and rest undiscoverable.

I now quote from a very eminent authority, Secretary Baker, This was published in the Washington Post of February 6, 1920:

"After all is said and done," declared Secretary Baker, "the mind depends upon physical power. There must be power to execute the high ideals of right-thinking men and women."

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"The fear of our becoming a military nation exists no longer," asserted Secretary Baker.

"That idea was dissipated by the war. Now we find ourselves convinced that this country does not desire a military policy, strictly speaking, but a policy of defense that will always enable us to render the greatest resistance to oppression with the least sacrifice.

"Universal training has a large value aside from its military features. It is an education in itself, and we have ceased to regard the Army as an alien institution. Our own sons in future will understand its attitude better and appreciate its qualities under a system of universal military training."

I now read from an editorial in the North American, of Philadelphia, in reference to universal military service:

In July, 1918, it was announced that President Wilson had completely changed his views, and that he favored the principle of obligatory training.

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Eventually, it seems, the views held unanimously by military experts and sustained by the country's costly experiences in the war prevailed over the prejudices and hesitancy of the administration, for President Wilson wrote last week: "I have given my approval in principle to the various very moderate training projects suggested by the General Staff." Thus he has given belated acceptance to the doctrine which Theodore Roosevelt, voicing the very essence of democracy and Americanism, declared so persistently during the last years of his life:

"The fundamental national duty is the duty of self-defense, just as the fundamental political right is the suffrage. A cardinal feature of the permanent policy of this liberty-loving, democratic Republic should be the principle of universal obligatory military training and military service for all our young men."

High praise is due to President Wilson for having taken his stand at last for a system which is the first requisite for national safety—a rational, equitable scheme of defensive preparation. Universal military training does not imply or require universal military service in time of peace—that would be applied only in a great national emergency. The system of training would simply guarantee that if the call ever came the Republic would be ready to defend itself.

Finally I quote the President's letter published in the Washington Star of February 9, 1920. This is the last witness I shall summon to the stand before closing:

In the present circumstances it would seem to me unfortunate to make a party issue upon this subject, particularly since within a few months the party will assemble in convention and declare the principles upon which it deems it wise to commit itself in a national election. The present disturbed state of the world does not permit such sureness with regard to America's obligations as to allow us lightly to decide upon this great question upon purely military grounds while the demonstrated advantage to the youth of the country which came from military service in the war plainly suggests that in the national interest, quite apart from military considerations, the moderate and carefully conducted course of military training may have the highest possible advantages. In our discussion of the subject, you will recall, I gave my approval in principle to the various very moderate training projects suggested by the General Staff, and I would be very glad to have you convey to appropriate Members of the House who will attend the caucus my strong feeling against action by the caucus which will tend to interpose an arbitrary party determination to the consideration which this subject should receive from the best thought of the Members of the House, considering alike the national emergencies which may confront us and the great disciplinary and other advantages which such a system plainly promises for the young men of the country.

Mr. President, I voted in the committee to support the present military training feature of this bill and shall do so on the floor if it comes to a vote. Some Senators feel, however, that the sentiment of the country is against it. That may be so. The opposition probably comes from war reaction, war weariness, and the fear that the compulsory feature would be repugnant to the people of the country, and that what they stood in war they will not stand in peace.

I feel that we are not quite alive to the beneficial advantages of the system. If it is to be defeated here in the House, as seems possible, would it not be well to recognize the existing opposition to the compulsory feature and establish the principle of the system in another manner?

I therefore propose the following plan, which can be accomplished by a simple amendment to the present provision: That we provide for the training by the United States Government, under the military organization, of all youths of 18 years who volunteer for the training period prescribed in the bill. It might be well to fix at the outside a maximum limit to be trained of 200,000 boys, or any portion of that number who may volunteer under the plan of training prescribed in the bill; to provide that the quota of each State shall be determined as the proportion of the population of each State at the last census bears to the entire population of the United States; and that the allotment of each State shall be made through the proper machinery and channels to be established by the Army organization.

I feel that some proper measure should be provided for the expansion in time of war of the military forces, and that this should be accomplished by having the young citizenry of the country, who owe an obligation to the National Government, trained in this manner. I feel that some system acceptable to the American people should be tried. I am deeply interested in the experiment of such training on the morale and physical health of the future citizens of America. I believe that such a trial will show such great benefits that the youth in the future, arriving at the age of 18, as well as their parents, will eagerly welcome the opportunity to have the educational, disciplinary, and physical advantages of such a training. I believe that the benefits to the health and also to the mental and physical growth of the boys will be such that all parents with any spark of filial pride or patriotism will look forward in the future to having their sons perform this voluntary obligation to their country, and will respond gladly to such a voluntary system and will popularly support it.

I make this suggestion at this time in order that we may have the opportunity of considering its advisability. This bill has been written by the members of the Military Affairs Committee, who sat during the entire period of the war and handled all the military legislation necessary to prosecute it. Members of this committee assisted in our preparedness plans. They fought to cut the red tape. They observed the progress of America in the war. During that time they have had but one thought in mind—the service of their country and the successful conclusion of the conflict. The bill has been written with a realization of the errors we have made in the past ever in mind and a firm determination that the mistakes of the past shall not, if the committee can prevent it, be the mistakes of the future; that the people of this country shall have a military policy democratic and simple, but effective enough to protect us against the attack of any nation on the face of the earth; a Military Establishment which will defend our honor and integrity, uphold law and order and the institutions of America, and insure peace and contentment to all the people of the land.

It has been written in the memory of the heroic sacrifices made by the men who served and forgot the neglect of the past, in the memory of the fathers and mothers who gave their sons in the struggle. It has been written in the memory of those heroic American freemen who now lie under the white crosses on the battle fields of France. It is written so that future generations may know that the men in this Congress have not forgotten the great lessons of the war, nor the great service rendered by its citizens in the face of almost insurmountable obstacles which might have been avoided had we had a proper vision of the future. It has been written in the memory of the fact that it is our duty to civilization to preserve inviolable the principle of government for which the fathers fought, the danger of the overthrow of which, by our lack of vision, was almost accomplished by German autocracy and militarism in 1917 and 1918.

I will not answer the absurd criticism of universal military training that it is undemocratic. I shall content myself with quoting the brief, pungent, and preeminently logical comment of that sublime American, Theodore Roosevelt:

Military service should no more be optional in a democracy than should the payment of taxes. One should be accepted as an obligation just as much as the other. * * *

Military training should be required as a matter of right, and not as a matter of favor of all our citizens. In a free democracy the nation has a right to the services of its citizens both in war and in peace.

Whatever may have been the criticism of compulsory military training, there can be no logical criticism of voluntary military training, except upon the ground of the expense involved.

It happens, Mr. President, that I have made something of a study of the Nation's finances. I am aware of the necessity for economy. Our appropriations for next year may reach $6,000,000,000. There is no need to preach economy to me. I recognize the necessity for practicing it. But, let me ask, why do we have this deficit facing us? Why are we called upon to appropriate $6,000,000,000 this year? Why have we a bonded indebtedness of $25,000,000,000?

I will answer if we had prepared for war in time of peace instead of in time of war our expenditures would not have been one-half what they were. Because of our unpreparedness, because every move we made in war time to recruit and equip our Army, it cost us $2 where one would have sufficed in time of peace.

In other words, Mr. President, the chaotic, embarrassing condition of our finances must be placed upon the shoulders and upon the consciences of those statesmen who were either pacifists or moral cowards, who proclaimed that we should never be compelled to wage war again, and who made no provision for the inevitable in the program of human existence.

I do not care to listen to the economy pleas of such statesmen. If they force us to return to our former prewar status of inefficiency and unreadiness, then they will at a no distant day doom us to billions more of unnecessary expenditures and to the tortures of increased taxation and unlimited bond issues. After that will come the deluge and anarchy.

Too long this Nation has been penny-wise and pound-foolish. Economize we must and economize we will, but we must neither preach nor practice that false economy which spells disaster, shipwreck, bankruptcy, and dissolution for this Republic and of human society generally.

If we have learned nothing from the tragedy of this great war, then sad indeed is and will be the fate of America. If we shall be permitted to return to our former prewar condition of unpreparedness, then certainly we have not made the United States, much less the world, safe for democracy. If we have not profited and shall not profit by our calamitous experience of the last three years, then the dead will have died in vain, and hundreds of thousands of other dead must follow in the shadow of the departed.

Senators, let it not be said that in this great crisis in the world's history, standing on the brink of unspeakable possibilities, we have no plans for the future protection and preservation of our country and of our wives and children.

"Lest we forget," "lest we forget," let us here and now highly resolve that the dead shall not have died in vain; that those who lie beneath the poppies on Flanders' fields and beneath the white crosses that dot the sacred soil of France shall not have made the supreme sacrifice futilely and to no purpose.

I do not know how it is with other Senators, but to me the most eloquent, the most appealing voices, are the voices that are mute and hushed in the solemn stillness of death. Trumpet tongued are they, and I can hear ringing down the corridors

of destiny this cry: "We have willingly laid down our lives for civilization, but we demand that this sacrifice shall not be a vain one; we demand that our brothers and our sons left behind shall be saved from a like fate and not led to the slaughter because of unreadiness and unfitness to fight for the liberties and rights of mankind."

It is not conscience that makes cowards of us all, but the lack of it. It is because of a craven fear that a namby-pamby, molly-coddlish constituency may chide us if we vote our convictions and make proper provision for the eventualities, nay, for the certainties, of the future.

I do not know how other men reason, but to my mind the fact is entirely clear that had the United States been ready for war when we entered the struggle the sanguinary contest would have been ended a year sooner than it was, and the last million men who gave up their lives in France would be living to-day, vigorous factors in the world's economy instead of memories only, lost to civilization, lost to humanity, lost to those who loved them dearly.

I can not comprehend the texture of the conscience of those men who, by reason of their inaction and neglect, were responsible for that greatest of the world's tragedies, and who yet can walk the earth, supremely content and utterly oblivious of the consequences of their shirking the call of duty.

Not for the purple of 10,000 kings, not for all the gold of Midas or Crœsus, would I have upon my conscience the knowledge that, by reason of my supineness or remissness, I was responsible for the death of a million heroic young men whose lives were sacrificed because of America's unprepardeness for her great part in the salvation of civilized society.

Mr. President, I send to the desk an amendment, which I now move to strike out and insert in order to perfect the text which the Senator from Tennessee [Mr. MCKELLAR] has moved to strike out.

Mr. KIRBY. Mr. President, I think we can simplify the matter somewhat——

The PRESIDING OFFICER. The Senator from New Jersey offers an amendment, which the Secretary will state.

Mr. KIRBY. Mr. President, as I understand, the amendment is not in order at this time.

Mr. MCKELLAR. Mr. President, as I understand, a substitute has been offered by the Senator from Arkansas for the amendment offered by me, so that the amendment of the Senator from New Jersey is not now in order.

The PRESIDING OFFICER. The Chair is of the opinion that the amendment of the Senator from New Jersey is an amendment to the text, and is offered for the purpose of perfecting the text. It therefore takes precedence over either the amendment proposed by the Senator from Tennessee or the amendment proposed by the Senator from Arkansas.

Mr. FRELINGHUYSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New Jersey suggests the absence of a quorum. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ball	Gore	McCormick	Ransdell
Beckham	Hale	McCumber	Sheppard
Brandegee	Harris	McKellar	Simmons
Calder	Harrison	McLean	Smoot
Capper	Henderson	McNary	Spencer
Chamberlain	Hitchcock	Myers	Sutherland
Colt	Jones, Wash.	Nelson	Swanson
Comer	Kendrick	New	Thomas
Culberson	Kenyon	Norris	Townsend
Curtis	Keyes	Nugent	Trammell
Dillingham	Kirby	Page	Wadsworth
Elkins	Knox	Phipps	Warren
Frelinghuysen	Lenroot	Pittman	Watson
Glass	Lodge	Pomerene	

Mr. SIMMONS. I wish to announce that the senior Senator from South Carolina [Mr. SMITH] is unavoidably detained from the Senate.

I desire also to announce that my colleague [Mr. OVERMAN] is detained on official business.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum is present. The question is upon the amendment proposed by the Senator from New Jersey [Mr. FRELINGHUYSEN].

Mr. CURTIS. Let the amendment be stated.

Mr. MCKELLAR. Mr. President, I have the amendment before me, and I want to submit to the Senate that it is absolutely in no sense an amendment to the amendment that has been offered by me to strike out. I should like to read to the Chair just what it is.

The PRESIDING OFFICER. The Chair does not understand that it is an amendment to the motion made by the Senator from Tennessee to strike out.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. MCKELLAR. I yield.

Mr. FRELINGHUYSEN. This is simply a perfection of the text, and a motion to strike out that part of the text and insert the provisions as presented by me.

Mr. MCKELLAR. Mr. President, the bill has been read and perfected, and this amendment is to strike out and insert various words and phrases and clauses that have no reference in the world to the amendment that is pending; and this amendment can not take precedence, because that has already been done. These sections have been gone over and perfected, the committee amendments have been offered, and after that has been done I have offered my amendment, which is to strike out, on page 65, bginning with line 4, all of sections 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, and 61, being that portion of the bill which provides for universal compulsory military training.

This is an entirely different amendment. As I understand from the Senator's argument a while ago, the object of it is to substitute a voluntary system of training for a compulsory system of training. After the compulsory system is stricken out, if the Senate should vote to strike it out, it strikes me that this amendment would be in order to perfect the bill. That might be true; but surely it can not be in order to insert an entirely new system of training, in view of the pendency of this motion of mine to strike out.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. May the Chair suggest to the Senator from Massachusetts that it would be in order to have the amendment first stated, in order that the Senate may intelligently deal with it? It has not yet been read.

Mr. LODGE. Mr. President, this is, as I understand, a series of perfecting amendments. I only wanted to say that there is nothing better settled than that on a motion to strike out and insert, or a motion to strike out, the passage which it is proposed to strike from the bill is open to perfecting amendments. That is the rule of the Senate, and it is laid down in Jefferson's Manual. Of course the exercise of that right must be always preserved on this motion, because unless you can perfect what it is proposed to strike out you can not tell whether the body will desire to strike it out or not.

I do not mean to argue the question. The rule is absolutely plain on it.

The PRESIDING OFFICER. The amendment will be stated.

The reading clerk read as follows:

Page 65, line 9, strike out "three" and insert "ten."
Line 10, strike out "subject to" and insert "eligible for."
Lines 10 and 11, strike out "shall be inducted into" and insert "may enlist in."
Line 12, strike out "shall."
Line 19, after the word "months," strike out balance of line and all of lines 20, 21, 22, 23, and 24.
Page 66, strike out line 1 and line 2, down to and including the word "desire."
Line 12, strike out "all persons" and all of lines 13, 14, 15, 16, 17, and the word "years" on line 18.
Line 22, strike out "liable" and insert "eligible."
Lines 23 and 24, strike out "inducted into the service" and insert "enlisted for training."
Page 67, commencing on line 11, strike out the remainder of the section.
Page 69, line 4, strike out "liable to" and insert "eligible for."
Line 7, strike out "be required to" and insert "upon their request."
Line 20, strike out "liability to" and insert "eligibility for."
Line 21, strike out "liability" and insert "eligibility."
Page 70, strike out lines 15, 16, 17, and 18.
Line 23, after "development," insert "and who may enlist for such purpose."
Pages 70, 71, and 72, strike out sections 56 and 57.
Page 72, commencing line 18, strike out title of section and all of lines 20, 21, 22, 23, and line 24 to the end of the sentence, and insert new title, "Enlistment and assignment of reservists upon the completion of training," and the following:

"Each reservist who has completed the prescribed training under the provisions of this act may, subject to proper regulation, enlist in the permanent personnel or in an organization of the organized reserves or of the National Guard of the United States established for the locality in which he lives."

Line 25, after "reservist," insert "so enlisted in the organized reserves or the National Guard of the United States."
Page 73, line 8, strike out "assigned" and insert "enlisting."
Line 9, at beginning of line, strike out "to" and insert "in."
Strike out proviso commencing on line 18 and ending on line 24.
Page 74, line 1, strike out "assigned" and insert "enlisting."
Line 2, at beginning of line, strike out "to" and insert "in."
Line 3, after the words "shall be" insert "discharged and."
Line 8, strike out "assigned to" and insert "enlisting in."
Line 24, commencing at beginning of sentence, strike out remainder of the line, and, on line 25, strike out down to and including the word "and." Strike out small "i" in the word "in" and insert capital "I."

Page 75, line 5, strike out comma after United States and strike out "enrollment."
Line 12, strike out "enrolling in."
Page 77, lines 5 and 6, strike out "but not liable for military training under the provisions of this act" and insert "except enlisted men of the permanent personnel and the organized reserves."
Pages 80, 81, and 82, strike out all of section 65.
Page 91, strike out section 76 at bottom of page.

Mr. POMERENE. Mr. President, the Senator from New Jersey has presented here a series of probably 20 or 30 amendments to the original text. It is utterly impossible for me, at least, to understand the effect of the amendments, and I therefore ask that the Secretary be instructed to read the text as it would be if amended in accordance with these proposals.

Mr. FRELINGHUYSEN. Mr. President——

Mr. NELSON. Will the Senator yield to me?

Mr. FRELINGHUYSEN. I yield to the Senator.

Mr. NELSON. These amendments are so numerous that it is difficult to keep track of them from the reading at the desk. I suggest to the Senator from New Jersey that we postpone action on them until we can have the bill printed with the amendments in italics, so that we can see what they are when we read the bill. Otherwise, it will be difficult to pass on the questions. I suggest to the Senator from New Jersey that before we take action on the amendments there shall be a reprint of the bill made showing the amendments.

Mr. McKELLAR. I should like to say that we are exactly in the situation which the Senator from Minnesota so well describes. It is absolutely impossible for anyone who has not been heretofore made familiar with the amendments proposed by the Senator from New Jersey to know what effect they would have. The only way it could be done would be to have the text of the bill printed with the amendments italicized. Then we could see what are the amendments and vote intelligently upon them.

While I am on my feet I want to make a parliamentary inquiry. Are there any circumstances under which we can have a straight vote on the question whether we shall adopt universal military training as reported from the committee? If there is, then we want to have that kind of a vote.

Mr. McCORMICK. Mr. President, may I ask the Senator from Tennessee a question?

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I would like to yield to the Chair, because I preferred a parliamentary inquiry.

The PRESIDING OFFICER. The Chair does not think that the Senator from Tennessee has presented a direct parliamentary inquiry. The inquiry of the Senator from Tennessee is whether there might arise a combination of circumstances under which a certain vote might be taken. The Chair can not answer that question.

Mr. FRELINGHUYSEN. Mr. President, I had the floor, and I yielded to the Senator from Tennessee. I understand that I have the floor at the present time.

Mr. McKELLAR. I yield the floor to the Senator from New Jersey.

Mr. FRELINGHUYSEN. I do not intend to yield it at the present time. I simply want to explain the purpose of these amendments.

The amendments were carefully prepared some weeks ago. They provide, instead of a compulsory system, that all applicants, at the age of 18 and for 10 years thereafter, may voluntarily apply for the military training, and that the United States Government will train those volunteers. That is all the amendments do. They change the present system from a compulsory system, which at the present time, I understand, will be defeated here and in the House, and in my desire to at least make some preparation for national defense beyond the organized Army, which I believe under this bill is too small, in order to save that provision, and have at least those trained who volunteer and offer their services to their country, and recognize the obligation, I propose to make the system voluntary. That is all the amendments do.

The question is for those Senators who are so concerned regarding the compulsory feature of this bill to determine in their minds whether they are willing to accept a voluntary system and train those men who offer themselves to their country.

Mr. McKELLAR. Will the Senator yield?

Mr. FRELINGHUYSEN. I yield.

Mr. McKELLAR. I ask the Senator, if that is the case, why can we not have a straight vote on whether we shall have compulsory training, and if the motion to strike out is carried, then, if the Senator will present his amendments, not in the form of amendments to sections that now exist, but as independent amendments, we can all understand it, and it may be that we would all want to vote for the Senator's amendments? It is impossible for any of us to tell, in the form in which they are put before the Senate, whether they are good, bad, or indifferent. We know hardly anything about them.

It seems to me the correct way to get at the matter would be to vote on whether we are going to have compulsory training. If we conclude not to accept compulsory training, then I for one shall be very very glad, indeed, to consider the training offered by the Senator from New Jersey. But I think we ought to have a vote on compulsory training.

Mr. McCORMICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Illinois?

Mr. FRELINGHUYSEN. I yield to the Senator from Illinois.

Mr. McCORMICK. May I ask the Senator from New Jersey if his amendments will not permit the Senate to determine the question of compulsory training as distinguished from voluntary training, and if the issue which the Senator from Tennessee seeks to join will not be joined upon those amendments?

Mr. HARRISON. Will the Senator from New Jersey yield?

Mr. FRELINGHUYSEN. I yield to the Senator from Mississippi.

Mr. HARRISON. Did the amendments offered by the Senator from New Jersey represent the views of a majority of the majority of the Senate Committee on Military Affairs? Are they agreeable to the Senator from New York [Mr. WADSWORTH]?

Mr. FRELINGHUYSEN. They do not represent the views of the majority of the committee. I am for compulsory military training, but I recognize at the present time that this question is one which will probably be defeated. There are so many Senators opposed to the compulsory feature, feeling that the sentiment of the country is against it, and that it is unwise to adopt it, that they will vote against it. I believe that it is defeated, and therefore, in order that we may have at least some system of training, as an experiment, if you will, giving an opportunity to test its advantages and having those who gain benefit from it go out and become missionaries, to widen its scope, I have offered these amendments to save the system of military training by providing that, instead of the objectionable compulsory feature, a voluntary feature shall be inserted.

Mr. HARRISON. May I ask if the Senator has consulted with the Senator from New York [Mr. WADSWORTH], to get his views on this proposition, and whether the amendments are acceptable to him as chairman of the Committee on Military Affairs?

Mr. FRELINGHUYSEN. I have consulted with the Senator from New York. I am not willing to quote the Senator. I think the Senator stands as I do. He believes in compulsory military training. He believes it would be a great benefit to the country. He is committed to it, and so am I committed to it. I was a member of the subcommittee. But it is defeated.

Mr. HARRISON. Did not the Senator entertain those views when the committee voted for compulsory military training?

Mr. WADSWORTH. May I answer the question of the Senator from Mississippi?

Mr. HARRISON. I would like to have the Senator from New Jersey answer it. When did he change his view on the proposition and as to whether it could be passed through the Senate? It was voted out of the Committee on Military Affairs by a majority, I understand, standing for compulsory military training.

Mr. FRELINGHUYSEN. Is the Senator interrogating me?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from New York?

Mr. FRELINGHUYSEN. I first wish to answer the Senator from Mississippi by saying that the expressions of various Senators, including many on the Senator's own side, that they intended to oppose it have led me to the belief that it would be defeated, and I think the Senator knows that it is defeated.

Mr. HARRISON. I think, without question, it will be defeated, but I am wondering when the change of heart came over the Senator.

Mr. FRELINGHUYSEN. I am willing to overlook the political side of the question in order to do something for my country and save whatever I can of the principle of military service.

Mr. HARRISON. That is a very commendable course.

Mr. FRELINGHUYSEN. I thank the Senator.

Mr. HARRISON. Mr. President, a parliamentary inquiry. Is this motion to amend divisible? It is a motion to strike out and amend. If it is divisible, I ask for a division of the ques-

tion, so that we can vote first on the motion to strike out and then vote on the amendments.

The PRESIDING OFFICER. It is not a motion to strike out, as the Chair understands; it is a motion to amend. It is a series of perfecting amendments offered to the original text of the bill, and clearly takes precedence over a motion to strike out. A portion of Rule XVIII provides:

> But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question, and motions to amend the part to be stricken out shall have precedence.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Will the Senator suspend until the Chair finishes its ruling?

Mr. HITCHCOCK. I wish to correct the statement of the Chair, if he will permit me.

The PRESIDING OFFICER. Just as soon as the Chair completes the ruling.

Mr. LODGE. I suggest that the Chair be allowed to complete his ruling.

Mr. HITCHCOCK. I am sure the Chair does not desire to convey an erroneous impression. The pending motion is not one to strike out and insert.

The PRESIDING OFFICER. The pending motion is an amendment to the original text.

Mr. HITCHCOCK. But the Chair has read Rule XVIII, which refers to the pendency of a motion to strike out and insert. The pending motion is not to strike out and insert.

The PRESIDING OFFICER. Not at all.

Mr. HITCHCOCK. It is a motion to strike out. So what the Chair has just read is not pertinent to this issue.

The PRESIDING OFFICER. The Chair thinks otherwise. In a recent decision the following ruling was made:

> Mr. SMITH of Maryland. Mr. President, a parliamentary question. I wish to ask whether this amendment (proposed by Mr. SMITH of Georgia to perfect the text to be stricken out) is in order? We are now considering the amendments of the committee.
>
> The VICE PRESIDENT (Mr. MARSHALL). The Chair rules that the amendment is in order, it being always in order to perfect the part to be stricken out before considering an amendment thereto.

Which, of course, must be true, else after that portion shall have been perfected the Senate might not want to strike it out. Therefore a proposition to perfect must take precedence over a motion to strike out.

The Chair holds that the amendments of the Senator from New Jersey are in order and will take precedence over the motion to strike out presented by the Senator from Tennessee [Mr. MCKELLAR].

Mr. WADSWORTH. Mr. President, there is no way, in my judgment, by which the Senate can avoid, in justice to itself, passing upon the question of universal military training. I shall not avoid it. I am in favor of it just as absolutely to-day as I was yesterday, the day before, two years ago, and four years ago.

As I understand it, the Senator from New Jersey offers some amendments to the original text of the bill. They provide that instead of compulsory military training there shall be voluntary military training. The Senate must vote as between those two, when the vote is taken upon the amendments offered by the Senator from New Jersey.

Some gentlemen upon the other side of the aisle seem exceedingly anxious to have a roll call on this question. I am willing that we shall have a roll call on it. They seem to suspect that there is something in the amendments offered by the Senator from New Jersey which will deprive them of an opportunity to do something about this matter which they want to do. It will not. They can vote on the question. I am ready to vote on it now.

Mr. CHAMBERLAIN. Mr. President, the Senator from New York speaks of Senators on this side of the Chamber, but I presume he does not intend to include all, because I am not in the category of those who occupy the position of some of those who oppose universal military training.

Mr. WADSWORTH. No; the Senator from Oregon and I have worked together on this matter for several years. I know just where he stands, and have always known.

Mr. CHAMBERLAIN. I had intended to say something in advocacy of that provision of the bill for compulsory training, but I have not felt well enough to do it in the past few days. However, I take this occasion to say, as emphatically as I know how to say it, that I stand for the sections of the bill that provide for universal compulsory training. I have committed myself to it more than once on the floor of the Senate. Only a short while ago I addressed myself to the pathological side of the question, showing the good which the selective-service law has done for the young men of this country, first, in detecting the deficiencies among them, and, second, in curing defectives and restoring them not only to useful military life but to useful civil life as well.

I had hoped that I might be able to say something on the subject of the traditional policy of this country, Mr. President, from Washington down to the present time. I think the records and history of our country would show that the policy of compulsory service and the policy of compulsory training, too, if you please, do not violate any of the precedents or traditions of our country.

I feel, as the Senator from New Jersey [Mr. FRELINGHUYSEN] feels, that the sentiment of the Senate is rather against compulsory universal military training, although it does not carry with it compulsory service in the true sense of the word; and, feeling as he does about it, in order that something may be saved from this wreck, because I feel that it is a wreck, I hope that the amendments proposed by the Senator from New Jersey may prevail.

There has not been anything in this country that has done as much for the young men of the country as drafting them into the service under the selective-service act; and, in my opinion, nothing would do the country as much good as taking these young men from civil life during peace time into the cantonments, where the rich man's son and the poor man's son would work side by side in the development of our country.

The vocational training which has been provided for them under regulations of the War Department has proved to be efficacious in developing young men. I have gone through the vocational institution at Holabird, where young men are taken from the factory, from the farm, and from behind the counters, and taught vocational training, and after one year's service, taking the lessons which are given to them, they go out from the Army, where they have enlisted for a year's service or more, and accept positions in the automobile factories of the country, for instance, at from $40 to $60 a week. In other words, those young men are benefited by the short experience they have in the Army.

So I hope the amendments offered by the Senator from New Jersey will prevail, and that out of this wreck, where something was attempted to be done to rehabilitate the young men of the country we may at least give to every young man between certain ages an opportunity, if he sees fit, to volunteer for this training.

Mr. LODGE. Mr. President, I am as thorough a believer in compulsory military training as the Senator from New Jersey. I have spoken for it on this floor and voted for it repeatedly, and I have not changed my mind. But it is perfectly obvious, and it is not necessary to go into the reasons, that compulsory military training, as provided in the bill, can not pass the Senate. It is also certain that it could not pass the House. I think the complete defeat of military training for the young men of the country would be a misfortune. I do not see how any objection can possibly be urged if it is made voluntary. Therefore, I agree entirely with the Senator from Oregon [Mr. CHAMBERLAIN] that, in order to save the principle, it is very desirable that the amendments offered by the Senator from New Jersey should be adopted.

I regret exceedingly that we can not take it as reported from the committee by the Senator from New York [Mr. WADSWORTH], but I think it is much better to take the voluntary system than to take no system at all. I believe there is great value in it not merely for military purposes and for the defense of the country but for the discipline that will be received by the young men who take the training. I think it is altogether too valuable and too important to be lost entirely.

I sincerely hope, therefore, that we may adopt the amendments offered by the Senator from New Jersey, which, though necessarily numerous, are changes in language which simply mean making it voluntary instead of compulsory.

Mr. THOMAS. Mr. President, I shall not disappoint those who desire to vote on this very important subject this afternoon. I had not intended to submit any remarks to the Senate upon this or any other feature of the bill, for the statement by the chairman of the committee when it was taken from the calendar was so complete and so satisfactory as to need no further elaboration. But in view of the certain defeat, a result which has been apparent to me from the inception of the consideration of the bill, of this most important feature, I shall give, as briefly as I can, some reasons for my change of opinion regarding the subject of compulsory military training.

It is not a new subject, certainly not a new one as regards the Senate Committee on Military Affairs. It has there been actively discussed, considered, commended, and criticized ever since I have had the honor of being a member of that com-

mittee. It was brought to our attention long before we entered the war; it has accompanied the discussion of every military bill coming to us for consideration, and is a subject which will not down until it shall have been finally disposed of to the satisfaction of the majority of the American people after they shall have become thoroughly informed of the defensive needs of the country.

I am not an enthusiast over the subject of compulsory training. I regard it from the standpoint of any other necessary thing which may be obnoxious to public sentiment or to personal inclination. But the experiences of the past four years, unusual in character and world-wide in their operation, force one to consider the future from a standpoint entirely different from that which prevailed prior to our engagement in the war. We were thrown into it somewhat unexpectedly. Although the certainty of our participation had long been apparent, it came as the armistice came—almost without warning. We were obliged overnight, as it were, to begin the construction of the mightiest military armament, when you consider the distant field of its operations, ever undertaken by any nation since the world began.

Not only so, but the need was immediate. There was little time for deliberation, scarcely any time for anything except action. We were confronted immediately after our declaration of war, therefore, with the problem of raising an army and with the consideration of alternative methods of raising that army, one by the old volunteer process and the other by a system of enforced draft.

I opposed the draft system to the best of my ability. I believed it was thoroughly wrong in principle and would not only prove inoperative but deplorable in practice. I believed that it was entirely within our power to secure all the men we needed by appealing to their patriotism and by inviting their voluntary cooperation. I still believe that system would have been practical.

On the other hand, I have reason now to know that the apprehensions which I entertained regarding the draft system were not realized by the experiences of the Nation after that system was adopted. Resistance to it was sporadic and occasional; so far as its extent may be considered, it was negligible. Under its operation we raised the required Army, one of the greatest, one of the most gallant, and one of the most effective forces ever gathered together for the championing of a great principle or the defense of a great nation. Its success was almost immediate, and ultimately it was overwhelming. Those of the Senate who championed that system have every reason to be satisfied with the vindication of their judgment and with the satisfactory manner in which at all times the system was developed.

The one thing, however, which was needed for a perfect Army, or a comparatively perfect one, was preliminary training, the lack of which resulted in increased loss of life, in a very considerable degree of added expenditure, and possibly in prolongation of the war, the latter conclusion, however, being entirely speculative.

I was upon the subcommittee which prepared this bill. As one of its members it became my duty to hear the arguments for and against the various provisions afterwards crystallized into form, and which make up the bill as it came to the Senate. At the beginning of these hearings my objections to the military training had undergone no change. I was quite as much opposed to it as a universal system in America as I had been prior to our entrance into the war. But, in listening to the arguments and to the experiences, and particularly to the experiences of American officers having in charge large bodies of men at the front, responsible for their efficiency and for their safety, and bound to care for them to the utmost extent compatible with the risks of actual war, I was compelled ultimately, in spite of my preconceived prejudice, to admit the justice of their contentions for the establishment of the policy.

During our consideration of the bill an exhibition drill was given to the members of the committee, I think last September, in front of the eastern portico of the Capitol by a squad of aliens who had been subjected to military training for about three months.

It demonstrated the discipline, both mental and physical, which had been applied to 25 aliens enlisted under the laws of the country and submitted to a system of training at Camp Upton. On the 1st of July, 1919, not a single man of the squad could speak the English language, save one, who was an unlettered American. These men comprised Syrians, Greeks, Serbians, Hollanders, Czechs, Portuguese, and Spaniards, the polyglot representatives of many nations; yet within the short space of less than three months they had acquired a fairly good mastery of the English language, while their manual of arms was the most perfect that I have ever seen exhibited by a similar number of men. It was little short of marvelous.

Immediately after the performance ended we were invited to talk with these men. We took advantage of the privilege and examined them as to their experiences. They declared the system to which they had voluntarily submitted themselves, and which was both military and educational in its features, had transformed them from ignorant foreigners into American citizens. They had been taught the language, the art of reading and writing, music, history, and those physical exercises which are the equivalent of sound physical training, whether for military of any other purpose. They sang the national airs; they gave their opinions of our institutions; they expressed themselves with enthusiasm regarding the military policy of the country, so far as they had come in contact with it; and expressed the hope that they might be permitted to remain until, through this system of training, they had qualified themselves for the active duties of material citizenship.

That object lesson, Mr. President, coupled with the convictions of the men tried in battle, speaking from the fullness of their hearts, citizen soldiers as well as Regulars, tested in the crucible of actual warfare, so appealed to my judgment as to compel my reluctant consent to a favorable consideration of this section of the bill. I believed then, however, that it was premature. I know now that it is, for there is no doubt in my mind that the majority of American sentiment is against compulsory military training. I do not think that sentiment is as widespread as it was prior to the war; I do not think that it is as widespread as it was during the war; and I am satisfied as the stories of men, suffering from the want of training, shall become more and more a part of our universal information, and as it shall develop that this system, compulsory so-called, nevertheless embraces within its area mental education and vocational training, as well as physical exercise and discipline, that it will appeal more and more to the average man, who more than ever needs to learn that respect for law and constituted authority lies at the foundation of law and order, and a lesson to be acquired very largely by the gregarious instruction of our youth.

Another element, Mr. President, working against a fair consideration of this subject at this time, is the approaching presidential election. The daily unfolding of the political kaleidoscope constitutes a perspective upon which our eyes are constantly fixed, and in which we display more interest, active and passive, than in any other subject of present importance. The result is, both as to Democrats and Republicans, that what we do or fail to do at this time is subjected, so far as we can do so, to the supreme test of political opinion; in other words, how will a given policy affect the electorate; how many votes will be repelled by this particular action; how many will be attracted by the other? That is the supreme test of our legislation of to-day, and will continue to be so until the people next November shall determine whom they want for their next President. Consequently, to attempt to impose upon the country any important policy at this time is absolutely impossible. Political cowardice, if there were no other reason, would serve to make us hesitate; and he who hesitates is lost.

The House of Representatives rejected this proposal incontinently. It received recognition at the hands of the Senate Military Affairs Committee; and it is evident now, whatever we do, that the bill will not carry any method of training, either voluntary or otherwise. Whatever we do upon this subject must be done after the next election.

Like the Senator from Oregon, therefore, I shall vote for the amendment offered by the Senator from New Jersey, not with the reluctance which he expresses, for, after all, it may be the best way to draw the attention of the public to the plan, and, by giving to the volunteers that identical equipment which the volunteers at the officers' training school at Plattsburg acquired before the war, furnish an object lesson not only of its importance but of its necessity. No man, Mr. President, I think, can be found to-day who does not recognize that the voluntary training school for reserve officers at Plattsburg was one of the most valuable and important elements of our Army education prior to our entrance into the war. It turned out a large number of men fairly well equipped for the duties of active officers in the new Army, the lack of which would have been a most serious handicap, and at the same time served as a basis for the establishment of similar schools of training elsewhere, thus featuring it as an American institution. The people of the United States owe a debt of gratitude to those who had the moral courage at the time to institute that school, to adopt that system of training, and to apply it to the enthusiastic young men who flocked there to enjoy its advanatges. So, I hope that, if we should be so fortunate as to secure a voluntary system, it may

in its unfolding and in the benefit that it may accomplish go very largely toward removing initial objections to the system as un-American.

Mr. President, I freely confess that if the expense attendant upon the adoption of the system were anything like as here represented to be, I do not believe that, howsoever important it is, we should adopt it at this time; but the estimate of the expense so far as the committee are concerned has not been a matter of haphazard. The committee are as anxious to minimize public expenses as any other Members of this body possibly can be. They have taken no chances upon it, and have sought and received the best possible information to be acquired from every possible source at all familiar with or at all competent to advise us upon it.

Here let me say, Mr. President, that this bill, however unpopular it may ultimately become, is the best considered and most thoroughly prepared piece of proposed legislation that has been placed upon the calendar of the Senate since I have been a Member of it. The chairman of the committee has virtually devoted all his time to it for the last six, eight, or nine months. He has labored upon it in season and out of season, by night as well as by day; he has had about him the best experts that the War Department could furnish, and he has made his own selection of them. He himself, in my judgment, is better informed upon the military affairs of the United States than any other man in public life, and is as sincerely anxious to present to the people a thoroughly prepared, efficient, and economical system for our Military Establishment as any Member of either body of this or any previous Congress.

I here wish to pay my tribute of appreciation of the chairman of the Senate Committee on Military Affairs, because I know the work that he has done, the disinterested efforts he has put forth, and the sincere and patriotic desire that has animated him at all times to prepare and then to effectuate, if possible, the passage of a military bill as nearly perfect as human experience, human prejudices, and conflicting interests and ambitions have permitted.

So in considering the matter of cost naturally the committee were much exercised, but when it appears, not only from the recitals of the bill but from the charts which illustrate it, that the only difference between it and the House bill in the matter of expense is less than $10,000,000, while the results to be obtained from them are as the pink chart on the wall to the blue and green one on the extreme left of the Chamber, then certainly no man should hesitate because of an approximately small difference in supporting that bill which accomplishes so much more and relatively at so much less cost.

But, Mr. President, the Senate wants to vote. I am ready, as the chairman is, to vote either upon the main question or upon any of its features. I hope the amendment of the Senator from New Jersey will be adopted; and I am very sure that as time shall pass, and as we recede from the excitements and passions of the war, and as we perceive the necessity now, as ever, of some system and degree of defensive military preparation, as we shall discover from the operations of whatever peace may be ultimately declared that human selfishness and human nature, although it has experienced the severest affliction of all time, is in its fundamentals altogether unchanged, we shall be able to approach a subject of this kind more in a spirit of patriotic endeavor to serve our country than in contemplation of individual prejudice or political advantage.

Mr. HITCHCOCK. Mr. President, I am very much surprised that the Senator from New Jersey [Mr. FRELINGHUYSEN], who offers this amendment, should have kept it in concealment so long. He advises the Senate now that he has had it under consideration for almost as long a time as the bill has been before the Senate; and now it is presented for the attention of the Senate without giving Senators even an opportunity to read a printed copy.

Mr. President, this amendment as presented by the Senator from New Jersey can not possibly be intelligently considered and voted upon this afternoon; and I hope the Senator will agree to have a print of the bill made with the amendment so inserted as to indicate what effect it will have.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HITCHCOCK. I yield.

Mr. SMOOT. I was going to suggest that a print be made, not of the whole bill, but of those sections which involve compulsory military training; and I do that for these reasons——

Mr. HITCHCOCK. Oh, yes; I shall be very glad to have that done.

Mr. SMOOT. I think, if that is done, that will be all that is necessary.

Mr. WADSWORTH. Mr. President, will the Senator repeat his suggestion?

Mr. SMOOT. That the reprint with the amendments suggested by the Senator from New Jersey be made only as to the compulsory military training provisions of the bill.

Mr. FRELINGHUYSEN. The provisions amended?

Mr. SMOOT. Yes; just the sections affected by the amendments, and not have a reprint of the whole bill, because that would be a waste of paper; and not only that, but the clerks at the desk could hardly follow the amendments that have already been agreed to.

Mr. HITCHCOCK. Then, I ask unanimous consent that that may be done.

Mr. FRELINGHUYSEN. Mr. President, before this question is settled, I simply wish to say to the Senator from Nebraska [Mr. HITCHCOCK] that I presume he understands that these amendments simply provide for a change from the compulsory to the voluntary system, and that the bill has been very carefully examined and these amendments prepared with that end in view. Has the Senator from Nebraska made an examination of the provisions as they will be changed by my amendments?

Mr. HITCHCOCK. That is exactly what I am saying. In the hubbub of the Senate, and in the midst of being called out from the Senate several times, I have endeavored to do so; but I have not been able to reach any intelligent conclusion, and I doubt whether anyone can reach an intelligent conclusion, on a number of questions. For instance, I should like the Senator from New Jersey to tell me what this is going to cost. Can the Senator come anywhere within a hundred million dollars of the cost?

Mr. FRELINGHUYSEN. Mr. President, I think—and the Senator from New York [Mr. WADSWORTH] can correct me if I am wrong—that the 600,000 as originally contemplated in the 18-year-old class will cost about $168,000,000. Whatever proportion those who volunteer bear to the entire number 18 years of age, if there are 100,000 who volunteer, at $280 a head, the cost would be $28,000,000. The Senator himself can figure it out.

Mr. HITCHCOCK. There are other considerations here. The original bill provides for training within three years. The Senator's amendment, as I understand, provides for training over a period of 10 years for each individual.

Mr. FRELINGHUYSEN. It provides for one four-month period of training for anyone between the age of 18 and any age beyond that when he may volunteer for training.

Mr. HITCHCOCK. Yes. Now, the Senator says that he has had this under consideration for weeks. It seems to me that if he has had it so under consideration for weeks he ought to be able to give us an intelligent estimate of what the cost is and how it affects this bill; but in introducing his amendment he has made no statement to that effect, and I am entirely in the dark.

I am unable to reach a decision, in looking over these amendments, as to whether the men so trained are subject to compulsory military service in the event of war. Can the Senator answer that question?

Mr. FRELINGHUYSEN. I will answer the first question the Senator asked me, and that is how much it will cost. It will cost the proportionate amount that the number that present themselves for training bear to the entire class of 600,000 which we originally contemplated. If it is one-sixth, it will cost one-sixth of $168,000,000. If it is one-third, it will cost one-third that amount. That is the best estimate I can give. It will cost much less than the compulsory military training, because it has been estimated that only 75,000, and probably only 50,000, men would present themselves for training. I hope it will cost the entire amount, because I want to see at least 600,000 men trained every year.

Mr. WADSWORTH. Perhaps I can answer one of the questions of the Senator from Nebraska.

Mr. HITCHCOCK. I would be very glad to have the Senator answer it.

Mr. WADSWORTH. The Senator asked whether the men who voluntarily take this training and are then assigned to the organized reserves voluntarily would then be subject to service in time of war. The answer is in the affirmative, if the war takes place within the five years of their period of enlistment. There is nothing strange or new about that. A man who enlists in the Regular Army to-day is subject to service in time of war if the war starts while he is still serving his enlistment period.

Mr. HITCHCOCK. That answers that question, which has seemed in doubt, from a hasty examination of the amendments.

Mr. WADSWORTH. It is not nearly so mysterious and dangerous, Mr. President, as it may seem to the Senator from Nebraska. He does not seem to be very enthusiastic about——

Mr. HITCHCOCK. I am yielding for a question. I would not like to lose the floor.

Mr. WADSWORTH. I beg the Senator's pardon.

Mr. HITCHCOCK. We may well be excused for being a little suspicious under these circumstances. Here is a sudden right-about-face of all Senators who have been very ardent in advocating compulsory military training.

Mr. WADSWORTH. I hope the Senator will qualify that statement.

Mr. FRELINGHUYSEN. I hope the Senator will withdraw that statement, in view of the fact that I presented these amendments. There is nothing suspicious about them whatsoever. I am simply giving the Senator from Nebraska an opportunity to vote on a voluntary system. He has objected to the compulsory feature. My position is perfectly plain.

Mr. McKELLAR. Will the Senator from Nebraska yield to me?

Mr. FRELINGHUYSEN. I think the statement that there is something suspicious about it is extremely offensive.

Mr. McKELLAR. I want to ask the chairman of the committee, if I may, in the time of the Senator from Nebraska, whether this scheme of voluntary military service has ever been considered by the committee as a committee; and does not the Senator think that it should be referred to the committee and let them pass on a volunteer scheme?

Mr. WADSWORTH. Mr. President, I can not help expressing my amusement at the way Senators on the other side squirm.

Mr. HITCHCOCK. Now, Mr. President, I hope the Senator will not express——

Mr. WADSWORTH. I hope the Senator will allow me to answer the question, if I can.

Mr. HITCHCOCK. I am not asking the Senator any question.

Mr. WADSWORTH. I thought the Senator from Tennessee asked me a question.

Mr. HITCHCOCK. I yielded to the Senator from Tennessee. I shall be delighted to have the Senator amuse himself at the way we squirm, but I would like to have him amuse himself in his own time.

The Senator from New Jersey misunderstood me. I did not say that there was something suspicious in his action. What I said was that we might well be excused if we entertained suspicions at this sudden conversion.

Mr. FRELINGHUYSEN. Ah!

Mr. HITCHCOCK. We have been engaged here for a number of days in a struggle upon the floor of the Senate against the provision reported out of this committee involving compulsory military service, involving a proposition that the Government shall take a five-year mortgage upon every young man in the country 18 years of age, and proposing to subject him, in the event of war, to compulsory service, without any act of Congress providing for a draft. We have been engaged in fighting and antagonizing that proposition, and we had before the Senate at the time an amendment offered by the Senator from Tennessee to strike out those objectionable clauses.

Now, we are informed that for weeks one of the ardent advocates of compulsory military training and compulsory service, together with the chairman of the committee who reported the bill, have been discussing a plan of substituting for this proposition a volunteer military service, without affording us the opportunity of examining a printed amendment, without affording us even the notice that generally goes with important amendments that are to be offered.

Under those circumstances we may well be excused for being a little suspicious. We would at least like to have time to examine the phraseology of the proposed amendments. We would like to know what we are called upon to vote for.

It is for that reason, Mr. President, that I ask unanimous consent that the parts of the bill which it is proposed to change shall be subjected to a reprint, together with the changes which the Senator from New Jersey proposes to make. It may be that when they are presented and we have had an opportunity to examine them we will vote for the amendments. But we want to know what we are voting for, and I make that request for unanimous consent.

Mr. WADSWORTH. Mr. President, just a word, and I shall not detain the Senate further.

The subcommittee in drafting the bill, upon which we spent months and months, was careful to so construct it that it should constitute, in the first instance, and in the most important particulars, a foundation upon which could be built any kind of training, training for a portion of the young men of the country of a given age, or training for all of them, whether compulsory or volunteer. Our greatest hope was to get sound military legislation. The subcommittee which drafted the bill was unanimously in favor of compulsory universal military training. That subcommittee, may I say, although it may not seem important, was composed of four Republicans and three Democrats. It never occurred to us to bring any partisan discussion into the question.

So it has always been in the minds of the subcommittee which drafted the bill, and of the people who have helped us, that we could impose upon the foundations here built any kind of training by the simplest of amendments one way or another. The bill originally printed, as a bill providing for compulsory military training, would carry the same aspect it has now, except that a few words here and there would be different.

So there is no about face about this thing at all. We have always been willing to face alternatives. The thing we have tried to do is to build a strong and sure foundation.

The Senator from Nebraska has referred to the "about face," or what he calls one. The Senator from New Jersey now proposes several amendments to the text of the bill, perfecting, as he wants done, section 51 and other sections. The Senate must vote upon that; at least, if I can get a roll call, they will. The Senate in that vote will vote their choice as between voluntary training and compulsory training. I shall vote for compulsory training. That is all. There is no about face about it. There is nothing mysterious about it.

Now, may I say to the Senator from Nebraska, and to other Senators who may be interested in this amendment, I do not think I am confessing to any guilt when I say I have known about several alternatives that have been carefully considered, all built upon the one foundation provided in the structure of the bill.

As the Senate knows, section 51 is the key section of the bill, so far as a training system is concerned, and the first sentence is the important one. All that follows is subsidiary in importance. That section reads, in its first sentence, that—

> All male citizens of the United States (excluding residents of Alaska and the insular possessions) and all male persons who reside therein and who have declared their intention to become citizens, other than persons excepted by this act, shall, upon attaining the age of 18 years, or within three years thereafter, be subject to military on naval training.

That is the phrase which carries the compulsion. That is the key phrase of the section. The key amendment offered is to strike out the words "subject to" and insert the words "eligible to," which changes the entire meaning from compulsion to a contract entered into voluntarily. All the amendments offered by the Senator from New Jersey which follow are exactly in line with that idea, with some few exceptions, where it is necessary to strike out an entire sentence that has to do with the choice of the first three years, for instance, in the training. The Senators will find, in going through these amendments, that in several instances the word "liability" occurs.

That is stricken out and the word "eligible" is inserted. The words "subject to" occur, and those are stricken out in each case, and the words "eligible for" inserted.

That is what these amendments of the Senator from New Jersey do. Of course, I do not ask the Senator to take my word for it, or to take the word of the Senator from New Jersey for it, that the thing is absolutely accurate. I do not know how it can be made more so, but if the Senate wants to have the bill reprinted in these particular sections showing the amendments, very well.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Nevada?

Mr. WADSWORTH. I yield.

Mr. PITTMAN. I understood the Senator from New York, in reply to a question of the Senator from Nebraska, to state that the soldiers enlisted under this section would be liable to military service in the event of the breaking out of a war during their period of training. Then I do not understand what the words "for this purpose alone" mean, in line 12 of that section. I assumed it meant that they were enlisted for the purpose of training alone.

Mr. WADSWORTH. I do not think the Senator heard exactly what I said. They may enlist for the four months' training, for training purposes alone. Then, I said that if they voluntarily enlisted in the organized reserves they would be subject to call for service in time of war during the period of that enlistment in the organized reserves.

Mr. PITTMAN. I did not hear the Senator say "their enlistment in the reserves." I thought he was referring to their enlistment for training during the four months' period.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. WADSWORTH. I yield.

Mr. POMERENE. In view of the statement made a moment ago by the chairman of the committee, I do not think there is any disposition on the part of any Senators not to accept the explanation which has been made either by the chairman of the committee or by the Senator from New Jersey as to what would be the effect of these proposed amendments. But there are quite a number of them, and even if some of us should vote in favor of voluntary training, we might have differences of opinion as to the details.

To illustrate, under a proposed amendment, as I now carry it in my mind, all young men who are between the ages of 18 and 27 would be eligible to these privileges for training. It may be that Senators would have a different opinion as to what ought to be the limit as to age or whether married men should be permitted to enter this service. There are quite a number of questions of that character which come up, and I think every Senator should have an opportunity to consider them before he votes upon this question.

The amendment as it has been presented is divisible, but we are now near the hour of adjournment and it can be printed so that we can have it before us to-morrow.

Mr. WADSWORTH. I was not insisting that the Senate go ahead without having the amendments printed. I merely wanted to explain how they came to be drawn. There is nothing new about them and nothing mysterious about them. The Senate, of course, has a perfect right to have them printed, and I would not beg the Senate to forego that right.

May I suggest, however, that the amendments offered by the Senator from New Jersey are applicable only to sections affected by the amendment offered by the Senator from Tennessee?

Mr. McKELLAR. I believe there are two other sections.

Mr. WADSWORTH. I think not.

Mr. McKELLAR. Yes; on page 80 and page 91. But there probably will be no objection to that.

Mr. WADSWORTH. Section 76?

Mr. McKELLAR. Section 65, on page 80.

Mr. WADSWORTH. The amendment affects that?

Mr. McKELLAR. I think it does.

Mr. WADSWORTH. And also section 76, on page 91?

Mr. McKELLAR. That is right. My amendment does not refer to those two sections. I think the Senator's amendment there is very proper. I do not think I shall object to that.

Mr. WADSWORTH. May I explain one or two more things about the structure of the bill, Mr. President, so that the Senate may understand exactly what we are doing?

The amendments of the Senator from New Jersey were intended, I understand, to affect only the amendment offered by the Senator from Tennessee.

Mr. LENROOT. Mr. President, will the Senator yield for a question?

Mr. WADSWORTH. Certainly.

Mr. LENROOT. I would like to ask whether the amendments offered by the Senator from New Jersey strike out the sections relating to registration?

Mr. WADSWORTH. Yes. I have tried to commence three or four times, and I would like to get a chance to explain. There will be a few more amendments—about six in number—necessary in the bill at the first part of it if it is determined to make the training voluntary instead of compulsory—very simple and perfectly obvious amendments—and my suggestion is that, if the Senate is going to vote on this question as between compulsory and volunteer training, those changes should be indicated.

There is another thing in connection with it, and one which I regret having to relate. In my humble judgment—though the Senate may differ from me—if the Senate abandons compulsory universal military training it can not afford to accept that provision of the bill which reduces the Regular Army from 280,000 men to 210,000 men in five years. The Senate, I think, in its best judgment, will make up its mind to maintain an Army of 280,000 men, which, incidentally, will add to the cost of the bill if this is to be the military policy of the country.

Mr. LENROOT. Will not the National Guard at the end of that time, under the Senator's own estimate, be so much increased as to leave just as much protection as there will be under the bill as now framed?

Mr. WADSWORTH. I do not know. How can we tell how large the National Guard will be under the volunteer system?

Mr. LENROOT. Certainly the Senator knows that the increase would very largely exceed the reduction which would take place in the Regular Army.

Mr. WADSWORTH. I am not so sure of that. There are 40,000 men in the National Guard now. If we add 90,000 men to them, which is the number we propose to take off of the Regular Army in five years, we would have 130,000 men in the National Guard. That is a little more than we have ever had before.

Mr. LENROOT. What is the Senator's own estimate, under his plan, of the National Guard at the end of five years?

Mr. WADSWORTH. Under our plan of universal military training applied to the Guard, men could take their training in the Guard as an alternative, and we expected that that would keep the Guard full. We do not know what number the Guard will go to. The national-defense act authorized 425,000 men. I said yesterday that I did not believe it could ever pass 350,000 under any circumstances.

Mr. LENROOT. That is the estimate the Senator himself has made?

Mr. WADSWORTH. Exactly. I said it could not under any circumstances pass that number due to lack of facilities. I put that just as high as I could in order to make those estimates as generous as possible. I do not know what number the Guard will go to if we do not have universal military training and use the Guard as one of the vehicles for that training, but I do suggest to the Senate, as I think it is my duty to do, that it may seem wise not to reduce the Regular Army to 210,000 men if we are not going to have universal compulsory military training.

Mr. McKELLAR. Mr. President, I shall not detain the Senate more than a moment. As I have gathered from the amendments offered by the Senator from New Jersey, sections 56 and 57 of the bill are stricken out entirely. Section 56 requires the registration of persons liable to military training. Section 57 provides, however, for the reenactment, so to speak, of the conscription law passed on May 18, 1917, during the war. Of course, the striking out of those two sections effectually does away with the universal military training provided for in the bill. The striking out of those sections is an absolute striking out of the universal compulsory military training provision.

The Senator from New York says that I am squirming. I made a bad impression on him if that is so, because it has been those two sections that I have been fighting against ever since the proposal was first made. I am very happy that those sections are going out and that when they do go out of the bill universal compulsory military training is defeated by the Senate. I am glad to know, too, that the Senate is overwhelmingly against the proposition, and that there seems to be a majority on both sides of the Chamber against it, as I believe they ought to be against it for the reasons I have heretofore stated.

So far as the preparation of the bill is concerned and the attitude of the Senator from New York, I may be pardoned for saying a word. The Senator from New York, the chairman of the committee, has indeed been an earnest, intelligent, vigorous, active supporter of universal compulsory military training. He has never wavered in it, he has never faltered in it, and I have the highest respect for him and his views. I believe he is wrong, but that is all the difference between myself and the Senator from New York. His splendid efforts in behalf of that system were, I believe, unwise. It is very unfortunate that his efforts could not have been expended in a better cause.

In regard to the voluntary features of the bill, as proposed in the amendments offered by the Senator from New Jersey, I have very hastily gone over them, and I am glad we are going to have unanimous consent to have that portion of the bill reprinted, so that we can see just what the provisions are.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. Certainly.

Mr. FRELINGHUYSEN. The Senator, of course, understands that the request for unanimous consent is open to objection. I shall not object if it is agreed to under certain conditions, one of which is that this shall be the pending question.

Mr. McKELLAR. I would not want to preclude myself from offering an amendment to the amendment. Of course, it will be the pending question to-morrow. There is no question about that. The parliamentary situation is such that when we adjourn it will be the pending question to-morrow.

I can not say whether I am in favor of the proposal of the Senator from New Jersey or not. After having examined it carefully it may be that there will be no question about it or no objection to it. It may be best for the country, in my judgment, but I would like to have until to-morrow, so that I can see just what it means.

I am glad to see that there is practical unanimity, as it appears now, on the part of the Senate that the measure pro-

viding for universal military training shall not become the law. I am delighted to see the overwhelming sentiment that causes a practical withdrawal of the proposal from the Senate entirely. I construe the amendments offered by the Senator from New Jersey as an abandonment by the Senate of any such proposal.

Mr. WARREN. Will the Senator allow me?

Mr. McKELLAR. Certainly.

Mr. WARREN. Perhaps the Senator is using rather strong language about it. I agree entirely with the remarks made by the Senator from Oregon [Mr. CHAMBERLAIN] a short time since. I have never been otherwise than a champion of universal military training. I am sorry that I can not vote for it, and I am sorry that it can not prevail.

Mr. McKELLAR. I understand that. I have always understood that to be the position of the Senator from Wyoming.

Mr. WARREN. But in case it can not prevail and this matter comes up, as it will come under the parliamentary situation, I shall vote for the amendment.

Mr. POMERENE. Mr. President, I desire to ask the chairman of the committee a question or two if I may do so. I assume, of course, that the organization of officers, and so forth, was prepared having in mind the existence of compulsory training. Of course, if that is to be entirely eliminated or if there is substituted for it a system of voluntary training, I wondered whether it would necessitate or make advisable any change in the number of the commissioned personnel as organized under the bill?

Mr. WADSWORTH. I think so; I think it can be reduced; in fact, I know it.

Mr. WARREN. Undoubtedly.

Mr. POMERENE. That is the thought I had in mind, and I wondered what plan the committee had in view in the event that we should substitute the voluntary system for the compulsory system.

Mr. WADSWORTH. The allotment of the commissioned personnel of the permanent organization would have to be reduced, and it should be reduced. As soon as the Senate votes on this question and makes its choice between the two systems of training, if it chooses the voluntary training system I shall present amendments which the Senate can consider and which will immediately fit those little points in the bill to the different kinds of training.

Mr. POMERENE. Without having any technical knowledge on the subject, it occurred to me that some changes would be, at least, advisable.

Mr. NELSON. Has the request of the Senator from Nebraska [Mr. HITCHCOCK] been granted for a reprint?

The PRESIDING OFFICER. It has not. The Chair has not stated it, because there has been debate. If there be no further debate, the Chair will state the question.

Mr. HITCHCOCK. My request for unanimous consent has not been granted?

The PRESIDING OFFICER. It has not been granted. The Chair is about to state it. The Senator from Nebraska asks unanimous consent that that portion of the pending measure affected by the amendments proposed by the Senator from New Jersey [Mr. FRELINGHUYSEN] be reprinted, showing how the bill would read if amended.

Mr. NELSON. With the amendments in italic, I suggest.

Mr. FRELINGHUYSEN. Would it not be better to have the text printed as it will appear when perfected?

Mr. NELSON. We want to have it so printed that we can tell at a glance what the amendments are in the text.

The PRESIDING OFFICER. Is there objection?

Mr. WADSWORTH. Of course, as I said a moment ago, there will be about six more amendments necessary to the bill besides these, but I am not disposed to ask that they be included, as they have not been offered in the list of amendments proposed by the Senator from New Jersey. They are so simple that I think the Senate, when I point them out in the event the amendments of the Senator from New Jersey carry, will accept them without cavil.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

Mr. FRELINGHUYSEN. I now ask unanimous consent that the pending question, which is on my amendment, be voted upon at 1 o'clock to-morrow.

Mr. HITCHCOCK. I think the Senator had better make it "not later than 1 o'clock to-morrow."

Mr. FRELINGHUYSEN. I request that the vote on my amendment be taken not later than 1 o'clock to-morrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey?

Mr. McKELLAR. I understand that vote is simply to be taken on the pending amendment of the Senator from New Jersey, because there are other amendments that will have to be voted upon. The Senator's request refers merely to his amendment?

Mr. FRELINGHUYSEN. It refers merely to the amendment which I have offered.

Mr. McKELLAR. I have no objection to the request.

Mr. LENROOT. The Senator from New Jersey has offered a large number of amendments, and until we have an opportunity to examine the amendments in order to ascertain what they are we can not tell whether there will be any debate upon them. I am sorry I shall, therefore, have to object.

The PRESIDING OFFICER. Objection is made.

INVESTIGATION OF RAILROAD STRIKES.

Mr. McCORMICK. Mr. President, I ask unanimous consent to offer the resolution which I send to the desk, in order that it may be read and referred to the appropriate committee.

The PRESIDING OFFICER. The Senator from Illinois asks unanimous consent to offer a resolution, which will be read.

The resolution (S. Res. 346) was read, as follows:

Resolved, That the Senate Committee on Interstate Commerce is hereby authorized and directed to conduct an inquiry, by subcommittee or otherwise, respecting any existing strike of interstate railroad employees not conducted or authorized by any recognized organization of railroad employees. For this purpose such committee, or any subcommittee thereof, is hereby empowered to sit during the recess and sessions of the Senate, at such times and places as may be deemed advisable, to require by subpœna or otherwise the attendance of witnesses and the production of books, papers, and documents, to administer oaths, and to employ a stenographer and such other clerical assistance as may be necessary. A report of the results of such investigation, including a statement of the causes and purposes of such strike and the merits of the controversy involved therein, shall be made to the Senate as soon as practicable, accompanied by such recommendations as may be deemed proper. The expenses of such investigation shall be paid out of the contingent fund of the Senate.

Mr. WARREN. Does the Senator desire the resolution to go to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. McCORMICK. I am afraid that despite what the Senator may desire, it will have to go to that committee.

Mr. WARREN. Under the rule, it will have to be referred.

The PRESIDING OFFICER. Inasmuch as the resolution provides for an expenditure from the contingent fund, it will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. POMERENE. Will the Senator yield for a question?

Mr. McCORMICK. Certainly.

Mr. POMERENE. I assume that the resolution refers to the strike reported in the city of Chicago or thereabouts.

Mr. McCORMICK. It refers to that strike, Mr. President, and to other strikes which, as I am now informed, have taken place from New York to California without the authority of the officers of the 16 responsible railroad brotherhoods.

Mr. POMERENE. I was going to follow that question by another, and to ask the Senator what information he has as to the extent and character of the strike. It might be of some value to the committee to know that.

Mr. McCORMICK. Mr. President, the information which I have is meager. It has been coming to me during the course of the day. At noon men had walked out in Buffalo, Toledo, Chicago, Kansas City, and Los Angeles, according to the reports which come to me, together with other smaller cities which are important railroad centers. These walkouts have taken place despite the efforts of the responsible leaders of the 16 railroad crafts. According to the newspaper reports, the immediate and precipitating cause of the Chicago strike was the dismissal of a conductor; but, so far as I have been able to learn, the actual cause of the strike is the failure of the President to appoint the wage board provided by the new act for the determination of disputes regarding wages.

As the Senator remembers, some 10 days ago the committee of executives and the representatives of the brotherhoods failed to reach an agreement. The men, led or misled by some among their number, impatient and restless, in these cities have disregarded the judgment of their elected officers and have walked out. The later reports indicate that in some of the centers the situation is very grave indeed. Since no commission or wage board has been appointed under the law, it seemed to me appropriate that the Interstate Commerce Committee of the Senate, or a subcommittee of its members, should take steps to discover the facts and publish them to the country, and to acquaint the Senate with them, all to the end that such moral pressure as may be brought to bear may induce the men to return to work pending the lawful arbitrament of the wage dispute.

Mr. POMERENE. I have no accurate information upon the subject, but——

Mr. McCORMICK. I do not speak by the book, Mr. President.

Mr. POMERENE. I saw a statement in the papers this morning to the effect that the brotherhoods had recommended those who were to be representatives of the labor organizations, and that the railroad companies had recommended those who were to be representatives of the companies, but that great difficulty was being found in the selection of men who were to be representatives of the public and who would accept those positions. I simply state that for what it is worth. I know nothing about it.

ADJOURNMENT.

Mr. WADSWORTH. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 9, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 8, 1920.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Dear Lord, we would approach Thee in the spirit of Him who taught us when we pray to say: Our Father which art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth as it is in heaven. Give us this day our daily bread, and forgive us our debts as we forgive our debtors, and lead us not into temptation, but deliver us from evil, for Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3664. An act for the relief of the Link-Belt Co., of Philadelphia, Pa.;

S. 3663. An act for the relief of Gaetano Davide Olivari fu Fortunato as managing owners of the Italian bark *Doris;* and

S. 3662. An act for the relief of Th. Brovig as owner of the bark *Bennestvet.*

The message also announced that the Senate had passed with amendment the bill (H. R. 6025) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto, in which the concurrence of the House of Representatives was requested.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3664. An act for the relief of the Link-Belt Co., of Philadelphia, Pa.; to the Committee on Claims.

S. 3663. An act for the relief of Gaetano Davide Olivari fu Fortunato as managing owner of the Italian bark *Doris;* to the Committee on Claims.

S. 3662. An act for the relief of Th. Brovig as owner of the bark *Bennestvet;* to the Committee on Claims.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3779. An act to authorize the Ozark Forest road improvement district of Baxter County, Ark., to construct and maintain a bridge across the White River, near Norfork, Ark.;

S. 3263. An act to authorize the construction of flood-control and improvement works in Minnesota River and Big Stone Lake between the States of Minnesota and South Dakota;

S. 2786. An act authorizing the sale of lands in Gregory County, S. Dak.; and

S. J. Res. 167. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

CALL FOR A QUORUM.

Mr. SNELL. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from New York makes the point that no quorum is present. Evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to; accordingly the doors were closed and the Sergeant at Arms was directed to notify absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Crowther	Heflin	Riordan
Anthony	Curry, Calif.	Hill	Robinson, N. C.
Ayres	Davey	Hoey	Rodenberg
Bacharach	Denison	Holland	Rowan
Bankhead	Dooling	Kahn	Sabath
Barkley	Doughton	Kennedy, Iowa	Scully
Bell	Drane	Kiess	Sears
Benson	Eagan	McCulloch	Shreve
Bland, Mo.	Eagle	McFadden	Siegel
Bland, Va.	Ellsworth	McKenzie	Smith, N. Y.
Booher	Esch	Mann, Ill.	Smithwick
Brinson	Garland	Merritt	Steagall
Britten	Garrett	Morin	Stedman
Buchanan	Godwin, N. C.	Nichols, Mich.	Strong, Pa.
Burke	Goodykoontz	O'Connor	Sullivan
Campbell, Pa.	Graham, Pa.	Oliver	Sweet
Caraway	Greene, Vt.	Parker	Ward
Carew	Hamill	Pell	Wason
Carter	Hamilton	Rainey, Ala.	Whaley
Clark, Fla.	Harrison	Rayburn	Williams
Costello	Hayden	Reed, N. Y.	Winslow

The SPEAKER. Three hundred and forty-three Members have answered to their names; a quorum is present.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

TERMINATION OF STATE OF WAR WITH GERMANY.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report, which the Clerk will report.

The Clerk read as follows:

House resolution 511.

Resolved, That immediately upon the adoption of this resolution the House shall proceed to consider H. J. Res. 327, being a House joint resolution "terminating the state of war declared to exist April 6, 1917, between the Imperial German Government and the United States; permitting on conditions the resumption of reciprocal trade with Germany, and for other purposes." That the House shall meet at 11 o'clock antemeridian on Friday, April 9, 1920. That the House joint resolution shall be read in extenso. That general debate shall continue on said resolution until 5 o'clock postmeridian on Friday, April 9, 1920, the time to be controlled, one-half by the gentleman from Pennsylvania, Mr. PORTER, and one-half by the gentleman from Virginia, Mr. FLOOD. That at the conclusion of the general debate the previous question shall be considered as ordered on the said House joint resolution to final passage without intervening motion, except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, may I ask the gentleman from North Carolina if we can agree on time for debate on the rule?

Mr. POU. I was hoping the gentleman would be willing to agree to an hour and a quarter on a side. The demand for time on this side is very great.

Mr. CAMPBELL of Kansas. I will say that there has been great demand on this side also, but I have been unable to arrange for more than one hour on a side. If that is satisfactory to the gentleman from North Carolina I will ask unanimous consent that the debate on the resolution be limited to one hour on a side.

Mr. POU. That will be satisfactory.

Mr. CAMPBELL of Kansas. Mr. Speaker, I will ask that debate on the rule be limited to one hour on a side, and also ask unanimous consent that the previous question be considered as ordered on the rule at the end of the debate.

Mr. CALDWELL. Mr. Speaker, I should have to object to that, because, unless we can vote down the previous question, it would be impossible to amend the rule.

Mr. CAMPBELL of Kansas. It would be a waste of time to have a roll call.

Mr. CALDWELL. Under the rule as it is written, if the previous question is considered as ordered, the rule would be adopted and there would be no opportunity to offer an amendment to the resolution except on a motion to recommit.

Mr. CAMPBELL of Kansas. I will say that if we can hold our forces together there will be no opportunity to amend this resolution.

Mr. CALDWELL. I understand; but you may not be able to hold your forces together.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the time for debate on the rule be limited to two hours, one-half to be controlled by himself and one-half by the gentleman from North Carolina, and at the termination of the two hours the previous question may be considered as ordered. Is there objection?

There was no objection.

Mr. FLOOD. Before the gentleman from Kansas begins, will he permit me to put a unanimous-consent request?

Mr. CAMPBELL of Kansas. I will.

Mr. FLOOD. The views of the minority—I do not know what number were printed—has been exhausted, and I ask unanimous consent that there be another print of it—say 2,000 copies.

Mr. SNELL. We would like to have the majority report printed, which has been nearly exhausted.

Mr. WALSH. They will be printed as one document.

Mr. CAMPBELL of Kansas. I have no objection to the request of the gentleman from Virginia.

The SPEAKER. The gentleman from Virginia asks unanimous consent that there be printed 2,000 copies of the majority and minority reports. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, the reading of the rule makes it perfectly clear what its purpose is. I shall not take the time of the House to repeat its provisions. It is the intention, I am sure, of every Member of the House to get at the questions involved at the very earliest possible moment, so that Members may discuss the merits of the proposition rather than the technicalities that might be involved in the rule.

The resolution declaring that a state of war with Germany no longer exists is opposed by the President and his party friends. Then, he "kept us out of war," now he keeps us in. In considering the questions involved it is proper to say that the resolution does not end the war. It declares the fact that it is already ended. The President with great formality told Congress and all the world on November 11, 1918, that the war with Germany had come to an end. Germany surrendered arms and implements of war and withdrew from the invaded territory she had occupied during the war and retired within her own borders.

Those associated with us in the war have long since agreed with Germany upon a treaty of peace and have resumed trade relations with the German people. Our own people are trading with our former foes, though the President has not yet, with the advice and consent of the Senate, arrived at a treaty of peace. A year and a half have passed since the armistice terminating the war was agreed to. The question therefore as to whether it is advisable for Congress to declare that a state of war no longer exists, when reduced to simple common sense, admits of but one answer. The war is over and Congress should make formal declaration of that fact.

What is there that is subtle or mysterious in the situation? The President and others who object to the resolution give no reason that appeals to the judgment and common sense of the American people for the position they take. Can the President hold, in the face of all the facts, including the fact that all the former foes of Germany have resumed trade relations with their former enemy, that a state of war still exists? If so, it is not only the President's right, but it is his duty to interrupt the trade not only of our own people, but the trade and commerce of the people of all other nations with Germany. If we are still at war with Germany, our own citizens and our former allies are giving aid and comfort to the enemy. No suggestion has come from the President that trade with Germany by any nation or people should not continue. The knowledge, common to all, of these undisputed facts make it so clear that a state of war no longer exists that it scarcely leaves a question even for academic discussion. The effect of the resolution declaring the fact that a state of war no longer exists will be to clear up that shadowy question.

Our rights under the conditions of the armistice are continued under the terms of the resolution, and Congress is exercising its power over foreign commerce by declaring the conditions of reciprocal trade relations with Germany. The President, with the advice and consent of the Senate, may negotiate and conclude a treaty with Germany at any time. The questions arising out of the causes of the war and growing out of the war which affect the Government and people of the United States are neither forfeited, laid aside, nor abandoned. They are left for settlement by the terms of a treaty to be negotiated in the future. This may be done before the 4th of March next year. If not, it will be done after the 4th of March next year. [Applause on the Republican side.]

In the meantime we have grave domestic questions of the greatest importance that make the proposed action not only advisable but imperative.

But the President and his party adherents say the resolution formally declaring that a state of war does not now exist with Germany is an encroachment upon Executive functions. By what process of reasoning does the President or anyone else arrive at such a conclusion? The Constitution nowhere prescribes the method by which war may be terminated or a declaration be made that a state of war no longer exists. On April 6, 1917, Congress declared that a state of war existed between the Imperial German Government and the United States. The war has long since ended. American sons on land and sea, in the air and under seas, so acquitted themselves as to bring victory to American and allied arms. Our boys added imperishable glory to the valor of American citizens bearing arms.

The war is over. That fact is known of all men. Congress, therefore, is within its rights in formally declaring that a state of war no longer exists. It is the duty of Congress to withdraw from the President the powers granted to him for war purposes. [Applause on the Republican side.] We take no powers from him that belong to him in time of peace. Does the President or the Secretary of State or any of the President's supporters contend or assume that in negotiating a treaty with Germany the President has a constitutional right to have at his instant command the armed and naval forces of the United States? Does the President have in mind that in such negotiations he may resort to force if perchance Germany should hesitate or refuse to agree to the terms on which he insists? That would be a monstrous perversion of the treaty-making powers of the President and an assumption of the powers of Congress. In the event of failure in diplomatic negotiations it is for Congress to declare whether or not there shall be a resort to the arbitrament of arms. It is the duty of the President to send to the round table men fortified by ability and experience in diplomatic negotiations, not by armed forces.

Besides, an examination of the terms of the treaty which the President heretofore submitted to the Senate and which was by that body rejected does not justify the assumption that he contemplates such reparations and indemnities for the United States from Germany as would justify the American people in resorting to force of arms even in the event they were refused. At Versailles the President sought and secured obligations for the people of the United States rather than reparations and indemnities. [Applause on the Republican side.] So the denial by Germany of anything for which the President has contended since the day of the armistice in 1918 would not justify the American people in resorting to war. No one has suggested a possible justification or excuse for resuming a state of war with Germany or for continuing war powers in the President. He is left with the utmost freedom to negotiate a treaty, with the advice and consent of the Senate, as provided by the plain terms of the Constitution. It does not now fall to the President's lot nor is it incumbent upon him as a duty to negotiate a treaty ending the war, but rather a treaty under which the United States shall resume the normal conditions of peace with the Government and people of Germany after the war. The war is over, as the President solemnly declared a year and a half ago, and Congress is in the rightful exercise of its authority in declaring a state of war no longer exists. The resolution should be agreed to by Congress.

We may then terminate the war powers of the President and restore normal constitutional government to the people of the United States. The people are wearied by a year and a half of life under an Executive with war powers in time of peace. They long for the freedom of a Government with three separate and independent branches. [Applause on the Republican side.]

Autocratic war powers are galling to a free people in time of peace. Labor, industry, business, and commerce are all impatient to resume a status under the laws and conditions that pertain to peace. [Applause on the Republican side.]

Mr. POU. Mr. Speaker, it is difficult to discuss the pending rule without including in such discussion the so-called peace resolution. If the House has authority under the Constitution to deal with the question of agreeing upon terms of peace with Germany, then the so-called peace resolution is of supreme importance. However that may be, the majority of the Committee on Rules decided to take no chances. If you adopt the special rule, no amendment of any kind will be in order. So once again we are back to the old order of things.

One motion to recommit; one motion only will be in order. What a peculiar spectacle is therefore presented. For two days the so-called peace humbug will be debated. Not a line can be changed. Not an "i" dotted or a "t" crossed. [Applause on the Republican side.] I am not surprised that the Republican

side of the aisle, from which there was so much opposition to the war, should applaud again when you are playing Germany's game, for that is what you are doing. [Applause on the Democratic side.] After all, you are proposing to enter into a treaty agreement with Germany, but you must take the so-called peace resolution in its entirety, no matter what your views may be. This situation, Mr. Speaker, would be humiliating to the Members of this House if we did not remember that all legislation is subject to the control of four members of the Republican steering committee. When one remembers this, he is hardly surprised at anything that is done.

The so-called peace resolution is carefully safeguarded in the pending rule against any possible amendment. The minority members of the Committee on Rules offered a substitute for the special rule, wherein it was provided that after 10 hours of general debate the so-called peace resolution would be considered under the general rules of the House. We could see no good reason why all amendments should be cut off, but, of course, we did not prevail with the majority of the Committee on Rules. Therefore the House must accept the resolution in toto or reject it. This is typical of the autocracy which has ruled this House since the day it was organized for business. Perhaps it makes little difference, after all, Mr. Speaker, whether the so-called peace resolution is or is not amended, for this House has no more power to propose peace with Germany than any other body of 435 Americans. [Applause on the Democratic side.]

When the Constitution was framed the power to negotiate peace was left to the President and the Senate. The Constitution is plain. We have no authority. If anything is accomplished, it will not be affected one way or the other by any action taken by the House of Representatives. We have no more authority in the premises than the board of aldermen of the town of Smithfield, in which I live. If I believed, Mr. Speaker, this resolution would bring peace—honorable to America—God knows I would vote for it, for there is no man living who more earnestly yearns for peace than I.

Now, Mr. Speaker, what is the controversy? Why is it so difficult to bring back longed-for, prayed-for peace? Let us for a moment consider what has taken place. The war ended in a blaze of glory for America. Thrilled by the immortal messages of President Wilson, our boys astonished the world and brought the war to an end fully a year sooner than anybody supposed possible. Proud, indeed, was the place then occupied by America. A great, unselfish Nation, under the leadership of a great, unselfish President, had attained a position absolutely unique and without parallel in the history of the world. Statesmen of all nations believed that militarism and autocracy had received their death blow.

At length the time came to build a treaty of peace. True to her best traditions, America was asking nothing for herself from the council of the nations soon to be convened at Versailles. But there was one hope in the heart and mind of every American: It was the hope that the treaty would be so framed as to make another world war impossible. From every stricken home that prayer went up to the God of nations. Good men prayed to God to help President Wilson win out in his fight for a League of Nations. In every stricken home fathers and mothers said, "We can stand our sorrow a little better if the great men in council at Versailles do all in their power to make another war impossible." [Applause on the Democratic side.]

President Wilson won his great fight; and, whatever you Republicans may think, that alone would entitle him to immortality. [Applause on the Democratic side.] For the first time in the history of the world it looked as if an agency was about to bet set up which would substitute reason for brute force. Mr. Wilson brought back the first draft of the treaty. It was criticized. He took into account the criticisms made, returned to Versailles, and had changes made which seemed to answer every reasonable objection of those who favored the setting up of a League of Nations. He returned to America and submitted the work of the council of Versailles to the Senate.

What was the result? During every hour of the long debate in the Senate more than two-thirds of that body favored the essential provisions of the treaty. The fight raged around the League of Nations, and more than two-thirds of the Senate wanted a League of Nations. The only living ex-President stood for a League of Nations. [Applause on the Democratic side.] The candidate of the Republican Party who opposed Mr. Wilson stood for a League of Nations. But it was impossible to agree, and the result is this humbug which is to be presented to the House. This anomaly in treaty making, this bastard resolution [applause on the Democratic side], is the result presented here to a body which has no jurisdiction at all under the Constitution—a body as utterly powerless as any other set of men. Yet we are asked to initiate a treaty-making process with Germany.

What is the purpose of this so-called peace resolution? I do not believe there are a half a dozen men in this body who believe that anything is going to come of the resolution. It was introduced for the purpose of embarrassing President Wilson. [Applause on the Democratic side.] It was introduced for the purpose of making political capital to be used in the next campaign. [Applause on the Democratic side.] It is hoped to use it as the excuse for broken pledges. It was framed and introduced not in good faith but for the purpose of enabling somebody to go before the people and say, "We tried to get peace with Germany. We introduced a peace resolution. The House of Representatives passed it; President Wilson vetoed it. The blame is therefore upon President Wilson." And any man who makes that argument before the American people will know that he is perpetrating a lie. [Applause on the Democratic side.] Nevertheless the purpose of this resolution is to enable somebody to build up a fictitious argument whereby the Republican Party hopes to ride into power in the coming campaign. If you wish to do something practical why do you not repeal some of the statutes made necessary by the war? Why not repeal some of the legislation you yourselves so bitterly denounced? Why not begin now and pass some of that constructive legislation you talked about so much in your campaign? Why do nothing but attack the President? What has he done to justify any of the assaults that are constantly being made upon him? In all his course of action he has been a typical American. He had no selfish ambition. He was not striving to accomplish something to the detriment of somebody else. He believed that a stricken world longed for peace. He believed that the people of America wanted a tribunal established which would substitute reason for force. This is his offense—his only offense. An effort to make war impossible—an effort to set up an agency which will forever render it impossible for any set of men without any warning whatever to embroil the world in another war. And yet he is charged with plotting and designing with somebody to set up a tribunal which will send American boys across the water to their death. This, Mr. Speaker, is just such a lie as was uttered when it was stated immediately before the McLemore resolution was considered by this House that President Wilson actually wanted war with Germany. He has done nothing selfish, but he led America to heights to which she had never attained before. [Applause on the Democratic side.] Splendid as her traditions are; unselfish as she has always been; high and lofty the purpose which she has always cherished, never in her history had she attained such splendid heights as were reached under the leadership of this immortal American. [Applause on the Democratic side.]

Why this turning away now from the splendid ideals for which the boys fought? There can be but one answer. The President must be discredited in the eyes of the world if the Republican Party is to win another victory. You saw him at once step into the leadership of the world. You heard the great men of Europe cheerfully acknowledge his leadership. You saw him held up as the apostle of democracy and peace. You knew that it was a title which was rightfully his. Point out one single act in his career from the day he took the oath as President down to this good hour of which America may not be justly proud. Recount the splendid things he has done. Measure after measure, so righteous, so just, so necessary that it was impossible to hold organized opposition against their passage. That is the record of this man. You feared that his leadership had become so powerful your party would be permanently displaced from power. Shame upon the men who have engaged in the plot to discredit this great world leader. The damnation of history will be upon you, and in my humble judgment your damnation by the American people is very near at hand. [Applause on the Democratic side.]

Mr. Speaker, we do not linger long upon the stage of action. It may be that in the years to come some descendant who bears my name will read of the things we do here and now. I put in the RECORD my protest against the assaults which have been made and are being made upon this great American in the White House. I put in the RECORD here and now the pride that I feel in following his leadership. I put in the RECORD my condemnation of the plot to discredit him. And this miserable makeshift resolution which you are going to pass to-morrow is but a part of that plot. [Applause on the Democratic side.]

One other thing I put in the RECORD also. It is this plea: The men who conscientiously favor the establishment of a

League of Nations whereby reason may be substituted for force ought to be able to get together. The men who would stop the building of great navies, who oppose great standing armies, necessary only when men are killing each other; the men who love peace and are willing to accept the principles laid down by the Prince of Peace Himself—these men, in the providence of God, ought to be able to get together. [Applause on the Democratic side.] For my part, I declare here and now I would walk out of my party to-morrow if I thought it stood against the principles I have just enunciated.

Suppose Germany refuses to accept the conditions set forth in your resolution, what will you do about it? Go to war again? That is your only recourse, unless you appeal to the League of Nations—the only hope for peace in the world.

Now, Mr. Speaker, let me say this in conclusion: If our Republican friends wish to do something practical, why does not your steering committee direct that bills be reported simply repealing some of the burdensome laws made necessary by this war? You promised constructive legislation during your campaign. Constructive legislation—save the mark! The sum total of your record is the defeat of the treaty and this miserable makeshift resolution. All the while business is staggering to hold up under the burden of war-time legislation.

I say here and now that a more incompetent Congress than this never assembled under the dome of this Capitol. You have talked and talked, and killed time, and done nothing but defeat the treaty and play politics. [Applause on the Democratic side.]

And what is the position of America to-day with respect to the treaty of Versailles and the League of Nations? That treaty has been ratified by nearly all of the nations of the earth. The League of Nations is an accomplished fact. It is organized ready for the great work it was brought into being to perform—the work of preventing war, the duty of restraining men from killing each other. The question is not whether the League of Nations shall be set up, but whether America shall become a party to an agreement to substitute reason for brute force.

Mr. Speaker, I hang my head in shame when I contemplate the position now occupied by America. Where do we stand, with the great democracies of the world? With England, with France and Italy, with heroic Belgium, with our neighbors in South America? Oh, no; we stand no longer with our allies; we stand with Germany and Russia and China. And all this is the work of this Republican Congress. While other nations have agreed to submit their differences to the League of Nations, America stands off in company with Germany and Russia and China. And she stands there because this Republican Congress would not permit her to stand anywhere else.

And all the while the people are burdened with war taxes, and these taxes can never be reduced unless we enter the League of Nations. Do not forget that. We may as well speak plainly; we have now come to the parting of the ways; we must choose our associates; we can not stand forever alone. We must become a member of the League of Nations or continue to tax the people to build a still greater Navy and maintain a still greater Army. A great Navy and a great Army will always be necessary unless we resolve with the other democracies of the world to submit our differences to the League of Nations.

I thank God my party has always stood for a small Army. With perfect confidence we submit the work of Mr. Wilson to the American people. God help us if they repudiate his earnest, unselfish efforts to make war impossible. That and that alone has been and is his purpose. [Loud applause on Democratic side.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, no rule has been presented to this House during this session of Congress that is so thoroughly in accord with the wish, desire, and demand of the American people as the one that is now before you for consideration. [Applause on the Republican side.] This rule provides for the regular and orderly consideration of House joint resolution 327, and I desire to consider briefly each section of the resolution, so that there can be no misunderstanding as to what we are trying to do at this time and what kind of legislation this rule proposes to make in order.

Section 1 simply declares—

> That the state of war declared to exist between the Imperial German Government and the United States by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end.

This resolution is predicated absolutely on information formally given to Congress by the President about 17 months ago, when he said:

> The war thus comes to an end, for having accepted these terms of the armistice it will be impossible for the German command to renew it.

I understand the opinion of the minority of this House is that the statement made by the President of the United States that the war now comes to an end does not mean anything. Let me tell you that, if I understand the English language, it does mean something. Let me tell you something further, that the day he made that announcement to the people of the United States it meant something to them; it meant that the war was over. Furthermore, it meant something to him at that time, because if you follow up and read the balance of the sentence you will see that he says "because it is impossible for the German command to renew it," and it is absolute folly, and everybody knows it, to say at this late day that it did not mean anything. [Applause on the Republican side.]

Furthermore, every man, woman, and child knows the war is over, knows that hostilities have ceased, knows that we have brought home and disbanded our armies and navies, and also knows there is no desire or attempt on the part of anyone to renew these hostilities. With such a condition confronting us and the usual and normal treaty-making bodies having failed of accomplishment, it is plainly the duty of Congress to declare officially that this state of war is at an end. [Applause on the Republican side.] Or, in other words, this is simply an official recognition of a condition that already exists, and is done in the normal, logical way and in no way interferes with or encroaches upon the rights of the treaty-making authorities to conduct such negotiations as they see fit in regard to final treaty.

Section 2 simply provides for an official date for the termination of the present state of war for the purpose of terminating various emergency acts of Congress, joint resolutions and proclamations by the President, which are absolutely dependent on the date of the termination of the present emergency. This resolution proposes that in lieu of a date fixed by presidential proclamation we shall have the date when this resolution becomes operative as the official date of the termination of the war, but otherwise it has no effect on existing laws different from a proclamation by the President or the final ratification of the treaty in the usual way.

As you all know, we have some emergency legislation for merely the period of the war. Other laws that continue for various periods after the war, among them the maintenance of the Shipping Board, War Risk Insurance Bureau, food and fuel control under the Lever Act, employment bureaus, authorization of foreign loans, espionage law, War Finance Corporation, trading-with-the-enemy act, Overman Act, and countless numbers of boards, bureaus, and commissions created under these acts that can not be done away with, expenses that can not be stopped, until we have an official date for the ending of this state of war. That is done by section 2 of this resolution. And, above all, it is a definite step toward ending extravagant war-time expenditures for things no longer needed and to-day are a useless burden on an overtaxed people.

Section 3 deals entirely with foreign trade and commerce and a resumption of trade relations with Germany, matters that have always been entirely under the control of Congress and never before have been disputed. It is plain legislation based upon facts to be ascertained by the President. It has ample precedent, and we know that the wording of the section follows closely a Supreme Court decision on a similar matter, and its legality and constitutionality can not be successfully assailed. This section provides for an immediate resumption of trade and business between Germany and the United States under the same conditions and on same basis as our allies are now trading with them for a period of 45 days. But if during that period Germany does not notify the President of the United States that it has also declared a termination of the war with us and that it waives and renounces on behalf of itself and its nationals all claims and demands against the United States or our people that they would not have a right to assert had the United States ratified the treaty of Versailles, then the President shall so proclaim the fact and further commercial intercourse shall be prohibited except as at present on a special permit granted by the President. Or, in other words, this section puts us immediately on the same commercial basis as England, France, and Italy are under the treaty of Versailles. The legitimate business of the country will have just so many more war-time restrictions removed and once more may proceed to handle all foreign trade under the orderly peace-time conditions that prevailed before the war. And this is one thing above all others that the American people are clamoring for at the present time—"the removal of war-time restrictions on business." [Applause on the Republican side.]

I was told only yesterday that there are many chemicals and supplies of special manufacture that are sorely needed in this country which are for sale cheap in Germany, but on account of

the state of war still existing we can not buy them direct, but England is buying them and reselling the same things to us at an enormous profit.

Section 4 simply provides for the enforcement of the act.

Section 5 amply provides for and protects all the property rights, privileges, and advantages to which the United States has become entitled to under the terms of the armistice signed November 11, or that we are in any way entitled to by reason of our participation in the war. We give up nothing and maintain our rights in every particular, under this resolution.

Mr. Speaker, this is the most important piece of constructive legislation presented to this House during this session. It is a business proposition from start to finish. It is what the people of this country want, and in the minutest detail protects every constitutional and property right at home and abroad.

Every man in this House knows in his own heart this is the proper thing to do at this time, and if it was not for outside political reasons there would not be one vote in this House against this rule or this resolution. [Applause on the Republican side.] It is certainly most amusing to find the political party that came into power on the slimsy pretext that "he kept us out of war" to-day almost unanimously opposing this resolution and trying to keep us out of peace. If there is any criticism at all it will be because Congress has not been more alert and presented a similar proposition many months sooner. Seventeen months have passed since the signing of the armistice, and we are still suspended in the air. And if present conditions continue, and if some definite action is not taken soon, we will lose here in Washington the fruits of the victory that were so gloriously won by our boys in France. It is up to us now to act and to act promptly. Let us adopt this rule and this resolution by the same overwhelming vote that declared a state of war to exist three years ago now, declare that it no longer exists, and show the people at home and abroad that we are going to prepare for peace with the same vigor as we prosecuted the war, and as far as we are concerned, and it is in our power, we stand for an immediate and effective peace. [Applause.]

Mr. POU. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from North Carolina has used 22 minutes.

Mr. POU. Mr. Speaker, I yield 15 minutes to the gentleman from Kentucky [Mr. CANTRILL]. [Applause.]

Mr. CANTRILL. Mr. Speaker and gentlemen of the House, those of us on this side, of course, realize that the ways are greased for the passage of this resolution through the House to-day and for the adoption of this rule. However, there is a grave responsibility resting upon the minority of this House here to-day and that is to expose to the American people the fact that this great House has become so reactionary that it has gone back to the old days of the gag rule, and comes in here with a rule to-day that absolutely denies to the House of Representatives the right to voice its opinion on this great subject which is now before the House. We realize that fully. We realize furthermore that it is the purpose of the majority side of this House to bring in this resolution, as has been so clearly pointed out by my colleague, Mr. POU, to embarrass the President of the United States and to lay the foundation for another plank in the Republican platform to undertake to fool the people at the polls in November. I had sincerely hoped that the House of Representatives would have been spared the odium in the public mind which now rests upon another legislative body in this Nation because after eight months of long debate they have not been able, because of their incompetency, because of their personal hatred of President Wilson, to ratify the treaty of peace and put us back upon a peace basis. [Applause on the Democratic side.] I had sincerely hoped that the House of Representatives would maintain its standing before the American people and not be placed in the same category as another legislative body in this country is in the eyes of public opinion. But it seems that our Republican friends who are in control and who are manipulating this program here to-day are determined that the House of Representatives shall have a say in this matter; although the Constitution gives the House no voice in it, they are determined to pull off this game of camouflage to-day and undertake to discredit this great body of Representatives of the American people by their action. [Applause on the Democratic side.] So far as I am concerned, speaking as a member of the Committee on Rules and as a member of the minority, we welcome the issue which you gentlemen have presented, and we are more than willing to go before the great bar of public opinion in November on the question which you have raised here to-day. Now, gentlemen, so far as the merits of this resolution are concerned, they will be debated by other Members of the House who are members of the Committee on Foreign Affairs. It is not my purpose as a member of the Committee on Rules to go into that matter, but I do want to emphasize the fact that the great House of Representatives here to-day is afraid under its present leadership to give a chance to Members of this House to go on record on this proposition. This is not the voice of the House of Representatives. This is the voice of the steering committee of the majority side, who have passed the word to the majority members of the Rules Committee to bring in this old gag rule, which absolutely denies not only to the minority but denies to the members of the majority the right to offer amendments and express their own views on this proposition.

You have gone back into the old reactionary days, afraid to trust the Representatives of the American people on a great issue like this. Now, gentlemen, I want to call the attention of the country and of this House to the attitude of the majority Members of this House toward the President of the United States. My colleague, Mr. POU, went into detail and showed the purpose of the majority side is to embarrass the President in his relations with the other great nations of the world at this time, the most critical in the history of the world. They are not only trying to embarrass him, but it is a personal hatred on the majority side against the President, and they never let slip an opportunity in order to criticize him and in order to denounce him and in order to humiliate him before the eyes of the world. And here day before yesterday an opportunity came, and it is in the RECORD where every American citizen can see it, which expresses the real attitude of the majority Members of this Congress toward the President of the United States. A distinguished Republican of this House, in making a speech, undertook to ridicule the President of the United States. He undertook to denounce him when the President was doing what he thought was his full duty in undertaking to bring this matter to the attention of the American people and was speaking through the Western States, appealing to the citizens of that section of our Nation, and in ridiculing the President that distinguished gentleman said—and here is the RECORD—that while he was doing this that he was "taken sick," and immediately after those words in the RECORD are the words "Applause on the Republican side."

Ah, gentlemen, has the great Republican Party of this Nation come to that? I do not believe the people out in the country are that way. I am speaking of the Representatives here on the floor. Great God, gentlemen, think of it! That the Representatives of the Republican Party on this floor are cheering and applauding when one of their Members says that the President of this Nation has been stricken and is on his sick bed. I presume had the same gentleman announced that he had been stricken and was now at the point of death, which, thank God, is not true, the RECORD would have shown cheers and prolonged applause on the Republican side.

Ah, I remember a number of years ago that I presided over a Democratic convention in Kentucky when the great McKinley was stricken, and by a unanimous vote that Democratic convention adopted a resolution of sympathy for the stricken President and gave publicity of it to the world. [Applause on the Democratic side.] But, my friends, here on this floor, seeing President Wilson, a Democratic President in the White House, lying upon a bed of illness, when one of the Representatives upon the Republican side mentions the fact that he is sick the Republican side of this House applauds the statement, and there it is in the RECORD for the American people to read.

SEVERAL MEMBERS. Give the page.

Mr. CANTRILL. It is in the first column of page 5266 of the CONGRESSIONAL RECORD.

SEVERAL MEMBERS. What date?

Mr. CANTRILL. April 6. The words used are:

> That is when he got sick. [Applause on the Republican side.]

Ah, my friends, that tells the story, the whole story. It is an effort upon the part of the majority party in this House to discredit the President of the United States. Why are you afraid to trust the people on your side under this rule to offer an amendment? Why, there is not a man in the House but knows that when this resolution goes to the Senate it will be debated for days and for weeks and will be thrown open to amendment in every particular phase of it. Has the majority party in this House sunk to such a low level of intelligence that they are afraid to risk even their own membership to offer an amendment to this resolution, which they say will bring peace to the country? Gentlemen on that side of the House may cry, "Peace, peace," but there is no peace until it is brought about in a constitutional way through the President of the United States, with

two-thirds of the Senate concurring, and every sensible man in the United States knows that is true, and every sensible man knows that this rule and this resolution is nothing on earth but the worst type of camouflage to embarrass the President in this critical time in the history of the world. [Applause on the Democratic side.]

Ah, my distinguished friend from Kansas [Mr. CAMPBELL], the chairman of the Committee on Rules, said that after the 4th day of March certain things would happen. I have an idea that before the 4th day of March certain things will happen in this country when the people pass upon the great issues which come before them in the November election. [Loud applause.] Why, my good friend from Kansas would undertake to make it appear that after the 4th of March his party will be in power in the Nation, but if he would read, as no doubt he has but fails to say anything about it here, what is going on in the daily newspapers to-day, where one of their candidates now for President says that the other candidate bought and stole the State of Minnesota from him in a primary election, going out with the greatest corruption fund in the history of the party, I can imagine that our Republican friends will have great harmony when they get to that convention and undertake to railroad and run the steam roller over some of these gentlemen who even now are beginning to cry fraud and corruption on the part of the Republican Party in taking delegate votes away from them in their own primary. [Applause on the Democratic side.] Ah, gentlemen, there has never been anything like it before in the history of the country. Courts in the country are indicting and convicting men for the corrupt use of money in Republican elections, and yet they undertake to stand up here and make it appear that all is peace and harmony in their ranks, and that they will sweep the country in November. I do not believe it. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, after listening to the utterances of the two Democratic Members, and noting their deep concern and intensity, the only thing appropriate that I can think of just now is, "Whom the gods would destroy they first make mad." [Applause on the Republican side.] And after the ebullitions of political animosity we have just heard I am not surprised at the general exodus on the Democratic side. There has been nothing said by either gentleman about the resolution except generalities, and the unguarded charge that the only purpose of putting an end to the war is purely personal, and has no significance whatever beyond the desire of the majority to do an unkind thing to some man's reputation. I do not care now to discuss the political fortunes of any man. That should be the least of our concern. But the country's interests in peace is commanding and must not be refused on the grounds that some one's reputation may suffer. Such personal misfortune can easily be relieved by the President's willingness to agree with a majority of the Senate and the people. [Applause on the Republican side.]

I take it that every Member of the House, Republican and Democrat, is anxious to see the war ended, not only actually, as it has been for the past 17 months, but technically as well, so that all the war legislation that depends upon the technical ending of the war will cease to operate by the terms of the legislation. Members will note that most of the war legislation ends with the ending of the war without further action, and will therefore continue until the war is ended. Those who had suggested before the debate opened that there was no such thing as ending the war without a declaration of peace, through a peace treaty, do not do themselves the greatest credit, because the vast number of wars in history have ended without a formal peace treaty. The peace treaty, it is true, is the general form of ending a war in our country, because of the definition in the Constitution. But as the President, by his own acts, can make war without a declaration, which under the Constitution is made by Congress as the authoritative body to make war, so can peace be reached without the act of the President, even without the act of the Congress. This plan has not been used in our own history, since never before did any Executive create the situation now before us. Technically there would be confusion and doubt if we permitted the present status to continue, for the war legislation would remain with us. The Constitution of the United States declares that Congress is the war-making power; but, gentlemen of this House, the American Navy, under the orders of President Wilson, was landed at Vera Cruz. That was an act of war, and there was a state of war existing between this Nation and Mexico by the act, not of Congress, but of the Executive. [Applause.] The reason we have a declaration of war is not to notify our enemy that we are going to fight but to announce to neutral countries that there is a state of war between these nations and all other countries must respect the rights of belligerents. The laws of nations on matters of war, chiefly in the interest of countries not in war, supply the reason why it has been the common practice in the interest of all countries that, when a state of war exists, Congress will make the proclamation. In the present war Congress did not declare war, but that a state of war exists by the overt acts of Germany. The war was here before the declaration of war, and could not depend upon a declaration.

No man who respects his own opinion would dare say that this country could not be put in war without an act of Congress. It has been done; and no man, it seems to me, in the light of what has taken place in the past history, not of our country but of other countries, as reinforced by the finest opinion yet collected by the greatest international lawyers and authorities upon the relations of nations—no man would say that the only way to end war or to bring peace is by a treaty by the President. That indefensible position would permit our President in spite of the wishes of the Nation to make of himself a dictator in times of peace by refusing to make peace. We would be glad to have the President bring the peace and thus end war-time legislation. This side would be glad to see that, as well as the Democratic side. But in the regular processes, constitutionally considered, the treaty of peace was submitted on the 10th of last September, and after the most exhaustive consideration by that body, on the 19th of November, after contest followed contest, covering more than a score of test votes, each of which showed that the ratifying body by a decisive majority was ready to ratify the treaty and end the war upon conditions to prevent the surrender of American sovereignty and independence, it was defeated by Executive influence. [Applause on the Republican side.] On the 18th of November, the day before the final vote came, which was two and one-half months after the treaty was presented to the Senate, came the Executive order, "Defeat it," and it was defeated. To appeals from treaty friends he replied, "I have no concession in mind." Three months later a second effort was made, when it was taken up again, when all the reservations were again attached by decisive majorities, most of them two to one; the treaty with the reservations were favored, but the necessary two-thirds failing, again came the short statement, "Unacceptable," and the treaty has not been ratified although in every case it was demonstrated that only one obstacle stood in the way.

There has not been a moment since the 1st of October when the war could not have been ended technically, as it has been practically, in 24 hours if the President had been willing to have ended the war. [Applause on the Republican side.] And if my Democratic friends are right, that there is no way to end this war except by the treaty form, coming from the President and ratified by the Senate, then I want to say to the country that there will be no ending of the war [applause on the Republican side] until after the initiation of a treaty shall be placed in some other hands than those of the present President. [Applause on the Republican side.]

Now, why do I say that? I say that because the President announced, after he had received an official statement signed by 39 Members of the Senate, 7 more than enough to defeat it, to the effect that the treaty in the present form, with the League of Nations as written, could not be passed, "When the treaty comes back, gentlemen on this side will find the covenant not only in it but so many threads of the treaty tied to the covenant that you can not dissect the covenant from the treaty without destroying the whole vital structure." I quote his exact language.

Mr. EVANS of Montana. Mr. Speaker, will the gentleman yield?

Mr. FESS. I will not. That treaty came back and in spite of the wish of the other American and European commissioners to separate them for the sake of peace the league was intertwined 79 different times with the treaty by actual count. In other words, the threat was fulfilled. You can not, as I see it, separate them. That means that to end the war you must either ratify the treaty with the protection of America safeguarded by reservations adopted by decisive majorities or ratify it without providing that safeguard which has never received but a small minority of the Senate, one of the two.

The President says you must ratify it without change. Reservationists are nullifiers, including the mild reservationists. His position can not be accepted, and will not, by the American people, because on September 6 he made the remarkable state-

ment in Kansas City, Mo., that his "cause"—that is, the league—was more important than the Government of the United States.

The SPEAKER. The gentleman's time has expired.

Mr. FESS. Can I have one minute more?

Mr. CAMPBELL of Kansas. I yield one minute more to the gentleman from Ohio.

The SPEAKER. The gentleman is recognized for one minute more.

Mr. FESS. I accept the situation that you can not end the war, if the only way to end it is by the treaty method, until after the 4th of March. The President will not let loose his hold on the war measures until he has his way. The Senate will not, and should not, allow a surrender of our sovereignty. I say that the American people demand the ending of the war, but they will not surrender our independence. That means a deadlock only to be ended by this resolution. [Applause on the Republican side.] The President, refusing to end the war upon the basis of protecting America, continues to exercise war powers over laws dependent upon the continuance of war—not only to continue, in my judgment, his war powers, but, as Members will recall, he is asking this Congress not only to continue these war powers but to enlarge them. The one supreme demand of the country is peace, that we may speedily return to normal again. I as one Member of this House will vote to stop the war-time legislation in peace times, and the way to do it is now to make peace by this Congress. [Applause on the Republican side.]

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from North Carolina [Mr. SMALL].

The SPEAKER. The gentleman from North Carolina is recognized for 10 minutes.

Mr. SMALL. Mr. Speaker, I shall not discuss the rule. It is sufficient to say, regarding the rule, that it proposes to make in order legislation of which this House has not jurisdiction, legislation which is intended as a substitute for the ratification of a treaty in the constitutional way which has been entered into by the President, and as a subterfuge intended to deceive the American people and to invoke a partisan spirit.

Section 2 of the resolution in effect is intended to bring to an end certain war legislation. Gentlemen of the majority of this House know full well, and the country knows, that they have had the power at any time during this session, if you please, to introduce and pass bills repealing or limiting any one of these pieces of war legislation; so that there is no necessity for the passage of this resolution for that purpose, nor is it the orderly way of bringing this war legislation to an end.

Besides, Mr. Speaker, this resolution is an indirect attempt to ratify in part the treaty of Versailles. Section 3 attempts to coerce the German Government, by penalizing them if they do accept all the terms of the treaty of Versailles which bind them. That proposition is so clear that there should be no hesitation in declaring that it is the purpose of this resolution so to ratify in part. It does not attempt to ratify that part of the treaty which binds the United States, but it does attempt to give us all the benefits of the armistice of November 11, 1918. It omits, however, the covenant of the League of Nations. To destroy the league is one of the chief purposes of the majority in this House, as it was of the majority which controls another body.

I am proud to proclaim my individual opinion that the covenant of the League of Nations, as negotiated and made a part of this treaty, constitutes the greatest advance in civilization in more than a century; and the President, who was in large degree responsible for it, whose genius for statesmanship, whose great personality only made it possible, has translated the dreams of righteous men and women for a thousand years into a workable plan for the maintenance and preservation of universal peace.

What has been the nature of the opposition to this treaty? It has been intensely partisan. It is one of the unfortunate features in the consideration of this resolution that evidences abound on every side that the majority in this House are considering it in a partisan spirit. The opposition to the covenant of the League of Nations which gentlemen have said has been intertwined in this treaty has come from two sources. There are those who oppose it outright—irreconcilables they have been termed—men who stand up in the open and declare that under no circumstances do they favor an association of the civilized nations of the world with the United States to maintain peace. There is another class who, while openly professing to favor a league of nations, yet by intrigue, by astute manipulation of language, give the falsehood to their profession, and have thrust the stilleto into the heart of the league with a view of destroying it and disparaging the President who brought it before them. As between the two classes of opponents, the open, outright enemy, and the enemy who, under the guise of favoring the league, seeks means to destroy it, I prefer the open rather than the deceitful enemy.

Partisanship, Mr. Speaker, may temporarily thwart the realization of this ideal for international righteousness and peace, but it will appear again either under President Wilson or some later Executive, and the United States will assume her proper place among the nations of the world.

There has been a willful and persistent propaganda proceeding for months to disparage the President of the United States. Gentlemen know this is true. Gentlemen know that such a propaganda was organized. Gentlemen know that its mailing list comprises every city and hamlet in the United States, to which are constantly mailed veiled attacks upon the President, under various guises but intended nevertheless to destroy him. Why destroy and disparage our President? Because the Republican Party in the United States, upon his triumphal return to this country after the negotiation of this treaty, saw that he was regarded among the civilized peoples of the world as the most momentous figure in current history. Looking ahead, they dreaded his influence and his power with the American people, and they determined deliberately, in so far as they could, to destroy that great influence and prestige.

Gentlemen may as well understand that they can not destroy character, idealism, vision, particularly of the kind which seeks to make for peace, and so far as humanly possible to avoid war, and that it will continue to live and live forever, and that around that vision will be entwined in all history the immortal name of Woodrow Wilson. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SMALL. Has the gentleman any more time?

Mr. POU. I yield to the gentleman from North Carolina five minutes more.

Mr. SMALL. There have been other Presidents maligned. The great Washington had his traducers. Jefferson, the tribune of the people, who spoke for popular rights, had his enemies. John Adams and the other great men who have served the American people were slandered by men of their times.

I had occasion recently to visit the library and to read for nearly a day current newspapers of the last year of the administration of Abraham Lincoln. I have never seen in any current press of the day more vicious, indefensible denunciation and characterization of any man than appeared concerning that great man at that time. Yet to-day the gentle spirit, the magnanimity, the modesty, the courage, and the patriotism of Abraham Lincoln are a part of our common heritage North and South. [Applause.] And when the history of this present administration comes to be written there will be found more constructive legislation than perhaps in any administration of the country, unless it be that of Thomas Jefferson. In most of that legislation Republicans joined with what was then the Democratic majority in this body to enact it into law. In fact, you seek to justify this resolution here by citing an alleged declaration of the President to the effect that the war had ended. Great pity it is that the Republican majority should not only seek to cite and follow the declarations of the President when it suits their purposes, great pity it is that while you followed him in the various pieces of constructive legislation which he recommended during the past three Congresses, you do not continue to follow him in this Congress, but have permitted the heat of party passion, the desire for party success, to induce you to leave the ways that have illustrated the best that is in your party when you were followers in that respect of Woodrow Wilson, and for the sake of selfish, partisan success have in this Congress attempted to destroy him.

Mr. Speaker, a partisan majority may pass this resolution. The other body by a bare majority may pass it. But not only is it without warrant under the Constitution, but it will not, as it is intended to do, deceive the American people. Partisan spirit may ebb and flow, but in the end the American people will do the righteous thing and approve the essential features of this treaty, including the covenant of the League of Nations. [Applause.]

The SPEAKER. The gentleman's time has again expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania, Dr. TEMPLE. [Applause.]

Mr. TEMPLE. Mr. Speaker, the plain fact is that the war is over in every sense except that which is purely technical and legal. The passage of this resolution will be a mere declaration of the truth, and will make the technical state of affairs correspond to the facts. That is its purpose, and it has no other purpose.

Gentlemen on the other side say that we have no constitutional power to recognize an existing fact. They have said repeatedly to-day that the war can not end except by the ratification of a treaty of peace, and that Congress has no constitutional author-

ity to recognize any other termination. I wish to point out a provision in the act known as the trading with the enemy act, approved October 6, 1917. I read from the United States Statutes at Large, volume 40, page 412.

The words "end of the war," as used herein, shall be deemed to mean the date of proclamation of exchange of ratifications of the treaty of peace, unless the President shall, by proclamation, declare a prior date, in which case the date so proclaimed shall be deemed to be the end of the war within the meaning of this act.

[Applause.]

Gentlemen say the war can not end until the ratifications are exchanged and proclamation of that fact made by the President. But by this act, passed by the Sixty-fifth Congress, in which the Democratic Party were in the majority, these words were enacted into law. You voted for that act and I voted for it. The majority of the Members on the Republican side, almost all of them in fact, voted for it. We declared that the date of the end of the war should be the date of the President's proclamation announcing the ratification of the treaty of peace—

unless the President should by proclamation announce a prior date, in which case the date so proclaimed shall be deemed to be the end of the war within the meaning of this act.

Now, what we had the right then to authorize the President to do we have the right now to take up ourselves. We have the right to repeal that authorization and to fix some other mode of determining the date which shall be the end of the war within the meaning of that act and of all other war legislation. The President's authority to announce a prior date is an authority conferred upon him by act of Congress. We may repeal that provision in the act and ourselves assert the right to name a prior date. We could not have conferred on him a right that we did not ourselves possess. [Applause.]

Gentlemen have told us that this resolution is intended to dispose of the pending treaty in the Senate, and that support of it is an evidence of partisanship. I should like once more to put on record the facts concerning the last vote that was taken in the Senate on the question of ratifying the treaty.

On that vote there were, including the pairs, by which Members announced their position on the question, 34 Republicans who were in favor of ratification and 23 Democrats. Against ratification there were 15 Republicans and 24 Democrats. The majority of the Republicans, more than 2 to 1, voted for ratification with the reservations which had been adopted by the majority of the Senate, and it was the votes of the 23 Democrats, added to the votes of 15 Republicans, that prevented ratification. At any rate, the passage of this act will in no way affect that treaty. It has been sent back to the President with a notification that the Senate has rejected it.

It must not be supposed, however, that such action by the Senate is necessarily a final disposition of a treaty. The history of the treaty for international protection of industrial property is somewhat unusual, but it plainly shows what has happened, and what may happen again, to a treaty rejected by the Senate. The treaty referred to was signed at Paris March 20, 1883, by representatives of the United States and other powers, great and small. It was not until June 12, 1884, more than a year after the date of its signature, that the Senate unanimously voted against its ratification. Nearly two years afterwards, on February 2, 1885, President Arthur sent the treaty back to the Senate with a message recommending reconsideration. Two years more went by, but at last, four years after the negotiation and signature of the treaty, on March 2, 1887, the Senate advised and consented to its ratification.

Now, if there should be a like state of affairs, even for a much shorter time, in regard to the present treaty, on what basis are we to live and do business until the treaty question is finally disposed of? The passage of this resolution will not affect the future of the treaty at all, if it has a future, nor will it interfere in any way with the negotiation of another treaty, if such a course should become necessary. It will simply give us a modus vivendi in the meantime.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. TEMPLE. No; I have not the time. Gentlemen have said that we ought to repeal all war legislation and put the country on a peace basis. I wonder if the gentlemen have examined the war legislation. I have looked at 61 different acts of emergency legislation passed for the purposes of this war only. Thirty are to come to an end on the proclamation of the treaty of peace. Thirty-one are to come to an end at different periods—3 months, 6 months, 18 months, 3 years, 5 years, and in one case 10 years after the ratification of peace. The one that makes certain arrangements continuing for 10 years after the ratification of peace provided, however, that the corporation created by the act should take up no new business six months after the date of the ratification. If we should go over these acts one by one and repeal them, or repeal those parts which are not intended to remain in force after the end of the war, and retain those provisions which must remain in force after the war, it would be more than a full session's work for the Congress.

In addition to this there are permanent acts that provide special powers for the President under special conditions in time of war. Nobody wants to repeal the permanent legislation, but if we provide now that for the purpose of interpreting any act of Congress, whether permanent or emergency legislation, which contains provisions contingent upon the termination of the war, the date of the approval of this legislation shall be considered the date of the termination of the war, every one of these acts will operate just exactly as if the treaty had been ratified and the President's proclamation had been made. Those that were to operate only during the war will cease; those that were to continue for three or six or eight months or longer after the cessation of the war will operate as they were intended to operate. We merely substitute one date for the other; we merely assert and act upon a right which Democrats and Republicans alike asserted in passing the act of October 6, 1917, in which we authorized the President to fix the termination of the war at a date prior to the ratification of the treaty of peace. We repeal that provision and ourselves fix a date prior to the ratification of any treaty.

I do not think that any argument can support the statement that we have no right to repeal that provision of the act of October 6, 1917, and to fix another prior date, when we had the right to give the President authority to fix the termination of the war at a date prior to the ratification of the treaty. [Applause.]

Mr. POU. Mr. Speaker, may I ask how much time is remaining?

The SPEAKER. The gentleman from North Carolina has 8 minutes and the gentleman from Kansas 17 minutes.

Mr. POU. I ask unanimous consent, Mr. Speaker, that I may extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that all Members who have or may speak upon this matter have leave to extend their remarks in the RECORD, on both the rule and the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

Mr. BLANTON. Reserving the right to object, why not give every Member of Congress an equal right on that proposition? The great majority of us are cut off by the rule, and certainly all Members should have an equal right.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that all Members have five legislative days in which to extend remarks on this rule and resolution.

The SPEAKER. The gentleman from Kansas asks unanimous consent that all Members have five legislative days to extend their remarks on the rule and the resolution. Is there objection?

Mr. BLACK. Reserving the right to object, I shall object unless it is confined to their own remarks, with such quotations as may be necessary.

Mr. CAMPBELL of Kansas. I will accept that modification.

The SPEAKER. Is there objection with the modification? [After a pause.] The Chair hears none.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield seven minutes to the gentleman from South Dakota [Mr. JOHNSON].

Mr. JOHNSON of South Dakota. Mr. Speaker, in any discussion of the rule or the peace resolution we ought first to sweep aside all technicalities and personalities and the question of the constitutionality of the resolution, which has been so ably discussed by the gentleman from Ohio, Dr. FESS. Everyone in this House knows that if this House passes a peace resolution, if it is ratified by the Senate and is signed by the President, and is ratified by Germany, we will be at peace without any further discussion.

Mr. MONTAGUE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I beg the gentleman's pardon, but I have not the time. I would be delighted to yield, but I have little time.

Second, we ought to sweep aside the camouflage of this partisan debate. The House is sick, sore, tired, weary, and disgusted with it, and the people of the country are tired of it, and we ought to approach the discussion without it. We did not indulge in it during the war and we ought not to in discussing this resolution.

Third, whether we happen to like or dislike the President, that question ought not to enter into the debate. We have our own personal views concerning what has been his attitude, but his

personality does not enter into the discussion, and we ought to sweep any of those feelings aside.

The peace resolution then resolves itself into three questions:

First, as a matter of fact, is the war over or does it continue? We know that the war is over. If it is, what, if any, is the objection to an announcement of the fact in this House, and in the Senate, and what is the objection to having the President admit it when the matter is presented to him?

Second, are we in favor of war, or peace, and are we in favor of returning to peace-time conditions? If we are in favor of returning to those conditions, and I believe the people of this country want us to return to them, why should not this House and the Senate and the President of the United States say so, without further debate?

Third, the question comes to us, Shall we or shall we not allow one willful man to inflict his sole view of foreign relations, enforced by secret diplomacy, on 120,000,000 free American citizens, or shall we let the majority rule in this House, shall we let it rule in the Senate, and shall we let the people of this country again say what they desire?

Is it possible that the minority in this House will contend that only one man in the United States is competent and able to say what the people want or what the Congress wants? It was ably said by the gentleman from Mississippi [Mr. HUMPHREYS] the other day that there are more and always will be more than one man who can say what we ought to have or do in the United States. And parenthetically I might say that I, myself, believe it is time the President of the United States did express himself upon the question of the third term, which was so ably discussed by the gentleman from Mississippi [Mr. HUMPHREYS], and also upon the question of exactly what he desires or will accept with respect to the peace treaty.

The gentleman from North Carolina [Mr. POU] stated that two-thirds of the Senate of the United States had always been in favor of the League of Nations. If two-thirds of the Senate were always in favor of the League of Nations, I can not help asking myself the question why it was not ratified. That statement can not concur with the facts, because any time that two-thirds of the Senate of the United States favor that league they will secure it, and they will secure it in the form in which the Senate desires it. I think that the gentleman perhaps forgets that either 21 or 23 Democrats, of the Senate minority, voted against that treaty and against that League of Nations because they wanted it Americanized. The President can secure the League of Nations in the treaty any moment that he will go as far as England is willing to go in securing the Americanization of the league.

Why does the President of the United States take so many inconsistent positions? It is inconceivable to me, and I do not believe that the minority of this House, whom we know desire to state the facts when they can, will agree with me. On page 7607 of the CONGRESSIONAL RECORD of October 27, 1919, in discussing the prohibition law, we find the President stating as follows:

> I object to and can not approve that part of this legislation with reference to war-time prohibition. It has to do with the enforcement of an act which was passed by reason of the emergencies of the war and whose objects have been satisfied in the demobilization of the Army and Navy, and whose repeal I have already sought at the hands of the Congress.

Did he not say, then, in effect, that the war was ended? Yet we find on page 7583 of the RECORD of the same date, October 27, 1919, the following statement by the President of the United States:

> The country is confronted with this prospect at a time when the war itself is still a fact, when the world is still in suspense as to negotiations for peace, when our troops are still being transported, and when their means of transport is in urgent need of fuel.

The President has thus taken two absolutely inconsistent positions, and I do not believe the Democratic membership of this House can indorse any man who does such a thing. I know they can not indorse them both. [Applause on the Republican side.]

The SPEAKER. The time of the gentleman from South Dakota has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, gentlemen of the minority have taken the name and fame of the President of the United States into this discussion.

Mr. MONTAGUE. Mr. Speaker, will the gentleman permit me to ask him a question, before he proceeds along that line, for information?

Mr. CAMPBELL of Kansas. Yes.

Mr. MONTAGUE. Why is it that the resolution desires that a state of war be concluded as respects Germany but not as respects Austria-Hungary? Why want peace with Germany and not with Austria-Hungary?

Mr. CAMPBELL of Kansas. The Senate was offered a treaty by the President terminating the war with Germany, and we are dealing with the status as we find it.

Mr. MONTAGUE. I thank the gentleman for his answer.

Mr. REAVIS. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. REAVIS. I take it for granted that neither the Rules Committee nor the House has any desire to bring the war to an end by resolution until the opportunity to end it by treaty has been afforded. The President has never presented to the Senate any treaty with Austria.

Mr. MONTAGUE. But the contention of the gentlemen is that they do not need any treaty.

Mr. CAMPBELL of Kansas. Mr. Speaker, I do not yield any further. I was about to say that in so far as this discussion brings in the name and the fame of the President of the United States, it has been brought in by the minority of this House. The majority members of the Committee on Rules did not assail the President. The House of Representatives does not contemplate assailing either his character or his reputation. His reputation has been and is now in his own keeping.

When he went to Europe no man had greater fame than he, and no nation in all the annals of time stood higher in the estimation of the people of the world than did the United States. Both the President and the Republic he represented occupied the highest place in fame that could be attained by any man or any people. The President was received in every land he visited in a manner befitting the reception of an emperor. But the President was ambitious. His ambitions were not satisfied with the Presidency of the United States, and yet the office of President of the United States is the most powerful office in the world. The duties and responsibilities resting upon the President call upon him to make many sacrifices and to forego many pleasures.

He can not gratify his personal wishes nor all his desires for foreign travel. He must lay aside every ambition for applause except by the people of his own country. He must smother every hope for honor beyond the Presidency of the United States. But President Wilson did not observe these limitations.

The President must remain in the country, whose servant he is. He can not freely mingle with the people of other lands without endangering his own prestige and inviting trouble for the Government and people of his own country.

The Presidency carries with it such great power that artful diplomats and international statesmen in other lands should not be tempted to beguile the President with unusual attentions, courtesies, and presents to exercise his power for the welfare of other people than those of the United States.

It is not improper to draw a lesson for future Presidents from the experiences of President Wilson's absence from his own country and seat of government and to call attention to some of the conditions his visit made possible that seriously affect the future of the Republic and the welfare of its people.

On the 1st of December, 1918, the people of the United States were honored and esteemed in every land beneath the sun. Strict adherence to our own business for a century and a third made us powerful as a Nation and independent and free as a people from the vexations and turmoil of European politics.

At the moment when the world needed the help of a great and powerful country the United States offered its manhood to save the world from the brute force of Germany. The soldierly conduct of our boys on land and sea won additional honor and respect for our country from every people who know of their chivalry in the camps and their valor in the field. The American people had a place in the affections of England, France, and Italy, and of all the allied countries, and at the same time commanded the respect of the people of the central powers.

The President's arrival in Europe was marked with the unusual attentions that have ever been given to princes of the royal blood or to emperors with imperial power. In Paris, in London, in Rome, every art of the entertainer was exhausted upon the President.

He approached royal palaces amid the applause of the multitude; he entered royal banquet halls in ancient and regal procession; he was wined and dined in royal state in every capital he entered. He was flattered with every attention that mankind can give to man. He liked it all.

Diplomats and international statesmen constantly attended him and paid him homage. If he had vanity it was encouraged. Nothing that could please him was omitted from the preliminaries that marked his approach to the peace table.

The statesmen of other lands, intent upon the welfare of their own countries, artfully led him to see their countries' needs. He was easily beguiled into assuming the rôle that had been carefully created for him.

Masters in the art of international statesmanship do not always disclose their purposes. The Government and the people of the United States are to pay for all these honors and attentions in the years to come.

The President wanted a League of Nations. It was given to him. Those who sat with him at the peace table wanted to add more territory to their domains; wanted more friendly harbors at the doors of teeming millions at the ends of the paths they controlled on the seas; wanted dominion and control over smaller and weaker nations; wanted indemnity for the losses they sustained in the war; wanted security and prestige for the Government and people for future years; and wanted the United States to share the burden of policing Europe and maintaining the boundaries of their nations, and they got what they wanted.

The peace conference ended a part of its work early in July, 1919, and the President left Europe amid the silence of the multitude and without even the honor of attention from his former flatterers. If Woodrow Wilson only were concerned, the affair might pass without serious comment. But every returned traveler and uncensored report from Europe tells the story of American unpopularity in every country overseas.

The cordial feeling for the Government and people of the United States that formerly existed is wanting now. Civilized and Christian people covet the good opinion of mankind. The President's presence in Europe, his absence from his own country, left the people of the United States without that good opinion.

No country can safely permit its chief executive to intrude himself into the domestic affairs of another country. When the President of the United States in France, in England, and in Italy mistook the royal reception he had received from those in high places and the applause that was given him by the multitude for an invitation to become their political master, he lost his own prestige and that of his country. It will require the work of years to restore the Government and people of the United States to their former cordial and congenial relationship with the other countries of the world with whose people the President came in contact.

When he left Europe he did not leave with the fame he took there with him, and if there is in this country to-day a justification for the President's lack of fame asserted by members of the minority, the President alone is responsible for it. [Applause on Republican side.] The House of Representatives can not tarnish his fame. If his fame does not satisfy his friends or gratify him, it is his fault and not the fault of the House of Representatives. The merits of this resolution should not be connected with the character or reputation of the President of the United States. The people of the country want a solemn declaration that a state of war no longer exists with the Imperial German Government.

Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

Mr. POU. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 214, nays 155, answered "present" 1, not voting 57, as follows:

YEAS—214.

Ackerman	Dempsey	Greene, Mass.	Kleczka
Anderson	Dickinson, Iowa	Greene, Vt.	Knutson
Andrews, Md.	Dowell	Griest	Kraus
Andrews, Nebr.	Dunbar	Hadley	Kreider
Anthony	Dunn	Hardy, Colo.	Lampert
Baer	Dyer	Harreld	Langley
Barbour	Echols	Haugen	Layton
Begg	Edmonds	Hawley	Lehlbach
Benham	Elliott	Hays	Little
Bland, Ind.	Ellsworth	Hernandez	Longworth
Boies	Elston	Hersey	Luce
Bowers	Emerson	Hickey	Lufkin
Britten	Esch	Hicks	Luhring
Brooks, Pa.	Evans, Nebr.	Hoch	McKenzie
Browne	Evans, Nev.	Houghton	McKinley
Burdick	Fairfield	Hulings	McLaughlin, Mich.
Burroughs	Fess	Hull, Iowa	McLaughlin, Nebr.
Butler	Focht	Husted	McPherson
Caldwell	Fordney	Hutchinson	MacCrate
Campbell, Kans.	Foster	Ireland	MacGregor
Cannon	Frear	James	Madden
Chindblom	Freeman	Jefferis	Magee
Christopherson	French	Johnson, S. Dak.	Mapes
Classon	Fuller, Ill.	Johnson, Wash.	Mason
Cole	Gallivan	Jones, Pa.	Merritt
Cooper	Ganly	Juul	Michener
Copley	Garland	Kearns	Miller
Crago	Glynn	Keller	Monahan, Wis.
Cramton	Goldfogle	Kelley, Mich.	Mondell
Crowther	Good	Kelly, Pa.	Moore, Ohio
Currie, Mich.	Goodall	Kendall	Moores, Ind.
Dale	Goodykoontz	Kennedy, R. I.	Morgan
Dallinger	Gould	Kiess	Mott
Darrow	Graham, Ill.	King	Nelson, Wis.
Davis, Minn.	Green, Iowa	Kinkaid	Newton, Minn.
Newton, Mo.	Ricketts	Snell	Vare
Nolan	Riddick	Snyder	Vestal
Ogden	Robsion, Ky.	Steenerson	Voigt
Olney	Rogers	Stephens, Ohio	Volstead
Osborne	Rose	Stiness	Walsh
Paige	Rowe	Strong, Kans.	Walters
Parker	Sanders, Ind.	Summers, Wash.	Watson
Peters	Sanders, N. Y.	Sweet	Webster
Platt	Sanford	Swope	Wheeler
Porter	Schall	Taylor, Tenn.	White, Kans.
Purnell	Scott	Temple	White, Me.
Radcliffe	Sells	Thompson	Wilson, Ill.
Ramsey	Sherwood	Tilson	Winslow
Ramseyer	Sinclair	Timberlake	Woodyard
Randall, Wis.	Sinnott	Tincher	Yates
Reavis	Slemp	Tinkham	Young, N. Dak.
Reber	Smith, Idaho	Towner	Zihlman
Reed, W. Va.	Smith, Ill.	Treadway	
Rhodes	Smith, Mich.	Valle	

NAYS—155.

Almon	Dupré	Lee, Ga.	Rainey, J. W.
Ashbrook	Eagan	Lesher	Raker
Aswell	Eagle	Linthicum	Randall, Calif.
Ayres	Evans, Mont.	Lonergan	Rayburn
Babka	Ferris	McAndrews	Riordan
Barkley	Fisher	McClintic	Romjue
Bee	Flood	McDuffie	Rouse
Black	Fuller, Mass.	McGlennon	Rubey
Blackmon	Gallagher	McKeown	Rucker
Bland, Va.	Gandy	McKinley	Sanders, La.
Blanton	Gard	McLane	Sims
Box	Garner	Maher	Sisson
Brand	Goodwin, Ark.	Major	Small
Briggs	Griffin	Mann, S. C.	Stedman
Brumbaugh	Hardy, Tex.	Martin	Steele
Buchanan	Harrison	Mays	Stephens, Miss.
Byrnes, S. C.	Hastings	Mead	Stevenson
Byrns, Tenn.	Hayden	Milligan	Stoll
Campbell, Pa.	Hersman	Minahan, N. J.	Sumners, Tex.
Candler	Holland	Montague	Tague
Cantrill	Howard	Moon	Taylor, Ark.
Carew	Huddleston	Mooney	Taylor, Colo.
Carss	Hudspeth	Moore, Va.	Thomas
Casey	Hull, Tenn.	Neely	Tillman
Clark, Fla.	Humphreys	Nelson, Mo.	Upshaw
Clark, Mo.	Igoe	Nicholls, S. C.	Venable
Cleary	Jacoway	O'Connell	Vinson
Coady	Johnson, Ky.	Oldfield	Watkins
Collier	Johnson, Miss.	Oliver	Weaver
Connally	Johnston, N. Y.	Overstreet	Welling
Crisp	Jones, Tex.	Padgett	Welty
Cullen	Kettner	Park	Wilson, La.
Davis, Tenn.	Kincheloe	Parrish	Wilson, Pa.
Dent	Kitchin	Pell	Wingo
Dewalt	Lanham	Phelan	Wise
Dickinson, Mo.	Lankford	Pou	Woods, Va.
Dominick	Larsen	Quin	Wright
Donovan	Lazaro	Rainey, Ala.	Young, Tex.
Doremus	Lea, Calif.	Rainey, H. T.	

ANSWERED "PRESENT"—1.

McArthur

NOT VOTING—57.

Bacharach	Dooling	McFadden	Shreve
Bankhead	Doughton	Mann, Ill.	Siegel
Bell	Drane	Mansfield	Smith, N. Y.
Benson	Fields	Morin	Smithwick
Bland, Mo.	Garrett	Mudd	Steagall
Booher	Godwin, N. C.	Murphy	Strong, Pa.
Brinson	Graham, Pa.	Nichols, Mich.	Sullivan
Brooks, Ill.	Hamill	O'Connor	Ward
Burke	Hamilton	Reed, N. Y.	Wason
Caraway	Heflin	Robinson, N. C.	Whaley
Carter	Hill	Rodenberg	Williams
Costello	Hoey	Rowan	Wood, Ind.
Curry, Calif.	Kahn	Sabath	
Davey	Kennedy, Iowa	Scully	
Denison	McCulloch	Sears	

So the resolution was agreed to.

The Clerk announced the following pairs:

On the rule:

Mr. MANN of Illinois (for) with Mr. ROBINSON of North Carolina (against).

Mr. RODENBERG (for) with Mr. BELL (against).

Mr GRAHAM of Pennsylvania (for) with Mr. HEFLIN (against).

Mr. DENISON (for) with Mr. BENSON (against).

Mr. MCCULLOCH (for) with Mr. STEAGALL (against).

Mr. MCARTHUR (for) with Mr. WHALEY (against).

Mr. BACHARACH (for) with Mr. SCULLY (against).

Mr. SHREVE (for) with Mr. CARAWAY (against).

Mr. WARD (for) with Mr. CARTER (against).

Mr. CURRY of California (for) with Mr. DRANE (against).

Mr. SIEGEL (for) with Mr. DOUGHTON (against).

Mr. REED of New York (for) with Mr. SMITH of New York (against).

General pairs until further notice:

Mr. WOOD of Indiana with Mr. DAVEY.

Mr. WILLIAMS with Mr. BLAND of Missouri.

Mr. BROOKS of Illinois with Mr. SULLIVAN.

Mr. WASON with Mr. DOOLING.

Mr. KAHN with Mr. BANKHEAD.
Mr. STRONG of Pennsylvania with Mr. GARRETT.
Mr. NICHOLS of Michigan with Mr. BRINSON.
Mr. BURKE with Mr. HAMILL.
Mr. MUDD with Mr. GODWIN of North Carolina.
Mr. MCFADDEN with Mr. SMITHWICK.
Mr. COSTELLO with Mr. FIELDS.
Mr. HAMILTON with Mr. SABATH.
Mr. MORIN with Mr. O'CONNOR.
Mr. HILL with Mr. ROWAN.
Mr. MURPHY with Mr. SEARS.
Mr. KENNEDY of Iowa with Mr. MANSFIELD.

Mr. MCARTHUR. Mr. Speaker, I have a pair with the gentleman from South Carolina, Mr. WHALEY. If he were present he would vote "no"; and I therefore change my vote from "aye" to "present."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. Under the provision of the resolution the House will proceed to the consideration of House joint resolution 327, which the Clerk will report.

The Clerk read as follows:

House joint resolution No. 327, terminating the state of war declared to exist April 6, 1917, between the Imperial German Government and the United States; permitting on conditions the resumption of reciprocal trade with Germany, and for other purposes.

Whereas the President of the United States, in the performance of his constitutional duty to give to the Congress information of the state of the Union, has advised the Congress that the war with the Imperial German Government has ended:

Resolved, etc., That the state of war declared to exist between the Imperial German Government and the United States by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end.

SEC. 2. That in the interpretation of any provision relating to the date of the termination of the present war or of the present or existing emergency in any acts of Congress, joint resolutions, or proclamations of the President containing provisions contingent upon the date of the termination of the war or of the present or existing emergency, the date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present or existing emergency, notwithstanding any provision in any act of Congress or joint resolution providing any other mode of determining the date of the termination of the war or of the present or existing emergency.

SEC. 3. That with a view to secure reciprocal trade with the German Government and its nationals, and for this purpose, it is hereby provided that unless within 45 days from the date when this resolution becomes effective the German Government shall duly notify the President of the United States that it has declared a termination of the war with the United States and that it waives and renounces on behalf of itself and its nationals any claim, demand, right, or benefit against the United States or its nationals that it or they would not have had the right to assert had the United States ratified the treaty of Versailles, the President of the United States shall have the power, and it shall be his duty, to proclaim the fact that the German Government has not given the notification hereinbefore mentioned, and thereupon and until the President shall have proclaimed the receipt of such notification commercial intercourse between the United States and Germany and the making of loans or credits and the furnishing of financial assistance or supplies to the German Government or the inhabitants of Germany, directly or indirectly, by the Government or the inhabitants of the United States shall, except with the license of the President, be prohibited.

SEC. 4. That whoever shall willfully violate the foregoing prohibition whenever the same shall be in force shall upon conviction be fined not more than $10,000, or, if a natural person, imprisoned for not more than two years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents, or any vessel, together with her tackle, apparel, furniture, and equipment, concerned in such violation shall be forfeited to the United States.

SEC. 5. That nothing herein contained shall be construed as a waiver by the United States of any rights, privileges, indemnities, reparations, or advantages to which the United States has become entitled under the terms of the armistice signed November 11, 1918, or which were acquired by or are in the possession of the United States by reason of its participation in the war, or otherwise; and all fines, forfeitures, penalties, and seizures imposed or made by the United States are hereby ratified, confirmed, and maintained.

The SPEAKER resumed the chair.

The SPEAKER. The gentleman from Pennsylvania [Mr. PORTER] is recognized.

Mr. PORTER. Mr. Speaker, the master minds that conceived and adopted the Constitution undoubtedly recognized that the highest degree of efficiency in time of war could best be obtained by making the President Commander in Chief of the Army and Navy. This was the policy of the Romans, and their successes in warfare may have influenced the framers of our Constitution in their decision. Justice Story, in his Commentaries on the Constitution, illustrates the wisdom of such a policy in the following convincing language:

> Of all the cases in the concerns of government, the direction of war most peculiarly demands those qualities which distinctly exercise the power by a single hand. Unity of plan, promptitude, activity, and decision are indispensable to success, and this can scarcely exist except where a single magistrate is intrusted exclusively with the power.

In the War of 1812 with England, Congress, in harmony with this policy, vested in President Madison extraordinary war powers, some of which were similar to the existing war measures, and he was enabled thereby to bring the war to a successful conclusion. In the Mexican War, Congress, adhering to this policy, vested similar war powers in President Polk, and that war ended in victory for American arms. In the War between the States, Congress, still adhering to this successful policy, delegated similar powers to President Lincoln, who suppressed the rebellion and preserved the Union, and, lastly, the grant of the same powers to President McKinley effectually terminated the Spanish-American War. Our Republic has never been unsuccessful in war [applause on the Republican side], which is persuasive evidence of the soundness of our war policy and a conclusive argument against any departure therefrom.

Immediately after declaring the existence of a state of war between the United States and the Imperial German Government on April 6, 1917, Congress, recognizing the wisdom of our war policy of the past, enacted many laws, in some instances upon the request of the executive branch of the Government, conferring upon the Chief Executive greater powers than those granted to any of his predecessors. They placed at the disposal of the President every resource of the Nation in men, money, and industry, and the activities of the individual were restricted in every way that would aid in the successful prosecution of the war; in fact, the war legislation was so drastic in character and application that the liberties of the individual were largely abridged. The war was fought to a successful conclusion, and hostilities ceased with the signing of the armistice on November 11, 1918, and since that time every reasonable person must admit the war is ended and a state of peace exists. Even the President himself admitted the war was ended in an address to Congress on November 11, 1918, when he said:

> * * * The war thus comes to an end * * *. We know only that this tragical war, whose consuming flame swept from one nation to another until all the world was on fire, is at an end. * * *

It is now upward of 17 months since the signing of the armistice. The President still retains all these powers, and refuses to surrender them unless the Senate yields to his arbitrary views as to the terms and the conditions of the treaty of peace. The Senate is without power to negotiate a treaty, the President originating and the Senate having only the negative. The treaty of Versailles, signed on June 28, 1919, has been rejected by the Senate and returned to the President, and no one can predict how long this controversy between the Senate and the President will continue. It is certain to last for many months. The Republic remains legally in a state of war, and the people are still subject to the penalties provided in the trading-with-the-enemy act, the food-control act, the espionage act, and other similarly drastic legislation.

Mr. VENABLE. Will the gentleman yield?

Mr. PORTER. I decline to yield.

President Madison, at the close of the War of 1812; President Polk, at the close of the Mexican War; President McKinley, at the close of the Spanish-American War, promptly annulled their extraordinary war powers by treaties of peace, and President Johnson—Mr. Lincoln's successor—did likewise by congressional enactment and proclamation. Everyone assumed that President Wilson would follow a like policy and exercise the powers vested in him by the act of October 6, 1917, United States Statutes, volume 40, page 413—trading with the enemy—which provides for the termination of that law by the "ratification of a treaty of peace unless the President shall by proclamation declare a prior date, in which case the date so proclaimed shall be deemed to be the end of the war," and thus promptly remove the shadow of this restrictive war legislation from the activities of the American people so that constitutional government could be resumed and prewar conditions reestablished, which the country has been rightfully demanding for many months. [Applause on the Republican side.] The war measures should have been vacated and annulled immediately after it became apparent that the controversy over the ratification of a treaty of peace might be prolonged indefinitely. All of these war powers were intrusted to the President, and his unfortunate and long-continued illness places their enforcement in the hands of subordinates, a result which Congress obviously never intended, and a condition which endangers the constitutional rights and liberties of our people and adds to the imperative necessity for their immediate termination. [Applause on the Republican side.]

The authorities on international law agree that there are three ways of terminating war between belligerent States: First, by a treaty of peace; second, by the conquest and subjugation of one of the belligerents by the other; third, by the mere cessation of hostilities so long continued that it is evident that there is no intention of resuming them.

War may be terminated in three different ways: Belligerents may (1) abstain from further acts of war and glide into peaceful relations without expressly making peace through a special treaty, or (2) belligerents may formally establish the condition of peace through a special treaty of peace, or (3) a belligerent may end the war through subjugation of his adversary. (Oppenheim, International Law, vol. 2, p. 322.)

There are three ways of terminating hostilities between belligerent States, namely, (1) by a mere cessation of hostilities of both sides without any definite understanding supervening; (2) by the conquest and subjugation of one of the contending parties by the other, so that the former is reduced to impotence and submission; (3) by a mutual arrangement embodied in a treaty of peace, whether the honors of war be equal or unequal.

Under the first mode the relationships between the parties remain in a condition of uncertainty, and owing to the numerous difficulties involved, combatant States have very seldom resorted to this method of withdrawing from the war without arriving at some definite and intelligible decision. (Phillipson, p. 3, Termination of War and Treaties of Peace.)

It is certain that a condition of war can be raised without an authoritative declaration of war, and, on the other hand, a situation of peace may be restored by the long suspension of hostilities without a treaty of peace being made. History is full of such occurrences. What period of suspension of war is necessary to justify the presumption of the restoration of peace has never yet been settled, and must in every case be determined with reference to collateral facts and circumstances. (Mr. Seward, Secretary of State, July 22, 1868, Dip. Cor., 1868, vol. 2, pp. 32 to 34, cited Moore's International Law, vol. 7, p. 336.)

It is true that the usual and normal method of terminating a war status is by a treaty made by the President, by and with the advice and consent of two-thirds of the Senate. If this were the only means by which the war could be ended Congress would be powerless to grant relief, but the authorities on international law cited above agree that there are two other ways of terminating war, one of which is the cessation of hostilities for a long period of time without any intention on the part of either of the belligerents to resume them, and the other by conquest and subjugation of one of the contending parties by the other.

Mr. Seward said, in one of the cases cited:

What period of suspension of war is necessary to justify the presumption of the restoration of peace has never yet been settled, and it must in every case be determined with reference to the collateral facts and circumstances.

The power to determine this question of fact is undoubtedly in Congress. Now, what are the facts? The armistice was signed on November 11, 1918, and neither of the belligerents has indicated the slightest intention of resuming hostilities; on the contrary, the armies of both sides have been demobilized, commercial relations between the peoples of the United States and Germany have been partially resumed, and all the nations associated with us in the war have formally ended the war by treaty with Germany, and the Imperial German Government has been supplanted by a Republic.

Germany has conceded our demands by the treaty of Versailles, and the only controversy remaining is the one between the Chief Executive and the Senate over the ratification of the treaty. Under this state of facts no reasonable mind can escape the conclusion that the war is long since terminated. It therefore becomes the imperative duty of Congress to declare officially the fact that the war is ended. The Constitution does not withhold from Congress the power to declare war at an end, as it has the power to repeal or amend any of its legislative acts. Neither does the Constitution require that war declared by Congress must be ended by a treaty of peace negotiated by the President by and with the advice and consent of the Senate. This, no doubt, is the customary way of ending a war, but it is not the only way of doing so, and the peace by treaty having failed of accomplishment, such action on the part of Congress is not an infringement of the treaty-making power of the President. Congress, which alone has the power to declare war, to raise and support armies, to provide and maintain a navy and to marshal all the resources of the Nation for the successful prosecution of war, surely has the power to vacate its official acts by declaring the war at an end, and thus fulfill its obligations to the country.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. PORTER. I decline to yield. The Constitution contains no such absurd provision that a resolution declaring a state of war and the laws passed in the prosecution of that war are irrepealable, so the power of annulment by Congress follows by necessary implication. If it were otherwise, and these great powers remain in some mysterious way in the hands of the President until a treaty of peace has been made and proclaimed, and there is no other way to end such a state of war except by a treaty of peace, the President could maintain a dictatorship just so long as he is able to hold the presidential office—a condition repugnant to every fundamental principle upon which this Government is founded.

It is an unprecedented situation in the history of our Government, the evil of which necessarily requires an unprecedented remedy. It therefore becomes the plain duty of Congress to exercise its constitutional powers and declare the state of war at an end, and fix a date whereby these laws will automatically terminate according to their own provisions. The passage of this resolution will not disturb in the slightest degree the status of the treaty negotiations.

The President will be as free and untrammeled in the negotiation of the treaty after its passage as before. It simply declares the war to be at an end, fixes a date for the termination of the war legislation, and upon certain conditions permits the resumption of trade with the German people.

America is exclaiming, in the words of Gen. Grant, "Let us have peace." [Loud applause on the Republican side.]

Mr. FLOOD. Mr. Speaker, I yield 20 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, no man in Congress is more desirous of securing peace between the United States and the Central Powers of Europe than I am. No man is more desirous of again establishing unfettered business relations than I. I want again to enjoy with all the people of my country that business and social relation with the peoples of the world which existed so pleasantly before the war.

I can not believe, however, that the joint resolution under discussion will bring that result. It is an attempt to establish by joint resolution peace with Germany without the settlement of the vast questions existing between our country and the German Government. It is an attempt on the part of the Republican Party to curry favor with the citizens of the land by establishing a false peace by resolution and thereby endeavoring to accomplish unconstitutionally what the Republican Senate had a chance to accomplish constitutionally and in accordance with the precedents established and followed during the entire history of our Government, from the time of the adoption of the Constitution to the present day.

The framers of our Constitution were fresh from contact with the inefficiency and lack of cooperation under the Articles of Confederation. They had beheld, as is so often expressed, with their own eyes, the difficulty in negotiating a treaty of peace by the legislative body under the powers conferred. They had in mind the difficulty of a large legislative body performing the task of making peace and negotiating a treaty. They had tried out that system and realized how difficult it was to establish a stable, efficient, and lasting government upon that basis.

When it was therefore proposed in the Constitutional Convention that Congress should "make war," the word "declare" was substituted for the word "make," because it was feared that the word "make" might be construed to give Congress the power to wage war and the conduct thereof. Having in mind the disasters of that experience under the Continental Congress, they had no liking for its continuation. When it was proposed to insert, after the words "declare war," the words "and peace," the amendment was unanimously voted down, in spite of the fact that the Articles of Confederation had invested in Congress the power to determine both peace and war. In his notes recording the proceedings, Mr. Madison says that on August 17, 1787, on the motion for adding "and peace" after "war," it was unanimously negatived, the motion, of course, being to amend the phrase to declare war by adding "and peace," so that, if adopted, the amended clause would read "to declare war and peace."

To-day, after a glorious history of nearly a century and a half, after having conducted many wars and never lost one, after relying solely upon the Executive for the declaration of peace and negotiating treaties, it is proposed by the majority side of this House that we shall wrest from the executive branch the power allotted to it by the Constitution. Peace they would have without a written treaty. How can we have peace without the settlement of existing disputes? How can we accomplish satisfactory business relations without our governmental representatives in Germany? Who is to look out for American interests and business operations? Who is to protect American citizens who visit Germany, believing peace under this resolution to exist?

One man may start a fight, but it takes two to settle it. One nation may declare war, but it takes two to settle the controversy. The only way our country has ever terminated a war with a foreign foe and brought about peace has been by treaty. This method and this alone has ever been adopted by the Government of our country. No one will contend that any other method was ever contemplated under our Constitution, or that it can be successfully employed. [Applause on the Democratic side.] No precedent can be found for any different method; certainly none can be found for peace by congressional resolution. We have always left such matters to the Executive under Article II, section 2, of the Constitution, which declares that "He shall have

power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur," and so forth. Writers upon international law evidently had no idea of such authority existing in Congress, or else they would have discussed the question. I have been unable to find any authority dealing with it. They mention but three ways to accomplish peace, namely, by conquest, by negotiation, and by abandonment of hostilities.

It may be possible with the approval of the President and the coaction of the other nation to open up trade relations by a joint resolution of this kind through the repeal of emergency legislation which restricts or prohibits trade and all forms of intercourse with the enemy and that which has become unnecessary since hostilities ceased. This the Republican majority has had nearly a year to do and has failed absolutely in its opportunity and duty. Is it safe, however, by one fell swoop to set aside such legislation without careful and minute consideration of each particular measure and without the stipulations of a treaty to assume control? This joint resolution does not settle the great number of questions still pending adjustment. It is likely to become, as has been well said, "peace by lawsuits," similar to that which followed the various proclamations which were issued after the Civil War when the United States courts became clogged with litigation upon questions depending upon the date of the termination of hostilities and establishment of peace.

We lose the innumerable advantages to be acquired under the treaty. It leaves the concourse of personal and national questions in statu quo. It removes none of the irritating and vexatious matters from controversy; it leaves the field wide open for further disagreement, unpleasantness, and a bait, indeed, for further war; it accomplishes nothing further than we now have as to trade relations. Our people are now doing business with Germany under license, and this method can be broadened as circumstances require and advantages permit until the ratification of the treaty. The armistice provides that the United States shall be paid for the expense of the army of occupation, but does not provide the manner of payment. The treaty, which supersedes, provides that the money for this purpose shall be paid to the reparation commission, but if we are not a party to the treaty, and therefore have no representation upon the all-powerful reparation commission, how and in what manner shall this vast expense be paid? The joint resolution fails to specify and can not do so. [Applause on the Democratic side.]

We have taken over German ships located in our ports to the extent of some $25,000,000. Title to them is questioned. Who shall decide, as we are not of the reparation commission, and have no member to protect our interests? Our title is largely subject to their decision. Only the courts in the absence of the treaty can decide. Peace by lawsuits, as I have said. In the meantime they are subject to libel in any neutral port.

Article 231 provides:

The allied and associated Governments affirm and Germany accepts the responsibility of Germany and her allies for causing all the loss and damage to which the allied and associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her allies.

Article 248 provides:

Subject to such exceptions as the reparation commission may approve, a first charge upon all the assets and revenues of the German Empire and its constituent States shall be the cost of reparation and all other costs arising under the present treaty or any treaties or agreements supplementary thereto or under arrangements concluded between Germany and the allied and associated powers during the armistice or its extensions.

From this fund comes the occupation expenses and all other funds to which we are entitled.

Article 274 provides:

Germany undertakes to adopt all the necessary legislative and administrative measures to protect goods the produce or manufacture of any one of the allied and associated powers from all forms of unfair competition in commercial transactions.

Germany undertakes to prohibit and repress by seizure and by other appropriate remedies the importation, exportation, manufacture, distribution, sale, or offering for sale in its territory of all goods bearing upon themselves or their usual get-up or wrappings any marks, names, devices, or description whatsoever which are calculated to convey directly or indirectly a false indication of the origin, type, nature, or special characteristics of such goods.

A most salutary provision in the interest of the manufactures and commerce of our country. One which gives to the business men of our land a guaranty of fair business dealing, which should be of inestimable benefit and advantage.

Article 278 provides:

Germany undertakes to recognize any new nationality which has been or may be acquired by her nationals under the laws of the allied and associated powers and in accordance with the decisions of the competent authorities of these powers pursuant to naturalization laws or under treaty stipulations, and to regard such persons as having, in consequence of the acquisition of such new nationality, in all respects severed their allegiance to their country of origin.

This settles a question which might well be a very disturbing element. Happily, if the treaty be ratified, this question would forever be closed.

Articles 297 and 298, entitled "Property rights and interests." By this long article the question of private property rights and interests in an enemy country are settled according to the provisions laid down therein. It is most valuable to many of our citizens. It provides for the settlement of property interests now under the control of the Alien Property Custodian. It is most essential to many.

Article 439 of the treaty provides:

Without prejudice to the provisions of the present treaty, Germany undertakes not to put forward, directly or indirectly, against any allied or associated power signatory of the present treaty, including those which without having declared war have broken off diplomatic relations with the German Empire, any pecuniary claim based on events which occurred at any time before the coming into force of the present treaty.

This is a most valuable provision, as it sets at rest all questions prior to the war and removes from controversy all questions of that nature.

GENERAL PROVISIONS.

Under this has been enumerated various matters in which our people are vitally interested and financially concerned, such as contracts of various kinds, negotiable instruments, insurance—fire, life, and marine.

I might continue, Mr. Speaker, with a great array of other subjects gleaned from this great document, which fairly bristles with matters of inestimable worth and advantage to the American people, all of which we lose without treaty ratification.

It is true that if this resolution can become a constitutional law, and Germany acts in accordance with the provisions thereof, then Germany on behalf of itself and its nationals waives and renounces any claim, demand, right, or benefit against the United States or its nationals that it or they would not have had the right to assert had the United States ratified the treaty of Versailles. What about all those rights and benefits which the United States and its nationals have against Germany? What about the mutual agreements, such as I have mentioned, wherein the United States is financially interested and are of such importance to our business relations? It only further demonstrates what I have said, that there can be no satisfactory peace between sovereign powers except through treaty regulations, and this authority being definitely delegated to the Executive and the Senate by the Constitution, this body has no jurisdiction in the premises. [Applause on the Democratic side.]

Some will say, "But the Executive and Senate have failed to agree. Shall we continue under war-time conditions indefinitely?" To this I reply that no branch of our Government has any power except that specifically delegated by the Constitution. Congress has no more authority to assume the powers of the Executive and of the Senate because they refuse to act than the Executive would have to assume legislative power because Congress refused to act upon some legislation which the Executive deemed advisable. [Applause on the Democratic side.]

The failure to ratify the treaty has not alone been injurious to our own country, but likewise to the German people, in that we have no representative upon the reparation commission and are therefore unable to use any direct influence either for or against the German people. The powers of exacting tribute and reparations from Germany and the control of the economic conditions in Germany are vested in the reparation commission, and the attitude of that commission toward Germany will be the cause of alleviating or of perpetuating the present status for the moderation of which a great clamor has arisen. America, however, through nonratification is rendered powerless to act, powerless to help; her hands are tied. Now, if the treaty were ratified and America had her representative on the reparation commission, with the American people back of him, his influence would be most powerful, and, with Great Britain, she could make it possible for Germany to produce and play her part in the world. America could make it possible for Germany to carry out the provisions of the treaty. No joint resolution such as the one proposed can give us this representation and grant us the great influence to which we are entitled. No resolution can benefit mutually Germany and America.

America went into the war asking nothing for herself. History records that she has ever been just even unto being magnanimous to her vanquished foes. Yet here is a resolution, a so-called peace resolution, which attempts to bind Germany to the treaty terms, negotiated in good faith with us, while we refuse

to adopt it ourselves, and which leaves America free and independent of its terms and stipulations.

It double-crosses the American people by depriving them of the rights and benefits of the treaty, a document framed by the brightest minds of the universe. It double-crosses the German people by exacting from them every provision of the treaty while we give them nothing in return—no guaranty of its approval by us. It is but a peace mirage, which leads to confusion, litigation, and trouble. [Applause on the Democratic side.]

The resolution is unfair to our people and to the people of Germany. It requires Germany to perform in 45 days, with a distracted people and partial revolution brewing throughout the land, what the Republican Senate of the United States has been unable to accomplish in the past 12 months, during which time they have been debating the question and providing campaign material for the fall election.

What happens if the German Government is unable to pass the necessary legislation within 45 days, which, to my mind, is absolutely impossible? Why, then, it is provided "that commercial intercourse between the United States and Germany and the making of loans or credits and the furnishing of financial assistance or supplies to the German Government or the inhabitants of Germany, directly or indirectly, by the Government or the people of the United States shall, except with the license of the President, be prohibited under a penalty of not more than $10,000 or, if a natural person, imprisonment for not more than two years, or both." No person under this provision could send food, clothing, or money to a starving relative or friend without being subject to jail sentence unless he first obtained a license, no matter how small the gift might be. I have been much impressed and amazed by the drastic features of the Volstead Act, but am constrained to believe that it is an innocent babe when compared to the drastic penalty features of this joint resolution, under which no natural person convicted of the slightest infraction could escape the penitentiary and might also be compelled to pay a heavy fine in addition. [Applause on the Democratic side.]

The fact is, Mr. Speaker, that the proponents of this resolution have no idea that it can ever become a law, and hence fear not its unconstitutionality. The Republicans well know that no President, having in mind his oath of office, would for a moment consider the signing of a resolution which is diametrically opposed to both the letter and spirit of the Constitution—a resolution that runs counter to every precedent in our history. They know it is an utter impossibility to secure a two-thirds vote which is necessary to pass it over the President's veto. What, then, can be their object? It is plain to behold. It is merely another mode by which they hope to gain political advantage; to still more harass the President and to fool the American people with this false hope of peace; it is an endeavor to divert the attention of the American voter from the utter failure of the Republican Senate to bring peace by treaty adoption according to the Constitution. [Applause on the Democratic side.]

America, when the President left Paris with the great treaty document in his possession, stood out as the beacon light of freedom and the friend of all distressed nations and peoples wheresoever dispersed; America held the torch on high and the world looked to her gigantic form with love, adoration, and a firm sense of help and protection. Not alone did the allied nations do this but the vanquished also relied upon the justness and fairness of America. The fame of America had spread over the world. Little nations felt secure under the protecting wing of the American eagle, and great nations felt the cooperating power of America would still the troubles of all lands. The Stars and Stripes became the symbol of peace and the Statue of Liberty the emblem of freedom and love. [Applause on the Democratic side.]

Such was the situation when the President returned with the treaty document, which many were wont to call the "constitution of the world." When the President landed in New York crowds choked the streets and cheered themselves hoarse. No victor was ever greeted by greater numbers nor more enthusiasm. It was too much for the Republicans. Means must be employed, thought they, for the destruction of the popularity of this Colossus of the American Government. The sages of the Republican Party were consulted. A propaganda was put forward to persecute him, even unto the brink of the grave. A committee was named by the Senate to intrude unto the very sick bed of the President under the guise of obtaining information concerning Mexican affairs. It was determined that the treaty must not be ratified unless upon Republican terms, that they might cry, "We saved the country." Investigation committees were named, and after expending some two millions of the people's money in hearings, junketing trips, and so forth, demonstrated nothing but the fact that this was the cleanest war America ever fought. Accusations and vituperations were leveled at the great men of our Navy and that wonderful Army which sprang up overnight to the dismay of the Central Powers. All to no avail. They could not fool the people. The Republican leaders have become distracted, and now, as a last resort, they endeavor to take from the Executive the power to make peace, even though it hazard the very structure of the Constitution. [Applause on the Democratic side.]

Mr. Speaker, so great has been their endeavor to destroy the glory and luster bestowed upon the temple of democracy by the Democratic Party during both peace and war that the Republican Party has actually ceased to function on all the great and important legislation so badly needed. Nothing constructive has been performed by them during their congressional control. It is a sad commentary, indeed, that the Republican legislative branch should be so callous to American needs in its partisan pursuit of the Democratic Party. Well did the President know whereof he spoke when he asked the country to give him men of his own party to legislate in the conduct of the Government. The election of a Republican Congress has been disastrous, not alone to our own country but to the world at large. The failure of the Senate to ratify the treaty has deprived us of that representation which would have no doubt kept the world at peace and prevented further strife, bloodshed, and devastation. America was the hope of the world—a hope blasted by Republican policies and politics. [Loud applause on the Democratic side.]

Mr. PORTER. Mr. Speaker, I yield 15 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Speaker, I regret exceedingly to find myself at odds with the bulk of the Members on my side of the Chamber. But I am unable to deal with this matter as a party question. It does not seem to me to be a matter for partisanship. The American people want peace. We should not make their desire for peace a matter of partisanship nor make it a political football. It is not only unwise from a political standpoint, but it is bad from the standpoint of public policy. I can not give my consent, my conscience will not permit, to voting against this resolution. [Applause.]

I concede to gentlemen who may differ from me the privilege of doing as they see proper. I do not doubt that they are inspired by high motives. I do not call their motives into question and I ask of them the same consideration. It would be easier for me to fall in and go with the majority of my side, to go with the crowd; it would be easier, and would take much less courage, than to take a position which I realize is not popular. It is not pleasant to be in a minority, especially in a small minority.

THE POLITICAL SITUATION.

Let us see what the political situation is. Gentlemen upon my side of the House say that this is a partisan measure, that it is presented by the Republicans for party reasons, and not in good faith. Well, with the reasons and motives which inspired those who brought forward this resolution I have small concern. The thing that concerns me is what is for the good of my country. [Applause.] I refuse to deal with this question upon any other basis. If, as is said, the Republicans are mean and insincere in advocating this measure, that does not affect me. I am concerned alone with my own motives and must follow my own conscience, no matter what kind of company it may take me into. [Laughter.]

Let us frankly consider what the political situation is. The country wants peace. That desire has been thwarted for 17 long months by obstinacy, selfishness, and political considerations. At present the country is in some doubt as to who is to blame. The great mass of the people feel that both sides are to blame. They blame the President for his attitude in insisting upon the acceptance of the covenant of the League of Nations exactly as he had submitted it and for refusing to accept reasonable reservations. They think he has tried to dictate to the Senate, "Sign on the dotted line."

And the people have no patience with the way in which the treaty has been kicked and cuffed around by the opposition. They believe the treaty would long ago have been ratified in some form or other acceptable to them had opposition not been inspired by selfishness, hatred, and other unworthy motives. At present the blame is placed by the people upon both parties and upon both sides.

In order to end that situation and to avoid it, our Republican brethren, with great astuteness, have brought forward this resolution in the House, where quick action may be had. Their

plan is that they will vote for it and thereby gain the reputation with the people of the country that they are for peace and want to do all they can to bring it about—and that we shall vote against it and thereby take upon ourselves the odium for the delay and place this side of the House in the attitude of saying "No; we will not agree to peace, except on condition that the League of Nations be accepted without reservations just as our President desires." Shall we Democrats, as men of good sense, permit the Republicans to mix this draught, load it with poison, and set it in front of us, then will we drink it down to the last drop and say, "Thank you"? "Vain is the snare set in sight of the bird." [Applause.]

Mr. ROMJUE. Mr. Speaker, will the gentleman yield?

Mr. HUDDLESTON. No; the gentleman will please excuse me. The people will visit upon the public man or the party that takes that obstinate position against their proper desire for peace a punishment which I shall not accept for myself, because I do not intend to deserve it. [Applause.]

PRESIDENT AND SENATE IN HOPELESS DEADLOCK.

What is the situation as to the treaty? In his letter to Senator HITCHCOCK of March 8 of this year, the President of the United States said with reference to article 10 of the League of Nations:

If article 10 is not adopted and acted upon, the governments which reject it will, I think, be guilty of bad faith to their people whom they induced to make the infinite sacrifices of the war by the pledge that they would be fighting to redeem the world from the old order of force and aggression. They will be acting also in bad faith to the opinion of the world at large to which they appealed for support in a concerted stand against the aggressions and pretensions of Germany. If we were to reject article 10 or so to weaken it as to take its full force out of it, it would mark us as desiring to return to the Old World of jealous rivalry and misunderstandings from which our gallant soldiers have rescued us, and would leave us without any vision or new conception of justice and peace. We would have learned no lesson from the war but gained only the regret that it had involved us in its maelstrom of suffering.

And, again, he said:

Either we should enter the league fearlessly, accepting the responsibility and not fearing the rôle of leadership which we now enjoy, contributing our efforts toward establishing a just and permanent peace, or we should retire as gracefully as possible from the great concert of powers by which the world was saved.

And, further, in his letter he said:

I need not say, Senator, that I have given a great deal of thought to the whole matter of reservations proposed in connection with the ratification of the treaty, and particularly that portion of the treaty which contains the covenant of the League of Nations, and I have been struck by the fact that practically every so-called reservation was in effect a rather sweeping nullification of the terms of the treaty itself. I hear of reservationists and mild reservationists, but I can not understand the difference between a nullifier and a mild nullifier. Our responsibility as a Nation in this turning point of history is an overwhelming one, and if I had the opportunity I would beg everyone concerned to consider the matter in the light of what it is possible to accomplish for humanity rather than in the light of special national interests.

What does that mean, gentlemen? It means that the President is resolved upon the League of Nations, in substance and in effect, exactly as he submitted it to the Senate, and that he will not accept any reservation whatever in a matter of substance. That is what it means. Nobody can read that letter and fail to understand the President's position.

What further is the fact? The Senate for the second time has rejected the League of Nations. The Senate adopted reservations. They had been discussing it for months and months. The discussion has gone on until the people of the country are tired and disgusted, and can not endure it any longer.

The Senate has shown to any man who understands the situation that the League of Nations will not be accepted without substantial reservations. It seems to me all ought to realize that. The issue is projected into the next campaign. It will become further, to a lower degree, the football of partisan politics. It is kicked and cuffed around. Another twelvemonth will go by. Is there any man of good sense who believes that two-thirds of the Senate will be found 12 months from to-day who will vote to accept this League of Nations without any substantial reservation? I do not believe there is a man before me who will give his assent to such a conclusion.

Then where will we be if we do not accept this proposition or some other of similar purport? We will project this issue into the next political campaign. We will distract the public attention from grave domestic questions that need to be solved. We will divert the thought of the people of America away from problems which concern them and enter into the troublesome foreign questions with the certainty that at the end of the campaign we shall be found exactly where we are to-day, hopelessly divided, and a deadlock existing between the President and the Senate. The result will not be, as I believe every reasonable man who is informed on political considerations will agree, that two-thirds of the Senate of the United States, as it will be constituted one year from to-day, will accept the League of Nations exactly as it is and without any substantial reservations.

THE TREATY IS DEAD.

The people of this country want peace, and they need peace. For over a year we have been discussing this question. The treaty of Versailles is dead. So far as the United States is concerned it might as well not have been written. [Applause.] The President is in irreconcilable deadlock with the Senate. Twice has the Senate rejected the treaty. Twice has it been demonstrated that the Senate will not ratify the treaty without material amendments to section 10 and other sections of the covenant of the League of Nations. The President indicated in his recent letter to Senator HITCHCOCK that he would not consent to any substantial change in these sections. There is no hope that either Senate or President will yield. They are immovably deadlocked. It can not be hoped that two-thirds of the Senators will vote to approve the treaty in any form acceptable to the President. We can go neither backward nor forward. The treaty is dead. Let us recognize that fact and deal with it accordingly.

ACTUAL WAR ENDED MONTHS AGO.

America wants peace. Actual warfare came to an end 17 months ago. For weary months an agonized world waited on the deliberations at Versailles. Finally the treaty was agreed upon, and now for an anxious yearlong distressed America has looked on while peace was made the football of politics, selfishness, and obstinacy. A weary year of waiting with nothing accomplished. We stand to-day where we stood when the treaty was agreed upon.

America wants peace. Our enemy is beaten and humiliated. Germany's ships have been sunk or surrendered; her armies have been disbanded; her military power has crumbled into dust; from the mightiest she is become the weakest of nations. Even now Germany is torn by revolution and civil disorder. Actual warfare with Germany has been over for months; she has abjectly surrendered; she has accepted the hard terms imposed upon her; she sues for peace; she grants our every demand. Civil disorder in Germany threatens to spread and engulf the world. In good faith we owe it to her, even an enemy, as well as to the interests of our own country, to recognize formally the ending of the war which has been accomplished in actuality.

It were better, I agree, that the technical ending of the war should be by formal treaty. But if the authorities which have to do with formal treaties remain in hopeless conflict we can not afford to haggle over technicalities, but should proceed in a practical way in the exercise of reason and good sense to extricate ourselves from the situation. If peace can not be had by treaty, then let us have peace by other proper means—peace, if need be, by congressional action. It seems foolish to strain over procedure and to refuse to move because we can not have it just in our own way when we are in substantial agreement as to the end.

AMERICA WANTS PEACE.

America wants peace. Unrest and discontent are universal. The rich are dissatisfied with their taxes. Labor cries out against profiteering and exploitation. Suspicion and distrust are everywhere. The faith of the people in their officials is shaken. Officers of the Government are suspicious of the loyalty and fidelity of our citizens. The masses point to the vast accumulations of profiteers and war contractors and in turn are denounced as "reds" and "radicals." Distressing economic conditions are aggravated by uncertainty as to the future and by the consciousness that peace has not yet come. Business halts and is uncertain which way to go. Stimulated by inflation of money, there is a spurious activity, but enterprise and development hesitate and fear to advance. They do not know what a day may bring.

HARSH LAWS HARSHLY ENFORCED.

Actually the war has been over for more than a year, yet the people continue to groan under harsh and restrictive war laws. The conscription act remains unrepealed, while militarists seek to make it a part of our permanent system. The espionage act is yet in force. Under it numerous prosecutions have occurred since the armistice.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. PORTER. Mr. Speaker, I yield to the gentleman 11 minutes.

The SPEAKER. The gentleman from Alabama is recognized for five minutes more.

Mr. HUDDLESTON. Good citizens are yet afraid to express their honest opinions. [Applause.] The explosives act, the trading-with-the-enemy act, the food-control act, and other op-

pressive war laws are yet in effect. Workingmen dare not insist upon adequate wages and fair conditions because of laws passed to help to win the war. The people are heartily weary of the harsh war laws and the conditions arising from the war status. They are tired and cry for relief. Without regard to the merits of the League of Nations and the treaty, those who press for ratification must be made to understand public sentiment. The people will not tolerate that the war laws be held at their heads like a loaded pistol to force them into accepting the treaty. They claim the right to consider the treaty and the league upon their merits. They resent the attempt to intimidate them and to demand their acceptance of the treaty as the price of relief. Public men and parties which seek thus to impose upon the people will find themselves the mark of hearty disapproval.

Actually we are not at war, but technically there is no peace. Patrioteers and profiteers, reactionaries, militarists, war contractors, and their kind, yet draped in the flag, pose as models of civic virtue. The present is their opportunity. They praise themselves and decry all the rest, and improve the time to press the measures and systems which they favor.

PEACE THE CRYING NEED OF THE WORLD.

The good of America demands an immediate return to peace conditions. We must get to lower prices and to the lower cost of living of normal times. We need to order our lives on a peace basis and to devote our energies to increased production and to stoppage of waste by a return to prewar methods and conditions. We need to repair the home life, to restore spiritual things, to bind up the wounds of mankind, and to turn anew to feelings of amity, kindness, and world brotherhood. Peace is the crying need of America, as it is of all the world.

The proposed resolution carefully safeguards all American rights. Section 3 requires Germany to waive and renounce—

* * * on behalf of itself and its nationals any claim, demand, right, or benefit against the United States or its nationals that it or they would not have had the right to assert had the United States ratified the treaty of Versailles.

Section 5 of the resolution provides:

That nothing herein contained shall be construed as a waiver by the United States of any rights, privileges, indemnities, reparations, or advantages to which the United States has become entitled under the terms of the armistice signed November 11, 1918, or which were acquired by or are in the possession of the United States by reason of its participation in the war, or otherwise; and all fines, forfeitures, penalties, and seizures imposed or made by the United States are hereby ratified, confirmed, and maintained.

In view of these provisions there is no danger of any loss on account of the operations of the Alien Property Custodian or under the trading-with-the-enemy act.

ONLY TWO ALTERNATIVES.

The imperative need of our country is for peace without further delay. The President and the Senate are in hopeless deadlock. It is clear that they can not agree upon the treaty. There are only two alternatives to an indefinite continuation of the present uncertainty and controversy. The President may negotiate a new treaty with Germany for submission to the Senate. This course it appears the President will not take. He appears resolved upon the existing treaty. This situation will plunge the matter into the coming political campaign, with resulting bitter strife and controversy, and the distraction of public attention from pressing domestic questions, with the certainty that in the end the necessary two-thirds will not be found in the Senate, so that in all probability a year hence will find the treaty exactly where it is to-day.

The other alternative is the adoption of the pending measure—peace by resolution—termination of the war by congressional action. This alternative is forced upon us unless we agree that peace may yet be deferred for another year or more. I can not hesitate to make the choice. [Applause.]

NOT A MATTER FOR PARTISANSHIP.

It is with regret that I find myself at odds with the majority of Democratic Members. They argue that the pending resolution is a Republican measure and pressed on us for partisan purposes. I despise a partisanship which would baffle with our country's welfare, but I must not allow any meanness of purpose which inspires the measure to swerve me from what I conceive to be my duty. I refuse to accept this as an issue for partisanship. If it be true that the measure is inspired by the desire for petty party advantage, yet I must support it without regard to its partisan effect. I must act for the public welfare, no matter if that course should take me into bad company. [Applause.]

Again, my friends on the Democratic side charge that the resolution is aimed at the President and is intended to embarrass him. They urge that I should accept the President's leadership and decision, and leave the matter in his hands. I respect the office and personality of the President. But I am not thinking of the President; I am thinking of the welfare of my country. [Applause.] I want to smooth away the friction that is growing among our citizens. I want to still discontent and dissatisfaction and the possibility of domestic strife and civil disorder. I want to do whatever I may to restore my country and to promote the peace and welfare of the world. The issue is not the President's issue. It is America's issue. It must be decided without regard to the personal or political fortunes of any man.

CONGRESS HAS POWER TO END THE WAR.

It is asserted that the measure is unconstitutional, but this contention gives me small concern. Congress has the power to declare war—it is absurd to contend that it may not end the war which Congress has put on foot. The Constitution gives the President the right to appoint ambassadors and, "with the consent of the Senate, to make treaties." He has no express authority to end war, nor has he any exclusive jurisdiction of foreign affairs. Treaties made following a war usually provide for the terms of peace, but this function is not a necessary incident to a treaty. Actual warfare might go on despite a treaty, and also might warfare cease as an actuality though no treaty be made. The Constitution makes it the exclusive duty of Congress to declare war, to provide our armed forces, and to create and control the militia. It lays the exclusive duty on Congress "to provide for the common defense and general welfare." If the power to end war is not granted exclusively to the President, undoubtedly Congress may exercise it.

The President is given no express power to make peace. Such authority as he has in making peace is implied from his constitutional warrant to negotiate treaties. He has no power to make peace except as an incident to a treaty. If a case should occur in which no treaty could be made, the President could exercise no function in connection with ending a war. For instance, if there were no responsible government in Germany with which a treaty might be agreed on, the President could do no act to make peace. If the United States should fight a war of conquest and as a result should annex the enemy country, there would be no government for the President to make a treaty with. In such a case there could be no treaty, and unless Congress has power to terminate a state of war we would remain perpetually in a war status. Thus is reduced to an absurdity the argument that Congress can not end the war status. Congress can not "make peace," for that involves negotiations with a foreign government and the agreeing upon a treaty, which is the President's exclusive function; but there is no doubt in my mind that Congress may terminate a war status, leaving the President to negotiate the terms of peace. [Applause.]

THE SOURCE OF ALL AUTHORITY.

I hold that under the American system such powers as are not expressly or by implication conferred upon the executive and judicial branches of Government are reposed in Congress, the legislative branch, composed as it is of the representatives of the people of the United States, who at last are the source of all authority. To hold that Congress can not end a war which it has declared to exist is to say that Congress has no authority to repeal one of its own laws—the act declaring war. It involves the shocking theory that, no matter how complete our victory nor how unanimous the minds of the people, we can not end a state of war except by the exercise of the will of the Executive. [Applause.]

Only the President can "make peace," for making peace involves an agreement with an enemy government—a treaty, the agreeing on which is an exclusive presidential function. The error of those who argue that Congress can not terminate a war seems to be due to the wrongful assumption that "to end war" is "to make peace." The two phrases are not at all synonymous.

It has been argued with a show of reason that by the proposed resolution Congress purposes to "negotiate" with Germany, to make a proposal for German acceptance, to "agree" with Germany. This is a fundamental error, as an analysis of the resolution shows. The resolution does three distinct things. Sections 1 and 5 terminate the status of war and provide that the resolution shall not be a waiver by the United States of any of its rights. Section 2 provides that the war laws shall no longer be in effect. Sections 3 and 4 cover the third subject of the resolution and provide for the resumption of trade with Germany upon conditions named. It is only to these conditions that Germany is required to assent. As to no other matter connected with the resolution is German agreement required. It is upon these sections that those who argue that the resolution is an effort to make an agreement with Germany rely. These sections may be stricken from the resolution and yet leave it a perfect

whole. If they are unconstitutional, that fact can not affect the validity of the other sections of the resolution. But sections 3 and 4 are not unconstitutional.

In almost the same language has Congress passed previous laws. Section 3 of the McKinley Tariff Act of October 1, 1890, was almost identical in substance. That law was held constitutional by the Supreme Court of the United States in the case of Field against Clark, one hundred and forty-third United States, page 649. The court held that the placing of conditions upon trade with a foreign country which involved affirmative action by that country was not an interference with the treaty-making powers of the President and did not constitute negotiation.

Gentlemen upon my side of the Chamber argue that Democrats should oppose the pending resolution, for that it will be vetoed by the President and its passage by Congress avail nothing. The President has a responsibility belonging to his office which he will no doubt exercise with his wonted admirable discretion. But Representatives also have a responsibility. It is not for Congress to dictate what the President shall do, nor for the President to direct what Representatives should do. [Applause.] I am bound to believe that he has no desire to do so. It is upon us to deal with this measure upon its merits and with the conscientious purpose to promote the public good. This I shall do, and will be quite content with whatever action the President may take.

AMERICA IS FREE TO ACT INDEPENDENTLY.

I can not agree with those who argue that we are bound in honor to join in a treaty with the nations associated with us in the war. They entered the war without our leave. We entered it upon our own initiative. We cooperated with them to defeat the common enemy. We went into the war unpledged to our associated nations. We have come out of the war without owing them anything; to the contrary, they are our debtors. [Applause.] The honor of America is not pledged to unite in a common treaty with our associated nations. It is pledged neither expressly nor by implication. The people have not pledged American honor, neither has it been pledged by Congress nor by anyone authorized by the people to speak for them. We entered the war for reasons of our own; we spent our blood and treasure without stint; we have asked neither land nor money, favors nor indemnity; we fought in defense of the civilization of the world. Continued cooperation with the nations associated with us in the war is neither obligated nor compelled. We will hereafter, I hope, act freely, as heretofore, for the welfare and dignity of America and for the peace and hope of mankind. [Applause.]

The nations associated with us in the war have made peace with Germany. America alone of all the nations retains her war status. We do not abandon our associated nations by terminating the state of war. We do but join them in their status of peace. We do not abandon them to a common enemy. They are at peace and no longer require our support or protection. It is absurd to say that American honor is pledged to stand alone among the nations in a state of war with Germany. If in any sense American honor is under pledge, it is to promote peace, harmony, and good will at home and among the nations of the world. [Applause.]

Mr. FLOOD. Mr. Speaker, I yield 45 minutes to the gentleman from Texas [Mr. CONNALLY]. [Applause.]

Mr. CONNALLY. Mr. Speaker, on April 6, 1917, the Congress of the United States, acting under power conferred by section 8, Article I of the Constitution, "to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water," by a joint resolution declared the existence of a state of war between the Imperial German Government and the United States, and on December 7, 1917, declared the existence of a state of war between the Imperial and Royal Austro-Hungarian Government and the United States.

The Congress, in the exercise of power conferred by section 8, Article I of the Constitution, "to raise and support armies," and "to provide and maintain a Navy," and the President of the United States, under the power conferred by section 1, Article II of the Constitution, "the executive power shall be vested in a President of the United States of America," and section 2, Article II of the Constitution, "the President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into the actual service of the United States," prosecuted the war, already declared, to a successful and triumphant conclusion. The President, acting conjointly with the allied military commanders, on November 11, 1918, under authority of his powers as Commander in Chief of the armed forces in the field, concluded with the authorities of the Imperial German Government an armistice, the effect of which was to suspend military operations pending negotiations for the conclusion of a treaty of peace.

Thereafter the President, under authority conferred by Article II, section 2 of the Constitution, "he shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur," and by authority of Article II, section 1, vesting in the President the executive power, concluded and signed on the 28th day of June, 1919, a treaty of peace with the Imperial German Government by which matters at issue between the United States and the Imperial German Government were either settled or agencies for their settlement set up. In due course the President submitted the treaty to the Senate of the United States for its advice and consent or its rejection. The Senate, in the exercise of its constitutional power, refused its consent to the treaty.

In the course of the war measures were enacted which, by their terms, were to expire with the existing state of war between the United States and Germany, or "when the national emergency resulting from the existing state of war shall have passed," or "six months after the present war," or "the date of the proclamation by the President of the exchange of ratification of the treaty of peace," or which contained a term or clause fixing the date of their termination with relation to the legal state of war.

After the refusal of the Senate to consent to the ratification of the treaty of peace it was returned by the Senate to the President, in whose hands it now rests. Neither of the allied powers nor Germany has been notified by the President that the United States has declined to ratify the treaty. Thus stands the history of the case. Thus far each department of government has acted clearly within its constitutional prerogative.

In this posture of our international relations the House of Representatives is presented with House joint resolution 327 by the gentleman from Pennsylvania [Mr. PORTER], chairman of the Committee on Foreign Affairs, as follows:

Joint resolution terminating the state of war declared to exist April 6, 1917, between the Imperial German Government and the United States, permitting on conditions the resumption of reciprocal trade with Germany, and for other purposes.

Whereas the President of the United States, in the performance of his constitutional duty to give to the Congress information of the state of the Union, has advised the Congress that the war with the Imperial German Government has ended:

Resolved, etc., That the state of war declared to exist between the Imperial German Government and the United States by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end.

SEC. 2. That in the interpretation of any provision relating to the date of the termination of the present war or of the present or existing emergency in any acts of Congress, joint resolutions, or proclamations of the President containing provisions contingent upon the date of the termination of the war or of the present or existing emergency, the date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present or existing emergency, notwithstanding any provision in any act of Congress or joint resolution providing any other mode of determining the date of the termination of the war or of the present or existing emergency.

SEC. 3. That with a view to secure reciprocal trade with the German Government and its nationals, and for this purpose, it is hereby provided that unless within 45 days from the date when this resolution becomes effective the German Government shall duly notify the President of the United States that it has declared a termination of the war with the United States and that it waives and renounces on behalf of itself and its nationals any claim, demand, right, or benefit against the United States or its nationals that it or they would not have had the right to assert had the United States ratified the treaty of Versailles, the President of the United States shall have the power, and it shall be his duty, to proclaim the fact that the German Government has not given the notification hereinbefore mentioned, and thereupon and until the President shall have proclaimed the receipt of such notification commercial intercourse between the United States and Germany and the making of loans or credits and the furnishing of financial assistance or supplies to the German Government or the inhabitants of Germany, directly or indirectly, by the Government or the inhabitants of the United States shall, except with the license of the President, be prohibited.

SEC. 4. That whoever shall willfully violate the foregoing prohibition whenever the same shall be in force shall upon conviction be fined not more than $10,000, or, if a natural person, imprisoned for not more than two years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents, or any vessel, together with her tackle, apparel, furniture, and equipment, concerned in such violation, shall be forfeited to the United States.

SEC. 5. That nothing herein contained shall be construed as a waiver by the United States of any rights, privileges, indemnities, reparations, or advantages to which the United States has become entitled under the terms of the armistice signed November 11, 1918, or which were acquired by or are in the possession of the United States by reason of its participation in the war, or otherwise, and all fines, forfeitures, penalties, and seizures imposed or made by the United States are hereby ratified, confirmed, and maintained.

It will be observed that section 1 undertakes in the name of Congress to declare at an end the state of war between the Imperial German Government and the United States; that section 2 pretends to fix a date for the termination of all legislation enacted by Congress whose termination was fixed as contingent upon the end of the war or the ratification of a treaty

of peace, and so forth; that sections 3 and 5 seek to set up a plan whereby all questions growing out of the war may be settled in a treaty of peace with the Imperial German Government, negotiated and ratified by an act of Congress.

That the powers of the Federal Government are delegated powers is a truism so generally accepted and so long recognized that its repetition should not be necessary but for the audacity of the resolution in challenging heretofore well-accepted principles. That the powers of the Congress, of the Executive, and of the judicial department are all derived from the Constitution is likewise a maxim that is hoary with age. The Congress in the exercise of any power must find its warrant in the Constitution and not elsewhere. [Applause.]

Let us then examine the resolution section by section and seek to ascertain the source and basis, if there be such, of the authority sought to be exercised. Section 1 decrees—

the state of war * * * is hereby declared at an end.

It will not be contended, by even the boldest, that anywhere in the Constitution will there be found express authority in Congress to "declare peace" or "declare a state of war at an end."

However, it may be suggested in some quarters that "the same power which has the right to declare and carry on war would seem naturally to be the proper power to make and conclude a treaty of peace." The language is from Kent; but the same author proceeds as follows:

But the disposition of this power will depend upon the local constitution of every nation; and it sometimes happens that the power of making peace is committed to a body of men who have not the power to make war. In Sweden after the death of Charles the Twelfth the King could declare war without the consent of the national diet, but he made peace in conjunction with the Senate. (b) So by the Constitution of the United States, the President, by and with the advice and consent of two-thirds of the Senate, may make peace, but it is reserved to Congress to declare war. This provision in our Constitution is well adapted (as will be shown more fully hereafter) to unite, in the negotiation and conclusion of treaties, the advantage of talents, experience, stability, and a comprehensive knowledge of national interest with the requisite secrecy and dispatch.

The department of the Government that is intrusted by the Constitution with the treaty-making power is competent to bind the national faith in its discretion; for the power to make treaties of peace must be coextensive with all the exigencies of the Nation, and necessarily involves in it that portion of the national sovereignty which has the exclusive direction of diplomatic negotiations and contracts with foreign powers.

A power to make treaties of peace necessarily implies a power to decide the terms on which they shall be made, and foreign States could not deal safely with the Government upon any other presumption.

In this connection Dr. William Rawle, in his view of the Constitution (Philadelphia, 1829, pp. 110–111), remarks:

Treaties, by which peace is completely restored, may, as already shown, be made by the President and Senate alone, without the concurrence and against the will of the House of Representatives.

It has been made a subject of doubt whether the power to make war and peace should not be the same, and why a smaller part of the Government should be intrusted with the latter than the former. Sufficient reasons may certainly be assigned for the distinction. Peace is seldom effected without preparatory discussions, often of length and difficulty, the conduct of which, of course, belong only to the President and Senate.

If there should be any question that the clause of the Constitution vesting the treaty-making power in the President and the Senate is not absolutely exclusive, and if there should be any doubt that such grant does not wholly comprehend all of the powers of ending war and of making and declaring peace, that doubt should be conclusively removed by reference to the debates in the Constitutional Convention of 1787, when the function of Congress with reference to making or declaring war and the treaty-making clauses were under discussion.

On August 17, 1787, the convention debated the clause appearing in the tentative draft as "to make war," and the following transpired, as will appear in Elliot's Debates:

FRIDAY, AUGUST 17, 1787.

On the clause, "to make war,"

On the motion to insert "declare," in place of "make," it was agreed to: Connecticut, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia—ayes, 8; New Hampshire—no, 1; Massachusetts, absent.

Mr. Pinckney's motion to strike out the whole clause was disagreed to, without call of States.

Mr. Butler moved to give the legislature the power of peace, as they were to have that of war.

Mr. Gerry seconds him. Eight Senators may possibly exercise the power, if vested in that body, and 14 if all should be present, and may consequently give up part of the United States. The Senate are more liable to be corrupted by an enemy than the whole legislature.

On the motion for adding "and peace," after "war," it was unanimously negatived.

Adjourned.

It will be noted that the issue was sharply and clearly drawn in the convention, and the distinction between the powers to declare war and to declare peace were well defined. After the language had been made to read "to declare war" instead of "to make war" the convention by unanimous vote of the States declined to confer on Congress the power to declare "peace." This action was not supported by any claim or argument that the Congress in any other clause possessed such a power, because such was not the case, but the action can only be explained upon the hypothesis that not only did the convention not intend to confer on Congress the power to declare peace, but, on the other hand, expressly forbade such a power to the Congress.

Mr. Joseph Storey, in his celebrated work on the Constitution, makes the following comment upon the action of the convention:

In the convention, in the first draft of the Constitution the power was given merely "to make war." It was subsequently, and not without some struggle, altered to its present form. It was proposed to add the power "to make peace"; but this was unanimously rejected upon the plain ground that it more properly belonged to the treaty-making power. The experience of Congress, under the Confederation, of the difficulties attendant upon vesting the treaty-making power in a large legislative body, was too deeply felt to justify the hazard of another experiment.

Under the Articles of Confederation Congress had "the sole and exclusive right and power of determining on peace and war," and though Yorktown was fought in 1781, peace did not come until 1783. Under the Confederation there was no President or Executive and both the legislative and executive powers necessarily reposed in Congress. It was the bitter lesson of experience with the Confederation that the States were convinced that a new plan was necessary and under a compulsion that wisdom dictated separated the powers of war and peace.

It may with reason be inferred that the convention by changing the clause "to make war" to that of "to declare war" intended to leave the prosecution of war, which is executive in its nature, to the President.

This distribution of powers did not occur by chance. It was not by mere hazard that the function of declaring peace was not allotted to Congress. There was no casting of lots as to where the various parts should be placed in a mere mechanical process of composition. It was an evidence of that marvelous system of checks and balances that like a thread runs with fixed and designed purpose through the plan of Federal Government. Congress may raise armies, but the President commands them; though he commands them, supplies and money can only be provided by Congress; the Executive may spend money, but Congress alone may appropriate it; the Executive may collect taxes, but Congress alone may levy them; Congress may pass laws, the judiciary alone may construe them; Congress may declare war, the President and Senate alone may declare its end or peace. Other instances suggest themselves to your mind without their statement.

A state of war creates a status that affects two nations, not one. Its termination must be brought about by the concurrence of both. Should one declare itself at peace and the other refuse, the "status" would remain and a state of war would still exist. The resolution admits that fact when it employs the language "state of war * * * *between* the Imperial German Government and the United States." If one nation only is involved, there can be no state of war.

I hold in my hand Report No. 2680, second session, Forty-eighth Congress, prepared by John Randolph Tucker, the eminent authority on constitutional law, then chairman of the Judiciary Committee of the House, in which the treaty-making power is exhaustively and elaborately treated. From that report I quote:

The status of war created by Congress may be determined by a status of peace created by treaty. Congress can not create the status of peace by repealing its declaration of war, because the former requires the concurrence of two wills, the latter but the action of one.

[Applause.]

Mr. J. I. C. Hare, in his treatise on American Constitutional Law (Boston, 1889, pp. 171–172), first contrasts the systems of government in the United States and England, and then with reference to the President of the United States he adds:

He is as much the representative of the entire people of the United States as any Member of Congress can be of his district, and should therefore exercise the discretionary powers confided to him by the Constitution in the way that he may deem best calculated to promote the welfare of the country, which may not be the way deemed best by Congress. Take, for instance, the case of a war which Congress thinks unnecessary or unjust, and wishes to close on terms that the enemy is willing to accept. Still, it is the right of the President, and not of Congress, to determine whether the terms are advantageous, and if he refuses to make peace the war must go on.

In the preamble of the resolution an effort is made to predicate its action on the claim that the President has stated to Congress that the war is at an end. That ridiculous contention and the question of the "conclusion of the war" were raised in the recent case of Hamilton against Kentucky Distillery Co., in which the Supreme Court on December 15, 1919, in passing upon the validity of the war-time prohibition act, said:

In the absence of specific provisions to the contrary the period of war has been held to extend to the ratification of the treaty of peace or the proclamation of peace. (Hijo *v.* United States, 194 U. S., 315–323; the *Protector*, 12 Wall., 700–702; United States *v.* Anderson, 9

Wall., 56–70.) From the fact that other statutes concerning war activities contain each a specific provision for determining when it shall cease to be operative, and from the alleged absence of such a provision here, it is argued that the term "conclusion of the war" should not be given its ordinary legal meaning; that instead it should be construed as the time when actual hostilities ceased; or when the treaty of peace was signed at Versailles on June 28, 1919, by the American and German representatives; or more generally, when the actual war emergencies ceased by reason of our complete victory and the disarmament of the enemy, coupled with the demobilization of our Army and the closing of the war activities; or when the declared purpose of the act "conserving the man power of the Nation, and to increase efficiency in the production of arms, munitions, ships, food, and clothing for the Army and Navy" shall have been fully satisfied. But there is nothing in the words to justify such a construction. "Conclusion of the war" clearly did not mean cessation of hostilities. * * * The "date of which shall be determined and proclaimed by the President" is a phrase so definite as to leave no room for construction. This requirement can not be satisfied by passing references in messages to Congress, nor by newspaper interviews with high officers of the Army or with officials of the War Department. When the President mentioned in his veto message the "demobilization of the Army and Navy" the words were doubtless used in a popular sense, just as he had declared to Congress, on the occasion of the signing of the armistice, "The war thus comes to an end."

Discussing the end of the War with Spain, it is said in Hijo *v.* United States (194 U. S., 323):

A state of war did not in law cease until the ratification in April, 1899, of the treaty of peace. "A truce or suspension of armies," says Kent, "does not terminate the war, but it is one of the commercia belli which suspends its operations—at the expiration of the truce hostilities may recommence without any fresh declaration of war."

Though no warrant can be found in the Constitution, ingenious minds may suggest, and, in fact, the report of the majority of the Committee on Foreign Affairs has already suggested, that upon some principle of international law a valid argument in behalf of congressional termination of war may be hung.

As to the methods by which a war may be terminated, authorities on international law are in substantial accord.

Oppenheim says:

SEC. 261. Be that as it may, a war may be terminated in three different ways: Belligerents may, first, abstain from further acts of war and glide into peaceful relations without expressly making peace through a special treaty. Or, secondly, belligerents may formally establish the condition of peace through a special treaty of peace. Or, thirdly, a belligerent may end the war through subjugation of his adversary.

SEC. 262. The regular modes of termination of war are treaties of peace or subjugation, but cases have occurred in which simple cessation of all acts of war on the part of both belligerents has actually and informally brought the war to an end. Thus ended in 1716 the war between Sweden and Poland, in 1720 the war between Spain and France, in 1801 the war between Russia and Persia, in 1867 the war between France and Mexico. And it may also be mentioned that, whereas the war between Prussia and several German States in 1866 came to an end through subjugation of some States and through treaties of peace with others, Prussia has never concluded a treaty of peace with the Principality of Lichtenstein, which was also a party to the war. Although such termination of war through simple cessation of hostilities is for many reasons inconvenient and is therefore as a rule avoided, it may nevertheless in the future, as in the past, occasionally occur.

In Hall on International Law, sixth edition, page 553, it is stated:

War is terminated by the conclusion of a treaty of peace, by simple cessation of hostilities, or by the conquest of all or a part of all of the belligerent States by the other.

Halleck on International Law states that there are three methods by which war may come to an end—by subjugation, by de facto cessation of hostilities, or by a treaty of peace.

Fiore on International Law, Borchard's edition, September 1, 1917, states (sec. 1953):

A war between two or more States can only be considered as legally ended by the conclusion of peace stipulated in a final treaty of peace. * * *

If Congress possesses the power under the public law of nations to bring a war to an end it must do so in one of the three methods indicated. That it can not terminate the war by making a special treaty of peace with Germany will be conceded. It can not now establish the condition of peace by subjugating Germany, because it is not commander of the armies, and the Army has been demobilized. By the same token it can not end the war by ceasing military operations because it does not control military operations. The prosecution of war being in the Executive, the Commander in Chief of the armies, necessarily Congress is expressly excluded and has no control over the movements of the armies or the Navy and can exercise no command to either advance or retreat. It may, of course, deny supplies or money, but there its authority ends. The President can terminate hostilities by ordering the armies to cease firing, just as he did on November 11 under his power as Commander in Chief, and from such mutual and continued cessation of hostilities might in time flow impliedly a state of peace, but this state would in no wise be attributable to any act on the part of Congress. Such a state would arise not from an express peace but from a presumption arising from the lapse of time.

I hold that if the Congress now possesses the power to make peace or to terminate the war by the means proposed it had that power in the spring of 1918 when the German armies in their final drive at the heart of France were bending almost to breaking the allied lines and when many weak hearts despaired; if it now possesses such a power it could have exercised it in the midst of the St. Mihiel operation; if within that body it is now lodged it subsisted all through the great Argonne drive from September 26 to November 11, 1918; if there now inheres in Congress the strength to end the war, it could, before its purposes were accomplished, have brought it to a premature and untimely end.

Routed from their first and second lines of defense it will probably be contended by gentlemen on that side of the House that the War between the States was terminated by act of Congress. This contention can not be maintained in fact, and if so maintained has no application to the matter now in hand. The Federal courts in a number of decisions have held that the proclamations of the President of April 2, 1866, and August 20, 1866, fixed the termination of the Civil War. It is true Congress fixed by a statute such date as being the time from which the operation of certain laws should be computed. However, the Supreme Court, in the case of the United States *v.* Anderson (9 Wall., p. 56), clearly distinguishes that case from the present one in the following language:

In a foreign war a treaty of peace would be the evidence of the time when it closed, but in a domestic war, like the late one, some public proclamation of legislation would seem to be required to inform those whose private rights were affected by it of the time when it terminated, and we are of the opinion that Congress did not intend that the limitation in this act should begin to run until this was done.

At the end of the War between the States the gallant armies of the Confederacy had been overwhelmed and disbanded; the president and other civil officers were either in prison, in flight, or in exile. The Confederate States, whose intrepid soldiers had dazzled the whole world by the brilliance of their achievements on the battle field and thrilled with admiration their enemies, and whose civil institutions had proved amazing in their resourcefulness and energy, had now crumbled and fallen apart. The Union had never recognized that the Confederacy constituted a government, but from the beginning treated the secession of the Southern States as rebellion; that the War between the States was merely an insurrection and not a conflict between two nations. Whether it be considered from the Northern standpoint as merely an insurrection or from the Southern standpoint that it was a war between two independent nations, the practical result and method of treatment are the same. In the latter case it was terminated by the entire subjugation of the Southern States, and as has already been pointed out, no treaty was necessary. The Confederacy and its government were absolutely extinguished and their dust scattered to the winds. There was no recognized agency with which the Federal Government could or would treat.

I submit that a review of the transactions of the Constitutional Convention and the whole scope of the law by a candid and impartial mind will absolutely compel the conclusion that, wherever the power "to declare peace" may reside, it does not reside in the Congress.

Coming to section 2, it may be affirmed without hesitation that Congress may repeal or fix the time for the termination of war-time legislation. Such is purely a legislative function. The Congress now has, and has ever had since enactment, the undisputed authority to terminate any or all of the emergency acts. It is in no way dependent on the state of war. The majority party has been in control since May, 1919, during the entire life of the Sixty-sixth Congress, and could have repealed any act at its election. It easily can be demonstrated that the only legitimate objects of the resolution are embraced in section 2, if the section can be considered as properly drawn, to effectuate the repeal of legislation, but being connected and intertwined with the unlawful sections will be invalid and ineffective. It may be observed, however, that those features of war legislation which affect the status of alien property in the custody of the United States and that of the German ships ought not to be repealed or terminated at this time, until through orderly processes a settlement regarding them can be had with Germany. I am in hearty sympathy with the repeal of restrictive measures. But it would seem much better that a substitute should be adopted, and one will be offered, providing for the termination of emergency legislation, but preserving such as those indicated. Further than this we are powerless to go.

Our examination now leads to section 3, which should properly be considered in connection with section 5.

Those of us who oppose, insist that these sections, taken together with the treaty of Versailles, constitute the terms and stipulations of a treaty which is sought to be established. Gentlemen, on that side of the House, will with vehemence seek to

answer all of the argument and authority which may be adduced in denial of the authority of Congress to treat or contract with a foreign power by boldly and bluntly maintaining that a treaty is not to be made. That the subject may be approached in logical and appropriate sequence, let us first inquire "what is a treaty," then analyze the facts as to whether a treaty is contemplated and then inquire "has Congress the power to make a treaty."

Webster defines a treaty as "An agreement between two or more independent States."

A treaty may be defined to be a compact between nation and nation. (Tucker on the Constitution.)

Treaty is international compact. The root of the word indicates negotiation between two or more. In itself, treaty is a bargain, not law. (Tucker.)

A treaty is primarily a contract between two or more independent nations and is so regarded by writers on public law. (Whitney v. Robertson, 124 U. S., 194. Head Money Cases, 112 U. S.)

A contract or compact or agreement imports a mutuality or a meeting of minds of two or more parties thereto. One party agrees to do or to forego doing some particular thing, while the other agrees to do or to forego doing some other thing. A contract or agreement may be evidenced by one written instrument, or it may be evidenced by two or more instruments, such as an interchange of letters or diplomatic notes, or a contract in the common acceptation may arise through words spoken or acts done. Every layman knows that by a letter he may make a proposal to another party, which, when accepted by another letter, rises to the dignity of a contract whose terms are defined by construing the two letters together. A contract may likewise be consummated by an exchange of telegrams. An order for goods may be forwarded by mail or telegraph, to which no reply may be made by the recipient other than by promptly shipping the goods, but a contract or agreement immediately arises.

These principles apply generally to all contracts and agreements. Whenever the minds of the parties concur or agree a contract or compact comes into being.

May we not dissect these sections and determine whether or not reciprocal action is expected by two Governments, and whether or not it is intended that each shall govern its conduct by the conduct of the other, predicated upon this resolution. For a moment look beyond the specious and seductive appearance of its fair-sounding terms; pull aside the diaphanous veil that cloaks the bronze that lies at the heart of these sections. [Applause.]

A proposal is made to Germany "that unless within 45 days from the date when this resolution becomes effective the German Government shall duly notify the President of the United States that it has declared a termination of the war with the United States, and that it waives and renounces on behalf of itself and its nationals any claim, demand, right, or benefit against the United States or its nationals that it or they would not have had the right to assert had the United States ratified the treaty of Versailles"—certain things may happen. She is given the option to accept or reject the proposal. She may exercise complete liberty of action; she may agree to the contract, but if she fails to do so "the President of the United States shall have the power, and it shall be his duty, to proclaim the fact that the German Government has not given the notification hereinbefore mentioned, and thereupon, and until the President shall have proclaimed the receipt of such notification, commercial intercourse between the United States and Germany, and the making of loans or credits, and the furnishing of financial assistance or supplies to the German Government or the inhabitants of Germany, directly or indirectly, by the Government or the inhabitants of the United States shall, except with the license of the President, be prohibited."

It has already been pointed out that a party to a contract may agree to forego the doing of an act in consideration of the doing of an act by the other party. Assuming that we have the power and the right to absolutely cut off Germany from all intercourse, is it not proposed that if Germany will consent to the terms of the treaty of Versailles, so far as it may confer advantages on the United States and its nationals, that as a consideration for such agreement, as its price, we shall forego the exercise of the right which we possess to deny to her intercourse and remove from her the threat which is so bravely asserted? Can there be any dispute that the real purpose is either to induce or require the German Government to do an affirmative act—the acknowledgment of its obligation under the treaty—in barter, in bargain, and in exchange, for the promise voiced in the resolution that the United States will forego the destruction of German commerce with the United States? Suppose for a moment that at the peace table the same proposition should have been made to Germany—"sign the treaty or we shall commercially destroy you"—and she had signed, or admitted its obligations, would this not have constituted a treaty, an agreement? It will be borne in mind that the whole contract or agreement need not be expressed in the same instrument. So, in this instance, the proposal is contained in the resolution; the acceptance will be the acceptance by Germany of the treaty which she has already signed and a copy of which is in our possession.

Most treaties of peace are dictated by force—the vanquished usually assumes all of the obligations, while the victor merely refrains from further military pressure and makes no promises conferring benefits on the conquered. It is not competent to say that because the United States does not assume any obligations under the treaty of Versailles that it, when accepted by Germany under this resolution, is not a treaty. If there be any terms in the original treaty imposing obligations on the United States, eliminate them, and the remainder of the treaty, so far as it affects Germany and the United States, taken together with this resolution, constitute not the old treaty but a new and entire treaty or agreement or compact between two independent nations. It can not be said that it will not eventuate in a treaty because Germany may not accept. If that eventuality is contemplated, nevertheless it is a negotiation for a treaty, which is as much beyond our province as the making of a treaty. It will be noted that the act requires no act by the President in negotiating with Germany; all he is to do is to inflict the penalty.

Is there any substantial difference between holding Germany by the throat with an army and saying, "Sign here," and threatening her with the starvation of her people and the destruction of her commerce as proposed, and saying, "You must acknowledge the obligations in so far as they are beneficial to the United States"? Does not this constitute a compact or contract between nations, just as though negotiated and agreed upon by diplomats across a table? There are present the elements of mutuality—the action of one contingent on the promise of another. The essentials of bargain, trade, and barter are at the very surface of the resolution, whose force and purpose are based and predicated on a promise and action thereunder by one particular and denominated foreign power, whose promise and anticipated action, in turn, are to be based and predicated upon action taken or threatened and defined in the terms of this act. Can there be anyone so brazen or ingenuous as to assert that the genuine purpose is not to accomplish an agreement with Germany?

To those who say that no treaty is to be made let me inquire. The treaty of Versailles, if ratified by the United States, would be a binding and legal treaty, would it not? But hereafter, so far as Germany's obligations to the United States are concerned, it is to be as binding as though ratified. Then, will it not be a treaty between the United States and Germany? To whom will the obligations which Germany may assume be due—to the United States? Where are those obligations defined? In the treaty of Versailles. Suppose Germany violates the rights of some American citizen, where will you look to find the character of obligation which Germany violated? Will you simply look to this act, or must you not look to the treaty of Versailles. [Applause.]

The very fact that this act proposes to induce or compel Germany to avow her willingness to observe the treaty imports the expectation of benefit to be derived therefrom by the United States. If the treaty of Versailles were now a treaty between the United States and Germany, the fact that the United States will be released from obligation under it will not change the fact that it will remain a treaty upon Germany assenting to the amendment. The contract may consist in part of this act and in part of the treaty, just as it might consist of two diplomatic notes exchanged between us. We send Germany by cable this resolution; she sends back acceptance of the treaty of Versailles. Is there not a meeting of the minds; is not an agreement created whose terms are defined by the two instruments?

It is not a question of the degree of obligation or the extent of benefit; all of the one may be in one party and all of the other in the remaining party. As has heretofore been observed, an agreement may place all of the obligations on one party. An ordinary promissory note is a familiar example; it is only signed by the maker, but is construed to be a written contract enforceable between the parties. In the present instance our armies are now on German soil. By this resolution we agree to end the war with Germany, and there of course arises implied obligation on our part to withdraw our troops. The test is whether there is an agreement between two nations; the fact that the obligations imposed are owing by one to the other, and that to determine the character of rights conferred or duties enjoined

recourse must be had to such agreement. Measured by this standard there certainly will be a treaty. If it be not a treaty—no agreement—then Germany, not being bound, could withdraw at any time. Will anyone claim that she could do so without violating a treaty? If an American right should be violated, the United States would demand redress of Germany. Suppose Germany should deny liability. Our reply would be, "You agreed to abide by the treaty." If she should then assert that this resolution and her agreement is not a treaty, we should, of course, answer, "Whether you call it a treaty or a resolution or legislation, you 'agreed and contracted' to observe the treaty, and you are bound. If you break your promise, you will justify a renewal of the war by the United States." Will anyone longer deny what is so plain? If not a treaty, it is nothing—a vain thing, a fraud, a pretense, a hypocritical deception, and a deliberate delusion. [Applause.]

If the authors of the resolution would but come out in the open and not seek longer to dissemble, we might proceed mutually to inquire, Has Congress the power to make a treaty? But they refuse to go beyond a denial that a treaty is contemplated. Believing, however, that the country is more candid and is not actuated by the motives and necessities that compel the majority party, I shall hope to here set down the answer to that question.

At the very threshold I invite attention to the debates in the Constitutional Convention. Madison's Journal on September 7, 1887, relates that—

> The fourth section, to wit, "The President, by and with the advice and consent of the Senate, shall have power to make treaties," etc., was then taken up.
> Mr. Wilson moved to add after the word "Senate" the words "and House of Representatives." As treaties, he said, are to have the operation of laws, they ought to have the sanction of laws also. The circumstance of secrecy in the business of treaties formed the only objection; but this, he thought, so far as it was inconsistent with obtaining the legislative sanction, was outweighed by the necessity of the latter.
> Mr. Sherman thought the only question that could be made was whether the power could be safely trusted to the Senate. He thought it could, and that the necessity of secrecy in the case of treaties forbade a reference of them to the whole Legislature.
> Mr. Fitzsimmons seconded the motion of Mr. Wilson; and, on the question—ayes 1, noes 10.

There was definitely denied to the House of Representatives participation in the making or ratification of treaties, and the question was removed forever beyond the zone of doubt.

The discussions in the Federalist papers unmistakably disclose that there existed no question concerning the exclusive grant of the treaty-making power to the President and the Senate at the time of its submission to and ratification by the States.

Tucker, in speaking of the objects to be accomplished by treaties, says:

> This object, as all those mentioned, must be the result not of the will of one nation alone, but of the concurrent will of two nations. The power to make the contract is given neither to the legislative nor to the executive department alone, but to a combination of the two, by intrusting it to the President and the Senate. (Tucker on the Constitution.)

Halleck's International Law:

> By the Constitution of the United States of America, the President has the exclusive power of making treaties of peace, which, when ratified with the advice and consent of the Senate, become the supreme law of the land—

And so forth; but observes that Congress may compel the President to make peace by refusing the means of carrying on the war.

We have heard the voices of many distinguished men who are now in the grave. It will be interesting to hear one who yet is in our midst, and who perhaps collaborated in the preparation of the resolution.

In Senate Document No. 104, first session Fifty-seventh Congress, entitled "The Treaty-Making Powers of the Senate," Senator HENRY CABOT LODGE quotes the following from Curtis's Constitutional History of the United States:

> The power to make treaties, which had been given to the Senate by the Committee of Detail, and which was afterwards transferred to the President, to be exercised with the advice and consent of two-thirds of the Senators present, was thus modified on account of the changes which the plan of government had undergone, and which have been previously explained. The power to declare war having been vested in the whole Legislature, it was necessary to provide the mode in which a war was to be terminated. As the President was to be the organ of communication with other Governments, and as he would be the general guardian of the national interests, the negotiation of a treaty of peace and of all other treaties was necessarily confided to him.

The following is the language of Senator LODGE himself:

> The obvious fact that the President must be the representative of the country in all dealings with foreign nations, and that the Senate, in its very nature, could not, like the Chief Executive, initiate and conduct negotiations, compelled the convention to confer upon him an equal share in the power to make treaties.

One of the striking and among the most distinctive characteristics of the Constitution is its distribution of the powers of government. It does not vest the identical power in separate departments to be exercised by each independently of the other. The treaty-making power, vested in the President and the Senate, is vested nowhere else.

> The great powers of the Government are divided into separate departments, and, so far as these powers are derived from the Constitution, the departments may be regarded as independent of each other. (Kendall *v.* U. S. ex rel. Stokes, 12 Pet., 254; 9:1181.)
> The legislative, executive, and judicial branches of the Government are potentially coextensive. (Per Marshall, Ch. J. Osborn *v.* Bank of U. S. 9 Wheat. 738; 6:204.)

The President possesses the authority and the discretion to make or not to make a treaty as he may choose, contingent alone upon the consent of two-thirds of the Senate to such as he may make. He may be willing to conclude a treaty upon stated terms, but on other terms may be absolutely unwilling to sign. If such be the case he may decline to conclude it, and remain clearly within his constitutional prerogative. But if Congress may make a treaty by joint resolution and the President disapprove it, two-thirds of both Houses may pass the measure over his veto and thus make effective a compact violative of the will of the creator of all constitutional treaties.

How can the language, "He shall have power, by and with the advice and consent of the Senate, to make treaties," be reconciled to the making of a treaty by two-thirds of both Houses, over his protest, and in defiance of his will? The Senate can not "make" a treaty, though it may "unmake" one by withholding its consent. Its function is limited to giving or refusing its "advice and consent." Until the President negotiates the compact it can not consent. Consent does not imply initiative—it does not imply affirmative action—but merely assent or acquiescence in what has been already initiated or proposed by another.

On the other hand, if it could be maintained that Congress can by joint resolution either make or ratify a treaty, let us assume a case in which the President is anxious to secure ratification of a treaty, but can not secure the vote of two-thirds of the Senate. In that event and in the assumed case only, Congress by a bare majority of each House—perhaps a partisan majority—could ratify a treaty by joint resolution, which only requires a majority, in defiance of the Constitution, which in the most solemn and binding fashion requires the consent of two-thirds of the Senate to give validity to a treaty.

In 1795 Washington concluded the Jay treaty with Great Britain, which was ratified by the Senate. In 1796 the House of Representatives passed a resolution requesting him to lay before it the papers and correspondence pertaining thereto. His opinion was that the power of making treaties is exclusively vested in the President, by and with the advice and consent of the Senate. With some further remarks he concluded by observing that as it was perfectly clear to his understanding that the consent of the House of Representatives is not necessary to the validity of a treaty, as the treaty with Great Britain exhibited in itself all the objects requiring legislative provision, and on these the papers called for could throw no light; and as it is essential to the due administration of a government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard to the Constitution and the duties of his office forbade a compliance with their request. (Message Mar. 30, 1796, and Marshall's Life of Washington, vol. 5.)

It may perhaps be urged that the joint resolutions of Congress providing for the admission of Texas into the Union furnish a precedent in that by the resolution of March 1, 1845, proposals were made by Congress to the Republic of Texas for admission into the Union, and that Texas, having accepted the proposals, was admitted by resolution of December 29, 1845. The complete answer is that the treaty-making power operates on the subjects properly within its scope only to such extent as is not prohibited or qualified by some other clause or provision of the Constitution. Thus the President and Senate may not by treaty provide that slavery may be established in a State nor that a State may have other than a republican form of government nor that trial by jury shall be denied. Other clauses of the Constitution of dignity equal to that of the clause creating the treaty-making agency deny the existence anywhere of the power to do such things. Article IV, section 3, of the Constitution provides "New States may be admitted by the Congress into this Union." Thus the power to admit new States is plainly lodged in Congress. Such power, being in Congress, can only be exercised by Congress and not by the President and Senate alone. In enacting the joint resolutions of March 1 and December 29, 1845, the Congress acted within its constitutional authority; it did not pretend to act in a capacity other than that defined in section 3, Article IV. It would have been competent for the

President to negotiate a treaty, but its terms could not have been put into effect except through subsequent legislation by Congress conformable thereto. As illustrative of this principle, it may be noted that the treaty with France for the cession of Louisiana was concluded April 30, 1803; ratified, October 20, 1803. Congress on October 31 passed a law authorizing the President to take charge of said territory. As to the treaty with Spain for Florida Congress, on March 3, 1819, passed a similar act. The Ashburton treaty of 1842 fixed the boundaries of Maine and Canada. The Oregon boundary in 1846 and that between Mexico and the United States were adjusted by treaty, and Congress passed acts authorizing the President to take possession. In 1867 Alaska was secured from Russia by treaty; the Philippines were similarly acquired from Spain. These territories were not added as States, but are instanced as indicating the propriety of securing territory by treaty.

It is contended that the case of Field *v.* Clark (143 U. S.) supplies a precedent for legislation of this character. Congress passed a tariff act in which the President was authorized to "suspend" the operation of the act permitting imports under favorable conditions as to a country which should adopt restrictions on American commerce which "he may deem to be reciprocally unequal and unreasonable," and so forth. An attempt will be made to demonstrate that this was tantamount to a proposal by Congress to foreign nations of terms upon which trade and commerce might mutually be carried on, and in the event of acceptance by a foreign power would amount to an agreement similar to that proposed to be accomplished by sections 3 and 5 of the present resolution. The act was attacked not upon the ground that it constituted an infringement of the treaty-making power—and that question was not involved in the decision—but on the theory that it delegated legislative power to the President to determine the existence of facts authorizing the suspension of the act and in exercising the power of suspension. But, again, let me remind gentlemen that the treaty power is qualified and limited by other clauses of the Constitution. Section 8, article 1, provides:

> The Congress shall have power to levy and collect taxes, duties, imposts, and excises, etc. * * * To regulate commerce with foreign nations—

And so forth.

Congress was undertaking to exercise such power in enacting the tariff law discussed in Field *v.* Clark (143 U. S.). Congress was not assuming to negotiate a treaty, but was legislating. Though a treaty affecting tariff duties or foreign commerce might properly be negotiated by the President and ratified by the Senate, yet in the respects in which it might affect the authority of Congress to levy tariff duties or to regulate commerce the consent of Congress would be necessary to carry out the treaty, not in the exercise of a treaty power nor in the form of a ratification of the treaty, but in the form of supplementary legislation to carry into effect the terms of the agreement with another nation. A treaty might embrace other subjects concerning which the Congress need not be consulted, but as to those matters peculiarly within its legislative sphere its legislative but not treaty-making consent would be necessary. A treaty regularly and constitutionally concluded might provide for the payment by the United States of a sum of money, and while the treaty would be complete in itself, its undertaking could not be fulfilled until Congress, not in a treaty-making capacity but in its legislative capacity, should appropriate the money.

Congress has power to enact tariff legislation providing reciprocity clauses by which preferential duties may be allowed to countries which conform their own regulations thereto. However, there is no contractual or treaty relation established thereby. The country which adjusts its commerce to our stipulations does not "promise" or "agree" or bind itself to continue to maintain such duties, but has complete liberty to abandon such preferential tariffs or continue. On our own part, there is no contract or agreement to permit the continuance of such arrangement. Any act of legislation is always dependent for its operation upon the acts of parties who may or may not by their conduct bring themselves within the operation of the laws. The operation of criminal laws depend upon the act of individuals in bringing themselves within their scope by committing or refraining from committing prohibited acts. Civil laws operate in the same way. Congress may attach conditions or stipulations as to the entry of goods and tariff duties, within the operation of which nations may bring themselves by meeting the conditions, but there is neither privity of contract nor obligation nor agreement created whose violation would be considered a breach either of honor or of law. Legislation affecting only duties and imposts, as to which Congress has power to legislate, is quite another thing from a treaty of peace with Germany affecting termination of war, the rights and status of citizens of each country, immovable and movable property situate in each country, over none of which Congress has authority. In Altman *v.* United States (224 U. S.), a commercial agreement under the tariff act of 1897 is held to be a treaty, though not submitted for ratification, Congress having acted in advance, and no question having been raised as to the necessity therefor.

As the treaty-making power is limited by the power of Congress to regulate tariffs, to the extent that the President may not make a treaty, even though ratified by the Senate, affecting tariffs, without the "consent" of the House, the power of the Congress to regulate or suspend tariffs in turn is limited by the treaty "making" power to the extent that Congress can not itself "make" a treaty regarding even tariff duties. It may legislate but not make treaties. The grants are of equal force and must be construed together.

Mr. Tucker, in his work on Constitutional Law (vol. 2, p. 354), places it beyond the pale of cavil—

> For example, Congress has power to levy and collect duties; the President and Senate have power to make and contract with a foreign nation in respect to such duties. Can any other construction be given to these two apparently contradictory powers than that the general power to make treaties must yield to the specific power of Congress to levy and collect all duties; and while the treaty may prepare or contract as to duties on articles coming from a foreign nation, such an executory contract can not be valid and binding unless Congress, which has supreme authority to levy and collect duties, consents to it. If it is then asked how are you to reconcile these two powers which appear to be antagonistic, the answer is clear.
>
> Congress has no capacity to negotiate a treaty with a foreign power. The extent of its membership makes this impracticable. The Constitution, therefore, left the House of Representatives out of all consideration in negotiating treaties. The executory contract between the United States and a foreign nation is therefore confided to the one man who can conduct the negotiations and to a select body who can advise and consent to the treaty he has negotiated. But this executory contract must depend for its execution upon the supreme power vested in Congress "to levy and collect duties."
>
> It is therefore a contract not completed, but inchoate, and can only be completed and binding when Congress shall, by legislation, consent thereto and levy duties in accordance with the executory contract or treaty.

To the same effect is Foster *v.* Neilson (2 Pet., 314), where Judge Marshall says:

> A treaty is in its nature a contract between two nations, not a legislative act, and does not generally effect of itself the object to be accomplished but is carried into execution by the sovereign power of the respective parties to the instrument.

How comprehensive is its scope is stated in Wheaton's Elements (p. 329):

> The power "to make treaties" is, by the Constitution, general; and, of course, it embraces all sorts of treaties, for peace or war, for commerce or territory, for alliance or succors; for indemnity for injuries or payment of debts; for the recognition and enforcement of principles of public law; and for any other purposes which the policy or interests of independent sovereigns may dictate in their intercourse with each other.

Some gentlemen justify a vote for the resolution by an admission that in the first instance and primarily the right to declare peace and to negotiate treaties is in the President and Senate, but aver that, such agency having failed to declare peace or to ratify the treaty, the duty to do so devolves upon Congress. The error of such a contention is easily exposed. If the organic law contemplated such a devolution, it would have so provided. The existence of such a power in the Congress would necessarily imply or draw with it the further power to judge as to when or how the President or the Senate may fail to properly exercise that or any other function; it would invest the Congress with a complete and supreme supervision over the treaty-making power, the full and unbridled discretion in one branch of the Government to review and reverse the actions of another "coordinate" branch. With equal logic each department could assert similar pretensions as to all others. Each would collide with and neutralize the activities of others. The absurdity of such a conception is obvious.

Neither judicial decision nor commentary, though multiplied, can make more perspicuous the words of the Constitution. Nothing can be added to the simple, explicit, and unequivocal text of the instrument itself. Nothing is needed to clarify that which is already clear. In the presence of its lucid and luminous language the Congress must confess its own utter impotence to either declare the war to be at an end or make peace, or make a treaty with Germany. Let us, for the moment, consider the position in which the enactment of the resolution would place the United States and their people in the event Germany should decline to accept proposals that are made. At the end of 45 days commercial intercourse between the United States and Germany becomes unlawful and those who may engage in it, without the license of the President, may be deemed guilty of crime. At this moment American beef and meat and food and cotton and other raw materials and manufactured goods are going to German markets. Trade must be stimulated and increased if we are to compete in the markets of Europe.

Great Britain and France have resumed commerce with Germany.

Is a partisan majority, to promote its political ambitions and to gratify its rancor, prepared to cut off all trade with Germany, to visit their country with such a commercial plague? Is it prepared to blight and blast the business of the United States, or will it betray the welfare of the whole people and permit England and France to preempt the entire German trade merely for the sake of a desperate and hypocritical political maneuver?

Regardless of Germany's action under section 3, it is declared in section 1 that the state of war is at an end. Should Germany decline to act under section 3 what is to become of the German ships seized and taken over by the United States? What will be the status of the millions of dollars' worth of alien property now in the custody of the United States? What will become of the property of American citizens which was taken over by the German Government and is now in its custody? Thus would be suspended, like Mohamet's coffin, these questions, between a state of war and a state of peace, unsettled and undetermined. Would the old treaty between Prussia and the United States revive or would it be no longer effective? These are problems that will rise to vex and confound our citizens if the measure should be enacted.

What will be the relations of the United States to the Allies without an agreement or convention to settle them? Obviously the United States can claim no right based solely on the treaty as against the Allies, because she has not ratified the treaty. However, the treaty is already effective between Germany and the Allies. By its terms Germany deals with the Allies as an entity. The reparations and indemnities to be paid by Germany are to be adjusted by the reparations commission and not severally by Germany and the respective States. This is but an instance of the difficulties that this resolution invites. Many others equally embarrassing could be enumerated.

There is another phase of the matter that must not be overlooked. If the state of war with Germany could be brought to an end would there then be peace? The United States is now, and has been since December 7, 1917, at war with Austria. The resolution does not seek to end that state of war, but is limited in its application to the case of Germany. This is but an illustration of the pretense and the insincerity of this resolution. Though it pretends to bring peace, by its terms it provides there shall be no peace.

Of all reasons and arguments professed by proponents of the resolution, some specious, others chimerical, others wearing the attractive garb of sophistry, but of such delicate texture as to reveal every lineament of limb and figure, none is so persuasive or potential as the one motive which has not been openly avowed—that of party expediency.

Gentlemen may delude themselves, they may beguile their own fancy, they may obfuscate their own minds, as to their powers and purposes, but they can neither deceive nor mislead the American people. The whole country, lawyer and layman alike, already is aware that the President and Senate can alone accomplish what is now demanded by the majority. One of the surest proofs lies in the fact that it has required two weeks' labor by the brightest minds and the dullest consciences in the Republican Party to draft the resolution in terms that would not provoke intellectual nausea in their own ranks. [Applause.] The people of the United States want peace. The general verdict is that the treaty of peace should have been ratified in some form—and it may be conceded that the Senate has so far failed to meet the expectations of the country that the treaty would through compromise finally be ratified with reasonable reservations and that the stubborn minds which clashed over its terms might in wisdom and patriotism have found a common ground of agreement. That does not justify the House in usurping a function that does not lie within its jurisdiction. Whatever our private or individual views as to ratification with or without reservations or as to the form of reservations or as to the whole treaty matter may be, officially and as the House they are not of our concern. They are exclusively within the domain of the Senate and the President. That agency having failed to agree on the treaty as originally drafted and having failed to agree on reservations, the responsibility rests there and must so remain. It is hoped that by this resolution the country may be hypnotized into the belief that a way has been found that leads out of the difficulty. It is sought to induce into the public mind the fiction that there is peace and that a settlement of the war's issues has been made.

Gentlemen who drafted the resolution dismissed the Constitution and the law of nations from their councils. I solemnly warn you that in times like the present—with the world seething with unrest—the Constitution is a wiser and safer counsellor than hate or revenge. Amidst the passions and storms of faction the Constitution is the only safe and sure and secure refuge. It is the only unwavering compass in the tempest of these times. Against its living light, against the opinions of its makers, against the overwhelming opinions of commentators, and the solemn judgments of the Supreme Court, gentlemen on that side of the chamber set up the opinion of their steering committee—an unofficial body that owes no allegiance save that of party—a hand-picked seven who meet behind closed doors, and drawn blinds, and with blinded eyes and whispering voices, and ears heedless to every voice save that of partisan advantage, decide and decree and issue an edict that Congress has the power to declare and to make a peace treaty with a foreign power.

Before you commit such a blunder contemplate the spectacle our country will present to the world. Confessedly we shall stand convicted by our own verdict of failure under our democratic Constitution; we shall appear in the unenviable light of renouncing every obligation of the treaty and at the same time claiming every benefit and advantage which it confers; we shall be in the attitude of starving the women and children of our beaten enemy unless she releases the United States from every provision of the compact which was dictated in part by the United States and to which Germany gave her assent, believing that we would keep the faith. Are you willing to set America so circumstanced before the judgment bar of history? [Applause.]

Mr. Speaker, the Declaration of Independence and the Constitution which crystallized its principles and wove them into the fiber of this great Government's structure epitomize our conception of democracy and free institutions. Of the former Buckle, the Englishman, exclaims:

> In 1776 the Americans laid before Europe that noble declaration, which ought to be hung up in the nursery of every king and blazoned on the porch of every royal palace.

Of the latter Mr. Gladstone once said:

> The most wonderful work ever struck off at a given time by the brain and purpose of man.

The obligations and the duties enjoined by and the limitations of that solemn and sacred charter we are severally sworn to observe and uphold. When we usurp a power not delegated to Congress by that instrument we exercise tyranny no less than the Executive or the judiciary when either passes beyond the limits of its authority. Congress becomes a despot the instant it crosses the boundary of its power; it sins against the people the moment it transgresses the power which the people placed elsewhere, power which, though exercised by the President and the Senate as constitutional agents, is the people's. Congress breaks its faith with the people when its arm invades a jurisdiction not its own. This has been the conviction of American statesmen from Washington until now. It was to vindicate the right of our people to live under the Constitution and to secure foreign respect for them under the law of nations that Congress declared war. This resolution transgresses both. It was to preserve their sanctity that America poured out without stint its resources and its wealth; in their name Congress summoned from their homes her best and bravest to lay down their lives on foreign soil or to wear all the way to the tomb in their maimed bodies the badge of courage; they answered the summons and across the face of Europe blazed a path of glory. On every fighting field from Cantigny to the Argonne they gathered up the richest garlands of victory, the acclaim and applause and gratitude of a world, and laid them at their country's feet.

What shall you say to the living, what shall you say at the grave of those who sleep in France, if you violate that for which they fought and died? [Applause.]

Mr. PORTER. Mr. Speaker, I yield 15 minutes to the gentleman from Massachusetts [Mr. ROGERS]. [Applause.]

Mr. ROGERS. Mr. Speaker, the armistice with Germany was signed November 11, 1918. The treaty with Germany was signed by the powers June 28, 1919. The treaty was presented to the Senate by the President in person July 10, 1919. It was rejected after several months' debate on November 19, 1919. After again having been taken up and further debated for many weeks it was again rejected exactly four months later, on March 19, 1920. On the same day the Senate ordered the return of the treaty to the President, with the information that it had failed to advise and consent to the ratification, being unable to obtain the constitutional majority of two-thirds.

There is now no German treaty pending before the Senate. I deeply deplore the failure of the treaty. I believe strongly that the failure is a calamity to the United States and to the world. From the point of view of this Nation we are left in a state of uncertainty; our status partakes both of war and of peace; business, and especially foreign business, is uncertain

and anxious; domestic affairs generally, and the viewpoint of our people, are adversely affected because a formal peace has not yet been achieved. Furthermore, most thoughtful Americans recognize that we have an obligation to the rest of the world. They may differ as to the degree and nature of the obligation, but they are in accord as to the fact of its existence. Without the definite fixing of our rights, which can come only with the formal conclusion of the state of war, it is impossible for us to do what we might otherwise deem it our duty to do to promote the well-being of the rest of the world.

But the treaty has failed, and as far as we can now foresee, irrevocably failed. Why? The responsibility is upon the head of one man, and that man is the President of the United States. Although the Senate is, by the Constitution itself, of equal power and importance in the making of treaties, the President demanded from the outset that the Senate should ratify his treaty "without changing the dotting of an 'i' or the crossing of a 't.'" A majority of the Senate considered it its duty to attach reservations. This majority was made up of members of both the political parties in the Senate. These reservations, speaking generally, were intended to safeguard the sovereignty, the well-being, and even the existence of the United States in the new and perilous adventure involved in its membership in the League of Nations. I personally believed in the treaty, but I believed also that several of the reservations were essential to our national safety.

With the reservations attached the treaty, as we know, failed of the necessary two-thirds vote. The administration Senators, acting in accordance with the instructions of the White House, refused to accede to the reservation program. The reason for the attitude of these Senators was concisely stated by Senator OWEN, himself a loyal Democrat, just before the final vote was taken. (CONGRESSIONAL RECORD, Mar. 19, 1920, p. 4596:)

> I do not believe there is a single Democratic Senator who would not vote for this resolution of ratification if it were not for the belief of such Senators that the President of the United States desires them to defeat the resolution of ratification now pending and would regard their failure to do so as a refusal to follow his view as party leader.

Thus, in the opinion of an eminent Democratic Senator, speaking solemnly and after much reflection, the failure is solely attributable to the demands of the President for unconditional ratification, which demand was unwillingly acquiesced in by men who put party loyalty before loyalty to their country.

The result, I say, is deplorable. A comprehensive treaty of peace, with proper safeguards to this Nation—all of which would have been cordially acquiesced in by the other powers—was and is supremely desirable from the standpoint of the United States and of the world. But owing solely to the obstinacy of one man, and that man the President of the United States, our hopes for a treaty with Germany have, for the present at least, been dashed to the ground.

Now arises the question, What is the next best thing to repair the havoc that the President has wrought? After the treaty failed in November I considered, and even drew up, a resolution of peace. But because I was anxious that no possible obstacle should be raised in the path of the treaty, and because I still hoped against hope that a way out might be found, I refrained from introducing my proposal. At this moment, however, nothing is pending before the Senate; we must all sadly recognize the indisputable fact that the treaty is dead.

And so, as I say, we have sought for the next best thing, fully conscious that nothing can be so satisfactory or so normal as the conclusion of peace by formal treaty.

Even before the form in which our resolution is now cast was known even to those engaged in its preparation, we were officially informed that whatever the nature of the resolution was, it would have the bitter opposition of President Wilson. The gentleman from Virginia [Mr. FLOOD], ranking Democrat on the Foreign Affairs Committee, conferred with Secretary of State Colby, whose mind in this important matter certainly "goes along with" that of the President. According to press reports Mr. FLOOD said "Mr. Colby was of the decided opinion that a resolution declaring peace would be unconstitutional." Thus, before the resolution was even drafted, before anyone knew what it would contain, the administration had prejudged the case and had decided that, whatever the resolution said, it would be unconstitutional. In other words, the same mind that deliberately wrecked the treaty has now determined deliberately to wreck the next best thing. I question whether this premature verdict of opposition to any proposal whatever will commend itself to a country which is crying aloud for peace. The incident, however, is interesting as illustrating the state of mind of a person who can not tolerate anything which is not the child of his own brain, a state of mind which, in the opinion of Senator OWEN, forced many Senators to deny against their will what is supremely desirable for a war-tossed country and world.

Let us see what this resolution does. It declares at an end the state of war recognized by the joint resolution of Congress of April 6, 1917. Congress then declared that the state of war with Germany, forced upon the United States by Germany, was an existing thing. It certainly seems reasonable to assume that Congress shall have a constitutional right to terminate that which it initiated or recognized as a fact to exist. If Congress has not this right, it follows that the President may keep the country in a state of war indefinitely. Certainly no such power is vested in common sense or can be found granted to the President by the Constitution. Similarly, it seems highly reasonable that Congress should have the right to repeal that which it itself passed. And this is all that section 1 does.

But Secretary Colby—without, to be sure, having any idea exactly what was contemplated—delivers a blanket utterance that the plan is unconstitutional. He presumably bases his opinion upon the assumption, first, that a war must be terminated by a treaty of peace, and, second, that under the Constitution a treaty must be negotiated by the President and ratified by two-thirds of the Senate. If his first assumption were well founded, the second unquestionably would follow as a matter of course. The fact is, as the Secretary of State should have well known, that a war may be concluded by other means than by a treaty of peace. Hence, his second assertion falls to the ground, for the President and Senate have not power over peace as such, but only over a peace which is predicated upon a treaty.

It thus becomes important to examine the numerous precedents illustrating the ending of war without treaty. Before proceeding, however, it may be well to reiterate that a treaty of peace is unquestionably the normal and the desirable method of concluding war. I still hope that a formal treaty may in the future be ratified. It is only when for some reason a treaty of peace proves impracticable that recourse is had to other methods.

Perhaps the most interesting precedent for our purpose is the situation which arose in the sixties as a result of the war between Peru and Chile on the one hand and Spain on the other. In 1868 actual hostilities had been terminated about two years. Peru had purchased of the United States two monitors, which were awaiting delivery in New Orleans. If a state of war was still operative, it was improper for the United States, as a neutral, to make delivery. If war had ended—which was claimed, although no treaty of peace had been executed—delivery was perfectly proper. The minister from Spain to the United States protested against the delivery by us which was then anticipated, on the ground that war was still continuing. Secretary of State Seward replied, on July 9, 1868, in part, as follows:

> The situation of peace may be restored by the long suspension of hostilities without a treaty of peace being made. History is full of such occurrences.

Here we have a formal recognition by an American Secretary of State of the fact that a war need not be ended by treaty.

As a matter of fact, as Secretary Seward said, history is full of such instances. Sometimes peace comes as a result of a long-continued drift from a state of war into a state of peace, the consequence either of the exhaustion of the belligerents, of distaste for the war, or of some other change of circumstances which makes the prosecution of the war impossible or undesirable. Sometimes peace comes as a result of the conquest and subjugation—often followed by annexation—of one of the powers by the other.

Historic instances of a drift into peace are the following:

1716. Sweden against Poland. (An armistice was signed when hostilities actually ended, but it was 10 years before anything like a treaty resulted.)

1720. Spain against France. (Both nations withdrew their forces.)

1801. Russia against Persia.

1825. Spain against her revolted colonies in South America. (The war of independence began about 1810; hostilities ceased about 1825. But Spain did not recognize the independence of the South American Republics or resume diplomatic intercourse with them until the decade beginning in 1840.)

1866. Prussia against Lichtenstein.

1866. Spain against Chile and Peru. (See Seward note mentioned above.)

1867. France against Mexico. (Amicable intercourse was not completely restored until 1886.)

Historic instances of the ending of war by subjugation of one of the belligerents are:

The war resulting in the third partition of Poland in 1794 and 1795.

The subjugation of Hesse-Cassel by France during the Napoleonic era.

The various subjugations by Great Britain in Heligoland, India, and, in 1885, Upper Burma.

The subjugation by Sardinia, in 1859 and 1860, of the two Sicilies, Tuscany, Parma, and Modena.

The termination of the American Civil War in 1865. (This instance may not be precisely in point, because the United States regarded the Civil War as an insurrection and not as an actual war.)

The subjugation by Prussia in 1866 of Hanover, Nassau, Hesse-Cassel, and the free city of Frankfort.

Some of the campaigns of Russia in central Asia resulted in annexation of certain areas there without a treaty of peace of any kind.

The most recent instance is that of the conquest, subjugation, and annexation by Great Britain of the Orange Free State and the Transvaal, as a result of the Boer War in the early part of this century.

The foregoing instances, then, are illustrative of wars which have been ended without a treaty. International lawyers and jurists have recognized for centuries that a war may be so ended. As Secretary Seward stated in his note:

> What period of suspension of war is necessary to justify the presumption of the restoration of peace has never yet been settled and must in every case be determined with reference to collateral facts and circumstances.

The facts in the particular case now before us are very extraordinary and conclusive. A year and one-half has elapsed since the armistice. At that time President Wilson advised Congress: "The war thus comes to an end; * * * it will be impossible for the German command to renew it." The armistice has been complied with. The war in which we were engaged was not a separate war, but was war carried on by us jointly with other nations in which our armies took part in the same military operations under the same supreme command, and all of the other and associated nations have formally ended the war by treaty with Germany. Peace has been thus formally and definitively established through the entire theater of the war. There are no outstanding demands on our part against Germany or on the part of Germany against us which would warrant a resumption of hostilities. The questions which prevented our treaty-making power from ratifying the treaty of peace with Germany were not questions between the United States and Germany. The Imperial German Government, against which in terms our Congress declared war, has ceased to exist, and a republic has taken its place. The Army which Congress raised and supported for the purpose of the war has been brought home and demobilized, as stated by the President in his veto of the Volstead Act on October 27 last. Commercial relations between the people of the United States and of Germany have been resumed. Over and over again has the President in formal utterances declared to Congress that the war was ended, and, indeed, that peace had actually come.

Because of these reasons, among others, the world will agree that as a fact the war has long since ended. The President of the United States is the Commander in Chief of the Army and the Navy. He has assured us and reiterated that the war is ended. Congress surely has the right and the obligation to take him at his word. Otherwise war might last forever, with no possibility of the representatives of the United States being able to terminate it. The logic of the situation is inevitable, even if Congress had not itself been responsible, in April, 1917, for the recognition that a state of war had been forced upon the United States. What Congress did it can also undo. What it began, or declared to have begun, it can terminate.

Of course, if a war could be ended only by treaty, Congress as such could not speak, because the Constitution provides another way of making a treaty. But, as we have seen, a treaty is only one way of several ways by which a war may be ended. The collateral facts which warrant in this case the conclusive presumption and recognition that war has ended are probably stronger than in any instance in the history of the world. As President Wilson put it on December 2, 1918, in his annual address to Congress, "The armistice * * * is in effect a complete submission of the enemy." Nearly a year and one-half has since elapsed. It is both the right and duty of Congress, now that the treaty of peace has failed, to declare the fact thus so compellingly and truthfully asserted by the President.

It is true that the Constitution, while it gives Congress the power to declare war, does not in terms give it the power to make peace. Indeed, this second power was expressly omitted by the framers of the Constitution, and the debates upon the question in the Constitutional Convention are very interesting in this connection. The reason for the omission is perfectly clear—that the fathers of the Government very properly recognized that a treaty of peace would be the normal method of terminating war. The wisdom of this conclusion is evident from the fact that every previous foreign war in which we have engaged has been ended by a treaty of peace. But the omission of the power in the grant to Congress is not by any means equivalent to a denial and an exclusion of the power. This is what the opponents of this resolution seem to overlook.

The proper reasoning is somewhat as follows: War, as we have seen, may be ended without treaty. Where, in our scheme of Government, does the power to end war without treaty rest? It is clearly not among the powers reserved to the States, for questions of war and peace are inherently National and Federal. It is not in the President; while he is Commander in Chief of the Army and the Navy, he is equally commander in peace and in war, and nowhere is there the suggestion that a power of this nature should be exercised by him. It is not in the President and Senate together, for their powers are limited to treaties. We are then inevitably led to inquire whether it must not be in the Congress. Congress has the duty to raise and support armies; to pay the debts and provide for the common defense and general welfare of the United States; to regulate commerce with foreign nations; to declare war; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasions; to provide for organizing, arming, and disciplining the militia; to define and punish offenses against the law of nations; and to make all laws necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

These are extraordinarily broad powers. In the absence of an expressed prohibition in the Constitution, it follows by necessary implication that the constitutional grant of power to declare war carries with it power to declare an end of war. This power must necessarily rest with Congress, just as the power to lay a tax implies the power to abolish the tax; just as the power to establish uniform laws on the subject of bankruptcies implies the power to repeal all laws relating to bankruptcy. There is no one but Congress who can determine the question. The President can not determine it, because he can not overrule the act of Congress declaring war. If Congress has not the power we should have to admit the existence of an irrepealable resolution of Congress, which is, almost in terms, an absurdity.

To sum up this phase of the argument my conclusion is derived from the following circumstances:

War may end without a treaty. The power thus to end it must vest in some agency of the United States. It is not in the President alone, or in the President and Senate. The natural place is Congress, first, because of the extraordinarily broad powers given to Congress by the Constitution; and, second, because Congress creates or recognizes the status of war. Unless it is expressly denied to Congress by the Constitution, common sense and legal reasoning combine to make it certain that the power to end the state of war is vested in Congress. The argument becomes absolutely conclusive when we find that the Commander in Chief of the Army and the Navy has told Congress that the war has, in fact, ended. We are simply, through constitutional means, giving legal recognition to a fact which we know to exist, and of which we have been informed by the Executive.

So much for section 1, which Secretary Colby, before it had been drafted, airily declared to be unconstitutional. No one who has even perfunctorily examined the precedents or considered the question in the light of reason or good sense will agree with him. No one who is not blinded by partisan considerations will venture to vote against a resolution which simply declares a notorious and long-continued fact.

Section 2 simply substitutes the date when this resolution becomes effective for the date of the proclamation by the President of the treaty of peace, in connection with the various grants of war powers to the President in the two or three score war measures passed by Congress since April, 1917. Of this I need say little. As early as December 2, 1918, in his annual address to Congress, President Wilson intimated that there would not be much need for the continuance of these powers after a few weeks from that date. To use his words, "The moment we knew the armistice to have been signed we took the harness off. * * * Restraints are being relaxed as much as possible and more and more as the weeks go by." Nearly a year and one-half has since elapsed. It is time to start the period running at the end of which the war powers of the President shall cease and conditions of peace shall be substituted for the numerous restrictive measures suitable and even permissible only in days of war and stress. Even the Democrats on the Committee on Foreign Affairs voted "present" on this section, which was

perhaps as far as they dared to go in view of the warning served by Secretary Colby.

Section 3 is obviously desirable because it leads the way to a formal recognition on the part of Germany that it also accepts the state of peace and recognizes our rights under the treaty of Versailles. Both admissions are desirable for the welfare of the United States and its citizens, for they will pave the way toward a settling of business conditions and toward the resumption of unhampered trade.

But the suggestion is occasionally heard that in some unexplained way this involves the making of a treaty; some critics calling it a treaty of peace, others calling it a treaty of trade. Of course, it is neither in fact.

It is not a treaty of peace because it involves a mere recognition on the part of Germany that the undoubted status of peace is admitted and accepted by her as a fact.

Nor is it a treaty of trade or commerce. In substance, it provides that if Germany does not send the requisite notification within the stipulated period the President shall proclaim that fact and thereupon commercial intercourse shall cease, except, in effect, under such a system of licenses as are now in effect under the trading with the enemy act.

The fallacy fallen into by the critics of this section results from their failure to recall that by no means all international arrangements, whether simple or complex, important or trivial, constitute treaties and hence involve the necessity of Executive and senatorial concurrent action. The Executive alone may effect many international arrangements. He may negotiate a protocol; President McKinley, for example, negotiated the original peace protocol with Spain in 1898. Similar protocols were negotiated with Costa Rica and Nicaragua in connection with the Interoceanic Canal and at the conclusion of the Boxer troubles in China in 1901. In like manner the President alone may negotiate a modus vivendi or by a simple exchange of notes may conclude a diplomatic agreement with another country. The international postal conventions of 1891 and 1897 were concluded by the Executive without submission to the Senate.

Many acts of Congress, some of them dating almost from the beginning of the Government, others as recent as the Underwood Tariff Act, provide that if other nations do or do not do certain things the President shall have the power to do certain other things. These acts have been questioned, first, because they are in reality treaties, and hence beyond the powers of Congress as such, and second, because they involve the delegation of legislative power by Congress to the President. The great case of Field against Clark, decided by the United States Supreme Court in 1891, put an end to these objections for all time. The President's power under this section does not involve the exercise of legislative authority. It simply requires him to find a fact, upon the ascertainment of which certain things follow. It is not a delegation of power, it is not the making of a treaty; it is simply a trade arrangement. As such it is in line with many established precedents and is squarely under the authority of Field against Clark.

In conclusion, I repeat my regret and chagrin that peace has not been attained through the normal and far preferable medium of a treaty. But the treaty having failed because the President demanded its adoption without reservations, we must do the best we can. This resolution ends the war; it safeguards the interest of the United States and its citizens; it paves the way for the resumption of a peace status and of peaceful trade relationships, and it will rid the United States and the world of the hateful continuance of a technical war. The measure is constitutional, and I believe it to be essential. It is framed in no spirit of hostility to any man, any party, or any nation. I call upon the Democrats of the House not to be bound by the dictation of any man, but to vote for this resolution as their duty to their country imperatively demands.

ANNEX A.

EXTRACTS FROM MESSAGES FROM THE PRESIDENT OF THE UNITED STATES TO CONGRESS INDICATING THAT IN THE OPINION OF THE COMMANDER IN CHIEF OF THE ARMY AND NAVY THE WAR WITH GERMANY HAS ENDED.

(1) November 11, 1918 (Armistice Day), the President, after reciting the armistice terms that morning signed by Germany, said:

The war thus comes to an end; for, having accepted these terms of armistice, it will be impossible for the German command to renew it. It is not now possible to assess the consequences of this great consummation. We know only that this tragical war, whose consuming flames swept from one nation to another until all the world was on fire, is at an end and that it was the privilege of our own people to enter it at its most critical juncture in such fashion and in such force as to contribute, in a way of which we are all deeply proud, to the great result. We know, too, that the object of the war is attained; the object upon which all free men had set their hearts; and attained with a sweeping completeness which even now we do not realize.

(2) The President's address to the Congress December 2, 1918, refers to "the great processes by which the war was pushed irresistibly forward to the final triumph"; "the war could not have been won or the gallant men who fought it given their opportunity to win it otherwise" if those at home had not done their duty. After Chateau-Thierry "it was only a scant four months before the commanders of the Central Empires knew themselves beaten; and now their very Empires are in liquidation." "If the war had continued," certain taxation would have been necessary in 1919. The Government must have operated the railroads "so long as the war lasted."

(3) On July 10, 1919, when the President presented the treaty to the Senate, he said "the war ended in November, eight months ago." In his message on the high cost of living, August 8, 1919, he said "the world has just destroyed the arbitrary force of a military junta."

(4) In his veto of the Volstead Prohibition Act on October 27, 1919, he said:

I object to and can not approve that part of this legislation with reference to war-time prohibition. It has to do with the enforcement of an act which was passed by reason of the emergencies of the war and whose objects have been satisfied in the demobilization of the Army and Navy, and whose repeal I have already sought at the hands of Congress. Where the purposes of particular legislation arising out of war emergency have been satisfied, sound public policy makes clear the reason and necessity for repeal.

It will not be difficult for Congress in considering this important matter to separate these two questions and effectively to legislate regarding them, making the proper distinction between temporary causes which arose out of war-time emergencies and those like the constitutional amendment of prohibition which is now part of the fundamental law of the country.

(5) In his annual message to Congress on December 2, 1919, the President refers to "the recent war" and to some of the questions "resulting from the war." He also mentioned the farmer who "indispensably helped to win the war," and referred to "the terrible tragedy of war which has just ended."

(6) In some of his utterances the Commander in Chief has also mentioned the coming of peace. In the December 2, 1919, message he said:

And now we are sure of the great triumph for which every sacrifice was made. It has come, come in its completeness, and with the pride and inspiration of these days of achievement quick within us we turn to the tasks of peace again—a peace secure against the violence of irresponsible monarchs and ambitious military coteries and make ready for a new order, for new foundations of justice and fair dealing.

We are about to give order and organization to this peace not only for ourselves but for the other peoples of the world as well, so far as they will suffer us to serve them. * * * So far as our domestic affairs are concerned the problem of our return to peace is a problem of economic and industrial readjustment. * * * It is surprising how fast the process of return to a peace footing has moved in the three weeks since the fighting stopped.

(7) In his August 8 message he pointed out that America "saved Europe by her action in arms; she must now save it by her actions in peace," and said that our people "will address themselves to the tasks of peace" with devotion.

ANNEX B.

TERMINATION OF WAR WITHOUT TREATY.

I print Chapter I of Phillipson's Termination of War and Treaties of Peace.

Chapter I. Termination of war by reciprocal intermission of hostilities.

MODES OF TERMINATING HOSTILITIES.

There are three ways of terminating hostilities between belligerent States, namely: (1) By a mere cessation of hostilities on both sides without any definite understanding supervening; (2) by the conquest and subjugation of one of the contending parties by the other, so that the former is reduced to impotence and submission; (3) by a mutual arrangement embodied in a treaty of peace, whether the honors of war be equal or unequal.

Under the first mode the relationships between the parties remain in a condition of uncertainty, and owing to the numerous difficulties involved combatant States have very seldom resorted to this method of withdrawing from the war without arriving at some definite and intelligible decision. Of the second mode history presents a larger number of instances, especially in earlier times when, on the one hand, might predominated over or was synonymous with right, and, on the other, when inequality of civilization and less settled national life conduced to territorial expansion and absorption. The third is the more usual mode of putting an end to hostilities and offers the largest number of examples. Let us take each of the methods in turn and examine its application and effects as illustrated by the leading instances of modern times. First as to the de facto cessation of hostilities and the de facto revival of peace relations.

For our present purpose there is no need to go back further than the eighteenth century for examples. Thus in 1716 the war between Charles XII, of Sweden, and Frederick Augustus, King of Poland, came to an end in this manner: An armistice was concluded, whereby the actual fighting was suspended, but the state of war between the two countries remained. For no less than 10 years did this precarious condition continue, neither side being disposed to resume military operations against the other. Finally a state of peace was declared, and therefore recognized de jure, by means of letters exchanged between the two monarchs.

DE FACTO CESSATION OF HOSTILITIES.

This example, however, is not an entirely satisfactory one, owing to the various exceptional features that characterized the conflict. As a result of the victories of Charles XII at Cracow and Warsaw in 1702, Frederick Augustus abdicated, and Stanislas, a nominee of the victor, ascended the throne of Poland. In 1709, however, the Swedish sovereign was defeated at Pultawa, and Stanislas was deposed. This

marked a de facto, but not necessarily a de jure, cessation of hostilities. Moreover, Frederick Augustus had taken up arms against Sweden contrary to the decision of the Polish Diet, so that some doubt has been expressed as to whether the war was a justum bellum at all, and hence whether it furnished a legitimate precedent. (Cf. Sir R. Phillimore, Commentaries upon International Law, 3d ed., 4 vols. (London, 1879–1889), vol. iii, sec. 511; A. W. Heffter, Das Europäische Völkerrecht der Gegenwart (Berlin, 1882); French ed. (Paris, 1883), sec. 176.)

In 1720 the war between Spain and France was terminated by the mere withdrawal of their respective forces.

In 1801 the Russian war with Persia, which was begun by Catherine II, was similarly ended by Paul I.

The conflict between Spain and her revolted South American colonies offers a further instance. It was in 1810 that the war of independence began; hostilities did not actually cease till 1825, but a state of peace was not formally established until some 20 years had elapsed, when diplomatic relations were instituted. With the victory of Bolivar at Carabolo in 1820, Venezuela acquired her independence, which was not, however, formally recognized by the mother country till 1850. After the battle of Pichincha, 1822, Ecuador asserted her freedom, but not before 1840 was shipping of the new Republic permitted to enter Spanish ports. In 1843—that is, nearly 20 years after the de facto cessation of hostilities—the independence of Chile was formally acknowledged by Spain.

Again, in 1866, in the war between Prussia and the German States, Prussia did not reduce to submission or conclude peace with the principality of Lichtenstein, though hostilities were terminated with some of the States by conquest and subjugation and with others by means of treaties of peace.

Finally, in 1867, the war between France and Mexico came to an end by the withdrawal of the French troops, effected at the instance of the United States Government. A considerable length of time passed by before diplomatic relations were resumed between the former belligerent countries; at first Mexico appointed only commercial agents in France. However, with the fall of Napoleon III the ill feeling between the two States disappeared, though it is noteworthy that in 1878 France did not invite Mexico to take part in the universal exhibition held in Paris. After a good deal of negotiation an agreement was arrived at whereby both parties engaged to waive their respective claims; in November, 1880, their international reconciliation was formally signalized by a diplomatic instrument, and in November, 1886, it was confirmed and completed by a treaty of friendship, commerce, and navigation. (Cf. D'Estournelles de Constant, "Relations extérieures" [of Mexico], in Le Mexique au début du XX siècle. By several writers (Paris, n. d.), vol. ii, p. 304.)

RESULTING DIFFICULTIES.

The above examples of the reciprocal intermission of hostilities show that there are several serious difficulties that attend this mode of procedure. In the first place, the relationships between the Governments in question remain uncertain; secondly, their subjects, so far as commercial intercourse is concerned, are in a doubtful position; thirdly, the relationship between the two Governments and third Governments give rise to some embarrassment. When the belligerent operations cease and the forces engaged are tacitly withdrawn, do third States remain neutrals, subject to the various obligations of neutrality, until a formal declaration of peace has been made? And what is their position should such declaration be deferred for a considerable length of time? On this point reference may be made to an American pronouncement which, notwithstanding its expression in general terms, furnishes a satisfactory answer to the questions raised. "It is certain," observed the American Secretary of State in 1868, "that a condition of war can be raised without an authoritative declaration of war, and, on the other hand, the situation of peace may be restored by the long suspension of hostilities without a treaty of peace being made. History is full of such occurrences. What period of suspension of war is necessary to justify the presumption of the restoration of peace has never yet been settled, and must in every case be determined with reference to collateral facts and circumstances." With regard to the affairs of Spain and Chile, he maintained that if either power claimed that the war between them still existed—seeing that active hostilities had long ceased—it would be obliged to substantiate its claims. "Peru, equally with Spain, has an absolute right to decline the good offices or mediation of the United States for peace as either has to accept the same. The refusal of either would be inconclusive as an evidence of determination to resume or continue the war. It is the interest of the United States, and of all nations, that the return of peace, however it may be brought about, shall be accepted whenever it has become clearly established. Whenever the United States shall find itself obliged to decide the question whether the war still exists between Spain and Peru, or whether that war has come to an end, it will make that decision only after having carefully examined all the pertinent facts which shall be within its reach, and after having given due consideration to such representations as shall have been made by the several parties interested." (Mr. Seward, Secretary of State, to Mr. Goñi, Spanish minister, July 22, 1868; Diplom. Corr., 1868, vol. 2, pp. 32, 34; J. B. Moore, Digest of International Law, 8 vols. (Washington, 1906), vol. 7, pp. 336–337.)

CLAIMS OF THE CONTENDING PARTIES.

Another difficulty that arises concerns the claims of the contending parties. When they merely discontinue de facto their armed contention, are their claims to be regarded as being dependent on the principle of the status quo ante bellum or on that of the uti possidetis; that is, the status quo post bellum. In other words, are they put back into the position in which they were before the outbreak of war, or is their position in which they find themselves on the termination of active hostilities to be considered their definitive legal position?

PRINCIPLE OF UTI POSSIDETIS.

There is a difference of opinion on this question among publicists and jurists. The majority hold the second alternative—that the position of the States in question is to be considered that which exists at the time hostilities have actually terminated. On principle this is the more reasonable view. The fact that the war has ceased and that neither party is disposed to prosecute hostilities further in order to obtain a more decisive solution, may justifiably be interpreted to mean that they are willing to let matters rest where they are, and to remain satisfied with their relative positions, and with their respective positions in regard to third States. This is the status, then, that may be held to be the point of departure for their future relations. But a final rule to cover all possible cases can not be laid down. The circumstances of each case have to be considered. Thus it may well be that soon after an aggrieved State has taken up arms against another State for the purpose of obtaining redress, it decides to postpone its enterprise, but expressly and openly reasserts its claims which, it is manifest, it intends to exact afterwards by warlike means. In such a case the general principle of uti possidetis can scarcely be supplied as the determining criterion. War is the final method—the ultima ratio—for settling international disputes; but in the absence of a definite decision in the clash of arms, the previous dispute can not, obviously, be considered to have been settled. But some qualification is necessary to this statement, if the war has gone on for some length of time, and the aggrieved belligerent has withdrawn from the conquest, allowed its grievances to drop, and has not manifested any intention to seek further reparation. The intention is the vital consideration, and the intention of the withdrawing State is to be gathered from its conduct and its attitude.

STATUS QUO ANTE BELLUM.

However this may be, to adopt as a general rule the principle of the status quo ante bellum—as does, for example, Sir R. Phillimore (Commentaries, vol. 3, p. 511: "In such a state of things the presumption of law would be that both parties had agreed that the status quo ante bellum should be revived")—would be fraught with greater difficulties, especially with regard to third States. If, after a period of hostilities, one of the belligerent States takes possession of property—say, a certain portion of territory or a vessel—belonging to the other, and then, though not fully satisfied in respect of its grievance, withdraws from the war for the time being, without implying that it will not renew active hostilities, it is clearly more reasonable for third States to consider the then position—namely, the status quo post bellum—as the basis for future international relationships. It is impossible to hold that third States should refuse to recognize the captured territory or vessel as the captor's legitimate possession and expect it to be restored to the dispossessed State before normal relationships can be resumed between those third States and each of the contending powers. Where there are such claims as have not been settled or affected by the actual condition of affairs existing at the time the warlike enterprise was abandoned, it is, of course, open to the parties to come to a mutual agreement on them. But if within a reasonable length of time after the termination of hostilities no steps are taken to come to an agreement on or to assert by force the prior claims, it is a justifiable presumption that such claims have been waived, and that the principle of uti possidetis—and not that of the status quo ante bellum—is to determine the starting point of future relationships.

In any case, it is desirable that a formal declaration of the resumption of peace should be made by the belligerents. Their subjects will then know when they are entitled to recommence commercial intercourse with each other, and third States will ascertain at what date they cease to be neutrals and become again members of a normal society of nations.

PUBLIC PROCLAMATION NECESSARY.

A public proclamation is, similarly, desirable when a civil war is brought to a conclusion. The observations of Mr. Bayard, the United States Secretary of State, may be here referred to on this point, as well as by way of supplementing what has been said above. In reference to the American Civil War he wrote in 1886 in a dispatch to the Spanish minister:

"I have yet to learn that a war in which the belligerents, as was the case with the late Civil War, are persistent and determined, can be said to have closed until peace is conclusively established, either by treaty when the war is foreign or, when civil, by proclamation of the termination of hostilities on one side and the acceptance of such proclamation on the other. The surrender of the main armies of one of the belligerents does not of itself work such termination, nor does such surrender, under the law of nations, of itself end the conqueror's right to seize and sequestrate whatever property he may find which his antagonist could use for a renewal of hostilities. The seizure of such property, and eminently so when, as in the present case, it is notoriously part of the war capital of the defeated Government, is an act not merely of policy and right but of mercy, in proportion to the extent to which the party overthrown is composed of high-spirited men who are ready to submit only when their military resources are wholly exhausted, and not until then. This, in the summer of 1865, was the condition of things in the Southern and Southwestern States of this Nation. The period was one in which the maintenance of military rule and the taking into the possession of the United States of all the property capable of use as military resources of those States was essential to the permanent restoration of order, peace, and a common municipal law. This was so from the nature of things, and such was the course of public action. It is in accordance with this principle that the Supreme Court of the United States has formally decided that the late Civil War terminated in the particular sections of the United States at the period designated in the proclamations of the President of the United States." (Brown *v.* Hiatts (1872), 15 Wall., 177; Adger *v.* Alston (1872), 15 Wall., 555; Batesville Institute *v.* Kauffman (1873), 18 Wall., 151.)

And by the President's proclamation of April 2, 1866, "the insurrection which heretofore existed in the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Arkansas, Mississippi, and Florida is at an end, and is henceforth to be so regarded. Up to and before that date the insurrection in those States was held to exist. After that date it was held to be at an end." (Mr. Bayard, Secretary of State, to Mr. Muruaga, Spanish minister, Dec. 3, 1886, Foreign Relations of United States (1887), pp. 1015, 1019; Moore Digest, vol. 7, pp. 337–338.)

I also print a translation of three sections of Bonfils' work on international law:

1692. The only real methods of terminating war, says Hefter (op. cit., 176), are: A general cessation of hostilities and the reestablishment of the prior friendly relations between the States; the absolute surrender of one of the belligerent States to the other; the conclusion of a formal treaty of peace. This is the method most used and the most normal.

1693–A. The belligerents can, by a tacit agreement, stop hostilities and establish between themselves reciprocal friendly relations. The status quo accepted by the belligerent States at the time of the general cessation of hostilities will be the base upon which peace relations will be established. History cites a few examples of wars terminated in this manner, without the conclusion of a formal treaty of peace. Thus ended, in 1720, the war between France and Spain. The Czar, Paul I, suspended, in 1801, the war begun against Persia by Empress Catherine II. By a cessation of hostilities, without a treaty of peace, also ended the war between Spain and her colonies who had revolted (No. 200). In the same manner ended the war between Spain and Chile and that between France and Mexico (1862 to 1866). Between the two latter countries diplomatic relations were reestablished only in 1881.

The state of affairs created by such a proceeding is subject to many difficulties. The relations of the two adversaries and those of their subjects remain unsettled and confused. Embarrassing also are the relations with other countries. Are the latter, still neutral, responsible for the performance of certain duties? Also, will a formal declaration of peace always be useful? Only such a declaration can set forth the agreement reached on the litigation which caused the war and fix clearly the new status of the various States, neutrals or ex-belligerents. The complete surrender of one of the belligerents to the other puts an end to the war by the complete political annihilation of one of the adversaries. It is one of the States which disappears, which dies, as a judicial entity, such as Hanover and Hesse in 1866. Also the Republic of Transvaal and the State of Orange, which, in 1902, were annexed to Great Britain; the act of capitulation of 1902 confirmed the surrender. Since, by the act of August 21, 1909, the Transvaal and Orange form, with the Cape and the Natal, a confederate State—the Union of Austral Africa, the constitution of which became operative on May 31, 1910. Between civilized countries such a conquest, says Geffcken, is title to property in the least desirable manner, as it rests merely on strength.

1695. Treaties of peace are diplomatic conventions by which the belligerent States declare the termination of hostilities and fix the conditions upon which friendly relations are reestablished. Treaties of peace, says Messrs. Funck-Brentano and Sorel, are the acts by which the belligerents figure out the state of their strength and settle from the results of the war their respective claims and the conversion of their rights.

Also chapter 9 of Hall's International Law:

CHAPTER IX. TERMINATION OF WAR.

SEC. 197. War is terminated by the conclusion of a treaty of peace, by simple cessation of hostilities, or by the conquest of one, or of part of one, of the belligerent States by the other.

SEC. 198. The general effect of a treaty of peace is to replace the belligerent countries in their normal relation to each other. The state of peace is set up, and they enter at once into all the rights and are bound by all the duties which are implied in that relation. It necessarily follows that, so soon as peace is concluded, all acts must cease which are permitted only in time of war. Thus if an army is in occupation of hostile territory when peace is made, not only can it levy no more contributions or requisitions during such time as may elapse before it evacuates the country, but it can not demand arrears of those of which the payment has been already ordered. It is obviously not an exception to this rule that an enemy may be authorized by the treaty of peace itself to do certain acts which, apart from agreement, would be acts of war, such as to remain in occupation of territory until specific stipulations have been fulfilled or to levy contributions and requisitions if the subsistence of the troops in occupation is not provided for by the government of the occupied district; a State may, of course, always contract itself out of its common-law rights. It can also hardly be said to be an exception that although prisoners of war acquire a right to their freedom by the simple fact of the conclusion of peace, it is not necessary that their actual liberation shall instantaneously take place; their return to their own country may be subordinated to such rules and they may be so far kept under military surveillance as may be dictated by reasonable precaution against misconduct or even by reasonable regard for the convenience of the State by which they have been captured. (Vattel, liv. iv, ch. ii, sec. 19; Halleck, sec. 265; Bluntschli, secs. 708, 716, 717; Calvo, secs. 3147, 3148.) [Hague Regulations, art. 20.]

By the principle commonly called that of uti possidetis it is understood that the simple conclusion of peace, if no express stipulation accompanies it, or in so far as express stipulations do not extend, vests in the two belligerents as absolute property whatever they respectively have under their actual control in the case of territory and things attached to it, and in the case of movables whatever they have in their legal possession at the moment; occupied territory, for example, is transferred to the occupying power, and movables, on the other hand, which have been in the territory of an enemy during the war without being confiscated, remain the property of the original owner. The doctrine is not altogether satisfactory theoretically, but it supplies a practical rule for the settlement of such matters relating to property and sovereignty as may have been omitted in a treaty, or for covering concessions which one or other party has been unwilling to make in words. This advantage could evidently not be claimed by the necessarily alternative doctrine that, except in so far as expressly provided, all things should return to their state before the war. (Vattel, liv. iv, ch. ii, sec. 24; Heffter, sec. 181; Phillimore, iii, sec. dlxxxvi; Bluntschli, sec. 715; *Nuestra Senora de los Dolores* (1809), Edwards, 60.)

When a stipulation to the latter effect is made, it is to be understood, if couched in general terms, to mean only that any territory belonging to one party, which may be occupied by the other party, with the buildings, etc., on it, is to be handed back with no further changes than have been brought about by the operations of war, or by acts legitimately done during the course of hostilities. The clause covers neither property which has been appropriated, nor property which has been destroyed or damaged, in accordance with the laws of war. (Vattel, liv. iv, ch. ii, sec. 22, and ch. iii, sec. 31; Phillimore, iii, sec. dlxxxiv.)

Section 199. Notwithstanding that treaties only become definitely binding on the States between which they are made on being ratified (*The Eliza Ann* (1813), 1 Dodson, 244), a treaty of peace, whether it be in the form of a definitive treaty or of preliminaries of peace (preliminaries of peace are an agreement intended to put an end to hostilities at an earlier moment than that at which the terms of a definitive treaty can be settled. They contain the stipulations which are essential to the reestablishment of peace, together sometimes with arrangements having a temporary object; minor points which lie open to discussion or bargain, and details for the settlement of which time is required, being held over for more leisurely treatment. Preliminaries thus constitute a treaty which is binding in every respect so far as it goes, but which is intended to be superseded by a fuller arrangement, and is so superseded when the definitive treaty is signed. For an example of preliminaries and of a definitive treaty of peace, see the preliminaries of Versailles and the definitive treaty of Frankfort in D'Angeberk, Nos. 1119 and 1179), is so far temporarily binding from the date of signature, unless some other date for the commencement of its operation is fixed by the treaty itself, that hostilities must immediately cease. It acts as an armistice, if no separate armistice is concluded. (It is the practice to conclude an armistice before signing a treaty of peace; the above rule could therefore seldom, if ever, come into operation, unless as the result of accidental circumstances. [The conclusion of peace between Russia and Japan in 1905 preceded an armistice pending the ratification of the treaty, see N. Arlga, La Guerre Russo-Japonaise, chap. xx.])

The rule is obviously founded on the fact that the chance in any given case that ratification will be refused is not sufficient to justify fresh attempts on the part of either belligerent to secure a better position for himself at the cost of effusion of blood, and of infliction of misery on the population inhabiting the seat of war.

The exceptional case that a future date is fixed by a treaty for the commencement of peace occurs when hostilities extend to regions with which immediate communication is impossible. Under such circumstances it is usual to make the termination of hostilities depend upon the length of time necessary for sending information that a treaty has been concluded and to fix accordingly different dates, after which acts of war become illegal in different places. When in such cases duly authenticated information reaches a given place before the time fixed for the cessation of hostilities, the question arises whether further hostilities are legitimate, or whether, as a margin of time is only given in order that knowledge may be obtained, they ought at once to be stopped. The latter and reasonable doctrine seems now to be thoroughly accepted in principle; but its value is somewhat diminished by the reservation, which is perhaps necessarily made, that a naval or military commander is not obliged to accept any information as duly authenticated, the correctness of which is not in some way attested by his own government. In the case of the English ship *Swincherd*, for example, a vessel provided with letters of marque sailed from Calcutta for England before the end of the period of five months fixed by the treaty of Amiens for the termination of hostilities in the Indian seas, but after the news of peace had reached Calcutta, and after a proclamation of George III, requiring his subjects to abstain from hostilities from the time fixed and therein mentioned, had been published in a Calcutta paper. The *Swincherd* had a copy of this proclamation on board. She was captured by the *Bellone*, a French privateer, without resistance, there being only enough powder on board for signaling purposes. The *Bellone* had been informed by a Portuguese vessel bearing a flag of truce, which had put into the Mauritius, by an Arab vessel, and by an English vessel which she had captured that peace was concluded; her commander was shown the proclamation in the Gazette extraordinary of Calcutta, and he could see for himself that a privateer, which by the date of the Gazette must have sailed lately from Calcutta, was without powder; so that there was no room to doubt the accuracy of the information given or the good faith of the statement that the intentions of the *Swincherd* herself were peaceful. The vessel was nevertheless condemned in France as good prize. In a case like this, in which the fact that peace had been concluded was established beyond all possibility of question, the rule that an officer in command of armed forces of his State may disregard all information which is not authenticated by his own government operates with extreme harshness, and though the right of seizure could scarcely be abandoned there seems to be no reason for not subsequently restoring ships captured after receipt of information which should turn out in the end to be correct. For most purposes of war, however, the rule must be a hard and fast one. The consequences of suspending hostilities upon erroneous information might easily be serious, and if it were once conceded that commanders were ever bound to act upon information not proceeding from their own government it would be difficult to prevent them from being sometimes misled by information intentionally deceptive. (Kent, Comm. I, 172; Wheat. Elem. pt. iv, ch. iv, I 5; Heffter, sec. 183; *La Bellone contre le Porcher*, Potoye et Davenly, I 149.)

SEC. 200. A treaty of peace has the following effects with reference to acts done before the commencement of the war which it has terminated:

1. It puts an end to all pretensions and draws a veil over all quarrels out of which the war has arisen. It has set up a new order of things, which forms a fresh starting point and behind which neither State may look. War consequently can not be renewed upon the same grounds.

2. It revives the execution of international engagements of a certain kind when such execution has been suspended by one or both of the parties to a war. (See ante, p. 399.)

3. In a general way it revives all private rights and restores the remedies which have been suspended during the war; contracts, for example, are revived between private persons if they are not of such a kind as to be necessarily put an end to by war (see ante, p. 403), and if their fulfillment has not been rendered impossible by such acts of a belligerent government as the confiscation of debts due by subjects to those of its enemy; the courts also are reopened for the enforcement of claims of every kind. (Wheaton, Elem., pt. 4, ch. 4, sec. 3; Heffter, sec. 180.)

SEC. 201. As between the contracting States a treaty of peace is a final settlement of all matters connected with the war to which it puts an end. If, therefore, any acts have been done during the course of hostilities in excess or irrespectively of the rights of war under the authority of one of the belligerent States, the enemy State can not urge complaints or claims from the moment that a treaty is signed, either on its own behalf or on behalf of its subjects.

It is possible, however, that ordinary acts of war may have been done without sufficient authority, that wrongful acts may have been done wholly without authority, and that subjects of one of the two belligerent States, without having committed treason, may yet have compromised themselves with their own Government by dealing with the enemy. In order to bury the occurrences of the war in oblivion, and to prevent ill-feeling from being kept alive, in order also to protect men who may only have been guilty of a technical wrong, or who may at any rate have been carried away by the excitement of hostilities, and finally in the common interests of belligerents who may be in occupation of an enemy's country, it is understood that persons acting in any of the ways above mentioned are protected by the conclusion of peace from all civil or criminal processes to which they might be otherwise exposed in consequence of their conduct in the war, except civil actions arising out of private contracts, and criminal prosecutions for acts recognized as crimes by the law of the country to which the doer belongs, and done under circumstances which remove them from the category of acts having relation to the war. [By article 3 of The Hague convention on land warfare, 1907, it is expressly agreed that a party which violates the provisions of the regulations annexed to it shall, if the case demands, be liable to make compensation, and that the State shall be responsible for all acts of persons forming part of its armed forces.] Actions, for example, can be brought on ransom bills; if a prisoner of war borrows money or runs into debt, he may be sued; or if a prisoner of war or a soldier on service commits a common murder, he may be tried and punished. The immunity thus conceded is called an amnesty.

Usually, but far from invariably, the rule of law is fortified by express stipulation, and a clause securing an amnesty is inserted in treaties of peace. Though unnecessary for other purposes, it is re-

quired as a safeguard for subjects of a State who, having had distinctly treasonable relations with an enemy, are not protected by an amnesty which is only implied. (Halleck, i. 337; Bluntschli, secs. 710–12; Calvo, secs. 3145–48; Lord Stowell in the Molly (1814), 1 Dodson, 396; Crawford & Maclean *v.* The William Penn (1815); 3 Washington, 491–93, and the cases there cited; and for examples of amnesty clauses see the Treaties of Tilsit (De Martens, Rec. viii, 640 and 666), and that of Paris in 1856 (Hertslet, 1254). Some writers, e. g., Vattel (liv. iv, ch. ii, secs. 20, 22), Wheaton (Elem. pt. iv, ch. iv, sec. 3), and Heffter (sec. 180), treat an amnesty as applying to conduct of one belligerent State toward the other, and the language of some of the older treaties stipulates for oblivion of all acts done on the two sides, respectively; see, e. g., the Treaty of Teschen (De Martens, Rec. ii, 663).)

SEC. 202. Acts of war done subsequently to the conclusion of peace, or to the time fixed for the termination of hostilities, although done in ignorance of the existence of peace, are necessarily null. They being so, the effects which they have actually produced must be so far as possible undone, and compensation must be given for the harm suffered through such effects as can not be undone. Thus, territory which has been occupied must be given up; ships which have been captured must be restored; damage from bombardment or from loss of time or market, etc., ought to be compensated for; and it has been held in the English courts, with the general approbation of subsequent writers, that compensation may be recovered by an injured party from the officer through whose operations injury has been suffered, and that it is for the Government of the latter to hold him harmless. It is obvious, on the other hand, that acts of hostility done in ignorance of peace entail no criminal responsibility. (Hallock, II, 341–343; Phillimore, III, sec. 518; Bluntschli, sec. 709; Calvo, sec. 3155.) In the case of *The Mentor*, which was an American ship captured off the Delaware by English cruisers, all parties being ignorant that a cessation of hostilities had taken place, Lord Stowell said, "If an act of mischief was done by the King's officers, through ignorance, in a place where no act of hostility ought to have been exercised, it does not necessarily follow that mere ignorance of that fact would protect the officers from civil responsibility. If by articles, a place or district was put under the King's peace, and an act of hostility was afterwards committed therein, the injured party might have a right to resort to a court of prize, to show that he had been injured by this breach of the peace, and was entitled to compensation; and if the officer acted through ignorance his own Government must protect him"; * * * he is to be "borne harmless at the expense of that Government." (*The Mentor* (1799), I. C. Rob, 183.) It was held by the Japanese prize courts in 1905 that the right of capture ceases on the restoration of peace, but captures made previously are not affected by it. A prize court, unless bound by some special treaty or ordinance, is entitled, even after the conclusion of peace, to decide whether the captured property, neutral or belligerent, is to be condemned or not. (*The Australia*, Russ. and Jap. Prize Cases, II, 373; *The Montara*, ib., II, 403; Cf. Oppenheim, II, sec. 436. (The treaties of Zurich, 1859; Vienna, 1864; and Frankfort, 1871, provided for the restoration of captured vessels which remained uncondemned at the conclusion of peace).)

SEC. 203. The termination of war by simple cessation of hostilities is extremely rare. Possibly the commonly cited case of the war between Sweden and Poland, which ceased in this manner in 1716, is the only unequivocal instance; though it is likely that if anything had occurred to compel the setting up of distinct relations of some kind between Spain and her revolted colonies in America during the long period which elapsed between the establishment of their independence and their recognition by the mother country, it would have been found that the existence of peace was tacitly assumed. No active hostilities appear to have been carried on later than the year 1825, and no effort was made to hold neutral States or individuals to the obligations imposed by a state of war; but it was not till 1840 that intercourse with any of the Central or South American Republics, except Mexico, was authorized by the Spanish Government. In that year commercial vessels of the Republic of Ecuador were admitted by royal decree into the ports of the kingdom, and at various subsequent times like decrees were issued in favor of the remaining States. It was only, however, in 1844, three years after commercial relations had been established, that Chile, which was the earliest of the Republics, except Mexico, to receive recognition, was formally acknowledged to be independent; and Venezuela, which was the last, was not recognized till 1850. (Lawrence Commentaire, II, 327. (For some other instances see Oppenheim, II, sec. 262).)

The inconvenience of such a state of things is evident. When war dies insensibly out the date of its termination is necessarily uncertain. During a considerable time the belligerent States and their subjects must be doubtful as to the light in which they are regarded by the other party to the war, and neutral States and individuals must be equally doubtful as to the extent of their rights and obligations. Nevertheless a time must come sooner or later at which it is clear that a state of peace has supervened upon that of war. When this has arrived the effects of the informal establishment of peace are identical with those general effects flowing from the conclusion of a treaty which are necessarily consequent upon the existence of a state of peace. Beyond this it is difficult to say whether any effects would be produced. It is at any rate certain that the pretensions which may have given rise to the war can not be regarded as abandoned, and that the quarrel can not be assumed to have been definitively settled. It would always be open to either side to begin a fresh war upon the same grounds as those which supplied the motive for hostilities in the first instance.

SEC. 204. Conquest consists in the appropriation of the property in, and of the sovereignty over, a part or the whole of the territory of a State, and when definitively accomplished vests the whole rights of property and sovereignty over such territory in the conquering State.

As in the case of other modes of acquisition by unilateral acts, it is necessary to the accomplishment of conquest that intention to appropriate and ability to keep shall be combined. Intention to appropriate is invariably, and perhaps necessarily, shown by a formal declaration or proclamation of annexation. Ability to keep must be proved either by the conclusion of peace or by the establishment of an equivalent state of things; the conqueror must be able to show that he has solid possession, and that he has a reasonable probability of being able to maintain possession, in the same way and to much the same degree as a political society which claims to be a State must show that it has independence and a reasonable probability of maintaining it. A treaty of peace by which the principle of uti possidetis is allowed to operate affords the best evidence of conquest, just as recognition of the independence of a revolted Province on the part of the mother country is the best evidence of the establishment of a new State; but possession which is de facto undisputed, and the lapse of a certain time, the length of which must depend on the circumstances of the case, are also admitted to be proof when combined; and recognition by foreign States, though in strictness only conclusive, like all other unilateral acts, against the recognizing States themselves, affords confirmation which is valuable in proportion to the number and distinctness of the sources from which it springs.

Notwithstanding the necessary uncertainty in the abstract of evidence supplied by possession and recognition, the fact of conquest is generally well marked enough to be unquestioned. One instructive modern case, however, exists in which the conclusiveness of an alleged conquest was disputed. In the beginning of the nineteenth century the elector of Hesse-Cassel held as private property domains within his own territory and sums lent on mortgage to subjects of other German States. Shortly after the Battle of Jena he was expelled from his dominions by French troops, and he did not return until French domination in Germany was put an end to by the Battle of Leipzig. For about a year after its occupation Hesse-Cassel remained under the immediate government of Napoleon; it was then handed over by him to the newly formed kingdom of Westphalia, the existence of which was expressly recognized by Prussia and Russia in the treaty of Tilsit, and, through the maintenance of friendly relations, by such other European States as were at peace with France and its satellites. Napoleon intended to effect a conquest; he dealt with the territory which he had entered as being conquered, and was acknowledged by a considerable number of States to have made a definitive conquest. One of his acts of conquest effected before the transfer of the territory to the Kingdom of Westphalia was to confiscate the private property of the elector, which, as the latter after his expulsion had taken service in the Prussian Army, was seized apparently as that of a person remaining in arms against the legitimate sovereign of the State. However revolting it may be morally that Napoleon should have taken advantage of the position which he had acquired through his own wrongdoing to inflict further injury upon a man whom he had already plundered without provocation, there can be no doubt that if his conquest was complete he was within his strict legal rights. Was then his conquest a complete one? The question was first raised in a suit brought by the elector after his return before the Mecklenburg courts as creditor of the estate of a certain Count Hahn-Hahn. The count had borrowed money on mortgage from the elector before his expulsion and had obtained a release in full from Napoleon on payment of a portion of the debt. The elector contested the validity of the discharge. The Mecklenburg court appears not to have given judgment, but to have remitted the matter to the University of Breslau, whence it was successively carried by way of appeal to two other German universities. The ultimate judgment affirmed the legality of the act of confiscation on the grounds—

1. That the restored government of the Elector could not be regarded as a continuation of his former government, because he had not been constantly in arms against Napoleon during his absence from Hesse-Cassel and because he had been treated by the peaces of Tilsit and Schönbrunn as politically extinct, the Kingdom of Westphalia having been recognized as occupying the place of the electorate.

2. That Napoleon had in fact effected a conquest and consequently had a right as sovereign to confiscate the property of an active enemy of the State.

3. That even if the property of the Elector could have been held to revert with the conclusion of peace, a restored owner, "according to the letter of the Roman law," must take his property as he finds it, without compensation for the damage which it may have suffered in the interval. (Phillimore, pt. 12, ch. 6.)

The above judgment appears to have met with very general approval, and though the congress of Vienna refused to interfere to prevent the resumption by the Elector of alienated domains within the electorate, there is nothing to show that any of the powers represented there considered his action to be right under the circumstances of the particular case; Prussia pronounced herself adversely to it. (Sir R. Phillimore points to the fact that "Austria, Prussia, Russia, the Bourbon sovereigns in France and Italy, Sardinia, and the Pope" left undisturbed titles acquired through the intrusive rulers of territory which they had lost during the revolutionary and Napoleonic wars, as confirmatory of the view that the conduct of the Elector was wrong. The conduct of the Elector was no doubt wrong, but the case against him is not made stronger by suggesting inexact analogies. Possession of the territory wrested from Austria, Prussia, and Russia was in all cases confirmed by treaty; the alienations made in France were the result not of foreign conquest but of internal revolution; and though the case of the Italian States is very much nearer to that of Hesse, it is prevented from being identical by the much greater duration of the foreign intrusion to which they were subjected. The government of Hanover, which was in exactly the same position as Hesse, acted in the same manner as the Elector.) There can, indeed, be no doubt that the title which Napoleon assumed himself to have acquired by conquest became consolidated by lapse of time, and that alienations made in virtue of it were consequently good. It does not follow from this that the confiscation was in the first instance valid. It took place immediately after the conclusion of the treaties of Tilsit. Although it was impossible to suppose that Hesse-Cassel would ever be able to shake off the yoke of France for herself, there was nothing in the aspect of Europe to induce the belief that the settlement Germany then made was a final one; war still continued with England; it was certain that war would sooner or later be renewed on the Continent, and it was necessarily uncertain how soon it might arrive; finally most of the recognitions given to the Kingdom of Westphalia were of little value, because they were given by States which were hardly free agents in the matter.

In such a state of things time was absolutely necessary to consolidate the conquest. At first Napoleon and those who derived their title from him were merely occupiers with the pretensions of conquerors. But with the lapse of time the character of occupier insensibly changed into that of a true conqueror; and when the fact of conquest was definitively established, it validated retroactively acts which the conqueror had prematurely done in that capacity. It would be idle to argue, in all the circumstances of the case, that possession had not hardened into conquest during the interval between 1806 and 1813. (It is sometimes not only very difficult to be sure whether a conquest has in fact been effected, but also to determine what view of the facts, which may be supposed to have constituted a conquest, has in the long run been taken by States interested in forming an opinion, and by the occupied or conquered country itself, after it has been freed from the control of its enemy. The Kingdom of the Netherlands offers a singularly confused instance of this kind. In 1795 the Republic of the United Netherlands was overrun by French troops, and a republic of the French type, practically dependent on France, was substituted for the government previously existing; in 1806 the Republic was converted

into a kingdom under Louis Bonaparte; and in 1810 the country was forcibly annexed to France, to which it remained attached until 1814. Whether in the then condition of Europe these four years of union sufficed to effect a conquest in the absence of treaties confirming it may be doubtful; but in 1815 the Netherlands regarded the political existence of Holland as having ended at the date of the annexation; and though the identity of a State is not usually affected by a change of government, it would have been reasonable in the special circumstances of the case to argue that Holland had so lost her separate life at the accession of King Louis as to make it fair to assume that date instead of 1810 as the commencement of French possession. In 1814, however, this view was not taken by the four great powers. Article 6 of the general treaty of peace placed Holland under the sovereignty of the House of Orange, and provided that it should receive an "increase of territory"; and the Congress treaty of the 9th June, 1815, provided that the "ancient United Provinces of the Netherlands" and the late Belgic Provinces shall form the Kingdom of the Netherlands. Holland was regarded as a State already in existence, which was merely to receive enlargement and a new form of government, and which was to resort to its former name so far as it could do so consistently with its new position as a kingdom. But at the very moment that Holland was reconstituting itself in this manner under the sanction of Europe, it denied the continuity of its existence by regarding a treaty made before the French Revolution as annulled by subsequent events. So early as February, 1815, the Dutch minister at Washington was instructed to open negotiations for a new treaty of commerce upon the basis of the treaty of 1782, and it is clear from two notes written by Mr. Monroe to him, that he stated the treaty in question to be, in the opinion of the Dutch Government, no longer in force. Subsequently the American Government, in order to claim compensation for the seizure and confiscation of vessels and cargoes belonging to subjects of the United States under the reign of Louis Bonaparte, urged that the identity of the State had not been changed; and it appears from a dispatch of Mr. Adams of the year 1815, that both States at that time were acting on the supposition that the treaty of 1782 was binding upon them. The Government of the Netherlands, in order to meet the American demands, reverted to the view that the treaty had been annulled; and argued that the identity of the State had been destroyed by its incorporation into France. The United States yielded, and abandoned their claims, but without admitting the validity of the argument from incorporation. They simply took the fact that the Kingdom of the Netherlands repudiated the continued identity of the State, together with the further facts that the form of government was different, and the territory enlarged, as sufficient ground for supposing that a new State had been created. Hertslet, map of Europe by treaty; Wharton, Digest, sec. 137.)

SEC. 205. The effects of a conquest are:

1. To validate acts done in excess of the rights of a military occupant between the time that the intention to conquer has been signified and that at which conquest is proved to be completed. (Halleck, ii. 1505; Calvo, sec. 2465.)

2. To confer upon the conquering State property in the conquered territory, and to invest it with the rights and affect it with the obligations which have been mentioned as accompanying a territory upon its absorption into a foreign State. (See antea, secs. 28 and 29, and compare also sec. 27.)

3. To invest the conquering State with sovereignty over all subjects of a wholly conquered State and over such subjects of a partially conquered State as are identified with the conquered territory at the time when the conquest is definitively effected, so that they become subjects of the State and are naturalized for external purposes, without necessarily acquiring the full status of subject or citizen for internal purposes. (Dana, note to Wheaton's Elem. No. 169; Lord Mansfield in Campbell v. Hall (1774) Cowper, 208. For the position of the inhabitants of a country conquered by the United States, see antea, p. 253, note. For French law and practice, see Fœlix, sec. 35, and Cogordan, La Nationalité, 2de éd. For the action of the allied powers in 1814, see Lawrence, Commentaire, iii. 192. "A rule of public law," it is laid down in an American case, "is that the conqueror who has obtained permanent possession of the enemy's country has the right to forbid the departure of his new subjects or citizens from it, and to exercise his sovereign authority over them." United States v. De Repentigny (1866) 5 Wallace, 260.) The persons who are so identified with conquered territory that their nationality is changed by the fact of conquest, are, of course, mainly those who are native of and established upon it at the moment of conquest; to these must be added persons native of another part of the dismembered State, who are established on the conquered territory, and continue their residence there. Correlatively persons native of the conquered territory but established in another part of the State to which it formerly belonged ought to be considered to be subjects of the latter.

SEC. 206. In strictness, the effects of a cession, of a treaty concluded on the basis of uti possidetis, and of conquest, upon the inhabitants of territory which changes hands at the conclusion of a war are identical, though for somewhat different reasons in the three cases. In each case the population is subjected to the sovereignty of the State by which the territory is acquired; but while in the cases of bare conquest and of conquest confirmed by a treaty grounded on the principle of uti possidetis the sovereignty is simply appropriated by the conquering State, in that of express cession a transfer of it is effected through an act of the State making the cession, by which the members of that State are bound.

It has, however, been usual in modern treaties to insert a clause securing liberty to inhabitants of a ceded country to keep their nationality of origin. (Like provisions sometimes appear in older treaties, e. g., those of Ryswick and Utrecht.) In the case of persons native of, and established in, the ceded territory, and even in the case of persons who are established in, without being natives of, the ceded territory, this liberty is commonly saddled with the condition that they shall retire within the territory remaining to their state of origin, a certain time being allowed to them to arrange their affairs and dispose of landed and other property which they may be unable to take with them. (The treaties of Vienna in 1809 (De Martens, Nouv. Rec. i. 214), of Paris in 1814 (id. ii. 9), and of Vienna in 1864 (Nouv. Rec. Gen. xvii. ii. 482) gave six years, that of Frederikshamm in 1809 gave three years (Nouv. Rec. i. 25), and those of Zurich in 1859 (Nouv. Rec. Gén. xvi. ii. 520), of Turin in 1860 (ib. 540), and of Vienna in 1866 (id. xviii. 409) afforded one year. The treaty of Frankfurt in 1871 conceded liberty of emigration until October 1, 1872 (Nouv. Rec. Gén. xix. 689). Halleck (ii. 506–7) and Calvo (sec. 2467) think that inhabitants of a ceded country have a right of keeping their old allegiance if they choose to emigrate. It is unquestionable that to prevent them from doing so would be harsh and oppressive in the extreme, but as the possession of such a right is inconsistent with the general principles of law, it could only have been established by a practice of which there is certainly as yet no reasonable evidence. In the United States *v.* De Repentigny, already cited, it was expressly laid down that persons choosing to adhere without permission to their former state "deprive themselves of protection to their property" situated within the conquered portion; and the alienation of the property of the Elector of Hesse-Cassel (antea, p. 607), which, on the assumption that a conquest was effected, has universally been held to be good, would have been illegal if persons have a right to withdraw themselves from an allegiance imposed by conquest, and therefore a fortiori by cession. It is, of course, not to the point that, as between persons adhering to their former State, and removing into it, and that State, the national character of origin is always preserved; the State of origin has no reason for rejecting them or for refusing them the rights of subjects. It is to be remarked that as the individual has no right of keeping his old allegiance, irrespective of treaty, he may find that the sovereign, for whom he would wish to elect, declines to accept him as a subject, if the treaty merely gives a right to emigrate and contains no specific stipulation providing for choice of nationality. After 1814 and 1815 the restored monarchy of France considered that "les habitants des pays annexés à l'Empire Napoléonien n'avaient pas été plus légitimement Français que l'Empereur n'avait été légitimement souverain de la France." It was unwilling to add to the Napoleonic element in the population. Accordingly persons emigrating from the restored Provinces into France were required to obtain naturalization as ordinary foreigners. (Cogordan, La Nationalité, 2de éd., 333.)

In a recent treaty of cession a more liberal treatment was accorded; natives of Alsace and the ceded districts of Lorraine, who chose to retain their French nationality, though compelled to emigrate, were allowed by the treaty of Frankfurt to keep their landed property within the ceded territory. (It may be pointed out that the treaties usually fail to deal with all the classes of persons which are affected by them and that their language is often insufficiently precise. Thus the treaty of Turin left open the position of minors and natives of Savoy and Nice residing outside their own country, and many delicate questions have arisen upon the construction of the treaty of Frankfurt. (See Cogordan, ch. 7, secs. 5 and 8.)

Residence in foreign countries being a frequent incident of modern life, withdrawal from a ceded district is not conclusive of the intention of the person withdrawing to reject the nationality of the conquering State. It is therefore usual to exact an express declaration of intention as a condition of preservation of the nationality of birth from persons against whom there is a presumption of changed nationality; that is to say, from persons born within the territory and living there and from persons born within the territory but absent at the date of annexation. There being no such presumption against persons born in another part of the State making the cession, the simple fact of withdrawal is in their case sufficient.

Also a paragraph of Lawrence's The Principles of International Law:

THE TERMINATION OF WAR.

It has sometimes happened that the belligerents have exhausted themselves and tacitly ceased from further operations, but there are no recent instances of such a termination to hostilities in a struggle of any consequence, except the withdrawal of the French troops from Mexico in 1867, at the instigation of the United States. Wars may come to an end through the destruction of one of the communities engaged in them, as Poland was destroyed by the third partition or as the Southern Confederacy fell after four years of strenuous conflict. In such cases no treaty is possible, because there is no body politic left for the victor to treat with. Great Britain, however, strained a point in 1902 because of the special circumstances of the Boer War and consented to negotiate with the leaders of the Boer commandoes still in the field against her, though the governments in whose name they waged war had ceased to govern and no longer exercised any powers of sovereignty over definite territorial areas.

I also print a note, several times mentioned in the text of my remarks, sent by Secretary of State Seward to the Spanish minister at Washington on September 9, 1868. Extracts from this letter will be found in the seventh volume of Moore's Digest of International Law (337–338). It is printed in full in Diplomatic Correspondence, 1868, volume 2, pages 32–34:

DEPARTMENT OF STATE,
Washington, July 9, 1868.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of a note from Mr. Goni, minister plenipotentiary of Her Catholic Majesty, written on the 30th of June last, in which Mr. Goni directs the attention of the undersigned to the affair of the monitors *Catawba* and *Oneota*. Mr. Goni mentions two circumstances which move him to insist upon the detention of those monitors, namely, first, that the minister plenipotentiary of Peru has solicited permission from the United States Government to take possession of the monitors, contending that the existing situation between Spain and Peru is no longer one of war, which assertion Mr. Goni pronounces to be entirely without foundation; and, secondly, that the monitors, now in the port of New Orleans, are not apparently sufficiently guarded to prevent them from going to sea, as the undersigned is aware of no official measures having been taken to prevent their departure.

Mr. Goni dwells upon the fact that the United States have tendered their good offices to Spain and to her antagonists, the Pacific Republics, and that while Spain has promptly expressed her disposition to accept those good offices with a view to the establishment of peace, Peru has not accepted them nor given any conclusive reply upon the subject. Mr. Goni argues from this fact that the Government of Peru can not rightfully claim that the Government of the United States shall during those overtures pronounce the state of war to be closed and the state of peace to have been reached by the silent consent and concurrence of the parties.

Upon the grounds thus mentioned Mr. Goni feels himself obliged to insist upon the adoption of peremptory measures to prevent the departure of the monitors in question. He fortifies this position by stating from common report that the vessels are not in the hands of the local authorities, and it is not known what orders have been issued about them. He begs, therefore, that immediate measures be taken to detain the monitors *Catawba* and *Oneota*.

The undersigned has the honor in reply to inform Mr. Goni, in the first place, that the Peruvian Government on its part insists that the situation of war between herself and allies on the one part and Spain on the other has practically come to an end by the cessation of all hostilities on either side since the 2d day of May, 1866.

The undersigned has further the honor to inform Mr. Goni that the Peruvian Government alleges in support of its position the fact that Chile and Spain, Chile being one of the allied belligerents and Spain the other belligerent, have in the present year voluntarily joined themselves together in peaceful and friendly concert and cooperation in waiving objections to the clearance from British ports of ships of war for the respective parties. So far as this department is informed, this statement is not controverted by the Spanish Government, and Peru insists that the proceeding is equivalent to an acknowledgment on the part of Spain of the pretensions made by Peru that the situation of war between the belligerent Republics and Spain has come to an end. Peru agrees in this respect that Spain can not claim before the Government of Great Britain to be at peace and at the same time claim before the Government of the United States to be at war with Peru and her allies, the position of the United States and Great Britain in regard to the belligerents being identical.

Mr. Goni is informed, in the third place, that the Peruvian Government distinctly proposes to the Government of the United States that, if it shall consent to the clearance of the *Catawba* and the *Oneota*, the Peruvian Government will give adequate security that those vessels shall not be employed in any hostile proceeding against Spain or any other nation on their way to the port of Callao, in the Pacific, but shall keep the peace until the vessels shall have arrived in the harbor of Callao, there to be used for purposes of domestic defense and security.

Mr. Goni is further informed, in the fourth place, that the House of Representatives, having taken the subject of the sale and proposed departure of these vessels into consideration with a view to some possible legislative action thereupon, directions have been given by the President that those vessels shall not receive clearance or be permitted to depart while the subject is engaging the attention of Congress. The vessels are for this reason detained at present, and will be so temporarily detained, whatever appearances or presumptions to the contrary may anywhere exist.

In consequence of the proceedings of the House of Representatives which have been referred to, it seems to the President that the occasion has not yet arrived when it will be necessary for him to decide the grave question which has been raised before this Government between the ministers of Spain and Peru, namely, the question whether the war which was heretofore waged between those nations has been practically brought to an end or not. Frankness, however, obliges the undersigned to say that unless some unforseen circumstances shall soon occur, the time for acting upon that question would seem to be near at hand.

The undersigned freely admits the difficulties which are likely to attend the decision of the question. It is certain that a condition of war can be raised without an authoritative declaration of war, and, on the other hand, the situation of peace may be restored by the long suspension of hostilities without a treaty of peace being made. History is full of such occurrences. What period of suspension of war is necessary to justify the presumption of the restoration of peace has never yet been settled, and must in every case be determined with reference to collateral facts and circumstances.

The proceedings of Spain and Chile which have been referred to, although inconclusive, require an explanation on the part of either of those powers which shall insist that the condition of war still exists. Peru, equally with Spain, has as absolute a right to decline the good offices or mediation of the United States for peace as either has to accept the same. The refusal of either would be inconclusive as an evidence of determination to resume or continue the war. It is to the interest of the United States, and of all nations, that the return of peace, however it may be brought about, shall be accepted whenever it has become clearly established. Whenever the United States shall find itself obliged to decide the question whether the war still exists between Spain and Peru, or whether that war has come to an end, it will make that decision only after having carefully examined all the pertinent facts which shall be within its reach, and after having given due consideration to such representations as shall have been made by the several parties interested.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Señor DON FACUNDO GONI, ETC., ETC., ETC.

I also print an excerpt from volume 3 of the Madison papers, pages 1351–1353, quoting the debates in the Federal convention, August 17, 1787, on the power to "make war":

"To make war."

Mr. Pinckney opposed the vesting this power in the legislature. Its proceedings were too slow. It wd. meet but once a year. The Hs. of Reps. would be too numerous for such deliberations. The Senate would be the best depositary, being more acquainted with foreign affairs, and most capable of proper resolutions. If the States are equally represented in Senate, so as to give no advantage to large States, the power will notwithstanding be safe, as the small have their all at stake in such cases as well as the large States. It would be singular for one authority to make war and another peace.

Mr. Butler. The objections agst. the legislature lie in a great degree agst. the Senate. He was for vesting the power in the President, who will have all the requisite qualities, and will not make war but when the Nation will support it.

Mr. M[adison] and Mr. Gerry moved to insert *"declare,"* striking out *"make"* war; leaving to the Executive the power to repel sudden attacks.

Mr. Sherman thought it stood very well. The Executive shd. be able to repel and not to commence war. "Make" better than "declare," the latter narrowing the power too much.

Mr. Gerry never expected to hear in a Republic a motion to empower the Executive alone to declare war.

Mr. Elsworth. There is a material difference between the cases of making *war* and making *peace*. It shd. be more easy to get out of war than into it. War also is a simple and overt declaration, peace attended with intricate & secret negociations.

Mr. Mason was agst. giving the power of war to the Executive, because not (safely) to be trusted with it; or to the Senate, because not so constructed as to be entitled to it. He was for clogging rather than facilitating war, but for facilitating peace. He preferred *"declare"* to *"make."*

On the motion to insert *declare* in place of *make* (it was agreed to).

N. H. no., Mas. abst., Cont. no. (On the remark by Mr. King that *"make"* war might be understood to "conduct" it, which was an Executive fuunction, Mr. Elseworth gave up his objection (and the vote of Cont. was changed to aye.) (The Journal shows that the question was repeated.) Pa. aye, Del. aye, Md. aye, Va. aye, N. C. aye, S. C. aye, Ga. aye. [Ayes 7, noes 2, absent 1.]

Mr. Pinckney's motion to strike out whole clause disagd. to without call of States.

Mr. Butler moved to give the legislature power of peace, as they were to have that of war.

Mr. Gerry 2ds. him. 8 Senators may possibly exercise the power if vested in that body, and 14 if all should be present, and may, consequently, give up part of the U. States. The Senate are more liable to be corrupted by an enemy than the whole Legislature.

On the motion for adding "and peace" after "war."

N. H. no, Mas. no, Ct. no, Pa. no, Del. no, Md. no, Va. no, N. C. no.) (Madison originally left a blank after "N. C.") S. C. no, Ga. no. [Ayes 0, noes 10.] Adjourned.

ANNEX C.

SECTION 3 OF THE RESOLUTION IS NOT OBJECTIONABLE EITHER BECAUSE IT MAKES A TREATY OR BECAUSE IT DELEGATES LEGISLATIVE POWER TO THE PRESIDENT.

There are many statutes involving trade arrangements with other countries passed by Congress since 1794 which either gave powers to the President to modify trade relationships with other countries or which allowed him to do certain things in case they did or did not do certain other things.

The act of June 4, 1794, authorized the President to lay an embargo on all ships and vessels in the ports of the United States "whenever in his opinion the public safety shall so require" and under regulations, to be continued or revoked "whenever he shall think proper."

The act of Congress of June 13, 1798, suspended commercial intercourse between the United States and France, but provided that if France should disavow and refrain from certain aggressions against the United States, "it shall be lawful for the President of the United States, being well ascertained of the premises, to remit and discontinue the prohibitions" of the act "and to make proclamation thereof accordingly."

The act of February 9, 1799, supplemented the above act by authorizing the President to remit and discontinue for the time being the restraints and the prohibitions upon trade with France, "if he shall deem it expedient and consistent with the interest of the United States."

The act of April 18, 1806, as amended by the act of December 19, 1806, authorized the President to suspend its operations "if in his judgment the public interest should require it." This was an act making unlawful the importation of certain articles from Great Britain.

The act of March 3, 1815, imposed duties upon certain imports and provided for its repeal "whenever the President of the United States shall be satisfied that the discriminating or countervailing duties of such foreign nation, so far as they operate to the disadvantage of the United States," had been abolished.

The act of March 3, 1817, prohibited the importation of plaster of Paris from certain countries, but gave the President of the United States authority to declare the fact that any country had discontinued certain discriminating regulations and provided that the restrictions of the act should cease from the date of the proclamation.

The act of January 7, 1824, authorized the President to issue a proclamation declaring that certain foreign discriminating duties had been discontinued, whereupon the retaliatory provision of the act in question should cease. The statute of May 31, 1830, was to much the same effect. See also act of May 24, 1828.

The statute of August 5, 1854, contains a similar provision.

The act of March 6, 1866, provided for the suspension of the importation of neat cattle and hides whenever either the Secretary of the Treasury or the President deemed such importation dangerous to the cattle of the United States. A similar provision is carried in the McKinley Tariff Act of 1890.

The act of March 23, 1874, authorized the President to suspend extraterritoriality in Egypt whenever he was satisfied that American citizens in Egypt would receive impartial justice in Egyptian courts.

The act of June 26, 1884, authorized the President from time to time to suspend certain tonnage on vessels entering from certain ports.

The act of June 19, 1886, as amended by the act of April 4, 1888, vests powers in the President similar to those of 1824 and 1828, above mentioned.

The acts of 1809 and 1810 were sustained by the Supreme Court of the United States in the case of "The Brig *Aurora*" (7 Cranch, 382).

The McKinley Tariff Act of October 1, 1890, section 3, provided in part as follows:

That with a view to secure reciprocal trade with countries producing the following articles, and for this purpose, on and after the 1st day of January, 1892, whenever, and so often as the President shall be satisfied that the government of any country producing and exporting sugars, molasses, coffee, tea, and hides, raw and uncured, or any of such articles, imposes duties or other exactions upon the agricultural or other products of the United States, which in view of the free intro-

duction of such sugar, molasses, coffee, tea, and hides into the United States he may deem to be reciprocally unequal and unreasonable, he shall have the power and it shall be his duty to suspend, by proclamation to that effect, the provisions of this act relating to the free introduction of such sugar, molasses, coffee, tea, and hides, the production of such country, for such time as he shall deem just; and in such case and during such suspension duties shall be levied, collected, and paid upon sugar, molasses, coffee, tea, and hides, the product of or exported from such designated country, as follows, namely—

In the leading case of Field *v.* Clark (143 U. S., 649) the court, construing the foregoing section, said:

While some of these precedents are stronger than others in their application to the case before us, they all show that, in the judgment of the legislative branch of the Government, it is often desirable, if not essential for the protection of the interests of our people against the unfriendly or discriminating regulations established by foreign governments, in the interests of their people, to invest the President with large discretion in matters arising out of the execution of statutes relating to trade and commerce with other nations.

That Congress can not delegate legislative power to the President is a principle universally recognized as vital to the integrity and maintenance of the system of government ordained by the Constitution. The act of October 1, 1890, in the particular case under consideration, is not inconsistent with that principle. It does not, in any real sense, invest the President with the power of legislation. For the purpose of securing reciprocal trade with countries producing and exporting sugar, molasses, coffee, tea, and hides, Congress itself determined that the provisions of the act of October 1, 1890, permitting the free introduction of such articles, should be suspended as to any country producing and exporting them that imposed exactions and duties on the agricultural and other products of the United States, which the President deemed—that is, which he found to be—reciprocally unequal and unreasonable. Congress itself prescribed, in advance, the duties to be levied, collected, and paid on sugar, molasses, coffee, tea, or hides produced by or exported from such designated country while the suspension lasted. Nothing involving the expediency or the just operation of such legislation was left to the determination of the President. The words "he may deem," in the third section, of course implied that the President would examine the commercial regulations of other countries producing and exporting sugar, molasses, coffee, tea, and hides, and form a judgment as to whether they were reciprocally equal and reasonable, or the contrary, in their effect upon American products. But when he ascertained the fact that duties and exactions, reciprocally unequal and unreasonable, were imposed upon the agricultural or other products of the United States by a country producing and exporting sugar, molasses, coffee, tea, or hides, it became his duty to issue a proclamation declaring the suspension as to that country which Congress had determined should occur. He had no discretion in the premises except in respect to the duration of the suspension so ordered. But that related only to the enforcement of the policy established by Congress. As the suspension was absolutely required when the President ascertained the existence of a particular fact, it can not be said that in ascertaining that fact and in issuing his proclamation in obedience to the legislative will he exercised the function of making laws. Legislative power was exercised when Congress declared that the suspension should take effect upon a named contingency. What the President was required to do was simply in execution of the act of Congress. It was not the making of law. He was the mere agent of the lawmaking department to ascertain and declare the event upon which its expressed will was to take effect. It was a part of the law itself as it left the hands of Congress that the provisions, full and complete in themselves, permitting the free introduction of sugar, molasses, coffee, tea, and hides from particular countries should be suspended in a given contingency, and that in case of such suspensions certain duties should be imposed.

The Dingley Tariff Act of July 24, 1897, sections 3 and 5, has similar provisions, as has also the Payne law of August 5, 1909, sections 2 and 6. See also the Underwood law of October 3, 1913, section 4, subdivisions A and E.

The Canadian reciprocity law of July 26, 1911, established certain rates upon imports from Canada and provided "that the duties above enumerated shall take effect whenever the President of the United States shall have satisfactory evidence and shall make proclamation that on the articles hereinafter enumerated * * *, when imported from the United States into the Dominion of Canada, duties not in excess of the following are imposed."

A similar situation is found in the international copyright law of 1891 of the United States, which empowers the President to extend by proclamation the benefits of the law to foreigners when assured that United States citizens are allowed copyright benefits in the other State on substantially the same basis as are its own citizens or when the other State is a party to an international reciprocity copyright agreement open to the United States.

Herewith are printed three paragraphs on the same general subject from Crandall's Treaties: Their Making and Enforcement:

(1) COMMERCIAL ARRANGEMENTS.

Paragraph 753: The act of March 3, 1815, declared a repeal of discriminating duties against vessels, and products imported therein, of nations in which discriminating duties against the United States did not exist, the President to determine in each case by proclamation the application of the repeal. The acts of January 7, 1824, and May 24, 1828, likewise authorized the President to suspend by proclamation discriminating duties so far as they affected the vessels of a foreign nation when possessed of satisfactory evidence that no such discriminating duties were imposed by that nation against the vessels of the United States. Section 11 of the act of June 19, 1886, as amended by the act of April 4, 1888, vests similar power in the President. A partial suspension is allowed by the act of July 24, 1897. On the authority of these statutes numerous arrangements have been reached with foreign States and made operative by proclamation. The evidence accepted by the President as sufficient may be a note or dispatch or a memorandum of an agreement. The proclamations relative to abolishing discriminating duties on trade with Cuba and Porto Rico of February 14, 1884; October 27, 1886; and September 21, 1887, were based on memoranda of agreements signed with Spain February 13, 1884; October 27, 1886; and September 21, 1887.

Section 3 of the tariff act of October 1, 1890, authorized and directed the President, whenever the government of any country producing and exporting certain enumerated articles imposed duties or other exactions on the products of the United States which, in view of the free introduction of the enumerated articles into the United States, were, in his opinion, unreasonable or unequal, to suspend as to that country the privilege of free importation and subject the articles in question to certain discriminating duties. Ten commercial arrangements were concluded and made effective by means of this section—January 31, 1891, with Brazil; June 4, the Dominican Republic; June 16, Spain; December 30, Guatemala; January 30, 1892, Germany; February 1, Great Britain; March 11, Nicaragua; April 29, Honduras; May 25, Austria-Hungary; and November 29, Salvador. These were all terminated by section 71 of the tariff act of August 27, 1894. Section 3 of the act of 1890 having been assailed as involving an unlawful delegation of legislative power, its constitutionality was sustained by the Supreme Court in the case of Field *v.* Clark (143 U. S., 649). Section 3 of the act of July 24, 1897, not only provides, as did section 3 of the act of 1890, for the imposition by proclamation of certain differential rates, but also for the conclusion by the President of commercial agreements with countries producing certain enumerated articles, in which concessions may be secured in favor of the products of the United States; and it further authorizes the President, when such concessions are, in his judgment, reciprocal and equivalent, to suspend by proclamation the collection on those articles of the regular duties imposed by the act and subject them to special rates as provided in the section. On the authority of this section the President has concluded and made effective the commercial agreements of May 28, 1898, with France; May 22, 1899, with Portugal (protocol making corrections signed January 11, 1900); July 10, 1900, with Germany; and February 8, 1900, with Italy.

(2) INTERNATIONAL COPYRIGHT.

Paragraph 754. The international copyright convention signed at Berne September 9, 1886, originally by 10 States, has been acceded to by all the principal nations except Russia, Austria-Hungary, and the United States. International copyright in the United States is regulated by the law of March 3, 1891, section 13 of which empowers the President to extend by proclamation the benefits of the law to citizens and subjects of a foreign State when assured that citizens of the United States are allowed the benefit of copyright in that State on substantially the same basis as its own citizens, or when the State is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which the United States may at its pleasure become a party. Under the first alternative the President has extended the benefits of the law by proclamation to subjects of Belgium, France, Great Britain and possessions, and Switzerland, July 1, 1891; Germany, April 15, 1892; Italy, October 31, 1892; Denmark, May 8, 1893; Portugal, July 20, 1893; Spain, July 10, 1895; Mexico, February 27, 1896; Chile, May 25, 1896; Costa Rica, October 19, 1899; the Netherlands and possessions, November 20, 1899; Cuba, March 17, 1903; and Norway, July 1, 1905.

(3) POSTAL CONVENTIONS.

Paragraph 755. Following the postal convention with New Granada of March 6, 1844, numerous other conventions of the same nature were concluded by the President and ratified with the consent of the Senate. By the act of June 8, 1872, the Postmaster General is given the power to enter into money-order agreements with the post departments of foreign Governments, and by and with the advice and consent of the President to negotiate and conclude postal conventions. In virtue of this act conventions of this class have been concluded by the Executive without submission to the Senate. Among these are the universal postal conventions signed at Vienna July 4, 1891, and at Washington June 15, 1897. (Crandall, Treaties: Their Making and Enforcement, 88–92.)

Under the foregoing precedents and decisions there can be no valid question raised as to the constitutionality of section 3. Section 3 is not an offer to a treaty or a delegation of legislative power. It is simply a foreign trade arrangement of a sort repeatedly enacted by Congress. Even if there were no statutory or judicial affirmation of the legality of the section it would be sustained under the clause of the Constitution which permits Congress to "regulate commerce with foreign nations," and as the section involves the regulation of exports and imports it may also be sustained by the clause which, after granting powers of taxation to Congress, provides that Congress may pass laws necessary for the general welfare. It has none of the elements of a treaty of peace, because it might equally well have been enacted by Congress if the war with Germany had already ended in the usual manner by a duly ratified treaty of peace.

Mr. PORTER. Mr. Speaker, I yield 15 minutes to the gentleman from Minnesota [Mr. NEWTON].

Mr. NEWTON of Minnesota. Mr. Speaker, in the forepart of this debate opponents of this resolution charged that its passage would embarrass the President and that it was offered for that purpose. The latter part of this I emphatically deny. Neither do I know whether the presenting of this resolution to the President for his approval or disapproval will embarrass him. With that I must confess I am not concerned. I do know, however, that for months the American people have been more than embarrassed, because we are technically in a state of war, while the nations of the world are at peace, and that this condition the President has not cared to remove. [Applause on the Republican side.] If, then, in voting upon this resolution I must choose between embarrassing the President or embarrassing the American people, I, for one, am not going to hesitate as to whom my vote will embarrass.

After having heard from the President, Congress, on the 6th day of April, 1917, declared that a state of war existed with Germany. In the declaration Congress pledged toward the prosecution of the war "all the resources of the country."

This pledge was literally fulfilled in the legislation that followed. Laws were enacted which made available to the President our total man power and our enormous wealth. In addition, Congress, with almost a disregard of personal and property rights, conferred upon the President the powers of a virtual dictatorship. We were, in fact, "a nation at arms."

This could only result in victory.

On November 11, 1918, the President addressed Congress and submitted to it the terms of an armistice, and informed Congress that the war had ended, using this language:

The war thus comes to an end; for, having accepted these terms of armistice, it will be impossible for the German command to renew it. * * *

We know only that this tragical war is at an end.

We know that the object of the war is attained * * * with a sweeping completeness.

Armed imperialism is at an end * * * the power of the military caste of Germany * * * is discredited and destroyed.

Civilization had triumphed. Free and representative government had been saved. The whole Nation rejoiced and looked for an early resumption of peace. This was one and one-half years ago. The terms of the armistice have been complied with.

Demobilization was completed months ago. Our allies are at peace. Yet this country finds itself technically in a state of war. In fulfilling its pledge powers were conferred upon the Executive that no one would think of conferring except in times of national peril. Freedom of speech was restricted to the end that the morale of our people might not be affected by the preachers of sedition; freedom of the press was interfered with for similar reasons and so as not to disclose military plans to our enemies. In many cases private mills and factories were taken over bodily by the Government. In many other ways the rights of persons and of property were either curtailed or restricted. These powers still remain with the President. As a consequence there is uncertainty in trade and commerce and discontent generally. Among these acts still in force are the following: The food-control act, trading-with-the-enemy act, the espionage act, the Overman departmental consolidation act, an act authorizing loans to foreign Governments, the draft law, the War Finance Corporation act, and over 50 others. The powers given and the legislation enacted was with the expectation that upon the coming of peace they would cease to operate. The country wants peace at home as well as in Europe.

After the signing of the armistice there remained but the formal ending of the war. Ordinarily this is done by the belligerents agreeing to a treaty of peace. The power to make treaties under our Constitution is found in Article II, section 2, and reads as follows:

He—

The President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

It will be noted that the provision is not "consent" and "submission," but "advice and consent." Heretofore treaties have been negotiated through commissioners or representatives appointed by the President. In this case the President chose to go himself. His mission was to agree with our allies as to terms of peace and to assist in the drawing up of a plan which would reduce the possibility of future wars. It was a great mission, too great to run chances of a failure.

Did he before leaving "advise" and "consult" with the Senate, his coequal? The records say no.

In three months he returned with the treaty incompleted, but with the completed draft of a constitution of a league of nations. This constitution set up a political organization which was to be a supergovernment. It would maintain peace by the use of force and power rather than by the application of the principles of justice administered by and through a court of international jurists governed by an international code of law and equity.

Upon arriving here at Boston, referring to those who questioned the wisdom of the plan, he said, "I have fighting blood in me and it is sometimes a delight to let it have scope, but if it is a challenge on this occasion it will be an indulgence." Shortly thereafter 39 Senators, being more than one-third of the membership of the Senate, informed the President in unmistakable terms that they would not consent to a treaty embodying the provisions of the constitution of the League of Nations as then framed. They thereupon "advised" him as follows:

Resolved, That it is the sense of the Senate that the negotiations on the part of the United States should be immediately directed to the utmost expedition of the urgent business of negotiating peace terms with Germany satisfactory to the United States * * * and that the proposal for a league of nations to insure the permanent peace of the world should be then taken up for careful and serious consideration.

If he had taken this advice the treaty of peace would have been signed and ratified months ago. We would have had peace in law as well as in fact months ago in this country, and Europe would not be in its present chaotic state. His answer, however, to the Senate was that there was a reason for every phrase, and that it should not be changed even so much as the dotting of an "i" or the crossing of a "t." Knowing our abhorrence of war and our earnest desire for the establishment of permanent peace among the nations of the world, and also our desire to return to a peace basis at home, the President, with keen appreciation of the possibilities thereby created, determined to use this as a leverage to compel the ratification of the treaty just as it had been drawn overseas. I quote from his remarks just before sailing for Europe in March of 1919:

When that treaty comes back, gentlemen on this side—

Meaning the Senate—

will find the covenant not only in it but so many threads of the treaty tied to the covenant that you can not dissect the covenant from the treaty without destroying the whole vital structure.

In disregard of the advice of his constitutional advisers he carried out his threat and in July returned to America with the covenant closely interwoven with the treaty of peace. Again he gave similar injunctions that the treaty must be adopted without change or amendment.

At Versailles, when the treaty provisions had been fully agreed upon between the Allies, Germany was notified to send her representatives to subscribe to the treaty. These representatives suggested and demanded certain changes which the Allies refused. Germany was thereupon told to "Sign here," and Germany signed as commanded. Thus spoke the victor to the vanquished. This was the judgment of a righteous judge handing down the law to an international culprit. When the treaty was brought home to the American people who fought the war and there presented to their representatives in the Senate, the President's constitutional advisers, his mandate in effect was the same, "Sign here." But the Senate did not sign. Twice the Senate Americanized the treaty by appropriate reservations. Before the treaty had been completed in Europe Great Britain had reserved the freedom of the seas and six votes to our one in the assembly. France had reserved the Saar Basin, while Japan, with utter disregard of international morals, had reserved Shantung.

The President, however, denied to the Senate the privilege of keeping the covenant in accord with our own Constitution. [Applause on the Republican side.] Instructions were sent out from the White House to reject the treaty if Americanized. I quote from Senator OWEN, one of the President's most staunch defenders, as follows:

I do not believe that there is a single Democratic Senator who would not vote for this resolution of ratification if it were not for the belief of such Senators that the President of the United States desires them to defeat the resolution of ratification now pending.

The Senate, being unable to obtain sufficient Democratic votes in order to pass this Americanized treaty by a two-thirds vote, returned it to the President, where it now remains. In the meantime, with our imports increasing monthly and our exports decreasing monthly, must we continue on a war basis while our allies and competitors are upon a peace basis? Must we continue at war because the President insists upon the treaty as it is, while a majority of the Senate refuse their consent without Americanization reservations? Must we continue in a state of war until peace is made by a treaty?

Every recognized authority on international law agrees that war between nations can be ended in three ways: First, by complete and continued cessation of hostilities; second, by conquest and subjugation of one nation by the other; third, by negotiating a treaty of peace. This principle was acknowledged by Secretary Seward and is set forth in Moore's Digest on International Law, volume 7, page 336, and reads as follows:

It is certain that a condition of war can be raised without an authoritative declaration of war, and, on the other hand, the situation of peace may be restored by the long suspension of hostilities without a treaty of peace being made. History is full of such occurrences.

Clearly, then, war can be ended not only by a treaty of peace but through complete and continued cessation of hostilities. The more common and preferable plan is to end by treaty. To so end war does not interfere with a treaty later. This principle is clearly applicable to the present situation. Germany sued for peace and an armistice was agreed upon and signed, which brought the war to an end. That condition has continued to this day. It is true that the ending of a war in this manner necessarily involves an uncertainty as to the time when war really ended. It is easy to determine the time of the cessation of hostilities, but difficult to decide when a de facto peace ripens into

a de jure peace. For the present we can not agree among ourselves about the terms of a treaty. The treaty-making power is deadlocked. Must we, then, remain at war or shall we recognize the existence of a de facto peace by formally declaring the war at an end? This, and this only, does the first paragraph of the pending resolution accomplish.

Under this method of ending war who shall declare and proclaim the fact that war has ended? Does this power rest in the President, or in the President and the Senate, or in the legislative branch of the Government? The power rests somewhere by very reason of our existence as a sovereign Nation. So far as an express grant of power to declare or proclaim peace or that war has ended, the Constitution is silent. Neither does the Constitution by express words prohibit the exercise of that power by any particular branch of the Government. It is clearly, then, an implied or incidental power. It is not a judicial function. There is absolutely no provision which can be construed into making it an Executive function. Upon reason it belongs in the policy-making branch of the Government. This is the legislative branch. Congress is the policy-making body excepting as to treaties, and this resolution is in no sense a treaty. Under the Constitution all legislative powers are vested in a Congress consisting of a Senate and House of Representatives. This is qualified by the provision granting unto the President the right and authority to approve or withhold his approval of legislative acts with the provision that in the event of his disapproval, upon reconsideration and a two-thirds vote in the affirmative from each House, the bill or resolution shall become a law without his signature. The power to legislate, therefore, is in both Congress and the President unless upon reconsideration by a two-thirds vote Congress passes a measure over his veto. In such case the legislative power is solely in Congress.

Article I, section 8, of the Constitution mentions the various grants of power to Congress, including the power to declare war, and also "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

The legislative branch of the Government is, therefore, made the judge of what shall constitute a cause of war, or the existence of the state of war; of all of the resources and ability of the Government to wage war; of the wisdom or expediency of applying its spiritual and material resources in waging war; in fact, of every conceivable circumstance that can in any way influence the Nation to consider the question of entering the war.

The declaration of war, therefore, is a legislative act, and can be declared by a joint resolution receiving a majority vote in both House and Senate providing it receives the approval of the President. War can be declared without the approval of the President if upon reconsideration following his disapproval it receives more than a two-thirds vote in each House.

Congress can in the same manner that it passes a law repeal it. With the approval of the President it can repeal a declaration of war by a majority vote in each House. Upon reconsideration following his disapproval it can by a two-thirds vote in each House repeal a declaration of war. There being complete and continued cessation of hostilities with Germany, and Germany having sued for peace, Congress has the power to repeal the declaration of war and thereby end the war. What Congress can do indirectly by the repeal of the declaration of war it certainly can do directly by an announcement or declaration that the war has ended. Whiting on War Powers under the Constitution says:

> As it is in the power of the legislative department to declare war and to provide or withhold the means of carrying it on, Congress also may, after hostilities shall have ceased, declare or recognize peace.

Can it be claimed that what everyone else knows and proclaims to be a fact can not be acknowledged or proclaimed by the legislative branch of the Government?

Will the gentleman contend that if the President should approve this resolution after it had been passed by both Houses that the resolution would be a nullity for lack of constitutional power upon the part of Congress to enact it? Or do you insist that it is not within the power of Congress by a two-thirds vote to pass the resolution over his veto? If so, point out to me any provision in the Constitution which expressly or impliedly restricts or qualifies the right of Congress to pass any measure over the veto of the President.

Mr. Speaker, distinguished gentlemen upon the Democratic side have argued that the power to declare the war at an end is vested solely in the President and the Senate. They confuse the power to recognize a fact and condition approved by every authority on international law, that war can be ended by the complete and continued cessation of hostilities, with the power to make or negotiate treaties of peace. The two are vastly different. One is merely an announcement by one of the belligerents of an existing and established fact. The other involves negotiations and the consent of at least two nations. If the arguments of my Democratic friends are followed this resolution could not become a law even though it should unanimously pass both Houses over the President's veto. Furthermore, even though the President might approve such a resolution and the House pass it unanimously, and a majority of the Senate vote for it, yet, for the lack of a two-thirds vote in the Senate we would continue to remain in a state of war.

Further, the President has asserted the right in the event of the ratification of the treaty by the Senate with the Americanized reservations to refuse to exchange ratification notes with Germany. That is, the President has announced the fact that if the Senate by a two-thirds vote ratified the treaty with the reservations attached he would pigeonhole it. If the gentlemen's contentions are correct and Congress has no constitutional power to pass this or a similar resolution we might some day be confronted with this situation: We are at war. The war ends. A treaty of peace ending that war was negotiated and presented to the Senate. The Senate is unanimous in changing and amending the treaty and unanimously ratifies it as amended. The President then, because of the changes, pigeonholes it. If the arguments of my Democratic friends are sound the country must nevertheless remain at war, although every Senator, every Representative, and every citizen of the United States, excepting the President, wants peace. This proposition is absurd and unthinkable. I dissent from the doctrine that the sole power of declaring peace under any and all circumstances is vested in the President, to there remain until he with two-thirds of the Senate agree. I challenge you to produce a single authority that Congress by joint resolution following a veto is powerless to declare a state of war to have ceased to exist, providing such resolution passes each House by a two-thirds vote.

You, my Democratic friends, won a presidential campaign in 1916 with the slogan "He kept us out of war." Are you now planning to conduct this coming campaign upon the slogan "He kept us in war"? [Applause on the Republican side.]

Mr. FLOOD. Mr. Speaker, I yield 10 minutes to the gentleman from South Carolina [Mr. STEVENSON]. [Applause.]

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend and revise my remarks.

The SPEAKER. The gentleman has that right.

Mr. STEVENSON. I did not know that right had been granted.

Mr. Speaker and gentlemen, I can not hope to add very much light to the intricate constitutional questions which have been considered and discussed in this discussion in the short period of 10 minutes. I do desire for a minute to look at the Constitution as it is written. It is always a good plan when you go to construe a part of the organic law to look at its location in the instrument, look at the concomitants of the paragraph. Let us see where the treaty-making power is granted to the President and what it accompanies, and what is the result of the arguments made here, that when the treaty-making power fails to be exercised because of a disagreement then somebody else can step in and take up that power. Article II, section 2, paragraph 2, of the Constitution says:

> He shall have power, by and with the advice and consent of the Senate—

To do what?—

> to make treaties, provided two-thirds of the Senators present concur; and he shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States—

And so forth.

Now, the learned gentleman, the leader on that side, said the other day, and the report says, that the President and the Senate having failed to make a treaty, having failed to agree, and having become deadlocked, then it became competent for the Congress to come in and declare and do what it proposes now to do.

Mr. BAER. Will the gentleman yield?

Mr. STEVENSON. No; nobody yields in this discussion. Now, I want to ask the learned gentleman: Suppose the nominee for Chief Justice of the United States should fail because of a deadlock between the President and the Senate. Suppose the appointment of all the justices of the Supreme Court should fail because of a deadlock of the President and the Senate. Does the gentleman contend that Congress could come in here and by a joint resolution declare that Edward Douglas White shall be the Chief Justice of the United States Supreme Court? [Applause on the Democratic side.] I want to ask you in ref-

erence to what happened in Georgia a little more than a year ago to the nomination of a judge of the district court which failed. For a year there was a vacancy. There were two appointments rejected by the Senate, and it looked as if an impasse had been reached by the President and the Senate.

Was there any Solomon found in the Republican Party who had no more sense than to rise up and say, "We can pass a joint resolution saying here that Justice Wright, nominated by the President and rejected by the Senate, shall be judge of the Circuit Court of the Southern District of Georgia"? [Applause on the Democratic side.] Does anybody contend for any such silly proposition as that? Well, you say if this Congress can not do that, nevertheless you can usurp the very same power, given by the very same clause, written by the same stroke of the pen, enacted in the Constitution of this Government by the same action and inspiration which gave him the power to make a treaty, with the advice and consent of the Senate! Now, gentlemen, there is another thing that is a good deal talked about here. They say we can declare, and the report says that we can declare, a state of peace. When we are in peace we can declare it. That is very true. If you take the first clause of your resolution, you can declare a fact, but it does nothing else. You could have saved yourself the danger of veto if you had simply taken that, because a concurrent resolution is just as good to declare a fact as a joint resolution. It would not have required the signature of the President, and is worth just as much as your joint resolution would be. But there is another principle of constitutional law you must remember, and that is when you come to construe a proposition you must construe the act as a whole and not by sections, and when you come to construe this as a whole you will see, as was unanswerably established by the gentleman from Texas [Mr. CONNALLY], that you not only undertake to declare a state of peace, but you undertake to inaugurate negotiations with Germany for a treaty of peace upon certain well-defined issues, and that being unconstitutional, it destroys the whole intent of your resolution, because nobody would be so foolish as to believe the House of Representatives would pass this resolution, which declares that a state of peace existed, without section 3, which undertakes to negotiate with Germany.

You have got to make arrangements for our people to trade.

Now, I want to cite for just one minute a very distinguished authority, also cited by Mr. CONNALLY, of Texas, a while ago, on the question that has been so often reiterated here. One gentleman said that common sense is law, and that it is common sense that if we can declare war we can declare peace. But common sense can not override the Constitution. I want to cite you to the report of the Judiciary Committee of the Forty-ninth Congress, made by John Randolph Tucker, approved by this House, and found amongst its reports to-day, in which he says:

> Some stress is laid upon the power of a treaty of peace to repeal a declaration of war. It is conceded that this may be true, but the reverse is equally true. A peace by a treaty to-day may be repealed by a declaration of war to-morrow. Congress can not create the status of peace by repealing its declaration of war, because the former requires the concurrence of two wills, the latter but the action of one.

Let us see what happened to this report. You had a very distinguished leader of this House on the Republican side a few years ago by the name of Payne, of New York. His name is written on one of the great tariff bills of this country. He refers to this, and you will find his remarks in the CONGRESSIONAL RECORD. He says:

> I think, Mr. Speaker, that no committee of this House would ever present a report on this question which did not embody substantially the report of Randolph Tucker, made some years ago, from the reasoning of which I think any lawyer who will fairly read it will say that there is no escape. (57th Cong., 1st sess., RECORD, p. 1183.)

That is from one of the fathers of the Republican Party of 10 or 15 years ago. I cite here numerous authorities on that subject:

[From Tucker's Limitations on the Treaty-Making Power, p. 374, secs. 325 and 326.]

Judge Story, in his Commentaries on the Constitution (vol. 2, p. 1502) says (sec. 325):

* * * "A power given by the Constitution can not be construed to authorize a destruction of other powers given in the same instrument. It must be construed, therefore, in subordination to it, and can not supersede or interfere with any other of its fundamental provisions. Each is equally obligatory and of paramount authority within its scope, and no one embraces a right to annihilate any other."

Section 326, in Foster v. Neilson (2 Peters, 314 Marshall, C. J.), says:

"A treaty is, in its nature, a contract between two nations, not a legislative act, and does not generally effect of itself the object to be accomplished, but is carried into execution by the sovereign power of the respective parties to the instrument. In the United States the Constitution declares a treaty to be the law of the land."

[From Tucker's Limitations on the Treaty-Making Power, p. 356, secs. 311 and 312.]

Citing further from John Randolph's report to Forty-ninth Congress:

Section 311: "The argument may be thus stated: The Constitution has created diverse agencies for the different functions to be performed. The power of taxation is exclusive in the Congress. The power to make treaties is exclusive in the President and Senate. These two are independent of each other, with no direct control by either over the other.

Section 312: "The status of war created by Congress may be determined by a status of peace created by treaty—agreements as to mutual extradition, mutual expatriation, for the cession of territory to the United States, mutual intercourse by ambassadors, etc., and all proposals as to matters which may be consummated by statutory law.

"Some stress is laid upon the power of a treaty of peace to repeal a declaration of war. It is conceded that this may be true, but the reverse is equally true. A peace by treaty to-day may be repealed by a declaration of war to-morrow. Congress can not create the status of peace by repealing its declaration of war, because the former requires the concurrence of two wills, the latter but the action of one."

[From Tucker's Limitations on the Treaty-Making Power. Same report, continued, p. 354, sec. 310.]

SEC. 310. The result from a true construction of the Constitution is this: Both powers are independent in their respective orbits. The law-making power must be heard in its full voice in all that operates on the people as statutory law. Their taxes must be collected and their money appropriated by the laws of Congress. Their commerce, their defense by Army and Navy, their coinage, their citizenship, and their internal administration must be under the control of the legislative department.

The Congress can not reach out to negotiate with other nations. It can not make compacts or agreements. It may condition its own legislation on that of foreign nations and thus make overtures of international policy. But the nexus of international faith must be bound by the treaty-making power, and Congress may pass the laws necessary and proper to carry into execution the stipulation of a treaty. The treaty is executory and tentative as to all which it can not do of and by itself, and which requires the perfecting and completing hand of the legislative power.

[From Tucker's Limitations on the Treaty-Making Power. Same report, continued, p. 357, sec. 313.]

SEC. 313. While the constitutional system of our great Republic differs very much from that of Great Britain, it is an historic fact that ours was framed upon the British model as to the distribution of the functions of the three departments of government, with a radical departure in respect to the sources of the powers of all of them. Annul the hereditary principle as the source of authority in the British constitution and substitute the popular will for it, and the likeness between the two in the distribution of powers is very striking.

By the British constitution the powers of peace and war—of treaty making—are in the Crown. The power over taxation is primarily in the Commons, as a consummate law, in the King, Lords, and Commons. All money bills, to levy taxes and to appropriate their proceeds, must originate with the Commons.

The treaty power in the Crown is as absolute as the money power in the Commons. The Crown can no more levy taxes or appropriate money than the Commons can make treaties. Independent in their spheres, these rival powers are conditioned for consummate effect upon the will of the other.

[From Tucker's Limitations on the Treaty-Making Power. Same report, continued, p. 363, sec. 316.]

SEC. 316. * * * In the meantime the power of making treaties was transferred from the Senate to the President, by and with the advice and consent of the Senate, and a motion to add the House of Representatives was voted down by 10 States to 1 (Id., 1518, 1519), as it had been before. (Id., 1414, 1415.)

During this debate the necessity in Great Britain for action of Parliament in execution of treaties was referred to, but the treaty-making power was unquestionably left to the President and Senate, excluding the House of Representatives from any function in their negotiation.

Now, gentlemen, we have heard a great deal to-day about repealing the war legislation. My distinguished friend from Alabama [Mr. HUDDLESTON] made a great cry about the repeal of war legislation. I pause to ask if the gentleman from Alabama has ever introduced a bill to repeal a single one of these laws? If he has, it is sleeping to-day in the hands of a Republican committee under the direction of a Republican steering committee. I pause to ask also how many Republicans have introduced any bill to repeal any one of the war acts which are on the books and of which they now complain? If they have, where is the committee into whose custody it has gone and what have they done with it? Where is the steering committee that they do not bring it out and have it acted upon if the prosperity of this country depends upon it?

I want to call your attention to another thing. You are complaining that the President wants to keep from repealing war legislation. I want to read you what the President said not many months ago to this House.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. STEVENSON. Will the gentleman from Virginia yield me two minutes more?

Mr. FLOOD. I yield two minutes more to the gentleman.

Mr. STEVENSON. The President said on October 27:

> I object to and can not approve that part of this legislation with reference to war-time prohibition. It has to do with the enforcement of an act which was passed by reason of the emergencies of the war and whose objects have been satisfied in the demobilization of the Army and Navy, and whose repeal I have already sought at the hands of Congress.

Where the purposes of particular legislation arising out of war emergency have been satisfied, sound public policy makes clear the reason and necessity for repeal. (CONGRESSIONAL RECORD, Oct. 27, 1919.)

And yet the Republican Party in this House, ever since the 19th of last May, with that before them, have refused to introduce and bring forth a single bill repealing a single one of the laws which they say now they must violate the Constitution in order to repeal. [Applause on the Democratic side.] And what did they do in response to that message? Why, they very promptly overruled the President in saying that it ought not to be kept in force, and 95 Republicans out of 120 that voted voted to overrule that doctrine and to keep on the people an emergency law that the President said should be repealed. And in that very distinguished assembly we find Mr. MONDELL and Mr. SNELL, who said a while ago we must loose the shackles of trade when he proposed by section 3 of this act an embargo on the part of America as bad as the embargo of 1808, which nearly drove New England out of the Union. And the gentleman from Alabama [Mr. HUDDLESTON] also voted to override the President's views on that subject. [Applause on the Democratic side.]

Now, the proposition of section 3 is that if Germany fails to agree to our proposed legislative ultimatum we will put an embargo on our trade with her. How will that help trade? Will it not turn it all over to England? How will it help peace? Is not an embargo the first gun in war? I cite Henry Clay on that proposition on the embargo proposed April 1, 1812, by Madison. Henry Clay said, "He approved it because it was a direct precursor of war." Josiah Quincy said, referring to the Jefferson embargo while debating this proposed bill:

It is true that in those years the merchants did petition, not for embargo, not for commercial embarrassment and annihilation, but for protection. They at that time really thought that this National Government was formed for protection, and that it had at heart the prosperity of all the great interests of the country. If it was a grievous fault, grievously have the merchants answered it.

How aptly that describes the present proposition. If Germany does not tamely submit, then an embargo goes on except by license by the President. Thus, you bring in one of the most offensive forms of war—interference with business. Either the President will license all applicants, in which event the embargo is a mere bluff, or he will license some and refuse others, which would be manifestly unjust and would make "Rome howl," or he would in good faith apply the embargo to all and destroy our trade with Germany. [Applause.]

They asked you for relief, and you sent them embarrassment; they asked you for defense, and you imposed embargo; they asked bread, and you gave them a stone; they asked a fish, and you gave them a serpent.

Mr. FLOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, in the time allotted to me I will endeavor to discuss the provisions of H. J. Res. 325 as they appear to me. When I say that it seems to me this is a matter of political pretense and not of politiçal construction, I do not speak in any partisan spirit. There was no partisanship in the carrying on of the war; there should be no partisanship in so important a thing as the negotiation of peace. [Applause on the Democratic side.] Therefore I present my views of this resolution entirely without regard to partisanship, but based upon the legality and power of each of the three distinct elements in our governmental life.

I start with the assumption that the country wants to have the absolute knowledge that there is to continue to be an executive, a judicial, and a legislative body, all acting within their proper limits. Already we hear criticisms that the courts are going outside of the construction of laws, that they are making laws; we have heard, too, of the alleged encroachments of the executive; we are now facing a proposition of the encroachment of the legislative, and I think that the basis of our American prosperity in a governmental way is to make sure for all time the absolute separation of the executive, the judicial, and the legislative. [Applause on the Democratic side.]

Therefore, in calling attention to what I do regarding this resolution, I beg your indulgence if I quote literally from the resolution, because I do not believe much in fighting windmills nor speaking in glittering generalities. I want to present to you the solid facts in this case, as I see them. The gentleman from Pennsylvania [Mr. TEMPLE], a very excellent student of international law, said that this was a mere declaration. The gentleman from South Dakota [Mr. JOHNSON], an honored soldier of the Great War, said in his statement at the beginning, "We may as well sweep aside at first the question of the constitutionality of this measure."

Now, these are two very important premises. To them I add a third. The gentleman from Kansas [Mr. CAMPBELL], the chairman of the Committee on Rules, said, in answer to an inquiry as to why Austria-Hungary was not included, "Why, we may only include that which the President has sent in his treaty as it was when sent to the Senate. We may only act upon what was sent to the Senate."

These are statements of responsible men, and I beg you for a moment to take consideration of them with me. In the first place, I challenge the statement of the gentleman from South Dakota that we are to sweep aside all questions of constitutionality. [Applause on the Democratic side.] Because if we sweep aside all questions of constitutionality, then we sweep aside the basic law of government in the United States of America. [Applause on the Democratic side.]

I agree with the gentleman from Pennsylvania that this is a declaration, and I need go no further with him than he states for himself that it is merely a declaration. Being a declaration, what does it amount to? How can it affect anybody? What good does it do? It can only be of effect when it attains the dignity of a treaty, and a treaty can only be of effect when it attains the dignity of a completed contract made in the way prescribed by our Constitution. These are the legal propositions that I want to make as strongly as I can before this body representing American citizens in this most important matter.

Now, the question has arisen, as the gentleman from Pennsylvania [Mr. TEMPLE] stated it, that it is a declaration of the end of the war. Well, it is all right if it stops there—a declaration of the end of the war. The President has said that the war is at an end. We know that, and everybody knows that. But there is a difference between the ending of a war and a treaty of peace, and the latest thing which this House has had and upon which it has acted has been the consideration of the bill H. R. 6810, in the report upon which the following appears as the statement of the chairman of the Committee on the Judiciary, the gentleman from Minnesota [Mr. VOLSTEAD]. He states "That war exists with both Germany and Austria-Hungary needs no argument. The armistice only suspends actual hostilities, and until treaties of peace have been ratified there is no peace."

That was stated in his report to accompany the bill H. R. 6810, and it was acted upon affirmatively by a great portion of the Members of this body, even over the veto of the President. It was sustained by the Supreme Court of the United States, so that we have this as the present law of the land, that until the Congress of the United States takes affirmative action in the matter of legislation which it has a right to pass by a repeal of that legislation, there is no repeal of such legislation, and until there be a treaty of peace and presidential proclamation there is no recognition and acknowledgment of the agreement of warring nations of the terms and conditions of that governmental contract which ends war and provides for peace.

These are the propositions I bring to you. I say the resolution provides terms for a treaty and goes further than the statement of the gentleman from Pennsylvania [Mr. TEMPLE] that it is a mere declaration, because in section 3 it states this:

The German Government shall duly notify the President of the United States that it has declared a termination of the war with the United States and that it waives and renounces on behalf of itself and its nationals any claim, demand, right, or benefit against the United States or its nationals that it or they would not have had the right to assert had the United States ratified the treaty of Versailles.

It does not refer to the end of the war and peace with the Austro-Hungarian Government, which is no part of this resolution, although it should be, if the resolution were open to amendment, because every man can see that it is necessary to make a number of amendments to clarify this resolution for even proper consideration in its acknowledged scope. But that is now foreclosed and I will not speak of it further.

There is in what I have quoted an absolute statement that we advance beyond that which the gentleman from Pennsylvania calls a declaration of the end of the war and invade the province of treaty making. There is absolutely no question about it. It has been established beyond a peradventure of a doubt by the very scholarly address of the gentleman from Mississippi [Mr. VENABLE] and by the splendid speech, too, of the gentleman from Texas [Mr. CONNALLY] that when it comes to the making of a treaty of peace there is constitutional warrant for only one way, and that way lies through the President of the United States, with the approval and consent of the Senate of the United States. We may act upon that which we have done. We may repeal that which we did in declaring war.

Let us do it. I stand with you. Let us sensibly enact the intent of section 2, and I will stand with you, because I say that the people of America to-day have the right to be relieved from oppressive war legislation. I stand with you and ask you to present on the majority side—and I will go as far as any one of you—the repeal of all laws that without warrant or necessity

restrict the citizenship in this United States of America and continue it on a war basis a year and a half after the signing of the armistice.

Let us free the honest and law-abiding citizen from oppressive and unnecessarily restrictive legislation enacted only as incidents of the great emergency of a war which threatened our Nation's perpetuity. Let a competent committee of this House investigate and make report as to such of the war-time legislation as should be amended or repealed in the light of present-day conditions, and then let us act on this, as properly we may; but let us not pretend a vain thing nor seek to nullify our great charter of power, duties, and liberties, the Constitution. [Applause.]

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. ROGERS. Mr. Speaker, by direction of the chairman of the committee I yield 15 minutes to the gentleman from Ohio [Mr. BEGG].

The SPEAKER. The gentleman from Ohio is recognized for 15 minutes.

Mr. BEGG. Mr. Speaker and gentlemen of the House, I have been very much interested in listening to the discussions this afternoon, particularly those of my good friends on the Democratic side of the House. The gentleman from Maryland [Mr. LINTHICUM], a distinguished member of the Committee on Foreign Affairs, emphasized the fact that he was just as anxious for peace as any man in America. The distinguished gentleman from Ohio [Mr. GARD], who just preceded me, made the same kind and type of an utterance. They even went further than that. They said they would stop at no limit in order to bring about peace if we would go about it in a sensible manner. They charged a lack of sincerity and good intention on the part of the Republicans in introducing the joint resolution. They prophesied all kinds of dire calamity to the country if it is passed.

Well, gentlemen on the Democratic side, I will submit the record of the Republican Party since its birth as to its sensibility when it comes to protecting the best interests of all things American. [Applause on the Republican side.]

It amounts to no excuse at all to have you say you are for peace if we will do it your way. That is a mere pretense for playing the political game as you have been told to play it by the other end of the Avenue. If you were sincere in your contention, you would support the resolution even though it were not exactly as you would have it. Do not be unmindful that the Constitution itself is the result of many compromises of extreme views. Scarcely if ever has a law passed this House that has suited every man in every particular who has voted for it. No, indeed, my friends, you are not opposed to this peace resolution because you do not like its form, but you are opposed to it because the gentleman who sits in the White House has ordered you to so be, and having been so long accustomed to do what you are told you are not now disappointing your master.

I want to direct your attention to another proposition. That proposition is this: Although I did not happen to be a Member of the preceding Congress, when war was declared, the records show that during all that time, in the prosecution of every single measure that looked toward a successful culmination of the war, there was never a straw laid in the way of progress by the Republican side of the House. Now look at the contrast. When we are making an honest effort to secure peace after 17 months of futile effort on the part of the President and the Senate, we find almost a solid front on the Democratic side of the House trying to block legislation. Can it be that the Democratic administration are loath to give up that unusual war power they have become accustomed to using? Is it possible they fear the repeal of the law limiting free speech, lest some one may tell something that would be embarrassing? Ah, my friends, either support this resolution or else let the public know that you enjoy war conditions.

I want to ask you men in all fairness if the Republican Party had supported the war as effectively and as forcefully and as unanimously as you are now trying to support an effort toward the attainment of peace, how rapidly and successfully would the prosecution of the war have gone on? Would Germany have been conquered yet? I will come right down to the proposition with you and say that perhaps this effort will not do all we claim it will; but in the name of all that is decent, is it not worth while to try it after the Senate and the Chief Executive have gotten themselves into a constitutional deadlock that seems to open no way to peace for the next 12 months? If you are sincere in your desire for peace, you will try any expedient that holds the promise of peace.

Is your patriotism being obliterated by your partisanship?

Mr. UPSHAW. Will the gentleman yield for a question?

Mr. BEGG. No; I will not.

Mr. UPSHAW. In all fairness.

Mr. BEGG. I do not want to be discourteous to the gentleman, but I have only a short time.

Most of this discussion this afternoon has been a discussion of the legal technicality of attorneys as to whether this instrument is a treaty. I want to say to you men—and I speak with respect—that the American people are not half so interested in the technicalities you may offer regarding the instrument as they are in the results of getting back to a normal condition. [Applause.]

I want to go further with you. I want to ask you since when did the executive department of the Government assume to itself the entire prerogative of traveling in the twilight zone of constitutionality? Of course, being constitutional lawyers, you know that every treaty that is made by any President is subject to review by the Supreme Court of the United States, and if that treaty abrogates a single right of an American citizen that is guaranteed to him by virtue of that written instrument framed and known as the Constitution, the Supreme Court of the United States stands as the savior of the rights of the individual as against a treaty made by any Executive or any Senate. [Applause.]

The Chief Executive does not have thrown around him a halo of protection from a review of his acts by the Supreme Court of the United States. The League of Nations in itself, my friends, has violated individual rights, if the Constitution of the United States means a thing in guaranteeing to me and to the citizens of this country our individual rights, and it can be reviewed by the Supreme Court of the United States.

The greatest act of sovereignty that any country—a republic, a democracy, or a monarchy—can exercise or perform is to summon its citizen from private life, clothe him in a uniform, put a gun or a sword in his hand, and send him forth to the battle field to die in the defense of that country if need be. No nation exercises any higher act of sovereignty than that. If the League of Nations means anything, it means a surrender of that right by America to a foreign body in which there sits only one American, and he not responsible to the American people directly, yet you object to the passage of a simple resolution declaring peace because you fear it to be unconstitutional. Would to God that Woodrow Wilson had had a little of your surplus respect for the Constitution when he drafted his league.

My friends, when you talk about our action to-day being unconstitutional do you know that you are setting yourselves up as judge and court not because you believe it, but because you are hunting for an excuse for your sins rather than a reason. [Applause.] You are not any surer that this is unconstitutional than any other attorney is sure that the League of Nations is unconstitutional; and if the Chief Executive can go through unscathed and hand that instrument to the American people without fear of unconstitutionality he shows more courage than you. He now holds over the confirming power a club in the laws that have been passed for him during the war time granting to him unusual power, unusual influence, unusual force, and he is using that unusual power as a club to compel the adoption of that instrument, which contains all the elements of unconstitutionality possible to imagine. I dare you to show that this resolution contains half the elements of unconstitutionality as the League of Nations and that we are overstepping our authority one-tenth as much as the President. It would seem to me your excuse for nonsupport falls pretty flat.

There is one other proposition that I would like to present for your consideration. When this Constitution was framed, and wisely framed, if those men in their wisdom saw fit to make any discrepancy in the powers of the three branches of government, that discrepancy was made against the Executive and in favor of the legislative. As an evidence of that fact I will cite you the specific provision in the Constitution which affords a means whereby the legislative branch of the Government can discipline the executive branch, even to the point of removal, while, on the contrary, you can not show a single line in the Constitution where the executive branch of this Government can do anything more than retard the legislative. The Executive can not discipline, he can not estop. Twice this Congress has passed laws over his veto. The only thing that he can do is to hinder or slow up through the veto power. That difference was unquestionably created in order to meet an emergency. An emergency certainly exists to-day in this country. When the general welfare of the American Government is threatened there must be some governmental agency to function. Well, what is it? It is the legislative branch of the Government. The Chief Executive does not yield, and the Senate does not ratify what he proposes, so what are we to do? Must we sit idly by and

await the whim of a headstrong Executive? My friends on the Democratic side, suppose that we were beginning the term of a President at the conclusion of this war, that he had three or four years of office ahead of him. Suppose that that President were a dominating, headstrong man. Suppose he were self-willed. Suppose he should subscribe to certain things in his treaty-making power that no real American would subscribe to, and that the Senators would not give in to him, and they were in a deadlock head on.

Do you men mean to tell me that there would be no method whereby we could get relief from the burdens of war? Why, my friends, you may stand up here and tell me there is not, but I want to tell you that you can not tell that to the American people and get away with it. [Applause.] Every single branch of the American public is crying out, and has been for months, asking for peace and release from the burden of war laws. Every avenue and every type and kind of business is handicapped. Every single line of profession, even down to the individual, is right now suffering from their abuse. This very day there are standing indicted by the Federal grand jury 30 or 40 men in the State of Indiana for violating what? Not a peace-time law but a war prohibition, a war instrument, and yet the Chief Executive of the United States, with his Department of Justice, seeks to lay on the back of every man the burden as if we were in actual conflict. Why do we not repeal it, you ask? You vote for this measure and make a two-thirds majority, and if that man at the other end of the Avenue vetoes it, we will repeal it instanter.

Mr. BEE. Will the gentleman yield?

Mr. BEGG. No; I will not yield to anybody. The highest and most valuable right in the possession of the American citizen is his personal right to live under the American form of Government as prescribed in the Constitution. No man will deny that it is a vested interest which can only be altered by the sovereign Government, the people, by way of amendment.

Our Government, consistent with the Anglo-Saxon principle, is a government of law and not of personal authority, in any other time than the time of war—and war, to my mind, means actual hostilities. War does not mean 18 months after the Army has been demobilized, 18 months after the Navy has been reduced to a minimum, 18 months after the war claims by the producers of ammunition have been settled to the extent of several million dollars. [Applause on the Republican side.]

The distinguished gentleman from Texas [Mr. CONNALLY] said we have over 5,000 American troops in Germany right now, and that if we adopted this resolution we would have to bring them home. He seemed to think that would be a calamity. Now, Mr. Speaker and gentlemen of the House, if I had my way I would bring back from Europe every American soldier right now. Bring back the living, that they might enjoy the blessings of living in a free country; bring back the dead, that their bodies might sleep in their native land beneath the flag for which they gave their lives and also that their graves might become a holy shrine of patriotism at which the internationalists of America could renew their spirit of loyalty to the United States.

Mr. FLOOD. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. Speaker and gentlemen of the House, I have been little impressed, though somewhat amused, at the attempt to differentiate the three methods recognized by international law of bringing a war to a conclusion and restoring a status of peace by those who have defended this resolution.

It is contended that there are three ways by which peace may be restored between belligerent nations: First, by conquest of one nation by the other; second, by a cessation of hostilities so long continued that the world will take notice that a state of peace has been resumed; and, third, by the formation and ratification of a treaty between the warring nations setting forth the terms of the peace and the rights of the contracting parties. It is not material in what order the three methods may be set out.

It is obvious that the first method would not contemplate either negotiations or agreement. In that case one country conquers the other, obliterates its government, takes possession of the country, and proceeds to govern it. There would be no need of a treaty, because there is no government with which to make one. It has been destroyed and that of the conquering nation set up in its place.

That situation does not exist in the present posture of affairs between the United States and Germany. Therefore it is not worth while to consume time in discussing it.

The second method referred to is where there is a cessation of hostilities, without formal agreement, of such long standing that all men take notice of the fact that peace has been established, and the belligerent nations glide into a status of peace by lapse of time.

That method contemplates that the contending armies simply quit fighting, withdraw through weariness or other cause, and disperse without any particular agreement or understanding whatever, and that this condition shall continue for so long a time that it can be presumed that neither side intends to renew it. In such circumstances it may be said that peace comes by silent consent.

It is manifest that this is not the condition of affairs at present existing between Germany and the United States, for while hostilities ceased on November 11, 1918, there has not been such a lapse of time between that date and the present as would be presumptive notice to the world that peace had been resumed between the two countries.

Furthermore, the very act of ceasing these hostilities was brought about by the signing of the armistice, and under the terms of the armistice it was itself the preliminary step to the formation and ratification of a treaty between the United States and Germany. Therefore, in my opinion, this resolution pretends to seek the accomplishment of the next step following the armistice, to wit, the making and ratification of a treaty, which Congress, as such, has no power to do.

In the armistice the terms of the prospective treaty were set forth in outline, for when Germany and the other nations signed the armistice they recognized certain fundamental principles which had been set forth by the President of the United States as the basis upon which the treaty of peace should be made.

I do not deem it necessary to argue these points in detail. It is sufficient merely to suggest them. If we are not in a state of peace by reason of conquest, and if we are not at peace with Germany by reason of the long lapse of time following the cessation of hostilities, then the only other way to make peace is by the formation and ratification of a treaty between the United States and Germany. Congress is not the treaty-making power in this Government. We have no constitutional power to negotiate treaties, and this House has no voice even in their ratification after they have been negotiated.

Gentlemen in this debate have sneered at the constitutional reasons given by those of us who oppose this resolution. The last speaker, the gentleman from Ohio [Mr. BEGG], proclaimed very loudly that we are not sincere in our belief that this resolution is unconstitutional and suggested that we are using the Constitution as an excuse for voting against it.

When I became a Member of this House seven years ago I took an oath to uphold and defend the Constitution of the United States. Three times since that I have repeated that oath. I can violate that oath by legislation for which I vote as well as I can by taking up arms against my country. [Applause on the Democratic side.] As a Member of this House I have never found it necessary to invent an excuse for respecting and defending that immortal document, the Constitution of the United States. [Applause on the Democratic side.]

Have we the power to pass this resolution, and what will be its effect? Prior to the declaration of war there was a proclamation issued by the President of the United States severing diplomatic relations between this country and Germany. If we have the constitutional power to declare peace by resolution between the German Government and our own, then we have the power by resolution to restore diplomatic relations between the United States and Germany. The same constitutional provision which confers upon the President exclusive power to negotiate all treaties between this and other Governments also authorizes him to carry on diplomatic relations and negotiations with other nations, either in war or in peace. If we can usurp the power in one case, we can do it in all cases; and by that process Congress could be converted into a sort of rump State Department, a thing not only not provided for but actually prohibited under the Constitution of the Government.

I deny that Congress has any such power. I deny that it was ever contemplated that Congress should have it. Nobody ever assumed that Congress possessed such power until it became necessary for this helpless and hopeless Republican Congress to extricate its humiliating record from impending disaster. [Applause on the Democratic side.]

This resolution provides that unless within 45 days the German Government shall pass a similar resolution or issue a proclamation waiving all rights denied to her under the treaty of Versailles, then certain features of this mongrel resolution shall be null and void. That is nothing less than an effort to negotiate a treaty by long-distance resolution. It is a sort of legislative "Big Bertha" by which we announce to Germany, not through any recognized channels but by making a

noise on this side of the Atlantic, that we have passed a resolution, and that unless Germany passes a resolution ratifying our resolution there will be no resolution.

In the next place, how is this resolution to be communicated to the German Government? When joint action of two bodies is necessary for the accomplishment of a certain thing, it is necessary that the action of each be officially communicated to the other. When the House passes a bill or resolution it officially notifies the Senate of that fact and asks its concurrence. When both Houses adopt a measure they officially notify the President, and when he either approves or disapproves it he officially notifies Congress of his action. In that way joint and concurrent action is obtained between the two coordinate branches of the Government.

This resolution, while a subterfuge, as everybody, including its sponsors, knows, pretends to contemplate joint action in some way between Congress and the German Government. But how can our action be officially communicated to Germany? We have no ambassador in Germany. We have no diplomatic representative there. We have no consular officers anywhere in the German domains. Is there a Member of this House so lacking in ordinary intelligence as to presume that the German Government will act upon hearsay or upon newspaper reports of the action contemplated here to-day, and undertake to bind itself by the adoption of any policy based upon an unofficial and current report that the American Congress has passed an international monstrosity like that over which we are now wasting valuable time?

Mr. JUUL rose.

Mr. BARKLEY. I can not yield to the gentleman. I only have a few moments.

After this resolution shall have been adopted, if it should be signed by the President, or if he vetoes it and it should pass over his veto, then do our Republican friends propose to adopt another resolution appointing a congressional messenger to journey to Berlin and knock on the door of the German Reichstag and announce to them in stentorian tones that the American Congress has passed this resolution restoring peace, and ask the German Government to concur in the same, and that they have only 45 days in which to do it? Do you intend to send the Sergeant at Arms over with it, or our genial and accommodating Doorkeeper, or will it be the Clerk of the House? Or, better still, will the steering committee accompany the precious document? I have waited in vain for some good and wise Republican to announce to us the procedure which will be adopted in order to get this thing officially before the German Government, which is asked to concur in it. No such announcement has been forthcoming. None will be. For there is no power now, and there has never been any power, by which Congress, as the legislative body of the Nation, can conduct any sort of diplomatic communication with the German Government, or any other Government, either in war or in peace. [Applause on the Democratic side.] If Congress can not conduct diplomatic communications with the German Government, it can not officially notify Germany of the passage of this or any other resolution, and it will have no effect whatever, and everybody on both sides of this House knows that if he has any intelligence whatever.

If I had gotten into an altercation or a feud with one of my friends on the Republican side, which was deep and of long standing, and then some bright day I should walk out into a field, lift my face up toward the heavens, and announce in solitude, "I am at peace," the effect would be about as noticeable in restoring friendly relations as this ex parte affair which has been dignified with the name of "peace resolution." The suggestion of such a thing seems to me to be so ridiculous that I am unable to comprehend how men presumed to have intelligence can defend it by pretending to substitute it for a real treaty of peace which the President has negotiated and the Senate has refused to ratify.

Therefore if we have the power to substitute this resolution for the treaty of peace, then we have the power by congressional resolution to restore diplomatic relations, and if we have that power, then Congress can appoint an ambassador and other diplomatic and consular officers, even over the objection of the President, and send them to the German Government, and thus restore all the relations which existed before we entered the war.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. BARKLEY. May I have two additional minutes?

Mr. FLOOD. I yield the gentleman two additional minutes.

The SPEAKER. The gentleman is recognized for two additional minutes.

Mr. BARKLEY. To pretend that Congress can do anything similar to what I have suggested is so absurd as not to be entitled to consideration. Yet that must be the logical result if the resolution now before us has any meaning or is worth anything whatever.

One excuse for advocating this resolution is that it repeals all the war-time laws enacted during the war for the war emergency. But the Republican Party has been in power in both Houses of Congress since the 19th of May, 1919, nearly an entire year, and Congress has been in session practically the whole time. Yet no attempt has been made by the rank and file nor by the Republican leadership in this House to secure the repeal of any of those war acts whose repeal they now pretend to desire. Mr. Speaker, no man in this House is more anxious than I am to secure the repeal of these war-time laws that have hung over since the armistice was signed, but I am not willing to stultify myself by voting for a transparent fraud which pretends to accomplish by indirection what can be and ought to have been accomplished long ago if the Republican majority had been possessed of the intelligence to bring in a resolution or a bill repealing these various laws by name and by an act of Congress. [Applause on the Democratic side.] The fact that you have not done it indicates to me that you have been holding back such repeals in order that you might be afforded an excuse to justify your support of the ridiculous, unlawful, and unconstitutional proposal which we have before us now. If you will bring in a bill or resolution repealing these various laws, designating them by name and date and official title, I will join you in an effort to repeal them and relieve the people of those burdens of which you are now so hypocritically complaining. [Applause on the Democratic side.] But until you have done that, you have no moral or legislative right to indict or impugn our motives when we stand upon the Constitution of the United States and refuse to participate in an undertaking to usurp the powers of the Executive and the Senate, who constitute the treaty-making power of the Nation. I have only time to suggest that I hope some means may be invented or discovered that will enable the treaty of Versailles to be ratified. It would have been ratified long ago but for the humiliating partisanship which has governed every movement and maneuver of the ratifying body since the armistice itself was signed. But I would rather see the state of war now existing continue longer, with all its train of accompanying embarrassments, until a legal and proper way can be found to bring peace, than to undermine and break down the Constitution of this Republic, which has been the foundation of our prosperity, our greatness, and our world influence for nearly a century and a half. [Applause.]

Mr. PORTER. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Speaker, I desire in the brief time allotted to me to pay some attention to the argument and discussion by the gentleman from Ohio [Mr. GARD] and the gentleman from Kentucky [Mr. BARKLEY]. Both gentlemen are at least admitted to be constitutional lawyers. I could not help but wonder while the gentleman from Kentucky [Mr. BARKLEY] was talking whether he seriously meant the statement that if a Member of Congress voted for an unconstitutional law that vote would amount to a violation of the Congressman's oath of office, inasmuch as it embodies the supporting of the Constitution——

Mr. BARKLEY. It would, if I knew it was unconstitutional.

Mr. TINCHER. That is the question. How is one to know? The gentleman from Ohio [Mr. GARD] read during his remarks from a report made by Mr. VOLSTEAD, of the Judiciary Committee, last summer on the national prohibition bill. He is using this report to-day to prove that the war still exists; but I remember when this great constitutional lawyer said on the floor of this House that the Volstead bill was unconstitutional in so far as it applied to war-time prohibition. I remember trying to interrupt him one day to suggest to him that I doubted the unconstitutionality of the Volstead Act, but, in his profound way, he sat me down rather unceremoniously and informed me that he was trying to make an intelligent, learned discussion of that great constitutional question. Now, suppose I had been just slightly more impressed by his august manner than I was, and had followed the advice of this great constitutional lawyer, and had, for fear of violating my oath of office as Congressman, voted against the Volstead bill. The Supreme Court of the United States has since that date decided that the war-time prohibition feature of the Volstead Act is constitutional; that the distinguished jurist from Ohio was mistaken; and had I followed his advice at that time, and the argument of the gentleman from Kentucky were to be held good, I would perhaps to-day be in jail for violating my oath of office and voting against a perfectly con-

stitutional law by reason of being advised that it was unconstitutional.

Sometimes I wonder if some of the profound constitutional lawyers do not overdo the thing a little. The gentleman from Ohio in his remarks is strong for the maintenance of the three separate branches of our Government, namely, the executive, legislative, and judicial. Still, most every day we on the floor of this House are asked to invade the prerogatives of the judiciary and vote against perfectly good-looking measures on the advice of the distinguished gentleman from Ohio that these measures are not constitutional. I had 20 years' experience in the law before coming here, and I met many profound constitutional lawyers. In fact, all lawyers become constitutional lawyers when they can not find any other defense for their client; but these profound constitutional lawyers seldom cause the ordinary practitioner any serious trouble, unless, by accident, they are promoted to the bench. They are not much trouble to the ordinary practitioner that is willing to try his cases on their merits, so long as you can keep them on the other side of the counsel table.

It is amusing in a way to note the gentlemen that are going to vote against this resolution that give as their argument for so doing that they are afraid that the resolution violates the Constitution and that they would be violating their oaths of office to vote for it. It is interesting to know that these same gentlemen just a few weeks ago, by directions and orders from the same quarters that they have their directions and orders from to fight this peace resolution, were supporting, without the dotting of an "i" or the crossing of a "t," the so-called League of Nations covenant. This remarkable document not only transferred the power to declare war from the Congress of the United States, where it is now lodged in plain English language by the Constitution, to a supergovernmental agency, but this remarkable instrument enabled that other agency to decide which side of the war the United States would be on.

I have been wondering to-day how these great self-constituted constitutional lawyers could reconcile their attitude toward the Constitution with reference to that instrument and their present fears as to the constitutionality of this resolution. Some of us have only engaged in the practice of the law long enough to find out that we could not rely upon our own judgment to settle all these great questions. Ordinarily a lawyer is able to find some decisions or lines of reasoning that agree with his personal opinion or the opinion of his client or boss; but in the end we have a branch of our Government known as the judiciary that is supposed to pass upon these propositions.

The gentleman from Ohio makes another objection to the resolution. He says that the majority have made a great mistake in not bringing in a rule here that would permit the minority to offer a lot of amendments to the resolution. He uses his favorite word in this discussion; says he would like to "clarify" the resolution by some amendments. We all know the gentleman is an adept at "clarifying," and no doubt he was consulted by other constitutional lawyers concerning the language of this resolution; but I submit that if the Rules Committee had left this resolution subject to amendment that the distinguished gentleman would have spent as long as he did on the national prohibition law offering amendments trying to clarify it, as he calls it, and then, regardless of the number of clarifying amendments that were adopted, he would have voted against the resolution. [Laughter.]

Gentlemen, the American people want peace declared. The American people are not for any League of Nations unless the rights of America are safeguarded; but they do know that they want the war-time laws repealed now in peace time. This measure is clarified to such an extent that it brings about that result. There is nothing in the Constitution that prevents us from passing this resolution. It is only those that want to treat the laws and Constitution as a sort of hidden mystery that find something to become alarmed about. I know a number of gentlemen on the minority side of this House that are going to vote for this resolution. Some of them have been regarded in the past as ranking among the best lawyers in the House. Some of them are too big to take orders when so vital a question as this is before the Congress.

I would not want to yield the floor without mentioning another matter. The gentleman from Texas [Mr. CONNALLY], in his address, referred in a manner that I desire to resent to my colleague, ROYAL JOHNSON. He said that the ex-attorney general in one of the States had waived aside the constitutionality of this law. In the first place, the remarks of the gentleman from South Dakota [Mr. JOHNSON] were made when the question pending was whether we should adopt the rule for the consideration of this resolution.

He said that Dr. FESS had covered the constitutionality of the proposition, or ably discussed it. He distinguished between technicalities and the Constitution in the consideration of the resolution—brushed aside technicalities—and said that he would not discuss the constitutionality of the resolution, as it had been discussed, but discussed on its merits the resolution and advocated the declaration of peace. Let me see who is my colleague, Mr. JOHNSON of South Dakota. True, he is an ex-attorney general of his State; also, he is an ex-service man of the recent war. He left his seat in this body and a devoted wife and children and offered his life that we might have constitutional government in this Nation. Is it possible that men like ROYAL JOHNSON have to apologize to any man for casting a vote for a resolution declaring his country at peace with the world? He has, in the form of battle scars, that he will carry to his dying day, his proof of his love, devotion, and fidelity to the American flag and to the Constitution.

In my judgment you had better be honest and fair with the American people and tell them that you are voting against peace because the President of the United States has ordered you to vote against peace than to try to offer an excuse for your vote by saying that ROYAL JOHNSON wants to put the Constitution to one side. In his short address he advocated that personalities be not indulged in; that the wishes of the people of the United States be considered; and that the laws and our Constitution be upheld, and you attempt to answer that argument by the insinuation that he wants to brush the Constitution aside. The Constitution has ever been safe in the hands of the majority of the people of our fair land; it will always be safe so long as such men as ROYAL JOHNSON live, who are always willing to make the supreme sacrifice for our institutions.

You will need a better excuse than such insinuations with the American people for following the dictations of any one man upon this vital and most important question. [Applause on the Republican side.]

Mr. PORTER. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Speaker, three years ago the Congress declared a state of war to exist between the United States and the Empire of Germany. We did not enter this war for conquest. We sought no acquisition of territory or financial gains. We did not take up arms because of the compelling force of any league or treaty or alliance. It was not for any presidential 14 points or to establish a League of Nations that we thus went to war. It was a war to protect the lives of our people and the rights of our citizens on land and on sea. This was clearly expressed in the message of President Wilson to Congress on April 2, 1917, when he said:

> We enter this war only where we are clearly forced into it because there are no other means of defending our rights.

Seventeen months ago the enemy laid down his arms. That this result was due in no inconsiderable part to the valor of American arms I can not doubt. While the race lives the story of our part in the World War shall remain one of our proud traditions.

We fought for the security of our people. That purpose is achieved. We went to war to defend ourselves. Remembering Chateau-Thierry and the Argonne, no one in the world for a hundred years to come will doubt either our ability or readiness to do this.

Having accomplished this, what remains to be done? Obviously the burden rests upon us to enforce upon our recent enemy a strict compliance with the principles for which we fought. That completes the task we undertook. If in addition to this we might provide a tribunal of international arbitration, based on agreed international law and not on secret diplomacy, a forum wherein great and small nations alike might seek and receive speedy justice, it would be a desirable thing.

But we are told by the President and by the minority here that there must be no declaration of peace without the inclusion of this league to which the President has sought to commit us. A league that intends an international equality of labor conditions, and hence a lowering of our own standards; a league that threatens to throw open the trade doors of the country to the unrestricted commerce of the world; a league that opens the Treasury to the financial demands of every bankrupt nation on the globe; a league that puts the brand of conscription upon every youth in the land of service—God knows when or where—when the league, not duty, calls.

With stubborn and exaggerated vanity of mind, the President rejects the counsel of his constitutional advisers and denies the right to question the decision he has made. He bids us quit the path our forbears have trod for 144 years—of national life and freedom and prosperity—and follow him in devious and

uncertain ways. To do this I am not prepared. As for me, the principles our fathers announced—written unchangeably, I trust, in the organic law of our beloved country—shall continue to be the guide to my reason and action. We, the chosen representatives of the people, declared the existence of this war, and it is alike our right and our duty to declare the peace to exist which has, in fact, existed for almost a year and a half. Let us take from the business of the country those artificial restrictions that hamper and distort it and which make the problem of living such a serious one. Let us permit natural laws to be effective. Let us take less thought of the affairs of other people and more of our own. To do our utmost to accomplish these purposes is no less than our plain duty. [Applause on the Republican side.]

Mr. PORTER. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. WOOD]. [Applause.]

Mr. WOOD of Indiana. Mr. Speaker and gentlemen of the House, the United States is occupying a most anomalous position. We are both at peace and war. One day we are told by the President of the United States that the war is at end and that we are at peace. The next day he tells us that the war is on and that there can be no peace until a peace is arrived at entirely suitable to his own purposes.

We are occupying a further anomalous position. Of all the countries engaged in this World War, we are actually the only country that is at peace. France is at war, Great Britain is at war, Germany is at war, Russia is at war, Italy is at war, and there are 20 wars this day going on in the Balkans. Notwithstanding the fact that the league of peace and the treaty accompanying it has been signed and accepted by practically all of these nations, they are now at war.

Demonstrating, if you please, that the United States, following the course laid down by the fathers, is occupying to-day a position enviable in the life of the world. Now, as for 120 years prior to this war, by our precepts and examples, to-day we are doing more for the world and the world's peace and good than all the leagues of nations that have been organized since the beginning of time or will be organized hereafter, demonstrating, if you please, the wisdom of the people of the United States, through the patriotic gentlemen at the other end of this Capitol, in refusing to enter into this compact that has already proven itself to be but a rope of sand. If this League of Nations is what it is purported to be, why is it that France is to-day at war with Germany in violation of the very covenant of that contract, in violation of the law, in violation of the treaty? Why is it that Italy is engaged this day, in violation of the league and of the covenant of peace, in war? No, gentlemen, the world is looking now, as she looked before we entered this Great War, for the helping hand of the United States, and we can give it to her better when this announcement of peace, as an actuality instead of a fiction, is an accomplished thing. Gentlemen upon the other side seem to be raising up a straw man and then tearing it to pieces. No one has contended or will contend here that this is a treaty of peace. This resolution is for the announcement of a status, a policy, and the Congress is the only power in the United States that has the right to declare its policy. When we declared war we formed a policy; when we pass this resolution we will have declared another policy—the very antithesis of war—the policy of peace.

The gentleman from Texas [Mr. CONNALLY] declared that it would be a bad precedent to pass this resolution, for the reason that if it were established that the Congress of the United States has the right to declare peace after we had engaged in war, it might result in great disaster to this country of ours in years to come—that some time we might be in the very midst of war and the people would declare for peace through their chosen Representatives. I dare say that the Congress of the United States has that right. The people of the United States through the Congress declared war. The people of the United States furnished all the sinews of war—men and money. Why, then, should they not have the right to declare peace? There can be a case imagined of our country being engaged in war, where we have fought to the accomplishment of the thing that caused us to enter that war, when the commander of the Army and Navy still wishes to persist in war after the people are satisfied with the result of the conflict of arms and the cessation of warfare.

Is it not within the province of the Congress of the United States, representative of the people, to declare peace? We are not without eminent authority upon this proposition. From the beginning of the Civil War down to its close more than a hundred bills were introduced into this House declaring that it should be and was the policy of the Congress of the United States that the war between the North and South should cease. Nothing ever became of those bills, because the peace-at-any-price Representatives were in such a hopeless minority. One of the greatest lawyers that the State of Indiana ever produced, who graced and graced well the office of Vice President of the United States, Thomas A. Hendricks, in 1864 declared in the Chicago Democratic national convention that it was the bounden duty of the Congress of the United States to declare peace; that the war had proven itself a failure and should be ended. There were many eminent gentlemen who then were upon the other side of this House and upon the other side of this question. Vallandigham, who was recognized as one of the greatest legal lights that the State of Ohio ever produced, also took the position that it was not only the duty but the inherent right of Congress to provide a way for the establishment of peace between the North and the South, whether the President wished such a peace or not. This is a policy that we are seeking to establish by law, and time and time again the Supreme Court has declared the right of Congress to establish such a policy. In almost every revenue act has there been a policy enunciated whereby if certain things should be done by certain foreign countries we in turn would do certain things. Every bill for reciprocity that has been passed by this House has been dependent upon the accomplishment of some object by some other nation or some other power, and then we would do certain things. Fifty per cent of all the laws that are passed by the various States of the Union, as well as by the Congress of the United States, are in the alternative form, depending upon the happening of some event or the development of some condition.

That is all that is proposed by this resolution, that we declare that the war is ended; that we are at peace in fact as well as in fiction.

The other day while the gentleman from Mississippi [Mr. VENABLE] was delivering his speech in opposition to this resolution, I asked him this question: If the Congress of the United States passes a resolution declaring the war at an end and the German Government passes a like resolution, will you say that this would not be a mutual understanding and agreement between the two Governments that a state of peace was established? And he replied, "Absolutely not, for the reason that under our Constitution the power to make international agreements is vested exclusively in the treaty-making functionary, and the Congress has not the right to speak." If the position of the gentleman be correct, if we had a mad Moloch in the White House and continued him there, and the German people had a mad Moloch at the head of their Government and continued him there, and these two mad Molochs persisted in carrying on war, there could be no peace, no matter if all the people in both countries were crying out for peace. Such a condition would be intolerable, and the declaration that such a thing could be is, to my mind, preposterous.

There is a demand coming from all over this land of ours for peace. Never since the Constitution of the United States was adopted—and four wars have cursed our country since then—has there been such a condition confronting the business world as confronts it to-day, due absolutely to the uncertainty with respect to our condition and our war status.

There is one thing certain that the Congress has a right to do under the Constitution, and which it is its bounden duty to do, and that is whenever and wherever it can to provide for the welfare of the country. That is a provision of the Constitution of the United States, and whatever Congress may do that is not prohibited by the Constitution itself, or delegated to the States, it is the duty of the Congress to do for the welfare of the country.

Can anyone here say that it would not be for the welfare of the country that the law with reference to trading with the enemy should be repealed? Is there anyone here who would contend that the espionage act should not be repealed? Is there anyone here who will for one moment deny that the burden that is resting upon the people of the United States by reason of the 63 war laws, enforced in time of peace, is most irksome and unbearable? Nations have gone to war in times past with far less excuse than the excuse which the people have now by reason of these intolerable conditions.

The gentleman from Kentucky [Mr. BARKLEY] is opposed to this resolution because we will have no means of conveying its contents to the German Government, inasmuch as we have no existing diplomatic relations with that Government. While this fact may present some obstacles, I do not think it insurmountable. Some way or another the German Government heard of President Wilson's 14 points and accepted them as a basis for peace, and the armistice followed. We had no diplomatic relations existing then, and now to say that this fact is fatal to this resolution is to confess that our President has not only lost his ingenuity but his cunning as well.

Therefore, I hope that in carrying out that provision of the Constitution which provides that it is the duty of the Congress of the United States to look after the welfare of this country of

ours we shall forget the partisanship that seems to divide us, as we forgot partisanship during the days of the war, when our country's best interests were at stake, and that with practical unanimity we present to the world this expression of our desire for peace. [Applause on the Republican side.]

Mr. PORTER. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. JUUL].

The SPEAKER. The gentleman from Illinois is recognized for 10 minutes.

Mr. JUUL. Mr. Speaker, and gentlemen of the House, Tuesday, April 6, speaking on the subject of House joint resolution 327, terminating the state of war declared to exist April 6, 1917, between the Imperial German Government and the United States, the gentleman from Mississippi [Mr. VENABLE] stated, among other things:

We, the House of Representatives, are to-day seeking to negotiate a treaty of peace with Germany, an interesting but tragic procedure; interesting as showing how far the passions of a time may obscure the vision of men, tragic as a commentary upon what had been the slow assassination of the hope of the world.

The hope of the world referred to, of course, means the League of Nations. I venture to say—and I am saying this after having discussed this matter with men both in the House and Senate—that all of us were eager to see a treaty of peace ratified, and it, no doubt, would have been ratified after a brief debate if the treaty had not been interwoven with articles containing matters which were such a radical departure from and destructive of the power of the American Congress to control the affairs of this Republic under the terms of the Constitution.

All through the gentleman's speech—and it is a very able one—he endeavors to show the helplessness of the Congress, and more particularly so that of the House. His claim is that the Congress, by declaring the war at an end, is making a treaty; that the Congress has not the power in this manner to make a treaty; that this resolution is a treaty; and that we can not have peace and live in amity and carry on commerce with another nation without a treaty; and that having no treaty necessarily means a state of war with that nation. I am reminded that in 1911 I introduced a joint resolution in the Senate of Illinois calling upon the Illinois representation in Congress to secure the immediate abrogation of our treaty with Russia, which had been in existence since December 18, 1832. That resolution was passed in Illinois April 27, 1911. The reason for its passage was Russia's refusal to recognize American passports when presented by our Jewish citizens.

The resolution was presented on May 8, 1911, in the United States Senate by Senator Cullom, who was then chairman of the Senate Committee on Foreign Relations. (See CONGRESSIONAL RECORD, 1st sess., 62d Cong., p. 1067.) Senator Cullom took a lively interest in the matter of the treaty, which was finally abrogated.

The date of the approval was December 21, 1911. I believe Representative Sulzer, of New York, introduced the final resolution in Congress. Since then we have lived in peace with Russia for many years, and the lack of a treaty did not mean war. So we can declare war at an end, transact business with Germany, and make a treaty when we can get around to it, by and with the advice and consent of the Senate and a President who is willing.

Congress is not near as helpless as our Democratic friends would have us believe. War would not go on forever without affirmative action by the Congress.

Article I, section 8, of the Constitution provides among other things:

The Congress shall have power to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years.

So you will note that the fathers who drafted the Constitution wanted no war to go on for more than two years, without the proposition to pay for the war had been submitted to a newly elected Congress coming direct from the people.

Some of the reasons, stripped of all embellishments, why the treaty was not ratified were simply these:

The treaty provided for 6 votes for the British Empire in matters of arbitration, and it generously gave us 1. I do not know how the average American feels on this subject; however, we will know in November, but I do know I would hate to try a lawsuit before a jury where the other side already had six jurors in the box and I could only place one. I do not know how the average American feels about article 10 of the league constitution, but we will probably know in November, but I think the language is so fraught with danger that it should make any American afraid of its possibility for evil. Listen!

The members of the league undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all the members of the league. In case of any such aggression the council shall advise upon the means by which the obligation shall be fulfilled.

In other words, should the council decide that American boys were to be sent overseas to lay down their lives for a cause with which we have no concern and in which we are not interested, what has the American Congress to do with it?

The Congress shall have power to declare war, grant letters of mark and reprisal, and make rules concerning captures on land and water.

The treaty was not ratified because the Senate refused to turn that power over to a council sitting in Europe, and which had received its advice from a board in which one of the signatory powers to the treaty could offer 6 votes of advice to the 1 the United States could cast.

I am for this resolution! I am for it because I believe the time has come. I am for it because I believe the world is weary and sick at heart and tired of bloodshed. I am for it because I want to see the time return when all Americans, no matter from what race descended, may again dwell together like brethren in unity. I am for it because it is time for the doctrine of hate to cease. Let us all get behind this resolution. Let us all bend every effort to do all that is humanly possible for our brave boys who made victory possible. Let there be tears for our heroic dead who sleep far from home in "Flanders fields." Let there be immediate and liberal recognition, aid, and training for our wounded. Let there be substantial and immediate recognition of all who came when they heard their country calling. But let there be peace. [Applause.]

Mr. PORTER. I yield to the gentleman from North Dakota [Mr. BAER].

Mr. BAER. Mr. Speaker, peace is a food problem. Food is the problem of all problems, and until we find its intelligent solution no other problem can be settled. Basically, agriculture is the foundation of all industry, and if farming is not made attractive and profitable and the farmer's produce economically distributed, not only food production but all other production will become paralyzed.

As history slowly winds its way along the pathway of time records will invariably prove that following a period of agricultural depression the great centers of wealth and industry crumbled. When the cities have enriched themselves at the expense of the country whole nations have been destroyed. The decay of agriculture destroyed Greece, it destroyed Rome, Spain, and Portugal. The France of the eighteenth century was destroyed by the same cause. Contemporary history proves that the building of great industrial centers and the neglect of the peasantry has destroyed modern Germany, Austria-Hungary, and Russia. It is not the propaganda from without, but the poison of privilege from within, which has led to agricultural decay and finally to economic suicide. It seems unnecessary to prove to any intelligent thinking person that farmers have forever formed the basis of social stability in a nation. Therefore the greater the capacity of a nation to raise foodstuffs for its own maintenance, the greater is its immunity from world war and internal disturbances.

Among all the gigantic industrial problems there is none more important to my mind than the readjustment of our system of distribution in order that the farmer may get a greater share of that which he produces and that the consumers on the other hand may pay less for distribution.

This is not only a problem in the United States but it is a world problem. It is, furthermore, not a temporary problem, but one that continually demands the attention of legislators as well as patriotic citizens. Premier Nitti, of Italy, informs us that there are in Europe 300,000,000 men not producing the necessaries of life. Just think of it! Can not any normal mind immediately realize that this is the cause of unrest and revolution in Europe? Is it not the fact that the European countries have been compelled to import from 30 to 80 per cent of their foodstuffs that has led to all the great naval armaments of the world and the burden which they throw on the backs of the people? Nations which do not produce their full requirement of foodstuffs necessarily have to reach out for overseas trade. They have engaged in a fierce competition for world markets to unload their nonfood products in order to exchange them for food supplies, which inevitably leads to world war. When the population of a nation becomes overcrowded and can no longer obtain sufficient food from foreign nations, it becomes necessary for it to expand—thus a lack of food supply creates imperialistic designs and all the irritations which it implies. Take, for instance, Germany. Before the war we found there were 271 people there to the square mile. When compared to

the United States, which has only 37 to the square mile, one immediately sees the purposes in the minds of the autocratic overlords who desire to extend their territory. I cite this as additional proof that peace is a food problem. Thus the lack of food production is the cause of war while a sufficient supply of food products means economic independence and insures peace.

Mr. Speaker, I recently read the astounding newspaper report taken from the census figures that several million farmers have left their farms since we reached the peak point of rural population. This in itself proves conclusively that there is little of attraction for the small farmer. The farmer's sons have also gone to the city where higher wages and the attraction of city advantages have held them since the war. Farm labor is very scarce. According to recent agricultural reports, winter wheat has fallen off over 25 per cent. There will probably be as great a decrease in the spring wheat acreage. An equal or greater percentage of decrease applies to all farm products. Every agricultural economist in the country has pointed with great alarm to this falling off of food producers and the increase of farm tenantry. I have several times called the attention of the House to the fact that in Illinois, for instance, 50 per cent of the farms were owned by absentee landlords, while in Kansas the same percentage will apply. In 1880, 84 per cent of the farmers owned their farms in Kansas. The average for the United States shows that 37 per cent of the farms are operated by tenants. I am proud to state that in North Dakota only 14 per cent of the farmers do not own their farms. With the wise legislation which has been recently passed and which will allow the returned soldiers and other citizens to buy farms on easy terms, I believe that even this small percentage will be reduced.

The problem of distribution is even greater than that of agricultural production. A close analysis of the character of the spread between the farmer and the ultimate consumer shows that decreases in the price of foodstuffs and wearing apparel find immediate reflection on the farmer, while increases in the cost of living result in the farmer receiving only a lagging increase while the vast proportion of the increase is absorbed by the trades between, namely, the buyers, the brokers, the manufacturers, the wholesalers, the jobbers, the retailers, and transportation. We must eliminate not only the useless parasites—the speculators and gamblers, which add no value to the products—but also the waste and extravagance of the legitimate members of our present system of distribution. I have introduced a bill which will absolutely prevent gambling in the necessaries of life by price manipulators who do not have any right, claim, or legitimate existence in our system; and, secondly, I have introduced another bill which would regulate the packers and all necessary and legitimate middlemen. I consider some legislation of this kind imperative and I regret that it was not passed long ago in order to meet the urgent conditions of readjustment.

In order to prove the statement that I have just made, namely, that the consumer does not receive the immediate benefit of the reduction of the price to the farmer, but that it is absorbed by the trades in between, let me call your attention to a book published by Armour & Co. under the head of "1919—A Year of Falling Markets," where I find the following:

> While wholesale meat prices remained high for some months after the signing of the armistice, a marked decline took place during the latter part of 1919. Wholesale beef prices, which stood at an average of $21.43 per hundredweight on the 1st of May, 1919, fell to $14.72 by the 1st of December. Hog prices, which were at a governmental guaranty of $17.50 during the war, rose to $23.60 in July, 1919, and then declined to $13 by December.

There are many significant facts which Armour's own figures disclose. First, when the farmers were not selling hogs they reached the peak point of $23.60, but in the late fall, when the farmers sold, the price fell as low as $13; and, secondly, while the wholesale price of beef fell 30 per cent from May to December and pork fell 45 per cent from July to December, consumers in the East enjoyed none of this decrease in 1919. It was about the 1st of August last year that Attorney General Palmer started his "campaign against profiteering." The price to the farmers fell 43 per cent during a three-month period, while, at the same time, I am reliably informed by a secretary of a consumers' league, that the price of pork was raised 15 per cent in eastern markets. I have talked to thousands of consumers at meetings, and after calling their attention to this great decline in the price of cattle and hogs to the farmers I have asked if any of them had noticed any falling off in the cost of beef and pork. I found none.

If we take the Swift dollar, which has become so popular through advertisements which cost the packers a million dollars a month, according to a Senate report, we find the claim that the packers receive less than 2 cents out of a consumer's dollar. When the farmer receives 45 cents less out of the consumer's dollar and the consumer is compelled to add 15 cents more to his dollar, as the market fluctuations in 1919 showed, then "somebody" gouged the consumer out of 60 cents when he spent a dollar and fifteen cents in the local market.

In other words, every time a fluctuation occurs in the hog market the farmer has to bear almost the entire burden of the fall in the price, and the middlemen enjoy the benefit of the decline by refusing to lower prices to the consumer. Furthermore, when there has been an increase in prices the tradesmen have absorbed the whole increase, and the profit has not been equitably reflected in the price to the producer. Neither the producer nor the consumer enjoys the benefits of the market fluctuation.

Five-sixths of the marketable live stock of the country is raised west of the Mississippi River, and the producer wants to see the consumer in the East enjoy a proportional decline in prices when he receives lower prices for his hogs and cattle.

The southern producer is likewise discriminated against. An inquiry into the reasons for the enormous advances in the price of cotton goods would reveal that the cotton goods manufacturers are profiteers of the worst sort. Representative TILSON, of Connecticut, a New Englander, made the statement recently that "the prices for cotton goods had advanced 600 per cent since 1914," although the cost of raw cotton and mill labor had not advanced more than 100 per cent during that time. Both the New England and southern mills have reaped enormous profits, and the producers of cotton are not able to get even the cost of production for their products. It is interesting in this connection to note that the railroad brotherhoods have bought several factories and are manufacturing overalls for the workers from 30 per cent to 40 per cent less than they cost in the open market.

In southwest Texas the Government encouraged the farmers to raise beans during the war. The farmers are now receiving 2½ cents per quart for their beans, and there is an enormous supply. The freight on beans to Boston, where they are popularly known as an article of food, is 1½ cents per quart, while in Boston they sell for 18 cents per quart. The farmer gets less than 3 cents for raising the beans, and it costs more than 15 cents to handle them.

Somebody is making huge profits in woolen goods, and it is not the woolgrower. Mr. Figg, an attorney employed by the United States Department of Justice, boldly declared that the retailers in eastern cities are making a profit of from $30 to $60 per suit on men's clothes. He does not refer to the other profit all along the line before the suit comes to the retailer; but I have already placed in the CONGRESSIONAL RECORD statistics showing the enormous profits of the woolen goods manufacturers. They are well organized; even better to-day than when the National Association of Wool Manufacturers was able to place its own agent as clerk of the Ways and Means Committee of the House of Representatives, and by so doing lifted clothing prices by writing schedule K into the Taft tariff bill. As in all other industries, a great speculative combine has grown up, and huge profits are being made. The flying squadron of the Department of Justice brought out the fact before a Federal grand jury that concerns in Philadelphia had made 175 per cent profit in their iniquitous gouging of the public on clothes.

Mayor Shank, of Indianapolis, some time ago, as you all know, bought several carloads of potatoes at Grand Rapids for 50 cents per bushel from the jobbers, the farmers receiving 40 cents, and he sold them in his city for 75 cents, while they were costing the consumer at the same time $2 per bushel. He handled potatoes for 35 cents, which the profiteers got $1.50 a bushel for handling.

The Philadelphia Public Ledger in a scathing editorial revealed an instance of profiteering by a Providence, R. I., shoe firm to the extent of 800 per cent. "We have no defense to offer" was the firm's reply to the charges preferred by the United States district attorney. In showing up the methods of this firm, the editorial states:

> The officers of the company designedly and with cool premeditation subsidized their salesmen to "gouge" their customers out of just as much money as they could manage to get. There was no pretense of fair and honorable trade—the selling of an article for its honest worth, with a fair profit and a fixed price. The salesman was apparently told to size up each customer and charge him all he would stand for each variety of shoe. There was no notion of sticking to the assigned price, but only the bandit rule of collecting "all the traffic will bear." And to make sure that the salesman would follow out this nefarious policy they were actually paid commissions on all money obtained from customers above the sale price of shoes as fixed by the company.

The Baltimore News states that shoes which cost $2.26 to manufacture are sold to the retailer for $10.98.

Financial America declares that light coats which cost $7 before the war now bring $40, an advance of 470 per cent. At the same time the secretary of the National Wool Growers' As-

sociation, speaking of clothing, points his finger at those who handle the product from the time it is sheared until it is handed the customer in the form of a suit by emphatically stating that there can not possibly be more than $7 worth of the finest wool in a $75 suit.

The report of the California Fruit Growers' Association shows that the grower received on an average for the past four years $1.60 per crate for oranges, while during the same period the consumer paid an average of $4.80. In New York City people paid 14 cents a quart for milk for which the farmer received 5½ cents. In South Bend, Ind., tomatoes were selling for $3 per bushel, while the farmers, 135 miles away, received 60 cents per bushel. A farmer gets 25 cents a pound for cotton. We must pay $4.50 for that pound of cotton when woven.

All these illustrations that I have given tend to show that there is too great a margin between the producers and the consumer. Mr. H. W. Collingwood, editor of the Rural New Yorker, has made a lifelong study of the subject of marketing. He states that 35 cents out of the consumer's dollar is all that the farmer receives. I could cite numerous instances where the tradesmen in between take two, five, and even ten times the cost of production for handling. Through these wasteful methods of handling it costs from $2 to $5 to deliver $1 worth of food. Stated in terms of man power, it takes from two to five men to handle a one-man power product.

These figures all show that we need a new and scientific method of marketing. Every plan, whether it be through co-operative movements, the municipality, or the State, requires the earnest consideration of every patriotic citizen. The question of municipal and State ownership always raises the cry from the wealthy profiteers of "socialism." Twenty years ago the man who advocated municipal ownership of public utilities was dubbed an "extremist" and a "socialist." But the people in the cities found that when certain private corporations had monopolized the public utilities and charged exorbitant rates for gas, water, and electricity they were compelled to take over these public institutions and run them for the benefit of all the citizens instead of for the aggrandizement of a few.

Take, for instance, my own State. The cities had bonded themselves for over $17,000,000 for streets, waterworks, sewerage, lighting plants, and other public utilities. In two cities they had even issued bonds for a municipal auditorium and a theater. These things were essential for the public welfare and convenience. They were, however, "luxuries" to the farmer who plodded through a foot of mud in the early morn with a lantern when he went to the barn to do his early morning chores. The farmer felt, and rightly so, owing to the fact that there was no other great industry in North Dakota except farming, the credit for the issuance of all these municipal bonds was based directly on the prosperity of the rural districts. If a pest or other calamity had wiped out the farming communities the cities could not have sold one cent's worth of their bonds. If the reverse has happened, however—that is, the cities had been wiped out by a fire or other misfortune and there was a rich and prosperous farming community surrounding them—they could immediately issue bonds and rebuild their cities overnight. This was right and the farmers had no complaint; but when the farmers advocated a State bond issue for $5,000,000, which for each farmer was only one-tenth the amount that each person in the cities was bonded for, the reactionary elements in the cities raised the cry that such an effort on the part of the farmer was "socialistic." Furthermore, the farmer wanted to issue these bonds on his own credit for economic necessities to market his grain. In other words, it seemed very inconsistent to the farmer for his urban friend to stand on a municipally owned curbstone built by bonds, with his foot on a hydrant built by bonds, leaning against a municipally owned electric-light post built by bonds, and with all the other city conveniences, even to a theater and auditorium, built by bonds, and say to his farmer friend who stood on a bonded pavement, "You are a socialist because you want to bond on your own credit to build an elevator and a flour mill."

I recollect an incident when a publicly hired policeman once walked across a publicly owned pavement, over a publicly owned electric-car line, and then over a publicly owned sidewalk into a publicly owned park, and up into a publicly owned bandstand, and arrested a public speaker and took him to a publicly owned court, where he was tried, and then to a publicly owned jail, where he was imprisoned for talking on "public ownership."

A hundred years ago the man who advocated the public school was a "Socialist," according to the wealthy tories, but it was not until men advocated public ownership of utilities which could be monopolized and yield exorbitant profits that the vicious fight was made. For instance, we all recall the fight made against parcel post by the express companies and the railroads, which called it "paternalism" and "socialism." One can advocate public ownership and the issuance of bonds for public schools, jails, fire houses, and hospitals, and any other institution in which there is no profit and he will not be subject to criticism to-day. But let anyone advocate the public ownership of a natural monopoly through which all the great fortunes in this country have been built up and that man is immediately called a "radical" and a "dangerous citizen."

Many progressive cities and States, however, are endeavoring to solve the marketing problem by taking the matter into their own hands, as Cleveland has tried to do, as Seattle has done when it invested $7,000,000 in wharves and storage, as Detroit recently did when it vote $15,000,000 for municipal railways, and as the State of Louisiana did when it built its State-owned cotton warehouses and grain elevators at the cost of about $20,000,000. Other cities, too numerous to mention here, are accepting the principles of public ownership. Australia, New Zealand, Norway, and even conservative England are doing it. Public ownership has passed the experimental stage.

This recalls to my mind the benefits of the Australian system during the war. The system of distribution was so efficient that it cost only 1 cent to take a pound of butter from Australia to the heart of London. The farmer in Australia takes his produce to a local depot, where the agent of the railway controlled by the Government gives him a check. The railway carries the produce to seaboard, and in turn is paid by the Commonwealth Government Merchant Marine, which is owned by the producers of Australia, and by which it is delivered to the Government in England or elsewhere. The result of this great system is that it costs less to handle a product raised in the central part of Australia from the time it leaves the local terminal until it arrives in the heart of London than it does to get the same product from outside an American city to the table of the ultimate consumer. If America had such a system the cost of living would not be a problem; there would be no industrial strife, strikes, and other disturbances.

But we need not go to far-off Australia to find prominent men, in addition to Gov. Frazier, of North Dakota, and other Nonpartisan League leaders, advocating a similar program. In his annual message to the New York Legislature, Gov. Smith recommends the following:

1. A minimum-wage law.
2. The eight-hour day for women workers.
3. Maternity insurance for expectant mothers.
4. Extension of workmen's compensation to cover occupational illness and accidents.
5. Appointment of State physicians and nurses for rural communities now destitute of medical aid.
6. Ownership, development, and operation of all water powers by the State.
7. State owned and operated grain elevators after the manner of the Nonpartisan League experiments in North Dakota.
8. Recognition of the production and distribution of milk as a public utility, subject to control in all details.
9. Municipal operation of public utilities.

Curiously enough, the big New York papers like the Times and the Tribune do not attack the propounder of this platform, which is similar to and even goes farther than the program of the North Dakota Legislature. They do not cry "bolshevism" and "un-American" methods when the governor of New York advocates a progressive platform, but they reserve their epithets and false statements for the splendid governor of North Dakota, Lynn J. Frazier. Perhaps they know that the New York Legislature is sufficiently reactionary to kill all popular legislation, and they are willing to let the Tammany governor gather a little harmless popularity.

Even as conservative a weekly as Collier's had a splendid editorial recently in which it advocated a "plank for our backbone." I have permission from the editor, whom I complimented on this editorial, to insert the same in the RECORD, and it will be placed in the RECORD in connection with my remarks at this point:

You, Mr. Will Hays, chairman of the Republican National Committee, and you, Mr. Homer Cummings, chairman of the Democrats, if you seek big work for parties to do, here is something for your attention. And you, Gov. Lowden, Mr. McAdoo, Mr. Palmer, Mr. Hoover, Gen. Wood, and Senator Johnson, and all those other aspirants who seek vital issues, here is one. It is one for you, Mr. Meredith, new Secretary of Agriculture. And it is one for you, the industrial laborer, and you, the banker and the clerk, the manufacturer and the sailor, the miner and the city dweller. It is one for you, the town man, walking on pavements, toiling in offices, living in apartments, and confused a little by the complexities of the material civilization around you, forgetting the thing by which you live. It is one for you, whoever you may be; it is one for your political party, whatever may be your political party. It is even more fundamental than many of these other issues that have made the veins of foreheads stand out with the strain of thinking about faraway foreign entanglements, and destructive

quarrels between capital and labor, and tariffs, and taxes, and universal military training. And it is just as pressing. The reason we all forget the most vital thing in a nation's life is that we often forget the same most vital thing in our own lives because we accept it as we accept the morning and the evening.

The most vital thing in our lives is three meals a day.

The most vital thing in a nation's life is food.

The producer of food is the soil.

And it is none too soon for political parties and all of us voters, and those of us who make any pretense of thinking clearly, no matter how humble we may be, to turn our attention to the farmer of the United States.

We are facing an agricultural problem in the United States just as sure as sunrise.

That's a disease in the backbone of the country!

NEGLECT.

The New York Tribune has been offering prizes for planks for a political platform. Good service! Because it interests the voters in the job of making the country. But in three weeks, yielding 2,225 suggested planks, the order of subjects was this: Foreign Relations, Americanization, Labor and Capital, Social Legislation, Constitutional Rights, Bolshevism, Cost of Living, Budget, Free Speech, Taxation, Army and Navy, Mexico, the Woman Voter, Tariff, Railroads, Conservation of Resources, Aid for Soldiers, Immigration, Merchant Marine, Control of Big Business, Prohibition, Island Possessions, Control of Public Utilities, the Negro Problem. That is largely a yield of urban thinking, but it is a fair sample of the country's immediate interest.

Among these planks, where is the soil? Where is the farmer? Where is the future of American agriculture?

The other day one of the most astute political observers returned to Washington from a tour of the country. He told us that the people of the United States were interested in three things: First, having the treaty fight out of the way, they are for a league of nations, but with bombproof reservations; second, to get back to realities from an idealism that doesn't ideal; third, to have a Government that is thrifty, businesslike, with a good administrator at its head. We asked whether there was interest in the basic, the ground-floor, basic industry of America—the tilling of the soil. He said: "No."

If Roosevelt had been alive, there would have been interest in this, the agricultural, question. We used to hear him talk about it informally over and over again, doing as he always used to do—feeling his way into big things for big ends.

BIG THINGS AND BIG ENDS.

America has done not only the big job of feeding herself; when Europe became intensive and industrial and overpopulated she fed Europe. She had the only unexhausted soil of great area in the whole world, except one, Russia. She worked it to a frazzle. She exploited her soil in her big, resourceful, wholesale way, and it became the same old story. America's population grew like mad; she exploited her soil like mad. Population will always catch up with an exploited soil, and this point will soon be reached in America. She can not go on feeding Europe long. Anyone can sense it. Anyone who has learned that it was Germany who was topnotch record holder in making the fewest acres feed the greatest number of persons, while foolish Great Britain allowed her "tight little island" to turn everything into grass to feed meat animals, knows that when we begin to talk about intensive agriculture it is not only a sign of intelligence, but a sign that the old day of the virgin soil and the big crop surplus for Europe is coming to an end. As it came to an end a shrewd nation would be straining every effort to make farming a paying, satisfied, intelligent, permanent, soil-conserving business. It is bound to be the basic industry, certainly while we export food and certainly even later, when we stop exporting food and begin the struggle to feed ourselves. It is the industry that gives us our three meals a day; when we can get along without anything else we shall still be yowling for those three meals. The soil and the farmer are the foundation of our national life, and yet we are neglecting our soil and our farmer.

ASLEEP.

What an extraordinary thing it is that the big political parties are blind to the great dangers creeping up our agricultural backbone. Anyone would think that the mere expediency of selfish political strategy would direct a strong attention upon the welfare of an industry that furnished us with 25 per cent of the draft men; with an industry that probably in terms of man, woman, and child still engages and supports a third of our population; with a national industry that works more acres of land than Great Britain, France, Germany, Belgium, Italy, Portugal, and all the European allies, excepting Russia, combined, and Canada thrown in for good measure; with a national industry employing more workers of the soil than in any other country in the word except British India, China, and Russia. How extraordinary that there should be failure to look back upon history and realize that no fundamental revolution ever takes place unless it involves the soil and the workers on the soil! In the absence of serfdom it is bound to take place when the tillers of the soil are unable to endure the results of two leeches that will suck the life blood of agricultural industry everywhere and anywhere that sane government does not step in and say "Off!" We go on, however, applying no effective check upon these two encroachments on the welfare of our farmers. Are we sound asleep?

THE LEECHES.

The two parasites on agriculture have always appeared and probably always will appear. They have appeared in America. The first is a parasite on the land; the other a parasite on the distribution of the product. The first is the land hog; the second, the middleman or profiteer, who always squeezes in between the farmer and the consumer. The first is responsible for replacing the landowning farmer by the tenant farmer; the second is responsible for sucking away the farmer's profits and the consumer's welfare.

When the Post Office Department sent out recently a questionnaire to the farmers of the country it received replies that would make an American's hair stand on end. Here was a chorus of dissatisfaction. Some of it can be discounted, because no interrogated class would ever return a verdict of "satisfied." But the replies left no doubt that the farmer of America knows that between the little price that he gets and the big price the consumer pays is the profit of the leech; and it makes no difference whether this leech is a slippery, antiquated system of food distribution or a scheming class of profiteers.

The first leech, not half seen by us fellows in cities, is infinitely more dangerous and difficult to dislodge. The land hog in the end will do more harm to the future of American agriculture than all the rest of the difficulties that may beset it. The land hog begins to develop his activity at the exact period that anyone could foresee—when we have begun to come to the end of our cultivatable land and are nearing the point where our soil production is being chased by an increasing population. Get a little land hunger and you have the land hog. Then comes this capitalist who sees that farm lands are going up. He is not a farmer. He is a speculator, holding land for a rise. He is a mere landlord. He is the creator of the tenant farmer. By having more capital to work with, he takes away the land of the farm-owning farmer and leases it to the poor devil who, compared to the homestead farmer or the big-production landowner, is a fly-by-night.

Does the tenant farmer enrich the land? No. Does he attach his family to a community? No. Does he build good, permanent farm buildings or keep up the roads? No. Can he keep his son and daughter on the farm with no future to offer them? No. Is he immune to bolshevism, as the French farmers, 80 per cent of whom own their land, are immune to bolshevism? No.

With the landowning permanent farmer, who has to use fertilizer and pay interest on invested capital, does he compete on an unfair basis? Yes. Does he lower the standard of living for farmers? Yes. Does he create an undependable, shifting type of farm labor? Yes. Is the tenant farmer on the increase in the United States? Astonishingly, yes.

The tenant farmer is increasing faster than any of us have begun to realize. In Illinois, Kansas, Iowa, Nebraska, Ohio, Indiana, and Oklahoma the situation is serious already. In Illinois 50 per cent of the farming is done under absentee landlords. Gov. Henry J. Allen, of Kansas, who has done more than anyone to sound a warning and provide a remedy, found that in his State, in 1880, the owner farmers were 84 per cent, the tenant farmers 16 per cent; in 1918 the owner farmers were about 50 per cent and the tenant farmers about 50 per cent. Henry Allen says: "Farm tenantry will ruin a country unless halted." In Kansas there has been an increase in population, but a decrease in farm population. At one time the inroads of land hogs and tenant farming actually decreased the population of Iowa. Absentee landlordism drives the American off the soil.

REMEDY.

These are the two reasons—the menacing, increasing power of the two leeches—that make Collier's call upon the political parties to give attention to the farmers of the country. Some of the relief may be by national action; some of it will be by State action stimulated and driven by the party with the power to see far enough ahead toward a crisis in our basic industry. So long as our national parties are paralleled in State organizations it will always be open to them to exercise a powerful influence, not to dictate State legislation but to thrust the need for it under the nose of the voters.

We want the distribution leech removed from the farmer by:

1. Wise regulation of freight rates on farm products.
2. Close supervision of commission houses and middlemen.
3. State aid or actual State distribution through public agencies if necessary.
4. Encouragement rather than adverse legislation for cooperative distribution by farmers and for cooperative buying by consumers.

We want to remove the land hog—this absentee landlord leech—and put the land-owning, permanent, contented American back on the land by:

1. Extending much more widely, by Federal and State action, the use of capital, not only to the farmer who already owns a farm, as in the present Federal plan, but to the man who wants to buy a farm and go on the land.
2. Adjusting taxes so that the burden falls on the land hog and his land rather than upon the buildings or improvements or the product of farm labor.

Mark it well. Read it in history. When the rich absentee landlords get the land, it is taken away from them. If it is not taken away by wise laws and given to those who work it, it will always in the end be taken away by revolution.

Our political parties may well take heed of it in time, for the remedies should be devised by all the people. Farmers are not a class organized for political action around a special, selfish, sovietized interest.

I want to make a brief analysis of the remedy suggested by this able editor and the program of the Nonpartisan League. The program of the Nonpartisan League contains five simple planks, which are as follows:

1. State ownership of terminal elevators, flour mills, packing houses, and cold-storage plants.
2. State inspection of grain and grain dockage.
3. Exemption of farm improvements from taxation.
4. State hail insurance on the acreage-tax basis.
5. Rural banks operated at cost.

In No. 3 of the suggested remedies Collier's advocates "State aid or actual State distribution through public agencies, if necessary." No. 1 of the Nonpartisan League program means just this: State ownership of the terminal facilities of distribution. There can be no question in an unbiased mind that the governor of New York, as well as Collier's Weekly, advocates this same plank, if necessary.

In No. 2 of this popular magazine's remedy we find "Close supervision of commission houses and middlemen." In No. 2 of the league program we have "State inspection of grain and grain dockage." As the grain dealers are our principal commission men or middlemen, this plank also closely conforms to that of the National Weekly.

In No. 1, namely, "Wise regulation of freight rates on farm products," Collier's has advocated exactly what the new railway commission elected by the Nonpartisan League is endeavoring to carry out in North Dakota.

Collier's editorial goes on to say:

We want to remove the land hog—this absentee landlord leech—and put the land-owning, permanent, contented American back on the land by (1) extending much more widely by Federal and State action the use of capital not only to the farmer who already owns the farm, as in the present Federal plan, but to the man who wants to buy a farm and go on the land.

This is the intent and purpose of plank 5 of the league program, which is "Rural credit banks operated at cost." The Bank of North Dakota is now in operation, and it extends the use of capital to the farm owner on first-mortgage security at a lower rate of interest than that which has prevailed in North Dakota for years. Since the league legislators came into power in North Dakota they have passed a home-building act which has made it possible for the man who wants to buy a farm and go on the land to obtain it on a small payment, with deferred payments for a long term of years and at a low rate of interest. I shall treat in detail this splendid law a little later on in my remarks.

In No. 2 of Collier's remedy the editor suggests "adjusting taxes so that the burden falls on the land hog and his land rather than upon the building or improvements or the products of farm labor." In No. 3 of the league program we find the exemption of farm improvements from taxation, which, of course, means the same thing.

It is strange that the many presidential candidates, with but one exception, have not advocated a definite program for agricultural readjustment. Is it not strange also that in more than 2,200 suggested planks submitted to the New York Tribune for a prize there was none for the "backbone of the nation"? I want to take this occasion to compliment highly the progressive and forward looking attitude of Collier's, one of the greatest of our American weeklies.

Mr. Herbert Hoover, in the Saturday Evening Post, recently wrote a splendid article entitled "Some notes on agricultural readjustment and the high cost of living." While I am not boosting Mr. Hoover for the Presidency, I recommend that Members of the House who are interested in this problem read his article. Mr. Hoover handled this great problem during the war, and I do not know of any other economist in public life who has a better understanding and a more comprehensive plan for solving this problem. Every line of his article is worthy of consideration; but in connection with my argument I desire to quote the following excerpt:

> Another factor in transportation bearing upon the problem of marketing is the control by food manufacturing and marketing concerns of refrigeration and other special types of cars. This special control has grown up largely because, owing to seasonal changes in regional occupation for these cars over different parts of the country, no one railway wished to provide special cars and service for use that may come its way only part of the year. The result has been to force the building up of a domination by certain concerns which control many of the cars and stifle free competition. Much the same results have been obtained by special groups in control of stock yards and, in some cases, of elevators. Where such formal or informal monopolies grow up they are public utilities, and if the farmer is to have a free market they must be replaced by constructive public service.

I could go on and state numerous parallel cases where the article of Mr. Hoover is similar to the program of the Nonpartisan League, and I believe that this is a compliment to the economic foresight and intelligent leadership of the farmers of the Northwest. I do not want to even suggest by these remarks, however, that the editor of Collier's, the governor of New York, or Mr. Herbert Hoover are potential members of the Nonpartisan League, nor do I know whether or not they have the slightest sympathy for the movement. If they read certain newspapers in the East they would probably be shocked at such mention in this speech, but I am sure if they, as well as other citizens, would go to the source for the facts concerning the Nonpartisan League movement they would find that it has much in common with their views.

The State Legislature of North Dakota passed the industrial commission act—the parent bill of the Nonpartisan League program—but in addition to this it passed many other beneficial laws for both the people in the cities and the laboring men as well as the farmers. For the information of the House I shall insert a list of the most important features of the program.

Bank deposits guaranteed.
Better grain grades, based on milling and baking values.
Pay for dockage or its return to the farmer to be used as feed for his animals.
The milling of wheat in the State, thereby preventing a double haul, and saving the by-products for use in the State, increasing business and industry and conserving soil fertility.
The State-owned bank, whereby the funds that belong to all the people are made available to finance the activities that belong to all the people.
A State-owned coal mine, to supply at least the State's own buildings.
An industrial commission charged with the management of the State's industrial activities, elected by and responsible to the people.
Hail insurance at cost.
Fire insurance on public buildings at cost.
State bonding of public officials at cost.
State aid to drought sufferers.
State aid to dairy associations.
Rural credits.
Reduction of the spread between the prices paid to producers and the prices charged to consumers.
A State of home owners (as the homestead act was the most beneficent piece of legislation ever enacted by the Federal Congress, so may the home building association act prove to be the most beneficent piece of legislation ever enacted by a State legislature).
Exemption of farm improvements from taxation.
Exemption of the small city home from taxation.
The redistribution of taxes more in accordance with privileges enjoyed and ability to pay.
Uniform warehouse receipts and a uniform sales act.
Encouragement of improvements and discouragement of speculation.
Simplified court procedure.
Equitable assessment of property for taxation.
Thirty days' notice before mortgage foreclosure.
A soldier's compensation law, the first and the most liberal enacted by any State.
A moratorium act, effective until one year after peace is declared.
The lowest draft cost per soldier of any State in the Union.
Workmen's compensation, the most liberal in existence.
Benefits to dependents of employees killed.
Beneficial and just labor laws.
Woman suffrage, with provisions enabling all women entitled to the ballot to cast their votes.
An eight-hour day and a minimum wage for women.
Stringent regulations as to employment of minors.
Pure drugs and sanitation legislation.
Night schools and enlargement of school facilities.
Stringent and effective morality laws.
Rural school betterment.
Recall of public officials.
A full line of repairs to be carried by dealers for machinery sold in the State.
Loyalty to the State and obedience to its laws.
Patriotism and love of country.
Free speech and free assemblage.
Fairer railroad rates.
Flood control.
Encouragement of cooperation.
The realization of democracy as written into our constitutions and preserved in our traditions.

The North Dakota Legislature is the first legislature in the world, to my knowledge, which has carried out its preelection promises. The majority of the members of the house and the senate were elected by the farmers who belonged to the Nonpartisan League and the progressive citizens who lived in the cities. The president of the Nonpartisan League is A. C. Townley, and great credit must be given to him for his splendid organizing ability and leadership. The opposition to the league has not attempted to attack these splendid laws, but has confined their attacks to personal abuse, catcalls, and slander. Their campaign of vilification is naturally directed at the leader, and therefore they attempt to belittle this beneficent program by calling it "Townleyism." They have at least failed in the Northwest, where the league is growing stronger every day, and the present prospects assure a victory in many States at the coming elections.

There is one measure that I should like to call to the attention of the House in greater detail, and that is a law known as the home-building act. I would heartily recommend this plan to the Federal Government to carry out the soldier's bonus legislation. This act is under the administration of the industrial commission, and on account of my limited time I can not point out the benefits of each law in detail, so choose this one.

This law allows any citizen of North Dakota to buy a home up to the amount of $5,000 or farm up to the amount of $10,000. In the case of a city home or dwelling the law requires a group of 10, who form a home-buyers' league. This league then elects its officers, and upon the deposit of one-fifth of the cost of the proposed home by any one member the State of North Dakota proceeds to erect the dwelling. The balance is paid by means of deferred payments covering a period of from 10 to 20 years. The results of this plan are that the worker can build a home, and the payment, including the principal and interest, is less than half the usual charge for rent for a like home. This law would solve the rent problem in this country and do away with the discontent and unrest which is caused by high rentals in the cities. Regarding the farm features of this law for homemakers will say that one-fifth the amount of the cost of the proposed farm and the same plan of payment is adopted.

The soldiers in North Dakota are given extra compensation of $25 for each month they served, provided they use such compensation for buying a farm or city home or in furtherance of their education. A soldier who served two years has $600 to his credit and will be allowed under this act to buy a $3,000 home or farm.

I challenge anyone to point out where such legislation does not make for more loyal citizenship and a truer Americanism. Is there any better way to make a law-abiding and patriotic citizen than to encourage him to own his own little home or farmstead? This is only a sample of the numerous laws which have been passed by the legislature in North Dakota.

Our country has always been an inspiration to all the nations of the earth. The first Republic now finds its counterparts increasing so rapidly that within your lifetime and mine we shall see the nations of the world all republics. The passing of autocratic rulers followed the firing of the shot "heard round the world" when a little group of embattled farmers stood at Con-

cord and defied an empire. There has been no halting of progress since that sacred day. No one who loves America will want that progress to halt now. The problems of agriculture and distribution demand immediate consideration. Until we solve them national progress can not be made.

Mr. PORTER. I yield to the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. GOODYKOONTZ. Mr. Speaker, I feel that the business men and the business interests of this country have been kicked around and cuffed about and trod upon long enough. They feel that they are entitled to freedom from the exactions of military laws that were passed during the period of hostilities between this country and Germany.

The eighth section of Article I of the Constitution says that the Congress shall have power "to declare war." The second section of Article II provides inter alia that the President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur."

The eighth section of Article I also tells us that Congress shall have power "to regulate commerce with foreign nations."

The Constitution does not contain any express language authorizing any department of the Government to declare peace. A condition of war exists when a nation is vindicating its rights by force of arms; when pacific relations have ceased; when reprisals and embargoes exist; when armed invasions, accompanied by the destruction of life and property, are taking place; when hostile and belligerent attitudes are maintained—these are some of the circumstances or indicia of war. They are the definitions of war.

As we have seen, the treaty-making power is lodged in the Executive and the Senate.

The minority Members present seem to be laboring under a misapprehension, or to be laboring with a confusion of thought, in respect to the question before us. With a good deal of boldness and an ill-concealed effort to hold a straight face, they insist that there can be no peace in the absence of a treaty.

A treaty is a contract, "a written agreement between two sovereign nations," and "a compact between two or more nations having the right of self-government." These are the definitions. The right of Congress to declare peace comes as the natural sequence to the express power to declare war. The former is the necessary complement of the latter. The one is the corollary of the other.

The war having been declared and prosecuted and long since successfully terminated by the conflict of arms and the terms of the armistice of November 11, 1918, now nearly 17 months ago; the Germans having withdrawn their invading armies and surrendered their ships and arms; and our people being now engaged in some little trade and commerce with them, and nearly all of our armed forces having been brought home and mustered out of the service, we are now actually, if not technically, at peace with the Germans. While it may be that it would be advisable to enter into a treaty—a contract in writing—with Germany, providing for trading relations, the surrender of fugitives from justice, and the like, yet this is a matter for the President and the Senate to look after. We are at peace with Germany, but the President declines to admit it—and refuses to proclaim the fact to the world.

Several years ago Congress, by joint resolution, abrogated the treaty with Russia on account of her mistreatment of the Jewish people. And we managed to get along for years without a treaty with Russia—but we were at peace with her. Just because two neighbors do not happen to have contractual relations with each other is no sign that they are not at peace. There was incorporated in the treaty of Versailles the League of Nations. The President made good his threat that the two—the treaty and the league—would be so entwined that they could not be separated. The majority of the Senate, standing firm for American rights, refused to be browbeaten into an acceptance of a treaty that involved the surrender of the rights won by the revolutionary fathers to a board of nine directors, eight of them foreigners, of whom England should have four to our one. All hail to the splendid statesmen of the Senate who defended the dearly bought rights gained for us at Bunker Hill, Valley Forge, and Brandywine, and from Lord Cornwallis at Yorktown.

Already the British are buying from the Germans, right and left, and in their merchant vessels, of which there are many thousand, transporting her manufactured products to our shores and selling the same to our people at a rich profit—all to the detriment of our workingmen and our manufacturers.

Already the British pound sterling, by reason of the importation of the German-made goods, dumped into our markets, has jumped from something over $3 to above $4, as the price of exchange. Yet imperious and vindictive, egotistical and visionary, partisan and persistent, the President tells us, there can be no declaration of peace until he gets ready to make it. In the meanwhile our trade abroad is suffering and in our domestic affairs the people, sorely tried, are being taxed to death.

Under the President's war powers he is maintaining almost innumerable boards and commissions, bureaus and departments, councils and committees, employing thousands upon top of thousands of employees, eating up the substance of the people, and being paid with the proceeds of Treasury bills now bearing 4¾ per cent interest and in regional bank currency, the printing presses of which banks are running night and day, causing an enormous inflation of the currency and the tremendously abnormal high cost of living.

Under the second section of the resolution must go to the discard the Lever Act and the other measures, necessary, I suppose, when we were in a state of war, but no longer to be desired. Business men and business interests want to be released from autocratic control and domination. They want, and the country wants, a return to constitutional government. For these reasons, and for many others that I might mention, I am for the resolution, and to vote for it will be one of the greatest pleasures of my life.

The people are war worn and weary. In conclusion I quote the memorable words of Gen. Grant, "Let us have peace." [Applause.]

Mr. PORTER. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNYDER].

Mr. SNYDER. Mr. Speaker, I am not even a lawyer, much less a constitutional lawyer; therefore I shall not attempt to deal with the constitutionality of this resolution. I try to be a plain business man, and I hope I understand something about the difficulties under which the country has been suffering due to the 61 restrictive measures which are in existence because peace has not been declared. I favor this resolution for that reason if for no other, as it will immediately, if it becomes law, remove restrictions which are making it almost impossible for the business of this country to be regularly conducted.

It is the belief of the business men of this country that we can not begin to return toward normal until peace is finally declared and becomes effective. We have a form of peace now, of course, but technically we are still at war, and until such time as we are able to realize that we are in a state of actual peace, business from one end of this country to the other will be in a disturbed condition, as it is to-day. All one needs to do is to read the newspapers and realize the condition which the country is experiencing at the various railroad junctions throughout the United States, due very largely to the present frame of mind of the people, who can not forecast what is to happen to-morrow. Unless we enact some resolution of this kind and bring some people to their senses, whether it be the gentlemen at the other end of this Capitol or the gentleman down at the other end of Pennsylvania Avenue, if they can not be brought together by their own efforts some force should be exerted to accomplish it, and if that fails to bring them together some other force must do the thing these people are supposed to do under the Constitution of the United States.

As I said, I am not a constitutional lawyer and I do not know whether this resolution is properly worded to attain this result, but I am willing to pin my faith on the judgment of the lawyers on this side who say it is the right and proper measure and live in the hope that they are correct. I would have been willing that the President and the Senate should have gotten together upon an agreement which would permit us, with proper restrictions, to become a part of the League of Nations, simply to try it out and not with any conviction on my part that it would be a success. I am firmly of the belief that even though we had gone into the League of Nations with or without restrictions it would have amounted to nothing more than a mutual admiration society, out of which there would have come as many opportunities for war as for preventing it.

So if this resolution goes through and we finally find ourselves at peace with Germany, we will be in the same position that we were before we went into the war. We will be able to determine with whom we want to fight, and when, and whether we shall send our boys across the ocean. We will let our ambassadors get together and make a final accounting and, with our business men, we will go to work again as we did before war was declared.

So I do not see anything to fear with regard to the future of this great country, even though we may not become a member of this League of Nations. If we have made peace with Germany we will be able immediately to do business with the whole world as we did before war was declared.

I sincerely hope that the good judgment of two-thirds at least of the membership of this House will support this resolution and that the President and the Senate will see to it that it finally becomes a law, so that we can once more get the country back into a normal state. [Applause.]

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 685. An act for the relief of Frank S. Ingalls;

H. R. 687. An act for the relief of Frank Pinkley;

H. R. 6077. An act for the relief of the King Coal Co., of San Francisco, Calif.;

H. R. 11175. An act for the public sale of customhouse building and site at Kennebunkport, Me.; and

H. R. 8645. An act for the relief of Lawrence Bendich and Anthony Vezich.

LEAVE OF ABSENCE.

Mr. DENISON, by unanimous consent, was given leave of absence indefinitely.

ADJOURNMENT.

Mr. PORTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock p. m.) the House adjourned until to-morrow, Friday, April 9, 1920, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Department of Agriculture for printing and binding, fiscal year 1921 (H. Doc. No. 719), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. OLNEY, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 301) to authorize the Secretary of War to grant revocable licenses for the removal of sand and gravel from the Fort Douglas Military Reservation for industrial purposes, reported the same with amendment, accompanied by a report (No. 809), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LEHLBACH, from the Committee on Reform in the Civil Service, to which was referred the bill (S. 1699) for the retirement of employees in the classified civil service, and for other purposes, reported the same with amendments, accompanied by a report (No. 813), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FOCHT, from the Committee on the District of Columbia, to which was referred the bill (H. R. 12790) to incorporate the Supreme Tabernacle, Illustrious Order Knights of the Cross, reported the same without amendment, accompanied by a report (No. 810), which said bill and report were referred to the House Calendar.

Mr. WALTERS, from the Committee on the District of Columbia, to which was referred the bill (H. R. 12908) to incorporate the Roosevelt Memorial Association, reported the same without amendment, accompanied by a report (No. 811), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KALANIANAOLE: A bill (H. R. 13500) to amend an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended, to establish an Hawaiian homes commission, and for other purposes; to the Committee on the Territories.

By Mr. WILSON of Louisiana: A bill (H. R. 13501) to provide for the sale of public lands to members of the military and naval forces; to the Committee on Ways and Means.

By Mr. MORGAN: A bill (H. R. 13502) to provide relief for the producers of wheat in the year 1917, and for other purposes; to the Committee on Agriculture.

By Mr. HICKS: A bill (H. R. 13503) to incorporate the Roosevelt Memorial Association; to the Committee on the District of Columbia.

By Mr. IRELAND: Resolution (H. Res. 514) increasing the pay of John A. McKenzie, janitor and messenger to stenographers to committees; to the Committee on Accounts.

By Mr. GOULD: Joint resolution (H. J. Res. 331) providing for the appointment of a commission for the purpose of erecting in Potomac Park, in the District of Columbia, a memorial to those members of the armed forces of the United States from the District of Columbia who served their country in the Great War; to the Committee on the Library.

By Mr. CULLEN: Memorial of the Legislature of the State of New York, urging an appropriation sufficiently great to keep in operation the Watervliet Arsenal with a force of 1,500 men; to the Committee on Military Affairs.

By Mr. GOULD: Memorial of the Legislature of the State of New York, protesting against Federal control of the New York State canals; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSTON of New York: Memorial of the Legislature of the State of New York, urging an appropriation for the continuation of the Watervliet Arsenal; to the Committee on Military Affairs.

Also, memorial of the Senate of the State of New York, regarding the canals of the State of New York; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CASEY: A bill (H. R. 13504) to restore J. C. Paine to his former position as captain and brevet lieutenant colonel, Signal Corps, United States Army; to the Committee on Military Affairs.

By Mr. COOPER: A bill (H. R. 13505) for the relief of George B. Allen; to the Committee on Claims.

By Mr. CRAGO: A bill (H. R. 13506) for the relief of John George Smith; to the Committee on Military Affairs.

By Mr. ELLIOTT: A bill (H. R. 13507) granting a pension to Charles H. Smith; to the Committee on Pensions.

By Mr. GARLAND: A bill (H. R. 13508) for the relief of Nolan P. Benner; to the Committee on War Claims.

By Mr. HAWLEY: A bill (H. R. 13509) granting a pension to Frank B. Stewart; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 13510) granting an increase of pension to Alexander Douglas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13511) granting an increase of pension to David Whittington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13512) granting an increase of pension to Thomas P. Pope; to the Committee on Pensions.

By Mr. HERSEY: A bill (H. R. 13513) granting an increase of pension to Abbie J. Geuthner; to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 13514) to confer jurisdiction on the Court of Claims to try and adjudicate the claims of Joe Ellis and other individual Shawnee and Delaware Indians on account of depredations committed by soldiers and white citizens of the United States; to the Committee on Indian Affairs.

By Mr. JOHNSON of Kentucky: A bill (H. R. 13515) granting an increase of pension to Wedding Colegate; to the Committee on Pensions.

Also, a bill (H. R. 13516) granting an increase of pension to John T. Craddock; to the Committee on Invalid Pensions.

By Mr. McKINIRY: A bill (H. R. 13517) for the relief of Philip Sheridan; to the Committee on Claims.

By Mr. McPHERSON: A bill (H. R. 13518) granting a pension to Arthur Owen; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 13519) granting a pension to Elizabeth Ellen Bealer; to the Committee on Pensions.

By Mr. NELSON of Missouri: A bill (H. R. 13520) granting an increase of pension to Melissa J. Groves; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13521) for the relief of J. D. Briscoe; to the Committee on Claims.

Also, a bill (H. R. 13522) granting a pension to Thomas Thompson; to the Committee on Pensions.

Also, a bill (H. R. 13523) granting a pension to Peter J. Silvey; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 13524) granting an increase of pension to Rebecca I. Whittelsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13525) granting a pension to Anna L. Frick; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2858. By Mr. CASEY: Petition of Dr. F. P. Archer, of Wilkes-Barre, Pa., relative to the bonus for the ex-service men of the World War; to the Committee on Ways and Means.

2859. By Mr. CULLEN: Petition of East Side Business Men and Taxpayers' Association, Buffalo, N. Y., urging the passage of bills providing for a 1-cent drop-letter rate in cities and towns and on rural routes; to the Committee on the Post Office and Post Roads.

2860. By Mr. ELLIOTT: Petition of the Thirteenth Census supervisors of the State of Indiana, urging increase in compensation; to the Committee on the Census.

2861. By Mr. FULLER of Illinois: Petition of the Illinois State Dental Society, relative to the Dental Corps in the Army; also favoring universal military training; to the Committee on Military Affairs.

2862. Also, petition of the Sandwich Manufacturing Co., of Sandwich, Ill., protesting against House bills 12379 and 12646; to the Committee on Banking and Currency.

2863. By Mr. HERNANDEZ: Petition of New Mexico Cattle and Horse Growers' Association, favoring Senate bill 3944, creating a Federal live-stock commission; to the Committee on Agriculture.

2864. By Mr. JOHNSTON of New York: Petition of the Chamber of Commerce of the State of New York, relative to inflation and high prices; to the Committee on Banking and Currency.

2865. Also, petition of the Chamber of Commerce of the State of New York, relative to American shipping, etc.; to the Committee on the Merchant Marine and Fisheries.

2866. Also, petition of the Silk Association of America, urging the adjusting of the internal-revenue laws; to the Committee on Ways and Means.

2867. By Mr. NELSON of Missouri: Petition of citizens of Miller County, Mo., also patrons of St. Martins school district, at Versailles, Morgan County, Mo., protesting against universal military training; to the Committee on Military Affairs.

2868. By Mr. RAKER: Petition of J. J. Seid, of San Francisco, Calif., urging the passage of House bill 13015; to the Committee on Ways and Means.

2869. Also, petition of citizens of the United States, urging the passage of House bill 1112; to the Committee on the Judiciary.

2870. Also, petition of A. D. Edwards & Son, of Los Angeles, Calif., urging adoption of 1-cent drop-letter postage; to the Committee on the Post Office and Post Roads.

2871. Also, petition urging early passage of House bill 1112, for the parole of Federal prisoners; to the Committee on the Judiciary.

2872. By Mr. SNYDER: Petition of the Rome (N. Y.) Chamber of Commerce, favoring the return of the Barge Canal in New York State from Federal to State control; to the Committee on Railways and Canals.

2873. By Mr. TILSON: Petition of Chamber of Commerce of New Haven, Conn., favoring a revision of the Federal income-tax laws; to the Committee on Ways and Means.